



# Worker's Code of Conduct

*Shire of Toodyay employees*

FROM THE CHIEF EXECUTIVE OFFICER, AARON BOWMAN JP

**Authorised for Implementation**

A handwritten signature in black ink, appearing to be "A. Bowman", written over a horizontal line.

Aaron Bowman Chief Executive Officer

13/2/26  
Date

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## Message from the CEO

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Dear Team

Welcome to our organisation and thank you for being part of the important work we do in serving our community.

As public officers, we are entrusted with a unique responsibility—to act with integrity, fairness, and professionalism in everything we do.

This **Code of Conduct** is more than a set of rules; it reflects the values that guide our decisions, our interactions, and our commitment to public service.

We all have a responsibility for safeguarding the integrity of the Shire of Toodyay and preventing misconduct and corruption. We demonstrate this in part by reporting any breaches we see or become aware of and making suggestions on how we can improve our approach to integrity.

I will endeavour to monitor and maintain the Code, reviewing its effectiveness and seeking assurance from across the Shire of Toodyay that our approach to integrity is sound.

Whether you are new to the organisation or have been with us for many years, I encourage you to read this Code carefully and reflect on how it applies to your role. It is here to support you in making ethical decisions, fostering respectful relationships, and upholding the trust placed in us by our community.

Together, let's continue to build a workplace culture that is inclusive, accountable, and proud of the service we provide.

Thank you for your dedication and professionalism.


**Aaron Bowman JP**  
**Chief Executive Officer**

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# Worker's Code of Conduct

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## 1. Introduction

The Shire of Toodyay (the Shire) is committed to fostering a workplace culture that upholds integrity, professionalism, and ethical behaviour. This Code of Conduct provides clear guidelines for employees, volunteers, contractors, and agency staff to ensure accountability, transparency, and respect in all aspects of their work. This is to ensure an understanding of the standards of professional conduct expected of them in carrying out their functions and responsibilities.

The Code addresses the broader issue of ethical responsibility and encourages transparency and accountability. The Code expresses the Shire's commitment to high standards of ethical and professional behaviour and outlines the principles that are the foundation of all individual responsibilities.

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. Application

The Code applies to all workers, including the CEO, while on the Local Government's premises or while engaged in local government related activities; the only exception being that clause 4.15 of this Code (Gifts) does not apply to the CEO.

For the purposes of the Code, the term 'worker' (as defined in section 7 of the *Work Health and Safety Act 2020*) describes any person who carries out work in any capacity for a person conducting a business or undertaking, including work as:

- (a) an employee; or
- (b) a contractor or subcontractor; or
- (c) an employee of a contractor or subcontractor; or
- (d) an employee of a labour hire company who has been assigned to work in the person's business or undertaking; or
- (e) an outworker; or
- (f) an apprentice or trainee; or
- (g) a student gaining work experience; or
- (h) a volunteer; or
- (i) a person of a prescribed class.

The term 'employee' (of the local government) means a person employed by a local government under section 5.36(1) of the *Local Government Act 1995*; or engaged by a local government under a contract for services, as per Regulation 19AA, of the *Local Government (Administration) Regulations 1996*; and

The term 'volunteer' means a person who is acting on a voluntary basis (irrespective of whether the person receives out-of-pocket expenses) as per the *Work Health and Safety Act 2020*.

### 3. Policy Intent

#### 3.1 Statutory environment

The Code addresses the requirement in s.5.51A of the *Local Government Act 1995* (the Act), requiring the CEO to prepare and implement a code of conduct for local government workers that includes matters prescribed in Part 4A of the *Local Government (Administration) Regulations 1996*.

#### 3.2 Statutory responsibilities

The Code should be read in conjunction with the *Local Government Act 1995* and associated regulations. Workers should ensure that they are aware of their statutory responsibilities under this and other legislation.

#### 3.3 Organisational Values

Everyone is expected to uphold the following values:

**Integrity:** Acting honestly and ethically in all dealings to the highest ethical standard.

**Respect:** Treating colleagues, stakeholders, and the community with dignity.

**Accountability:** Taking responsibility for actions and decisions and being transparent in our actions and accountable to the community.

**Commitment:** Ensuring that what we say we will do translates into actionable plans, demonstrating persistence that produces results.

#### 3.4 Privacy and responsible information sharing (PRIS)

Workers must uphold privacy and responsible information sharing in all aspects of collecting, using, disclosing, and handling private information. The Shire of Toodyay is committed to protecting the confidentiality of personal data and ensuring that all information is managed in line with legal and ethical standards.

## 4. Code of Conduct

Workers must adhere to this Code of Conduct and all relevant legislation to maintain ethical and professional standards within the Shire of Toodyay. Compliance ensures fairness, accountability, and integrity, fostering a workplace built on trust and respect. Any breaches of the Code may result in disciplinary action, up to and including termination, depending on the severity of the misconduct.

Workers also have a responsibility to report unethical behaviour or misconduct through appropriate channels, ensuring that issues are addressed promptly and transparently. By following these guidelines, workers contribute to a positive and responsible work environment that upholds the Shire's values and commitment to excellence.

### 4.1 Personal and Professional Conduct and behaviour

Workers must uphold the highest standards of personal and professional conduct, ensuring that their behaviour reflects the values and integrity of the Shire of Toodyay.

Workers are expected to act with honesty, respect, and accountability in all interactions—both within the workplace and when engaging with the community. Professionalism requires workers to maintain objectivity, confidentiality, and impartiality, while demonstrating courtesy, ethical decision-making, and a commitment to service excellence. By fostering a collaborative and respectful work environment, employees contribute to a positive culture that encourages trust, fairness, and a shared dedication to public service.

Workers will:

- (a) demonstrate proper, professional conduct aligned with the law, the organisational Code of Conduct, delegations, and all relevant policies, business operating practices, and procedures of the Shire;
- (b) perform duties diligently, efficiently and professionally, prioritising the best interests of the Shire and the community without bias or favouritism;
- (c) act in good faith, with honesty and integrity, ensuring that actions are undertaken for the proper purpose and within the scope of authority, always serving the interests of the Shire and the community;
- (d) refrain from making improper or derogatory allegations unless they are true and serve the public interest, maintaining the highest standards of honesty and professionalism;
- (e) avoid engaging in any behaviour during official duties that may cause unwarranted offense or embarrassment to any reasonable person, fostering a respectful and inclusive workplace environment; and
- (f) uphold the obligation of loyalty to the Shire at all times, prioritising the organisation's interests and goals in every aspect of work and decision-making.

## 4.2 Conduct and integrity

Conduct and integrity are the foundation of a trustworthy and ethical workplace, ensuring that workers uphold transparency, fairness, and accountability in all aspects of their roles.

It is important that we as a collective demonstrate the highest standard of workplace behaviour and personal integrity by complying with the principles of conduct in section 9 of the *Public Sector Management Act 1994*.

Workers must act truthfully in their dealings, demonstrating a commitment to ethical decision-making and maintaining the confidence of colleagues, stakeholders, and the community.

Integrity requires workers to stay principled, even in challenging situations, prioritising the public interest over personal gain. By embodying honesty and integrity, workers strengthen the Shire of Toodyay's reputation, foster respectful relationships, and contribute to a culture of credibility and professionalism that benefits everyone.

Workers are required to comply with the four minimum standards of conduct and integrity detailed below:

### **Standard 1: Integrity**

We:

- act honestly and uphold the trust placed in us by the community;
- use our position and authority for the purpose intended;
- provide objective and timely advice to the government of the day;
- ensure our behaviour upholds the good reputation of our public sector body and the public sector.

### **Standard 2: Impartiality**

We:

- make considered and unbiased decisions based on merit;
- place the public interest over our personal interest;
- declare and manage conflicts of interest;
- implement government priorities, policies and decisions impartially.

### **Standard 3: Respect for others**

We:

- communicate with and treat people with respect;
- treat people fairly, having regard for their diverse backgrounds;
- work together constructively, inclusively and professionally.

## Standard 4: Trust and accountability

We:

- take accountability for our time, decisions, actions and behaviours;
- are responsive and provide considered advice and information to our clients, customers and stakeholders;
- make decisions that ensure the best use of resources for now and the future;
- access, use and disclose information only where we are authorised to do so;
- record our decisions for transparency allowing for review and scrutiny.

### 4.3 Conflict of Interest

Workers must uphold impartiality and avoid any situations that could create actual or perceived conflicts of interest. To maintain transparency and integrity:

- (a) Workers will ensure there is no actual (or perceived) conflict of interest between their personal interests and the impartial fulfilment of their professional duties by making sure their personal interests do not interfere with their professional duties or affect decision-making;
- (b) Workers will not engage in private work with or for any individual or entity with an interest in a proposed or current contract with the Shire, unless they disclose the interest in writing to the CEO. Even if no personal advantage is obtained, workers must avoid any appearance that private dealings could conflict with performance of official responsibilities;
- (c) Workers will provide written notice to the CEO describing an intention to undertake a dealing in land which is within the district of the Shire, or which may otherwise be in conflict with the Shire's functions except when purchasing a principal place of residence;
- (d) Workers exercising recruitment or any other discretionary function must disclose any actual (or perceived) conflict of interest in writing to the CEO, before engaging with relatives or friends and must remove themselves from those decisions;
- (e) Workers must maintain an apolitical stance and refrain from political activities that could compromise their neutrality and impartiality.
- (f) If a worker holds financial, business, or personal interests that may influence their work, they must disclose the interest, particularly when writing reports and providing advice to Council or the Administration.

By adhering to the above, workers uphold the integrity and ethical standards that ensure the Shire of Toodyay's operations remain transparent and impartial.

#### 4.4 Disclosure of Financial Interests

- (a) All Workers will adhere to the principles of disclosure of financial interest as contained within the *Local Government Act 1995*;
- (b) Workers 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 *Local Government Act 1995*.
- (c) Workers must not use their position for personal gain.

#### 4.5 Disclosure of Interests Relating to Impartiality

- (a) In this clause, **interest** has the meaning given to it in r.19AA of the *Local Government (Administration) Regulations 1996* as follows:

**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.

- (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 s.5.60 of the *Local Government Act 1995*.
- (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.
  - (iii) 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
  - (iv) a disclosure is made as described in item (e)(ii) at a meeting; or
  - (v) 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.

## 4.6 Use and Disclosure of Information

Workers must handle all information with the utmost care and confidentiality. Unauthorised use, access, or disclosure of sensitive information is strictly prohibited. Workers are expected to follow all relevant policies and procedures to ensure data security and privacy. Any breach of these guidelines, whether intentional or accidental, must be reported immediately to your Executive Manager and the Governance Coordinator (Compliance Officer).

- (a) Workers must not access, use or disclose information held by the Shire except as directly required for, and in the course of, the performance of their duties;
- (b) Workers will handle all information obtained, accessed or created in the course of their duties responsibly, and in accordance with this Code, the Shire's policies, business operating practices and procedures;
- (c) Workers 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, or the Shire;
- (d) Discretion must be exercised by all Workers who have access to confidential, private or sensitive information to ensure that they do not use confidential information for personal advantage;
- (e) Nothing in this section prevents a Worker from disclosing information if the disclosure:

- is authorised by the CEO or the CEO's delegate; or
- is permitted or required by law.

## 4.7 Confidentiality

“Confidential Information” means any information about the Shire or its business which is not in the public domain or intended by the Shire to be in the public domain and includes but is not limited to, any document, book, account, process, provisional or potential patent or new invention or business process, specification, drawing, unregistered design or know-how which:

- Comes to your notice in the course of your employment; or
- Is generated by you while performing your duties.

### Your obligations during employment

During your employment you must not use or disclose confidential information unless the use or disclosure is:

- Required by law;
- Made as part of the proper performance of your duties; or
- Agreed by the Shire.
- Prevention of disclosure

You must take all reasonable and necessary precautions to maintain the secrecy and prevent disclosure of Confidential Information. To avoid doubt, this clause is not intended to limit any duty of fidelity implied into your contract of employment.

Workers must exercise caution when handling sensitive data, ensuring it is shared only, when necessary, for legitimate purposes, and with appropriate authorisation. The Shire's organisational values emphasise respect for individuals' privacy and the importance of maintaining trust through secure and transparent information management. By adhering to responsible data practices, workers safeguard the integrity of the Shire's operations while fostering confidence among residents, stakeholders, and colleagues.

### Continued obligation

Your obligations under this clause continue after your employment ends.

## 4.8 Confidentiality Post-Employment

Upon leaving the Shire, former employees are strictly prohibited from sharing any insights or confidential information regarding Shire facilities, operations, or procedures with current councillors or any external parties. This includes, but is not limited to, strategic plans, internal processes, and proprietary information.

Any breach of this clause, whether intentional or accidental, will be subject to legal action and penalties as outlined in the Shire's confidentiality agreements and relevant legislation. The Shire reserves the right to pursue all available legal remedies to protect its interests and maintain the integrity of its operations.

#### **4.9 Reporting Suspected Unethical, Fraudulent, Dishonest, Illegal or Corrupt Behaviour**

Ethical standards are to be maintained within the Shire by encouraging Workers to report any suspected unethical, fraudulent, dishonest, illegal, or corrupt behaviour. This fosters a culture of integrity and accountability, protecting the organisation and its stakeholders from potential harm. Retaliation against individuals who report in good faith is strictly prohibited, ensuring a safe environment for whistleblowers.

- (a) Workers must refrain from engaging in fraudulent or corrupt behaviour.
- (b) Workers must also report any information about suspected unethical, fraudulent, dishonest, illegal activities or corrupt behaviour to an Executive Manager, a Line Manager, Supervisor, or the CEO in accordance with the Shire's Resolving Workplace Grievances and Complaints HR Business operating practice.
- (c) 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:
  - (i) the Corruption and Crime Commission, in the case of serious misconduct; or
  - (ii) the Public Sector Commissioner, in the case of minor misconduct.
- (d) Workers may also report suspected serious misconduct to the Corruption and Crime Commission or suspected minor misconduct to the Public Sector Commissioner.
- (e) Workers may also make a Public Interest Disclosure to report suspected unethical, fraudulent, dishonest, illegal or corrupt behaviour in accordance with the *Public Interest Disclosure Act 2003*.

#### **4.10 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 policies, business operating practices and procedures, and where relevant, in accordance with the lawful directions of the appropriate statutory body.

#### **4.11 Reporting of Suspected Breaches of the Code of Conduct**

Workers must report suspected breaches of the Code to an Executive Manager, their supervisor, or the CEO, in accordance with the HR Business operating practice titled *Resolving Workplace Grievances and Complaints*.

The form that workers are to complete is the same form that is contained in Council Policy: *Complaints of Alleged Breach of Code of Conduct for Members, Committee Members and Candidates*.

Suspected breaches may be related to behaviour that is the opposite of what is required as per this Code of Conduct and may also include the following:

- (a) Behaving in an aggressive manner towards another person;
- (b) Verbal or physical assault of any person or persons; or
- (c) Disrespect or disregard to management and delegations.

#### **4.12 Handling of Suspected Breaches of the Code of Conduct**

Any suspected breaches of this Code will be dealt with in accordance with relevant Shire policies, business operating practices and procedures, depending on the nature of the suspected breach; and if substantiated, may result in disciplinary action.

#### **4.13 Role of Workers**

The role of workers is determined by the CEO, as the local government's Chief Executive Officer, who is responsible for managing the local government's administration and operations.

Workers in the Shire of Toodyay play a vital role in delivering essential services, maintaining community infrastructure, and fostering a welcoming and efficient local government. They are responsible for ensuring compliance with regulations, supporting residents, and contributing to the development and sustainability of the region.

Whether working in administration, community engagement, planning, maintenance, or customer service, workers uphold the Shire's values of integrity, accountability, and professionalism. Their dedication to responsible decision-making, ethical conduct, and excellence in service delivery ensures that the Shire operates smoothly, meets community expectations, and continues to grow as a thriving place to live, work, and visit.

#### **4.14 Principles affecting employment by the Shire of Toodyay**

The employment of Shire of Toodyay workers is guided by the principles outlined in Section 5.40 of the [Local Government Act 1995](#). These principles ensure that employees are selected and promoted based on merit and equity, free from nepotism or patronage.

Workers must be treated fairly and consistently, with safe and healthy working conditions provided in accordance with the *Work Health and Safety Act 2020*. Additionally, the Act prohibits unlawful discrimination, reinforcing a commitment to equal opportunity and ethical employment practices.

By adhering to these principles, the Shire fosters a transparent, inclusive, and professional workplace, ensuring that all employees can perform their duties with integrity and accountability.

## 4.15 Diversity

Diversity in a local government workplace enriches the organisation by bringing together different perspectives, backgrounds, and experiences, fostering innovation and inclusivity.

A diverse workforce reflects the community it serves, ensuring that policies, services, and decisions are informed by a broad range of viewpoints and cultural understanding. Embracing diversity also promotes fairness and equal opportunity, creating an environment where all workers feel respected, valued, and empowered to contribute their best work. By championing inclusive practices, local governments strengthen public trust, enhance workplace collaboration, and drive positive social and economic outcomes that benefit the entire community.

Workers will therefore be expected to:

- (a) recognise and appreciate the value of diversity, including diverse ideas, experiences, skills, and expressions of opinion or perceptions among staff members;
- (b) demonstrate respect and non-judgmental behaviour towards individuals from all backgrounds, fostering an inclusive and welcoming environment for everyone;
- (c) treat others with the same respect and consideration that they themselves would expect, promoting empathy and understanding in all interactions;
- (d) encourage the observation, understanding, and celebration of traditions and cultures within the workplace, providing safe spaces for communication and education to promote awareness and appreciation of diversity while also acknowledging and respecting boundaries to prevent misunderstandings or discomfort.

## 4.16 Performance of duties

Workers must perform their duties with diligence, efficiency, and professionalism, ensuring that their actions align with the Shire of Toodyay's standards and values. Every task, whether administrative, operational, or community-focused, must be carried out with care, accuracy, and accountability to support the Shire's objectives and serve the public effectively.

Workers are expected to demonstrate initiative, reliability, and a commitment to continuous improvement, ensuring that services and responsibilities are delivered in a timely and responsible manner. By maintaining a high level of performance, workers contribute to a well-functioning organisation, fostering trust, transparency, and excellence in local government operations.

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

#### **4.17 Compliance with lawful and reasonable directions, decisions and policies**

Workers must adhere to lawful and reasonable directions, decisions, and policies to maintain the integrity and efficiency of the Shire of Toodyay.

Workers are required to follow instructions issued by those with legitimate authority, including supervisors, managers, or the CEO, ensuring that operations run smoothly and in accordance with established procedures.

Regardless of personal opinions, workers must respect and implement the lawful decisions and policies of the Shire, upholding professionalism and accountability. Compliance with these business operating practices fosters a structured and disciplined workplace, ensuring consistency, fairness, and responsible governance for the benefit of the community.

#### **4.18 Administrative and management practices**

Workers must adhere to proper and reasonable administrative practices to maintain efficiency, fairness, and integrity in their professional duties. This includes conducting all tasks with diligence, transparency, and accountability, ensuring that policies and procedures are consistently followed. By upholding professional and responsible management practices, employees contribute to an ethical and organised workplace, where decisions are made in line with legal and operational requirements.

Workers must exercise sound judgment, maintain accurate records, and engage in clear communication, fostering a culture of trust and reliability within the organisation. Through commitment to these principles, employees ensure smooth operations, enhance public confidence, and support the overall success of the Shire of Toodyay.

#### **4.19 Intellectual property**


Any intellectual property created by workers in the course of their employment with the Shire of Toodyay will be assigned to the Shire upon its creation, ensuring that all work, innovations, and contributions remain the property of the organisation.

This includes documents, designs, research, reports, or any other creative output produced as part of employment duties. However, if a separate contract explicitly outlines different ownership arrangements, those terms will apply instead.

This principle safeguards the Shire's legal rights and operational integrity, ensuring that all intellectual property developed for official purposes remains accessible and beneficial to the organisation and the community it serves.

#### **4.20 Recordkeeping**

Maintaining accurate records is essential for transparency, accountability, and efficiency in the Shire of Toodyay.



Workers must ensure that all business-related documents—whether physical or digital—are properly created, stored, and preserved in compliance with the *State Records Act 2000*.

Effective recordkeeping supports decision-making, legal compliance, and historical documentation, ensuring that vital information remains accessible when needed. Additionally, workers must be mindful of data protection policies, safeguarding sensitive information from unauthorised access or misuse. By adhering to recordkeeping best practices, workers contribute to the integrity and reliability of the Shire's operations, reinforcing public trust and organisational efficiency.

#### **4.21 Dealing with other employees**

Creating a safe and supportive workplace is fundamental to fostering a culture of trust, respect, and collaboration.

Workers should approach interactions with an open mind and empathy, ensuring that personal perceptions do not cloud professional relationships or decision-making. By choosing care-frontation—addressing concerns with compassion and understanding rather than aggression—teams can engage in meaningful conversations that strengthen rather than divide.

A workplace built on mutual respect and psychological safety encourages honest dialogue while minimising conflict, allowing everyone to contribute their best work without fear or hesitation. Embracing a supportive dynamic not only enhances morale and productivity but ensures that every individual feels valued, heard, and empowered to succeed.

Workers will therefore endeavour to:

- (a) foster a safe, inclusive, and respectful work environment by treating all colleagues with respect, courtesy, and professionalism, refraining from any behaviour that may constitute discrimination, bullying, or harassment;
- (b) understand and adhere to the conditions of employment to ensure that work is conducted in a manner that prioritises the health and safety of oneself and others;
- (c) comply with Work, Health and Safety guidelines ensuring that they familiarise themselves with information provided to them by the Shire regarding workplace, health and safety;
- (d) familiarise themselves with and comply with all obligations under applicable laws, Shire Policies, and HR Business operating practices related to workplace behaviour, safety, and health. This includes but is not limited to:

- (i) Prevention of Discrimination, Harassment, and Bullying HR Business operating practice;
  - (ii) Resolving Workplace Grievances and Complaints HR Business operating practice;
  - (iii) Shire of Toodyay Worker Safety Handbook;
  - (iv) Fitness for Work - Workplace Drug & Alcohol Use HR Business operating practice;
  - (v) Workplace Health and Safety Statement.
- (e) demonstrate behaviour that aligns with the Shire's values, contributing to the creation and maintenance of a harmonious, safe, productive, and supportive work environment for all employees.

## 4.22 Dealing with community

Professionalism and personal conduct are the foundation of trust and respect between the Shire of Toodyay and the community. Every interaction should reflect honesty, integrity, and open communication, ensuring that residents feel heard, valued, and supported.

Employees must approach each engagement with courtesy, patience, and a commitment to excellence, striving to provide clear, accurate, and timely assistance. By maintaining a high standard of professionalism, employees foster a positive reputation for the Shire, reinforcing a culture of accountability and service that strengthens community relationships and enhances public confidence in local governance.


All services must be delivered in accordance with the Shire's Customer Service Charter and relevant policies, business operating practices and procedures, and any issues resolved promptly, fairly and equitably.

Workers will therefore:

- (a) treat members of the community with respect, courtesy, fairness, and professionalism; and value diversity.
- (b) refrain from speaking with members of the community who ask them questions about the Shire unless they are providing advice to individual community members as part of their role and in their professional capacity;
- (c) not speak on behalf of the Shire unless they have been given permission to do so by the Shire President and the Chief Executive Officer.

## 4.23 Access to Councillors

Employees must first of all, comply with the default communications agreement as per the *Local Government (Default Communications Agreement) Order 2025* and any communication agreement adopted by Council.



As employees of the Shire of Toodyay, workers operate under the direction of the Chief Executive Officer (CEO) and must follow established protocols when engaging with Councillors. To maintain professional boundaries and appropriate communication, workers must refrain from:

- (a) discussing Shire business matters with individual Councillors unless requested by the CEO to provide information at Council Briefings or Council Workshops.
- (b) sharing information with Councillors via email or phone without prior approval from the CEO, unless it is part of your role to do so.
- (c) consulting with Councillors on matters related to Shire facilities or Shire business unless explicitly authorised to do so by the Chief Executive Officer.
- (d) Emailing individual Councillors or the full Council unless explicitly authorised by the CEO.
- (e) Scheduling meetings or making appointments with Councillors without obtaining express permission from the CEO unless it is part of your role to do so.

Where permission is given by the CEO, or if it is part of your role and in your job description, to liaise with the Councillors, the CEO must be copied in when corresponding with Councillors via email.

### **Personal Matters**

If a Worker requires information related to a personal matter—such as property inquiries—their access to an Executive Manager will follow the same process as any member of the public.

### **Community Matters**

When spoken to or contacted by community members or ratepayers regarding Shire business, Shire Projects, works requests or requests for information, workers must not engage in conversation and must ask that they direct their concerns or questions to the Shire via email at [records@toodyay.wa.gov.au](mailto:records@toodyay.wa.gov.au)

The Records Management Officer will send the email to a relevant Executive Manager from a relevant department who will review and respond to the request accordingly.

## **4.24 Professionalism**

Professionalism is the foundation of a respectful, ethical, and effective workplace, ensuring that workers conduct themselves with integrity, accountability, and competence. It encompasses clear communication, reliability, and a commitment to high standards, allowing workers to build trust with colleagues, stakeholders, and the community.

Demonstrating professionalism means approaching tasks with dedication, impartiality, and a solution-focused mindset, maintaining confidentiality and making sound, ethical decisions. By embodying professionalism, workers

contribute to a positive work culture, enhance the reputation of their organization, and ensure that services are delivered with efficiency and excellence.

Workers will therefore endeavour to:

- (a) maintain a positive attitude and demeanour in all interactions and situations encountered within the workplace;
- (b) demonstrate organisational skills and punctuality in carrying out duties and responsibilities, ensuring efficiency and reliability in work performance;
- (c) communicate effectively, openly, and thoroughly, sharing information relevant to the Shire's activities with colleagues and stakeholders;
- (d) respect the privacy and boundaries of others, maintaining confidentiality and discretion in handling sensitive information;
- (e) ensure that all forms of communication by workers, including verbal, written, and electronic, align with the status, values, and objectives of the Shire, reflecting professionalism and commitment to the organisation's mission;
- (f) ensure that communications are accurate, polite, and professional in tone and content, fostering a positive and respectful workplace environment.

#### **4.25 Personal communications and social media**

Workers must exercise responsibility and discretion when engaging in personal communications and social media, ensuring that their online and offline interactions align with the professional standards expected by the Shire of Toodyay.

While workers have the right to personal expression, they must be mindful that their posts, comments, and messages do not compromise confidentiality, misrepresent the organisation, or negatively impact workplace relationships.

Any communication—whether verbal, written, or digital—should be respectful, lawful, and free from inappropriate or defamatory content. By maintaining a thoughtful and ethical approach to communication, workers contribute to a positive workplace culture, protect the Shire's reputation, and uphold the integrity of public service.

Key principles are as follows:

- (a) Personal communications and statements made privately in conversation, written, recorded, emailed or posted on personal social media, have the potential to be made public, whether intended or not;
- (b) Workers must not, unless undertaking a duty in accordance with their employment, disclose information, make comment or engage in any form of communication about or on behalf of the Shire, its Council members, employees or contractors, which breach this Code;

- (c) Worker's comments which become public and breach the Code, or any other operational policy, business operating practices, 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*.

## 4.26 Personal presentation

Personal presentation plays a crucial role in maintaining a professional and respectful workplace, reflecting a worker's commitment to their role and the organisation. Workers should ensure their attire, grooming, and overall appearance are appropriate for their duties, fostering a positive and confident work environment.

Presenting oneself in a neat, professional, and approachable manner enhances credibility, encourages trust, and contributes to a culture of respect and excellence. Beyond appearance, personal presentation also includes positive body language, clear communication, and a courteous demeanour, ensuring interactions with colleagues, stakeholders, and the community are engaging, respectful, and aligned with the values of the Shire of Toodyay.

Workers shall:

- (a) maintain a smart appearance and good personal hygiene to create a positive first impression and demonstrate professionalism in all interactions; and
- (b) adhere to professional and responsible dress standards outlined in the Shire's relevant policies, business operating practices, and procedures, ensuring that attire is appropriate for the workplace environment at all times. Additionally, workers must be physically fit for work according to the standards set forth by the Shire.

## 4.27 Gifts

Workers must not accept gifts or benefits that could influence decision-making and certainly not accept gifts or benefits post decisions being made as that would be a conflict of interest and could be perceived as fraudulent. Any gifts received must be disclosed and recorded in the Shire's gift register.

### (a) Application

This clause does not apply to the CEO.


### (b) Definitions

In this clause the following definitions apply as contained in r.19AA of the *Local Government (Administration) Regulations 1996*:

| <b>Term</b>   | <b>Definition</b>  |
|---|--|
| <b>Activity involving a local government discretion</b>         | <p>An activity —</p> <p>(a) that cannot be undertaken without an authorisation from the local government; or</p> <p>(b) by way of a commercial dealing with the local government;</p>  |
| <b>Associated Person</b>  | <p>a person who —</p> <p>(a) is undertaking or seeking to undertake an activity involving a local government discretion; or</p> <p>(b) it is reasonable to believe, is intending to undertake an activity involving a local government discretion</p>  |
| <b>Gift</b>   | <p>(a) has the meaning given in section 5.57 [of the Local Government Act 1995];</p> <p><b>gift means —</b></p> <p>(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</p> <p>(b) a travel contribution;</p> <p><i>But:</i></p> <p>(b) does not include —</p> <p>(i) a gift from a relative as defined in section 5.74(1); or</p> <p>(ii) a gift that must be disclosed under the Local Government (Elections) Regulations 1997 regulation 30B; or</p> <p>(iii) a gift from a statutory authority, government instrumentality or non-profit association for professional training; or</p> <p>(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).</p> |
| <b>Travel</b>   | Includes accommodation incidental to a journey.  |
| <b>Travel Contribution</b>                                      | Means a financial or other contribution made by 1 person to travel undertaken by another person.   |
| <b>Relative</b><br>(s.5.74(1) of the Local Government Act 1995) | In relation to a relevant person, means any of the following —   |

| <b>Term</b>   | <b>Definition</b>   |
|---|---|
|   | <p>(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;</p> <p>(b) the relevant person's spouse or de facto partner or the spouse or de facto partner of any relative specified in paragraph (a),</p> <p>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.</p> |
| <b>Prohibited Gift</b>                                    | <p>In relation to a local government employee, means —</p> <p>(a) a gift worth the threshold amount or more; or</p> <p>(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.</p>  |
| <b>Threshold amount</b><br><i>(for a prohibited gift)</i> | As per the regulations: \$300 or a lesser amount determined under regulation 19AF (refer to CEO Determination)  |
| <b>Notifiable Gift</b>                                    | <p>Means:</p> <p>(i) a gift worth more than \$20 but less than \$150; or</p> <p>(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 \$20 but less than \$150.</p>  |
| <b>CEO Determination</b>                                  | In accordance with r.19AF of the <i>Local Government (Administration) Regulations 1996</i> , the CEO has determined the threshold amount for prohibited gifts is \$150.   |

- (c) Employees must not accept a prohibited gift from an associated person;
- (d) An employee who accepts a notifiable gift from an associated person is to notify the CEO in accordance with subclause (f) and within 10 days of accepting the gift;
- (e) The notification of the acceptance of a notifiable 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.
  - (f) The CEO will maintain a register of notifiable gifts and record in it details of notifications given to comply with subclause (f);
  - (g) The CEO will arrange for the register maintained under subclause (g) to be published on the Shire of Toodyay's official website;
  - (h) As soon as practicable after a person ceases to be an employee, the CEO will remove from the register all records relating to that person. The removed records will be retained for a period of at least 5 years.

#### **4.28 Secondary Employment**

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

Secondary employment includes any work, business activity, professional engagement, directorship, consultancy, trade, volunteering, or similar commitment undertaken in addition to the worker's duties with the Shire, regardless of whether payment is received.

##### **Purpose of Disclosure**

The requirement to seek approval exists to promote transparency and accountability and to enable the Shire to identify, assess, and manage risks including—

- actual, potential, or perceived conflicts of interest;
- misuse of Shire resources, information or work time;
- diminished work performance arising from fatigue, competing demands, or availability; and
- any activity that may adversely affect the integrity or reputation of the Shire.

##### **Assessment of Applications**

In considering a request for secondary employment, the CEO will assess:

- compatibility with the worker's duties and employment conditions;

- whether the work may reasonably create, or be perceived to create, a conflict of interest or conflict of duties;
- whether the secondary employment may adversely impact performance, punctuality, safety, or availability; and
- the principles affecting employment under section 5.40 of the *Local Government Act 1995*.

The CEO may approve, refuse, or approve with conditions, and may revoke approval if risks emerge.

### **Obligations of Workers**

Workers with approved secondary employment must:

- ensure the work does not interfere with their duties to the Shire;
- not use Shire time, resources, equipment or confidential information for secondary employment;
- avoid using their Shire position for personal gain or benefit arising from secondary employment; and
- immediately disclose any change of circumstances that may give rise to a real or perceived conflict or impact on performance.

### **Reference to Business Operating Practice**

This clause must be read in conjunction with the Shire's Secondary Employment Business Operating Practice, which provides detailed guidance, examples, assessment criteria and the application process. A copy of the BOP is provided to all workers at induction.

### **Non-Compliance**

Undertaking secondary employment without approval or continuing secondary employment after approval has been denied or revoked, constitutes a breach of this Code and may result in disciplinary action, up to and including termination of employment.

## **4.29 Improper or undue influence**

- (a) Workers must not in the performance of their duties or functions, use their position to improperly influence Councillors, Committee Members, other employees, volunteers, or any other person, in order to gain an advantage (direct or indirect) for themselves or any other person, or cause a detriment or impairment to any person, or the Shire.

## **4.30 Use of Shire of Toodyay resources**

- (a) In this clause –

**Shire of Toodyay resources** include local government property and services provided or paid for by the Shire;

**Local government property** has the meaning given to it in s.1.4 of the *Local Government Act 1995* as follows:

**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.

- (b) Workers will:
- (i) be honest in their use of the Shire resources (including IT systems and Vehicles) and must not misuse them or permit their misuse (or the appearance of misuse) by any other person or body;
  - (ii) use the Shire resources entrusted to them effectively, economically, responsibly and for official purposes in the course of their duties in accordance with relevant policies, business operating practices and procedures; and
  - (iii) not use the Shire'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).

#### **4.31 Use of Shire Toodyay finances**

The Shire of Toodyay is committed to the responsible and transparent management of its finances. All financial resources are allocated and utilised in accordance with established policies and regulations to ensure the effective delivery of services and projects that benefit the community.

Regular audits and reviews are conducted to maintain accountability and integrity in financial operations.

Workers are expected to adhere to ethical standards and practices in all financial dealings, ensuring that public funds are used efficiently and for their intended purposes.

- (a) Workers are expected to act responsibly and exercise sound judgment with respect to matters involving the Shire's finances;
- (b) Workers will use Shire finances only within the scope of their authority, as defined in Shire policies, business operating practices, and procedures;
- (c) Workers with financial management responsibilities will comply with the requirements of the *Local Government (Financial Management) Regulations 1996*;
- (d) Workers exercising purchasing authority will comply with the Shire's Purchasing Policy, Statement of Business Ethics and the systems, business operating practices and procedures established by the CEO in accordance with r.5 of the *Local Government (Financial Management) Regulations 1996*;

- (e) Workers will act with care, skill, diligence, honesty and integrity when using local government finances;
- (f) Workers will ensure that any use of Shire finances is appropriately documented in accordance with the relevant policy, business operating practices and procedure, including the Shire of Toodyay's Recordkeeping Plan.

#### 4.32 Preventing reportable conduct

Shire Workers must report a 'reportable allegation' or 'reportable conviction' to the CEO as soon as they become aware in accordance with the [Reportable Conduct Scheme](#) Policy. Reportable conduct under the Scheme includes:

- Sexual offences;
- Sexual misconduct;
- Physical assault;
- Significant neglect of a child;
- Any behaviour that causes significant emotional or psychological harm to a child; and
- Other prescribed offences.

### 5. Worker Acknowledgement

I hereby confirm that I have received a copy of the Shire of Toodyay Worker's Code of Conduct and that I have read and understood my obligations under the Code.

\_\_\_\_\_  
Name

\_\_\_\_\_  
Position

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

## Reference Information

- [Shire of Toodyay policies](#) and procedures.
- CEO and HR [Business operating practices](#) (signed off by the CEO)

## Legislation

- [Local Government Act 1995](#) & its regulations

## Associated documents

### [Customer Service Charter](#)

Award is now Industrial Agreement, The LGIA-IA is published on the WAIRC website [here](#).

The [WAIRC website](#) – the WAIRC is the State tribunal that deals with industrial agreements and claims.

[The Industrial Magistrates Court](#) also deals with industrial claims.

[The DEMIRS website](#) – the Department of Energy Mines, Industry Regulation and Safety is the regulator for the state IR system

[The Minimum Conditions of Employment Act 1993 \(WA\)](#) – is a key piece of state IR system legislation

[The Industrial Relations Act 1979 \(WA\)](#) and the its [associated Regulations](#) – is another key piece of state IR system legislation.

### [Worker's Safety Handbook](#)

| Document control information                      |                          |
|---|--------------------------|
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| Document ID                                       | CD30                     |
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