

Code of Conduct

Introduction

- 1.1. Shire of Coolgardie (“Shire”) promotes a safe, supportive, and professional working environment for all workers (directors, employees, contractors, volunteers, and visitors). The Shire supports equal workplace employment and eliminates unlawful discrimination, bullying, and harassment. The Code of Conduct intends to provide all workers with information to help the Shire achieve its policy objectives by outlining behaviour expectations and procedures for dealing with complaints.

Scope

- 1.2. This Code of Conduct outlines the standards of behaviour expected by the Shire. The Shire expects each worker to always follow and respect the principles in this Code of Conduct during work when representing or acting on behalf of the Shire and at work-related events and social functions.
- 1.3. Behaviour that is inconsistent with this policy will not be tolerated.

General Standards of Behaviour

- 1.1. Workers must always:
 - i. Behave honestly and with integrity and act with care and diligence in their work performance.
 - ii. Treat everyone with respect, courtesy, and honesty.
 - iii. Endeavour to provide the Shire’s customers with outstanding service.
 - iv. Foster a work environment that encourages equal opportunity, embraces diversity, and does not tolerate discrimination or harassment.
 - v. Behave in a way that upholds the integrity and good reputation of the Shire.
 - vi. Comply with all Shire policies and any applicable State or Federal legislation that may apply to the workers, including but not limited to work health and safety legislation.
 - vii. Comply with any lawful and reasonable directions issued by those with the authority to give the direction.
 - viii. Use the Shire resources and assets in a proper manner and for a proper purpose.
 - ix. Behave to ensure a safe and healthy workplace for all.
 - x. Respect the role of Council and that the CEO is the only person authorised to speak to them about Shire business unless approved.
 - xi. Raise concerns of conduct about the CEO or employee through the communicated processes.
 - xii. Not provide false or misleading information in response to a request for information that is made for official purposes in connection with the engagement/employment of the

- employee; and
- xiii. Do not improperly use duties, status, power, or authority with the Shire to gain, or seek a benefit or an advantage for the worker or any other person or entity.

Equal Employment Opportunity

- 1.1. It is the policy of the Shire that all people in the workplace should be treated based on merit and according to their skills and abilities. This shall include, but is not limited to, matters involving:
 - i. Recruitment, selection, transfers, promotions, performance reviews, training and development, supervision and management of staff, counselling, disciplinary procedures, and termination of employment; and
 - ii. Remuneration practices and benefits.
 - iii. An employee's gender, marital status, pregnancy, parental or family responsibilities, race, age, physical or mental disability, sexual orientation, transgender, political or religious beliefs, social origin, trade union activity or inactivity or physical appearance will not form the basis of employment decisions.

Discrimination and Harassment

- 1.1. The Shire believes that all workers have a right to work in a productive environment where unlawful discriminatory conduct or harassment of others is not tolerated.
- 1.2. Unlawful discrimination and harassment can negatively affect the workplace. Workers subjected to or witnessing this treatment often feel intimidated or anxious.
- 1.3. The Shire considers all forms of harassment and unlawful discrimination unacceptable and may result in disciplinary action, including termination of employment.
- 1.4. Certain conduct that may be tolerated socially could constitute sexual harassment in the workplace when it is unwelcome. At the same time, sexual harassment must not be confused with conduct that has the consent of all involved.
- 1.5. The Shire is committed to maintaining a working environment free from sexual harassment. The Shire regards sexual harassment as a serious issue and aims to treat any complaints in a sensitive, fair, and confidential manner.

Victimisation

- 1.1. Victimisation occurs when a person victimises another person who lodges a discrimination or harassment complaint or takes specific related actions.
- 1.2. Victimisation of others is unlawful. Such protective measures ensure that a person who wants to use or does use their statutory rights to protect themselves against discrimination or harassment is not further disadvantaged by other detriments being imposed on them.
- 1.3. Disciplinary action will be taken against a worker who is found to have engaged in threatening or other inappropriate action against a person who has complained of

bullying, discrimination, or harassment.

Bullying

- 1.1. Workplace bullying is repeated, unreasonable behaviour directed towards a person or a group of persons, which causes a risk to health and safety. For this policy, the following are defined.
- 1.2. Bullying may be direct or indirect and may include, but is not limited to:
 - i. putting new staff through "initiation rituals."
 - ii. verbal abuse, threats, sarcasm, or other demeaning or intimidating language or communication.
 - iii. constant negative criticism or "nit-picking."
 - iv. threatening to take unjustified action against a person unless they comply with unreasonable requests.
 - v. placing unreasonable work demands on people, such as overloading them with work.
 - vi. deliberately isolating a staff member by refusing to talk to or interact with them.

Responsibilities

- 1.1. All workers (including Directors when working in the business) have a responsibility to:
 - i. Comply with this Code of Conduct.
 - ii. Monitor the working environment to ensure that acceptable standards of conduct are always observed.
 - iii. Model appropriate behaviour.
 - iv. Ensure that all employment, advancement, and training decisions follow this policy.
 - v. Seek appropriate advice and assistance when dealing with formal or informal complaints.
 - vi. When appropriate, deal with sensitive information confidentially.
 - vii. Respect the Shire's management structures and the flow of decision-making.
 - Direction on work - Directors to CEO, CEO to Management Team, Management team to others.
- 1.2. Workers who become aware of a breach or suspected breach of this policy are encouraged to discuss the matter confidentially with the CEO or nominated service.
- 1.3. A worker who believes they are the victim of discrimination, bullying or harassment may deal with the matter:

Informally - by talking to the person with whom they are aggrieved or discussing the matter

confidentially with their direct Manager informally to seek guidance.

Formally - by using Shire's WHS Incident Reporting Procedure, a breach of this policy is a WHS psychosocial issue and may be reportable to the Regulator (WorkSafe WA).

- 1.4. The Shire will conduct a WHS investigation if the worker elects to raise a formal grievance. A worker may request that an appropriate support person be present during the investigation meeting and any meetings after it is complete. The Shire may take whatever action it deems necessary to attempt to resolve the worker's grievance.
- 1.5. If the Shire investigates a worker's complaint or statement and finds it false and malicious, disciplinary action may be taken against the worker.
- 1.6. If a worker's complaint is substantiated, the Shire may take disciplinary action against the perpetrator. Depending upon the seriousness of the breach of this policy, such action may include termination of employment.
- 1.7. This policy is not part of any Employee's employment contract. The Shire may vary, replace, or terminate this policy occasionally.

Serious Misconduct

Serious misconduct includes:

- 1.1. Wilful or deliberate behaviour or conduct by a worker inconsistent with continuing the employment contract and any prevailing legislation.
- 1.2. Conduct that causes severe and imminent risk to.
 - i. the health or safety of a person; or
 - ii. the reputation, viability, or profitability of the Shire business.
- 1.3. Serious misconduct may result in summary dismissal. Summary dismissal means dismissal without notice.
- 1.4. Examples of serious misconduct include, but are not limited to, any of the following:
 - i. Fraud.
 - ii. Theft.
 - iii. Fighting in the workplace; or
 - iv. Having a prohibited drug in your system.

Drugs and Alcohol

- 1.1. For this policy, the following definitions apply:
 - **Non-prohibited drugs** are prescriptions or over-the-counter drugs.
 - **Prohibited Drugs** means all drugs where the use, possession, sale, or manufacture is illegal.

Non-Prohibited Drugs:

- 1.1. If a person is required to take a Non-Prohibited Drug, he or she must consult his or her doctor or pharmacist before taking it to learn of any side effects that may affect the person's ability to perform regular duties, including driving, operating machinery and equipment, site inspections, and critical design, detail, or contractual work.
- 1.2. Non-prohibited drugs must be strictly taken as medically directed.
- 1.3. All employees and contractors must notify their Manager of the medication and its likely effects before starting work. The risks associated with this will be assessed, and controls will be implemented where necessary.
- 1.4. The Shire may require a medical assessment to ascertain the effect on a person's ability to work safely.

Prohibited Drugs:

- 1.1. The following will constitute serious misconduct:
 - i. The possession or use of a prohibited drug at a workplace or work-related activity.
 - ii. Making an offer to sell a drug at a workplace or work-related activity.

Fit For Work

- 1.1. All workers must be fit for workplace or work-related activity. If a person is unfit for work, they must inform their Manager before starting work.
- 1.2. Any person at work with prohibited drugs or an amount of non-prohibited drugs that differs from the prescribed amount in their system is deemed unfit for work and will be addressed as serious misconduct.
- 1.3. When driving or operating a plant, equipment or on a work site, the blood alcohol level is 0%, and any alcohol will be addressed as serious misconduct.
- 1.4. Any injury or health issue sustained during or outside work may affect your fitness for work. You must report these to your Manager before starting work. The risks associated with this will be assessed, and controls will be implemented where necessary.
- 1.5. The Shire may require a person to undergo a medical assessment by a medical practitioner, including a drug and alcohol test, to ascertain the person's ability to work safely. Refusal of a drug and alcohol test will be actioned as a positive test and addressed as serious misconduct.

Confidentiality

- 1.1. The unauthorised use or disclosure of Confidential Information practices is strictly prohibited. Any breach of confidentiality is viewed as serious misconduct.
- 1.2. All Confidential Information remains the property of the Shire. Any Confidential Information in the possession or control of a worker must be returned upon the

termination of employment or earlier upon request by the Shire.

- 1.3. If a worker is exposed to a customer's confidential or business-sensitive information, the worker must take appropriate steps to treat such information with sensitivity and discretion. Unless the information has been officially released, workers must not disclose it to anyone except those within the Shire whose positions require knowledge.
 - i. all other information obtained from the Shire or received during the employee's employment with the Shire, which is by its nature confidential.
 - ii. but excludes information that has come into the public domain other than by a breach of contract or other unauthorised use or disclosure.

Smoking

- 1.1. Smoking is prohibited on the Shire's premises or during working hours.
- 1.2. Employees are permitted to smoke on authorised break periods but only in authorised smoking areas or areas not otherwise designated as non-smoking by law or policy.

Computer Software

- 1.1. Unlicensed and externally provided software must not be used without the knowledge and consent of a manager, as these could expose the Shire's information systems to viruses.
- 1.2. Shire-owned software must not be copied or distributed for private use.

Privacy

- 1.1. The Shire abides by the Australian Privacy Principles, and all employees with access to personal and business information are responsible for ensuring that such information is appropriately handled and stored, is used only for legitimate business purposes, and is not used or disclosed contrary to the Australian Privacy Principles.

Agreement and Sign-Off

By signing below, you agree to read, understand, and agree to the Shire of Coolgardie Code of Conduct.

Full Name:

Signature:

Position:

Date:

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