



CEO Code of Conduct

Policy Number:	Gov 003
Policy Type:	Council
Policy Owner:	Manager Governance and Compliance
Resolution/Approval Date:	17 April 2025
Resolution Number:	MOC2025/15
MagiQ Doc ID:	3361
Review Schedule:	2 years
Legislative Reference:	s.175(1) <i>Local Government Act 2019</i>
Related Documents:	-

1. Purpose

To govern, define and outline the expected behaviour of the Chief Executive Officer (CEO) at all levels in performing duties for or acting on behalf of the Council.

The Code of Conduct (the Code) is developed in accordance with the Local Government Act 2019 and is a statement of commitment to how the CEO will conduct themselves in the delivery of service to the Community.

2. Principles

To maintain public confidence in the integrity of the Council, the CEO of the Council must exhibit the highest ethical standards in the administration of the affairs of the Council.

The CEO must:

- (a) act with honesty, integrity and accountability;
- (b) provide full support to Council;
- (c) provide accurate, frank and impartial advice to Council;
- (d) implement council policies and decisions;
- (e) maintain highest levels of confidentiality;
- (f) be familiar with and comply with the requirements of the Local Government Act 2019 and other legislative, industrial or administrative requirements relevant to the CEO's official responsibilities;
- (g) take all reasonable steps to ensure that the information upon which the CEO's decisions or actions are based is factually correct and relevant to the decisions or actions;
- (h) comply with the council staff code of conduct;
- (i) declare real or perceived conflicts of interest;
- (j) not accept gifts or benefits offered;
- (k) not bully, harass or discriminate;
- (l) embrace cultural diversity.

3. Definitions

Elected Member means individuals elected to Council, including the President of the Council.

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

Conflict of interest means if a person has a personal or financial interest in a matter in regard to which the person is required or authorised to act or give advice.

Gifts and Benefits means “cash like gifts” including but 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.

4. Policy Statement

4.1. Honesty, Integrity and Accountability

CEO must:

- a) act with honesty and integrity in performing official functions.
- b) act with courtesy and respect towards Council staff, Elected Members, contractors, and members of the community.
- c) responsibly carry out duties in line with the Code’s principles and associated policies.

4.2. Management of council staff

In relation to the management of council staff, the CEO must ensure that:

- (a) appropriate documented processes and procedures are in place;
- (b) selection processes for appointment or promotion are fair, equitable and based on merit;
- (c) staff have reasonable access to training and development and opportunities for advancement and promotion;
- (d) staff are treated fairly and consistently and are not to be subject to arbitrary or capricious decisions;
- (e) there are suitable processes for dealing with employment-related grievances; and
- (f) work health and safety obligations under legislation, regulations, policies and procedures are met.

4.3. Use of information

The CEO must not misuse information gained in the CEO’s official capacity.

Misuse includes, but is not limited to:

- (a) seeking to gain personal advantage for self, or for another person, on the basis of information held on official records;
- (b) initiating or spreading gossip or rumours on the basis of personal or other information held on official records; and
- (c) providing a person, or appearing to provide a person, with favourable treatment or access to privileged information.

- (d) respect the confidentiality of information obtained in confidence and not disclose any information, other than required by the law or where authority has been granted.

4.4. Use of official facilities, equipment and resources

The CEO must not utilise council equipment, or the skills or working time of council staff members, for personal benefit.

4.5. Disclosure of offences against the law

If the CEO is charged, convicted or acquitted of an offence, the CEO must advise the Council regardless of whether the CEO believes the offence relates directly to the CEO's assigned duties.

The CEO must avoid any conflict of interest, whether actual or perceived.

If a conflict of interest exists or arises, the CEO must comply with any statutory requirement or obligations of disclosure.

The CEO must advise the Council of any charged or convicted offence.

4.6. Outside employment

Outside employment for the CEO is not allowed, except in exceptional circumstances and approved by the Council in writing.

When considering an application from the CEO to undertake outside employment, the Council will give approval only if the outside employment:

- (a) could not be perceived by a reasonable person to be a conflict of interest; and
- (b) will not interfere with the performance of the CEO's duties.

Any outside employment or voluntary work must be performed wholly in the CEO's private time.

4.7. Gifts and Benefits

The CEO must not actively encourage or accept gifts and benefits.

In the instance a gift, favour or benefit is offered, a declaration will be made and recorded on the Gifts and Benefits register.

4.8. Bullying, Harassment and Discrimination

The CEO must:

- (a) not bully, harass or discriminate against another person.
- (b) The CEO must not discriminate in relation to a person unless such discrimination is allowed by law and council policy (for example, positive discrimination or special measures).
- (c) The CEO must respect cultural diversity and must not discriminate against others, or the opinions of others, on the ground of their cultural background.
- (d) The CEO must act with respect for cultural beliefs and practices in relation to Elected Members, staff and members of the community.

4.9. Decisions based on statutory power

Where the CEO makes a decision based on a statutory power, the CEO must:

- (a) ensure that the legislation under which the decision is made authorises the making of that decision;
- (b) ensure that the CEO has the authority or the delegation to make the decision;
- (c) ensure that any procedures which are required by law to be complied with in the making of a decision have been observed; and
- (d) ensure that the decision, the evidence upon which it is based, and the reasons for the decision are properly documented.

5. Version Control

Version	Amendment History
1.0	-