



City of Canning

CODE OF CONDUCT

Scope and Application of the City of Canning Code of Conduct

1. **Part 1** of the Code applies to all Employees of the City of Canning, regardless of seniority or type of employment arrangement.
2. **Part 2** of the Code of Conduct applies to all City of Canning Elected Members and Designated Employees (have Delegated Authority).
3. **Part 3** of the Code of Conduct applies to all Elected Members and the Chief Executive Officer, and guides other employees in as much as may be applicable within their interaction with Elected Members.
4. Compliance with the Code of Conduct is the primary obligation of all City of Canning Elected Members and Employees.
5. A breach of the Code of Conduct by a City of Canning Employee will be dealt with, depending on gravity, as serious misconduct or poor performance in accordance with *the City's People and Performance Framework*.
6. A complaint alleging a breach of the Code of Conduct by an Elected Member will be dealt with in accordance with [Policy EM.01 – Complaints Against Members and the Chief Executive Officer](#).

PART 1 - CODE OF CONDUCT FOR EMPLOYEES

CODE OF ETHICS VALUE	Our Behaviours	Our Policies and Instruments
1. PROFESSIONAL		
1. We are one team of professionals.	a) We continuously develop professionally as highly competent Local Government experts.	<ul style="list-style-type: none"> ▶ Policy CM118 – Employee Training Policy. ▶ City of Canning People and Performance Framework.
	b) We act, and interact with each other with professionalism, at all time, and handle any dispute with maturity.	<ul style="list-style-type: none"> ▶ City of Canning People and Performance Framework.
	c) We recognise individual professional achievements and reward performance.	<ul style="list-style-type: none"> ▶ Policy CM127 – Employee Recognition.
2. Working and learning together, with innovation and creativity.	a) We work together as one team across the organisation, irrespective of our seniority, age, profession, or the business unit we work in.	
3. To deliver the City’s strategic goals.	a) We advise Elected Members in relation to the City of Canning’s functions, ensure information is available to our Council so that informed decisions can be made, and cause Council’s decisions to be implemented.	
	b) We support our Elected Members in their professional development in the service of the community.	<ul style="list-style-type: none"> ▶ Policy CM104 – Attendance at Conferences and Courses.

CODE OF ETHICS VALUE	Our Behaviours	Our Policies and Instruments
2. SAFE AND SUPPORTIVE		
1. We are respectful, helpful, and communicative with each other.	a) We never harass, victimise, bully or discriminate against our colleagues.	▶ City of Canning People and Performance Framework.
2. Create safe and supportive work places.	a) We stay safe and help our colleagues stay safe.	▶ Policy CM128 – Work Health and Safety Policy. ▶ Policy CM120 – Injury Management and Rehabilitation. ▶ Policy CM140 – Alcohol and Other Drugs in the Workplace.
3. Nurture the wellbeing of our colleagues.	a) We nurture our, and our colleagues' physical and emotional wellbeing.	▶ City of Canning People and Performance Framework. ▶ Policy CM153 – Workplace Health and Promotion.
4. Families.	a) We nurture the wellbeing of our families.	▶ City of Canning People and Performance Framework.

CODE OF ETHICS VALUE	Our Behaviours	Our Policies and Instruments
3. CARING		
1. We are treating residents and ratepayers with respect, courtesy, and sensitivity.	a) We create our own occasions to listen, and take any opportunity to engage with the ratepayers of Canning.	▶ Policy CM179 – Community Engagement. ▶ Strategic Community Plan. ▶ Policy CM178 – Media Strategy.
2. Recognise their interests, rights, safety and welfare.	a) We strive to meet the community wishes and expectations.	▶ Policy CS411 – Neighbourhood Watch. ▶ Policy CS412 – Safety House Scheme Funding.
	b) We recognise and support the community spirit.	▶ Policy CS415 – Grant Concessions. ▶ Policy CM170 – Australia Day Citizenship Awards. ▶ Policy GM.01 – Freeman of the City.

CODE OF ETHICS VALUE		
4. HONEST AND ACCOUNTABLE	Our Behaviours	Our Policies and Instruments
1. We are honest, ethical and accountable.	a) We embrace honesty and ethics by disclosing misconduct or notifying and investigating allegations of misconduct.	<ul style="list-style-type: none"> ▶ Policy CM112 – Public Interest Disclosure. ▶ CEOI - GMC.01 – Investigations.
	b) We assess and resolve complaints in an efficient and ethical manner.	<ul style="list-style-type: none"> ▶ Policy CM101 – Complaints Management Policy.
	c) We manage Conflicts of Interest in an ethical and compliant fashion.	<ul style="list-style-type: none"> ▶ CEOI - GMC.02 – Conflicts of Interest Management.
	d) We use confidential information obtained while discharging our duties exclusively for the benefit of the community, in good faith and in an honest, accountable and impartial fashion.	<ul style="list-style-type: none"> ▶ Policy CM181 – Record Keeping. ▶ CEOI - ADC.04 – Record Keeping – Elected Members.
	e) We manage the City’s financial resources in an accountable and responsible manner.	<ul style="list-style-type: none"> ▶ Policy AF301 – Procurement of Goods and Services. ▶ CEOI - FMC.01 – Public Tenders – In-house Bids. ▶ CEOI - FMC.02 – Rates and Services Charges Recovery. ▶ CEOI - FMC.03 – Trust and Municipal Fund Payments. ▶ CEOI - FMC.04 – Petty Cash. ▶ CEOI - FMC.05 – Cheque and EFT Payment Authority. ▶ CEO Instruction FMC.06 – Sundry Debt Collection. ▶ CEO Instruction FMC.07 – Issue and Use of Corporate Credit Cards. ▶ Policy AF306 – Investments. ▶ Policy FM.04 – Accounting for Non-Current Assets. ▶ Policy FM.05 – Budget Preparation. ▶ Policy FM.06 – Budget Variations Policy.
2. In serving the community of Canning, we make fair, impartial and timely decisions.	a) We give access to information to community members in accordance with the Freedom of Information Act and Policy.	<ul style="list-style-type: none"> ▶ Policy CM113 – Freedom of Information.
	b) City of Canning Officers interact with Elected Members in accordance with the obligations defined in Part 3 of this Code.	<ul style="list-style-type: none"> ▶ Elected Members and Chief Executive Officer Conduct Protocol.

CODE OF ETHICS VALUE	Our Behaviours	Our Policies and Instruments
5. RESPONSIBLE		
1. We are the guardians of our community's quality of life by sustainably managing its social;	a) We support the arts and culture, community development, sport and recreation and economic development	<ul style="list-style-type: none"> ▶ Policy AF300 – Community Partnership Fund. ▶ Policy CM183 – Public Art. ▶ Policy LP.03 – Developer Funded Art. ▶ Policy CM194 – Sustainability.
2. Natural and built environment without compromising opportunities for future generations.	a) We manage waste in a sustainable and responsible fashion.	<ul style="list-style-type: none"> ▶ Policy ET531 – Verge Rubbish Collection. ▶ Policy ET532 – Domestic Rubbish Collection. ▶ Policy ET533 – Recycling Collection Policy.
	b) We seek to protect and conserve bushland.	<ul style="list-style-type: none"> ▶ Policy ET520 – Conservation of Flora and Fauna. ▶ Policy ET521 – Subdivision and Developments – Environment.
	c) We manage parks and trees in the public realm for the benefit of our community into the future.	<ul style="list-style-type: none"> ▶ Policy ET527 – Urban Revegetation and Greening. ▶ Policy ET525 – Trees in Streets, Thoroughfares and Reserves. ▶ Policy ET524 – Verge Mowing and Maintenance of City Land.
	d) We strive to prevent the pollution of our natural environment.	
	e) We manage the City's infrastructure and other assets in a responsible and sustainable manner.	<ul style="list-style-type: none"> ▶ Policy FM.07 – Asset Management. ▶ Policy FM.08 – Disposal of Surplus Furniture, Equipment and Materials. ▶ Policy AF312 – Risk Management.

PART 2 – LEGISLATIVE OBLIGATIONS OF ELECTED MEMBERS AND DESIGNATED EMPLOYEES UNDER THE LOCAL GOVERNMENT ACT 1995 AND ASSOCIATED REGULATIONS

1. DISCLOSURE OF INTERESTS

1.1 Terms Used:

- a) An **interest** means, consistent with the Local Government (Administration) Regulations 1996, an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest. An interest may also arise from kinship, friendship, or membership of an association.
 - b) A **meeting** means a Council Meeting or a meeting of any Committee that may from time to time be created by Council.
 - c) A **relevant person** for a matter is, within the meaning of Section 5.59 of the Local Government Act 1995, a City of Canning Employee who is providing advice or reporting directly to the Council, or has a delegated power or duty associated with that particular matter, including Elected Members and Designated Employees.
- 1.2 A City of Canning Employee who has an interest in a matter to be discussed at a meeting, and is attending that meeting, must disclose the nature of the interest and its extent in a written notice given to the Chief Executive Officer before the meeting, or at the meeting, immediately before the matter is discussed.
 - 1.3 A City of Canning Employee who has given, or will give advice in respect of a matter to be discussed at a meeting not attended by that Employee, must disclose the nature of the interest and its extent in a written notice given to the Chief Executive Officer before the meeting, or at the time the advice is given.
 - 1.4 A City of Canning Employee must disclose an interest in a matter only if he or she is a relevant person for that matter.
 - 1.5 A relevant person is not considered in breach of the obligation to disclose an interest in the matter if that person did not know he or she had an interest in that matter, or did not know that the matter will be discussed at a meeting, in which case the person must disclose the interest as soon as possible after becoming aware that the matter will be discussed at that meeting.
 - 1.6 If an interest disclosure on a matter is made in writing to the Chief Executive Officer before a meeting, the disclosure notice will be given by the Chief Executive Officer to the person presiding at the meeting, and immediately before that matter is discussed, the Presiding Person will advise the persons present of the notice and its contents.

2. ACCEPTANCE OF GIFTS

2.1 Terms Used:

- a) A **gift** means a disposition of property or any other financial benefit, including contributions to travel, offers of hospitality and sponsorship made by an external person or organisation to a City of Canning Member or Designated Employee. It does not include property acquired by will, gifted by a relative, or offered by a statutory authority, government agency, or a non-profit association for professional training (*Note: this definition does not include electoral gifts provided for by the Local Government (Elections) Regulations 1997.*)
- b) A **notifiable gift** is a gift worth between \$50 and \$300, or a number of gifts given by the same person within a 6 month period, with a total value between \$50 and \$300.
- c) A prohibited gift is a gift worth \$300 or more, or a number of gifts given by the same person within a 6 month period, with a total value of \$300 or more.
- d) An **annual return**, is consistent with *Section 5.76 of the Local Government Act 1995*, a return lodged by a Relevant Person with the Chief Executive Officer, or by the Chief Executive Officer with the Mayor or Commissioner of the City of Canning.
- e) An **interested person** is a person who is undertaking, is seeking to undertake, or is reasonable to believe is intending to undertaken an activity involving the City of Canning's approval, contracting or any other form of decision making discretion. An **interested person** may be the owner or an Officer, Employee, agent or representative of an entity that is undertaking, is seeking to undertake, or is reasonable to believe is intending to undertake an activity involving the City of Canning's approval, contracting or any other form of decision making discretion.

2.2 If a City of Canning Elected Member accepts a notifiable gift from an interested person, he or she must notify the Chief Executive Officer in writing, and within 7 days of accepting the gift, provide:

- a) A description of the gift; and
- b) The name and address of the person who made the gift; and
- c) The date on which the gift was received; and
- d) The estimated value of the gift at the time it was made and
- e) The nature of the relationship between the relevant person and the person who made the gift; and
- f) If one or more other gifts from the same interested person, or another interested person associated with the same entity have been accepted within the preceding 6 months, the description, estimated values and dates of acceptance of all precedent gifts.

Where the gift is a contribution to travel the disclosure must also include:

- g) A description of the travel; and
- h) The date of travel.

2.3 The Chief Executive Officer is required to cause all gift notifications details to be recorded in the City's Gift Register and published on the City's website. ([Policy GM.02 – Disclosure of Gifts, Benefits, Hospitality and Sponsorship](#); and [Policy EM.02 – Members Contact with Developers Policy](#)).

PART 3 – ELECTED MEMBERS AND CHIEF EXECUTIVE OFFICER CONDUCT PROTOCOL

We, the Council of the City of Canning, and the Chief Executive Officer, striving to fulfil our duty to serve the community of ratepayers and residents of the City of Canning to the best of our abilities, being committed to the motto of the City of Canning “*Above all Service*”, and having regard to the *Local Government Act 1995*, its *Regulations*, and all other legislation governing the administration of the local government affairs in Western Australia, pledge to act as follows:

1. We will observe the highest standards of ethics and integrity in our activity, and **be respectful** and honest in our official dealing with each other.
2. We will not attempt to exercise undue or improper influence on each other in order to obtain direct or indirect advantage or gain for ourselves or any other person or body.
3. We, Elected Members, understand that our role is to direct and control the City’s activities, be responsible for the performance of the functions of the City, exercise oversight over the allocation of the City’s finances and resources, and determine the City’s Policies.
4. We, Elected Members, will refrain from directing City employees **without the Chief Executive Officer’s knowledge and specific approval**, knowing that the role of Elected Members is a leadership, not a managerial one, and that Elected Members should refrain from individually directing members of Staff to carry out particular functions.
5. We will act in good faith, and in an impartial, accountable and proper manner, be courteous and polite in our interactions inside and outside of the Council Chamber.
6. We will make no allegations or derogatory statements, whether in media or in private, unless in the interests of the community and in one of the ways specifically provided for by legislation, such as the *Local Government Act 1995* or the *Public Interest Disclosure Act 2003*.
7. We will comply, to the best of our abilities, with legislation and the City’s own Policies and Practices.
8. We will preserve a professional appearance and behaviour.
9. We will deal with complaints, whenever appropriate, at a local level by following the process outlined in the Elected Member and Chief Executive Officer Complaints Handling (*Policy EM.01 – Complaints Against Elected Members and the Chief Executive Officer*).
10. We will exercise scrupulous care in the use of the City’s resources, human and material, and not misuse or by our inaction, permit the misuse of those resources.

11. We, Elected Members, will communicate with the public in a way that reflects respect for the decision making processes of the City which are based on majority of the Council, irrespective of our individual position.
12. We will respect the confidentiality status of relevant Council proceedings.
13. We, Elected Members, acknowledge that in the discharge of our duties as Members of Committees **of external organisations** we must act in accordance with the City's position on the matter dealt with by **those Committees**, and that we must **endeavour to** report to the Council **in a timely manner**.
14. **We will leave City Officers to communicate on administrative and operational decisions.**
15. **We, Elected Members, will not engage in political activities which could cast doubt on our neutrality and impartiality when acting in our official capacity.**
16. **We will make every endeavour to attend such information forums as the City organises, to share information with Elected Members. These are in addition to Ordinary and Special Council Meetings, and may include Standing or Formal Committees, Strategic Issues Briefings, Agenda Briefings, or other such meetings. In the event that an Elected Member is unable to attend such an occasion, the Elected Member has a responsibility to make every endeavour to access information provided, or meet with the Chief Executive Officer or other appropriate Director to receive a briefing.**