

## **D-CP2 CODE OF CONDUCT (EMPLOYEES)**

### **CEO Directive**

1. INTRODUCTION .....	3
1.1 Statutory Environment .....	3
1.2 Application .....	3
2. VALUES AND VISION .....	4
3. CODE OF CONDUCT .....	5
3.1 Role of Employees .....	5
3.2 Principles Affecting Employment by the Shire of Derby / West Kimberley .....	5
3.3 Personal Behaviour .....	5
3.4 Honesty and Integrity .....	6
3.5 Performance of Duties .....	6
3.6 Compliance with Lawful and Reasonable Directions, Decisions and Policies .....	6
3.7 Administrative and Management Practices .....	6
3.8 Intellectual Property .....	6
3.9 Recordkeeping .....	6
3.10 Dealing with Other Employees .....	7
3.11 Dealing with Community .....	7
3.12 Professional Communications .....	7
3.13 Personal Communications and Social Media .....	7
3.14 Personal Presentation .....	8
3.15 Gifts .....	9
3.15.1 .....	9
3.15.2 Definition .....	9
3.15.3 Prohibited Gifts Determination .....	10
3.15.4 Examples of Prohibited or Inappropriate Gifts .....	10
3.15.5 Notification of Reportable Gifts .....	10
3.16 Conflict of Interest .....	10
3.17 Secondary Employment .....	11
3.18 Disclosure of Financial Interests .....	12
3.19 Disclosure of Interests Relating to Impartiality .....	12
3.20 Proper Use of Information .....	13



3.21	Improper or Undue Influence.....	13
3.22	Use of Shire Resources .....	13
3.23	Use of Shire Finances .....	14
3.24	Reporting on Suspected Breaches of the Code of Conduct.....	14
3.25	Handling of Suspected Breaches of the Code of Conduct .....	14
3.26	Reporting Suspected Unethical, Fraudulent, Dishonest, Illegal or Corrupt Behaviour .....	14
3.27	Handling of Suspected Unethical, Fraudulent, Dishonest, Illegal or Corrupt Behaviour .....	15



## 1. INTRODUCTION

The Shire of Derby/West Kimberley's (the Shire's) 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's commitment to high standards of ethical and professional behaviour and outlines the principles on 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.

### 1.1 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.

### 1.2 Application

For the purposes of the Code, the term "employees" includes persons employed by the Shire or engaged by the Shire under a contract for services. The Code applies to all employees, including the CEO, while on the Shire's premises or while engaged in Shire-related activities.



## 2. VALUES AND VISION

The Shire's Strategic Community Plan 2021 – 2031 has the following visions and values:

### OUR VISION AND VALUES

A place where people want to live,  
invest, visit and return to

- We are **PROUD** of who we are and where we live
- We will create a **POSITIVE LEGACY** for our children and our children's children.
- We will go about our business with **INTEGRITY, TRANSPARENCY and AUTHENTICITY**
- We value and **RESPECT** what our community has to say and will strive to make things happen
- We are **PROUD** of and value the **KNOWLEDGE** of our diverse and strong people and cultures
- We value our **RELATIONSHIPS** and will work with others to achieve common goals and gain maximum impact
- We are **PROUD** of and **COMMITTED** to the responsible preservation of our unique natural environment and making sure our built environment reflects our current and future needs
- We are open for and encourage business, industry and all aspects of **COMMUNITY DEVELOPMENT**, particularly our thriving arts and cultural scene

"Two people can do so much but a community can do anything"





## 3. CODE OF CONDUCT

### 3.1 *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.

#### Functions of CEO (section 5.41 of the Act)

The CEO's functions are to:

- advise the Council in relation to the legal functions of the Shire;
- ensure that advice and information is available to the Council so that informed decisions can be made;
- cause Council decisions to be implemented;
- manage the day to day operations of the Shire;
- liaise with the President on the Shire's affairs and the performance of the Shire's functions;
- speak on behalf of the Shire if the President agrees;
- be responsible for the employment, management supervision, direction and dismissal of other employees;
- ensure that records and documents of the Shire are properly kept; and
- perform any other function specified or delegated by the Shire or legally imposed as a function to be performed by the CEO.

### 3.2 *Principles Affecting Employment by the Shire of Derby / West Kimberley*

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

#### Principles affecting employment by local governments (section 5.40 of the Act)

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

- employees are to be selected and promoted in accordance with the principles of merit and equity;
- no power with regard to matters affecting employees is to be exercised on the basis of nepotism or patronage;
- employees are to be treated fairly and consistently;
- there is to be no unlawful discrimination against employees or persons seeking employment by the Shire on a ground referred to in the *Equal Opportunity Act 1984* or on any other ground; and
- employees are to be provided with safe and healthy working conditions in accordance with the *Work Health and Safety Act 2020*; and
- any other legal principles as prescribed.

### 3.3 *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)



# Shire of Derby / West Kimberley

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.
- (g) not use information, relationships, or knowledge gained through their employment with the Shire for personal purposes outside of work hours, including contacting colleagues or community members in a manner that could be considered intrusive, unprofessional, or make another person feel uncomfortable or harassed.

### **3.4 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 dealings with each other; and
- (c) report any dishonesty or possible dishonesty on the part of any other employee to their Supervisor or the CEO in accordance with this Code and the Shire's policies.

### **3.5 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.

### **3.6 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 Supervisor, Executive Directors or the CEO.
- (b) Employees will give effect to the lawful decisions and policies of the Shire, whether or not they agree with or approve of them.

### **3.7 Administrative and Management Practices**

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

### **3.8 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.

### **3.9 Recordkeeping**

Employees will ensure complete and accurate local government records are created, maintained, and managed in accordance with the Shire's Recordkeeping Plan, the State Records Act 2000, and all relevant Shire policies and procedures.



# Shire of Derby / West Kimberley

All records, including correspondence, approvals, and significant decisions, must be created and stored in approved Shire systems to ensure transparency, accountability, and compliance with legislative and audit requirements.

Employees must:

- Record all important work-related activities, such as meetings, discussions, and decisions, in an accurate and timely manner, ensuring appropriate documentation is retained as part of the Shire's official record.
- Ensure that records are objective, factual, and free from personal opinion or bias.
- Protect the confidentiality and integrity of Shire records and not remove, alter, or destroy records except as authorised under the Recordkeeping Plan.
- Accurately complete and submit timesheets, attendance records, and any documentation relating to hours worked, leave taken, and entitlements. Falsification or manipulation of timesheets or employment-related records is considered serious misconduct and may lead to disciplinary action, including termination of employment.
- Refrain from creating, altering, or withholding records for personal advantage or to conceal improper conduct.

Maintaining accurate and complete records of significant work activities supports accountability, prevents fraudulent activity, and ensures the Shire can effectively meet its statutory, operational, and community obligations.

### **3.10 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 laws and the Shire's policies regarding workplace behaviour and occupational safety and health, including PC2 Work Health and Safety Policy; and ES3 Fraud, Misconduct Control and Resilience policies.
- (c) Employee behaviour should reflect the Shire's values and contribute towards creating and maintaining a safe and supportive workplace.

### **3.11 Dealing with Community**

- (a) Employees will treat all members of the community with respect, courtesy and professionalism.
- (b) All of the Shire's services must be delivered in accordance with relevant policies and procedures, and any issues resolved promptly, fairly and equitably.

### **3.12 Professional Communications**

- (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.

### **3.13 Personal Communications and Social Media**

- (a) Personal communications and statements made privately in conversation, written, recorded, emailed or posted on personal social media have the potential to be made public, whether intended or not. Employees must therefore exercise care, discretion, and sound judgment when communicating in any public or online forum.



- (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, its Council Members, employees, or contractors, which breach this Code or could reasonably be perceived as doing so.
- (c) Employees must not make, share, or endorse public statements of a political nature that could be interpreted as representing the views or position of the Shire, its Council Members, or the local government sector. Employees are entitled to their own political beliefs but must ensure that any expression of such beliefs is clearly made in a personal capacity and does not compromise the Shire's impartiality or reputation.
- (d) Employees are strongly discouraged from identifying their employment with the Shire on personal social media profiles or in public online forums. Where employment is mentioned, employees must not post or comment in a manner that could reasonably lead others to assume they are speaking on behalf of, or as a representative of, the Shire.
- (e) Employees must not post, share, or comment on social media in a way that may bring the Shire into disrepute, including by using offensive language, engaging in arguments, or criticising Council decisions, colleagues, or community members.
- (f) Employee comments that become public and breach this Code, 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.

### **3.14 Personal Presentation**

Employees are expected to comply with professional, neat, and responsible dress standards at all times, in accordance with the Shire's relevant policies, directives, and procedures.

Employees must:

- Present themselves in a clean, tidy, and professional manner that reflects positively on the Shire and the community it serves.
- Wear Shire-provided uniforms where issued, ensuring they are clean, well-maintained, and worn in accordance with the Shire's uniform and branding guidelines.
- Ensure clothing is appropriate for the work environment, modest, and consistent with professional standards.
- When working in field, operational, or high-risk environments, wear personal protective equipment (PPE) as required for the role and task, and ensure all PPE is properly fitted, maintained, and used in accordance with safety procedures and manufacturer instructions.
- Avoid clothing, accessories, or personal presentation (including slogans, graphics, or symbols) that may be considered offensive, unsafe, or inconsistent with the Shire's values and image.
- Ensure that any variations in dress (e.g. for cultural, medical, or religious reasons) are discussed and approved with their Direct Supervisor to ensure they remain compatible with workplace safety and presentation standards.

Adherence to these standards supports a professional image, encourages safety, and ensures that all employees present the Shire in a manner consistent with community expectations and workplace requirements.





## 3.15 Gifts

### 3.15.1 Application

For the purposes of “prohibited gifts” and “recording of information”, a *local government employee* does not include the CEO. The CEO is subject to separate legislative conditions in these regards.

### 3.15.2 Definition

In this clause, as per the *Regulations*:

**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** 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** means —

- (a) any financial benefit or item of value (including property, goods, vouchers, discounts, hospitality, or services) provided to an employee for which no, or inadequate, payment is made in return; or
- (b) a travel contribution, including accommodation or other benefits related to travel.

[Section 5.57 of the *Local Government Act 1995*]

A gift **does not include**:

- (i) a gift from a relative (as defined in section 5.74(1) of the Act);
- (ii) a gift that must be disclosed under the Local Government (Elections) Regulations 1997 r. 30B;
- (iii) a gift from a statutory authority, government instrumentality or not-for-profit association provided for professional training; or
- (iv) a gift from WALGA, the Australian Local Government Association, LG Professionals Australia (WA or national).

**Relative** means a parent, grandparent, sibling, aunt, uncle, nephew, niece, child, spouse, or de facto partner of the employee (or those same relations of the employee’s spouse or de facto partner).

**Prohibited gift** means —

- (a) a gift worth \$10 or more; or
- (b) two or more gifts from the same person within a 12-month period that together are worth \$10 or more.

[r.19AA of the *Regulations*]

**Reportable gift** means a gift from an associated person that is *above* the prohibited gift threshold, and which must be declared to the CEO under this clause.



### 3.15.3 Prohibited Gifts Determination

In accordance with Regulation 19AF of the *Local Government (Administration) Regulations 1996* - the CEO has determined that the threshold amount for prohibited gifts is \$10.

Employees must not accept any gift or benefit valued at \$10 or more from an associated person. This includes multiple smaller gifts over a 12-month period that total \$10 or more.

Gifts containing alcohol are strictly prohibited, regardless of their value.

### 3.15.4 Examples of Prohibited or Inappropriate Gifts

Employees must not:

- Accept prizes, raffle wins, or complimentary items received at events, training sessions, or conferences funded by the Shire, unless specifically approved by the CEO.
- Accept promotional gifts or hospitality (e.g. gift bags, corporate lunches, tickets) that could be seen to influence decision-making or create a conflict of interest.
- Claim or retain personal benefits such as frequent flyer points, accommodation rewards, or other loyalty program credits accumulated through travel or accommodation paid for by the Shire.
- Request or encourage gifts, donations, or favours in connection with their employment.

### 3.15.5 Notification of Reportable Gifts

An employee who accepts a reportable gift from an associated person must notify the CEO in writing within 10 days of receiving the gift.

The notification must include:

- (i) the name of the person who gave the gift;
- (ii) the date on which the gift was accepted;
- (iii) a description and estimated value of the gift;
- (iv) the nature of the relationship between the employee and the giver; and
- (v) if other gifts have been received from the same person within 12 months, details of each gift and its value.

#### Register of Reportable Gifts

The CEO will maintain a public register of reportable gifts as required by the *Local Government (Administration) Regulations 1996*. The register will be published on the Shire's official website.

Records relating to a former employee will be removed from the public register as soon as practicable after cessation of employment but retained securely by the Shire for at least five years.

### 3.16 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 the interest to the CEO. 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. 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).

- (c) 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.
- (d) 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.

### **3.17 Secondary Employment**

An employee must not engage in any form of secondary employment (including both paid and unpaid work) without first declaring the nature of the employment and receiving prior written approval from the Chief Executive Officer (CEO). This includes, but is not limited to, work undertaken outside of normal working hours, freelance or consulting arrangements, or any regular engagement that could potentially conflict with the employee's duties at the Shire.

Employees must ensure that any secondary employment:

- does not conflict, or appear to conflict, with their official duties or the interests of the Shire;
- does not involve the use of Shire resources, equipment, facilities, intellectual property, or confidential information;
- does not draw upon or leverage knowledge or networks gained through employment with the Shire for personal, business, or third-party benefit; and
- does not bring the Shire into disrepute or diminish public confidence in the organisation.

Employees must not engage in secondary employment that directly or indirectly competes with the Shire's business operations or services, or that could influence, or be perceived to influence, the employee's decision-making, impartiality, or performance of duties.

Voluntary participation in local sporting clubs, community groups, or not-for-profit organisations is generally encouraged and does not require CEO approval when it is undertaken in a personal capacity and is consistent with the level of participation expected from any community member. This includes holding committee positions or being an active member, provided the staff member is clearly representing themselves and not acting in an official capacity on behalf of the Shire.

Where a staff member is requested or expected to represent the Shire on a community group, board, or committee at the request or instruction of the shire — or where their participation may be perceived as representing the Shire — such involvement must be declared and must not include the holding of decision-making roles (e.g. President, Treasurer, Secretary) unless approved in writing by the CEO. This is to avoid any conflict of interest, perceived or actual, and to ensure appropriate governance, transparency, and alignment with the Shire's strategic priorities.

Approval for secondary employment may be conditional and must be reviewed if circumstances change, including changes in the nature of the external work or the employee's role within the Shire.



In all cases, secondary employment or external involvement must not interfere with the employee's ability to perform their duties, create a conflict of interest, or bring the Shire into disrepute.

The *Local Government Act 1995* and associated regulations establish four types of interests that may give rise to a conflict of interest:

1. Direct financial interest
2. Indirect financial interest
3. Proximity interest
4. Impartiality interest

In general terms a 'conflict of interest' can occur when the responsibilities of a council member or employee conflicts with their personal interests. A conflicting 'interest' is any interest that could, or could reasonably be perceived to, adversely affect a person's decision making. Conflicts can occur in a variety of situations, including where your decisions or recommendations could affect the interests of family members, friends, or associations that you are a member of. Conflicts of interest can be real or perceived, financial or non-financial in nature and can include either yourself or others gaining a personal advantage or avoiding a loss.

### **3.18 Disclosure of Financial Interests**

- (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.

### **3.19 Disclosure of Interests Relating to Impartiality**

- (a) In this clause, **interest** has the meaning given to it in the *Regulations*.
  - (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 *Regulations*]
- (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 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.

### **3.20 Proper Use 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.

### **3.21 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.

### **3.22 Use of Shire Resources**

- (a) In this clause:

**Shire of Derby / West Kimberley resources** includes local government property and services provided or paid for by the Shire;

**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 Act]

- (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).

### **3.23 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 position descriptions, policies and procedures, 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 (F1 Procurement of Goods and Services), 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.

### **3.24 Reporting on Suspected Breaches of the Code of Conduct**

Employees may report suspected breaches of the Code to their Supervisor, Director, or the CEO, in accordance with the Shire's Code of Conduct.

### **3.25 Handling of Suspected Breaches 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.

### **3.26 Reporting Suspected Unethical, Fraudulent, Dishonest, Illegal or Corrupt Behaviour**

- (a) Employees may report suspected unethical, fraudulent, dishonest, illegal, or corrupt behaviour to their Supervisor, Director, or the CEO in accordance with this Code of Conduct.
- (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.
- (e) Employees have an obligation to immediately self-report any incidents of criminal charges being received, or criminal convictions being recorded, or incidents which are likely to lead to charges or/and convictions being recorded against themselves. Any such incidents must be reported immediately to People and Culture via [pc@sdwk.wa.gov.au](mailto:pc@sdwk.wa.gov.au), and their Supervisor or Director.



### ***3.27 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.



## Document Control

Ceo Directive - Document control	
<b>Document approvals:</b>	
<b>Version #</b>	<b>Adoption</b>
1.	20 June 2024, Record No. N21766
2.	9 July 2024, Record No. N21807
3.	18 November 2025, Record No. N24229
<b>Document Responsibilities:</b>	
<b>Custodian:</b> Executive Services	<b>Custodian Unit:</b> People and Culture
<b>Document Management:</b>	
<b>Risk Rating:</b> Medium	<b>Review Frequency:</b> Annual
<b>Next Review:</b> November 2026	<b>Synergy Record Number:</b>
<b>Compliance Requirements:</b>	
<b>Legislation:</b> <i>Local Government Act 1995 S.5.51A (Code of conduct for employees)</i> <i>Local Government Act 1995 and associated Regulations</i> <i>Corruption, Crime and Misconduct Act 2003</i> <i>Workplace Health and Safety Act 2020</i> <i>Equal Opportunity Act 1984</i> <i>Public Interest Disclosure Act 2003</i> <i>Public Sector Management Act 1994</i> <i>State Records Act 2000</i> <i>Equal Opportunity Act 1984</i> <i>Freedom of Information Act 1992</i>	
<b>Related Documents:</b> D-CP1 Code of Conduct Employee Acknowledgement ES3 Fraud, Misconduct Control and Resilience Policy F1 Procurement of Goods and Services Policy PC2 Work Health and Safety Policy	

Signed:

Tamara Clarkson  
Chief Executive Officer

Date: 18 November 2025