SHIRE OF
WESTONIA
A vibrant community lifestyle

Code of Conduct for Employees

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Shire of Westonia Code of Conduct for Employees

Introduction

The Shire of Westonia 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.

The Code addresses the broader issue of ethical responsibility and encourages transparency and accountability. The Code expresses the Shire of Westonia' commitment to high standards of ethical and professional behaviour and outlines the principles in which individual responsibilities are based.

The Code is complementary to the principles adopted 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; and
(d) more efficient and effective local government.

1. Statutory environment

The Code addresses the requirement in section 5.51A of the Act 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*.

The Code should be read in conjunction with the Act and associated regulations. Employees should ensure that they are aware of their statutory responsibilities under this and other legislation.

2. Application

For the purposes of the Code, the term employees includes persons employed by the Shire of Westonia or engaged by the Shire under a contract for services. The Code applies to all employees, including the CEO, while on the Local Government's premises or while engaged in Local Government related activities. Clause 3.15 of this Code (Gifts) does not apply to the CEO.

Vision

The Shire will endeavour to provide the community services and facilities to meet the needs of the community and enable them to enjoy a pleasant and healthy way of life.

Code of Conduct

3. Role of Employees

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

5.41. Role of CEO

(1) The CEO, as the local government's chief executive officer, is responsible for managing the local government's administration and operations.

(2) The CEO's executive role includes the following —

(a) causing council decisions to be implemented;

(b) managing the provision of services and facilities that the council has determined the local government is to provide in the district;

(c) determining procedures and systems for —

(i) implementing the local government's policies as determined by the council; and

(ii) otherwise managing the local government's administration and operations;

(d) being responsible for the employment, management, supervision, direction and dismissal of other employees(subject to section 5.37(2) in relation to senior employees);

(e) ensuring that records and documents of the local government are properly kept for the purposes of this Act and any other written law.

(3) The CEO is the council's principal advisor and, as such, does the following —

(a) advises, and procures advice for, the council in relation to the local government's affairs and the performance of the local government's functions;

(b) ensures that the council has the information and advice it needs to make informed and timely decisions.

(4) The CEO —

(a) liaises with the mayor or president on the local government's affairs and the performance of the local government's functions; and

(b) speaks on behalf of the local government if the mayor or president agrees.

(5) The CEO performs any other function specified or delegated by the local government or imposed under this Act or another written law as a function to be performed by the CEO.

Local Government Act 1995

4. Principles affecting employment by the Shire of Westonia

The principles set out in section 5.40 of the Act apply to the employment of the Shire'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 Work Health and Safety Act 2020; and*
> *(f) such other principles, not inconsistent with this Division, as may be prescribed.*
>
> *Local Government Act 1995*

5. Personal Behaviour

Employees will:

(a) 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 Shire,
(b) perform their duties impartially and in the best interests of the Shire uninfluenced by fear or favour,
(c) act in good faith (i.e., honestly, for the proper purpose, and without exceeding their powers) in the interests of the Shire and the community,
(d) make no allegations which are improper or derogatory (unless true and in the public interest)
(e) 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; and
(f) always act in accordance with their obligation of fidelity to the Shire.

6. Honesty and integrity

Employees will:

(a) observe the highest standards of honesty and integrity, and avoid conduct which might suggest any departure from these standards;
(b) be frank and honest in their official dealing with each other; and
(c) report any dishonesty or possible dishonesty on the part of any other employee to the CEO in accordance with this Code and the Shire's policies.

7. Performance of Duties

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

8. Compliance with Lawful and reasonable Directions, Decisions and Policies

(a) Employees will comply with any lawful and reasonable direction given by any person having authority to make or give such an order, including but not limited to their immediate Supervisor/Manager or the CEO.
(b) Employees will give effect to the lawful policies of the local government and/or have due regard for the lawful policies of the local government in decision making, whether or not they agree with or approve of them.

9. Administrative and Management Practices

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

10. Intellectual Property

The title to Intellectual Property in all duties relating to contracts of employment will be assigned to the Shire upon its creation unless otherwise agreed by separate contract.

11 Recordkeeping

Employees will ensure complete and accurate local government records are created and maintained in accordance with the Shire's Recordkeeping Plan.

12. Dealing with Other Employees

(a) Employees will treat other employees with respect, courtesy and professionalism, and refrain from behaviour that constitutes discrimination, bullying or harassment.

(b) Employees must be aware of and comply with their obligations under relevant law and the Shire's policies regarding workplace behaviour and occupational safety and health, set out in Council and/or CEO Operational Policies, such as the Shire's Operational Policy on Discrimination, Harassment and Bullying.

(c) Employee behaviour should reflect the Shire's values and contribute towards creating and maintaining a safe and supportive workplace.

13. Dealing with Community

(a) Employees will treat all members of the community with respect, courtesy and professionalism.

(b) All Shire services must be delivered in accordance with relevant policies and procedures, and any issues resolved promptly, fairly and equitably.

14. Professional Communication

(a) All aspects of communication by employees (including verbal, written and electronic), involving the Shire's activities should reflect the status, values and objectives of the Shire

(b) Communications should be accurate, polite, and professional.

15. Personal Communications and Social Media

(a) 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.

(b) 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 Shire, it's Council Members, employees or contractors, which breach this Code.

(c) 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*.

(d) In addition to this Code of Conduct, employees must adhere to the Council's Social Media Policy. The policy outlines expectations for professional behaviour and communication online.

16. Personal Presentation

Employees dress standards are to be neat and responsible at all times. Management reserves the right to adopt policies relating to corporate dress and to raise the issue of dress with individual employees

17. Gifts

(a) Application

This clause does not apply to the CEO.

(b) Definitions

In this clause –

activity involving a local government discretion has the meaning given to it in 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;*
>
> *[r.19AA of the Local Government (Administration) Regulations 1996]*

associated person has the meaning given to it in the Local Government (Administration) Regulations 1996;

> ***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*
>
> *[r.19AA of the Local Government (Administration) Regulations 1996]*

gift has the meaning given to it in the *Local Government (Administration) Regulations 1996;*

> ***gift*** *—*
> *(a) has the meaning given in section 5.57 [of the Local Government Act 1995];but*
> *(b) 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);*
>
> *[r.19AA of the Local Government (Administration) Regulations 1996]*
>
> ***gift*** *means —*
> *(a) 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; or*
> *(b) a travel contribution;*
> ***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*
>
> *[Section 5.57 of the Local Government Act 1995]*
>
> ***relative****, in relation to a relevant person, means any of the following —*
> *(a) a parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant of the relevant person or of the relevant person's spouse or de facto partner;*
> *(b) the relevant person's spouse or de facto partner or the spouse or de facto partner of any relative specified in paragraph (a),*
> *whether or not the relationship is traced through, or to, a person whose parents were not actually married to each other at the time of the person's birth or subsequently, and whether the relationship is a natural relationship or a relationship established by a written law;*
>
> *[Section 5.74(1) of the Local Government Act 1995]*

prohibited gift has the meaning given to it in the *Local Government (Administration) Regulations 1996*;

> ***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;*
>
> *[r.19AA of the Local Government (Administration) Regulations 1996]*

reportable gift means:

(i) a gift worth more than $50 but less than $300; or

(ii) 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 more than $50 but less than $300.

threshold amount has the meaning given to it in the *Local Government (Administration) Regulations 1996,* subject to the CEO's determination under subclause (c);

> ***threshold amount***, for a prohibited gift, means $300 or a lesser amount determined under regulation 19AF.
>
> [r.19AA of the *Local Government (Administration) Regulations 1996]*

(c) Determination

In accordance with Regulation 19AF of the *Local Government (Administration) Regulations 1996,* the CEO has determined to maintain the $300 threshold amount for prohibited gifts.

(d) Employees must not accept a prohibited gift from an associated person.

(e) An employee who accepts a reportable gift from an associated person is to notify the CEO in accordance with subclause (f) and within 10 days of accepting the gift.

(f) The notification of the acceptance of a reportable gift must be in writing and include:
   (i) the name of the person who gave the gift; and
   (ii) the date on which the gift was accepted; and
   (iii) a description, and the estimated value, of the gift; and
   (iv) the nature of the relationship between the person who is an employee and the person who gave the gift; and
   (v) if the gift is one of two or more accepted from the same person within a period of one year:
      (1) a description;
      (2) the estimated value; and
      (3) the date of acceptance,
      of each other gift accepted within the one year period.

(g) The CEO will maintain a register of reportable gifts and record in it details of notifications given to comply with subclause (f).

(h) The CEO will arrange for the register maintained under subclause (g) to be published on the Shire's official website.

(i) As soon as practicable after a person ceases to be an employee, the CEO will remove from the register all records relating to that person. The removed records will be retained for a period of at least 5 years.

Prohibition on certain types of Gifts

The CEO has determined that alcohol, in any form, may not be accepted as a gift by any employee, even if it were otherwise valued below the threshold amount, and could ordinarily be accepted (whether reportable, or not).

The CEO has also determined that cash (or gift cards) may not be accepted as a gift by any employee, even if it were otherwise valued below the threshold amount, and could ordinarily be accepted (whether reportable, or not).

Where alcohol is provided as part of an event or seminar where a fee has been paid to attend, and the registration fee includes the dinner or hospitality where alcohol is provided, then it is not a gift and is not prohibited and need not be disclosed/reported.

Where alcohol is provided as part of an event which an employee is attending, and where alcohol is provided incidental to the event, then it is not a gift and need not be disclosed/reported.

18. Conflict of Interest

(a) Employees will ensure that there is no actual (or perceived) conflict of interest between their personal interests and the impartial fulfilment of their professional duties.
(b) Employees will not engage in private work with or for any person or body with an interest in a proposed or current contract with the Shire without first disclosing their interest to the CEO. In this respect, it does not matter whether the advantage is in fact obtained, as any appearance that private dealings could conflict with performance of duties must be scrupulously avoided.
(c) Employees will lodge written notice with the CEO describing an intention to undertake a dealing in land which is within the district of the Shire, or which may otherwise be in conflict with the Local Government's functions (other than purchasing the principal place of residence).
(d) Employees who exercise a recruitment or any other discretionary function will disclose any actual (or perceived) conflict of interest to the CEO before dealing with relatives or friends and will disqualify themselves from dealing with those persons.
(e) Employees will conduct themselves in an apolitical manner and refrain from political activities which could cast doubt on their neutrality and impartiality in acting in their professional capacity.

The Equal Opportunity Act 1984 provides that it is unlawful to discriminate against an employee or prospective employee on the ground of political conviction.

19. Outside Employment

An employee must disclose any outside employment (including both paid and unpaid work) to the CEO and receive prior written approval before engaging in such employment. This includes any changes to outside employment during the course of their employment with the Shire.

For further details on how to request approval or understand the guidelines surrounding outside employment, please refer to the Shire's operational policy on outside employment

20. Disclosure of Financial Interest

(a) All employees will apply the principles of disclosure of financial interest as contained within the Act.
(b) Employees who have been delegated a power or duty, 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.

21. Disclosure of Interest Relating to Impartiality

(a) In this clause, **interest** has the meaning given to it in the Local Government (Administration) Regulations 1996.

> ***interest*** *—*
> *(a) means 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.*
>
> *[r.19AA of the Local Government (Administration) Regulations 1996]*

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

(c) 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:
  (i) in a written notice given to the CEO before the meeting; or
  (ii) at the time the advice is given.

(d) A requirement described under (b) and (c) excludes an interest referred to in Section 5.60 of the Act.

(e) An employee is excused from a requirement made under (b) or (c) to disclose the nature of an interest because they did not know and could not reasonably be expected to know:
  (i) that they had an interest in the matter; or
  (ii) 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.

(f) If an employee makes a disclosure in a written notice given to the CEO before a meeting to comply with requirements of (b) or (c), then:
  (i) before the meeting the CEO is to cause the notice to be given to the person who is to preside at the meeting; and
  (ii) 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.

(g) If:
  (i) to comply with a requirement made under item (b), the nature of an employee's interest in a matter is disclosed at a meeting; or
  (ii) a disclosure is made as described in item (e)(ii) at a meeting; or
  (iii) to comply with a requirement made under item (f)(ii), a notice disclosing the nature
  (iv) of an employee's interest in a matter is brought to the attention of the persons present at a meeting,

  the nature of the interest is to be recorded in the minutes of the meeting.

22. Use and Disclosure of Information

(a) Employees must not access, use, or disclose information held by the Shire except as directly required for, and in the course of, the performance of their duties.

(b) Employees will handle all information obtained, accessed, or created in the course of their duties responsibly, and in accordance with this Code, the Shire's policies and procedures.

(c) 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 Shire.

(d) Due discretion must be exercised by all employees who have access to confidential, private or sensitive information.

(e) Nothing in this section prevents an employee from disclosing information if the disclosure:
   (i) is authorised by the CEO or the CEO's delegate; or
   (ii) is permitted or required by law.

23. Improper or Undue Influence

a. 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.

(b) 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, pecuniary or otherwise, for themselves or for any other person or body.

(c) Employees must not take advantage of their positions to improperly disadvantage or cause detriment to the local government or any other person.

24. Use of Shire Resources

(a) In this clause –

Shire resources include local government property and services provided or paid for by the Shire;

local government property has the meaning given to it in the Act.

> ***local government property*** *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]*

(b) Employees will:
   (i) be honest in their use of the Shire resources and must not misuse them or permit their misuse (or the appearance of misuse) by any other person or body;
   (ii) use the Shire resources entrusted to them effectively, economically, in the course of their duties and in accordance with relevant policies and procedures; and
   (iii) not use the Shire'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).

Employees should ensure they are familiar with all relevant Shire Policies and Procedures and direct any questions for clarification to their Supervisor/Manager or the CEO.

25. Use of Shire Finances

(a) Employees are expected to act responsibly and exercise sound judgment with respect to matters involving the Shire's finances.

(b) Employees will use Shire finances only within the scope of their authority, as defined in their position descriptions, Council and CEO Policies and procedures and administrative practices.

(c) Employees with financial management responsibilities will comply with the requirements of the Local Government (Financial Management) Regulations 1996.

(d) Employees exercising purchasing authority will comply with the Shire's Purchasing Policy, and the systems and procedures established by the CEO in accordance with regulation 5 of the Local Government (Financial Management) Regulations 1996.

(e) Employees will act with care, skill, diligence, honesty and integrity when using local government finances.

(f) Employees will ensure that any use of Shire finances is appropriately documented in accordance with the relevant policy and procedure, including the Shire's Recordkeeping Plan.

Employees should ensure they are familiar with all relevant Shire Policies and Procedures and direct any questions for clarification to their Supervisor/Manager or the CEO.

26. Reporting of Suspected Breach of the Code of Conduct

Employees may report suspected breaches of the Code to the CEO.

27. Handling of Suspected Breach of the Code of Conduct

Suspected breaches of the Code will be dealt with in accordance with the relevant Shire policies and procedures, depending on the nature of the suspected breach.

28. Reporting Suspected Unethical, Fraudulent, Dishonest, Illegal or Corrupt Behaviour

(a) Employees may report suspected unethical, fraudulent, dishonest, illegal, or corrupt behaviour to the CEO.

(b) 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 that Act, the CEO will notify:

  (i) the Corruption and Crime Commission, in the case of serious misconduct; or

  (ii) the Public Sector Commissioner, in the case of minor misconduct.

(c) Employees, or any person, may also report suspected serious misconduct to the Corruption and Crime Commission or suspected minor misconduct to the Public Sector Commissioner.

(d) Employees, or any person, may also make a Public Interest Disclosure to report suspected unethical, fraudulent, dishonest, illegal, or corrupt behaviour, using the Shire's Public Interest Disclosure Procedures, published on the Shire's website.

29. Handling of Suspected Unethical, Fraudulent, Dishonest, Illegal or Corrupt Behaviour

Suspected unethical, fraudulent, dishonest, illegal or corrupt behaviour will be dealt with in accordance with the appropriate Shire policies and procedures, and where relevant, in accordance with the lawful directions of the appropriate statutory body.

Protection for Employees Reporting Unethical Conduct:
Employees who report suspected unethical or illegal activities in good faith can do so with confidence that their identity will be kept confidential, unless disclosure is required by law. Victimisation of employees for reporting unethical conduct will not be tolerated. The CEO is committed to taking appropriate action to address any such issues. Employees who believe they have experienced victimisation are encouraged to report it promptly to the CEO. Regular training will be provided to ensure all employees understand their rights and responsibilities.

-End of the Code of Conduct

LAST REVIEWED: 21 MAY 2026

APPENDIX A: EMPLOYEE CODE OF CONDUCT BREACH REPORT FORM

EMPLOYEE CODE OF CONDUCT BREACH REPORT FORM

This form is for lodging a complaint about an employee whom you believe has violated the Code of Conduct. To ensure your complaint is properly assessed, please complete all required sections of the form. Once the form is fully completed, sign, date it, and submit it to the Chief Executive Officer (CEO).

Whistleblower Protection:
Employees who report suspected unethical or illegal activities in good faith are assured that their identity will be kept confidential, unless disclosure is required by law. The CEO will take all reasonable steps to protect whistleblowers from retaliation, discrimination, or harassment. Any form of retaliation against a whistleblower will not be tolerated.

1) Name of the employee you believe has breached the Code of Conduct?

_____

2) Which section(s) of the Code of Conduct do you believe has been breached?

_____

3) Date(s) on which the breach occurred?

_____

4) Please describe how you believe the breach occurred (provide as much detail as possible)

_____

_____

_____

5) Were there any witnesses to the alleged breach?
_____

6) If witnesses were present, please provide their names and contact details (if known):
_____

_____

7) Have you attached all relevant documents or evidence to assist in investigating the complaint?
_____

Complainant's Details:
Name: _____ Date: _____

Signature: _____ Contact Details (Email/Phone): _____

APPENDIX B: EMPLOYEE GIFT DISCLOSURE FORM

EMPLOYEE GIFT DISCLOSURE FORM

Person making disclosure	
Person who provided the gift/travel contribution	
Description of gift/travel contribution	
Date received	
Estimated value at the time the gift/travel contribution was received	
Nature of relationship with the person who made the gift/travel contribution	
Description of travel (where applicable)	
Date of travel (where applicable)	
If the gift is one of two or more accepted from the same person within a period of one year, please include a description, estimated value and the date of acceptance for each additional gift accepted within the one year period	

I declare that all information and details provided in this form are true and correct to the best of my knowledge and belief and that no known relevant information has been omitted. I acknowledge that the information provided will be published on the Shire's website

Signature: _____ Date: _____

Once signed, please lodge it with the Chief Executive Officer (CEO).

Acknowledged by the CEO: _____ (CEO's Signature)

Date of Acknowledgement: _____