



Code of Conduct Employees (includes Contractors and Volunteers)

Endorsed by the Executive Leadership Team
May 2025



City of
Melville

A Message from the CEO

The City of Melville is a welcoming and progressive organisation, and our Vision, Mission and EPIC values of Excellence, Participation, Integrity and Caring are essential to everything we do. As an organisation, we have economic, social and community, environmental and governance responsibilities that help us make a better community.

This Code protects our EPIC values and will collectively help us achieve and maintain high standards of ethical and socially responsible behaviour in the way we do business, to maintain a high level of community trust and ensure good governance.

Our Code of Conduct works in harmony with our Council Plan Outcomes and Objectives and applies to all City of Melville employees, contractors and volunteers and we are individually responsible for understanding and abiding by the contents of this Code

As we continue to grow, innovate and strengthen a culture based on respect, integrity, transparency and inclusion, we must maintain the highest ethical standards within our organisation and in our interactions with the customers and communities that we serve.

Thank you for your commitment to understanding and upholding the values and ethical standards that are at the heart of the City of Melville.

Gail Bowman
Chief Executive Officer

Our EPIC Values and Signature Behaviours

 <p>Excellence Striving for the best possible outcomes</p>	 <p>Participation Involving, collaborating and partnering</p>	 <p>Integrity Acting with honesty, openness and with good intent</p>	 <p>Caring Demonstrating empathy, kindness and genuine concern</p>
We take the time to understand our customers and community	We work towards shared goals collaboratively	We act openly with good intent, doing what we say we will do	We create a culture of care for safety and wellbeing for all
We seek innovative ways to improve things	We encourage continuous learning for all	We own our mistakes and grow from them	We show compassion through genuine concern and action
We connect our work to the big picture	We show our customers they matter	We respect people, places and our planet	We are inclusive; we leave no one behind



1. Introduction

The City of Melville vision is to achieve a Vibrant, Sustainable and Inclusive Melville. Working in Local Government means supporting the local community and delivering on the City's vision.

Section 5.51A of the Local Government Act 1995 ('the Act') requires the CEO to implement a Code of Conduct for employees, with Part 4A of the Local Government (Administration) Regulations 1996 providing that the following matters must be included in the Code:

- the behaviour expected of employees in relation to:
- the performance of an employee's duties
 - dealings with other employees and the broader community
 - the use and disclosure of information acquired by the employee in the performance of their duties.
 - the use of City resources
 - the use of City finances
- how City records will be kept
- reporting mechanisms and management of suspected breaches of the code and suspected unethical, fraudulent, dishonest, illegal or corrupt behaviour.

The purpose of the Code is to clearly set out the expectations to act ethically and in the best interest of our community at all times and demonstrate positive behaviour that reflects high standards of service to the community.

This Code provides clarity between acceptable and unacceptable behaviour and details the obligations for all employees, contractors and volunteers to observe in the course of their duties.

Application and Scope of the Code

Unless otherwise stated, this Code applies to all City employees including the CEO, contract staff and volunteers. The Code also applies to any person engaged by the City to provide services, including contractors and consultants.



Putting the Code into Practice

If you are in a situation where you don't know how to proceed, and your decision or action could affect the City, either directly or indirectly, run it through the following prompts:

- Is it lawful? -> Are you confident the action won't breach any written law such as an Act, Regulation or local law? Is the action legal?
- Does it align with this Code and our values? -> Will your action comply with this Code and our values?
- Does it align with our policies and procedures? -> Where possible we need to ensure we are consistent in our decision-making and treat everybody equitably.
- Does it pass the third-person test? -> Would you feel comfortable if someone close to you found out what you did?
- Does it pass the newspaper test? -> If your decision or action made its way to the front page of the newspaper, could it damage the reputation of the City?
- Does it feel right? -> does it align with this Code and ethical and moral standards do you feel comfortable with making the decision or carrying out the action?

If you can answer yes to all of the above, you may act. If you're still unsure or hesitant, reach out to a colleague or someone more senior for guidance.



2. Standards of Behaviour

2.1 Performing your Role

You will:

- (a) act ethically, and in accordance with our EPIC values;
- (b) make decisions fairly, impartially and promptly, considering all available information, legislation, policies and procedures;
- (c) act in good faith (i.e. honestly, for the proper purpose, and without exceeding your level of authority) in the best interests of the City and the community;
- (d) dedicate your whole time and attention to the City's business requirements while working;
- (e) perform your duties to the best of your ability including reporting to your workplace 'fit for work', which includes not being impaired by alcohol or drugs when performing your duties;
- (f) comply with any lawful and reasonable direction given to you;
- (g) not engage in any misconduct as defined in the Corruption, Crime and Misconduct Act 2003;
- (h) ensure you are familiar with and comply with applicable legislation and regulations, local laws, City policies, Council Decisions and CEO instructions.

2.2 Your Responsibilities

Every person at the City has a responsibility to ensure they, and those around them, work in a safe and healthy work environment. By making appropriate decisions and holding each other accountable, we can deliver on our City values - Excellence, Participation, Integrity and Caring.

Your responsibilities under this Code of Conduct are to:

- (a) Understand the risks arising from your role and how to manage them;
- (b) Seek advice when the best course of action, or information in this Code are not clear;
- (c) Make sure any contractors and volunteers you are responsible for are aware of and adhere to the City's Code of Conduct;
- (d) Speak up. It is your duty to report any suspected breaches of the Code or other suspected unethical, fraudulent, dishonest or illegal behaviour.

2.3 Leader Responsibilities

Our leaders will promote our values, standards and act as role models. The CEO, Directors, Managers, Coordinators and Supervisors are expected to show leadership in following the Code and maintaining a culture of commitment to our values.

If you are a Supervisor, Coordinator, Manager, Director or the CEO you have the same responsibilities as any employee, and you must also:

- (a) Understand the risks that apply in your Service Area and the procedures to mitigate them;
- (b) Ensure your local induction process includes briefing new employees, contractors and volunteers on the Code, the potential risks in their role, including health and safety risks related to the work they will be performing and where they can seek advice and support;
- (c) Ensure your team understand the procedures to follow and avoid any breaches of the Code, including the recording of gifts and hospitality and the recording of actual or perceived conflicts of interest.

2.4 Seek advice and speak up

If you would like any advice on a matter relating to the Code or wish to report a grievance, please speak with your manager, People and Culture team or Governance team.

The City will not tolerate any form of retaliation directed against anyone who speaks up or raises a concern in good faith. Any act or threat of retaliation is a breach of the Code and will be treated seriously.



The City works towards creating a diverse workforce with a collection of skills, experiences, and perspectives reflective of our diverse community. Our vision is to achieve a Vibrant, Sustainable and Inclusive Melville. We strongly believe that diversity, inclusion and belonging are key ingredients to a successful organisation. An organisation which enjoys high-performing teams, agility and which delivers better business outcomes. An organisation which has happy and healthy employees delivering excellent customer service in a safe and empowering environment.



2.5 Obligations to Ensure a Safe and Respectful Workplace

You will:

- (a) maintain and contribute to a safe, harmonious and productive workplace in accordance with your duties under the Work Health and Safety Act 2020;
- (b) treat members of the public and colleagues with respect, courtesy, honesty and fairness, and have proper regard for their interests, rights, safety and welfare;
- (c) not bully, harass, intimidate or discriminate against others, or not do anything that supports others to do so;
- (d) report all safety hazards and incidents as soon as possible after they occur;
- (e) respect and value the diversity of the workforce and our community;
- (f) give colleagues the opportunity to express their views and opinions and contribute to an environment which is respectful, courteous and collaborative;
- (g) Respect workspaces and avoid displaying or distributing material or using language that may cause offence;
- (h) maintain an appropriate, professional standard of dress and grooming which complies with internal procedures, and work health and safety standards; and
- (i) ensure you are “fit for work” and that your actions will not adversely affect your work performance or safety while at work, or endanger the health, safety or welfare of others at the workplace.

Relevant policies and procedures:

- OP- 003 Workplace Discrimination, Sexual Harassment and Bullying Policy
- Fit for Work Directorate Procedure

Discrimination, harassment and bullying in any form - verbal, physical or visual is unacceptable and will not be tolerated. If you believe you've been discriminated, bullied or harassed by any employee, contractor, or by any member of the public, we strongly encourage you to immediately report the incident to your leader or the People and Culture team.



3. Dealing with the Broader Community

3.1 Our Customer First Standards

You will:

- (a) comply with the aims and commitments in the [Customer First Charter and Standards](#) when responding to queries or questions from customers;
- (b) comply with [Customer Complaints Handling Policy](#), including service levels and timeframes, when dealing with complaints received from customers;
- (c) make all reasonable attempts to address and, if possible, to resolve a customer's enquiry or complaint; and
- (d) advise customers of the methods for providing feedback when providing a response to a query or complaint.

For the purpose of this clause, 'customer' has the definition in the Customer Complaints Handling Policy and includes residents, rate payers, members of the public receiving advice or a service, using facilities, or engaging in a business relationship or any other person or organisation having an interest in the functions or activities of the City.

The City of Melville is a certified complaint management system organisation, annually accredited through the Customer Services Institute of Australia (CSIA). Through the City's Customer First Charter and Standards, we are committed to delivering great service to our customers whilst actively promoting a culture that strives to provide the best possible experience.

3.2 Child Safe Commitment

The City of Melville is a child safe organisation with an ongoing commitment to providing welcoming, safe and accessible environments for children and young people where they feel valued, listened to and considered in decisions that affect their lives in accordance with the National Principles for Child Safe organisations. The City takes a zero-tolerance approach to any sort of child abuse.

Relevant policy:

- CP-126 Child Safety and Wellbeing Policy

We must all recognise the part our roles play in contributing to the success of the City, and make a commitment to comply with internal rules, policies and procedures, as well as conduct ourselves with integrity.

3.3 Communication with External Parties

You will:

- (a) not speak on behalf of the City unless you are the CEO or have been authorised by the CEO to do so;
- (b) Not provide comment or information to the public about City business, including
to any media organisation or representative, unless authorised in accordance with the Public Relations policy;
- (c) use personal and/or the City's corporate social media and other communication
forums in accordance with this Code and the [Social Media Use policy](#);
- (d) not provide, show, send or otherwise disclose any personal information created,
recorded or received by the City to a person or organisation outside the City, other than as required or permitted by law;
- (e) Comply with applicable legislation, policy and procedures including the Privacy and Responsible Information Sharing Act 2024 and the Freedom of Information Act 1992.

The Act states that the Mayor is to speak on behalf of the City and the CEO may speak on behalf of the City, with the Mayor's agreement. This means that, with the exception of the CEO, employees of the City are not permitted to speak on behalf of the City unless expressly authorised.

'Personal information' includes any information or opinion about an identified individual, or an individual who is reasonably identifiable, whether the information or opinion is true or not, and whether it is recorded in a material form or not.

Relevant policies and procedures:

- [OP - 15 Records Management](#)
- [OP - 026 Social Media](#)
- [CP - 003 Public Relations](#)
- [CP - 128 Privacy Policy](#)

4. Taking Pride in Good Governance

4.1 Gifts, Benefits and Hospitality

As an employee, you may be sent or offered gifts, benefits and hospitality ('gifts') from suppliers, tenderers or members of the community. While being offered a gift may make you feel appreciated for what you do, accepting a gift may place you in a position where you feel a moral, emotional or financial obligation to help them out in the future, or create a perception that they have influence over your decision-making.



Although you may accept 'acceptable' and 'notifiable' gifts, that doesn't mean you should. The principles in this Code still apply, and you should carefully consider whether accepting the gift would place you in a conflict of interest or where it may influence your decisions.

As a result, it is important that you comply with the City's policies and procedures relating to gifts to ensure you don't get placed in situations that may create a real, potential or perceived conflict of interest or where you may be tempted to make a decision that prioritises private interests over the public interest.

The CEO, in accordance with 19AF of the Local Government (Administration) Regulations has determined the gift threshold amount is \$100.

Relevant policies and procedures:

- Gifts Directorate Procedure

Note

Section 5.57 of the Local Government Act 1995

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 5.74(1) 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;



The table below outlines what you need to do when accepting and declaring a gift.

Category of gift (based on value)	Can you accept the gift?
<p>ACCEPTABLE GIFTS - \$50 and less (total value of all gifts from the same person/body within a 12-month period)</p>	<p>These are generally token gifts, in appreciation of service, or branded/promotional gifts from vendors. If a gift is worth less than \$50 it may be accepted without reporting it.</p>
<p>NOTIFIABLE GIFTS - \$51-99 (total value of all gifts from the same person/body within a 12-month period)</p>	<p>Can be accepted but must be reported to the Governance team via the <i>Gift Disclosure Form</i> found on the Intranet. The information in these forms is retained in the City's record keeping system and disposed of in accordance with the City's recordkeeping plan.</p>
<p>PROHIBITED GIFTS - Over \$100 (total value of all gifts from the same person/body within a 12-month period) OR Any gift from the following types of person:</p> <ul style="list-style-type: none"> · current or potential suppliers of goods or services; · a person seeking a permit/approval/other authorisation from the City; · a person awaiting an application assessment by the City; or · a person seeking grant funding from the City. 	<p>Cannot be accepted. If you are unable to decline the gift at the time you receive it, report it by completing a <i>Gift Disclosure Form</i> and give it to the Governance team who will decide what to do with it.</p>
<p>Exempt Gift Is a gift from certain persons or organisations that can be accepted.</p>	<p>Gifts from the following are exempt:</p> <ul style="list-style-type: none"> · relatives, including a parent, grandparent, sibling, uncle, aunt, nephew, niece, lineal descendant or spouse/ de facto partner (Unless they are received in a professional capacity, then follow the Notifiable Gift or Prohibited Gift processes). · WALGA, · Local Government Professionals, · LG Professionals, or · statutory, government or non-profit training associations.

In summary, you can only accept

- an 'exempt gift',
- an 'acceptable gift' or
- a 'notifiable gift'.

If you accept a 'notifiable gift', you must report it by completing the relevant forms within 10 days of accepting the gift. You cannot accept a 'prohibited gift', if you are unable to physically decline the gift, complete a gift disclosure form and surrender the gift to the Governance Team.



4.2 Conflicts of Interest



A conflict of interest is a situation where an employee of the City also has a personal or financial interest with another party that may impact their role or decision-making ability for the City.

The community expects the City and its employees will undertake activities and perform duties in the public interest. The community also expects that City employees will not improperly use their positions or authority for personal gain or to cause detriment to others.

You will:

- (a) continuously assess whether you have an interest that could, or could reasonably be perceived to, adversely affect your ability to fulfil your duties to the City impartially.
- (b) declare any actual, potential or perceived conflict of interest to the CEO as soon as reasonably practicable using the form.
- (c) remove yourself from participation or involvement in any matters where you are, or may be, conflicted unless you have disclosed the conflict to the CEO and your involvement has been authorised by way of a 'conflict management strategy'.
- (d) Regularly review your conflicts and update your disclosure if your situation changes.
- (e) Make decisions based on evidence and impartial consideration of merits and not factor in any political or personal considerations.
- (f) Seek approval from the City before seeking to volunteer or become involved with a political cause or party in accordance with section 4.3 of this Code.

Conflicts of Interest are declared through the City's Human Resources management system.

Relevant policies and procedures:

- Conflict of Interest Directorate Procedure

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*]



4.3 Paid work or volunteering outside of the City

The City appreciates that for many reasons, some staff may wish to seek paid employment or unpaid/volunteer opportunities outside of their role at the City ('secondary employment'). Secondary employment means any:

- paid work or employment outside your employment contract with the City and includes:
 - operating a business;
 - providing paid consultancy services to another person or organisation.
- volunteer work which is unpaid, or where a payment or honorarium is received.

From the City's perspective, engaging in secondary employment increases the risk that you may be placed in a position where you:

- have an actual or perceived conflict of interest;
- you may not complete your work duties to the best of your ability as is required; and/or
- you choose to, or are pressured to, use work time, resources or information for the benefit of your secondary employment.

For these reasons, you must seek approval from the City before engaging in any secondary employment by completing and submitting the specified form.

You must seek further approval if the circumstances surrounding the secondary employment change by resubmitting the specified form with details of the changed circumstances.

The CEO has ultimate discretion to approve any secondary employment.

Relevant policies and procedures:

- OP – 059 Secondary Employment
- Guidelines for Assessing Applications for Secondary Employment

Requests to undertake secondary employment are made through the City's Human Resources management system.



4.4 Disclosure of Financial and Proximity Interests

To ensure that the decision-making of the Council is free of undue influence, or free from any perception that it was unduly influenced, employees who prepare reports or provide advice to the Council must disclose certain interests they, or a person they are closely associated with, may have in the subject matter of the report or advice they are providing to the Council.

You will:

- (a) Disclose any interest/s you have in relation to any reports or advice you contribute towards which are provided to the Council or a Council Committee.
- (b) Disclose any interest/s any person you are closely associated with has in relation to any reports or advice you contribute towards which are provided Council or a Council Committee.
- (c) Not exercise any delegated powers or duties in relation to any matter in which you have any interest/s.
- (d) Disclose any interest/s you have in relation to a delegated power or duty to the CEO as soon as reasonably practicable.
- (e) If required by the Act, complete a Primary Return and subsequent Annual Returns.
- (f) Complete a Related Party Disclosures if required.

Disclosures of this nature are made through the City's Human Resources management system.

Note

Section 5.62 of the Local Government Act 1995

Closely associated persons

(1) For the purposes of this Subdivision a person is to be treated as being closely associated with a relevant person if –

- (a) the person is in partnership with the relevant person; or
- (b) the person is an employer of the relevant person; or
- (c) the person is a beneficiary under a trust, or an object of a discretionary trust, of which the relevant person is a trustee; or
- (ca) the person belongs to a class of persons that is prescribed; or
- (d) the person is a body corporate –
 - (i) of which the relevant person is a director, secretary or executive officer; or
 - (ii) in which the relevant person holds shares having a total value exceeding –
 - (I) the prescribed amount; or
 - (II) the prescribed percentage of the total value of the issued share capital of the company, whichever is less;
- or
- (e) the person is the spouse, de facto partner or child of the relevant person and is living with the relevant person; or

Regulation 20 of the Local Government (Administration) Regulations 1996

(1) In subregulation (2) –

client or adviser means a person who supplies, or receives, legal or financial professional services.

(2) A person who, within the previous 12 months, was a client or adviser of a relevant person is a person of a class of persons prescribed for the purposes of section 5.62(1)(ca).

(3) The amount prescribed for the purposes of section 5.62(1)(d)(ii)(I) is \$10 000.

(4) The percentage prescribed for the purposes of section 5.62(1)(d)(ii)(II) is 1%.

(5) The prescribed manner of calculating the value of shares for the purposes of the definition of **value** in section 5.62(2) is –

- (a) the closing share price of the shares on the Australian Stock Exchange Limited on the last trading day of the financial year; or
- (b) the nominal value of the share, if the share was not listed on the Australian Stock Exchange Limited on the last trading day of the financial year.



4.5 Disclosure of Interests Relating to Impartiality

If you have an interest in a matter being discussed at a Council or Committee meeting which you attend, you must disclose the nature of your interest in writing to the CEO or at the meeting immediately before the discussion begins.

If you have given, or will give, advice which is presented to a Council or Committee meeting on a matter, and you have an interest in the matter, you must disclose the nature of your interest in writing to the CEO or at the time the advice is given, there are provisions for this when writing a Council report.

These notice requirements do not apply where you do not know and could not reasonably be expected to know you had an interest in a matter at the time of attending a meeting or providing advice. If you become aware of an interest in a matter discussed at a Council or Committee meeting you attend, you must disclose the interest as soon as possible after the discussion began during the meeting.

If you disclose any interest at any stage during a Council or Committee meeting as described in this clause, this disclosure must be recorded in the minutes of the meeting.

Disclosures of this nature are made through the City's Human Resources management system.

The meaning of 'interest' is 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 (see r.19AA of the Local Government (Administration) Regulations 1996). It does not include the definition of 'interest' in clause 5.60 of the Act.



4.6 Confidentiality and Recordkeeping

You will:

- (a) not disclose any information:
 - i. derived from a confidential document;
 - ii. acquired at a closed meeting, other than information derived from a non-confidential document; or
 - iii. you have become aware of through the performance of your duties, where that information (written or oral) is obtained in confidence and considered confidential by the City.
- (b) ensure that records are truthful, accurate, complete, consistent, timely and clear;
- (c) only access or use records where required in order to complete your duties;
- (d) make written records of actions and reasons for decisions relating to City business;
- (e) not falsify, destroy, alter or damage records or back date records; and
- (f) comply with the Record Management Policy and System Procedure and applicable legislation, including State Records Act 2000

'Record' has the meaning outlined in OP-15 Records Management policy but includes, generally, information in any form that is created, maintained or received by the City in the transaction of business and kept as evidence of such activity.

Relevant policies and procedures:

- [OP – 015 Records Management](#)
- [OP – 046 AI Use Policy](#)
- SP-020 Records Management System Procedure



Our procedures limit access to, and the use of, information held by the City, and require that each of us take measures to protect information from unauthorised access or use.



4.7 Use of City Resources

You will:

- (a) use the City's resources to carry out your duties effectively, economically and with care in accordance with this Code and relevant policies and procedures;
- (b) not misuse, permit misuse, or permit the appearance of misuse of City resources to benefit yourself or for the gain or detriment of another;
- (c) Not use the City's resources for private purposes unless authorised in writing to do so;
- (d) Comply with any conditions placed on the use of City resources for private purposes as directed.

City resources includes local government property and services including but not limited to assets, information and, intellectual property, provided or paid for by the City of Melville;

Relevant policies and procedures:

- OP-014 Light Fleet Vehicles
- Guidelines for Use of City of Melville Vehicles
- OP – 046 AI Use
- OP – 038 Mobile Device Management (MDM) on a Personal Smartphone

The City supplies you with resources to help you perform your duties effectively. These resources may be physical and include credit cards, office and computer equipment, mobile devices, vehicles or non-physical such as information and intellectual property. It is essential to only use them only for City of Melville business unless specifically authorised otherwise.



4.8 Use of City Finances

You will:

- (a) handle City monies and finances only within the scope of your authority, as set out in your position description and prescribed in the Statutory Delegation and Authorisation Manual.
- (b) comply with the financial management requirements of the Local Government (Financial Management) Regulations 1996 where they apply to your role.
- (c) comply with the City's Purchasing Policy, and the systems and procedures established by the CEO in accordance with regulation 5 of the Local Government (Financial Management) Regulations 1996 when exercising delegated purchasing authority;
- (d) act with care, skill, diligence, honesty and integrity when handling City monies and finances.
- (e) ensure that any use of City's finances is appropriately documented in accordance with the relevant policy and procedure, including the Record Management Policy and System Procedure.

Relevant policies and procedures:

- CP-023 Procurement Policy
- SP-019 Procurement Procedure



5. Enforcement of the Code

5.1 Suspected Breaches of the Code of Conduct

If you see or hear about something you feel is not right, and which you suspect may breach of this Code you must report this in accordance with the Grievance Procedure as soon as reasonably practicable. It's okay if you don't know all the facts or are uncertain if what has happened is a breach, as you won't be reprimanded for raising a grievance provided you do so with honesty and good intent, and you had reasonable grounds to be concerned.

A grievance can be raised by completing the Grievance Form available on the intranet.

Grievances are to be raised in writing, where possible, and should be in your own words.

You are also able to make a Public Interest Disclosure, also known as 'whistleblowing', where you believe that misconduct or dishonest or illegal activity may be occurring in the organisation. See the [Public Sector Commission](#) website for more information on when you can use this process and how to contact a Public Interest Disclosure (PID) officer

Not sure whether to report?

If you're not sure whether to raise a grievance, speaking to somebody else may help you make a decision. You could:

- speak to your supervisor or manager;
- speak to the People and Culture or Governance teams; or
- book a phone call with [Ethi-call](#), a free independent helpline who provide guidance and support to anyone facing a difficult ethical dilemma or decision.

5.2 Handling breaches of the Code

The City will deal with any grievance relating to a breach of the Code in accordance with the Grievance Procedure, and applicable legislation, including the Corruption, Crime and Misconduct Act 2003.

A breach of the Code will result in disciplinary action being taken, up to and including termination of employment.



6. Relevant Legislative Provisions

6.1 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. Functions of CEO

The CEO's functions are to:

- (a) advise the council in relation to the functions of a local government under this Act and other written laws;*
- (b) ensure that advice and information is available to the council so that informed decisions can be made;*
- (c) cause council decisions to be implemented;*
- (d) manage the day to day operations of the local government;*
- (e) liaise with the mayor or president on the local government's affairs and the performance of the local government's functions;*
- (f) speak on behalf of the local government if the mayor or president agrees;*
- (g) be responsible for the employment, management supervision, direction and dismissal of other employees (subject to section 5.37(2) in relation to senior employees);*
- (h) ensure that records and documents of the local government are properly kept for the purposes of this Act and any other written law; and*
- (i) perform any other function specified or delegated by the local government or imposed under this Act or any other written law as a function to be performed by the CEO.*

Local Government Act 1995

6.2 Principles affecting employment by the City of Melville

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

5.40. Principles affecting employment by local governments

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

- (a) employees are to be selected and promoted in accordance with the principles of merit and equity; and*
- (b) no power with regard to matters affecting employees is to be exercised on the basis of nepotism or patronage; and*
- (c) employees are to be treated fairly and consistently; and*
- (d) there is to be no unlawful discrimination against employees or persons seeking employment by the City on a ground referred to in the Equal Opportunity Act 1984 or on any other ground; and*
- (e) employees are to be provided with safe and healthy working conditions in accordance with the Work, Health and Safety Act 2020; and*
- (f) such other principles, not inconsistent with this Division, as may be prescribed.*

Local Government Act 1995

