



Policy Owner: Director Corporate Services

Category: Operational

Direction: 5. Our Civic Leadership

1. INTRODUCTION

North Sydney Council values the work that members of our community contribute through their role as volunteers and Reference/Working Group or special interest group citizen members (i.e. community representatives). Council could not achieve a number of its objectives without the active participation and contribution of citizen members, who give generously of their time and knowledge to make North Sydney an enviable place to live and visit.

Council is committed to high ethical standards for everyone who works with Council in a paid, voluntary or elected capacity.

Volunteers and community representatives are asked to commit to Council's ethical standards and to perform their duties with integrity, honesty and fairness.

This Code of Conduct outlines the responsibilities of volunteers and community representatives in areas such as conflicts of interest, gifts and personal information.

2. KEY RESPONSIBILITIES

Volunteers and community representatives are responsible for their own good conduct. As part of good conduct, volunteers and community representatives are asked to:

- a) be courteous to the public, Councillors, Council staff and other volunteers and community representatives;
- b) obey all laws;
- c) uphold environmental responsibilities, such as disposing of litter or chemicals appropriately;
- d) help create a working environment that is free of harassment and discrimination; and
- e) protect the health, safety and welfare of themselves and others in a workplace or public arena. This means ensuring they take care for their own and others health and safety, and comply with any reasonable instructions, policies and procedures given by Council staff.

3. CONFLICT OF INTERESTS

A conflict of interest arises when our own interests, or those of people close to us, conflict with our obligations to the Council. For example, a conflict would exist if a personal interest influenced the way a volunteer or community representative carried out their duties for Council.

If a conflict of interest arises in any area of voluntary work with Council, it should be disclosed to Council. A conflict of interest does not mean that a volunteer or community representative would be barred from participating in a meeting or activity. Instead, it allows others to understand their position and prevents criticism of Council activities or decisions at a later date.

Community representatives are often invited to participate in Council Reference/Working Groups or special interest groups because of their specific knowledge, experience and expertise. This personal interest is generally well understood and would not need to be disclosed.

A pecuniary interest is an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person or another person with whom the person is associated (Sections 442 and 443 of the *Local Government Act 1993*).

Any questions regarding whether a conflict of interest exists can be discussed with Council's Public Officer.

4. GIFTS OR BENEFITS

No volunteer or community representative should offer a Councillor or Council staff member a gift or benefit that:

- a) is designed to gain advantage for themselves or a group they represent; or
- b) may be perceived by the public to give advantage to themselves or a group they represent.

Similarly, volunteers or community representatives should not accept gifts or benefits that could appear to give an advantage to the donor.

Token gifts may be given or accepted; token gifts include small items such as a bunch of flowers or box of chocolates.

Cash incentives must not be offered to, or accepted by, a Councillor, Council staff member, volunteer or community representative under any circumstances.

If a volunteer or community representative is offered a gift or benefit that is not considered token it should be reported to Council's Public Officer. Or, if a volunteer or community representative is not sure if the gift or benefit would be considered token, they should contact Council's Public Officer. Openness about such matters prevents unfair criticism at a later date.

5. CONFIDENTIAL AND PERSONAL INFORMATION

A volunteer or community representative may have contact with confidential or personal information retained by Council. If so, they must maintain the security of any confidential or personal information and not access, use or remove any information, unless they are authorised to do so and in accordance with Council's Privacy Management Plan.

Privacy legislation governs the collection, holding, use, correction, disclosure and transfer of personal information. Further information about the legislation can be obtained from Council's Privacy Contact Officer.

Any breach of the security or misuse of Council's confidential or personal information should be reported to Council's Privacy Contact Officer.

6. COUNCIL RESOURCES

Council resources should only be used for Council purposes unless approval has been given. Council resources include materials, equipment, vehicles, documents, records, data and information.

7. PUBLIC COMMENT

From time to time, volunteers and community representatives are contacted by the media for information or comment. While they may speak as a member of the public, we ask that they do not make any public statement to the media or at public events that would lead someone to believe that they are speaking on behalf of Council or expressing its views or policies.

8. ALCOHOL AND DRUGS

Volunteers and community representatives should not carry out their duties for Council while under the influence of alcohol or other drugs that could impair their ability or cause danger to the safety of themselves or others.

9. CHILD SAFE

Volunteers and community representatives owe statutory duties under the Children's Guardian Act 2019.

10. REPORTING CORRUPTION, MALADMINISTRATION AND WASTE

Volunteers and community representatives can help Council to maintain our ethical standards by reporting any suspected incidences of corruption, maladministration or serious and substantial waste.

These can be reported to the General Manager or the Public Officer. Alternatively, any suspected instances of corruption can be reported to the Independent Commission Against Corruption (ICAC) and any instances of maladministration to the Ombudsman.

A community representative may be considered to be a public official for the purposes of the *Independent Commission Against Corruption (ICAC) Act 1988* and subject to the ICAC's jurisdiction.

11. NORTH SYDNEY COUNCIL'S COMMITMENT

Council is committed to the standards in this Code of Conduct. They reflect the high standards expected by our community, and volunteers and community representatives are expected to maintain these standards and principles when providing their services to Council.

Volunteers or community representatives who breach these standards may be asked resign from their role with Council.

12. RELATED POLICIES/DOCUMENTS/LEGISLATION

The Policy should be read in conjunction with the following Council policies and documents:

- Access to Information Policy
- Child Safe Policy
- Code of Conduct - Councillors and Staff
- Code of Meeting Practice
- Community Engagement Policy
- Complaints Handling Policy
- Gifts and Benefits Policy
- Open Government Policy
- Privacy Management Plan
- Volunteer Policy

The Policy should be read in conjunction with the following documents/legislation:

- Children’s Guardian Act 2019
- Independent Commission Against Corruption Act 1988
- Local Government Act 1993
- OLG Model Code of Conduct and Procedures

13. FOR ASSISTANCE/INFORMATION ABOUT THIS CODE:

For more information or assistance with this Code of Conduct contact Council’s Public Officer on 9936 8100.

Version	Date Approved	Approved by	Resolution No.	Review Date
1	2 May 2005	Council	392	2008/09
2	16 February 2009	Council	61	2012/13
3	18 February 2013	Council	61	2016/17
4	25 June 2018	Council	214	2020/21
5	30 January 2023	Council	16	2024/25