



Code of Conduct

2023



**for Town of Mosman Park Employees, Volunteers
and Contractors**





Contents

1	Message from the CEO	2
2	Introduction	3
2.1	Statutory environment	3
2.2	Application	3
3	Town of Mosman Park Values	4
	Code of Conduct	5
3.1	Role of Employees	5
3.2	Principles affecting employment by the Town of Mosman Park	5
3.3	Personal Behaviour	6
3.4	Honesty and Integrity	6
3.5	Performance of Duties	7
3.6	Compliance with Lawful and Reasonable Directions, Decisions and Policies	7
3.7	Health and Safety	7
3.8	Equity, Diversity, and Inclusion	7
3.9	Administrative and Management Practices	8
3.10	Intellectual Property	8
3.11	Recordkeeping	8
3.12	Positive behaviours in the workplace	8
3.13	Serving our community	9
3.14	Professional Communications	9
3.15	Personal Communications and Social Media	9
3.16	Personal Presentation	10
3.17	Gifts	10
3.18	Conflict of Interest	13
3.19	Secondary Employment	13
3.20	Disclosure of Financial Interests	14
3.21	Disclosure of Interests Relating to Impartiality	14
3.22	Use and Disclosure of Information	15
3.23	Improper or Undue Influence	15
3.24	Use of the Town of Mosman Park Resources	16
3.25	Use of Town of Mosman Park Finances	16
3.26	Reporting of Suspected Breaches of the Code of Conduct	17
3.27	Handling of Suspected Breaches of the Code of Conduct	17
3.28	Reporting Suspected Unethical, Fraudulent, Dishonest, Illegal or Corrupt Behaviour	17
3.29	Handling of Suspected Unethical, Fraudulent, Dishonest, Illegal or Corrupt Behaviour	17





1 Message from the CEO

At the Town of Mosman Park we set and uphold high ethical standards.

As an organisation, we think not just about what we do but also how we do it through our people, the way we work and our customers' experience.

This is your code of conduct (the code). The rules and guidelines in this handbook give examples of how all Town of Mosman Park employees are expected to behave, and provide the boundaries within which we must operate every day.

Council's vision is that Mosman Park will be inclusive, engaged, and sustainable.

It's therefore critical that we have a shared understanding of how we collectively work. The code provides instructions and advice as we work to make the difference for Mosman Park and its people.

The code works in close harmony with our values and culture.

Everyone plays a part in creating our culture at the Town of Mosman Park by demonstrating behaviours and attitudes aligned with our values of Accountability, Connection and Excellence.

The code cannot describe every requirement or present all the details of our policies. Employees must use their own judgement in applying these rules and guidelines.

It is up to you to seek information if you are unclear on any are of conduct.

What do you need to do?

1. **Read it:** please read this code and make sure you understand it. If there is anything you don't understand it is your responsibility to ask.
2. **Agree to it:** you must agree to abide by the code when you commence employment with us and at regular intervals during your employment.
3. **Live it:** we expect you to always work and behave in accordance with the code.

I encourage you to speak up if you see a potential breach of the code or if there is an opportunity to improve the ways we work. Breaches of the code are a serious matter and can result in sanctions up to and including dismissal.

If you have any questions, please contact your leader or our People and Culture team. Together, we can uphold and protect the high ethical standards we have set for ourselves and our organisation and achieve our vision of a leading organisation for an inclusive and engaged Town.

Carissa Bywater
Chief Executive Officer
Town of Mosman Park



2 Introduction

The Town of Mosman Park Code of Conduct (the Code) provides employees with clear guidelines for the standards of professional conduct required of them in carrying out their functions and responsibilities.

The Code encourages transparency and accountability and expresses the Town's commitment to high standards of ethical and professional behaviour and outlines the principles in which individual responsibilities are based.

The Code is complementary to the principles adopted in the *Local Government Act 1995* (the Act) and associated regulations, which incorporate four fundamental aims:

- (a) better decision-making by local governments;*
- (b) greater community participation in the decisions and affairs of local governments;*
- (c) greater accountability of local governments to their communities; and*
- (d) more efficient and effective local government.*

2.1 Statutory environment

The Code addresses the requirement in section 5.51A of the Act for the CEO to prepare and implement a code of conduct to be observed by employees of the Local Government, and includes the matters prescribed in Part 4A of the *Local Government (Administration) Regulations 1996*.

The Code should be read in conjunction with the Act and associated regulations. Employees should ensure that they are aware of their statutory responsibilities under this and other legislation.

2.2 Application

For the purposes of the Code, the term employees includes persons employed by the Town of Mosman Park, engaged by the Town of Mosman Park under a contract for services and volunteers. The Code applies to all employees, including the CEO, while on the Local Government's premises or while engaged in Local Government related activities. Clause 3.17 of this Code (Gifts) does not apply to the CEO.




3 Town of Mosman Park Values

The values are guiding principles to identify what is important to us when working at the Town. They help us select the right way of working and support us in making good decisions.

Our values set the tone for our culture, our behaviours and actions, and are aligned to the Code of Conduct.


The Town's values are:

Our Core Values




Accountability

- I take responsibility for our community's experience
- I am responsible for the energy I bring to situations, so I work to stay positive
- I work to enhance our reputation and continuity (conscious of legacy – what I do today makes a difference)
- I am always willing to accept challenges if they serve the long-term interests of the organisation.



Connection

- I help to create a culture of warmth and belonging, where everyone is welcome
- We value our people, encourage their development and reward good performance
- We take care of ourselves and each other
- We communicate with transparency, dignity and respect
- We promote trust through transparency and responsiveness
- We practice gratitude with team members and colleagues
- We are mindful of and value each other's time
- We know that being clear is kind, unclear is unkind
- We are present in all we do



Excellence

- We question existing methods, seeking better solutions and are open to change
- We act with courage, challenging the status quo and finding new ways to lift up the Town and each other
- We know that if it is to be, it's up to me
- We embrace imagination and move forward with originality/authenticity and innovation
- We have the freedom to think creatively and explore new ideas
- We always strive to be better
- Our commitment is to serve with Excellence.



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. 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

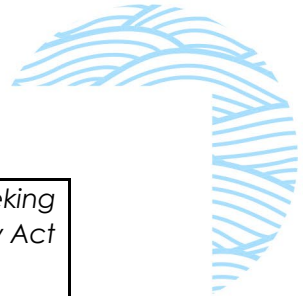
3.2 Principles affecting employment by the Town of Mosman Park

The principles set out in section 5.40 of the Act apply to the employment of Town of Mosman Park'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

3.3 Personal Behaviour

Employees will:

- (a) act, and be seen to act, properly, professionally and in accordance with the requirements of the law, the terms of this Code and all policies of the Town of Mosman Park;
- (b) perform their duties impartially and in the best interests of Town of Mosman Park, 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 Town of Mosman Park and the community;
- (d) make no allegations which are improper or derogatory (unless true and in the public interest);
- (e) refrain from any form of conduct, in the performance of their official or professional duties, which may cause any reasonable person unwarranted offence or embarrassment; and
- (f) always act in accordance with their obligation of fidelity to the Town of Mosman Park.

Tips and Tools


If you are unsure whether your personal behaviour aligns with this Code, ask yourself:

- Does this feel like the right thing to do? If you're trying to convince yourself it's ok, then your conscience might be trying to tell you that it's not.
- Is my conduct consistent with the Town's values?
- What would my friends, family, colleagues, and community say?
- Who stands to benefit most from my actions or decision? If you need more guidance or would like to discuss the issue with someone, please speak to: Your Leader or to the People and Culture or Governance teams'.

3.4 Honesty and Integrity

Employees will:

- (a) observe the highest standards of honesty and integrity, and avoid conduct which might suggest any departure from these standards;
- (b) be frank and honest in their official dealing with each other; and

- 
- (c) report any dishonesty or possible dishonesty on the part of any other employee to their Leader, People and Culture or the CEO in accordance with this Code and the Town of Mosman Park's policies.

3.5 Performance of Duties

While on duty, employees will give their whole time and attention to the Town of Mosman Park's business and ensure that their work is carried out efficiently, economically, and effectively, and that their standard of work reflects favourably both on them and on the Town of Mosman Park.

3.6 Compliance with Lawful and Reasonable Directions, Decisions and Policies

- (a) Employees will comply with any lawful and reasonable direction given by any person having authority to make or give such an order, including their Leader, Manager or the CEO.
- (b) Employees will give effect to the lawful decisions and policies of the Town of Mosman Park, whether or not they agree with or approve of them.

3.7 Health and Safety

The health, safety, welfare and wellbeing of our employees and our community is of paramount importance. We all have a role to play in ensuring our own health and safety and the health and safety of those around us. More information can be found on the Town's intranet under the section Work Health and Safety.

If you are unsure whether you are meeting your health and safety responsibilities, ask yourself:

- Is there a potential risk to my health or safety or the health or safety of others?
- What control measures are in place to mitigate the risks and prevent harm to people and property? Do I have the right qualifications, skills, training, assistance, and equipment to perform this task safely?

3.8 Equity, Diversity, and Inclusion

We are committed to fostering a work environment where everyone is treated equitably, diversity (in all its forms) is valued, and everyone feels included and respected. We acknowledge, meaningfully engage with, and strive to understand and accommodate the perspectives of those who might be affected by our actions and decisions. We ensure that our policies, plans, practices, and processes deliver equality for our employees, community, and stakeholders.

If you are unsure whether your conduct is equitable, inclusive, and supportive of diversity, ask yourself:

- Could my words or actions have the effect of harming, hurting, disadvantaging, invalidating, or excluding someone?
- Have I considered who this will impact? Have I considered their needs or consulted with them?

- Am I making an informed and objective decision? Could I potentially be biased?
- How could I achieve a more equitable outcome?

3.9 Administrative and Management Practices

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

3.10 Intellectual Property

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

3.11 Recordkeeping

Employees will ensure complete and accurate local government records are created and maintained in accordance with the Town of Mosman Park's Recordkeeping Plan.

3.12 Positive behaviours in the workplace

We are committed to providing a safe and harmonious working environment, where everyone feels confident to contribute their ideas and opinions while respecting those of others. We hold each other to account to ensure our conduct and behaviour aligns with our corporate values.

- (a) Employees will treat other employees with respect, courtesy and professionalism, and refrain from behaviour that constitutes discrimination, bullying or harassment.
- (b) Employees must be aware of and comply with their obligations under relevant law and the Town of Mosman Park's policies and work practices regarding workplace behaviour and Work Health and Safety obligations. More information can be found on the intranet in the People and Culture and WHS sections.
- (c) Employee behaviour should reflect the Town of Mosman Park's values and contribute towards creating and maintaining a safe and supportive workplace.

If you are unsure whether your behaviour or the behaviour of others around you aligns with the standards of this Code, ask yourself:

- Could my words or actions offend, or have the potential to offend someone or a group of people?
- How would I feel if someone I cared about was on the receiving end of this kind of behaviour?
- Have I done all I can to speak up against inappropriate conduct and behaviour?



3.13 Serving our community

We are committed to making a positive and lasting impact on our customers by ensuring that every interaction accords with the Town's Customer Service Charter, our values, and this Code. We are customer-centric, outcome focused and forever looking for ways to improve the services we provide to our customers.

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

To guide how you communicate and engage with our customers, you can ask yourself:

- Is the tone of my communication polite and professional?
- Can I do anything to improve the customer's experience?
- Have I done my best to be clear on how I can assist the customer, and what Town policies or procedures will apply?
- How would I feel if I were in the customer's shoes?

3.14 Professional Communications

We are committed to earning the respect, support, and trust of our stakeholders.

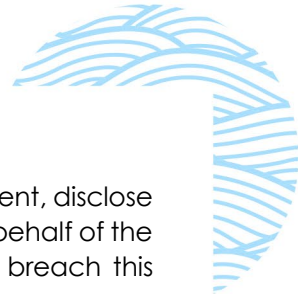
All aspects of communication by employees (including verbal, written and electronic), involving the Town of Mosman Park's activities should reflect the Town's values, our customer service charter, and the standards of this Code. We engage with our stakeholders in a timely and meaningful way. We are accurate, informed, professional and transparent when representing the Town in all interactions with stakeholders.

If you are unsure whether your personal behaviour aligns with this Code, ask yourself:

- Am I the right person to communicate this information? If so, have I obtained the appropriate prior approvals?
- Am I communicating any confidential information and is it appropriate to the audience I am communicating with?
- Is the way I am communicating accessible and is the language I am using inclusive?
- Am I confident that what I am communicating is accurate, based in fact and free from personal biases?

3.15 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 Town of Mosman Park, its Council Members, employees or contractors, which breach this Code.
- (c) Employee comments which become public and breach the Code of Conduct, or any other operational policy or procedure, may constitute a disciplinary matter and may also be determined as misconduct and be notified in accordance with the *Corruption, Crime and Misconduct Act 2003*.

If you are unsure whether your personal behaviour aligns with this Code, ask yourself:

- How would I feel if the interaction or content I've created or shared was publicly available for anyone to see? What would others think of me personally and professionally?
- Have I made it clear that the views I am expressing are mine alone and do not represent the views of the Town?
- Are my social media interests, affiliations or friendships affecting my judgement and behaviour?

3.16 Personal Presentation

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

3.17 Gifts

- (a) Application

This clause does not apply to the CEO.

- (b) Definitions

In this clause –

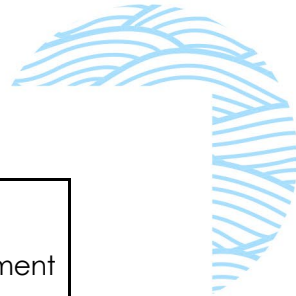
activity involving a local government discretion has the meaning given to it in the *Local Government (Administration) Regulations 1996*;

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;

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 less than \$20, received in the course of employment at the Town

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 \$20 as the threshold amount for prohibited gifts.

- (d) Employees must not accept a prohibited gift from an associated person. If a prohibited gift has been provided in circumstances that did not allow the employee to decline (e.g. posted or left for collection) then the CEO must be notified immediately and this gift surrendered to the Town. The CEO will determine how to deal with such gifts. This may include donating the gift to a charity or community group, raffling the gift for the purposes of charitable donation, or sharing a perishable gift between employees. Any gift that is surrendered to the Town under this subclause must be recorded in the register of reportable gifts.
- (e) An employee who accepts a reportable gift 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) The CEO will maintain a register of reportable gifts, which will be published on the Town's website, and record in it details of notifications given to comply with subclause (f).

3.18 Conflict of Interest

- (a) Employees will ensure that there is no actual (or perceived) conflict of interest between their personal interests and the impartial fulfilment of their professional duties.
- (b) Employees will not engage in private work with or for any person or body with an interest in a proposed or current contract with the Town of Mosman Park 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 will lodge written notice with the CEO describing an intention to undertake a dealing in land which is within the district of the Town of Mosman Park, 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 will disclose any actual (or perceived) conflict of interest to the CEO before dealing with relatives or friends and will disqualify themselves from dealing with those persons.
- (e) Employees will conduct themselves in an apolitical manner and refrain from political activities which could cast doubt on their neutrality and impartiality in acting in their professional capacity.

3.19 Secondary Employment

An employee must not engage in secondary employment (including paid and unpaid work) without receiving the prior written approval of the CEO.

Employees must carefully consider whether other employment outside their employment at the Town of Mosman Park may adversely affect the performance of their duties at the Town, including their performance, affect the reputation of the Town or may give rise to any other conflict of interest.

Authorisation prior to engaging in any outside employment or professional activity is required at all times from the Leader and CEO.



3.20 Disclosure of Financial Interests

- (a) All employees will apply the principles of disclosure of financial interest as contained within the Act.
- (b) Employees who have been delegated a power or duty, have been nominated as 'designated employees' or provide advice or reports to Council or Committees, must ensure that they are aware of, and comply with, their statutory obligations under the Act.

3.21 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 now 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.

3.22 Use and Disclosure of Information

- (a) Employees must not access, use or disclose information held by the Town of Mosman Park except as directly required for, and in the course of, the performance of their duties.
- (b) Employees will handle all information obtained, accessed or created in the course of their duties responsibly, and in accordance with this Code, the Town of Mosman Park's policies and procedures.
- (c) Employees must not access, use or disclose information to gain improper advantage for themselves or another person or body, in ways which are inconsistent with their obligation to act impartially and in good faith, or to improperly cause harm, detriment or impairment to any person, body, or the Town of Mosman Park.
- (d) Due discretion must be exercised by all employees who have access to confidential, private or sensitive information.
- (e) Nothing in this section prevents an employee from disclosing information if the disclosure:
 - (i) is authorised by the CEO or the CEO's delegate; or
 - (ii) is permitted or required by law.
- (f) Confidential information provided to employees for the purpose of performing their duties or work created by the employee as part of their duties shall remain the property of the Town of Mosman Park. Any intellectual property must not be removed by the employee during or at the end of the employment contract.

3.23 Improper or Undue Influence

- (a) Employees will not take advantage of their position to improperly influence Council Members or employees in the performance of their duties or functions, in order to gain undue or improper (direct or indirect) advantage or gain for themselves or for any other person or body.
- (b) Employees must not take advantage of their position to improperly influence any other person in order to gain undue or improper (direct or indirect) advantage or gain, pecuniary or otherwise, for themselves or for any other person or body.
- (c) Employees must not take advantage of their positions to improperly disadvantage or cause detriment to the local government or any other person.



3.24 Use of the Town of Mosman Park Resources

- (a) In this clause –

Town of Mosman Park resources include local government property and services provided or paid for by the Town:

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 will:

- (i) be honest in their use of the Town of Mosman Park resources and must not misuse them or permit their misuse (or the appearance of misuse) by any other person or body;
- (ii) use the Town of Mosman Park resources entrusted to them effectively, economically, in the course of their duties and in accordance with relevant policies and procedures; and
- (iii) not use the Town of Mosman Park's resources (including the services of employees) for private purposes (other than when supplied as part of a contract of employment), unless properly authorised to do so, and appropriate payments are made (as determined by the CEO).

3.25 Use of Town of Mosman Park Finances

- (a) Employees are expected to act responsibly and exercise sound judgment with respect to matters involving the Town of Mosman Park's finances.
- (b) Employees will use Town of Mosman Park finances only within the scope of their authority, as defined in the Town's Delegation of Authority Register, policies, procedures, accounting standards and the *Local Government (Financial Management) Regulation 1996*.
- (c) Employees with financial management responsibilities will comply with the requirements of the *Local Government (Financial Management) Regulations 1996*.
- (d) Employees exercising purchasing authority will comply with the Town of Mosman Park'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*.
- (e) Employees will act with care, skill, diligence, honesty and integrity when using local government finances.
- (f) Employees will ensure that any use of Town's finances is appropriately documented in accordance with the relevant policy and procedure.



3.26 Reporting of Suspected Breaches of the Code of Conduct

As public officers, employees have an obligation to report suspected breaches of the Code to their Leader, a Chief, the CEO or People and Culture.

3.27 Handling of Suspected Breaches of the Code of Conduct

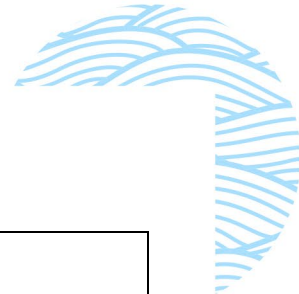
Suspected breaches of the Code will be dealt with in accordance with the relevant Town of Mosman Park relevant policies and procedures, depending on the nature of the suspected breach.

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

- (a) Employees may report suspected unethical, fraudulent, dishonest, illegal or corrupt behaviour to their Leader, Chief, or the CEO.
- (b) In accordance with the *Corruption, Crime and Misconduct Act 2003*, if the CEO suspects on reasonable grounds that the alleged behaviour may constitute misconduct as defined in that Act, the CEO will notify:
 - the Corruption and Crime Commission, in the case of serious misconduct; or
 - the Public Sector Commissioner, in the case of minor misconduct.
- (c) Employees, or any person, may also report suspected serious misconduct to the Corruption and Crime Commission or suspected minor misconduct to the Public Sector Commissioner.
- (d) Employees, or any person, may also make a Public Interest Disclosure to report suspected unethical, fraudulent, dishonest, illegal or corrupt behaviour, using the Town's Public Interest Disclosure Procedures. For more information, please refer to the Town of Mosman Park website or speak to a member of the Governance Team.

3.29 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 Town of Mosman Park policies and procedures, and where relevant, in accordance with the lawful directions of the appropriate statutory body.



Governance References

Statutory Compliance	<p>Local Government Act 1995</p> <p>Local Government (Administration) Regulations 1996</p>
Organisational Compliance	<p>Discipline policy and procedure</p> <p>Fair Treatment policy and procedure</p> <p>Grievance Management policy and procedure</p> <p>Recruitment and Selection protocol and procedure</p> <p>Work Health and Safety policy</p>

Policy Administration

Directorate:		Officer title:
Office of the CEO		CEO
Next Review		Review Cycle
30/01/2025		2 years
Version	Date	Ref
1.	23/09/15	Split into policy and procedure
2.	27/08/2020	New template
3. P&C-001	30/01/2023	Revised, reference to councillors taken out and updated in line with Local Government Act 1995