

<b>POLICY NO:</b>	<b>32/82</b>
<b>POLICY TITLE:</b>	<b>SECONDARY EMPLOYMENT POLICY</b>
<b>SECTION RESPONSIBLE:</b>	<b>CORPORATE &amp; COMMUNITY SERVICES (HUMAN RESOURCES)</b>
<b>MINUTE NO:</b>	<b>824/1535</b>
<b>REVIEW DATE:</b>	<b>30TH JUNE, 2010</b>

### **PURPOSE**

Identifying conflicts of interest that may occur when employees have a second job outside of Council either working for themselves or others.

### **SCOPE**

All employees

### **RELEVANT PROVISIONS**

Greater Hume Shire Council Code of Conduct  
Local Government Act 1993

### **STATEMENT**

It is the employee's responsibility to notify the General Manager Greater Hume Shire Council of all paid work outside of Council.

The General Manager may prohibit employees from engaging in paid outside work if that work relates to the business of Council or directly or indirectly conflicts or potentially conflicts with the business of Council or with the employee's function, duties or responsibilities at Council.

The General Manager may make the termination of paid outside work a condition of commencement or continuation of employment with Council.

The General Manager may prohibit previously approved notifications if:

- An employee is transferred to another position or location within Council and the paid work being undertaken conflicts with the employee's Council duties in the new position or location; or
- Circumstances change which, in the General Manager's opinion, create a conflict of interest or a potential conflict of interest.

## SECONDARY EMPLOYMENT POLICY

Employees who are considering entering into outside work should consider the following in relation to that work:

- Is the outside organisation, person or entity in, or entering into a contractual relationship with Council?
- Is the outside organisation, person or entity in, or entering into a non-contractual supply relationship with Council?
- Is Council in a regulatory relationship with the outside organisation, person or entity?
- Will the outside work involve him/her in litigation against Council or directly in written or oral submission before another Council?
- Will the performance of the outside work require release of confidential information which is known to the employee, but not available to the general public?
- Will the outside work require use of Council time or resources?
- Is there any other conflict of interest, or potential conflict of interest, between the employee's Council duties and those involved in the outside work?
- Is it likely/ possible that a fair person might think you have a conflict of interest in performing the outside work?

**Answering 'yes' to any of the above questions is likely to mean the work should not be undertaken.**

The non-declaration of potential conflict of interest constitutes a breach of the Code of Conduct as well as the Local Government Act and will be managed using Council's disciplinary procedure.

Employees must not use Council resources when conducting secondary employment unless an appropriate payment is made in accordance with Council's adopted fees and charges.

### PROCESS

1. Employees must notify the Council of all paid outside work by submitting a completed 'Declaration of Secondary Employment' form to their Manager / Coordinator
2. Where an employee has privacy concerns regarding the disclosure of secondary employment these may be discussed with your manager or Human Resources staff.
3. Where a Manager/Coordinator identifies that the paid outside work relates to the business of Council or creates a potential conflict of interest the final determination is to be made by the General Manager.

## SECONDARY EMPLOYMENT POLICY

4. Employees will be notified of the outcome of their application through the HRMU. Where outside employment is prohibited by the General Manager the employee will be informed in writing.
5. Completed forms are to be returned to the General Manager and details of declared employment will be maintained in a confidential secondary employment register and on the employee's personnel file.

### ASSOCIATED FORMS

<b>Title</b>	<b>Type</b>	<b>Format</b>
Declaration of Secondary Employment	Form	1 pages

### POLICY DOCUMENT CONTROL

GHS Secondary Employment Policy	First adopted	15 Nov 2006 Min 824
GHS Secondary Employment Policy	Readopted NO alterations	25 Jun 2008 Min 1535

## Staff Secondary Employment Declaration

The purpose of this declaration is not to subject staff to unnecessary restrictions, nor does it aim to unreasonably restrict the capacity of employees to earn other income.

The aim of this declaration is to ensure that any secondary employment undertaken by a member of staff does not cause a conflict or potential conflict of interest, actual or perceived. Please refer to Council's **Secondary Employment Policy** for further details.

Secondary employment means any employment with an organisation other than Greater Hume Shire Council and includes self-employment, independent contracting or consulting, employment by a family company, regardless of the nature (casual, part time or shift work) and refers to any duration of employment (one-off or on-going).

Secondary employment must be approved by the General Manager prior to starting employment. Any approvals will be for no longer than 12 months and will require the employee to make a new application after this period.

### DECLARATION:

I \_\_\_\_\_ (employee name) declare the following:

Place of Secondary Employment \_\_\_\_\_

Position Held \_\_\_\_\_

Hours Worked per Fortnight \_\_\_\_\_

Expected Duration of Employment \_\_\_\_\_

Additional Information \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Employee Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Approved / Not Approved (circle)

General Manager : \_\_\_\_\_ Date: \_\_\_\_\_