

CODE OF CONDUCT

Updated 2024

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DOC/984316		People & Safety Support Officer	Updated following the approval of the 2022 COB Enterprise Agreement
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<u>CP-039743</u> v2	19/03/2019	Council Decision 057/19	Updated values and behaviours
<u>CP-039743</u> v1.2	28/06/2018	Senior Governance and Risk Officer	Updated declaration to include work experience students and volunteers
<u>CP-039743</u> v1.1	14/05/2018	Senior Governance and Risk Officer	Updated electronic links to Legislation website, Department of Local Government, Sport and Cultural Industries and Corporate Guidelines. Updated vision/mission/Core Values as per Strategic Community Plan.
<u>CP-039743</u> v1.0	23/01/2018	Council Decision 06/18	Inclusion of personal development applications
<u>CP-039743</u>	19/09/2017	Council Decision 349/17	Major Review
<u>CP-023950</u>	12/05/2015	Council Decision 148/15	Minor amendment to gift section
<u>CP-025566</u>	11/11/2014	Council Decision 418/14	Major review
<u>CP-011147</u>	30/09/2008	Council Decision 173/08	Reviewed and amended
<u>CP-011143</u>	04/04/2006	Council Decision 33/06	Reviewed and amended
<u>CP-011141</u>	17/02/2004	Council Decision 32/04	Reviewed
<u>CP-011140</u>	14/05/2002	Council Decision 118/02	Reviewed
<u>CP-011139</u>	09/11/1999	Council Decision 595/99	Reviewed
<u>CP-011138</u>	14/04/1998	Council Decision 5/98	Reviewed
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1. The City of Bunbury Way: An Introduction

1.1. Why have codes of behaviour?

The City of Bunbury Code of Conduct sets out the expectations of behaviours that align with our values and is known as “The COB Way.” The aim of this Code of Conduct is for us to have a safe and inclusive workplace, where people are treated respectfully and where ethical work practices are always maintained.

1.2. Who does the CoB Way apply to?

It applies to all employees, contractors, volunteers, and work placements¹.

1.3. Ethical and aligned decisions

1.3.1 *We put the greater good of the organisation and our community first in all our decisions.*

By making decisions that align with the City’s values and which prioritise organisational and community outcomes, we will ensure ethics are maintained. We are all entrusted with making the best ethical decisions possible in the provision of services to our internal and external community.

These questions will support you to assess the ethical quality of your decision. If you are still in doubt speak to your manager, or your People and Safety Business Partner, who can assist you.

4 questions for ethical decision-making



Is it legal?



Is it in alignment with the CoB values?



Is it in alignment with the CoB Way?



Would it be okay if it hit the front page of the newspaper?

¹ Reg. 19AA Local Government (Administration) Regulations 1996)

2. Behaving the CoB Way

2.1 Working the CoB Way

2.1.1 *We are accountable for our behaviour and take responsibility for our actions*

- We deliver our job to the best of our ability and within the City's guidelines.
- We choose appropriate and respectful language in all situations.
- We dress appropriately for a professional workplace.
- We focus on providing an outstanding customer experience in every interaction with both the internal and external community.
- We deliver value-for-money service to our internal and external community.
- We take action to resolve issues that arise and don't seek to blame others.
- We own the decisions we make and take responsibility for fixing issues if they arise.
- We proactively resolve issues on behalf of the city as One Team.
- We align our work to the City and community priorities.

ONE TEAM means everyone who works for the City of Bunbury, including employees, volunteers and contractors, is considered part of the One Team.

2.1.2 *We adhere to the organisations policies procedures and guidelines*

- We ensure we understand and follow the CoB policies, procedures, and guidelines.
- We follow all lawful and safety instructions given to us.
- We speak up if we feel something is unlawful and/or unsafe.
- We respectfully follow instructions given by our line manager.
- We all work together to create a safe and respectful working environment.

2.2 Treating people The CoB Way

2.2.1 *We treat each other according to our values*

- We work together to create a positive and productive workplace culture.
- We take time to reflect on our behaviour to ensure it aligns with the CoB values.
- We are solution focused and find a way to achieve the best results for the City and the community.
- We do what we say we will do and don't make excuses.
- We actively engage in all activities that support a positive workplace culture.
- We respectfully call out poor behaviours that don't align with the CoB values.

2.2.2 *We treat Elected Members respectfully*

- We treat elected members with courtesy and respect aligning with the CoB values.
- We work collaboratively to deliver great results for our Elected Members and the community.
- If an Elected Member attempts to influence an officer, we are respectful in pointing them to our Director or the CEO.
- Elected Members have a Code of Conduct that deals with the relationship between Elected Members and employees. For more information [CLICK HERE](#).

2.2.3 *We respect and embrace diversity*

- We value and celebrate diversity.
- We treat our internal and external community with respect in line with the CoB values.
- We have positive intent in all our interactions.
- We ensure our internal and external community are not harmed by unconscious bias.
- We have a zero tolerance approach to any instances of discrimination, harassment, sexual harassment, racial vilification, gender discrimination and bullying.
- We challenge discrimination and harassment of any kind in the workplace.

2.3 Living the CoB Way

2.3.1 *We actively engage with the internal and external community*

- We work collaboratively with the community to deliver our community strategic plan.
- Our work is fully aligned with the community strategic plan.
- We are open and constructive in our communication with the community.
- We encourage and value community feedback and engagement.
- We maintain confidentiality of information provided by our community.
- We maintain confidentiality of all records in accordance with legal requirements.
- We ensure that we apply the principles of procedural fairness in our decision making.

Section 2 References and Quick Links



Appendix 1: City of Bunbury Values ([DOC/904166](#))

Appendix 2: Customer Service Charter and Customer Complaint Management Policy ([DOC/426923\[v3\]](#))

Appendix 3: Employee Relations Management Policy ([DOC/1196896](#))

Appendix 4: City of Bunbury Code of Conduct for Council Members, Committee Members and Candidates 2023 ([DOC/708906\[v2\]](#))

Appendix 5: [Ombudsman Western Australia Guidelines Procedural Fairness \(natural justice\)](#)

3. Communicating

3.1 Dealing with the media – making public comment and social media

Media includes newspaper, television, radio, and social media (which includes, websites and applications to create and share content and participate in social networking, or other forms of communication).

No employee can provide comment to any media source. Only the Mayor, or the CEO (with the Mayor's approval), can address the media on behalf of the City. Further details on the Media Statement Council Policy can be found [here](#).

All our communication with the public should be positive, informative and appropriate.

We are always mindful that anything we say as an individual on social media pages may impact the City and may be considered speaking on behalf of the City. We do not get involved in any form of communication that may cause harm to the City or the Council. Further details on the Social Media Management Policy can be found [here](#).

We are allowed to make comments as individuals in relation to public consultation and community engagement however we need to ensure our comments are attributed to ourselves and not the City and that we always ensure we are respectful and appropriate to our employment responsibilities.

Section 3 References and Quick Links



Appendix 6: Media Statement Council Policy ([DOC/455729](#))

Appendix 7: Social Media Management Policy ([DOC/456760\[v4\]](#))

4. Recordkeeping

4.1 Use and disclosure of information acquired in the performance of duties

4.1.1 Confidentiality and using information or position

We will come across confidential, personal, or sensitive information from time-to-time during our work. This could include information such as business/strategic plans, finances, information of other employees, members of the public, suppliers, or other information that has been disclosed to the City in confidence by a third party.

We do not disclose this information to anyone else, unless required to do so by law. This also applies after employment with the City ends.

While we may have authority to access information through our positions and legislation, we only use this authority for the purposes of doing our job and supporting our community. This means we will not seek out or use information or our position to inappropriately gain a direct or indirect advantage or disadvantage, financial or otherwise for ourselves or anyone else.

4.1.2 Emails

We make sure we have a clear understanding of the:

- [Management Policy Acceptable Use of ICT Guidelines](#) and
- [Management Policy ICT Bring Your Own Device, before using our own devices for business purposes.](#)

4.1.3 Records and Freedom of Information

We will ensure records are accurately recorded and maintained in the City's electronic document management systems in line with the [Records Management Council Policy](#). Hard copy records are to be processed by the Corporate Information department where they will be stored as required.

The City is bound by the [Freedom of Information Act 1992](#) and the [State Records Act 2000](#).

The City's Information Statement details ways in which the public can participate in the City's decision-making processes and how the public can gain access to City documents.

Section 4 References and Quick Links



Appendix 8: Acceptable Use of ICT Guidelines ([DOC/456621\[v3\]](#))

Appendix 9: ICT Bring Your Own Device Management Policy ([DOC/456612\[v3\]](#))

Appendix 10: Records Management Council Policy ([DOC/620544\[v2\]](#))

Appendix 11: Freedom of Information Statement August 2024-2025 ([DOC/503245\[v2\]](#))

Appendix 12: [Freedom of Information Act 1992](#)

Appendix 13: [State Records Act 2000](#)

5. Managing Resources for the COB Community

5.1 Security and accountability of City assets

- We keep our City access cards, equipment and assets in a safe place at all times and take responsibility for their protection.
- We don't lend or misuse our cards, equipment and assets. Lost cards, equipment or assets must be reported immediately.
- We are responsible for and will protect City equipment and assets.
- We pay attention and take care when operating any City equipment, cars or machinery.
- We use City vehicles and plant machinery according to the Motor Vehicle Management Policies.
- We report and investigate all incidents/accidents.

5.2 Accountability for services provided or paid for by the City

- We respect the employee benefits offered by the City.
- We use the time, program or opportunity that has been provided responsibly.
- We do not take advantage of or abuse the employee benefits that have been provided.

5.3 Intellectual property

- We will respect the intellectual property of others (e.g. suppliers, contractors or consultants) and only use it when agreement has been reached on its use.
- We acknowledge that our contributions at work support Building a Better Bunbury and are not for our own personal gain.
- We commit to ensuring the intellectual property developed during our time at work remains the property of the City.

Section 5 References and Quick Links



Appendix 14: Motor Vehicles Management Policy ([DOC/1067884](#))

Appendix 15: Motor Vehicle Management Procedure ([DOC/1262258](#))

Appendix 16: Motor Vehicle Logbook Management Policy ([DOC/1262264](#))

6. Use of Finances

- We use our financial resources wisely.
- If we have access to credit cards, we diligently provide all receipts and documents required to maintain records and ensure we are aligned with our policies.
- We never spend money without first considering the implications for the City and the community.
- We act with integrity when making financial decisions.
- We make ethical and well thought through decisions when making purchases.
- We consider value for money and cost in our financial decisions.
- We act in line with our financial policies, procedures and the purchasing structure.
- We keep all records regarding financial decisions and purchases.
- We will always seek advice from our manager if we are uncertain of our decisions related to financial issues.
- We do not tolerate dishonest activity causing actual or potential financial loss.
- We have zero tolerance for stealing, abuse of position, falsifying and destroying documents or information and any form of dishonesty that leads to financial loss (no matter how small). Any such action will result in an investigation and potential disciplinary action, including dismissal.

Section 6 References and Quick Links



Appendix 18: Purchasing Council Policy ([DOC/455742\[v4\]](#))

Appendix 19: Fraud and Corruption Control Plan ([DOC/641933](#))

7. Conflict of Interest

7.1 Declaring Conflict of Interest

- We always put the community's interest over and above our own personal interests.
- Sometimes actions can cause conflict – if this happens then we should immediately seek guidance from our manager on the correct course of action.
- We will disclose when we have an actual, perceived or potential conflict of interest.
- Conflict of interest can be a complex issue, however our default in all instances should be to disclose if we are unsure.
- For assistance with conflict of interest we seek advice rather than leaving ourselves or the City at risk. Further information on what a conflict of interest is and how to disclose it can be found [here](#).

1 ACTUAL

You **are** being influenced by a conflicting interest



Your team is considering whether to give a grant to a sporting organisation that you are a member of and you cannot make the decision impartially.

2 POTENTIAL

You **could be** influenced by a conflicting interest



You have a financial/personal interest in a company, which the City does business with and you may, at some point, be in a position to influence relevant business decisions.

3 PERCEIVED

You **could appear** to be influenced by a conflicting interest



You are reviewing quotes for a service and one of potential providers is the employer of your sibling. While you believe you can make an impartial decision in the best interest of the City, it could be perceived as being made in your own interest.

7.2 Disclosure of interests relating to impartiality

7.2.1 In this section, interest has the meaning given to it in the *Local Government (Administration) Regulations 1996* outlined below.

Interest —

- means an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest; and
- includes an interest arising from kinship, friendship or membership of an association.
 - [r.19AA of the *Local Government (Administration) Regulations 1996*]

7.2.2 An employee who has an interest in any matter to be discussed at a Council or Committee meeting attended by the employee is required to disclose the nature of the interest:

- a) in a written notice given to the CEO before the meeting; or
- b) at the meeting immediately before the matter is discussed.

7.2.3 An employee who has given, or will give, advice in respect of any matter to be discussed at a Council or Committee meeting not attended by the employee is required to disclose the nature of any interest the employee has in the matter:

- a) in a written notice given to the CEO before the meeting; or
- b) at the time the advice is given.

7.2.4 A requirement described under (7.2.2) and (7.2.3) excludes an interest referred to in Section 5.60 of the Act.

Section 5.60 of the Act states: -

For the purposes of this Subdivision, a **relevant person** has an interest in a matter if either –

- (a) The **relevant person**; or
- (b) a person with whom the relevant person is closely associated,
 - has –
 - (c) a direct or indirect financial interest in the matter, or
 - (d) a proximity interest in the matter.

A **relevant person** means a person who is either a council/committee member or a person to whom section 5.70, 5.71 or 5.71A applies.

Section 5.70 applies to employees or contractors who provide advice or a report on a matter (must disclose interest)

Section 5.71 applies to employees who have been delegated power or duty (must disclose interest)

Section 5.71A applies to CEOs (must disclose interest relating to gifts in connection with advice or reports).

7.2.5 An employee is excused from a requirement made under (7.2.2) or (7.2.3) to disclose the nature of an interest because they did not know and could not reasonably be expected to know:

- a) that they had an interest in the matter; or
- b) that the matter in which they had an interest would be discussed at the meeting and they disclosed the nature of the interest as soon as possible after the discussion began.

7.2.6 If an employee makes a disclosure in a written notice given to the CEO before a meeting to comply with requirements of (7.2.2) or (7.2.3), then:

- a) before the meeting the CEO is to cause the notice to be given to the person who is to preside at the meeting; and
- b) at the meeting the person presiding must bring the notice and its contents to the attention of persons present immediately before a matter to which the disclosure relates is discussed.

7.2.7 If:

- a) to comply with a requirement made under item (7.2.2), the nature of an employee's interest in a matter is disclosed at a meeting; or
- b) a disclosure is made as described in item (7.2.5)(b) at a meeting; or
- c) to comply with a requirement made under item (7.2.6)(b), a notice disclosing the nature of an employee's interest in a matter is brought to the attention of the persons present at a meeting,
- d) then the nature of the interest is to be recorded in the minutes of the meeting.

7.3 Disclosure of outside employment

We ensure that we disclose any employment/work outside of the City.

Outside employment refers to all paid and unpaid work, whether it is with another organisation, operating a business, volunteering, maintaining a professional practice or consultancy, being a director of an organisation or some other kind of work.

From time-to-time we may consider outside employment. If you are considering this, Further details on the Secondary Employment Management Policy can be found [here](#).

Section 7 References and Quick Links



Appendix 20: Conflict of Interest Management Policy ([DOC/456378\[v5\]](#))

Appendix 21: Secondary Employment Management Policy ([DOC/456757\[v3\]](#))

Appendix 22: [Regulation 19AD Local Government \(Administration\) Regulations 1996](#)

8. Gift Management

8.1 CoB commitment on gifts

We do not accept a gift valued at \$20 or higher, whether from an associated person or otherwise.

8.1.1 *Prohibited gifts, means -*

- a gift worth the threshold amount or more; or
- a gift that is one of two or more gifts given to the Local Government employee by the same person within a period of one year that are in total worth the threshold amount or more.

8.1.2 *Threshold amount for a prohibited gift*

The threshold amount, for a prohibited gift, means \$20, as determined by the CEO under regulation 19AF of the Regulations.

8.1.3. *Associated person means a person who:*

- is undertaking or seeking to undertake an activity involving a Local Government discretion; or
- it is reasonable to believe, is intending to undertake an activity involving a local government discretion.

An **activity involving a Local Government discretion** means an activity that cannot be undertaken without an authorisation from the Local Government, or by way of a commercial dealing with the Local Government.

8.1.4 *Cash gifts are strictly prohibited*

Under no circumstances do we accept money in any form. This is strictly prohibited. This includes but is not limited to:

- cash;
- cheques;
- lottery tickets;
- scratch cards;
- gift cards, EFTPOS cards and the like;
- vouchers;
- cartons of beer
- shares, or
- any other item easily converted into cash.

8.1.5 Gift exemptions

There is no requirement to record gifts/benefits that are noted as exceptions, in the Gift Register (via Attain).

Exceptions:

- Token gifts (gifts, excluding cash gifts, below \$20 are a token gift)
- Quid pro quo/consideration situations.
- Purchased goods supplier merchandising.
- Modest hospitality
- Official gifts

Example of a Quid pro quo/consideration situation

You are asked to give of your time to be a member of a committee (you are 'gifting' your time).

In consideration of your time, the Committee provides you with complementary attendance to the convention which your committee is organising.

Quid pro quo does not mean taking turns paying for coffee.

8.1.6 Recording and storing of gift disclosures

All gifts received, that are not exceptions, must be registered electronically within the City's Compliance Program, Attain, within 10 days of the offer/receipt being made.

8.1.7 Use of information relating to gifts

Notification of these gifts will be recorded in the City's Corporate Gift Register. The Register, via Attain, is available for public inspection in accordance with section 5.94(ba) of the *Local Government Act 1995*.

See the [References and Quick Links](#) for further details on the [Gifts and Reward Programs Management Policy](#).

Section 8 References and Quick Links



Appendix 23: Gifts and Reward Programs Management Policy ([DOC/456602\[v3\]](#))

Appendix 22 (pg. 26-28): [Regulation 19AD Local Government \(Administration\) Regulations 1996](#)

9. Reporting of Wrongdoing: Speak Up and Speak Out

9.1 Not engaging in unacceptable behaviour

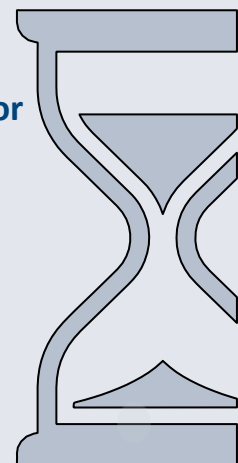
We all have a responsibility not to engage in unethical, fraudulent, dishonest, illegal or corrupt behaviour.

We also have a responsibility to speak out when we are aware of wrongdoing, whether by an employee, an elected member, a contractor or a volunteer.

Misconduct may take the form of (but not be limited to) any of the following:

- Misappropriation of funds;
- Theft of Local Government assets, including information;
- Using significant time at work for private purposes;
- Taking unrecorded leave;
- Obtaining employment under false pretences by Falsely claiming to have the required qualifications;
- Leaving the designated work area before the completion of the shift without permission;
- Falsifying of timesheets;
- Poor attendance and/or timekeeping;
- Failure to attend rostered shifts or duties without appropriate notification, or repeated lateness in reporting to work or returning from breaks;
- Smoking and/or vaping in prohibited areas;
- Failing to meet inherent requirements of the position;
- Inappropriate behaviour towards a colleague and/or member of the public;
- Off-duty conduct that may, in any way, diminish the reputation or business prospects of the City;
- Failure to follow a reasonable instruction from a supervisor/manager;
- Careless or negligent action that could endanger an employee's own safety or the safety of others;
- Fighting, or any acts of violent or physically threatening behaviour;

Checking your social media for 15 minutes every day at work is the same as being absent for two weeks each year.



For definitions of:

Fraud – refer Australian Standard AS8001-2008 ([DOC/423287](#))

Corruption – refer Australian Standard AS8001-2008 ([DOC/423287](#))

Serious Misconduct – See Section 4 of the [Corruption Crime and Misconduct Act 2003](#) (Appendix 30)

Minor Misconduct – See Section 4(d) of the [Corruption Crime and Misconduct Act 2003](#) (Appendix 30)

9.2 Speak up and speak out against unacceptable behaviour

9.2.1 *When we see or suspect misconduct we will speak up.*

Where you suspect misconduct or a breach of the Code of Conduct this should immediately be brought to the attention of your line supervisor or manager. If your line supervisor or manager is involved, you should bring it to the attention of your People and Safety Business Partner. Contractors should bring this information to the attention of their project/contract manager.



We manage and investigate any allegation of misconduct in line with the City's [Employee Relations Management Policy](#). Further details on the [Employee Relations Management Policy](#) can be found in the [Section 9 References and Quick Links](#).

The CEO has a responsibility to notify the Public Sector Commission of suspected minor misconduct or the Corruption and Crime Commission/Police of suspected serious misconduct as soon as reasonably practicable after becoming aware of the matter.

9.3 It's safe to speak up

We protect and support those who report unacceptable or illegal behaviour (some know this as whistle-blowing). We will ensure they are not in any way compromised, disadvantaged, or victimised because of their actions.

The *Corruption, Crime and Misconduct Act 2003* provides protection for witnesses who voluntarily report allegations of misconduct or corrupt conduct to the Corruption and Crime Commission.

The *Public Interest Disclosure Act 2003* facilitates the reporting of public interest information and provides protection for those who report this information under that Act.

Further details on the [Public Interest Disclosure Council Policy](#) can be found in [Section 9 References and Quick Links](#).

Section 9 References and Quick Links



Appendix 3: Employee Relations Management Policy ([DOC/775545](#))

Appendix 19: Fraud and Corruption Control Plan ([DOC/641933](#))

Appendix 24: Public Interest Disclosure Council Policy ([DOC/455740\[v4\]](#))

Appendix 25: Public Information PID Information for Employees ([DOC/619344](#))

Appendix 26: A guide for Managers for Public Interest Disclosure ([DOC/619347](#))

Appendix 27: AS 8001 Fraud and Corruption Control ([DOC/423287](#))

Appendix 28: [Public Interest Disclosure Act 2003](#)

Appendix 29: Work Health and Safety (WHS) Procedure: Smoking at the Workplace ([DOC/945952](#))

Appendix 30: [Corruption Crime and Misconduct Act 2003](#)

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