

# Ordinary Meeting of Council

Date: Friday 22<sup>nd</sup> January 2021



## Late Reports:

- ★ Item DCS3: Policy Review – Credit Card Policy and Code of Conduct Policy
- ★ Policy Review – Debt Policy
- ★ Item CSM3: Report on acknowledgement banner

# BOULIA SHIRE COUNCIL

Report for Ordinary Meeting held on 22<sup>nd</sup> January 2021

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| <b>TITLE:</b> | Policy Review – Credit Card Policy and Code of Conduct Policy | <b>DOC REF:</b><br>Item DCS3<br>Late Report |
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| <b>REPORT BY:</b> | Kaylene Sloman<br>Director of Corporate Services | <b>DATE:</b><br>21/01/2021 |
|-------------------|--|----------------------------|

**CORPORATE PLAN REFERENCE:**

Key Priority 5. Robust Governance

5.1: Confidence

5.1.1 Manage Council's operations in an effective manner by clearly defining the functions, services, roles and responsibilities of Council

**PURPOSE:**

Regular review of Council policies ensure that Council maintains an up to date guide for staff to refer to in the day to day management of Council. This report looks at two policies that are due for review.

**CONTENT:**

The Council is required to conduct a review of policies on a regular basis to ensure that they are consistent with changes to regulations, employment conditions and Council's objectives.

The following two policies are currently due for review:

Policy 131 – Credit Card Policy

Policy 146 – Code of Conduct

Each policy has subsequently been assessed for its validity against current regulations and Council operations in this area. As a result, the contents required only minor modifications. The revised policy versions (with proposed changes that have been made highlighted in yellow) are attached for Council consideration. It is recommended that the updated policy versions as presented be adopted.

**CONSULTATION:** Nil

**GOVERNANCE IMPLICATIONS:**

The policy is consistent with the guidelines and legislation as issued.

**RECOMMENDATION:**

1. That Policy 131 – Credit Card Policy and Policy 146 – Code of Conduct as presented be adopted.
2. That a copy of the policies be loaded into the Councillor Hub.

**ATTACHMENTS:** Policy 131 – Credit Card Policy and Policy 146 – Code of Conduct

Reviewed and Approved by Chief Executive Officer

Ms Lynn Moore



# BOULIA SHIRE COUNCIL

## Council Credit Card Policy

|                          |   |
|--------------------------|---|
| Category:                | POLICY<br>(incorporating policy provisions, procedures and acceptance – Annexure 'A')   |
| Policy Number:           | 131   |
| Document Version:        | 2, 20/2/2018  |
| Obsolete Version:        | 1 Jan 2015, 2018/2.15   |
| Keyword Classification:  | Credit Card   |
| Summary:                 | Corporate credit cards can deliver significant administrative benefits to the organisation and are regarded as a normal business operation and preferable to using cash for purchasing where Council orders are not accepted or for one off supplies. |
| Adoption Date:           |   |
| Resolution:              |   |
| Due for Revision:        | Every three years or as impacted by legislation   |
| Revision date:           | 22 <sup>nd</sup> January 2024   |
| Date revoked:            | n/a   |
| Related documents:       | <b>Policy 133 Fraud and Corruption</b> Control Policy   |
| Responsible Directorate: | Executive   |
| Responsible Officer:     | <b>Director of Corporate Services</b>   |
| Legislation:             | Local Government Act 2009   |

## **PURPOSE:**

Corporate credit cards can deliver significant administrative benefits to the organisation and are regarded as a normal business operation and preferable to using cash for purchasing where Council orders are not accepted or for one off supplies.

The role of the **Director of Corporate Services** is to ensure that Council has in place proper accounting and reporting mechanisms for the use of Council issued credit cards.

## **POLICY PROVISIONS:**

A credit card shall only be issued by Council where there is a clear business case to support the use of the credit card in specified circumstances.

A business case to support the issue of a Council credit card shall be made in writing to the Chief Executive Officer who may approve or not approve this at his or her discretion.

The limit to be assigned shall be determined by the Chief Executive Officer at the time of the approval being given and will vary dependent upon business needs in each case.

Upon approval by the Chief Executive Officer an application form issued by the relevant financial institution shall be completed and forwarded to the **Director of Corporate Services** for advice to the Bank.

Council issued credit cards shall not be used to obtain cash advances.

Council issued credit cards may only be used for Council purposes. These purposes relate to business related transactions only. Council issued credit cards shall not be used for personal purchases. A tax invoice must be obtained for all business related transactions.

The Finance division shall undertake monthly reconciliations and reviews of credit card purchases.

## **RESPONSIBILITIES:**

These responsibilities should be read in conjunction with the policy provisions detailed above.

1. Holders of Council issued credit cards shall ensure a tax invoice is obtained for all transactions. This tax invoice must clearly state the goods and services obtained.
2. Council's finance **team** shall provide a copy of credit card statements to the relevant cardholder on a monthly basis.
3. Holders of Council issued credit cards shall retain relevant tax invoices to be matched and reconciled against the monthly statement and returned to the Finance Officer, for authorisation, within five working days of being issued with the credit card statement.
4. Council's Finance Officer shall undertake a monthly review and reconciliation of all credit card accounts. Any anomaly in these shall be notified to the Chief Executive Officer in writing immediately upon he or she becoming aware of such anomaly.

5. In the event of a Council issued credit card being lost or stolen the cardholder shall immediately notify the bank and the Chief Executive Officer.
6. The Finance Manager shall maintain a list of credit card holders and credit card limits, which shall be reviewed on an annual basis.
6. Credit card holders shall return the Council issued credit card and relevant tax invoices to the Chief Executive Officer immediately upon cessation of employment or relevant position with Council.
7. Council issued credit cards will not be issued to include memberships of private reward schemes.
8. Individuals who have personal membership of private reward schemes and who travel on Council business may use those membership benefits via their card.
9. If a credit card holder fails to comply with the requirements of this policy then the credit card may be withdrawn and further disciplinary action may follow.
10. Employees issued with a Council credit card shall sign a copy of this policy as acknowledgement of their agreement with this policy.





# BOULIA SHIRE COUNCIL

## CODE OF CONDUCT

|                         |   |
|-------------------------|---|
| Category:               | Policy  |
| Policy Number:          | 146   |
| Document Version:       | 1   |
| Obsolete Version:       | Human Resources – Code of Conduct, 2018/2.18  |
| Keyword Classification: | Code of Conduct   |
| Summary:                | To give guidance on behaviour   |
| Adoption Date:          |   |
| Resolution:             |   |
| Due for Revision:       | Three years as impacted by legislation or as required   |
| Revision date:          | 22 <sup>nd</sup> January 2024   |
| Date revoked:           | n/a   |
| Related documents:      | Code of conduct – handout<br>104 - Gift Policy<br>113 - Uniform Policy<br>114 - Drug and Alcohol Policy<br>116 - Workplace Health, Safety, Environment and Quality<br>121 - Confidentiality (Use of Information) Procedure Policy<br>122 - Councillor Interaction Policy (Acceptable Request Guidelines)<br>132 - Study Policy<br>133 - Fraud and Corruption Control Policy<br>139 - Related Party Disclosure Policy<br>141 - Conflict of Interest Policy<br>149 - Equal Employment Opportunity Policy (includes Workplace discrimination and harassment) |
| Responsible Section:    | Executive Office  |
| Responsible Officer:    | Director of Corporate Services  |
| Legislation:            | Local Government Act 2009<br>Public Sector Ethics Act 1994<br>Work Health and Safety Act 2011<br>Information Privacy Act 2009<br>Qld Transport Regulations<br>Australian Standards AS/NZS 4308:2008, AS/NZS 4760:2019<br>Copyright Act 1968   |

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## INTRODUCTION

### The Objective

A Code of Conduct is a set of standards and behaviours related to the way we do our work. It puts a responsibility on each of us to use sound judgement while at work.

It aims to deliver best practice by ensuring those standards are clear and guided by sound ethics. By consistently applying these standards, we enhance public trust and confidence in each of us. Nothing in this Code interferes with your rights as a private citizen or a ratepayer.

The Code does not cover every situation. However, the values, ethics, standards and behaviours it outlines are a reference point to help make decisions in situations it does not cover. If you act in good faith and in keeping with the spirit of the Code, you can expect to be supported by your colleagues, Supervisors, Managers and by Council.

A guide for ethical decision making is included at Appendix B to help you in situations not covered by the Code.

### How this Code works

Council is required to adopt a Code of Conduct to meet the requirements of the *Public Sector Ethics Act 1994*. The Code seeks to fulfil Council's obligations under that Act. This Code of Conduct also seeks to set a standard of ethical behaviour which Council believes is appropriate for Council employees. In that regard, this Code of Conduct reflects the desire of Council to highlight the need for employees to act with honesty, integrity, diligence and to exercise a high degree of care in their actions.

This Code of Conduct seeks to set standards which the public has a right to expect as the minimum standards which should apply to all employees of Council. In meeting these standards, Council staff will act in a manner which should naturally lead to public confidence in the system of local government.

Under the *Public Sector Ethics Act 1994*, all employees of Council are bound by this Code of Conduct. This requirement is compulsory. This code may also be applicable to contractors and consultants if specified in their agreements with Council. In adopting the Code as policy, Council has recognised the importance of the Code in ensuring the successful operation of Council.

The *Public Sector Ethics Act 1994* defines four principles, each of which is strengthened by a set of values describing the behaviour that will demonstrate that principle. The principles and associated values are equally important.

The standards of conduct, contained in the Code under each set of principles and values, aim to assist Council employees understand how these principles and values can be put into practice. The standards are not intended to cover every possible scenario, therefore in adhering to the Code, Council is committed to upholding the intention and spirit of the principles and values.

## Obligations of Council Employees

As an employee of Boulia Shire Council, you are obliged to ensure that you, and people under your supervision, are aware of, maintain knowledge of and comply with Acts, Regulations, local laws, policies, delegations and procedures applicable to your role. Further, you will comply with relevant awards, certified agreements, Council policies, procedures and organisational values.

Any lawful instruction given by your Supervisor, Manager or any other person who has the authority to direct you, must be obeyed. If you believe that a direction is improper or illegal you should tell the person giving the direction. If you are asked to do something illegal it may qualify as official misconduct and must be reported to the Chief Executive Officer.

You may have a personal objection to an instruction which you are given. If you believe you are unable to comply with a lawful instruction because of a belief, it is best to consult your Supervisor or Manager. A requirement that you act against your beliefs could be seen as discrimination. All employees have a duty of care to follow safe work practices, to avoid actions which may harm themselves or others and to report hazards in the work environment.

In addition, Managers and Supervisors are responsible, within the limits of their authority, for ensuring that activities within their area are undertaken with the exercise of proper diligence for the health and safety of all staff. Breaches of the *Workplace Health and Safety Act 2011* or Council policies and procedures may require disciplinary action pursuant to *Local Government Act 2009*. Disciplinary action against an employee of the Council may be in the form of a written reprimand, a deduction from salary or wages, a demotion or dismissal.

## The Four Principles of the *Public Sector Ethics Act 1994* and Standards of Conduct

The *Public Sector Ethics Act 1994* identifies four ethics principles fundamental to good public administration that guides our behaviour as Public Officials and forms the basis for a local government Code of Conduct. The four (4) principles are:

### 1. Integrity and impartiality

In recognition that public office involves a public trust, public service agencies, public sector entities and Public Officials seek to promote public confidence in the integrity of the public sector and -

- 1.1 are committed to the highest ethical standards; and
- 1.2 accept and value their duty to provide advice which is objective, independent, apolitical and impartial; and
- 1.3 show respect towards all persons, including employees clients and the general public; and
- 1.4 acknowledge the primacy of the public interest and undertake that any conflict of interest issue will be resolved or appropriately managed in favour of the public interest; and
- 1.5 are committed to honest, fair and respectful engagement with the community.

### 2. Promoting the public good

In recognition that the public sector is the mechanism through which the elected representatives deliver programs and services for the benefit of the people of Queensland, public service agencies, public sector entities and Public Officials -

- 2.1 accept and value their duty to be responsive to both the requirements of government and to the public interest; and
- 2.2 accept and value their duty to engage the community in developing and effecting official public sector priorities, policies and decisions; and
- 2.3 accept and value their duty to manage public resources effectively, efficiently and economically; and
- 2.4 value and seek to achieve excellence in service delivery; and
- 2.5 value and seek to achieve enhanced integration of services to better service clients.

### 3. Commitment to the system of government

In recognition that the public sector has a duty to uphold the system of government and the laws of the State, Commonwealth and local government, public service agencies, public sector entities and Public Officials -

- 3.1 accept and value their duty to uphold the system of government and the laws of the State, the Commonwealth and local government; and
- 3.2 are committed to effecting official public sector priorities, policies and decisions professionally and impartially; and
- 3.3 accept and value the duty to operate within the framework of Ministerial responsibility to government, the Parliament and the community.

### 4. Accountability and transparency

In recognition that public trust in public office requires high standard of public administration, public service agencies, public sector entities and Public Officials –

- 4.1 are committed to exercising proper diligence, care and attention; and
- 4.2 are committed to using public resources in an effective and accountable way; and
- 4.3 are committed to managing information as openly as practicable within the legal framework; and
- 4.4 value and seek to achieve high standards of public administration; and
- 4.5 value and seek to innovate and continuously improve performance; and
- 4.6 value and seek to operate within a framework of mutual obligation and shared responsibility between public services agencies, public sector entities and Public Officials.

## 1. INTEGRITY AND IMPARTIALITY - Doing the right thing

### a. Commit to the highest ethical standards

As local government employees we are required to ensure that our conduct meets the highest ethical standards when fulfilling our responsibilities. This means that any advice we provide is objective and impartial and that our decision-making is ethical. We will engage with the community in a consultative, honest, fair and respectful manner. We will meet our obligations to report suspected wrongdoing, including conduct not consistent with this Code.

### b. Manage conflicts of interest

A conflict of interest involves a conflict between our duty as Council employees to serve the public interest and our personal interests. The conflict may arise from a range of factors including our personal relationships, employment outside Council, membership of special interest groups, or ownership of property. As local government employees we may also experience conflicts of interest between our local government ethics and our personal beliefs or opinions.

Having a conflict of interest is not unusual and it is not wrongdoing in itself. However failing to disclose and manage the conflict appropriately is likely to be wrongdoing. Council employees must demonstrate impartiality and integrity in fulfilling their responsibilities and as such will:

- always disclose a personal interest (to their Supervisor) that could, now or in the future, be seen as influencing the performance of our duties;
- not improperly use official powers or position, or allow them to be improperly used;
- ensure that any conflict of interest is resolved in the public interest.

### c. Influences on decision making

You must not influence any person in an improper way with the aim to obtain personal advantage or favours.

All decisions need to be, and be seen to be, fair and transparent. This can be achieved in a number of ways, including clear record-keeping and showing how decisions were made.

### d. Accepting Gifts and Benefits

Employees must not encourage, seek or ask for any gift or benefit. All gifts shall be dealt with in accordance with the Council's Gifts Policy. All gifts, if accepted, shall be recorded in the Council's Gift Register.

A gift or benefit could be seen as a bribe.

You should immediately report any gift or benefit you are offered or receive regardless of whether or not you accept it to your Manager or Supervisor, Director or Chief Executive Officer.

#### e. Contribute to public discussion in an appropriate manner

Commenting on Council policy is a matter for the Mayor, management and authorised staff. Unless prior authorisation has been given, employees will not comment to the media on Council policy.

Like any other resident, we have the right to contribute to public discussions on community and social issues in a private capacity. In doing so, we will:

- take reasonable steps to ensure that any comment we make will be understood as representing our personal views, not those of the Council;
- maintain the confidentiality of information we have access to due to our roles, that is not publicly available; and
- be aware that personal comments about a public issue may compromise our capacity to perform the duties of our role in an independent, unbiased manner.

#### f. Manage participation in external organisations

Our work as a local government employee does not remove our right to be active privately in a political party, professional organisation or trade union.

In these instances we are aware that participating in activities in the public arena, where we may be identified as a local government employee, can give rise to a perception of conflict of interest. Where this situation arises, we will declare and manage our activities in accordance with relevant Council policies.

If elected as workplace representatives or officials of a trade union or professional association, we are not required to seek permission from our workplace before speaking publicly in that capacity and we will make it clear that our comments are made only on behalf of that organisation. In all instances, we will comply with the appropriate laws of privacy, confidentiality and information management.

#### g. Demonstrate a high standard of workplace behaviour and personal conduct

As Council employees we have a responsibility to always conduct and present ourselves in a professional manner and to demonstrate respect for all people. To this end we will:

- treat fellow workers, customers, Councillors and members of the public in an honest, respectful and courteous manner, while recognising that they have the right to hold views which may differ from our own;
- ensure our conduct reflects our commitment to a workplace that is inclusive and free from harassment or favouritism;
- ensure our fitness for duty, and the safety, health and welfare of ourselves and others in the workplace, whether fellow workers or customers;
- ensure our private conduct maintains the integrity of the Council and our ability to perform our duties.

#### h. After Employment with Council ceases

If and when you take up work in the private sector after leaving the employment of Council, you are obliged to respect the confidentiality of non-public Council information that has come into your possession on account of your Council position.

## i. Non-discriminatory workplace

Council is an equal opportunity employer and as such is proactive in ensuring that its practices do not discriminate based on an attribute, or based on a person's association with another person who maintains an attribute relating to:-

- race/ethnicity;
- gender;
- national origin;
- marital status;
- sexual preference;
- age;
- disability/impairment,
- industrial/employment activity;
- physical features;
- pregnancy;
- family responsibilities;
- religious beliefs;
- political conviction.

As an employee of Council you have a shared responsibility to ensure that discrimination is not part of our workplace or our practices in dealing with ratepayers and the public generally. If you witness discriminatory behaviour you have a positive obligation to report such actions to your Supervisor/Manager or if such action involves them, another senior officer.

## j. Sexual and other forms of Workplace Harassment

Council is also committed to the prevention of any form of sexual harassment, victimisation or other forms of bullying in the workplace, or at any place where work related activities are performed, including at social functions.

As an employee of Council it is expected that you proactively contribute to building a workplace that is free from sexual harassment, victimisation and bullying. You have a joint responsibility to respect the rights of fellow employees, by not taking part in any action that may constitute harassment of any form, and in doing so supporting and promoting the achievement of equal employment opportunity.

## 2. PROMOTING THE PUBLIC GOOD - Doing the best we can for our community

### a. Commit to excellence in service delivery

As a Council employee it is expected that you will strive to provide excellent customer service. You must treat members of the public equitably and with honesty, fairness, sensitivity and dignity.

Council's image can be impacted by the presentation of staff. Council requires its office based employees to appear neat and tidy and maintain a professional business standard of dress. If you are unsure about what constitutes appropriate dress please discuss this with your manager.

Council is entrusted with public funds to develop and deliver services to the community. We have a responsibility to:

- deliver services fairly, courteously, effectively, ensuring we use resources efficiently and economically;
- assist all members of the community, such as people with disabilities, those who speak languages other than English, and those who may find it difficult to access government services; and
- treat complaints from clients and the community seriously and respond to constructive feedback as an opportunity for improvement.

### b. Ensure appropriate community engagement

Community participation is crucial to the development of quality government planning and decision making processes. We have a responsibility, where appropriate and in accordance with our official duties, to:

- listen and respond to issues and concerns raised by individuals or communities;
- consult with the public to assist in the development of public policy; and
- assist in raising community awareness about public issues and policies.

### c. Work as an integrated service

In order to deliver excellence in customer service, we will work together to address complex issues and provide integrated services to the community. We have a responsibility to:

- share information across Council departments to enhance the seamless delivery of services;
- share assets, resources and infrastructure to generate economies and efficiencies within Council;
- work with the community to collectively plan and deliver relevant programs and services within the region; and
- work cohesively with all tiers of government in order to provide integrated services.

#### d. Intellectual property

Council expects its employees to ensure that their actions do not breach or infringe the *Copyright Act 1968*, by unlawfully using the intellectual property of any individual or organisation.

You must respect the copyrights, trademarks and patents of suppliers and other organisations outside Council and which includes that you do not reproduce or quote suppliers' material unless your license specifically allows it.

Any original work, invention or product you have contributed to in association with your official duties as a Council employee remains the property of Council.

#### e. Concern for the environment

We all share the responsibility to protect our natural environment, creating healthy surroundings for our community, and for managing the impacts of air, water, land and noise pollution.

In performing your duties at Council, you must ensure that you comply with your general environmental duty and where applicable, your duty to notify of environmental harm.

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### 3. COMMITMENT TO THE SYSTEM OF GOVERNMENT - Respecting the law

#### a. Commit to our roles in local government

As an employee of Council, you are expected to comply with applicable legislation, awards, certified agreements, Council policies and local laws.

Our role is to undertake our duties, and to give effect to Council policies. We will:

- accept that the elected Council has the right to determine policy and priorities;
- be responsive to the government of the day and implement decisions and policies professionally and impartially;
- comply with the laws of State, Australian and local governments.

You have the right to comment on or raise concerns with your Supervisor or Manager about Council policies, or priorities where they impact on your employment.

#### b. Ensure proper communication with Mayor and Councillors

We have the right to communicate directly with the Mayor and/or Councillors outside of working hours, on any issues affecting us as a private citizen. In communicating with the Mayor or Councillors as private citizens, we will maintain the confidentiality of information we have access to in our roles with Council.

We are not to approach the Mayor or Councillors on any Council operational matters.

Under the provisions of the *Local Government Act 2009*, the CEO has determined arrangements for Councillors contact with staff on work related matters. Ensure that you are aware of this policy and if necessary direct Councillors to your Supervisor if the request is outside of the policy provisions. These guidelines are available on Council's Intranet or may be requested from Human Resources.

At no time is the Mayor and/or Councillors to direct an employee as to how the employee should carry out his/her work duties.

#### c. Privacy

Council maintains information about individuals, businesses and commercial issues which is private and sensitive and which could be harmful to a person's interest if released. Employees should only access personal information and records they require to perform their official Council duties.

Employees must ensure that the collection, storage and use of personal information is done so in accordance with the Privacy Principles outlined pursuant to the *Information Privacy Act 2009*.

#### 4. ACCOUNTABILITY AND TRANSPARENCY - Looking after what belongs to our community

##### a. Using Council Assets

Council's assets include property, plant, equipment, information systems, computing resources, goods, products and/or valuables. All employees share the responsibility for looking after them.

If you are in charge of assets you must take good care of them while they are in your possession or use, and ensure they are used economically and efficiently. It is an offence to misuse or allow anyone else to misuse Council assets. You must make sure assets are secured against theft and properly stored, maintained and repaired.

You must ensure that you use Council assets only for official Council business, unless written approval has been granted by your Manager.

If you use Council vehicles or a Council issued mobile telephone for non-official purpose, you must ensure that your use is in accordance with Council policy.

Upon your employment terminating with Council, you must return all Council property and work related documents immediately.

##### b. Diligence, care and attention

Council aims to conduct its business with integrity, honesty and fairness and to achieve the highest standards in service delivery. You contribute to this aim by carrying out your duties honestly, responsibly, in a conscientious manner and to the best of your ability. This includes:-

- maintaining punctuality and not being absent from your work station/location during work time without reason;
- giving priority to official duties over personal activities during work time;
- helping Council achieve its mission and goals by acting to improve systems and practices;
- conducting yourself in a way so others gain confidence and trust in the way Council does business;
- not allowing your conduct to distract or prevent others from working;
- not exposing Council to a judgment for damages against it, as a result of your negligence or breach of any law or policy.

##### c. Attendance at and absence from duty

You are expected to follow Council employment and working arrangements, agreements and rulings on attendance at work and leave. This includes not being absent without approval and accurately and truthfully recording work and leave periods.

Absence without approval and without reasonable excuse can create concerns for your safety and lead to unproductive time for others. All employees have an obligation to ensure that they promptly notify Council as soon as practicably possible upon becoming aware that they are going to be absent from work. Failure to promptly notify Council may result in the non-payment of salary/wages for the period of absence and/or may result in Council taking disciplinary action.

#### d. Self development

All Local Government employees have an obligation to be proactive in the continual improvement of all aspects of their work performance. You have a continuing responsibility to maintain and enhance your skills and expertise and keep up to date the knowledge associated with your area of work.

Council will assist you by providing equitable access to training and development opportunities (e.g. accessing the study assistance program, learning new work duties, participating in project work or undertaking internal or external training).

#### e. Workplace health and safety

As Council employees we are all committed to zero harm in the way we conduct our business and Council activities.

Council will endeavour to ensure that persons are free from:-

- death, injury or illness caused by the workplace, relevant workplace area, work activities, or plant or substances for use at work; and
- the risk of death, injury or illness caused by the workplace, relevant workplace area, work activities, or plant or substances for use at work.

You must take reasonable steps to ensure your own safety, health and welfare in the workplace. You also have duty of care to both fellow employees and members of the public. As a worker you have the following obligation at the workplace:-

- to comply with the instructions given for workplace health and safety at the workplace by Council;
- to use personal protective equipment provided by Council for your use;
- not to wilfully or recklessly interfere with or misuse anything provided for workplace health and safety at the workplace;
- not to wilfully place at risk the workplace health and safety of any person at the workplace.

We must keep our workplace drug and alcohol free if we are to maintain the trust and confidence of the broader public, and ensure the health and safety of all employees. The use of drugs or alcohol can adversely affect productivity, attendance and on the job safety.

You must not:-

- use, possess or be impaired by the effects of illegal drugs whilst on duty;
- come to work impaired by the effects of alcohol or drugs;
- consume alcohol while on duty or in the workplace other than strictly in accordance with Council Policy;
- gamble or bet on Council premises (except for authorised sweeps and tipping competitions);
- undermine Council's service to customers by leaving your work station/location in order to smoke. Smoking is only permissible during meal breaks;
- smoke anywhere within Council's buildings, in Council vehicles, in any enclosed spaces whilst on site or within 5 metres of any part of an entrance to an enclosed place.

## 5. Breaches of the Code

Council expects all employees whilst engaged in official duties, to ensure they demonstrate the basic standards of acceptable conduct as enshrined in this Code. All employees have the responsibility to comply with this Code of Conduct and all other policies which Council implements and or varies from time to time.

A breach of the Code of Conduct damages business effectiveness, public perception of Council and interpersonal work relationships. Any act or lack of action by an employee of Council that contravenes this Code may result in Council taking disciplinary action against that employee, and which may include dismissal. All suspected breaches will be dealt with on a case by case basis.

Suspected Official Misconduct must be referred to Council's Chief Executive Officer, and the Chief Executive Officer has a duty to notify the ~~Crime and Misconduct Commission~~ **Crime and Corruption Commission** of the suspected Official Misconduct.

In cases where a suspected breach of this Code is under investigation, and if the Chief Executive Officer deems it appropriate, any employee suspected of a breach of this Code may be suspended from duty on full pay until such time as the investigation has been completed.

All disciplinary action taken by Council against an employee for found breaches of this Code will be in accordance with Council's Disciplinary Procedures.

## APPENDIX A - DEFINITIONS OF TERMS

The terms below have the following meanings for the purposes of this Code. Where appropriate, meanings have been adopted from relevant legislation.

"advice" includes access to, copies or, files, records, documents, data and other forms of information, and opinions or recommendations.

"benefit" means something that is similar to a Gift in that it is of value.

"Conflict of interest" means a conflict between a Council employee's work responsibilities and their personal or private interests. A conflict of interest can arise from either gaining a personal advantage or avoiding a personal loss. Conflicts of Interest can be real (actual) or perceived (apparent).

"fraud" includes the broad range of deceitful acts that people may perform to benefit themselves or some other person at the expense of others. Fraud can be committed by employees (internal fraud) or by people outside Council (external fraud).

"gift" means an item of value – money, voucher, entertainment, hospitality, travel, commodity, property – that one person gives to another. Gifts may be offered as an expression of gratitude with no obligation to repay, or given to create a feeling of obligation.

"impaired by the effects of alcohol or drugs" means:-

- For employees operating/driving heavy vehicles and buses, a blood alcohol content greater than 0.00% (consistent with Qld Transport Regulations).
- For employees driving light vehicles or operating mechanical tools or equipment, a blood alcohol content greater than ~~0.05%~~ **0.00%** (consistent with Qld Transport Regulations).
- For all employees – a positive drug test result in excess of the cut off levels specified in Australian Standard ~~AS4308~~ **AS/NZS 4308:2008 and AS/NZS 4760:2019**; and/or physical or mental condition and/or behaviour which limits the employee's ability to undertake work in a safe and effective manner.

"intellectual property" means an invention, original work, the results of scientific research or a product development, which can be protected.

## APPENDIX B - A GUIDE TO ETHICAL DECISION MAKING

The following guide is designed to help you reach an ethical decision based on the relevant facts and circumstances of a situation.

### Assessing the Situation:

- What is your aim?
- What are the facts and circumstances?
- Does it break the law or go against Council policy?
- Is it in line with the Code's principles?
- What principles does it relate to? Why?
- Who is affected? What rights do they have?
- What are your obligations or responsibilities?

### Council Point of View

- As a Public Official, what should you do?
- What are the relevant laws, rules and guidelines?
- Who else should you consult?

### How would others see your actions?

- Would a reasonable person think you used your powers or position improperly?
- Would the public see your action or decision as honest and impartial?
- Do you face a Conflict of Interest?
- Will your decision or action stand up to public scrutiny?

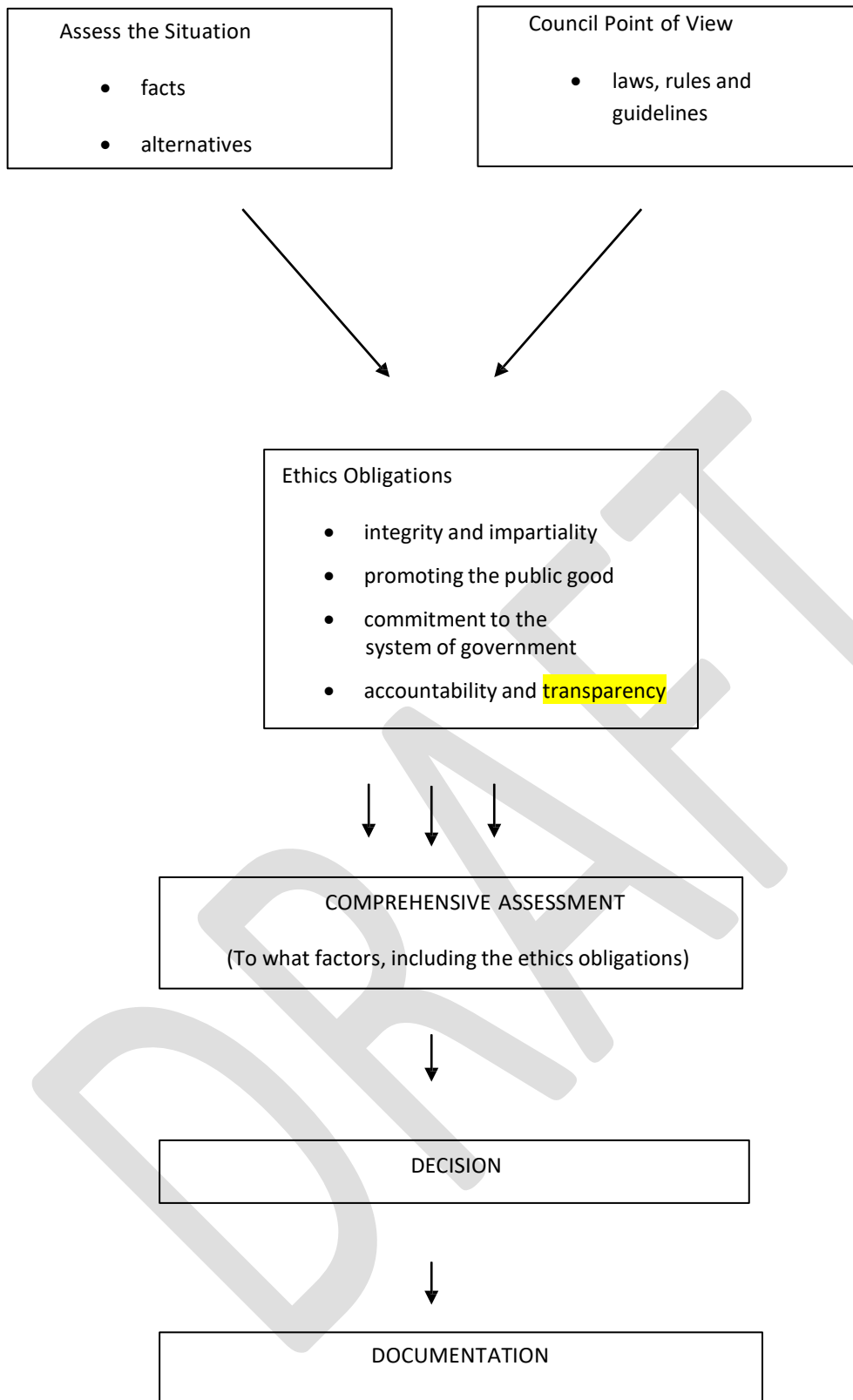
### Consider the Options

- Ask your Supervisor/Manager, or any person who is able to give sound, relevant advice.
- What options and consequences are consistent with Council's values, the four ethics principles fundamental to good public administration and your obligations?
- What are the costs and long-term consequences of each option?
- How would the public view each option?
- What will be the outcome for Council, your colleagues, others and you?

### Choose your course of action

Make sure your actions are:

- within your power to take, legal and in line with policy and this Code;
- fair and able to be justified to your Manager and the public;
- documented so a statement of reasons can be supplied;
- consistent with Council's mission, goals and values.





# BOULIA SHIRE COUNCIL

## DEBT POLICY

|                                |  |
|--------------------------------|--|
| <b>Category:</b>               | STATUTORY FINANCE POLICY   |
| <b>Policy Number:</b>          | 107  |
| <b>Document Version:</b>       | Version 1  |
| <b>Obsolete Version:</b>       | 2014-2015/1, 2015-16/1, 2018/11.21   |
| <b>Keyword Classification:</b> | Finance Debt Borrowing   |
| <b>Summary:</b>                | Details of Council's current and proposed borrowings:-<br>to provide Council with a debt management strategy<br>based on sound financial management guidelines |
| <b>Adoption Date:</b>          |  |
| <b>Resolution:</b>             |  |
| <b>Due for Revision:</b>       | Annually   |
| <b>Revision date:</b>          | 18/01/2021   |
| <b>Date revoked:</b>           | n/a  |
| <b>Related documents:</b>      | Nil  |
| <b>Responsible Section:</b>    | Finance  |
| <b>Responsible Officer:</b>    | Director of Corporate Services   |
| <b>Legislation</b>             | Local Government Act 2009 s104 (5) (c) ii,<br>Local Government Regulation 2012, s192   |

## **OBJECTIVE**

Local Government Regulation 2012, Section 192 requires the local government to prepare and adopt a debt policy each financial year.

The Policy must include the following elements:-

- (a) new borrowings planned for the current financial year and the next nine financial years; and
- (b) the time over which it is planned to repay existing and proposed borrowings.

## **SCOPE**

This Policy applies to all of Council's borrowings. It does not apply to leasing or hire purchase arrangements except insofar as such arrangements are required to be considered as borrowings by relevant legislation and Financial Accounting Standards.

## **BACKGROUND AND CONSIDERATIONS**

Bouliia Shire Council recognises the desirability of establishing contingency funds sufficient to fund future developments, particularly for water and sewerage, and to use these funds when appropriate to avoid external borrowings for relatively minor acquisitions and developments. Council may, however, determine to borrow funds not just on the basis of immediate need, but for strategic reasons and/or because it is economically advantageous to do so.

The level of debt in individual programs and in total for the Shire is a matter for Council to decide from time to time but due recognition will be given to:-

- (a) the type and extent of benefits to be obtained from the borrowing including the length of time the benefits will be received
- (b) the beneficiaries of the acquisition or development
- (c) the impact of interest and redemption payments on both current and forecast rates revenue
- (d) the current and future capacity of the rate base to pay for borrowings and the rate of growth of the rate base
- (e) likely movements in interest rates for variable rate borrowings
- (f) other current and projected sources of funds such as headwork's
- (g) competing demands for funds

It is recognised that, as infrastructure such as water and sewerage are usually funded in advance of community requirements and borrowings are repaid by future users, it is appropriate to utilise debt to fund future infrastructure capacity. The appropriate mix of sources of funds will depend on the factors mentioned above.

Capital expenditure on general community facilities are usually funded from such revenue sources as general rates, special rates, grants, subsidies and borrowings. Borrowings for these developments should be limited to what can be repaid by the existing rate base and, in general, should be over a shorter period so that current users substantially contribute to the debt servicing and redemption.



Debt on existing facilities should not become a burden on future generations who may not receive benefits from these facilities. Again, the appropriate combination of debt and revenue will depend upon the type of development and the Shire's circumstances at the time.

## GENERAL POLICY ON BORROWINGS

Council will only borrow funds for the purpose of acquiring assets, improving facilities or infrastructure and/or substantially extending their useful life.

Council may borrow to meet strategic needs or to take advantage of opportunities for development providing there is a demonstrably good return in economic and/or social terms.

Where borrowings are to be repaid by special rates, the revenue raised and repayments will be matched as far as is practical. Borrowings will be repaid early should revenue exceed scheduled repayments.

Borrowings will only be made in accordance with the adopted budget.

Borrowings will only be from the Queensland Treasury Corporation (QTC) or, if from another organisation, with the approval of the QTC and Department of Local Government and Planning.

Borrowings will normally be for a maximum of ten years. Shorter borrowing periods and earlier repayments will be taken where possible and appropriate. If a longer term is appropriate, and this may be the case for some infrastructure assets such as water and sewerage, the term will not exceed the life of the asset or twenty years whichever is the shorter period.

## SPECIFIC POLICY ON BORROWINGS

### Planned Borrowings

Borrowings planned for the current financial year and the next nine financial years and the purpose of the new borrowings is as follows:-

| Year         | 2020/21 | 2021/22         | 2022/23 | 2023/24 | 2024/25 | 2025/26 | 2026/27 | 2027/28 | 2028/29 | 2029/30 |
|--------------|---------|-----------------|---------|---------|---------|---------|---------|---------|---------|---------|
| Amount \$'00 | 0       | \$1,400         | 0       | 0       | 0       | 0       | 0       | 0       | 0       | 0       |
| Purpose      |         | Regional<br>Hub |         |         |         |         |         |         |         |         |

In our 2020/21 budget, we have not allowed for borrowings.

As part of the March 2021 Budget review, an amendment will be made as per Council's authorisation at January 2021 General Council meeting, that Council will approve an application for a loan for the Regional Community Precinct (Hub) to the value of \$1,400,000.

The table below is the planned repayment schedule for the proposed new borrowings: -

**Regional Community Precinct**

| <b>Financial year</b> | <b>Interest and admin fees</b> | <b>Principal</b> | <b>Debt Service Payment</b> |
|-----------------------|--------------------------------|------------------|-----------------------------|
| 2021/22               | 42,000.00                      | 52,201.99        | 94,201.99                   |
| 2022/23               | 40,433.94                      | 53,768.05        | 94,201.99                   |
| 2023/24               | 38,820.90                      | 55,381.09        | 94,201.99                   |
| 2024/25               | 37,159.47                      | 57,042.52        | 94,201.99                   |
| 2025/26               | 35,448.19                      | 58,753.80        | 94,201.99                   |
| 2026/27               | 33,685.58                      | 60,516.41        | 94,201.99                   |
| 2027/28               | 31,870.08                      | 62,331.91        | 94,201.99                   |
| 2028/29               | 30,000.13                      | 64,201.86        | 94,201.99                   |
| 2029/30               | 28,074.07                      | 66,127.92        | 94,201.99                   |
| 2030/31               | 26,090.23                      | 68,111.76        | 94,201.99                   |
| 2031/32               | 24,046.88                      | 70,155.11        | 94,201.99                   |
| 2032/33               | 21,942.23                      | 72,259.76        | 94,201.99                   |
| 2033/34               | 19,774.43                      | 74,427.56        | 94,201.99                   |
| 2034/35               | 17,541.61                      | 76,660.38        | 94,201.99                   |
| 2035/36               | 15,241.80                      | 78,960.19        | 94,201.99                   |
| 2036/37               | 12,872.99                      | 81,329.00        | 94,201.99                   |
| 2037/38               | 10,433.12                      | 83,768.87        | 94,201.99                   |
| 2038/39               | 7,920.05                       | 86,281.94        | 94,201.99                   |
| 2039/40               | 5,331.60                       | 88,870.39        | 94,201.99                   |
| 2040/41               | 2,665.48                       | 86,183.99        | 88,849.47                   |

An indicative interest rate of 3% was used for the interest calculations in this schedule. Interest Rates are based on the knowledge that was at hand of writing this policy.

Debt Servicing Payments DSP's will be scheduled for quarterly repayments, covering the principal and interest. Term of 20 years will be applicable for the loan, ending 2040/41.

Repayment estimates on current interest rate is approximately \$23,550 per quarter

**Current Borrowings**

Council in April of the 2015/16 Financial year, Council took out a loan for \$1,264,771 for 20 years. The funds were borrowed for the Racecourse Levee, Airport Terminal and Airport Drag Strip.

The table below is the planned repayment schedule for the existing borrowings:-

| <b>Financial year</b> | <b>Interest and admin fees</b> | <b>Principal</b> | <b>Debt Service Payment</b> |
|-----------------------|--------------------------------|------------------|-----------------------------|
| 2020-21               | \$42,709.25                    | \$52,187.79      | \$94,897.04                 |
| 2021-22               | \$40,554.72                    | \$54,342.32      | \$94,897.04                 |
| 2022-23               | \$38,311.24                    | \$56,585.80      | \$94,897.04                 |
| 2023-24               | \$35,975.14                    | \$58,921.90      | \$94,897.04                 |
| 2024-25               | \$33,542.60                    | \$61,354.44      | \$94,897.04                 |
| 2025-26               | \$31,009.64                    | \$63,887.40      | \$94,897.04                 |

|         |             |              |              |
|---------|-------------|--------------|--------------|
| 2026-27 | \$28,372.10 | \$66,524.94  | \$94,897.04  |
| 2027-28 | \$25,625.67 | \$69,271.37  | \$94,897.04  |
| 2028-29 | \$22,765.85 | \$72,131.19  | \$94,897.04  |
| 2029-30 | \$19,787.98 | \$75,109.06  | \$94,897.04  |
| 2030-31 | \$16,687.16 | \$78,209.88  | \$94,897.04  |
| 2031-32 | \$13,458.33 | \$81,438.71  | \$94,897.04  |
| 2032-33 | \$10,096.21 | \$84,800.83  | \$94,897.04  |
| 2033-34 | \$6,595.27  | \$88,301.77  | \$94,897.04  |
| 2034-35 | \$2,949.80  | \$106,737.72 | \$109,687.52 |

This information is indicative only as interest rates are subject to fluctuations. Borrowing rates are expressed as an annual rate payable quarterly and include all fees and charges.

Principal and interest loans have assumed Debt Servicing Payments DSP's are paid on the 15<sup>th</sup> day of the last month of the quarterly repayment period.

Future budgets from 2020-21 to 2033-34 will have to allow for repayments of Interest & Principal of \$94,897.04 per year.

The last year of the loan in 2034-35 will need to allow for an amount of \$109,687.52.

DRAFT

# BOULIA SHIRE COUNCIL

Report for Ordinary Meeting held on 22<sup>nd</sup> January 2021

|               |                                  |   |
|---------------|----------------------------------|---|
| <b>TITLE:</b> | Report on acknowledgement banner | <b>DOC REF:</b><br>Item CSM3<br>Late Report |
|---------------|----------------------------------|---|

|                   |   |                            |
|-------------------|---|----------------------------|
| <b>REPORT BY:</b> | Mrs Julie Woodhouse<br>Community Services Manager | <b>DATE:</b><br>12/01/2021 |
|-------------------|---|----------------------------|

**CORPORATE PLAN REFERENCE:**

Key Priority 1: A strong supportive community environment

1.1: Promotion of community events, services and facilities

1.1.3 Maintain a high quality of life by providing facilities and resources that encourage a secure, interactive and progressive community lifestyle

1.2: Respecting our culture and heritage, past, present and future

1.2.1 To preserve and promote the heritage and diverse cultures of our community

1.2.2 To maintain, preserve, develop and provide access to our region's history

1.2.3 To promote the heritage, arts and cultures of our communities

Key Priority 3: Economic Development – A sustainable local economy

3.4: Promote Boulia Shire and the RAPAD region as a region for tourism and development opportunities

**PURPOSE:**

To propose to Council the idea of putting a traditional owner acknowledgement banner on Council emails.

**CONTENT:**

It was thought that it would be an innovative idea to put an acknowledgement banner on all our emails regarding the traditional owners.

This acknowledgement is already on some Government bodies but not all Councils do it.

This banner will let email recipients from Council know that we respect and acknowledge the traditional owners in our Shire and may serve to prompt other regional Councils to follow suit.

**GOVERNANCE IMPLICATIONS:** Nil


**RECOMMENDATION:**

That the traditional owner acknowledgement banner as presented to Council be accepted for inclusion on all Council emails.

**ATTACHMENTS:** PDF format of acknowledgement banner.

Approved by Chief Executive Officer

Ms Lynn Moore



*We respectfully acknowledge the Traditional Owners and Custodians of the land and waters on which we work and live, paying respect to Elders, past, present and future for they were our first storytellers, holding the hopes, dreams and traditions of culture. Always was and always will be Aboriginal land.*