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# **SHIRE OF NANNUP**

# **CODE OF CONDUCT FOR STAFF MEMBERS**

*Adopted at Council Meeting 24 November 2016*

## **INTRODUCTION**

This Code of Conduct provides Staff of the Shire of Nannup (Shire) with clear guidelines about the standard of professional and ethical conduct expected of the Shire's staff. Staff are required to comply with the *Local Government Act 1995* (the *Act*) and all relevant legislation and to conduct themselves in accordance with the Code of Conduct.

For the purpose of this Code, the terms 'staff' and 'staff member' include employees of the Shire and individuals working for the Shire as contractors.

## **COMMITMENT TO SERVING THE COMMUNITY**

Staff need to constantly remember that the main function of local government is to serve the best interests of the community. As Shire staff derive their income from funding provided by rates, government grants and fees and charges they need to strive to provide high standard services and provide good value for the community's money. A commitment to serving the community is required to be an effective and efficient staff member.

## **ROLE OF COUNCIL**

The Council is the governing body of the Shire and consists of eight (8) elected Members. Under Section 2.7 of the *Act*, Council has four main roles:-

1. direct and control the Local Government's affairs
2. be responsible for the local government's functions
3. oversee the allocation of the local government's finances and resources; and
4. determine the local government's policies

Council's primary role is to govern the successful operation of the Shire by setting the strategic direction and policies of the Shire to determine which priorities will be funded through the budget.

The Chief Executive Officer (CEO) is required to carry out Council's decisions and the CEO has responsibility for the day-to-day running of the administration of the Shire. For this reason, all operational matters remain the responsibility of the CEO. Under the direction of the CEO and senior Managers, staff are required to focus their attention at work on providing good customer service and high standard works to the community and of achieving the priorities set by Council in a timely manner.

## **THE ROLE OF INDIVIDUAL COUNCILLORS**

The primary role of a Councillor is to represent the community, and the effective translation of the community's needs and aspirations into a direction and future for the Local Government will be the focus of the Councillor's public life.

The role of Council Members as set out in S 2.10 of the *Local Government Act 1995* is as follows:-

*"A Councillor —*

- (a) represents the interests of electors, ratepayers and residents of the district; and*
- (b) provides leadership and guidance to the community in the district; and*
- (c) facilitates communication between the community and the council; and*
- (d) participates in the local government's decision-making processes at council and committee meetings; and*
- (e) performs such other functions as are given to a councillor by this Act or any other written law."*

Individual Councillors have no authority to participate in the day-to-day management and administration of the Shire, including directing a staff member to perform a task or not to perform a task. Councillors are also not authorised to speak on behalf of the Shire, only the Shire President or Deputy Shire President in the Shire President's absence or the CEO if delegated by the Shire President.

## **THE ROLE OF THE CEO**

The CEO is appointed by and is accountable to the Council. The CEO is the only Shire employee who reports to the Council. The CEO works for the Council collectively as a decision making body and not Councillors individually. The CEO is responsible for the day-to-day management of the Shire in accordance with the strategy, policies and programs approved by the Council. The CEO is also responsible for the employment, management, supervision, direction and dismissal of all the Shire's staff.

Section 5.41 of the *Act* outlines the functions of the CEO, namely;

- (a) advise the council in relation to the functions of a local government under this Act and other written laws; and*
- (b) ensure that advice and information is available to the council so that informed decisions can be made; and*
- (c) cause council decisions to be implemented; and*
- (d) manage the day to day operations of the local government; and*

- (e) *liaise with the mayor or president on the local government's affairs and the performance of the local government's functions; and*
- (f) *speak on behalf of the local government if the mayor or president agrees; and*
- (g) *be responsible for the employment, management supervision, direction and dismissal of other employees (subject to section 5.37(2) in relation to senior employees); and*
- (h) *ensure that records and documents of the local government are properly kept for the purposes of this Act and any other written law; and*
- (i) *perform any other function specified or delegated by the local government or imposed under this Act or any other written law as a function to be performed by the CEO.*

### **ROLE OF STAFF**

The responsibility for the management structure of the Shire is delegated from the Council to the CEO. The structure is divided into three (3) directorates of Infrastructure, Corporate Services and Governance - CEO Department.

Each Directorate has work teams under the supervision of the Manager Infrastructure, Manager Corporate Services and CEO. The Managers act under delegation of the CEO as documented in their relevant position descriptions. All individual staff members perform their duties as outlined in their position descriptions and under the management of their Managers and ultimately to the CEO.

The primary role of all Shire staff is:-

1. The promotion of the Shire's vision and the achievement of the Shire's mission and objectives contained in the Strategic Planning documents, whilst consistent with the Shire's values.
2. The timely pursuit and implementation of the decisions of Council.
3. The delivery of efficient, effective and innovative services and high standard works programs to the community, which are reviewed and revised for continual improvement in a timely manner.
4. To ensure that the Shire is a competitive organisation committed to providing professional and quality services and infrastructure to the community.

## **RELATIONSHIPS BETWEEN COUNCIL MEMBERS AND STAFF**

An effective Councillor will work as part of the Council team with the Chief Executive Officer, Managers and other members of staff. That teamwork will only occur if Council Members and staff have a mutual respect and co-operate with each other to achieve the Council's corporate goals and implement the Council's strategies.

To achieve that position, staff need to be aware of and respect the distinct and separate role that Council Members need to observe in fulfilling their statutory obligations. In relation to the role of Council Members, staff need to:-

- (a) Understand that a Councillor's role is a leadership, not a management or administrative one;
- (b) Be aware that Councillors have no authority to individually direct members of staff to carry out particular functions. A Councillor must not direct or attempt to direct a staff member to do or not to do anything or attempt to influence a staff member's conduct by means of a threat or the promise of a reward; and
- (c) Be aware that Councillors must refrain from publicly criticising staff in a way that casts aspersions on their professional competence and credibility and report to the CEO any such occurrences.

## **CONFLICT OF INTEREST**

A conflict of interest arises if it is likely that the performance of a staff member's professional duties could be perceived as being, prejudicially influenced by their own private or personal interest, or that a reasonable person could believe that they could be so influenced. Staff should ensure that there is no actual or perceived conflict or incompatibility between the impartial fulfilment of their professional duties and either their personal interests, or those of their immediate family members, business partners or close associates. A conflict of interest can arise regardless of whether a staff member has personally received benefit. It is the perception that a staff member has received or appears to be receiving a benefit that constitutes a conflict of interest.

Such an interest may be of a financial, proximity, or non-financial (impartial) nature.

### ***Financial Interest***

*A person has a financial interest in a matter if it is reasonable to expect that the matter will, if dealt with by the local government, or an employee or committee of the local government or Member of the Council of the local government, in a particular way, result in a financial gain, loss, benefit or detriment for the person.*

**Proximity Interest**

*A person has a proximity interest in a matter if the matter concerns –*

- *A proposed change to a planning scheme affecting land that adjoins the person's land; or*
- *A proposed change to the zoning or use of land that adjoins the person's land; or*
- *A proposed development of land that adjoins the person's land.*

**Impartiality Interest**

*A non-financial interest, known as an interest affecting impartiality, may exist by virtue of a person's affiliations that can give rise to an expected response on a particular matter (e.g. office bearer of a community or sporting club, close friendship or adversarial relationship, relative etc.).*

All forms of interest are to be disclosed at the meeting, either in writing to the CEO prior to the commencement of the meeting, or verbally immediately before the matter is to be discussed at the meeting.

**OUTSIDE WORK (SECONDARY EMPLOYMENT)**

An employee must not engage for remuneration, in private employment or contract work, outside the service of the Shire without obtaining the approval from the CEO in advance. The CEO must not unreasonably refuse secondary employment to an employee and the reasons for prohibition of employment must be explained to the employee in writing.

Local Government employment must remain the principal activity for all employees and must take precedence over any secondary employment.

Employees must not engage in paid work outside the Local Government which relates to the business of the Local Government or which might conflict with their duties unless they have notified the CEO and he/she has given approval in advance. An existing or prospective staff member, who is already participating in paid outside work which may represent a conflict of interest, is required to notify the CEO in writing.

**CONFLICT DISCLOSURES**

Staff members who are involved in:

- (a) making decisions under delegated authority from Council or the CEO or are empowered to undertake regulatory or enforcement functions or exercise discretions on behalf of the Shire;
- (b) staff recruitment such as being a member of a selection panel or undertaking another HR recruitment function;

- (c) tendering or other purchasing decisions such as being a member of a tender evaluation panel, or the purchasing officer or in any similar role which influences the purchasing decision;

Must make a disclosure in writing to the CEO, Manager, selection panel chair or tender evaluation chair as appropriate before dealing with any applications, tenders, permits or licences or performing regulatory or enforcement functions as part of their role which involves relatives, close friends, adversaries or associates. Staff members must disqualify themselves from dealing with those persons, those persons' applications or any involvement in purchasing decisions. Written disclosures are to be placed on the staff member's personal file.

### **ANNUAL AND PRIMARY RETURNS**

Designated (senior) employees must provide the Shire with a Primary return within three months of the commencement of their employment in a designated position, and an Annual Return disclosing changes that have occurred to the Primary Return in the financial year before 31 August for every subsequent year, in accordance with the requirements of Division 6 of Part 5 of the *Local Government Act 1995*.

The responsibility of providing the Shire with these Returns, correctly completed, falls upon the designated employee.

Failure to provide the Shire with a Primary or Annual return within the required timeframes can result in a \$10,000 fine or two (2) years imprisonment.

### **PERSONAL BENEFIT**

#### **USE OF CONFIDENTIAL INFORMATION**

Staff must not use confidential information to gain improper advantage for themselves or for any other person or body, in ways which are inconsistent with their obligation to act impartially and in good faith, or to improperly cause harm or detriment to any person or organisation.

#### **INTELLECTUAL PROPERTY**

The title to Intellectual Property in all duties relating to contracts of employment will be assigned to the Local Government upon its creation, unless otherwise agreed by a separate contract.

#### **IMPROPER OR UNDUE INFLUENCE**

Staff must not take advantage of their position to improperly influence Council Members or staff in the performance of their duties or functions, in order to gain undue or improper (direct or indirect) advantage or gain for themselves or for any other person or body.

**GIFTS***Definitions:*

*In this clause, and in accordance with Regulation 34B of the Local Government (Administration) Regulations 1996.*

**activity involving a local government discretion** *means an activity —*

- (a) that cannot be undertaken without an authorisation from the local government; or*
- (b) by way of a commercial dealing with the local government;*

**gift** *has the meaning given to that term in section 5.82(4) except that it does not include —*

- (a) a gift from a relative as defined in section 5.74(1); or*
- (b) a gift that must be disclosed under regulation 30B of the Local Government (Elections) Regulations 1997; or*
- (c) a gift from a statutory authority, government instrumentality or non-profit association for professional training;*

**notifiable gift**, *in relation to a person who is A Council Member, means —*

- (a) a gift worth between \$50 and \$300; or*
- (b) a gift that is one of 2 or more gifts given to the employee by the same person within a period of 6 months that are in total worth between \$50 and \$300;*

**prohibited gift**, *in relation to a person who is a Council Member, means —*

- (a) a gift worth \$300 or more; or*
- (b) a gift that is one of 2 or more gifts given to the employee by the same person within a period of 6 months that are in total worth \$300 or more.*

- (1) A person who is an employee must not accept a prohibited gift from a person who —
  - (a) is undertaking or seeking to undertake an activity involving a local government discretion; or
  - (b) it is reasonable to believe is intending to undertake an activity involving a local government discretion.
- (2) A person who is an employee and who accepts a notifiable gift from a person who —
  - (a) is undertaking or seeking to undertake an activity involving a local government discretion; or



- (b) who it is reasonable to believe is intending to undertake, an activity involving a local government discretion must, within 10 days of accepting the gift, notify the CEO of the details of the acceptance as outlined below.
- (3) Notification of the acceptance of a notifiable gift be in writing and include —
  - (a) the name of the person who gave the gift; and
  - (b) the date on which the gift was accepted; and
  - (c) a description, and the estimated value, of the gift; and
  - (d) the nature of the relationship between the person who is an employee and the person who gave the gift; and
  - (e) if the gift is a notifiable gift under paragraph (b) of the definition of **notifiable gift** in sub regulation (1) (whether or not it is also a notifiable gift under paragraph (a) of that definition) —
    - (i) a description; and
    - (ii) the estimated value; and
    - (iii) the date of acceptance,of each other gift accepted within the 6 month period.
- (4) The CEO must maintain a register of notifiable gifts and record in it details of notifications given to comply with a requirement made under sub regulation (3).
- (5) This clause does not apply to gifts received from a relative (as defined in S 5.74(1) of the *Act*) or a n electoral gift (to which other disclosure provisions apply).
- (6) This clause does not prevent the acceptance of a gift on behalf of the local government in the course of performing professional duties in circumstances where the gift is presented to the Shire and retained exclusively for the benefit of the local government and not for the benefit of an individual.
- (7) All Christmas season gifts including alcoholic beverages, received by staff must be passed onto management for the use and benefit of all employees in that particular work team. In the main they will be used for social activities for the benefit of all staff, not just the individual who receives the gift.

## **CONDUCT OF STAFF**

### **PERSONAL BEHAVIOUR**

- (a) Staff must:
  - (i) act, and be seen to act, properly and in accordance with the requirements of the law and the terms of this Code;
  - (ii) perform their duties impartially and in the best interests of the Shire of Nannup, uninfluenced by fear or favour;
  - (iii) act in good faith (i.e. honestly, for the proper purpose, and without exceeding their powers) in the interests of the Shire of Nannup and the community;
  - (iv) make no allegations which are improper or derogatory (unless true and in the public interest) and refrain from any form of conduct in the performance of their official or professional duties, which may cause any reasonable person unwarranted offence or embarrassment; and
- (b) Staff must ensure that they are aware of and comply with all Shire policies and procedures, including but not limited to those related to health and safety, equal opportunity, workplace behaviour and information and knowledge management.

### **ADMINISTRATIVE AND MANAGEMENT PRACTICES**

Staff must ensure compliance with proper and reasonable administrative practices and conduct, and professional and responsible management practices.

### **COMMUNICATIONS AND PUBLIC RELATIONS**

- (a) All aspects of communication by staff should be accurate, polite and professional.
- (b) Information of a confidential nature must not be communicated until it is no longer treated as confidential. Personal information about a person, their properties and their affairs held by the Shire is confidential and not to be disclosed to other parties unless required by law. The public is entitled to interact with the Shire and have their privacy respected.
- (c) Staff are not to speak to the media or make comment to the media without the permission of the CEO. The Shire President is the key spokesperson to speak on behalf of the Council and the CEO with the Shire President's permission. Staff authorised to speak to the media are to focus on factual operational matters within their sphere of work only and to avoid making political comments and expressing personal opinions about matters before Council or in the political arena.

## **ACCESS TO INFORMATION**

- (a) The CEO must ensure that staff use their best endeavours to ensure that Councillors are given access to all information necessary for them to properly perform their functions and comply with their responsibilities as Councillors provided that information is given equitably to all Councillors.
- (b) The CEO may direct specified staff to use the Shire's social media sites for Shire purposes. Only staff with appropriate training and knowledge who are expressly authorised by the CEO may use social media for official Shire purposes.
- (c) Staff are permitted use of social media for reasonable personal purposes on the basis that it does not interfere with the performance of their work. Staff using social media for personal purposes must not infer or state they are communicating as a representative of the Shire. Any inappropriate postings or actions carried out on social media by a staff member may result in disciplinary action being taken.

## **ATTENDANCE AT EXTERNAL CONFERENCES, TRAINING AND FUNCTIONS**

Staff may be required as delegates of the Shire to attend external conferences, seminars, training events or various functions and presentations. Staff attending such events do so on behalf of the Shire. They should conduct themselves with the highest degree of integrity, propriety and behaviour consistent with the expectations of this Code of Conduct and not do anything which may reflect adversely on the Shire or bring the Shire into disrepute. Partners are welcome to attend functions such as conference dinners at the cost of the staff member unless varied by Council Policy.

## **FRAUD PREVENTION, INVESTIGATION AND REPORTING**

Fraud includes unethical and illegal acts which are characterised by the intent to deceive. Fraud includes the following activities and standards of conduct:

- (a) gaining benefit by dishonesty such as drawing an allowance or payment (e.g., travelling and sustenance) where no such entitlement exists;
- (b) accepting gifts, money or entertainment in response to, or in expectation of, a favourable report recommendation, decision or tender outcome or other benefit;
- (c) knowingly accepting collusive tendering by outside bodies;

- (d) making false statements, either orally or in writing, about quality assurance or one's own qualifications, professional experience and competence;
- (e) misuse or the deliberate misallocation of their employer's resources.

All staff have a role to play in preventing fraud by ensuring that fraud prevention controls are established and maintained in their areas of responsibility. All staff are responsible for recognising indicators of fraud and or recommending to their senior staff when an investigation is warranted in the light of such indicators. Staff must help in any investigation of fraudulent practice/s which occur in the administration or operations of the Shire.

Staff must report to the CEO or the Public Interest Disclosure Officer any evidence of fraud. The CEO must report evidence of fraud direct to the appropriate authorities. Where the evidence of fraud relates to the CEO, the staff member must report this to the Public Interests Disclosure Officer or to the Shire President.

#### **USE OF SHIRE OF NANNUP RESOURCES**

- (a) Staff must:
  - (i) be scrupulously honest in their use of the Shire's resources and shall not misuse them or permit their misuse (or the appearance of misuse) by any other person or body;
  - (ii) use the Shire's resources entrusted to them effectively and economically and in accordance with the manufacturer's specifications and Shire safety procedures in the course of their duties;
  - (iii) not use the Shire's resources, including the services of other staff, 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 in accordance with Council policies and procedures;
  - (iv) only claim or accept travelling and sustenance expenses arising out of travel related matters which are a direct bearing on the services, policies or business of the Shire in accordance with the Shire's policy and the provisions of the *Act*;
  - (v) use Shire owned vehicles strictly in accordance with the Shire's vehicle use policies and obey all traffic codes, laws and road rules, and drive in a safe and courteous manner. Any fines and infringements incurred are the responsibility of the vehicles user;

- (vi) use the Shire's email and internet facilities and mobile phone equipment and other electronic systems in a professional, ethical and lawful manner and not infringe the copyright or other intellectual property rights of third parties, distribute or store defamatory, fraudulent, harassing or obscene messages and files, or otherwise to engage in any illegal or unethical conduct including the use of insulting, sexist, racist, obscene or suggestive electronic mail;
  - (vii) use the Shire's email and internet facilities and mobile phone equipment and systems for business purposes in serving the interests of the Shire, and the Shire's clients and customers. Limited personal use of these facilities and equipment is permitted provided the usage is reasonable and does not interfere with a staff member's productivity or the performance of their duties.
  - (viii) ensure they obtain value for money and are accountable for their actions when they are engaged in procurement activities.
- (b) Staff who misuse or abuse the Shire's resources or are negligent in securing the Shire's property may have usage withdrawn, be directed to cover any costs associated with the abuse or negligence, and/or may be subject to disciplinary proceedings.

### **DRESS CODE FOR STAFF**

Staff are required to dress in a professional manner in keeping with accepted standards of the relevant profession and tasks being undertaken. Appropriate personal protective equipment and safety clothing is to be worn by staff undertaking specific duties which require adherence to safety requirements. Uniforms are to be worn where provided by the Shire.

### **FREEDOM FROM HARRASSMENT AND DISCRIMINATION**

State and Federal equal opportunity and anti-discrimination laws make it unlawful in areas such as employment and the provision of goods and services to:

- (a) discriminate against people on a number of grounds, including sex, sexual orientation, disability, marital status, pregnancy, race, religious conviction, political conviction, family responsibility and age.
- (b) engage in sexual or racial harassment; and
- (c) victimise a person for making a complaint or intending to make a complaint of discrimination or harassment, or for providing evidence regarding a complaint.

All people have a right to work in and to participate in Shire activities and to access Shire services in a non-discriminatory way and in an environment that is free from unlawful discrimination and harassment. Unlawful discrimination and harassment of any form will not be tolerated by the Shire. Any staff

member found to be engaging in discrimination, harassment or victimisation of other staff, Shire contractors, visitors or clients or members of Council will be subject to counselling and may be subject to appropriate disciplinary action.

The Shire is also committed to equal employment opportunity. This commitment extends to ensuring that recruitment and selection, promotion and advancement of staff will be solely on the basis of equity and fairness and that appointment will be based on merit.

### **WORKPLACE BULLYING**

Workplace bullying is defined as 'repeated and unreasonable behaviour directed towards a worker or a group of workers that creates a risk to health and safety'. Unreasonable behaviour includes behaviour that is victimising, humiliating, intimidating or threatening.

Examples of bullying include, but are not limited to;

- (a) unreasonable persistent criticism which is not part of a performance management process;
- (b) isolation of employees from others;
- (c) refusing to delegate tasks or withholding information employees need to perform their job;
- (d) unrealistic, embarrassing or degrading work demands; and
- (e) repeated intimidation and belittling remarks.

While some workplace bullying may involve direct verbal abuse and physical violence, it can also involve more subtle behaviours and be carried out via letters, email, social media and telephone text messages.

Workplace bullying causes a number of unpleasant and harmful health and safety issues and results in lower productivity, absenteeism, higher staff turnover and stress related illness. The Shire is committed to maintaining a workplace free from intimidation and bullying. Workplace bullying is prohibited and will not be tolerated at the Shire, and any complaints shall be fully investigated. If a bullying complaint against a staff member is found to have substance, the staff member will be counselled and may be subject to disciplinary action.

### **OCCUPATIONAL SAFETY AND HEALTH**

The Shire is committed to developing, implementing and maintaining a safe workplace. Staff must comply with all relevant occupational safety and health (OSH) legislation and the Shire's policies and procedures and standards regarding OSH, and are expected to have a personal commitment to safety and health of themselves and others.

Staff are to comply with the Shire's OSH procedures at all times relating to alcohol, smoking and drug use. The consumption of alcohol during work time and in the workplace including in vehicles and at off site locations is prohibited unless consumed at official authorised staff functions. Smoking in Shire buildings and vehicles is prohibited. The use of illegal drugs in the workplace is strictly prohibited. A staff member who is using prescription drugs under medical supervision is to advise their supervisor if the performance of their duties is likely to be affected or impaired.

### **FITNESS FOR WORK**

The Shire is responsible for providing a safe work environment for its staff that minimises the risk of injury or illness.

Staff are responsible for maintaining and monitoring their health in a manner that allows them to safely perform their work duties and to ensure they do not place themselves, other staff, members of the public or any other person within the workplace at risk.

Staff have a duty to ensure they are in a fit state at the start of and throughout their working day, and to identify and report any fitness or work safety issues to the Shire as soon as practicable. Staff must also comply with any reasonable and lawful direction requiring them to attend a medical assessment, where the Shire has concerns regarding a staff member's fitness for work.

### **ENFORCEMENT OF THIS CODE**

#### **REPORTING BREACHES**

A person may, if they become aware of any conduct by a staff member, which they reasonably believe involves a breach of this Code of Conduct, make written complaint to that effect to the CEO, or in the case of the CEO to the Shire President.

All aspects of a report of a breach of this Code of Conduct must be kept strictly confidential by both the person making the report and the person in receipt of the report.

#### **RESPONSIBILITIES**

Breaches of this Code of Conduct will be investigated and handled within the context of the Organisational Human Resources Management principles and natural justice.

If the CEO breaches the Code of Conduct, such breach is to be dealt with by Council in accordance with accepted Industrial Relations processes.

If any staff member breaches the Code of Conduct, such breach shall be dealt with by the CEO.

## **DEALING WITH BREACHES**

Alleged breaches of this Code of Conduct will be investigated and handled in a manner which is consistent with the principles of the presumption of innocence, procedural fairness and natural justice.

A breach of the Code of Conduct by a staff member, if investigated and proven, shall be dealt with in accordance with best practice industrial relations practice. A counselling session shall be convened and appropriate disciplinary action will be taken;

- (a) in the case of the CEO, by the Shire President; and
- (b) in the case of any other staff, by the CEO or Manager acting on behalf of the CEO,

depending on the conduct and taking into account the staff member's responses and any mitigating circumstances.

In cases where investigation gives rise to reasonable suspicions that the breach constitutes serious improper conduct including corruption or theft, then the matter will be forwarded for further investigation by the Department of Local Government, the Corruption and Crime Commission or Public Sector Commission and the WA Police Service.

The CEO is to ensure that staff who report unacceptable or illegal behaviour of Council Members or staff (that is, a whistle blower) is not in any way disadvantaged or victimised because of their actions.

Staff are encouraged to, in the first instance, report unacceptable or illegal behaviour to the relevant Supervisor or Manager. Behaviour of a serious nature must be reported directly to the CEO or to the Shire's Public Interest Disclosure Officer.

Staff must be aware that the *Corruption, Crime and Misconduct Act 2003* and the *Public Interest Disclosures Act 2003*, which provide for the mandatory reporting of reasonable suspicions of serious improper or corrupt conduct to the Corruption and Crime Commission or Public Sector Commission by the CEO, or to the Shire's Public Interest Disclosure Officer.

Penalties will prevail if a person who makes a complaint;

- (c) has his or her safety or career prejudiced, or threatened to be prejudiced;
- (d) is intimidated or harassed; or
- (e) has an act done to his to her detriment because of having assisted the Commission, or furnished information to the Commission.