

Shire of **EAST**
Pilbara
THE HEART OF THE PILBARA

**Code of Conduct
for Employees,
Contractors and
Volunteers**

September 2026

Code of Conduct

for Employees, Contractors and Volunteers

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Code of Conduct

for Employees, Contractors and Volunteers

1 Introduction

The Shire of East Pilbara 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 issue of ethical responsibility and encourages transparency and accountability. The Code expresses the commitment of the Shire of East Pilbara to high standards of ethical and professional behaviour and outlines the principles on which 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 Chief Executive Officer (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 of East Pilbara or engaged by the Shire of East Pilbara under a contract for services, and people engaged in volunteer activities under the supervision of the Shire of East Pilbara. The Code applies to all employees, including the CEO, while on the Local Government's premises or while engaged in Local Government related activities. Subclauses 3.16(b) to (h) of this Code (Gifts) do not apply to gifts received by the CEO.

2 Values

The Shire of East Pilbara Values are:

Leadership

- Being ethical and acting with integrity
- Leading by example, being decisive, setting direction and providing good governance
- Maintaining open and transparent communication across the whole organisation with HEART

Honesty

- Being truthful and acting with personal integrity
- Admitting mistakes, taking responsibility for them and being able to move on within a non-blame culture
- Build trust through reliability and consistency

Excellence

- Striving to achieve our best outcome
- Encouraging and committing to innovation, creativity, learning and development
- Planning to deliver quality programs, projects, and services
- Recognising excellence, encouraging people to aspire to be their best and taking pride in our work

Accountability

- Being accountable to each other, to the community, and to get things right the first time
- Being accountable to the environment and Aboriginal culture
- Being accountable to achieve the best outcome and best value for money for our community

Respect

- Being respectful of people, their cultures, ideas, circumstances, and environment
- Being respectful of ourselves and our wellbeing, safety, appearance, and reputation

Teamwork

- Working as a team within and beyond our organisation to achieve a common goal and vision
- Welcoming and providing feedback respectfully
- Supporting and talking to each other and sharing information
- Encouraging creativity, flexibility and resilience

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.

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

3.2 Principles affecting employment by the Shire of East Pilbara

The principles set out in section 5.40 of the Act apply to the employment of Shire of East Pilbara 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 a local government 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

3.3 Personal Behaviour

Employees must:

- (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 and directives of the Shire of East Pilbara;
- (b) perform their duties impartially and in the best interests of the Shire of East Pilbara, 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 of East Pilbara and the community;
- (d) not knowingly make false or misleading allegations. Employees must raise concerns and report suspected wrongdoing honestly and on reasonable grounds without first establishing that the suspected wrongdoing occurred;
- (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 of East Pilbara.

3.4 Honesty and Integrity

Employees must:

- (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 Line Manager or the CEO in accordance with this Code and the Shire of East Pilbara policies and directives.

3.5 Performance of Duties

While on duty, employees must give their whole time and attention to the business of the Shire of East Pilbara 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 of East Pilbara.

3.6 Compliance with Lawful and Reasonable Directions, Decisions, Policies and Directives

- (a) Employees must 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 Line Manager, Manager or the CEO.
- (b) Employees must give effect to the lawful decisions, policies and directives, of the Shire of East Pilbara, whether or not they agree with or approve of them.
- (c) For the purposes of this Code, a reference to a policy or policies includes any applicable Shire of East Pilbara policy, procedure, protocol, instruction, directive, guideline, standard, framework, rule, practice note, delegation, decision, resolution or other authorised requirement, regardless of how the document or requirement is titled or described.

3.7 Administrative and Management Practices

Employees must ensure compliance with proper and reasonable administrative practices and conduct, and professional and responsible management practices. Employees must undertake all duties to the best of their ability and without detriment to the Shire of East Pilbara.

3.8 Intellectual Property

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

3.9 Recordkeeping

Employees must ensure complete and accurate local government records are created and maintained in accordance with the *State Records Act 2000* and the Shire of East Pilbara Recordkeeping Plan.

3.10 Dealing with Other Employees

- (a) Employees must 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 Shire of East Pilbara policies, directives, and instructions regarding workplace behaviour and work health and safety.
- (c) Employee behaviour should reflect the Shire of East Pilbara values and contribute towards creating and maintaining a safe and supportive workplace.

3.11 Dealing with Community

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

3.12 Professional Communications

- (a) All communication by employees, including verbal, written and electronic communication, relating to the activities of the Shire of East Pilbara should reflect the status, values and objectives of the Shire of East Pilbara.
- (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 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 of East Pilbara, its Elected Members, employees, contractors, or volunteers, which breach this Code.
- (c) Employee comments which become public and breach the Code of Conduct, or any other operational policy, directive, 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 Interactions with President, Deputy President, and Councillors

Elected Members and employees have distinct roles. An Elected Member's role is one of leadership and governance, not management or administration. Under section 5.41 of the Act (and clause 3.1 of this Code), the CEO is responsible for the employment, management, supervision and direction of employees.

- (a) The relationship between employees and Elected Members reflects the separation between the Council's governing role and the CEO's executive role. Elected Members have obligations under the Shire of East Pilbara Code of Conduct for Council Members, Committee Members and Candidates in relation to employees and contractors. The Shire applies the same conduct expectations to interactions with volunteers. Accordingly, an Elected Member must not:
 - (i) direct, or attempt to direct, an employee, contractor, or volunteer, in how they carry out their work, or in what they do or do not do as part of their role, except when the Elected Member is participating in deliberations at a Council or Committee meeting;
 - (ii) attempt to influence an employee's, contractor's, or volunteer's decisions or conduct by means of a threat or the promise of a reward;
 - (iii) treat an employee, contractor, or volunteer, in an abusive or threatening manner; or
 - (iv) make statements about an employee, contractor, or volunteer, at a Council or Committee meeting or other organised event in circumstances prohibited by clause 20 of Schedule 1 to the *Local Government (Model Code of Conduct) Regulations 2021*.
- (b) Employees, contractors, or volunteers take direction through the CEO and their line management, not from individual Elected Members.

- (c) An employee, contractor, or volunteer, must report any interaction of the kind described in clauses 3.14 (a)(i) to (iv) to the CEO (or a Director, who must inform the CEO) as soon as practicable after it occurs.
- (d) An employee, contractor, or volunteer, must not initiate contact with an Elected Member on the Shire's business unless authorised to do so by the CEO. This does not prevent an employee, contractor, or volunteer from making a disclosure, report or other communication permitted or required by law.

3.15 Personal Presentation

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

3.16 Gifts

- (a) Application

Subclauses (b) to (h) of this clause do not apply to gifts received by the CEO, who is subject to section 5.87B of the Act. Gifts received by the CEO are dealt with under subclause (i).

- (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 \$49 and up to and including \$200; 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 \$49 and up to and including \$200.

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 \$200.01 as the threshold amount for prohibited gifts.

This means that a gift worth more than \$200 meets the value threshold for a prohibited gift. A gift worth exactly \$200 is not prohibited by value alone. The same boundary applies to the combined value of gifts given by the same person within a period of one year, as set out in the definitions of 'prohibited gift' and 'reportable gift'.

- (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) Attendance at an event as an authorised representative of the Shire of East Pilbara does not, by itself, exclude meals, entry tickets, travel, accommodation or other benefits from the gift requirements. Any benefit provided must be assessed against the definitions and requirements in this clause. Where the benefit is a gift, the applicable prohibition and reporting requirements apply.
- (h) The CEO must maintain a register of reportable gifts accepted by employees, other than the CEO, and record in it details of notifications given under subclause (f). Information recorded under this clause must only be used or disclosed for administering the Shire's gift requirements or as otherwise permitted or required by law. Records relating to reportable gifts must be stored, retained and disposed of in accordance with the *State Records Act 2000* and the Shire of East Pilbara Recordkeeping Plan.

- (i) Gifts received by the CEO are subject to separate requirements under *the Local Government Act 1995*. Gifts disclosed under section 5.87B must be recorded in the gifts register required by section 5.89A, which must be published on the official website of the Shire of East Pilbara. When the CEO ceases to be required to make disclosures under section 5.87B, their records must be removed from the register. The removed records must be retained for at least 5 years and made available for public inspection in accordance with section 5.89A.

3.17 Conflict of Interest

- (a) Employees must 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 must not engage in private work with or for any person or body with an interest in a proposed or current contract with the Shire of East Pilbara, 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.
- (c) Employees must lodge written notice with the CEO describing an intention to undertake a dealing in land which is within the district of the Shire of East Pilbara, 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 must disclose any actual (or perceived) conflict of interest to the CEO before dealing with relatives or friends and disqualify themselves from dealing with those persons.
- (e) Employees must 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.

3.18 Outside Employment (including Secondary Employment)

- (a) 'Outside employment' (also referred to as secondary employment) means any employment, business, trade, profession or other work, whether paid or unpaid, that an employee engages in outside their employment with the Shire of East Pilbara, whether as an employee, contractor, self-employed person, partner, company director or in any other capacity.
- (b) A person employed under section 5.36(1) of the Act must not take on any new outside employment (including paid and unpaid work) without the prior written approval of the CEO. For the CEO, prior written approval must be obtained from Council.
- (c) A person employed under section 5.36(1) of the Act must disclose to the CEO, in writing, any outside employment they already hold, including outside employment held before they began working for the Shire of East Pilbara, and must notify the CEO in writing of any change to their outside employment. The CEO must make these disclosures to the Shire President.
- (d) An employee must not engage in outside employment or volunteering that conflicts, or could reasonably be perceived to conflict, with the impartial performance of their duties, the interests of the Shire of East Pilbara, or their obligations under this Code.

3.19 Disclosure of Financial Interests

- (a) All employees must 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.

3.20 Disclosure of Interests 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 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.

3.21 Use and Disclosure of Information

- (a) Employees must not access, use or disclose information held by the Shire of East Pilbara except as directly required for, and in the course of, the performance of their duties or required by law.
- (b) Employees must handle all information obtained, accessed or created in the course of their duties responsibly, and in accordance with this Code, and Shire of East Pilbara policies, directives, and procedures.
- (c) Employees must handle personal information in accordance with applicable privacy laws and privacy requirements of the Shire of East Pilbara.
- (d) 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 of East Pilbara.
- (e) Employees must exercise discretion when handling confidential, private or sensitive information. Suspected loss, unauthorised access or unauthorised disclosure must be reported promptly through the applicable reporting process of the Shire of East Pilbara.
- (f) Nothing in this section prevents an employee from disclosing information if the disclosure:
 - (i) is authorised by the CEO or the CEO's delegate and is permitted by law; or
 - (ii) is permitted or required by law.

3.22 Improper or Undue Influence

- (a) Employees must not take advantage of their position to improperly influence Elected 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.

3.23 Use of Shire of East Pilbara Resources

- (a) In this clause —

Shire of East Pilbara resources includes local government property and services provided or paid for by the Shire of East Pilbara;

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 must:
- (i) be honest in their use of the Shire of East Pilbara 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 of East Pilbara resources entrusted to them effectively, economically, in the course of their duties and in accordance with relevant policies, directives and procedures; and
 - (iii) not use the resources of the Shire of East Pilbara, 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).

3.24 Use of Shire of East Pilbara Finances

- (a) Employees are expected to act responsibly and exercise sound judgment with respect to matters involving the Shire of East Pilbara finances.
- (b) Any use of Shire of East Pilbara finances by employees must be within the scope of their authority.
- (c) Employees with financial management responsibilities must comply with the requirements of the *Local Government (Financial Management) Regulations 1996*.
- (d) Employees exercising purchasing authority must comply with the Shire of East Pilbara 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 must act with care, skill, diligence, honesty and integrity when using local government finances.
- (f) Employees must ensure that any use of the Shire of East Pilbara finances is appropriately documented in accordance with the relevant policy, directive, or procedure, including the *State Records Act 2000* and the Shire of East Pilbara Recordkeeping Plan.

3.25 Reporting of Suspected Breaches of the Code of Conduct

Employees must report suspected breaches of the Code to either their Line Manager, any Director, Manager or the CEO.

3.26 Handling of Suspected Breaches of the Code of Conduct

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

the severity of any breach found to have occurred, consequences may include up to termination of employment or engagement.

3.27 Reporting Suspected Unethical, Fraudulent, Dishonest, Illegal or Corrupt Behaviour

- (a) Employees must report suspected unethical, fraudulent, dishonest, illegal or corrupt behaviour to their supervisor, Manager, or the CEO.
- (b) Where the CEO suspects on reasonable grounds that a matter concerns or may concern misconduct within the meaning of the *Corruption, Crime and Misconduct Act 2003*, the CEO must comply with the applicable statutory notification requirements. Subject to the Act's exceptions and applicable notification guidelines, notification must be made in writing as soon as is reasonably practicable, to the:
 - (i) Corruption and Crime Commission for serious misconduct; or
 - (ii) Public Sector Commissioner for 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 make a Public Interest Disclosure about suspected unethical, fraudulent, dishonest, illegal or corrupt behaviour where the information and disclosure meet the requirements of the *Public Interest Disclosure Act 2003*. The Shire of East Pilbara Public Interest Disclosure Procedures, published on the Shire of East Pilbara website, explains the applicable process and reporting arrangements.

3.28 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 of East Pilbara policies, directives, and procedures, and where relevant, in accordance with the lawful directions of the appropriate statutory body.

Document Control

Document Responsibilities:							
Owner:	Manager People and Culture			Owner Business Unit:	People and Culture		
Reviewer:	Executive			Decision Maker:	CEO		
Compliance Requirements:							
Legislation:	Local Government Act 1995 Local Government (Administration) Regulations 1996						
Other:							
Organisational:							
Document Management:							
Risk Rating:	medium	Review Frequency:	2 year or sooner	Next Due:	2028	Records Ref:	
Version #	Decision Reference:	Synopsis:					
1.	28 October 2021	Adoption					
2.	16 September 2026	Review and re-adoption in alignment with Part 4A of the <i>Local Government (Administration) Regulations 1996</i> and the <i>Privacy and Responsible Information Sharing Act 2024</i> .					