

Employee Code of Conduct

Responsible Directorate	Corporate Services
Responsible Branch	People Culture and Safety
Responsible Officer	Manager People Culture and Safety
Affected Services	ALL SERVICES
ECM Document Set ID	4858870

Purpose

The City of Bayswater employee Code of Conduct (the Code) provides employees with clear guidelines for the standards of professional conduct expected of them in carrying out their functions and responsibilities.

Objective

The objectives of this Code of Conduct are to:

1. Establish the behaviour expected from all employees when performing their duties and how suspected breaches of the Code will be reported and managed.
2. Address the broader issue of integrity and ethical responsibility and encourage transparency and accountability. The Code expresses the City's commitment to high standards of ethical and professional behaviour and outlines the principles in which individual responsibilities are based.
3. Complement the principles set out in the *Local Government Act 1995* (the Act) and associated regulations, which incorporate four fundamental aims:
 - (a) Better decision-making by local governments
 - (b) Greater community participation in the decisions and affairs of local governments
 - (c) Greater accountability of local governments to their communities
 - (d) More efficient and effective local government.

Legislative Requirements to have a Code of Conduct

This Code addresses the requirement in section 5.51A of the *Local Government Act 1995* for the CEO to prepare and implement a code of conduct to be observed by employees of the Local Government, and includes the matters prescribed in Part 4A of the *Local Government (Administration) Regulations 1996*.

Employees are to ensure they understand their legal responsibilities under this Code and the relevant legislation. If any clauses are unclear, they should seek clarification from their line leader, or a member of the People and Culture team.

Employee Code of Conduct

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Definitions

This management practice adopts the following definitions from the *Local Government (Administration) Regulations 1996*.

Activity involving a local government discretion means an activity:

- (a) that cannot be undertaken without an authorisation from the local government; or
- (b) by way of a commercial dealing with the local government

Associated person means a person who:

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

Code of Conduct means a code of conduct under section 5.51A;

City of Bayswater resources includes local government property and services provided or paid for by the City of Bayswater;

Gift means a conferral of a financial benefit (including a disposition of property) made by 1 person in favour of another person unless adequate consideration in money or money's worth passes from the person in whose favour the conferral is made to the person who makes the conferral;

- (a) a travel contribution; but does not include —
 - (i) a gift from a relative as defined in section 5.74(1); or
 - (ii) a gift that must be disclosed under the Local Government (Elections) Regulations 1997 Regulation 30B; or
 - (iii) a gift from a statutory authority, government instrumentality or non-profit association for professional training; or
 - (iv) a gift from WALGA, the Australian Local Government Association Limited (ABN 31 008 613 876), the Local Government Professionals Australia WA (ABN 91 208 607 072) or the LG Professionals Australia (ABN 85 004 221 818);

Interest means:

- (a) an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest; and
- (b) includes an interest arising from kinship, friendship or membership of an association.

Local government employee means a person:

- (a) employed by a local government under section 5.36(1); or
- (b) engaged by a local government under a contract for services.

Local government property has the meaning given to it in *the Act* and means:

anything, whether land or not, that belongs to, or is vested in, or under the care, control or management of, the local government

[Section 1.4 of the *Local Government Act 1995*]

Prohibited gift, in relation to a local government employee, means:

- (a) a gift worth the threshold amount or more; or
- (b) a gift that is 1 of 2 or more gifts given to the local government employee by the same person within a period of 1 year that are in total worth the threshold amount or more;

Threshold amount, for a prohibited gift, means \$300 or a lesser amount determined under regulation 19AF.

Travel includes accommodation incidental to a journey.

Travel contribution means a financial or other contribution made by 1 person to travel undertaken by another person.

Practice Statement

Application

The Code applies to all employees, including the CEO, while on the Local Government's premises or while engaged in Local Government related activities and on occasions when a link can be established between employment and the City of Bayswater, such as at social functions and social media.

Employees are to ensure they understand their legal responsibilities under this Code and the relevant legislation. If any clauses are unclear, they should seek clarification from their line leader, or a member of the People and Culture team.

This Employee Code of Conduct replaced the Employee Code of Ethics adopted January 2013, effective from Monday 4 April 2022.

Message from the Chief Executive Officer

The foundation of a successful organisation is a culture that is respectful and ethical, with values-based behaviours and an accountable mindset. These are the traits that determine the standards we uphold and affect how we are perceived by the community and our colleagues.

The City of Bayswater employee Code of Conduct clearly defines the acceptable behaviours and actions of everyone employed by the City and will help us align our organisational values with the Strategic Community Plan, within the legislative environment in which we operate.

The code has been designed to be practised hand in hand with our organisational values - which have been developed by staff to foster a positive, professional and considerate workplace.

Collectively, our values and the code provide a framework to guide high standards of integrity and the ethical behaviour of us all. I believe them to be the cornerstones for building constructive and positive relationships and will strengthen our understanding of what it means to work at the City of Bayswater.

I encourage each of you to not just read the Code but to embrace the true essence of its intention and take pride in yourself, your colleagues, and our organisation.

JEREMY EDWARDS
CHIEF EXECUTIVE OFFICER

City of Bayswater Values

The values are guiding principles to help us choose how we work every day. They help us select the right way of working and support us in making sound decisions.

Values set the tone for our City's culture and when aligned with the standards in the Code of Conduct ensures we act ethically and with integrity. We all need to make sure our actions always reflect our values.

The City's values are:

Customer – Our service meets the needs and expectations of our customers.

Accountability – We are responsible for what our actions and decisions and have integrity.

Respect – We value diverse perspectives, treating everyone with fairness in our interactions.

Excellence - We continuously improve and strive to do better.

Safety – We take safety seriously.

For more information, please refer to the 'Our Values Guide' which provides examples of what is meant when each of the values is demonstrated and employees are 'on track', and by contrast, when behaviours are 'off track' and could be improved. The Guide can be found on Baynet: [Our Values Guide](#).

As you read through the following sections, you are asked to make a series of commitments; please read carefully and if you have any questions, ask your line leader or a member of the People, Culture and Safety (PCS) team. Code of Conduct

1. Code of Conduct

1.1 Role of Employees

The role of employees in Local Government is determined by the functions of the CEO as set out in section 5.41 of *the Act*.

5.41. Functions of CEO

The CEO's functions are to:

- (a) advise the council in relation to the functions of a local government under this Act and other written laws*
- (b) ensure that advice and information is available to the council so that informed decisions can be made*

- (c) *cause council decisions to be implemented*
- (d) *manage the day-to-day operations of the local government*
- (e) *liaise with the mayor or president on the local government's affairs and the performance of the local government's functions*
- (f) *speak on behalf of the local government if the mayor or president agrees*
- (g) *be responsible for the employment, management supervision, direction and dismissal of other employees (subject to section 5.37(2) in relation to senior employees)*
- (h) *ensure that records and documents of the local government are properly kept for the purposes of this Act and any other written law; and*
- (i) *perform any other function specified or delegated by the local government or imposed under this Act or any other written law as a function to be performed by the CEO.*

Local Government Act 1995

1.2 Principles affecting employment by the City of Bayswater

The principles set out in section 5.40 of *the Act* apply to the employment of the City of Bayswater's employees:

5.40. Principles affecting employment by local governments

The following principles apply to a local government in respect of its employees —

- (a) *employees are to be selected and promoted in accordance with the principles of merit and equity; and*
- (b) *no power with regard to matters affecting employees is to be exercised on the basis of nepotism or patronage; and*
- (c) *employees are to be treated fairly and consistently; and*
- (d) *there is to be no unlawful discrimination against employees or persons seeking employment by the City on a ground referred to in the Equal Opportunity Act 1984 or on any other ground; and*
- (e) *employees are to be provided with safe and healthy working conditions in accordance with the Occupational Safety and Health Act 1984; and*
- (f) *such other principles, not inconsistent with this Division, as may be prescribed.*

Local Government Act 1995

1.3 Personal behaviour

Employees must:

1. Act, and be seen to act properly, professionally and in accordance with the requirements of the law, the terms of this Code and all policies of the City of Bayswater

2. Perform their duties impartially and in the best interests of the City of Bayswater, uninfluenced by fear or favour
3. Act in good faith (i.e. honestly, for the proper purpose, and without exceeding their powers) in the interests of the City of Bayswater as the employer, and the broader community
4. Make no allegations which are improper or derogatory
5. Refrain from any form of conduct, in the performance of their official or professional duties, which may cause any reasonable person unwarranted offence or embarrassment
6. Always act in accordance with the City's values as set out in section 3.

1.4 Honesty and integrity

1. Observe the highest standards of honesty and integrity, and avoid conduct which might suggest any departure from these standards
2. Be frank and honest in their official dealings with each other
3. Report any dishonesty or suspected dishonesty on the part of any other employee to their line leader, People, Culture & Safety or the CEO, in accordance with this Code and the City of Bayswater's policies, management practices and procedures.

1.5 Performance of duties

While on duty, employees will give their whole time and attention to the City of Bayswater's business and ensure that their work is carried out efficiently, economically and effectively, and their standard of work reflects favourably both on them and on the City of Bayswater.

1.6 Compliance with lawful and reasonable directions, decisions and policies

1. Employees will comply with any lawful and reasonable direction given by any person having authority to make or give such a direction, including but not limited to their line leader, a more senior leader or the CEO.
2. Employees must carry out lawful decisions and policies of the City of Bayswater, whether or not they agree with or approve of them.

1.7 Administrative and Management Practices

Employees will ensure compliance with proper and reasonable administrative practices and conduct, and professional and responsible management practices.

1.8 Intellectual Property

The Intellectual Property relating to work created and done in the course of your employment will belong to the City of Bayswater from its concept unless otherwise agreed by separate contract.

1.9 Record keeping

Individual employees are committing an offence under the *State Records Act 2000*, if they fail to keep a record in accordance with an agency's Record Keeping Plan.

In accordance with the *State Records Act 2000*, employees will:

- (a) Ensure complete and accurate local government records are created and maintained in accordance with the City of Bayswater's Record Keeping Plan.

1.10 Dealing with other employees

1. Employees must be aware of and comply with their obligations under relevant law and the City of Bayswater's policies and management practices regarding workplace behaviour and work health and safety, as may be reviewed from time to time.
2. Employees will treat other employees with respect, courtesy and professionalism, and refrain from behaviour that constitutes discrimination, bullying or harassment.
3. Employee behaviour must reflect the City of Bayswater's requirements for complying with discrimination, harassment and bullying legislation and should support the City's values and contribute towards creating and maintaining a safe, inclusive and supportive workplace.

1.11 Interacting with community

1. Employees will treat all members of the community with respect, courtesy and professionalism.
2. All City of Bayswater services must be delivered in accordance with relevant policies and procedures, and any issues resolved promptly, fairly and equitably.

To view the Charter, go to [Customer Service Charter.pdf \(bayswater.wa.gov.au\)](#) and for more information please contact the Coordinator Customer Services.

1.12 Professional communications

1. All aspects of communication by employees (including verbal, written and electronic), involving the City of Bayswater's activities should reflect the status, values and objectives of the City of Bayswater.
2. Communications should be accurate, polite and professional.

The City's Written Style Guide provides comprehensive details on writing in practice and can be found on Baynet: [Written Style Guide 2021.pdf \(bayswater.wa.gov.au\)](#)

1.13 Personal communications and social media

1. Personal communications and statements made privately in conversation, written, recorded, emailed or posted in personal social media, have the potential to be made public, whether intended or not.
2. Employees must not, unless undertaking a duty in accordance with their employment, disclose information, make comments or engage in communication activities about or on behalf of the City of Bayswater, Council Members, employees or contractors, that breach this Code.
3. Employee comments which become public and breach the Code of Conduct, or any other operational policy or procedure, may constitute a disciplinary matter and may also be determined as misconduct and be notified in accordance with the Corruption, Crime and Misconduct Act 2003.

See also Appendix I – Social Media Standard

1.14 Personal presentation

The City provides a uniform for those with customer facing roles and the requirements are set out in the City's management practice for uniforms. For any role requiring personal protective clothing and equipment (PPCE), all items must be worn according to the City's Work Health and Safety guidelines.

Given the formality of Council meetings, appropriate professional dress standards are expected of the City officers for attendance at Council meetings and other similar formal meetings.

Employees are generally expected to adopt professional, neat and appropriate dress standards at all times.

1.15 Conflict of interest

A conflict of interest involves a conflict between an employee's duties and their personal or private interests. Employees may have a conflict of interest. It is important that it is identified, reported and appropriately managed.

Conflicts of interest can be actual, perceived or potential:

- An actual conflict of interest may arise when an employee is asked to make a decision that directly affects or impacts their personal or private interests.
- A perceived interest is where an employee's decision could be questioned based on a personal or private interest that may not actually have impacted any decision.

- A potential conflict of interest arises where an employee has private interests that could conflict with their official duties in the future, or where an employee has competing interests because they hold more than one official role or duty.

Employees will ensure that they are aware of their actual, perceived or potential conflicts of interest between their personal interests and the impartial fulfilment of their professional duties.

Employees must behave or act in a manner at all times that demonstrates their impartial involvement when carrying out their duties or decision-making. Biases can be both positive and negative and can have an impact on our decision-making. At all times, employees should be alert to the following biases:

- Personal beliefs or attitudes.
- Personal or business interest or rights.
- Interests or rights of your family, friends, or colleagues.

If any such perceived bias appears to exist, the employee must declare an interest and may have to remove themselves from any duties and/or decision-making.

To meet the requirements of this Code, employees must:

1. Ensure, where practical, that there is no actual (or perceived) conflict of interest between their personal interests and maintaining impartiality in their work-related decision making.
2. Must advise their line manager if a conflict of interest is likely to occur in the performance of their duties on a specific task. Once an interest is declared, discussions will be held to determine if it is appropriate for the employee to continue in the role (or the specific task) and take necessary steps to avoid a conflict of interest. This includes making appropriate disclosures before dealing with any relatives or close friends or others where there may be a perception that there is bias in the decision making.
3. Comply with the *Local Government (Functions and General) Regulations 1996*, in any instance where they are involved in any manner with tendering for a Council contract and not engage in private work with or for any person or body with an interest in a proposed or current contract with the City of Bayswater, without first disclosing the interest to their line manager. In this respect, it does not matter whether advantage is in fact obtained, as any appearance that private dealings could conflict with performance of duties must be scrupulously avoided.
4. Conduct themselves in a non-political manner and refrain from activities which could cast doubt on their neutrality and impartiality while acting in their professional capacity. An individual's rights to maintain their own political convictions are not impinged upon by this clause. It is recognised that such beliefs cannot be a basis for discrimination and this is supported by anti-discriminatory legislation.

5. Ensure that if they have dealings with the City or have an interest, whether financial or not, in a matter before the City or a matter which they have reason to believe will be brought before the City, will:
 - (a) Disclose their interests in the matter when seeking information and seek the information by written request
 - (b) Not seek to obtain access to documents or to use the resources of the local government directly or indirectly
 - (c) Not seek direct access to an employee dealing with the matter in a manner that would not be available to other members of the public; and
 - (d) Not seek to influence other employees in dealing with the matter.
6. Comply with the Local Government (Administration) Regulations 1996, in any instance where they have an interest in any matter to be discussed at a Council or Committee Meeting and need to disclose the nature of the interest if they attend the meeting:
 - (a) in a written notice given to the CEO before the meeting; or
 - (b) at the meeting immediately before the matter is discussed.
7. This requirement is also in place for a local government employee who has given or will give advice in respect of any matter discussed at a Council or Committee meeting not attended by the local government employee.
8. A local government employee is excused from a requirement under sub regulation (1) or (2) of section 5.60 of the Local Government Act 1995 if the local government employee fails 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.
9. To comply with a requirement under sub regulation (1) or (2), a local government employee if they disclose an interest in a written notice given to the CEO before a meeting, then —
 - (a) before the meeting the CEO must 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 the persons present immediately before any matter to which the disclosure relates is discussed.

1.16 Gifts

1. This section of the Code of Conduct does not apply to the CEO, who is subject to the requirements of Part 5, Division 6 of the *Local Government Act 1995* in relation to gifts.

2. This section applies to all other employees, and establishes the requirements for the recording, storage, disclosure and use of information relating to gifts under Regulation 19AC of the Local Government (Administration) Regulations 1996.
3. The City recognises that in the course of dealing with members of the public or contractors, employees may be offered gifts. This may be simply seen as an expression of appreciation for services provided and carry no expectations, but careful consideration needs to be given to whether receiving such gifts has the potential to influence decision making, which would place the employee, and the City, in a difficult position.
4. Just as importantly, the perception of any influence may damage the reputation of the City and the employee.
5. A basic rule to consider is that an employee is prohibited from using their position to obtain personal benefits, which may include sponsored travel and hospitality, or gifts to an Employee's immediate family. Asking for gifts of any kind is unacceptable.

1.16.1 Determination of threshold amount

1. The CEO has determined the amount for the purposes of the threshold in Regulation 19AA to be \$50. Any gift valued at over \$50 must be reported, as outlined below.
2. Gifts valued at \$300 or more are prohibited and must not be accepted.

1.16.2 Reportable gifts

1. A **reportable gift** is a gift, or 2 or more gifts from the same person (or organisation) over a 12-month period valued between \$50 and \$299.
2. An employee that accepts a reportable gift from an associated person must notify the CEO, in accordance with the process below, within 10 days of accepting the gift:
3. The notification of the acceptance of a reportable gift must be in writing and include:
 - (a) The name of the person who gave the gift; and
 - (b) The date on which the gift was accepted; and
 - (c) a description, and estimated value, of the gift; and
 - (d) the nature of the relationship between the employee and the person who gave the gift;
 - (e) If an employee is uncertain about whether the acceptance of a gift may contravene the Code or create a conflict of interest, they must discuss the gift with their Line Manager for consideration by the relevant Director.
 - (f) If a gift is from a supplier of the City, and the employee has either been involved in a procurement with that supplier within the previous 12 months, or it is possible that the employee may be involved in a procurement involving that supplier within the next 12-months, the employee must not accept the gift without the approval of their Line Manager and Director.

- (g) The CEO will maintain a public register of reportable gifts and record in it details of the notifications given under clause (c) above.
- (h) For clarity, this clause does not apply to gifts received from a relative (as defined in s.5.74(1) of the *Local Government Act 1995*) or received in an employees personal capacity.
- (i) Gifts that are offered, but not accepted by an employee, are not required to be declared.

The following matrix provides practical examples of how gifts are to be considered, and what action should be taken:

Description of gift	Value	Action required	Considerations
Employee receives a bottle of wine from a contractor or supplier.	\$15	Can be accepted. Not a reportable gift.	Employee may choose to record it on the gift register anyway (discretionary) as the value of a notifiable gifts includes other such gifts within a 12-month period.
Employee meets with a consultant (working lunch) and his or her meal is paid for by the consultant.	\$55	Can be accepted but must be recorded as a gift that must be disclosed.	Employee may choose not to accept the gift that must be disclosed as the gift register is published on the City's website which may create a perception there could be a conflict of interest. If the employee has been involved or is likely to be involved in a procurement relating to the consultant within a 12-month period, they must discuss the acceptance of the gift with their Line manager and Director prior to accepting the gift.
Employee is offered a free weekend away by a supplier or contractor	\$450	Cannot be accepted as the value is over \$299 (prohibited gift)	Employee does not have discretion as to whether or not to accept the gift. The gift must be declined.

Description of gift	Value	Action required	Considerations
Employee receives a box of chocolates from a customer in appreciation for service provided.	\$5	Can be accepted. Not a reportable gift.	Employee may choose not to record it as it is a 'one-off' token and unlikely to exceed the \$50 notifiable value within 12 months.
Employee receives concert tickets from a regular customer	\$200	Can be accepted but must be recorded as a gift that must be disclosed.	Employee may choose to accept the gift that must be disclosed but will need to carefully consider that another gift from the same person within the next 12 months will (when the combined value is considered) exceed the \$299 limit and therefore become a prohibited gift.

1.17 Secondary employment

An employee must not engage in secondary employment (including paid and unpaid work) without receiving the prior written approval of their Director or the CEO.

Employees must:

- Carefully consider whether any other employment outside their City of Bayswater employment may adversely affect the performance of their City duties and responsibilities, affect the reputation of the City or may give rise to a conflict of interest.
- Seek authorisation prior to engaging in any outside employment or other professional activity.

Casual employees are not required to seek the approval but should consider any potential for conflict of interest.

More information is contained in the Secondary Employment Management Practice.

1.18 Disclosure of financial, proximity or impartiality interests

- All employees will apply the principles of disclosure of interests as contained within *the Act* and Regulations.

2. Employees who have been delegated a power or responsibility, have been nominated as 'designated employees' or provide advice or reports to Council or Committees, must ensure that they are aware of, and comply with, their statutory obligations under *the Act*.

1.19 Employee's duty to disclose their interest in a matter being decided by Council or at a Committee

1. If an employee has a financial, proximity or impartiality interest in a matter being decided by Council or presented to a Committee, that interest must be disclosed to their line manager and Director, prior to providing any advice or developing a report for the Council or the Committee.
2. If the employee is also responsible for the submission of the report to the council or Committee, this disclosure must be included in the report, disclosed to the CEO before the meeting, and the Council must be advised of the interest at the meeting before the item is discussed.
3. If an employee has an interest in a matter being decided by Council or at one of the Committees, that interest must either be disclosed before the meeting to the CEO, or at the meeting before the item is discussed.
4. Employees are required to disclose any interest that could directly, or may reasonably be perceived to, affect the employee's impartiality on the issue and could include an interest in a matter due to family, personal friendship, membership of an association or the acceptance of a gift.
5. An interest could be financial (direct or indirect) or a proximity interest on a land matter, for example if it relates to the zoning or use of land adjacent to the employee's own property. Details of how to determine if a person has an interest in matter are provided in sections 5.60 – 5.73 of the Local Government Act 1995 and the City's Governance team can also provide guidance.

1.20 Unethical, Fraudulent, Dishonest, Illegal or Corrupt Behaviour

1. Employees will:
 - (a) Not engage in any unethical, fraudulent, dishonest, illegal or corrupt behaviour
 - (b) Report any information about actual or potentially unethical, fraudulent, dishonest, illegal or corrupt activities to their line manager, their Director, the CEO or the PID (Public Interest Disclosure) Officer
 - (c) Report any suspected breaches of this Code.

1.21 Securing Personal Advantage or Disadvantaging Others

1. An employee must not make improper use of their position to:
 - (a) Gain directly or indirectly an advantage for the employee or any other person; or
 - (b) Cause detriment to the City or any other person.

2. Employees should not benefit personally from City business. This extends to the use of personal reward cards, including but not limited to Frequent Flyer, Fly Buys, Everyday Rewards, Airline Programmes, vouchers, promotions or discounts that may be offered when purchasing goods or services on behalf of the City. Any purchase made in relation to City business remains the property of the City. Redemption of rewards or vouchers for personal use is a personal benefit and will be considered to be misconduct.

1.22 Use and disclosure of information

1. Employees must not access, use or disclose information held by the City of Bayswater except as directly required for, and in the course of, the performance of their duties.
2. Employees will handle responsibly all information obtained, accessed or created in the course of their duties, and in accordance with this Code, the City of Bayswater's policies and procedures.
3. Employees must not access, use or disclose information to gain improper advantage for themselves or another person or body, in ways which are inconsistent with their obligation to act impartially and in good faith, or to improperly cause harm, detriment or impairment to any person, body, or the City of Bayswater.
4. Due discretion must be exercised by all employees who have access to confidential, private or sensitive information.
5. Nothing in this section prevents an employee from disclosing information if the disclosure:
Is authorised by the CEO or the CEO's delegate; or
6. Is permitted or required by law.
7. Confidential information provided to employees for the purpose of performing their duties or work created by the employee as part of their duties shall remain the property of the City of Bayswater. Any City intellectual property must not be removed by the employee at end of the employment contract.

1.23 Improper or undue influence

1. Employees will not take advantage of their position to improperly influence Council Members or employees in the performance of their duties or functions, in order to gain undue or improper (direct or indirect) advantage or gain for themselves or for any other person or body.
2. Employees must not take advantage of their position to improperly influence any other person in order to gain undue or improper (direct or indirect) advantage or gain, financial or otherwise, for themselves or for any other person or body.
3. Employees must not take advantage of their positions to improperly disadvantage or cause detriment to the local government or any other person.

1.24 Personal Dealings with the City

Employees will inevitably deal personally with their local government (for example as a rate payer, or user of City services or facilities). Employees must not expect or request preferential treatment for themselves or their families because of their position. At all times, employees must avoid any action that could lead members of the public to believe that they are seeking preferential treatment.

1.25 Use of City of Bayswater Resources

1. Employees will:
 - (a) Be honest in their use of the City of Bayswater resources and must not misuse them or permit their misuse (or the appearance of misuse) by any other person or body
 - (b) Use the City of Bayswater resources entrusted to them effectively, economically, in the course of their duties and in accordance with relevant policies and procedures; and
 - (c) Not use the City of Bayswater's resources (including the services of employees) for private purposes (other than when supplied as part of a contract of employment), unless properly authorised to do so, and appropriate payments are made (as determined by the CEO).

1.26 Use of City of Bayswater's finances

1. Employees are expected to act with integrity and sound judgment in all matters involving the City of Bayswater's finances.
2. Employees will use City of Bayswater finances only within the scope of their authority, as defined in the City's Delegated Authority Register, policies and procedures, the accounting standards and the requirements of the Local Government (Financial Management) Regulations 1996.
3. Employees who have purchasing authority will act within the limits of the City of Bayswater's Purchasing Policy, and associated management guidelines and procedures.

2. Reporting

2.1 Reporting of suspected breaches of the employee Code of Conduct

As public officers, employees have an obligation to report misconduct.

Employees must report suspected breaches of the Code to their line leader, People, Culture & Safety, any senior leader the CEO or via the specific misconduct reporting avenues:

- Email – misconductreporting@bayswater.wa.gov.au
- Phone – misconduct reporting hotline – 0447 319 614 (monitored from 9am to 4pm Monday to Friday, outside these hours please report to your line leader).

Workplace safety and health matters should be reported in the City's Work, Health & Safety system Done Safe.

The City's People, Culture and Safety team can provide further guidance on those procedures.

2.2 Handling of suspected breaches of the employee Code of Conduct

Suspected breaches of the Code will be dealt with in strict confidence. Suspected breaches will generally be investigated internally.

2.3 Reporting suspected unethical, fraudulent, dishonest, illegal or corrupt behaviour

Employees must also report suspected unethical, fraudulent, dishonest, illegal or corrupt behaviour. This can be done in a number of ways:

- To their line leader, a senior leader, or the CEO
- By email or phone (see Section 5.1), or
- Using the City of Bayswater Public Interest Disclosure (PID) procedures
- Directly to the Corruption and Crime Commission (serious misconduct) or to the Public Sector Commission (minor misconduct)
- Under the Reportable Conduct Scheme, allegations of child abuse are to be reported to the Ombudsman Western Australia

For more information, please refer to the link on Baynet: [Public Interest Disclosure \(PID\)](#) or speak to a member of the Governance team.

2.4 Handling of suspected unethical, fraudulent, dishonest, illegal or corrupt behaviour

In accordance with the *Corruption, Crime and Misconduct Act 2003*, if the CEO suspects on reasonable grounds that the alleged behaviour may constitute misconduct as defined in *the Act*, the CEO will notify:

- The Corruption and Crime Commission, in the case of serious misconduct; or
- The Public Sector Commissioner, in the case of minor misconduct.

The Reportable Conduct Scheme compels heads of organisations that exercise care, supervision or authority over children to notify allegations of, or convictions for, child abuse by their employees to the Ombudsman and then investigate these allegations. The Ombudsman will monitor, oversee and review these investigations.

Appendix I Social Media Standard

Purpose

The purpose of this standard is to define what is expected, in relation to the personal and (authorised) business use of social media.

Definition

Social media is a collective term for websites and applications which focus on communication, community-based input, interaction, content-sharing and collaboration. Social networking, advertising and community groups are among the different types of social media.

Platforms include, but are not limited to:

- Social networking sites such as Facebook, Instagram, Snapchat, LinkedIn, Twitter, Pinterest, Yammer and WhatsApp
- Video sharing sites such as Flickr, YouTube, Vimeo and TikTok
- Blogging platforms such as WordPress, Blogger and Tumblr
- Discussion forums such as Reddit, Yahoo! Groups and Google Groups
- On-line encyclopaedias such as Wikipedia
- Any other sites that enable users to publish comments and/or images.

The City of Bayswater requires that all employees and trusted third parties think about the consequences of their actions before use of any social media. For more information, please refer to Section 4.13 in the employee Code of Conduct.

Employees who are required to use social media as a part of their role and responsibilities will have such requirements documented within their job description. For all other employees, the use of social media (unless a part of your documented duties) during working hours must be minimal and must not impact on working duties. Employees should be aware there are systems in place to track and monitor access to and time spent using City owned information systems, such as Litmos, social media platforms and any internet use.

The use of a person's private social media when outside of work has the potential to impact the operations, reputation or security of the City of Bayswater and as such the following controls apply to all employees when using social media in or out of the working environment:

Prohibited use of social media includes, but is not limited to communication that includes:

- Revealing information about the City or its operations
- Disclosure of information about an employee, or a member of the community, obtained through work

- Comments that could be taken to be an opinion of the City
- Comments which may be considered rude, offensive, bullying, threatening, harassing or discriminatory against an employee, and/or
- Comments which have the potential to adversely affect the reputation of the City
- Conduct or content of a sexual nature.

For example, the City uses YouTube to live stream council meetings. This platform has the option for those in attendance to add comments during the meeting. Any comments whether as an employee or as an individual that could be deemed to be the opinion of the City to have the potential to damage the reputation of the City would result in action.

All employees are to be aware that:

- No one may use the City's logo or other branding elements on personal social media accounts (including within the background of photographs)
- Employees must make clear any views expressed are their own and not those of the City
- Employees are not to use a work email address to register personal social media accounts.

Engaging in any use of online electronic communication which is prohibited as detailed above may be considered a breach of the City's employee Code of Conduct and may be subject to disciplinary action.

An employee who is unsure regarding actions or communications that may be considered inappropriate are to seek guidance from their line leader, the Manager People, Culture and Safety or from the Manager Digital Services and Solutions.

Related Legislation

Corruption, Crime and Misconduct Act 2003

Equal Opportunity Act 1984

Local Government Act 1995

Occupational Safety and Health Act 1984

State Records Act 2000

Related Documentation

Appendix Social Media Standard

Document details

Risk evaluation	Moderate
Strategic link	5.1.1 Provide ethical and accountable governance.
ELT adoption	11/02/2022
Next review due	January 2030
Reviewed/modified	05/02/2026
Revision details	Updated to address OAG Gift and Benefits Audit. Updated sections related to gifts and conflicts of interest.