

1 PURPOSE

To set out the code of conduct for the Chief Executive Officer of the City of Darwin.

2 SCOPE

This policy applies to the Chief Executive Officer (CEO) of the City of Darwin.

3 POLICY STATEMENT

In order to maintain public confidence in the integrity of the Council, the CEO of the Council must exhibit the highest ethical standards in the administration of the affairs of the Council.

3.1 SUPPORT FOR COUNCIL

The CEO must:

- (a) provide full support to Council
- (b) provide accurate, frank and impartial advise to Council
- (c) implement council policies and decisions
- (d) be familiar with and comply with the requirements of the *Local Government Act 2019* (NT) and other legislative, industrial or administrative requirements relevant to the CEO's official responsibilities
- (e) take all reasonable steps to ensure that the information upon which the CEO's decisions or actions are based is factually correct and relevant to the decisions or actions; and
- (f) comply with the council staff code of conduct.

3.2 MANAGEMENT OF COUNCIL STAFF

In relation to the management of council staff, the CEO must ensure that:

- (g) appropriate documented processes and procedures are in place
- (h) selection processes for appointment or promotion are fair, equitable and based on merit
- (i) staff have reasonable access to training and development and opportunities for advancement and promotion
- (j) staff are treated fairly and consistently and are not subject to arbitrary or capricious decisions
- (k) there are suitable processes for dealing with employment-related grievances, and
- (l) working conditions are safe and healthy.



3.3 PROTECTION OF COUNCIL ASSETS AND INFORMATION

The CEO must implement appropriate internal controls to best protect and preserve City of Darwin assets and information. The CEO must not misuse information gained in the CEO's official capacity. Misuse includes, but is not limited to:

- (a) seeking to gain personal advantage for self, or for another person, on the basis of information held on official records
- (b) initiating or spreading gossip or rumours on the basis of personal or other information held on official records, and
- (c) providing a person, or appearing to provide a person, with favourable treatment or access to privileged information.

The CEO must take care to maintain the integrity and security of documents and information.

3.4 USE OF OFFICIAL FACILITIES, EQUIPMENT AND RESOURCES

The CEO must not utilise council equipment, or the skills or working time of council staff members, for personal benefit.

3.5 DISCLOSURE OF OFFENCES AGAINST THE LAW

If the CEO is charged, convicted or acquitted of an offence, the CEO must advise the Council regardless of whether the CEO believes the offence relates directly to the CEO's assigned duties.

3.6 OUTSIDE EMPLOYMENT

Outside employment for the CEO is not allowed, except in exceptional circumstances and approved by the Council in writing.

When considering an application from the CEO to undertake outside employment, the Council will give approval only if the outside employment:

- (a) could not be perceived by a reasonable person to be a conflict of interest, and
- (b) will not interfere with the performance of the CEO's duties.

Any outside employment or voluntary work must be performed wholly in the CEO's private time.

3.7 DECISIONS BASED ON STATUTORY POWER

Where the CEO makes a decision based on a statutory power, the CEO must:

- (a) ensure that the legislation under which the decision is made authorises the making of that decision
- (b) ensure that the CEO has the authority or the delegation to make the decision
- (c) ensure that any procedures which are required by law to be complied with in the making of a decision have been observed, and
- (d) ensure that the decision, the evidence upon which it is based, and the reasons for the decision are properly documented.

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3.1 ANTI-DISCRIMINATION

The CEO must not discriminate in relation to a person unless such action is allowed or required by law and council policy.

4 DEFINITIONS

CEO of council, means the City of Darwin's Chief Executive Officer as appointed under section 165(1) of the *Local Government Act 2019* (NT), who is in charge of day-to-day operations of the City of Darwin.

5 LEGISLATIVE REFERENCES

Local Government Act 2019

6 PROCEDURES AND RELATED DOCUMENTS

Nil

7 RESPONSIBILITY AND APPLICATION

Council is responsible for ensuring the CEO adheres to this policy.

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