

Ipswich City Council

# Employee Code of Conduct



City of  
Ipswich

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## MESSAGE FROM THE CEO

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At Ipswich City Council we aspire to be the best at what we do and lead by example. Our values are the underlying beliefs that guide our decisions and actions.

As CEO it is my mission to build your trust in our leadership and achieve our Employee Experience vision:

***'Together we create a safe environment where we inspire, connect and are empowered to take action. Our seamless technology, modern equipment and simple processes support us in making a difference for our community every day'***

Our Code of Conduct enables us all to stay committed to making Ipswich City Council a safe, inclusive, and inspiring place to work. We all have a responsibility to incorporate the Code of Conduct into our work every day and I encourage you to do the same. We want to empower you, if you are ever in doubt or think that a colleague or Council is falling short of our values, speak up.

Ipswich City Council is a great place to work where everyone is able to thrive. Our people are valued, heard and every one of us contributes to our culture through our decisions and actions, every single day.



Sonia Cooper  
Chief Executive Officer  
Ipswich City Council

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# 1. THE OBJECTIVE

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A Code of Conduct is a set of standards and behaviours related to the way we do our work. It puts a responsibility on each of us to use sound judgement while at work.

It aims to deliver best practice by ensuring those standards are clear and guided by sound ethics. By consistently applying these standards, we enhance public trust and confidence in each of us. Nothing in this Code interferes with your rights as a private individual or a ratepayer.

The Code does not cover every situation. However, the values, ethics, standards and behaviours it outlines are a reference point to help make decisions in situations it does not cover. If you act in good faith and in keeping with the spirit of the Code, you can expect to be supported by your colleagues, your team leader/supervisor/manager and by council.

A 'Guide for ethical decision-making' is included at Appendix B to help you in situations not covered by the Code.

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# 2. COUNCIL STATEMENT

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Ipswich City Council conducts its business with integrity, honesty and fairness and complies with all relevant laws, regulations, codes and corporate standards.

All employees must follow the highest standards of behaviour when dealing with customers and each other. Each person should encourage an inclusive culture where ethical conduct is recognised, valued and followed at all levels, including appropriate action to prevent fraud and corruption.

Council actively supports, encourages and develops its employees to work safely, be customer focused, respect diversity of thought and background, use technology and council assets effectively, adapt to changes and improve their own capabilities and contribute to council's Community, Corporate and Operational Plans.

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### 3. LEGISLATIVE PRINCIPLES AND VALUES

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The *Public Sector Ethics Act 1994* identifies four ethics principles fundamental to good public administration that guide our behaviour as Public officials and form the basis for a local government Code of Conduct. The four principles are:

- (a) integrity and impartiality
- (b) promoting the public good
- (c) commitment to the system of government
- (d) accountability and transparency.

The *Local Government Act 2009* sets out the way in which a local government is constituted and the nature and extent of its responsibilities and powers. The Act requires council's actions are consistent with the following local government principles:

- (a) transparent and effective processes, and decision-making in the public interest;
- (b) sustainable development and management of assets and infrastructure, and delivery of effective services
- (c) democratic representation, social inclusion and meaningful community engagement
- (d) good governance of, and by, local government
- (e) ethical and legal behaviour of councillors and local government employees.

These legislated principles form the basis of this Code of Conduct. They apply to all employees and guide our thinking, actions and decision-making. Application of this Code is supported by council policies, procedures and specific protocols.

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## 4. TO WHOM DOES THE CODE APPLY?

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All council employees (regardless of their employment status, role or position – e.g. permanent, temporary, casual or part-time employees, managers, supervisors, team leaders, team members or individuals), contractors, consultants, agency casuals, contingent workers and volunteers are bound by this Code of Conduct.

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## 5. WHEN DOES THE CODE APPLY?

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The Code applies to the conduct of employees in the course of their employment with council:

- In the workplace
- During work activities
- At work related functions  
(on and off council premises and outside normal business hours.)

The Code may also apply to certain activities or behaviours undertaken by employees outside of the workplace where it may impact upon the image and reputation and activities of council, for example the use of social media or wearing council identified clothing in public.



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## 6. ETHICAL PRINCIPLES, VALUES AND CONDUCT

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### 6.1 The First Principle – Integrity and Impartiality

In recognition that public office involves a public trust, public service agencies, public sector entities and Public officials seek to promote public confidence in the integrity of the public sector and:

- (a) are committed to the highest ethical standards
- (b) accept and value their duty to provide advice which is objective, independent, apolitical and impartial
- (c) show respect towards all persons, including employees clients and the general public
- (d) acknowledge the primacy of the public interest and undertake that any conflict of interest issue will be resolved or appropriately managed in favour of the public interest
- (e) are committed to honest, fair and respectful engagement with the community.

**Operationally, for you this requires the following standards of behaviour:**

#### **(a) Conflicts of interest**

When making decisions, you must declare any conflicts of interest that could affect your objectivity in carrying out your duties.

A conflict of interest involves a conflict between your official duties and responsibilities in serving the public interest and your private interests. A conflict of interest can arise from avoiding personal losses as well as gaining personal advantage – whether financial or otherwise. This includes advantages to relatives and friends.

If you believe you have a conflict of interest, whether real, potential or perceived, you must tell your supervisor or manager immediately. Until the matter is resolved, you must make sure you are not part of any decision-making processes related to the matter.

If you feel you have a conflict of interest between professional and corporate values, discuss it with your supervisor or manager.

Where a conflict of interest arises between private interests and the interests of the public, such conflict must be resolved in favour of the public interest.



## **(b) Influences on decision-making**

You must not influence any person in an improper way with the aim to obtain personal advantage or favours.

All decisions need to be, and be seen to be, fair and transparent. This can be achieved in a number of ways, including clear record-keeping and showing how decisions were made.

You must not in any way misrepresent your qualifications, experience or expertise in any recruitment and selection process.

'A guide to ethical decision making' in Appendix B has more information to assist employees.





### **(c) Accepting gifts and benefits**

Occasionally you may be offered gifts or benefits from people with whom we do business. Other than the guidelines within the Code, you must not seek or accept gifts or benefits where there is a possibility that in doing so, you could create a conflict of interest or be seen to be receiving a bribe.

Employees should also consider why gifts or benefits were offered (whether as thanks or to influence a decision) and consider the impression that your acceptance is likely to create.

#### **Gifts and Benefits Value Guidelines:**

- \$100 or less are considered nominal and can be kept by the employee (a record of such should be kept by the employee because if the combined value of a number of gifts and benefits received by an employee from the same donor in any financial year exceeds \$250, then each individual gift or benefit becomes reportable)
- over \$100 is considered significant and therefore reportable, however, the Chief Executive Officer may decide whether or not the employee may keep it.

Prizes won by virtue of automatic entry as a conference delegate are to be dealt with in the same manner as the gifts and benefits guidelines above. Whether a gift is small or insignificant, it may still create a sense of obligation towards the provider. Employees must politely refuse gifts, prizes and benefits which would clearly bring you or council's integrity into question. If you are offered money, you must refuse it, whatever the circumstances.

Apart from the exceptions provided for above, if a gift, prize or benefit is accepted in order to avoid embarrassment and it is subsequently concluded that the value is such that it is not considered to be nominal, such gift, prize or benefit is to be provided to the Human Resources Manager, with written advice of the details of the gift, prize or benefit and circumstances of acceptance. If a significant prize or benefit is offered and not accepted, prompt disclosure in writing, must be made to the Human Resources Manager.

### **(d) Employment outside council**

Employees are not to engage in any other paid employment or work which may have a direct or indirect conflict of interest with council activities or which may detrimentally affect the performance of the employee. Before engaging in other employment or work, employees are to seek the written approval of the Chief Operating Officer to ensure there is no conflict of interest. Refer also to council's procedure concerning Outside Employment.

### **(e) Public comments on council business**

Generally, Councillors comment publicly on council business. Council business can be topical, sensitive and controversial and there is a process to be followed when making public comments.

If you are asked to comment on any council matter via the media or other public relations firms, you should refer the matter to council's media and communications staff.

### **(f) External activities**

You are not to take part in political affairs whilst on duty. Council's IT systems, including internet access and email, must not be used for political messages or circulating defamatory or disparaging remarks against individuals, groups or organisations, including council.

If you comment publicly in connection with external activities, you must make a clear distinction between your opinion as a member of the external organisation, and your opinion as a council employee.

### **(g) Behaviour towards each other**

Council employees should treat each other with respect, honesty, fairness, sensitivity and dignity. Employees who supervise or manage other employees have a special responsibility to model this kind of behaviour, and to ensure that the people they supervise understand the standard of performance and behaviour that is expected of them at work and when dealing with ratepayers and the public generally.

Council values diversity, and expects all its employees, contractors or volunteers to accommodate and respect different opinions and perspectives, insight and knowledge and to manage interpersonal disagreements by rational debate. By valuing the differences that all employees bring to the workplace we can better meet the needs of each other as well as the local communities we serve.

You must not behave towards any other person in a way that could be perceived as intimidating, overbearing or bullying.

Effective teamwork is an essential part of a productive workplace culture. Each team member needs to work co-operatively with fellow employees and actively and willingly take part in team activities (e.g. meetings).

## (h) Non-discriminatory workplace

Council is an equal opportunity employer and as such is proactive in ensuring that its practices do not discriminate based on an attribute, or based on a person's association with another person who maintains an attribute relating to:

- race/ethnicity
- gender
- national origin
- marital status
- sexual preference/  
lawful sexual activity
- age
- disability/impairment, including  
infectious disease
- industrial/employment activity
- physical features
- pregnancy
- family responsibilities
- religious beliefs
- political conviction
- breast feeding
- gender identity.

Council aims to create and maintain an inclusive workplace culture free from discrimination. As an employee of council you have a shared responsibility to ensure that discrimination is not part of our workplace or our practices. If you witness discriminatory behaviour you have a positive obligation to report such actions to your supervisor or manager.



## **(i) Bullying and workplace harassment, including sexual harassment**

Council is also committed to the prevention of any form of harassment including sexual, racial and religious, victimisation and bullying in the workplace, or at any place where work-related activities are performed, including at social functions. This commitment applies to all employees in their relationships with each other, to applicants for employment at council and to persons who have dealings with council.

Some examples of behaviour which may constitute sexual, racial or religious harassment or workplace bullying includes:

- Acting towards, or speaking to a person in a manner which threatens or vilifies that person
- Deliberately excluding a particular individual from relevant work related activities or functions
- Making jokes, suggestive comments or offensive gestures related to a person's race, appearance, colour, ethnic origin, disability, gender, sexual characteristics, or a personal appearance
- Distribution or display of sexually explicit material (including through email) which may be offensive, including posters, pictures or videos, racist or sexist jokes or cartoons
- Persistent questions about a person's private life
- Personal comments about appearance, size, clothing
- Demands for sexual favours, either directly or by implication
- Unwanted and deliberate physical contact
- Indecent assault, rape and other criminal offences
- Abusive, insulting or offensive language or comments
- Withholding information vital for effective work performance;
- Setting unreasonable timelines or constantly changing deadlines;
- Spreading misinformation or malicious rumours.

## 6.2 The Second Principle – Promoting the Public Good

In recognition that the public sector is the mechanism through which the elected representatives deliver programs and services for the benefit of the people of Queensland, employees should:

- (a) accept and value their duty to be responsive to both the requirements of government and to the public interest
- (b) accept and value their duty to engage the community in developing and effecting official public sector priorities, policies and decisions
- (c) accept and value their duty to manage public resources effectively, efficiently and economically
- (d) value and seek to achieve excellence in service delivery
- (e) value and seek to achieve enhanced integration of services to better service clients.

**Operationally, for you this requires the following standards of behaviour:**

### **(a) Customer service**

As a council employee it is expected that you will strive to provide excellent customer service, in accordance with the Customer Service Policy. You must treat members of the public equitably and with honesty, fairness, sensitivity and dignity.

All council employees serve ratepayers directly or indirectly. If your role in council involves regular contact with the public, it is important to know how to deal comfortably and calmly with difficult situations and difficult people.

Council recognises from time to time difficult situations may occur where customers become abusive and threatening. Council does not expect employees to be treated in such an inappropriate manner and does not expect employees to resort to such actions themselves. Council encourages employees to withdraw from the situation and seek the assistance and advice of a senior officer.

You are expected to treat complaints from customers, ratepayers, and the community or fellow employees seriously and respond to constructive feedback as an opportunity for improvement.

## **(b) Fairness to suppliers**

Council's contracting activities are regulated pursuant to section 104 of the *Local Government Act 2009*. Further, council has established procedures and delegations of authority for various stages of procurement of goods and services which reflect sound contracting principles. You must ensure you comply with sound contracting and follow all council procedures when seeking suppliers for goods or services.

If you have been approved to be involved in offering contracts or buying goods and services from outside council, you must be sure you have taken reasonable, fair and consistent steps to allow all potential suppliers to bid for work.

## **(c) Intellectual property**

Any original work, invention or product you have produced or contributed to in association with your role remains the property of council. Similarly, you must not publish or disclose any matters relating to council's intellectual property without appropriate authority. This does not stop you from sharing with other organisations information relating to your official duties. However, if you do, and if you are unaware of whether such action may breach this Code, you must first seek clarification from your supervisor or manager.

Council employees must not use the intellectual property of any individual or organisation without approval.

## **(d) Concern for the environment**

We all share the responsibility to protect our natural environment, creating healthy surroundings for our community, and for managing the impacts of air, water, land and noise pollution. This includes individual responsibility for our own actions (e.g. taking care in disposing of waste and using and storing chemicals, reducing energy consumption and waste in our work spaces where we can and applying high standards of environmental protection across the region).

In performing your duties at council, you must ensure that you comply with your general environmental duty and where applicable, your duty to notify of environmental harm.

## **(e) Council's image**

An employee's personal presentation in the workplace while on official duty should endeavour to be tidy and inoffensive to customers. Clothing worn should have regard to the type of work being performed, work health and safety factors, cultural diversity and consistency across council with respect to a professional image and working conditions.

## 6.3 The Third Principle – Commitment to the System of Government

In recognition that the public sector has a duty to uphold the system of government and the laws of the State, Commonwealth and local government, employees should –

- (a) accept and value their duty to uphold the system of government and the laws of the state, the Commonwealth and local government;
- (b) are committed to effecting official public sector priorities, policies and decisions professionally and impartially; and
- (c) accept and value their duty to operate within the framework of Ministerial responsibility to government, the Parliament and the community.

**Operationally, for you this requires the following standards of behaviour:**

### **(a) Acting within the law**

Employees are expected to comply with applicable legislation, awards, certified agreements, council policies and local laws.

Council's local laws, policies, delegations, procedures, and work health and safety standards apply to all employees and can be found on the intranet and website.

You have the right and responsibility to respectfully question how you do your work, particularly if you think there is an imminent risk to the safety of yourself or others, or there is a better way of doing something, or if you think that a direction may be in breach of the law.

If you are charged with having committed any criminal offence, you must immediately report the circumstances to your supervisor or manager.

### **(b) Fraud and corruption**

Fraud and corruption pose a serious risk to council. The potential damage extends well beyond any financial losses but threatens both council's integrity and that of the individual.

It is the responsibility of all employees to prevent fraud. Employees have an obligation to prevent fraud and corruption and all employees have a duty to report suspected fraud or corruption.

Staff members are encouraged to contribute to the development of improved systems and procedures that will enhance council's resistance to fraud and corruption. Refer to council's policy relating to reporting corrupt conduct and the Fraud and Corruption Control Plan.



### **(c) Raising concerns**

All employees have the right to comment on or raise concerns about council policies and practices where they impact on your employment. However, you must do this in a reasonable and constructive way and take responsibility for your comments and views.

When raising concerns or grievances, employees are expected to act with honesty and in good faith. Complaints that are found to be vexatious or frivolous will not be progressed. Council's disciplinary process may be applied if an employee knowingly raises vexatious or frivolous complaints.

### **(d) Privacy**

Council maintains information about individuals, businesses and commercial issues which is private and sensitive and which could be harmful to a person's interest if released. Employees should only access personal information and records they require to perform their official council duties.

As a general rule you can maintain privacy by:

- not discussing work matters with persons not entitled to know such information
- taking responsibility to safeguard confidential files and information
- ensuring collected information is only used in a manner consistent with the purpose for which it was originally collected
- ensuring that you are complying with council policy in relation to maintaining privacy of personal information.

It may be appropriate to share information based on your personal and professional experience (e.g. in seminars or training programs). However, in sharing your experiences, you must ensure that where personal information is involved, you don't breach council's privacy obligations. You may breach this obligation even if comments are made or personal information other than your own is shared in your personal life, including via social media, such as Facebook, MySpace, LinkedIn or Twitter.

## 6.4 The Fourth Principle – Accountability and Transparency

In recognition that public trust in public office requires high standard of public administration, employees should:

- (a) be committed to exercising proper diligence, care and attention
- (b) be committed to using public resources in an effective and accountable way
- (c) be committed to managing information as openly as practicable within the legal framework
- (d) value and seek to achieve high standards of public administration
- (e) value and seek to innovate and continuously improve performance
- (f) value and seek to operate within a framework of mutual obligation and shared responsibility between public services agencies, public sector entities and Public officials.



**Operationally, for you this requires the following standards of behaviour:**

**(a) Using council assets**

Council's assets include property, plant, equipment, information systems, computing resources, goods, products and/or valuables (this includes surplus material, waste material and off-cuts). All employees share the responsibility for looking after them.

If you are in charge of assets you must take good care of them while they are in your possession or use, and ensure they are used economically and efficiently. It is an offence to misuse or allow anyone else to misuse council assets. You must make sure assets are secured against theft and properly stored, maintained and repaired.

Council allows limited personal use of council's computer systems including personal email and the internet. There are several policies and procedures which cover employees' responsibilities regarding access to computers within council. Before employees are granted access they will be required to sign off against these policies and procedures to indicate their understanding.

Limited personal use means;

- use that is infrequent and brief, and is normally performed during non-work hours and does not breach the Code of Conduct or any law
- Does not interfere with normal business activity of council
- Not utilised for pursuing any external private business, personal gain or profit
- Does not create excessive storage demand, thus diminishing network performance.

You must ensure that you use council assets only for official council business, unless written approval has been granted by your manager. Reference should be made to relevant council policies and procedures including the following:

- Private use of council motor vehicles
- Mobile telephone accounts
- ICT Security
- Employee reimbursements
- Officer attendance at inspections, deputations, conferences, meetings, training and other functions
- Minimum levels of desktop security
- Cash handling
- Any other approved policy or procedure developed or amended in the future.

Upon your employment terminating with council, you must return all council property and work-related documents immediately.

## (b) Diligence, care and attention

Council aims to conduct its business with integrity, honesty and fairness and to achieve the highest standards in service delivery. You contribute to this aim by carrying out your duties honestly, responsibly, in a conscientious manner and to the best of your ability. This includes:

- maintaining punctuality and not being absent from your work station/location during work time without reason
- giving priority to official duties over personal activities during work time
- ensuring you do not undertake personal work during work time
- monitor your behaviour and if you become aware that your actions are negatively impacting upon other workers, you must take necessary steps to modify such behaviour
- while on duty, diligently apply and give your attention to the business of council, to ensure your work is carried out efficiently, economically and effectively
- helping council achieve its mission and goals by acting to improve systems and practices
- conducting yourself in a way so others gain confidence and trust in the way council does business
- not exposing council to a judgment for damages against it, as a result of your negligence or breach of any law or policy.



If you are responsible for managing or supervising others, you must also ensure that:

- you model the values and principles outlined in this Code and ensure that employees within your area of responsibility understand and comply with the Code
- you do not come under a financial obligation to any employee you supervise or manage
- your work and the work of those you supervise contribute to the achievement of council's goals
- employee performance is monitored and individuals are given constructive and regular feedback on their performance in line with procedures
- where practicable, employees are given training opportunities to assist them in developing their careers
- employees are provided with information that is vital for effective work performance
- the opinions of employees are respected and considered
- workloads are fairly distributed
- resourcing for a work team is neither excessive nor inadequate for the job
- employees who collect, handle or disburse public money are properly supervised
- employee work times, overtime, allowances and absences are correctly recorded on time/flex sheets and pay summary reports
- appropriate action is taken if breaches of this Code occur.

### **(c) Attendance at and absence from duty**

You are expected to follow council employment and working arrangements, agreements and rulings on attendance at work and leave. This includes not being absent without approval and accurately and truthfully recording work and leave periods.

Absence without approval and without reasonable excuse can create concerns for your safety and lead to unproductive time for others. Failure to promptly notify council may result in the non-payment of salary/wages for the period of absence and/or may result in council taking disciplinary action.

### **(d) Self-development**

All employees are expected to achieve and maintain a reasonable standard of work performance.

Employees have a continuing responsibility to maintain and enhance your skills and expertise and keep up to date the knowledge associated with your area of work. Council will assist you by providing access to relevant training and development opportunities.

## **(e) Workplace health and safety**

All employees must demonstrate a commitment to maintaining a safe work environment at all times conducting business and council activities.

Employees must take reasonable steps to ensure their own safety, health and welfare in the workplace, along with a duty of care to fellow employees and members of the public.

Employees have a duty to:

- identify hazards and manage risks to health and safety
- perform all work safely and follow safe work practices
- report any incidents or hazards immediately and support investigations
- take corrective action to 'make safe' the workplace, relevant workplace area or work activities and implement improvements
- participate in rehabilitation and return to work programs if required.

## **(f) Drugs and alcohol**

Employees must keep our workplace drug and alcohol free if we are to maintain the trust and confidence of the broader public, and ensure the health and safety of all employees. The use of drugs or alcohol can adversely affect productivity, attendance and on-the-job safety.

As such you must not:

- use, possess or be impaired by the effects of illegal drugs whilst on duty
- consume alcohol while on duty or in the workplace (other than at an authorised social activity).
- come to work impaired by the effects of alcohol or drugs

Refer to the Alcohol and Drugs and the Workplace procedure.

## **(g) Gambling**

Employees must not utilise council time or resources to participate in betting or gambling, except for authorised sweeps and tipping competitions.

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## 7. BREACHES OF THE CODE

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Council requires all employees to comply with the basic conduct standards in this Code.

A breach of the Code of Conduct damages business effectiveness, public perception of council and interpersonal work relationships.

Whilst council acknowledges that the majority of its staff are committed to high standards of conduct, council is committed to building an ethical workplace to enhance public confidence.

Failure to comply with the Code or unethical or corrupt behaviour may result in formal disciplinary action being taken, which may include dismissal.

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## 8. IF YOU HAVE A CONCERN

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All employees are required to report a suspected breach of the Code. If you have a concern or suspect a breach of the Code involving a council employee the *Public Interest Disclosure Act 2010* gives you the right and the protection to report serious wrongdoings.

Should you wish to make such a disclosure please contact:

- internal channels (e.g. your supervisor, manager or internal auditor)
- other external channels (e.g. Crime and Corruption Commission, Anti-Discrimination Commission etc).



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## 9. PUBLICATION

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In accordance with the requirements of section 20 of the *Public Sector Ethics Act 1994*, the Chief Executive Officer will keep a printed copy of the Code available for inspection in the Executive Office and council will publish the Code on its Intranet site for all employees to access.

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## 10. TRAINING

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Education and training about public sector ethics will be offered at induction and as frequently as the Chief Executive Officer determines.

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## 11. AUTHORITY

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In accordance with section 16 of the *Public Sector Ethics Act 1994*, the following consultation process was followed in development of this Code:

- Internal stakeholders
- Enterprise Agreement Consultative Committee
- Employee Development Board
- Internal Audit Branch
- Chief Executive Officer.

This Code was approved by the Chief Executive Officer on 20 January 2017 in accordance with section 17 of the *Public Sector Ethics Act 1994*.

This Code was updated to include a 'Message from the CEO' and approved by the Chief Executive Officer on 14 January 2022.

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## APPENDIX A - DEFINITIONS

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### **Benefit**

means something that is similar to a Gift in that it is of value to the recipient, but it is less tangible in nature (e.g. a new job or promotion, preferential treatment, or access to confidential information).

### **Code**

means the Employee Code of Conduct.

### **Conflict of interest**

means a conflict between a council employee's work responsibilities and their personal or private interests. A Conflict of Interest can arise from either gaining a personal advantage or avoiding a personal loss. Conflicts of interest can be real (actual) or perceived (apparent).

- A real conflict of interest is a conflict between the employee's duties and their private interests. For example Ron is on a recruitment and selection panel and his sister is applying for a position to be decided by that panel.
- A perceived conflict of interest arises where a person is likely to believe an employee's private interests could improperly influence them at work. Such a perception is judged having regard to what a fair and reasonable member of the public could be expected to believe. For example Frida works for council as a community grants funding program manager. On the weekend she plays tennis with the director of a community organisation applying for funding through the funding program Frida is managing. A reasonable person is likely to believe that Frida could be improperly influenced by the relationship she has developed with the director at tennis.

### **Corruption**

dishonest activity in which a director, manager, employee, contractor of an entity acts contrary to the interests of the entity and abuses his/her position of trust in order to achieve some personal gain or advantage for him or herself or for another person or entity. The concept of 'corruption' within this standard can also involve corrupt conduct by the entity, or a person purporting to act on behalf of and in the interests of the entity, in order to secure some form of improper advantage for the entity either directly or indirectly.

### **Fraud**

dishonest activity causing actual or potential financial loss to any person or entity including theft of moneys or other property by employees or persons external to council and where deception is used at the time, immediately before or immediately following the activity. This also includes the deliberate falsification, concealment, destruction or use of falsified documentation used or intended for use for a normal business purpose or the improper use of information or position for personal financial benefit.

### **Gift**

means an item of value, such as money, voucher, entertainment, hospitality, travel, commodity, property – that one person gives to another. Gifts may be offered as an expression of gratitude with no obligation to repay, or given to create a feeling of obligation.

### **Intellectual property**

means an invention, original work, the results of scientific research or a project development, which can be protected.

### **Public interest**

means acting lawfully and in a way that best serves the community as a whole.

### **Public official**

means an employee of council.



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## APPENDIX B – A GUIDE TO ETHICAL DECISION-MAKING

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The following guide is designed to help you reach an ethical decision based on the relevant facts and circumstances of a situation.

### **Step 1: assess the situation.**

- What is your aim?
- What are the facts and circumstances?
- Does it break the law or go against council policy?
- Is it in line with the Code's principles?
- What principles does it relate to? Why?
- Who is affected? What rights do they have?
- What are your obligations or responsibilities?

### **Step 2: look at the situation from council's viewpoint.**

- As a Public official, what should you do?
- What are the relevant laws, rules and guidelines?
- Who else should you consult?

### **Step 3: how would others see your actions?**

- Would a reasonable person think you used your powers or position improperly?
- Would the public see your action or decision as honest and impartial?
- Do you face a conflict of interest?
- Will your decision or action stand up to public scrutiny?

#### **Step 4: consider the options.**

- Ask your supervisor or manager, or any person who is able to give sound, relevant advice.
- What options and consequences are consistent with council's policies and procedures, the five local government principles, the four ethics principles fundamental to good public administration and your obligations?
- What are the costs and long-term consequences of each option?
- How would the public view each option?
- What will be the outcome for council, your colleagues, others and you?

#### **Step 5: choose your course of action.**

Make sure your actions are:

- within your power to take, legal and in line with policy and this Code;
- fair and able to be justified to your manager and the public;
- documented so a statement of reasons can be supplied;
- consistent with council's mission, goals and values; and
- backed by advice from council specialists, if this is appropriate.





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