

Code of Conduct

Policy Sponsor:	Chief Executive
Policy Owner:	Human Resources Manager
Policy Number:	POL/HR02
Approved By:	Executive Team
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Objectives

This Code of Conduct provides guidance on the standards of behaviour that are expected from all employees at Waikato District Council and defines what behavior constitutes misconduct or serious misconduct.

Behaviour or conduct that does not comply with our values, policies, procedures or performance expectations are not acceptable and will not be tolerated. Any breaches of the code of conduct will be investigated in accordance with the Discipline Policy and associated process, and will be dealt with as either misconduct or serious misconduct and/or conduct that may impair the relationship of trust and confidence between the employee and Council.

Application

This policy applies to all employees of Waikato District Council (WDC or Council).

Related Policies and Processes

[Disciplinary Policy](#)

[Investigate Misconduct and take appropriate disciplinary action process](#)

[Conflict of Interest Policy](#)

[Identify, Declare and Manage Conflicts of Interest process](#)

[Fraud Prevention Policy](#)

[Report and Investigate Fraudulent Activity process](#)

[Performance Management Policy](#)

[Health & Safety Policy](#)

[Health & Safety Manual](#)

[Staff Media Policy](#)

[Respond to a Media Enquiry process](#)

[Procurement Policy](#)

[Procurement Manual](#)

[Harassment & Bullying Policy](#)

[Report Alleged Bullying or Harassment Incident](#)

[Internet Use Policy](#)

[Email Use Policy](#)

[Use of Council Vehicles Policy](#)

[Book and Use a Council Vehicle process](#)

Policy Statements

It is expected that all employees working for Council will conduct themselves in a manner that is acceptable to society in general. A high level of professionalism, a positive attitude

and demonstration of Council's ABC iT values are expected from all employees. These values guide the way we work, the way we conduct ourselves and the way we view our behaviour as being acceptable

All employees have an obligation to behave at all times with honesty and respect, as Council depends on its reputation for integrity and on the trust and confidence of everyone with whom it deals.

Council requires professional conduct of all its employees at all times. All employees must act in the interests of Council, not do anything that might damage Council's reputation, comply with their conditions of employment and act in a manner that meets the standards of this Code of Conduct and other Council policies.

Depending on the nature and/or seriousness of the breach of the Code of Conduct, disciplinary action taken by Council may include dismissal without notice.

Employees should refer to Council's Performance Management and Disciplinary Policies, together their associated processes, for information about the procedures that will apply when an allegation of a Code of Conduct breach is received.

Definitions

Misconduct

"Misconduct" means some form of wrongdoing. Usually it will involve deliberate wrongdoing, but there may be circumstances where an employee acts so carelessly that it amounts to serious misconduct (i.e. gross negligence or recklessness).

The following behaviours constitute misconduct and may result in disciplinary action being taken in accordance with the Disciplinary Policy and associated process .

- Failure to follow legislation or Council policies, protocols and procedures.
- Failure to demonstrate Council values/behaviours at the required level.
- Downloading, transmitting, retaining or communicating information (written, verbal or electronic), which is unauthorized, may be considered abusive, discriminatory, defamatory, derogatory, offensive or pornographic within the workplace or using Council property to do so. (Refer Internet Use Policy and Email Use Policy)
- Repeated failure to perform work to the required standard including all or some of the duties required in the position. (Refer Performance Management Policy)
- Working in a negligent, careless manner, inefficiency or incompetence in performance of duties.
- Failure, inability or unwillingness to work harmoniously and co-operatively with others.
- Disrupting the workplace by acts of undesirable behaviour and/or misuse of time or resources; preventing or disrupting another employee from carrying out their duties.
- Failure to comply with the requirements to accurately record and adhere to the agreed hours or work
- Poor time keeping which includes frequently or regularly arriving late for work, or from lunch or tea breaks.
- Failure to give your team leader/manager or other authorised person reasonable notice prior to the expected start time, that you are unable to commence work.
- Being absent during working hours without authorisation from your team leader/manager.

- Misuse or damage to Council property or failing to report known damage to Council. This also includes defacing Council or customer's property and the publication of offensive notices on boards, walls and email.
- Inappropriate use of any Council vehicle. (Refer Vehicle Use Policy)

Serious Misconduct:

“Serious misconduct” involves serious wrongdoing. Where, after a fair process, it is established that an employee's actions amount to serious misconduct, an employer may terminate the employee's employment without notice (sometimes referred to as “instant” dismissal). The misconduct must be sufficiently serious that it undermines the trust and confidence that the employer has in the employee (e.g. theft, sexual or other assault, or the use of illegal drugs at work).

The following behaviours are considered to constitute serious misconduct and may result in disciplinary action being taken in accordance with the Disciplinary Policy and associated process.

- Any breach of good faith
- Any act of dishonesty
- Refusal or failure to undertake the duties of a position held, or carry out any lawful instruction(s) of a team leader or manager. This includes insubordination or a demonstrated lack of respect for persons in a position of authority. (Refer to Performance Management Policy)
- Failure to obtain and/or maintain licences or certificates that are a requirement of the employee's position.
- Incompetence in performance that leads to significant financial loss or brings Council into disrepute.
- Failure to attend work for more than three working days without good cause and or without speaking to the employees direct team leader/manager. This action will be deemed ‘abandonment of employment’.
- Unauthorised taking, use or possession of property, money, information or intellectual property belonging to or under the control of Council, or the use or manipulation of such property, money, information, intellectual property or privileges for personal benefit or in a manner not authorized by Council.
- Significant misuse or damage to Council property
- Unauthorised disclosure of any confidential information.
- Failure to declare to your team leader/manager a conflict of interest, which may affect performance or judgement. (Refer Conflict of Interest Policy and associated processes)
- Misrepresentation of Waikato District Council.
- Making defamatory or derogatory statements in any media, social networking or forum against Council or Council employees, clients or business associates of Council, or otherwise distributing such statements, that could damage the reputation of Council. (Refer Staff Media Policy and Social Media Policy and associated processes)
- Behaving in a way that fails to observe safety rules/instructions and or engages in a work practice that jeopardises the safety of the employee, another employee or non-employee. (Refer Health & Safety Policy and Manual)
- Operation of Council property, equipment or vehicles while under the influence of illegal drugs, legal drugs (e.g. party pills), alcohol or while impaired in any other way
- Consuming alcohol on Council premises during working hours without management consent.

- Possession, consumption, or being under the influence of illegal drugs, legal drugs (e.g. party pills) and or alcohol during working hours or whilst rostered on call or standby.
- Inappropriate and or disruptive behaviour which includes verbal abuse and or physical abuse and or threats, discrimination, bullying and or harassment and or any other behaviour that has caused distress to an employee, customer or non-employee of Council. (Refer Bullying & Harassment Policy)
- Falsification of or being a party to falsification of any Council or customer document or record. This includes time/wage/accident/expenses/leave forms/record keeping system. (Refer Fraud Prevention Policy and associated process)
- Failure to comply with Council's cash handling procedures, which includes negligence when dealing with cash/cheques.
- Entering data intentionally into any of the Council's data bases (be that by way of computer entry, or paper/document) where that data is misleading or deceptive or which might tend to mislead or deceive the Council.
- Conduct whether in the course of one's employment or otherwise, that brings Waikato District Council into disrepute or lessen public confidence in the provision of services or that affects the reputation of the organisation.
- Criminal activity that impacts on the employee's ability to complete the requirements of their position such as a conviction in a court of law or an offence which is punishable by imprisonment, an offence relating to the possession, receiving and/or supply of drugs, or that may bring Council into disrepute.

Where an act is carried out by an employee which is not specifically covered by the misconduct definitions above, but is of a similar nature, importance or effect, Council reserves the right to implement the disciplinary procedures as described in the discipline policy and associated process.

If an employee engages in misconduct that is listed above, that doesn't necessarily mean that serious misconduct has automatically occurred. In every case the Council will consider all the facts and the employee's response before deciding whether serious misconduct has occurred. When this is done, what looked like serious misconduct may not be so serious after all.

Also note that minor misconduct cannot become serious misconduct just because it is on the serious misconduct list.

Policy Review

This policy will be reviewed as deemed appropriate by the Human Resources Manager, at least once every three years.