

Name	Code of Conduct
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Applicable Legislation	Code of Conduct for Employees Local Government Act 1999 Independent Commissioner Against Corruption Act 2012 Whistle blowers Protection Act Ombudsman's Act 1972

## Purpose

Our Code of Conduct demonstrates our commitment to building a constructive workplace culture that is supportive, takes on challenges, seizes opportunity, builds great relationships and is proud of what we deliver for our community.

The Code is designed to provide guidance to staff of our commitment to Makerspace Adelaide and the community on the behavioural standards which apply as we carry out work.

## Guiding Principles

### Communicate

Keep our customers informed, and make sure they know what's happening and what to expect.

### Know and Care

Know our organisation, know our customers and make sure they know we care about them.

### Be Empowered

Solve problems, facilitate solutions and don't be held back

### Take Ownership

Be accountable for tasks and challenges, and see them through to completion.

### Our Customer Experience

- Focused on people, respectful, engaged, responsive, informal, empathetic. ●
- Focused on delivering outcomes, and delivering on clear expectations. ●
- Transparent, consistent, easy, fair, honest, trusted, authentic.
- Professional, mutually rewarding relationships.



## **Mandatory Code of Conduct**

Schedule 2A of the Local Government (General) Regulations 2013 sets out the provisions of the Code of Conduct in respect to gifts and benefits as follows;

### **1 – Gifts and Benefits**

(1) An employee of Makerspace Adelaide must not seek out or receive a gift or benefit that is, or could reasonably be taken to be, intended or likely to create a sense of obligation on the part of the employee to a person or influence the employee in the performance or discharge of the employee's functions or duties.

(2) If an employee of Makerspace Adelaide receives a gift or benefit of an amount greater than the amount determined by the Minister (from time to time), by notice published in the Gazette, the employee must provide details of the gift or benefit to the chief executive officer of Makerspace Adelaide in accordance with any requirements of the chief executive officer.

All gifts and benefits received by employees are recorded on the gifts and benefits register in accordance with our legislative obligations however only gifts and benefits received greater than the amount determined by the Minister (which is currently set at \$50) will be published on the website.

## **Expectations**

We all have a commitment to serve the best interests of the people within our community and to discharge our duties conscientiously and to the best of our ability.

We will act honestly in every aspect of our work and be open and transparent when making decisions or providing advice to Makerspace Adelaide.

We will perform our official duties in such a manner as to ensure that public confidence and trust in the integrity and impartiality of Makerspace Adelaide is strong.

We will respect the law, and the resolutions made by Makerspace Adelaide.

We will make reasonable endeavours to ensure we have current knowledge of both statutory requirements and best practices relevant to our position.

## **Behaviour**

We will:

- Act honestly in the performance of official duties at all times, as required by Section 109(1) of the Local Government Act 1999.
- Act with reasonable care and diligence in the performance of official duties, as required by Section 109(2) of the Local Government Act 1999.
- Discharge duties in a professional manner.
- Act in a way that generates community trust and confidence in Makerspace Adelaide. • Act in a reasonable, just, respectful and non-discriminatory way when dealing with all people.
- Ensure that personal interests, including financial interests, do not influence or interfere with the performance of their role.



## Employee Responsibilities

- Comply with all relevant Makerspace Adelaide policies, codes and resolutions of which they have been made aware, relevant to their particular role.
- Deal with information received in their capacity as a Makerspace Adelaide employee in a responsible manner.
- Endeavour to provide accurate information to Makerspace Adelaide and to the public at all times.
- Take all reasonable steps to ensure that the information upon which employees make decisions or actions are based is factually correct and that all relevant information has been obtained and is considered.
- Not release or divulge information that Makerspace Adelaide or Chief Executive Officer of Makerspace Adelaide has ordered be kept confidential, or that Makerspace Adelaide employee should reasonably know is information that is confidential, including information that is considered by Makerspace Adelaide or the Chief Executive Officer in confidence, subject to the Ombudsman Act 1972 and the Independent Commissioner Against Corruption Act 2012.
- Not make improper use of information, including confidential information, acquired by virtue of their position.
- Ensure that relationships with external parties do not amount to interference by improper influence, affecting judgement, decisions and/or actions.
- Comply with all lawful and reasonable directions given by a person with authority to give such directions.
- Only make public comment in relation to their duties when specifically authorised to do so, and restrict such comment to factual information and professional advice.

## Relationships within Makerspace Adelaide

- Not make any public criticism of a personal nature of fellow Makerspace Adelaide employees or Makerspace Adelaide members.
- Take reasonable care that their acts or omissions do not adversely affect the health and safety of other persons, as required by the Work Health and Safety Act 2012. • Direct any allegations of breaches of the Code of Conduct for Makerspace Adelaide Members to the Chief Executive or nominated delegate/s.
- Direct any allegations of breaches of the Code of Conduct for Employees to the Chief Executive Officer or nominated delegate/s.

## Use of Makerspace Adelaide Resources

- When using Makerspace Adelaide resources we must do so effectively and prudently when undertaking Makerspace Adelaide work.
- We must not use Makerspace Adelaide resources, including the services of Makerspace Adelaide staff, for private purposes, unless legally or properly authorised to do so, and payments are made where appropriate.
- Makerspace Adelaide employees must not use public funds or resources in a manner that is irregular or unauthorised.

## Register of Interests

- An employee of Makerspace Adelaide must adhere to the statutory requirements to lodge a primary return and submit an ordinary return in accordance with Sections 113, 114 and 115 of the Local Government Act 1999 if they have been declared by Makerspace Adelaide to be subject to these provisions.

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## Complaints

- Any person may make a complaint about an Makerspace Adelaide employee under this Code of Conduct.
- Complaints about an employee's behaviour that is alleged to have breached this Code should be brought to the attention of the Chief Executive Officer of Makerspace Adelaide, or a delegated person.
- Complaints about a Chief Executive Officer's behaviour that is alleged to have breached the Code should be brought to the attention of Makerspace Adelaide's Principal Member. • A complaint may be investigated and resolved according to the disciplinary processes of Makerspace Adelaide.
- In considering the lodgement of a complaint against a Makerspace Adelaide employee for a breach of the Code, Public Officers should be mindful of the obligations outlined in the Independent Commissioner Against Corruption-Directions and Guidelines.
- Nothing in this code in any way derogates from the rights of an employee or duties of an employer under the Fair Work Act 1994, other legislation, an award, an industrial agreement or contract of employment.

## APPENDIX - CRIMINAL MATTERS

The matters within this appendix are matters for which a criminal penalty attaches. As separate legislation operates to cover such conduct, this part does not form part of the Code of Conduct.

Allegations of conduct breaching these matters will be investigated in accordance with the legislation governing that conduct and they are included within this document only in order to provide a complete overview of the standards of conduct and behaviour expected of our employees.

Alleged breaches of matters outlined in this appendix should be reported to the Office for Public Integrity in the first instance.

## Breaches of the Local Government Act 1999

### Provision of false information

An Makerspace Adelaide employee who submits a return under Chapter 7 Part 4 Division 2 (Register of Interests) and that is to the knowledge of the employee false or misleading in a

material particular (whether by reason of information included in or omitted from the return) is guilty of an offence (Section 117).

### **Restrictions on disclosure**

An Makerspace Adelaide employee must not disclose to any other person any information furnished pursuant to Chapter 7 Part 4 Division 2 (Register of Interests) unless the disclosure is necessary for the purposes of the preparation or use of the Register by the Chief Executive Officer or is made at a meeting of Makerspace Adelaide, an Makerspace Adelaide committee or a subsidiary of Makerspace Adelaide (Section 119(1)).

### **Conflict of Interest**

The Chief Executive Officer of Makerspace Adelaide who has an interest in a matter in relation to which he or she is required or authorised to act in the course of official duties must disclose the interest to Makerspace Adelaide and must not, unless Makerspace Adelaide otherwise determines during an Makerspace Adelaide meeting that is open to the public, act in relation to the matter (Section 120(1)).

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An employee of Makerspace Adelaide (other than the Chief Executive Officer) who has an interest in a matter in relation to which he or she is required or authorised to act in the course of official duties must disclose the interest to the Chief Executive Officer and must not, unless the Chief Executive Officer otherwise determines, act in relation to the matter (Section 120(2)). If an employee is entitled to act in relation to a matter and the employee is providing advice or making recommendations to Makerspace Adelaide or an Makerspace Adelaide committee on the matter, the employee must also disclose the relevant interest to Makerspace Adelaide or Makerspace Adelaide committee (Section 120(4)).

### **Breaches of other Acts**

Acting in his or her capacity as a public officer, an Makerspace Adelaide employee shall not engage in conduct, whether within, or outside the state, that constitutes corruption in public administration as defined by Section 5 of the Independent Commissioner Against Corruption Act 2012, including:

An offence against Part 7 Division 4 (Offences relating to public officers) of the Criminal Law Consolidation Act 1935, which includes the following offences:

- bribery or corruption of public officers;
- threats or reprisals against public officers;
- abuse of public office;
- demanding or requiring benefit on basis of public office; and
- offences relating to appointment to public office.

Any other offence, including an offence against Part 5 (Offences of dishonesty) of the Criminal Law Consolidation Act 1935, committed by a public officer while acting in his or her capacity as a public officer, or by a former public officer and related to his or her former capacity as a public officer, or by a person before becoming a public officer and related to his or her capacity as a public officer, or to an attempt to commit such an offence.

Any of the following in relation to an offence referred to in a preceding paragraph: • aiding, abetting, counselling or procuring the commission of the offence; • inducing, whether by threats or promises or otherwise, the commission of the offence; • being in any way, directly or indirectly, knowingly concerned in, or party to, the commission of the offence; and

- conspiring with others to effect the commission of the offence.