



*Centennial Park*

**CODE OF CONDUCT**

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Chief Executive Officer  
Centennial Park Cemetery Authority

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October 2009

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**Centennial Park Cemetery Authority**

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## CODE OF CONDUCT

### 1 Introduction

The Centennial Park Cemetery Authority (the Authority) values its tradition of integrity, responsibility and fair dealing. We are committed to maintaining the highest standards in our dealings with the community in the services we provide.

This Code of Conduct has been developed to assist Board Members and Staff in achieving these standards and in providing guidelines for making day-to-day decisions.

### 2 Statement of Commitment

Our community is entitled to expect that:

- The business of the Authority will be conducted with efficiency, impartiality and integrity;
- Board Members and Staff will obey the spirit and letter of the law, particularly in relation to all relevant statutes, regulations and instruments;
- Board Members and staff will act with dignity and respect in all their dealings on behalf of the Authority;
- Duty to the public will always have absolute priority over the private interests of Board Members and Staff, with specific reference to the conflict of interest clause below.

This Code does not override any legislation or regulations applicable to the Authority.

### 3 Conflict of Interest and Disclosure

#### 3.1 Conflict of Interest

It is essential that members of the public, when dealing with the Authority, are confident that when making decisions Staff and Board Members are free of any conflicts of interest.


Board Members and Staff must ensure that opportunities do not exist for their interest, or those of people close to them or organisations of which they are a member to conflict with the impartial performance of their public or professional duties.

In considering whether or not there is a possible conflict of interest, it is always important to think about how others would view the situation.

A conflict of interest can be pecuniary or non-pecuniary, and would exist where:

- A member of staff or a Board member has a personal interest that could lead them to be influenced in the way that they carry out their Authority work or public duties; or

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- A member of staff or a Board member has a personal interest that could lead a fair person to think that they could be influenced in the way that they carry out their Authority work or public duties; or
- A family member, relative, friend, associate or anybody close to a member of staff or a Board member who has an interest that could lead to them being influenced, or a fair person to think that they could be influenced, in the way that they carry out their Authority work or public duties.

### 3.2 Other Employment or Business by Staff

Employees should inform their direct supervisor if they have employment in a second job. Any second job or business must be done in their own time, not adversely affect their normal work, not lead to a conflict of interest and not involve the use of Authority resources or information.

### 3.3 Elected Council Members

An elected Council member of the Board does not commit a breach of duty under the Code by acting in accordance with a direction from the Council.

## 4 Personal Benefit

### 4.1 Use of Confidential Information

Board Members and Staff must not use confidential information obtained in the course of Authority business for anything other than for Authority purposes.

Information available to the public must be released in accordance with official procedures.

### 4.2 Improper and Undue Influence

Board Members and Staff must not take advantage of their position to influence other members of Staff in the performance of their work in order to gain, either directly or indirectly, an undue or improper advantage or gain, either for themselves or for any other person or body.

Board Members, in their personal capacity, will be afforded the same level of customer service as any other member of the public.


### 4.3 Gifts and Bribery

Gifts are offered for a number of different reasons from tokens of appreciation to those which could be considered bribes from tenderers, suppliers and developers.

A gift or benefit may include:

- Offers of cash or shares;
- Gifts, such as bottles of wine, manufacturer's samples or personal items;
- Promotional materials, including clothing, books or compact discs;
- Sponsored travel;

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- Benefits under loyalty schemes, such as frequent flyer schemes;
- Airline competition prizes;
- Meals or other hospitality;
- Accommodation and hire car discounts;
- Entertainment, such as meals, seats at sporting or theatre events or golf days;
- Discounts on commercial items; and
- Free or discounted places on training and development courses (other than contra-deals associated with the presentation of papers).

Token gifts which have not been solicited, do not have any significant monetary value, are inconsequential or trivial and are not offered on a regular basis may be accepted but must be reported to a Team Leader, Manager, the Chief Executive Officer, (CEO) or Human Resources Officer.

Board Members and Staff shall take into account the following issues when considering whether a gift is of a token kind or hospitality is moderate:

- What an impartial observer may think;
- The scale, lavishness or expense/cost/value of the gift or benefit;
- The frequency of occurrence; and
- The degree of openness surrounding the occasion or gift.

When deciding whether to accept a gift or benefit, the reputation of the Authority is paramount. A useful test is for employees to consider how they might answer questions from the media. If it would be embarrassing, then perhaps the gift or benefit should not be accepted.


The offer of cash (any amount) is never considered acceptable. It is acknowledged that in some cultures it is custom to offer envelopes with either real or “spiritual” money enclosed to the service providers. In these circumstances it may be considered offensive to the family not to accept the envelope and the recipient is expected to accept the envelope and pass it on to their manager once the service is complete.

To ensure that all transactions involving cash are above reproach, each receipt of cash will be entered in to a Cash Gifts Receipts Register indicating date, recipient, amount and signed by the recipient and their manager who will verify the declaration.

Board Members and Staff should not seek any immediate or future gift, reward or benefit for themselves or for any other person or body and should not accept any gift, other than described above, which in any way relates to their status with the Authority or their performance of any duty or work which is connected with the Authority.

There may be times when it is appropriate for an employee to accept a gift on behalf of the Authority, rather than on their own behalf, for example from a visiting delegation. In such circles, it may cause embarrassment to reject offers of minor gifts.

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If an employee is uncertain about whether they should accept a gift or benefit, they should discuss the matter with their manager.

Acceptance of gifts or benefits is not appropriate from a person or company if they are involved in a tender process with the agency, either for the procurement of goods and services or sale of assets.

### 4.4 Entertainment

Offers of entertainment are often used in private business to make relevant business contacts and improve business relationships. In some instances, accepting an offer of entertainment may improve stakeholder relationships.

Attendance at significant events can provide senior management with opportunities to make important business connections that will be of considerable benefit to the Authority. There may also be an important representational role for senior employees at such events. However, the Authority should ensure that accepting the offer would not create an actual or perceived conflict of interest.

### 4.5 Hospitality

The Authority may provide official hospitality if it furthers the conduct of public business. Expenditure on official hospitality must be publicly defensible on the basis that the primary purpose of the event is work-related.

Offers of hospitality from sources outside the Authority have the potential to cause perceived or actual conflicts of interest. However, offers of hospitality may be accepted if they genuinely assist the Authority to develop and maintain constructive relationships with stakeholders.

If any gift, reward or benefit is offered, other than described above, the matter should be reported promptly and fully to the CEO or delegate for Staff members or the Board Chairperson for the CEO or Board Members.


## 5 Conduct of Board Members and Staff

### 5.1 Personal Behaviour

The Authority is committed to maintaining an ethical workplace where Board Members and Staff uphold the principles of honesty, integrity and impartiality.

Board Members and Staff should not make any allegations which are improper or derogatory (unless both true and in the public interest) and must refrain from any form of conduct, in carrying out their official or professional duties, which might cause any personal offence or embarrassment.

Board Members and Staff should at all times obey the law and act in good faith in the interests of the Authority and the community.

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Board Members should represent and promote the interests of the whole community while recognising a special duty to their own constituents and to the Authority.

Board Members and Staff should act with sobriety at all times when representing the Board, and at Authority functions.

Elected Board Members should not engage in activities that are for party political purposes when engaging in Authority duties.

## 5.2 Honesty and Integrity

Board Members and Staff should observe the highest standards of honesty and integrity and avoid any form of conduct that would bring the Authority or its officers into disrepute.

Board Members and Staff should be frank and honest but sensitive in their official dealings with each other.

## 5.3 Performance of Duties

While on duty Staff must give their whole time and attention to Authority business, ensuring that their work is carried out efficiently, economically and effectively, and that their standard of work reflects favourably on both them and the Authority.

### 5.3.1 Compliance with Lawful Orders

Staff must obey any lawful direction given by their Team Leader or Manager. If the direction is considered to be unreasonable or improper, the matter should be referred to the Team Leader's supervisor, or via the Authority's "Whistleblower's Policy".

The lawful policies, decisions and practises of the Authority must be carried out regardless of whether individuals agree with or approve of them.


### 5.3.2 Administration and Management Practices

Board Members and Staff should comply with proper, responsible and reasonable administrative practices in the performance of their professional or civic duties.

Upon request to the CEO, Board Members should be provided access to relevant information required for them to perform their duties and responsibilities.

### 5.3.3 Reporting Corruption, Maladministration, Serious and Substantial Waste

The Authority is committed to the effective reporting of corrupt and illegal practices and all behaviour that is contrary to the Code of Conduct by people at all levels within the Authority.

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A “whistle blower” is a person being a Board Member, manager, employee or contractor of the Authority who wishes to make a report in connection with breaches of the Code of Conduct, whether anonymously or not. In this respect the Authority has a separate policy, that is, the “Whistle Blower’s Protection Policy” to provide guidelines for whistle blowing and protection for whistle blowers in relation to breaches of the Code of Conduct.

It is the responsibility of all Board Members and Staff to prevent corruption, maladministration and wastage. Board Members and Staff must report suspected actions.

All reports will be investigated unless they:

- Are frivolous or with insufficient grounds and serving only to cause annoyance;
- Are made solely or substantially with the motive of avoiding dismissal or disciplinary action; or
- Primarily question the merit of Authority policy.

#### **5.3.4 Instructions to Employees**

No Board Members and/or officers of owner Councils shall give instructions to employees of the Authority other than through resolutions of the Board, which will be implemented by the CEO.

Board Members requiring action on a particular issue that they consider has not been dealt with satisfactorily by staff may:


- Request the CEO to list it on the next appropriate Board Agenda;
- Write a letter for presentation to the next appropriate Board meeting; or
- Report their concerns to the Board Chairperson, who may refer the matter to the Board for consideration.

#### **5.3.5 Directorships**

When considering whether to become a director of an organisation, Authority employees should consider whether the organisation:

- Is or is about to enter a contractual relationship with the Authority; or
- Receives financial assistance from the Authority; or
- Has a primary role to lobby Ministers, Members of Parliament or government agencies and authorities about issues related to the person’s official duties; or
- Would give another business, including a government enterprise, reasonable grounds to perceive a conflict of interest.

If there is no conflict of interest as defined above then an employee may proceed, however if there is a perceived conflict of interest then an employee

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should not become a director. If there is any doubt then the employee should discuss possible ramifications with the CEO or delegate.

### **5.3.6 Use of Paid and Unpaid Leave**

An employee wishing to undertake outside employment while on leave should obtain approval from their manager. This applies whether the leave is unpaid or paid, including annual/recreational and long service leave.

### **5.3.7 Unpaid Voluntary Work**

Unpaid work can also conflict with a person’s official duties. Usually, approval is not required, however if an employee is in any doubt, they should raise with their manager whether the unpaid voluntary work would involve real or perceived conflicts of interest.

### **5.3.8 Frequent Flyer Points**

Employees must not join a frequent flyer scheme for official purposes. Employees are not to obtain a personal benefit from points accrued while travelling on official business. This includes upgrading travel unless authorised by the CEO to do so.

### **5.3.9 Property**

The Authority’s property is to be used for official purposes and managed efficiently and effectively. Employees may have limited use of the Authority’s property for incidental purposes such as social club activities or meetings between employees and their representatives, including unions.

### **5.3.10 Board / Staff Relations**

Criticism of staff in Board meetings by Board Members will not be tolerated.

Board Members who have a criticism of staff shall direct it to the CEO for response and resolution.

Staff who have a criticism of a Board Member shall direct it to the CEO, who may resolve it if within his means, or refer it to the Board Chairperson for response and resolution.


Criticism of the Board Chairperson or CEO will be managed by the Board.

### **5.3.11 Copyright**

Employees and Board Members are obligated to comply with all relevant legislation including the Copyright Act 1968. Copyright is relevant as follows:

- Staff and Board Members must protect information which may be deemed to be “original” and which could provide the Authority with a competitive advantage e.g. processes, technology, procedures, policies, data, and artwork amongst others.

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- Staff and Board Members must not breach the Copyright Act by using information which has not been assigned by the copyright owner or for which the copyright owner has not been accredited.

Breaches of copyright may have a financial remedy and include a disciplinary process which may result in termination of employment.

## 6 Dealing with the Authority's Property

### 6.1 Use of the Authority's Facilities, Funds, Staff and Equipment

Resources are provided so that the community benefits and should be used effectively and economically.

Authority resources may not be used for private purposes.

Minimal private use of computers, telephones, faxes or photocopiers may be permitted with the consent of a Manager. Unauthorised STD, IDD and mobile telephone calls must not be made.

### 6.2 Travelling and Sustenance Expenses

Board Members and Staff should only claim or accept travelling or sustenance expenses that have a direct bearing on the services, policies and business of the Authority.

## 7 Corporate Obligations

### 7.1 Communication with the Community

Board Members and Staff should promote accountability and responsibility by actively seeking opportunities to communicate with customers and the community and promoting their participation in significant areas of decision making. Communication should occur in a dignified and respectful manner.

### 7.2 Health, Well-being and Safety

Board Members and Staff should ensure that the Authority's premises are safe, that a smoke-free working environment is maintained and the health, safety and well-being of Staff, Board Members and members of the public are ensured.

## 8 Responsibilities

The CEO has ultimate responsibility for the oversight of this policy. Managers and Team Leaders have operational responsibility for its implementation. All Board Members and employees have a responsibility to comply with the policy.


## 9 References:

9.1 Whistle Blower's Protection Policy

9.2 Communication Policy

9.3 Delegations of Authority

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9.4 Copyright Act 1968 (Commonwealth)

9.5 Local Government (Procedures at Meetings) Regulations 2000.

**SIGNED:** .....

Chief Executive Officer

Date: \_\_\_\_/\_\_\_\_/\_\_\_\_