

Operational

Employee Secondary Employment

Objective

The Shire of Koorda (Local Government) recognises that its employees may undertake secondary employment outside of their employment with the Local Government.

Policy

This policy aims to provide guidance on what the Local Government defines as secondary employment, when employees are required to make an application for secondary employment and what the Local Government will consider when reviewing an application for secondary employment.

Application

This policy applies to all employees engaged by the Shire of Koorda.

What is secondary employment?

Secondary employment includes paid or unpaid work the employee undertakes in addition to their position with the Shire of Koorda.

Examples of secondary employment include:

- Undertaking paid employment with another organisation
- Running a business
- Assisting or running a family business
- Maintaining a professional practice or consultancy
- Undertaking contract work
- Being a director on a board
- Undertaking work experience, and
- Volunteering for a community organisation, charity or professional association

When can an employee engage in secondary employment?

An employee must not engage in secondary employment without receiving the prior written approval of the Chief Executive Officer (CEO).

Roles and Responsibilities

Employee

An employee must avoid and appropriately resolve any conflict or incompatibility between the employee's private or personal interests and the impartial performance of their public or professional duties.

Employees with approval to engage in secondary employment have a duty to notify the CEO of any change in circumstances which might give rise to a conflict of interest, incompatibility with the Shire of Koorda employment or any real or perceived adverse impact on their performance of professional duties.

CEO

The CEO will exercise their discretion to consent to an employee's application for secondary employment unless the secondary employment will have, or is likely to have, an adverse impact on the employee's employment with the Local Government. In considering the application the CEO will have consider the principles affecting employment under section 5.40 of the *Local Government Act 1995 (WA)*.

The CEO may deny an application to engage in secondary employment where it presents a conflict with the employee's Local Government duties.

The CEO may make the termination of secondary employment a condition of commencement or continuation of employment with the Local Government or place any necessary restrictions on secondary employment to ensure it does not interfere with the employee's position with the Local Government.

The CEO may delegate their authority to deal with all or any part of this policy to the relevant Manager.

Conflicts of interest with the Local Government

Secondary employment can lead to conflicts of interest and/or conflicts of duties. An employee must not use Local Government time, resources, or information obtained from the Local Government in the course of secondary employment. An employee must not take advantage of their position at the Local Government for the benefit of their secondary employment.

An assessment of secondary employment will be undertaken annually during the employee's performance review or more regularly if required, to minimise risks including but not limited to:

- The creation of an actual or perceived conflict of interest between official and private business interests;
- Misuse of Local Government resources such as telephones, email and office stationary and material;
- Unauthorised use of information and intellectual property;
- Absenteeism due to competing commitments;
- Diminished work performance resulting from tiredness, distraction or time pressures;
- The potential for an increased load on co-workers who must cover the reduced performance of an employee; and
- Adverse effects on the public's perception of the integrity of the Local Government.

Breach of this policy

An employee who engages or continues to engage in secondary employment after being informed that their application has been denied, may be subject to disciplinary action including but not limited to, termination of employment.

In some circumstances the Local Government may be obliged to notify the Public Sector Commission or the Corruption and Crime Commission if the secondary employment arrangement requires further investigation.

Variation to this policy

This policy may be cancelled or varied from time to time. The Local Government's employees will be notified of any variation to this policy by the normal correspondence method.

Related Documents (Legislation/Local Law/Policy/Procedure/Delegation)

Employee Code of Conduct

Local Government Act 1995 (WA)

Application for Secondary Employment Form (Appendix 1)

Annual Employee Declaration Form

Review History

Date	Description of review/amendment
24/07/2023	Adoption of Policy following Employee Code of Conduct Workshop and Policy presentation.

APPENDIX 1 - Application for Secondary Employment

To be completed and submitted before commencement of secondary employment.

Name:	
Position with the Local Government:	
Name of organisation employee is seeking secondary employment with:	
Main business activity of organisation employee is seeking secondary employment with:	
Title of secondary employment position:	
Nature of engagement of secondary employment position (e.g. voluntary/full-time/part-time/casual):	
Estimated time required for secondary position (days, duration, hours):	
Proposed start date of secondary employment:	
End date of secondary employment:	

Please answer the following questions by circling YES / NO.

1. Does the proposed work carried out in the course of secondary employment have or potentially have, any business connection or other arrangement with the Local Government? YES / NO
2. Is there likely to be any need to make changes to your work arrangements at the Local Government to undertake the proposed secondary employment? YES / NO
3. Is there likely to be any use of, or perception of use of, Local Government resources, materials, or equipment, or information that is obtained through your work with the Local Government in the proposed secondary employment? YES / NO
4. Is there likely to be any other conflict or perceived conflict of interest between the proposed secondary employment and your Local Government duties and/or Local Government business? YES / NO
5. **For part-time employees only:** What is your primary employment (i.e. major income source)?

Employee Declaration

I, _____, have read and fully understood the Local Government's Secondary Employment Policy and the Code of Conduct.

I declare that if my secondary employment creates a conflict of interest or adversely impacts upon my employment at the Local Government, I will either cease the secondary employment or advise the CEO and comply with any directions I am given. I understand that if I breach this policy I may be subject to disciplinary action including, but not limited to, termination of employment.

Signature: _____ **Date:** ____/____/____

For CEO or Authorising Officer

Application rejected or approved: _____

Reasons for rejection: _____

Conditions of approval: _____

Name: _____

Position: _____

Signature: _____ **Date:** ____/____/____