



Employee Code of Conduct

December 2021



A guide to appropriate behaviour for employees,
volunteers and contractors

Preface

Our Code of Conduct sets out the standards and behaviours that must be demonstrated by the following people appointed by or representing Yarra Ranges Council (Council):

- People employed directly by Council (whether full time, part time, casual or fixed term)
- Volunteers with Council
- Contractors or consultants engaged by Council (including contractors or consultants engaged through an employment agency)
- Work experience students or graduate placements who perform work for Council

Unless stated otherwise, a reference to 'employees', 'you', 'your' or 'we' in this document indicates all of the people listed above.

You must familiarise yourself and act in accordance with this Code. Advice and assistance is always available, so please speak with your manager, supervisor or the People and Culture team if you have any questions about any part of this.

There is a separate Code of Conduct for Councillors.

We respectfully acknowledge the Traditional Owners, the Wurundjeri People as the Custodians of this land. We also pay respects to all Aboriginal Community Elders, past and present, who have resided in the area and have been an integral part of the history of this region.

A Message from the CEO

The Employee Code of Conduct is an important document that sets the standard for the way we contribute and work at Yarra Ranges Council. It supports our philosophy to inspire people to create a better future and our commitment to organisational excellence.

The Code provides practical principles and guidelines to help you make professional decisions in your day to day work, whatever you do and wherever you do it. The Code is supported by a number of more detailed operational frameworks and procedures which are located on the intranet.

No matter what your role, or at which location you are working, your professional conduct impacts positively with your colleagues and customers. It also has a direct effect on how our philosophy of shared vision, ownership, values and leadership come to life.

This Code has been designed to assist you to understand the standards of professional conduct expected and is also a form of protection, as it helps you to determine what you should do when faced with ethical or conduct issues.

Yarra Ranges Council is proud to set and maintain a high standard of ethical behaviour and professional conduct. This foundation reflects our values and supports our desire to create a better future.

Tammi Rose
Chief Executive Officer

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Part 1 Introduction

Our values

We aim to be a high performing organisation with our values of trust, innovation and empowerment at the core of providing great service to our communities. This is evidenced by our YR Ignite Strategy and our YRConnect commitment.

The way in which we go about our work, treat each other and relate to the people across the municipality underpins our ability to achieve this.

Our Code of Conduct reflects our values and outlines how we should behave in a way that supports them.

YR Ignite

YR Ignite is our organisational excellence strategy and details our commitment to delivering a dynamic and flexible organisation that supports our community to thrive.

The guiding principles of YR Ignite are:

- We work with our communities
- We work for our communities
- We respond to our communities

We are continually improving our processes, methods of work and systems as part of our commitment to creating a high performing organisation based on innovation, trust and empowerment.

If you have a good idea about a service, process, or method that may lead to improved performance, you are encouraged to raise it with your manager.

Purpose of The Code

The Code aims to clarify our position with regard to business activities and the minimum standards of professional behaviour that we expect.

The Code will:

- Underpin our decision-making and activities
- Result in effective compliance with relevant laws and policies
- Enhance our integrity and reputation
- Help to define accountability and levels of responsibility
- Help us achieve best practice in corporate governance, and
- Provide guidance to enable you to solve ethical dilemmas you might face at work.

We have a number of policies and procedures that deal with a range of matters mentioned in this Code and they are listed at the end of this document and are also available on the intranet

Operation of Code

All new employees, volunteers and contractors will complete the Code of Conduct e-learning module as a condition of employment. Employees will self-guide through the e-learning module and on completion acknowledge that they have read and agreed to abide by this Code of Conduct.

Relevant Leaders will provide employees who work remotely with access to a computer and an internet connection, along with support to complete the self-guided module. If necessary, Council's People and Culture team can assist with this activity.

Breach of The Code

A breach of this Code may constitute misconduct which will be managed in accordance with Council's Employee

Performance Management Policies and Procedures. Council may decide to take disciplinary action in relation to a breach, up to and including the termination of employment or volunteer engagement. Unlawful actions may lead to criminal charges and/or civil action.

Generally, Council expects that all employees, volunteers and contractors will:

- Comply with the prescribed terms and conditions of employment and engagement, authorised hours of duty and Council's policies and procedures;
- Not absent themselves from duty without specific approval;
- Notify their supervisor at or before their scheduled time of commencement of any inability to attend for duty;
- Display the required skills, care and diligence in the performance of their duties;
- Treat all customers and colleagues with respect and dignity;
- Act with honesty, integrity and accountability in the performance of their duties

- Recognise and respect that customers may choose to live or behave in a way different from the employee;
- Not actively participate in, or spread, gossip; and
- Not denigrate other employees, volunteers, Council or management, including any decision that Council or management has made.

Customer Service

Generally, you are expected to deliver a high level of service to customers at all times and should always speak with all customers courteously and listen to them attentively. The only exception to that rule is where the customer is placing you in an unsafe working environment, whereupon the organisation supports you to de-escalate and disengage from the conversation, and report the incident to your leader. Under no circumstances should you argue with a customer, or meet hostility with hostility.

If you are unable to assist a customer with their request you should refer them to the relevant person for help. You are expected to adhere to Council's policies, processes and values regarding the delivery of customer service.

Branding, Dress and Professional Appearance

Consistent use of Council's brand is essential to ensure the community is aware of the services and facilities Council provides to the community.

Council's logo and branding elements must be applied correctly at all times, whether on a brochure, a sign or uniform.

You should make yourself familiar with Council's brand guidelines, which are available in the intranet, to ensure the logos used correctly on communication materials and uniforms.

Any questions regarding branding should be directed to the Communications Team

With regards to dress, you are required to have a high standard of personal presentation and present to work in clothing which is in good repair, clean and appropriate to your job role. Where a uniform is provided, it must be worn in accordance with Council policy requirements.

Councillor Advice

Councillors will usually raise issues of concern directly with the CEO and Directors but, on occasion, may directly seek information from employees and in such cases you will:

- Treat Councillors with courtesy and respect
- Liaise with your manager in regard to preparing any response
- Provide Councillors with timely, well written and accurate information for decision making
- Ensure that requests and enquires are followed through and Councillors are provided with a timely response, and
- As appropriate, keep Councillors informed on issues relating to their Ward.

A Councillor's role is one of civic leadership, not management or administration. They do not have authority to direct you to carry out particular functions or to change a report or recommendation. You should tell your manager if you consider this has occurred.

Lawful Directions

You should comply with any lawful direction given by your leader. If the direction is unclear or appears contradictory to the Code, you should seek clarification from them in the first instance.

If you require further clarification, you should speak with their manager or the People and Culture team.

Information Privacy and Confidentiality

All employees are expected to comply with the objectives and obligations prescribed in the Privacy and Data Protection Act 2014, and Health Records Act 2001. In practical terms this means you should understand the importance of personal privacy and confidentiality. Personal information requires special treatment and protection, and should only be used for the work related purpose it was intended. Anyone who provides confidential information to Council has the right to expect this information will be treated as confidential. You are expected to act in accordance with legislative requirements and Council policies at all times when dealing with personal and confidential information. In particular, you are expected to observe the Information Privacy Principles: collection; use and disclosure; data quality; data security; openness; access and correction; unique identifiers; anonymity; transborder data flows; and sensitive information. These are further explained in the Council [Information Privacy Policy](#).

Council is committed to protecting an individual's right to privacy. This requires that employees maintain the confidentiality, integrity and security of personal information which they have access to, including:

- not accessing or requesting personal information that is not relevant to your job
- not disclosing personal information, unless required by law or proper authority has been granted

- not knowingly recording false or misleading information
- using information solely for the purpose it was collected
- storing personal information in a secure location,
- renewing passwords, and
- ensuring data is kept secure when working remotely

You are required to adhere to Council's [Information Privacy Policy](#).

Records Management

Corporate records are an essential part of transparent and accountable government. They help provide evidence, explain actions, justify decisions and demonstrate the process followed.

Employees must ensure that all corporate records and information, including data relating to other employees or customers, is collected, stored and used in accordance with legislative requirements and Council records and information management policies and procedures.

Compliance in this area is becoming increasingly important as Council evolves as a flexible organisation with empowered employees working remotely and with modern technology to deliver services to our communities.

Media Comment

Only the Mayor or a person delegated by the Mayor is authorised to provide official comment to the media on Council's behalf.

The CEO and the Directors are the official spokespeople for all operational matters pertaining to Council. If you receive an enquiry from the media, you must politely refer them to the Communications department.

Remaining Apolitical

If you wish to be involved in a private capacity in the campaign of any candidate, you must ensure that all election related activity is undertaken outside of working hours and that you:

- inform your manager of your involvement;
- take necessary action to clearly separate your working and private activities, and
- avoid any conflict of interest that may arise between your support of a particular candidate and your employment by Council.

It is also important that you comply with all relevant legislation, Council policies, and protocols in relation to elections and the associated caretaker period. This includes employees' social media activity.

Improper or Undue Influence by Employees

At no time should you use your position at Council to improperly influence or harass other employees or members of the public in order to gain an improper advantage for yourself or others. All decisions need to be fair and transparent, based on principles of merit, equity and natural justice.

An example of this would be accessing Council files for information on a property a friend is thinking about purchasing

Leading by Example

Our leadership philosophy is about encouraging people to be authentic and accountable. We are all required to model the values and principles outlined in this Code and ensure that your team and colleagues understand and comply with our Code.

Open to Scrutiny

You should implement Council policy in an open and transparent manner and maintain accurate and reliable records as required by relevant legislation, policies and procedures. Records must be kept in such a way as to ensure their security and reliability and must be made available to appropriate scrutiny when required.

Use of Council Resources

You should always use Council resources, assets and equipment:

- When authorised to do so, and when it enables the performance of your duties;
- Only for the purpose in which they are intended and provided to you by Council;
- In accordance with the instructions and the relevant Council policy or training;
- In a manner that minimises risk to personal injury, reputational damage or financial cost to fix or replace items.

Please report any damaged or dangerous equipment to your supervisor immediately.

Council's property is to be used for work related purposes only, must not be given away, borrowed, lent, destroyed or otherwise disposed of unless authorised by your manager in accordance with our policy.

Use of IT and Communication Equipment

IT and communications equipment are provided for you to perform your role. Such equipment may include computer, laptop, tablet computers and mobile phones (smart phones).

Through the equipment you will be provided with access to software, including the provision of email and internet facilities. This equipment is for business use. Private use of these services should be kept to a minimum, providing it is reasonable and appropriate, is lawful, does not impact on employee productivity, will not bring Council into disrepute, and is consistent with Council's IT policies.

Notification of Criminal Offence

You must immediately advise your manager if you are charged with an offence that is punishable by imprisonment or, if found guilty, could reasonably be seen to affect your ability to meet the inherent requirements of the position you are engaged to perform.

An example is the potential loss of your licence due to drink driving where a Council vehicle is required to be driven as part of your job.

Ability to Meet Essential Requirements

You must immediately notify your manager of any loss, suspension of, or change to a registration, accreditation or other qualification that may be perceived to affect your ability to perform your duties.

Where relevant to your position, you must maintain a valid Working with Children or other check to perform the inherent requirements of your position.

If your driver's licence is suspended or cancelled for any reason, or you are required to drive a vehicle fitted with an alcohol interlock device, you must immediately notify your manager and cease to drive any vehicle.

You are expected to be able to perform the inherent requirements of your position. Council may seek medical advice where there is a reasonable belief that you are not able to perform the inherent requirements of your position.

This may include directing you to attend an independent medical examination.

Making a Complaint and/or Reporting Corrupt or Improper Conduct

You should comply with legislation, policies and lawful instructions in the performance of your work. In the first instance, you should report to your manager or the People and Culture team, any workplace behaviour that violates any law or regulation or could represent fraud or corrupt conduct, mismanagement of public resource or is a danger to health or safety.

Notifying the proper authority will be mandatory where conduct is serious e.g. – Child Safety. For guidance on when to report conduct, please speak with your manager or the People and Culture team in the first instance.

If you are reluctant to make a report about a Code of Conduct breach you may either discuss the information with the *Yarra Ranges Council Protected Disclosure Coordinator*, the *Director Corporate Services* or report a concern anonymously via Council's Anonymous Reporting Channel "*Safe2Say*".

Depending on the circumstances, external support and independent authority may be available to support you in making a complaint or report, through organisations like the *Victorian Ombudsman*, the *Independent Broad-Based Anti-Corruption Commission* (IBAC), or the *Fair Work Commission* or similar industrial body. For further information refer to the resources in Part 5 of this document.

You must not treat another officer of Council less favourably than others because they have, intend to, or are suspected of doing anything in relation to reporting inappropriate behaviour.

Part 3 Conflict of interest

Avoiding Conflicts of Interest

You must identify, disclose, manage and monitor conflicts of interest to help maintain community trust and confidence.

Generally, a conflict of interest is when the private interests, associations or duties of a relevant person conflict with their public duties and responsibility to act in the public interest.

Private interests, as defined under the Act, include both pecuniary and non-pecuniary interests and can also include the interests of family members and close friends or associates. Such interests can be positive or negative – for example, a tendency towards favour or prejudice resulting from friendship, animosity, or other personal involvement with another person or group

If you believe a conflict of interest may exist whilst carrying out an activity that's required as part of your role, or through Council's engagement with a supplier or third party, you should declare this to your manager and, if required, stand aside from any further participation in or provision of advice about the matter. This also includes (but is not limited to) employment issues around employing family and friends, external employment, reference checking and vetting.

There are strict legal requirements that must be met whenever a conflict of interest arises with these being set out in guidance available including the [Conflict of Interest Policy, declaration form](#) and [Governance Rules](#).

Dealing with Suppliers and Contractors

If you are required to deal with external suppliers or contractors you must avoid placing yourself in situations of a potential conflict of interest. Suppliers and contractors include (but are not limited to) those who supply Council with goods, services and works.

A potential conflict of interest could arise if you are involved in a decision-making process that might provide, or be seen to provide you or a close associate or a family member with a benefit. If you (a close associate or a family member) have an existing financial interest in an actual or potential supplier or contractor to Council, this interest must be declared to your manager. You should take no part in any decisions affecting that supplier or contractor.

Fraudulent and Corrupt Activity

You must observe the highest standards of integrity in financial matters and never engage in fraudulent or corrupt activity of any kind.

Fraud is dishonest activity causing actual or financial loss to any person or entity and **includes theft** and misappropriation of Council assets. Corruption is "dishonest activity in which an employee or a contractor abuses their position of trust in order to achieve some personal gain or advantage for themselves or another person or entity."

Examples of fraud include, but are not limited to, stealing or misusing council funds, equipment, intellectual property, records or deliberate falsification of records or other Council property while corruption includes receiving monies, gifts or other benefits in return for providing favourable treatment to others.

All allegations of fraud will be investigated and where appropriate reported to the Police. Civil proceedings will be initiated where appropriate.

Where an issue requires investigation or action, the process will be managed in accordance with the Protected Disclosure guidelines. Employees found to be involved in corrupt or fraudulent activity, including bribery (for example accepting/ seeking a fee, benefit, favour or gift to influence outcomes) will be disciplined and may be dismissed.

You must immediately notify your manager when you are either aware of or have suspicions of unlawful or irregular conduct by other Council employees. Alternatively you can contact the Protected Disclosure Coordinator as outlined in the [Protected Disclosure procedure](#) which is available on the intranet.

Gifts and Benefits

It is common for suppliers or clients to offer promotional products, gifts or meals to employees with whom they are working. These may be as a token of gratitude, appreciation for advice, or for promotional purposes. Participating in business related functions during the performance of your official duties, including attending lunches or other meals, are acceptable where the function has an underlying business purpose, will enhance business relationships /partnerships, offers a developmental opportunity and is not excessive.

To ensure transparency, pursuant to the [Gifts, Benefits & Hospitality Policy](#) you must [declare](#) all Gifts, Entertainment, Meals & Services etc., above a value of \$50. You should [use the 'Gift & Hospitality Registry' form](#) and this must be signed by your manager or the CEO and forwarded to the Governance team **within 14 days** for inclusion on the register.

Some gifts (for example where the gift raises a perception of a conflict of interest, or it exceeds \$500) must be politely declined, returned to the giver, or donated to a charitable organisation supporting the Yarra Ranges community.

You must never accept gifts of money. Offers of bribes, commissions or other irregular approaches from an individual or organisation should be immediately brought to the attention of your Director.

The following situations indicate cases when it would be inappropriate to accept a gift or token/favour, regardless of the value of such gift or token:

- Where a tender process is underway, it would be inappropriate for any parties involved to accept or give a gift/token to any other party involved in the process, directly or indirectly
- Where there is any perceived or actual conflict of interest
- Where full disclosure of the gift/token would be embarrassing or damaging to the Council
- Where any regulatory, planning or building permit or process is underway
- Where employees are involved in the procurement of products or services, it would be inappropriate to give/accept gifts or tokens apart from promotional products of minimal value such as pens, caps, mugs, ties, memo pads, scarves, etc.

Where you feel uncertain about accepting gifts, favours or hospitality, you should speak to your manager or a member of the Governance team.

Accepting an invitation to a business lunch is generally acceptable. Accepting an interstate trip is not.

Outside Employment

You are not restricted from undertaking paid or unpaid work external to Council as long as there is no conflict of interest (actual, potential, or perceived) and it does not impact on your ability to perform your role at Council.

If you wish to engage in outside work where there may be a conflict or potential to impact on your performance, you must discuss this with your manager and obtain approval prior to commencing your external work. Work undertaken at Council remains the intellectual property of Council.

If you have recently commenced work at Council and believe you may have a conflict of interest regarding outside employment, speak to your leader or a People and Culture representative in the first instance to obtain guidance.

Examples of outside employment include tutoring, gardening, cleaning or running a consultancy

Contracting for Council Services

Employees cannot act as employees and suppliers simultaneously and as an employee of Council, you are precluded from working for Council under contract arrangements e.g. subcontracting or consulting. Further, any role you hold as a contractor or consultant should be disclosed to Council.

Beneficiary of a Will

Being named a beneficiary of a will of someone you met through work (e.g. a client) is an example of a potential conflict of interest. If you are made a beneficiary in a will from a Council client, you must immediately inform your Manager or Director.

Relatives and Friends

You must not deal with any relatives or close friends on any regulatory, inspectorial, contracting, recruitment or other like matters without making full disclosure to your manager. Always exclude yourself from such situations.

Delegations and Authorisations

You are required to act within your authorisation and/or delegations as prescribed in the [Council Delegations](#). If you need clarification regarding your authorisation and/or delegation, you should speak to your manager or a member of the Governance team.

Alcohol, Drugs and Smoking

Council considers the use of alcohol and drugs contributes to accidents, injury and illness in the workforce. As part of our commitment to the health, safety and wellbeing of our employees you should be aware that:

- Employees must present in a fit state to perform the inherent requirements of their role.
- This includes being free from the adverse influence of alcohol, drugs or other substances (including prescription medication where it will impact the performance of their duties). A nil blood alcohol (or illicit drug) content is required while performing any work duties.
- It also includes the disclosure of illness and injury.
- Alcohol may only be consumed during working hours if authorised by the CEO, Director or Manager for a specific social function.
- Possession, use or trafficking of illegal drugs is not permitted
- Medically prescribed drugs are used in accordance with directions so as not to endanger employees taking them or other employees. You must inform your manager if you feel that you, or a colleague, cannot perform your duties for this reason.
- Smoking is prohibited in Council vehicles and within 12 metres of any external door or any storage areas for hazardous chemicals or combustible materials. Smoking is not permitted in client homes where council services are provided.

Equal Opportunity

Council is committed to providing all employees with a safe and productive environment free from discrimination, harassment and bullying. Council will not tolerate harassment, nor any action which is humiliating, intimidating or hostile. Discrimination, harassment and bullying is unlawful under both federal and state legislation and such conduct is unacceptable.

You are required to comply with our [Equal Opportunity Policy and Procedures](#), treating others with respect and not engaging in behaviour that may constitute discrimination, harassment or bullying. A breach of this policy may result in disciplinary action, including termination.

Understanding Human Rights

You should seek to protect the human rights of colleagues, residents and visitors to Council in accordance with the Charter of Human Rights and Responsibilities Act (the Charter). The rights include freedoms that reflect the traditional approach to civil liberty, rights that reflect human autonomy and procedural rights that apply to legal processes.

Where you have responsibility or input into any proposed, new or amended policy, programs, decisions or advice you should ensure that it considers and protects the human rights provisions of the Charter and that any potential breach or limitation is minimised or removed.

Safeguarding Child Safety

All children who engage in any Council service or activity have the right to feel safe and to be safe. The welfare of children in Council's care or using Council services will always be our first priority. Council aims to create a child safe and child friendly environment where children feel safe and are able to grow, develop, and have fun.

You should always ensure that all steps are taken to safeguard the welfare of children. You should actively encourage children to express their views, and ensure that all staff or volunteers have been appropriately recruited and screened. It is a requirement that all people appointed by or representing Council who work with children have a valid Working with Children Check and a Police Check.

You must ensure that any concerns about a child's safety are considered seriously and, when relevant, are reported to your manager and appropriate authorities. All complaints regarding a service that engages children will be investigated, and where appropriate, referred to other agencies.

Health and Safety

In order to protect our own and other's health and safety it is a requirement of all employees to work in accordance with the

Occupational Health and Safety Act 2004, applicable regulations, Accident Compensation Act and the Yarra Ranges Council Health & Safety Management System. This includes, but is not limited to, using protective clothing and/or equipment and immediately reporting any injury, near miss, damaged equipment or any other hazard observed.

Part 5 · Still Unsure?

Social Media

Whether using social media for work purposes, or in a private capacity, employees must not do anything that might adversely affect their standing as an employee of Council or which could bring Council into disrepute. Employees are to ensure that any personal comments made do not compromise their capacity to perform their role at Council and that they adhere to the Social Media Policy and Guidelines.

Conclusion

Not every situation can be detailed in a Code of Conduct. This is because every situation is different. To help you assess a situation,, a useful rule is – *when in doubt, talk about it*. If you are uncertain about any aspect of this Code you should discuss it with your manager, the People and Culture team or the Director Corporate Services.

Select list of policies, procedures and legislation linked to the Code (not otherwise hyperlinked in this document):

Policies and Procedures

- Child Safety Policy
- Email, Internet and Social Networking Policy
- Health and Safety Policy
- Legislative Compliance Policy
- Procurement Policy
- Motor Vehicle Policy
- Mobile Phone Policy
- Non-Smoking Procedure

Legislation

- Local Government Act 2020
- Equal Opportunity Act 2010
- Information Privacy Act 2000
- Health Records Act 2001
- Charter of Human Rights and Responsibilities Act 2006
- Protected Disclosure Act 2012
- Occupational Health and Safety Act 2004

SIGN OFF SLIP

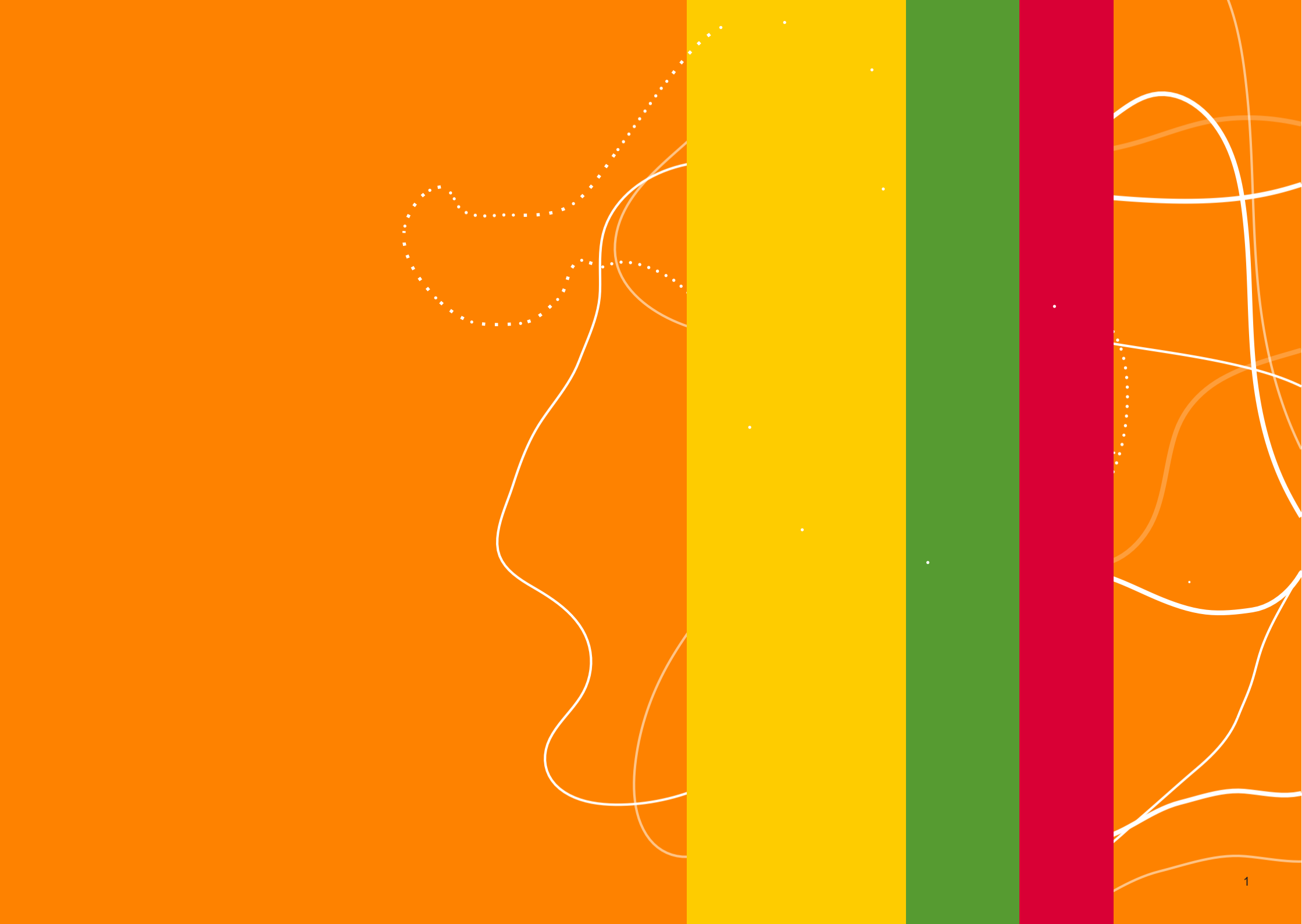
I have read and agree to abide by the contents of this Code of Conduct. I understand that a breach of this code may lead to disciplinary action.

NAME:.....

SIGNATURE:.....

DATE.....





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