

City of Palmerston

# CODE OF CONDUCT

- Policy and Guidelines •

Approval Date: [September 2020]

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Name:	Type:	Owner:	Responsible Officer:
Code of Conduct Policy & Guidelines	Administrative Policy and Guideline	Chief Executive Officer	People and Customer Manager

## SECTION 1 – DEFINITIONS



<b>TERM</b>	<b>DEFINITION</b>
<b>EMPLOYEE</b>	A person who is employed directly by City of Palmerston and receives a salary from Council for performing specified tasks; This also includes trainees, graduates, scholarship holders, work experience candidates and volunteers. This does not include contractors, labour hire or consultants.
<b>EMPLOYER</b>	The employer is City of Palmerston (Council).
<b>CONTRACTOR</b>	A person completing specific scopes of work through a contract arrangement, paid via invoice for service arrangement.
<b>LABOUR HIRE</b>	A person employed by a Labour Hire agency to provide temporary relief in vacant positions and areas of peak demand work load as and when required. Services are paid via invoice for service arrangement.
<b>CONSULTANT</b>	A person providing specialist support to Council paid via invoice for services.
<b>MANAGER</b>	An employee responsible for controlling or administering an organisations function or group of staff.
<b>SOCIAL MEDIA</b>	Social media describes the use of interactive mobile and web-based technologies to develop, share, discuss and modify information, ideas, personal messages and audio-visual content. Social media is also referred to as ‘social networking’. Popular social media platforms include but are not limited to Facebook, Twitter, YouTube, Instagram, LinkedIn, Wikipedia, Yahoo and other blog sites.
<b>SOCIAL MEDIA USER</b>	Describes Councillors, Employees, Contractors and Volunteers who use social media and applies to both personal use and official use on behalf of City of Palmerston.
<b>REPRESENTATIVE</b>	Refers to Contractor’s Labour Hire, Consultants, Volunteers and Trainees as identified above.
<b>COUNCIL</b>	Refers to City of Palmerston.



## SECTION 2

### INTRODUCTION TO OUR CODE

#### 1. PURPOSE OF OUR CODE

##### The Purpose of this document (Our Code) is to:

Govern, define and outline the expected behaviours of City of Palmerston employees and its representatives at all levels in performing duties for or acting on behalf of Council. It sets a consistent and common understanding of the behaviours, standards, values, and ethics required in all work undertaken on behalf of City of Palmerston.

Our Code is guided by our vision to make Palmerston “A Place for People” and achieve the greatest outcomes for the Community through delivering our Community Plan.

Our Code is developed in accordance with the *Local Government Act* and is a statement of commitment to how we will conduct ourselves in the delivery of service to the Community.

Our Code may not cover every situation. However, the values, ethics, standards and behaviours outlined underpin the core principles and act as a guide for appropriate decision making. If your actions demonstrate good faith and alignment to the Code you can expect to be supported by City of Palmerston.

Our Code aims to deliver best practice by ensuring those standards are clear and guided by sound ethics. By consistently applying these standards, we enhance the Community’s trust and confidence through our actions.

Our leaders must actively champion a culture where ethical conduct is recognised, valued and followed at all levels.

Our Code will be reviewed, at a minimum, every two years or in the event of any significant change.

Nothing in Our Code interferes with your rights as a private citizen or a ratepayer.

#### 2. APPLICATION - WHO DOES THE CODE APPLY TO AND WHEN?

The Code as authorised by the Chief Executive Officer applies to all City of Palmerston employees and representatives including full-time, part-time and casual employees, permanent and temporary employees, work experience candidates, volunteers, trainees or graduates performing work for City of Palmerston, personnel engaged through an agency on Labour Hire Service arrangements, Contractors and Consultants.

All City of Palmerston employees and representatives are expected to perform their duties in accordance with Our Code at all times.



# SECTION 3

## OUR FRAMEWORK FOR SUCCESS

### OUR VISION

Our vision is to make Palmerston “A Place for People”.

### OUR MISSION

The City of Palmerston is committed to:

- » Improving the Safety of our Citizens
- » Maintaining our own Identity
- » Providing services, facilities and amenities to support the community's needs
- » Developing and maintaining our reputation for being green

We will achieve this through delivering to our community high quality value for money services that meet their diverse needs.

### OUR VALUES

- » Teamwork
- » Commitment and Accountability
- » Sustainability and Self-Sufficiency
- » Quality Resources
- » A Culture of Continuous Improvement

### OUR PRINCIPLES

Our Code is structured around our Values by applying a set of governing principles and expected behaviours related to the way we do our work. All employees have a responsibility to use sound judgement and exhibit the highest standards of professionalism and integrity in everything we do.

Everything you do on behalf of City of Palmerston must be aligned to the following principles:

1. You must act with Honesty, Integrity and Accountability when working in any capacity for City of Palmerston
2. You must not Bully, Harass or Discriminate anyone in the course of performing your duties for City of Palmerston
3. You must show respect for each others cultural beliefs and practices by embracing Cultural Diversity in the workplace
4. You must avoid real and perceived Conflicts of Interest when performing your duties
5. You must commit to ensuring the highest levels of confidentiality are maintained in relation to any information obtained through the course of your duties
6. You will not accept Gifts or Benefits offered through the course of completing your duties for City of Palmerston
7. You must comply with Workplace Health and Safety practices and policies in the course of your duties to ensure the safety and wellbeing of yourself and others



# OUR POLICY

## CITY OF PALMERSTON EMPLOYEES AND REPRESENTATIVES MUST COMPLY WITH AND COMMIT TO THE FOLLOWING POLICY PRINCIPLES:

### 1.1 HONESTY, INTEGRITY AND ACCOUNTABILITY

Employees must act with honesty and integrity in performing official functions.

#### 1.1.1 CARE AND DILIGENCE

Employees must act with reasonable care and diligence in performing the official functions of their role.

#### 1.1.2 COURTESY AND RESPECT

Employees must act with courtesy and respect towards other council staff, Elected Members, contractors and members of the community.

#### 1.1.3 ACCOUNTABILITY

Employees must responsibly carry out their duties in line with the principles outlined in Our Code and associated policies within their delegated authority.

### 1.2 BULLYING, HARASSMENT AND DISCRIMINATION

Employees must not bully, harass or discriminate against another person in the course of performing their duties.

### 1.3 CULTURAL DIVERSITY

**1.3.1** Employees must respect cultural diversity and must not discriminate against others, or the opinions of others, on the ground of their cultural background.

**1.3.2** Employees must act with respect for cultural beliefs and practices in relation to each other and members of the Community.

### 1.4 CONFLICT OF INTEREST

**1.4.1** Employees must avoid any conflict of interest, whether actual or perceived, when performing their duties and responsibilities.

**1.4.2** If a conflict of interest exists or arises over the course of your employment, employees must comply with any statutory requirements or obligations of disclosure.

### 1.5 CONFIDENTIALITY

**1.5.1** Employees must respect the confidentiality of information obtained in confidence in the employee's official capacity and not disclose any official information



acquired in the course of employment, other than required by law or where proper authority has been granted.

**1.5.2** Employees must not use information obtained in an official capacity to gain a private benefit or to cause harm to another.

## **1.6 GIFTS AND BENEFITS**

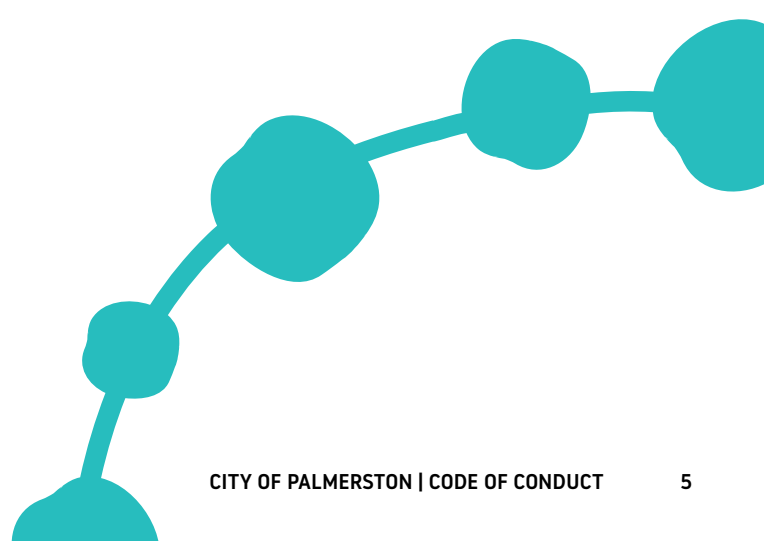
**1.6.1** Employees must not actively encourage or accept gifts, favours or benefits from any person where it could be deemed as influencing your decision making.

**1.6.2** In the instance an employee is offered a gift, favour or benefit through the course of performing your duty, this must be declared and recorded on the Gifts and Benefits register.

## **1.7 WORKPLACE HEALTH AND SAFETY**

**1.7.1** Employees must take all reasonable steps to ensure you are aware of your safety obligations under legislation, regulations and City of Palmerston policies and procedures relevant to your duties.

**1.7.2** Employees must comply with all reasonable instructions and directions pertaining to Workplace Health and Safety. Never perform deliberate, wilful or reckless activities which create a risk to the safety and wellbeing of yourself or others.



# SECTION 4

## UNDERSTANDING THE PRINCIPLES OF OUR CODE



Each Principle in Our Code is aligned to a number of behavioural standards but is not limited to the below list.

Acting with Honesty, Integrity and Accountability means work together to achieve our Vision through our Values:

### TEAMWORK

- » We communicate with each other in an open, honest and transparent manner
- » We work together as an organisation as one team with one vision
- » We build solid working relationships
- » We share our knowledge and listen when others share theirs
- » We are positive and committed to making a difference
- » We lead by example stepping up to a challenge
- » We accept and value differences in opinions
- » We support and encourage each other in everything we do

### COMMITMENT AND ACCOUNTABILITY

- » We embrace change
- » We stand up and do what is right
- » We respect each other
- » We respect the environment
- » We make sure that everyone is safe in every task we do
- » We exercise sound judgement in all decisions we make
- » We hold each other accountable
- » We own the problem and are part of the solution

### SUSTAINABILITY AND SELF-SUFFICIENCY

- » We seek to be innovative and look for opportunities for ongoing improvement
- » We take into account the impact our actions may have on the environment



## QUALITY RESOURCES

- » We place the customer at the centre of everything we do
- » We commit to self-development through ongoing upskilling
- » We strive for excellence and apply best practice approaches in everything we do
- » We strive for value for money and avoid waste or excessive use of City of Palmerston resources

## WHAT IS BULLYING, HARASSMENT AND DISCRIMINATION?

Workplace bullying is considered as repeated and unreasonable behaviour directed towards an employee or group of employees that creates a risk to health and safety.

When determining whether behaviour is 'repeated', you should consider whether the behaviour is of a persistent nature. Repeated behaviour can involve a range of the same and/or different behaviours over time. When determining whether behaviour is 'unreasonable', you should consider what behaviour a reasonable person, having considered the circumstances, would see as unreasonable, including behaviour that is victimising, humiliating, intimidating or threatening.

Bullying behaviour may involve, but is not limited to, any of the following types of behaviour:

- aggressive, threatening or intimidating conduct
- belittling or humiliating comments
- creating and spreading malicious rumours
- teasing, practical jokes or 'initiation ceremonies'
- exclusion from work-related events
- unreasonable work expectations, including too much or too little work, or work below or beyond a worker's skill level
- displaying offensive material
- pressure to behave in an inappropriate manner.

It's important to note that bullying and harassment doesn't include legitimate and reasonable management action such as managing poor performance or behaviour.



Examples of reasonable management action may include, but are not limited to:

- performance management processes
- disciplinary action for misconduct
- informing a worker about unsatisfactory work performance or inappropriate work behaviour
- directing a worker to perform duties in keeping with their job
- maintaining reasonable workplace goals and standards
- legitimately exercising a regulatory function
- legitimately implementing a council policy or administrative processes.

## WHAT IS DISCRIMINATION?

The *Anti-Discrimination Act NT* prohibits discrimination on the grounds of race, sex, sexuality, age, marital status, pregnancy, parenthood, breastfeeding, impairment, trade union or employer association activity, religious belief or activity, political opinion, affiliation or activity, irrelevant medical record, irrelevant criminal record or association with a person who has, or is believed to have, one of the above attributes. Discrimination is unlawful and City of Palmerston employees and representatives are required to comply with the *Anti-Discrimination Act NT*.

Harassment is considered any form of behaviour towards a person that:

- is not wanted by the person
- offends, humiliates or intimidates the person, and
- creates a hostile environment.

Sexual harassment is any form of unwelcome attention of a sexual nature, which is humiliating, intimidating or offensive. Sexual harassment is unlawful under the *Anti-Discrimination Act NT* and the *Sex Discrimination Act 1984 Cth*, and won't be tolerated at City of Palmerston.

## RESPECTING CULTURAL DIVERSITY

City of Palmerston is "a Place for People" and our employees and representatives must encourage diversity through valuing our differences, respecting cultural beliefs and practices and promoting unity amongst each other and within the community.



## WHAT IS MEANT BY CONFLICT OF INTEREST?

A conflict of interest may exist where you have, or may be perceived to have, a vested interest in the outcome of a decision or action.

Some things that you should think about when making decisions to avoid a Conflict of Interest include:

- » Could you, your family or friends' benefit, or appear to benefit, either directly or indirectly from this situation?
- » Is your action, decision, or recommendation one that a fair and reasonable person in a similar situation might make?
- » Have all options been considered on an equal basis?
- » Would your actions withstand public scrutiny?

## CONFIDENTIALITY

Official information is considered any information relating to customers, contractors, suppliers, and employees including all files, plans, documents, drawings, letters, reports, personnel records and any other information obtained or contained within Councils computing and communications systems. Employee and employers have an obligation to comply with confidentiality requirements as outlined under the *Information Act NT*. As a Council employee you are required to take all reasonable care to maintain the confidentiality, integrity and security of official information which includes, but isn't limited to:

- » Only access official information when it's lawful, part of your duties, or specific consent has been granted.
- » Only disclose official information when required by law or proper authority has been granted.
- » Not knowingly recording false or misleading information.
- » Use official information solely for the purpose required as part of your duties
- » Keep sensitive information secure

## WHAT IS IMPROPER AND UNDUE INFLUENCE?

You must not use your position to influence other Council officials in the performance of their public or professional duties to obtain a private benefit for yourself or for somebody else. You must not take advantage (or seek to take advantage) of your status or position with or of functions you perform for Council in order to obtain a private benefit for yourself or for any other person or body.

## GIFTS AND BENEFITS

What do we mean by Gift or Benefit?

Gifts and Benefits are "cash-like gifts" include but are not limited to, gift vouchers, credit cards, debit cards with credit on them, prepayments such as phone or internet credit, lottery tickets, memberships or entitlements to discounts that are not available to the general public or a broad class of persons.

Examples of gifts or benefits could be tickets for events, alcohol, travel, accommodation or cash. You must not offer or request gifts or benefits that could be perceived as an incentive or reward for preferential treatment.

You must avoid situations that would give rise to the appearance that a person or body is attempting to secure favourable treatment from you or from the Council, through the provision of gifts, benefits or hospitality of any kind to you or someone personally associated with you.

A gift or benefit is deemed to have been accepted by you, where it is received by you or someone personally associated with you.

### How are offers of gifts and benefits to be dealt with?

You must not:

- » seek or accept a bribe or other improper inducement
- » seek gifts or benefits of any kind
- » accept any gift or benefit that may create a sense of obligation on your part, or may be perceived to be intended or likely to influence you in carrying out your public duty
- » accept an offer of cash or a cash-like gift regardless of the amount
- » participate in competitions for prizes where eligibility is based on the council being in or entering into a customer-supplier relationship with the competition organiser
- » personally benefit from reward points programs when purchasing on behalf of the council.

Acceptance of a gift or benefit is at the discretion of the Chief Executive Officer and all gifts and benefits must be recorded in the Gifts and Benefits register and available for public disclosure.

## WORK HEALTH AND SAFETY

Under the *Work Health and Safety Act*, a duty of care exists to provide for the protection to the health, safety and welfare of workers and others within a workplace.

## **AN EMPLOYERS' DUTY OF CARE:**

- » Ensuring workers receive sufficient information, instruction and training in the work that the worker may be required to perform.
- » Enabling the worker to perform the work without risk to the health and safety of the worker, or any other person.
- » Ensuring that workplace infrastructure or equipment, and workplace materials are maintained in a safe condition.
- » Ensuring the safe handling, packaging, storage and transport of chemicals such as dangerous goods and other harmful materials.
- » Providing adequate facilities that your workers can access while at work (such as clean and hygienic toilets and eating areas).

## **AN EMPLOYEES DUTY OF CARE:**

- » Take reasonable care for the employees own health and safety, and for the health and safety of others, while at work.
- » Follow reasonable directions given by, or on behalf of, the employer on issues related to health or safety.
- » Use relevant safety equipment provided for the worker's use.
- » Report a workplace accident to the employer as soon as practicable after it occurs.

## **AN EMPLOYEE MUST NOT:**

- » Intentionally or recklessly interfere with or misuse safety equipment provided by the worker's employer.
- » Intentionally create a risk to the health or safety of another at the worker's workplace.

## **STAYING SAFE AT WORK**

Workplace accidents and injuries can be avoided if appropriate care is taken by both the employee and the employers. Employees have a responsibility to take reasonable care of their own health and safety.

## **The following are some tips to help employees stay safe at work:**

- » Pay attention to any training you receive, including your workplace induction training.
- » Know the health and safety procedures in your workplace, including emergency procedures.
- » Always follow the health and safety procedures in your workplace.
- » Ask for training when you are doing a new task or using / operating new tools or machinery.
- » Ask to be supervised to make sure you are doing to the job correctly.
- » Talk to your supervisor if you think a task is too dangerous or difficult for you.
- » Always wear any personal protective equipment supplied by your employer.
- » Report all hazards, near misses and injuries (no matter how minor) to your supervisor.
- » If you can't remember how to do a job safely, ask your supervisor or colleague to help you.
- » Keep an eye out and help new or young colleagues.
- » If you have a safety concern, talk with more experienced workers such as your supervisor or workmates.

## **UNDERSTANDING YOUR INFORMATION AND COMMUNICATIONS TECHNOLOGY (ICT) OBLIGATIONS**

Employees should be aware that sensitive or personal information conveyed through electronic communication facilities such as emails cannot be guaranteed as completely private and are subject to Freedom of Information legislation. All email accounts maintained on Council's email system are the property of Council.

Employees should take care when handling official information required as part of their role. In particular:

- » When you leave your desk (for example to go to a meeting) you must always lock your computer by pressing CTRL+ALT+Delete
- » Manage your password appropriately



- » Do not share your computer password at any time or with anyone
- » Just because you have access to something does not afford you the right to read it. You should only view documents that are necessary for the purpose of your work.
- » Always assume people will read what you write.
- » Before using any external applications contact the ICT Team for approval

## **USE OF SOCIAL MEDIA**

Social media describes the use of interactive mobile and web-based technologies to develop, share, discuss and modify information, ideas, personal messages and audio-visual content. Social media is also referred to as 'social networking'.

City of Palmerston understands that Social Media helps employees build relationships at work and fosters energy, harmony, and a strong team culture. Social media offers an excellent and immediate method of communicating with stakeholders and the media. However, the immediacy of the format also brings with it some inherent risks. Ensuring that the information is correct and consistent is paramount when posting on social media sites.

It is important to understand that there is an appropriate time and place for social media. Employees must be mindful of not damaging City of Palmerston's reputation, brand, commercial interests and/or bringing City of Palmerston into disrepute. City of Palmerston Employees are expected to adhere to the following standards of behaviour, specifically that employees will not:

- » During or outside business hours, post materials or comments that are obscene, defamatory, threatening, bullying, harassing, discriminatory or hateful in relation to other employees, contractors, or customers.
- » Knowingly use the identity of another employee (including name, alias or variation of a name)
- » Allow their online interactions to damage or negatively impact on internal or external working relationships
- » During or after their employment with City of Palmerston, post any confidential information relating to City of Palmerston, or links to confidential information
- » Enter into a conversation as a representative of City of Palmerston without instruction from an appropriate delegate
- » Post City of Palmerston logos, branding, trademarks or other such intellectual property
- » Comment on City of Palmerston business issues, events or experiences.

Our Code isn't intended to discourage personal expression or reasonable, limited online or other social media activities while at work, provided that this doesn't impact on work requirements of the employee. However, employees should recognise the potential for damage to be caused, either directly or indirectly, to City of Palmerston in certain circumstances via personal use of social media when an individual can be identified as a City of Palmerston employee. This applies whether the employee is at work or not. No employee is permitted to create any social media page or identity using City of Palmerston's name. City of Palmerston will maintain all official social media sites.

## **PUBLIC COMMENT**

You must not make public comment on City of Palmerston matters in an official capacity except where required by law or authorised by the Chief Executive Officer. Any media enquiries should be directed to the Chief Executive Officer in the first instance. Public comment includes public speaking engagements, comments on radio or television, expressing views in a letter to the press or in books or notices, social media platforms or the circulation of a comment that could flow to the community at large. Employees must not make statements either verbally or electronically (including on social media) which publicly comment on the operations, employees or Councillors of the City.

As a member of the community, you have the right to make public comment if you:

- » Make it clear that the comment represents your personal views as a private citizen
- » Ensure comments do not misuse official information
- » Ensure comments do not conflict with your official position in City of Palmerston
- » Ensure comments do not compromise your ability to advise on, direct, administer or implement City of Palmerston policy or carry out your professional duties effectively
- » Ensure comments do not bring City of Palmerston into disrepute.

## **OFFICIAL USE OF CITY OF PALMERSTON FACILITIES EQUIPMENT AND RESOURCES**

When using City of Palmerston facilities, equipment and resources (including ICT equipment) it is expected that you use them sensibly and appropriately and take reasonable care to make sure they are maintained and in good working order. You are also expected to secure them against theft or misuse. Additionally, The Office of the Independent Commissioner Against Corruption (ICAC) can investigate a wide range of improper conduct of persons/bodies that includes local government councils.





# SECTION 5

## OUR RESPONSIBILITIES UNDER THE CODE

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### WHAT ARE YOUR RESPONSIBILITIES AS AN EMPLOYEE?

Every employee is accountable for their behaviour and actions and is responsible for ensuring they reflect the standards and values set out in Our Code. You are required to contribute to a positive workplace culture. Our Code is our policy for managing your behaviour and actions (your conduct). It is important that you clearly understand your obligations under Our Code. City of Palmerston expects that you will take all reasonable steps to read and understand Our code and where you are not sure of your obligations seek guidance from your manager. An employee you are required to comply with all lawful and reasonable directions from your relevant manager.

### MANAGERS RESPONSIBILITIES UNDER OUR CODE

Managers have additional responsibilities to those already listed in this document; they are expected to take all reasonable steps to:

- » Ensure employees are aware of their responsibilities under the Code
  - » Establish reasonable performance expectations for employees and ensure they are understood and assessed objectively against these standards
  - » Provide and ensure that appropriate levels of supervision and oversight are afforded to any employee where that supervision has potential safety and wellbeing implications
  - » Address inappropriate behaviour and/or workplace conflict promptly to avoid escalation
  - » Support employees to improve the skills and knowledge related to the performance of their role
  - » Provide constructive feedback to, and welcome feedback from employees, including taking employee concerns seriously and acting without delay when necessary
  - » Deal with employees fairly
  - » Avoid bias or favouritism toward employees
- .....

# SECTION 6

## BREACHING OUR CODE

### WHAT HAPPENS IF THERE IS A BREACH UNDER THE CODE?

Behaviour outside of the principles outlined in this Code, has no place within City of Palmerston's culture. If employees are unsure of the expected appropriate behaviours they should consult their manager or supervisor.

City of Palmerston employees and representatives are trusted by the Community and must uphold the reputation of Council by always acting responsibly in our delivery of service. City of Palmerston sees these attributes as important aspects of our workplace culture.

Any breaches of Our Code may lead to disciplinary action including but not limited to, dismissal of employment, legal action or criminal prosecution by City of Palmerston.

If you're unsure of anything written in Our Code, or if you require advice on whether an action could possibly be in breach of Our Code, you're encouraged to seek further assistance from your manager or the Human Resource Team.

### HOW DO YOU REPORT A BREACH OR CONCERNS OF A POSSIBLE BREACH?

You have a duty to report any breaches, or possible breaches of Our Code to your manager. If the breach concerns your manager or if you believe your manager did not take proper action on your concern, you can also speak to Human Resources or a higher-level manager.

If you feel the issue cannot be resolved by any of these parties, you can escalate to the Chief Executive Officer. If you are unsatisfied with the response received through any or all of these avenues, you can report the matter to the Ombudsman NT. The Ombudsman NT resolves and investigates complaints about

Northern Territory Government departments and authorities and Local Government Councils.

It is important for you to know that Council is committed to protecting a person from reprisal if they raise concerns about potential breaches of the Code (*Criminal Code Act 1983*).

### OUR COMMITMENT

As part of demonstrating our commitment to uphold this Code, we all need to identify and report conduct that is not consistent with this Code. Managers have a responsibility to make fair, transparent and consistent decisions regarding any allegations of behaviour that does not uphold this Code. We will support employees who report genuine concerns of wrongdoing and manage any reports of suspected wrongdoing in a fair, transparent and consistent manner.

### REFERENCES AND RELATED LEGISLATION

- » Local Government Act (NT)
- » Sex Discrimination Act 1984 (Cth)
- » Equal Employment Opportunity (Commonwealth Authorities) Act 1987 (Cth)
- » Public Interest Disclosure Act (NT)
- » Information Act (NT)
- » Workplace Health and Safety (National Uniform Legislation) Act (NT)
- » Anti-Discrimination Act (NT)
- » Criminal Code (NT)
- » City of Palmerston Human Resources Policies & procedures



city of  
**PALMERSTON**  
*'A Place for People'*

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