

	<b>CODE OF CONDUCT – ELECTED &amp; COMMITTEE MEMBERS</b>	
	CATEGORY:	GOVERNANCE
	LG ACT 2019 REF:	Chapter 7, Part 7.4
	RESPONSIBILITY:	CHIEF EXECUTIVE OFFICER

## 1. PURPOSE

The purpose of this policy is to provide clear direction regarding the principles of ethical conduct and standards of behaviour expected from elected council members and council committee members.

## 2. SCOPE

Pursuant to Part 7.4 of the *Local Government Act 2019*, the code of conduct set out in Schedule 1 of the Act governs the conduct of members of an audit committee, a council, a council committee and a local authority.

## 3. POLICY

### 3.1. Code of Conduct - Schedule 1, Local Government Act 2019

The code of conduct as set out below will be signed by all Council members at the beginning of each term of office and displayed in the Council Chambers. It signifies to the community the commitment to abiding by the code of conduct

1. *Honesty and integrity* - A member must act honestly and with integrity in performing official functions.
2. *Care and diligence* - A member must act with reasonable care and diligence in performing official functions.
3. *Courtesy* - A member must act with courtesy towards other members, council staff, electors and members of the public.
4. *Prohibition on bullying* - A member must not bully another person in the course of performing official functions.
5. *Conduct towards council staff* - A member must not direct, reprimand, or interfere in the management of council staff.
6. *Respect for cultural diversity and culture*
  - i) A member must respect cultural diversity and must not therefore discriminate against others, or the opinions of others, on the ground of their cultural background.
  - ii) A member must act with respect for cultural beliefs and practices in relation to other members, council staff, electors and members of the public.

7. *Conflict of interest*
  - i) A member must avoid any conflict of interest, whether actual or perceived, when undertaking official functions and responsibilities.
  - ii) If a conflict of interest exists, the member must comply with any statutory obligations of disclosure.
  
8. *Respect for confidences*
  - i) A member must respect the confidentiality of information obtained in confidence in the member's official capacity.
  - ii) A member must not make improper use of confidential information obtained in an official capacity to gain a private benefit or to cause harm to another.
  
9. *Gifts*
  - i) A member must not solicit, encourage or accept gifts or private benefits from any person who might have an interest in obtaining a benefit from the council.
  - ii) A member must not accept a gift from a person that is given in relation to the person's interest in obtaining a benefit from the council.
  
10. *Accountability* - A member must be prepared at all times to account for the member's performance as a member and the member's use of council resources.
  
11. *Interests of municipality, region or shire to be paramount*
  - i) A member must act in what the member genuinely believes to be the best interests of the municipality, region or shire.
  - ii) In particular, a member must seek to ensure that the member's decisions and actions are based on an honest, reasonable and properly informed judgement about what best advances the best interests of the municipality, region or shire.
  
12. *Training* - A member must undertake relevant training in good faith.

### **3.2. Contravention of the Code of Conduct**

Failure to comply with any of these behaviours may result in either of the following:

- (i) A reprimand issued to the respondent;
- (ii) A recommendation that the complainant, respondent or any other person attend training, mediation or counselling by a specified date.

### **3.3. Complaints**

- 3.3.1. Any person may make a complaint against a council member or committee member under this Code.
- 3.3.2. Complaints about a council member or committee member's behaviour that is alleged to have breached this Code should be brought to the attention of the Chief Executive Officer.
- 3.3.3. Complaints should be lodged and processed in line with the Local Government Act 2019, Chapter 7, Part 7.4, Division 2, Subdivision 1.

**4. ASSOCIATED DOCUMENTS**

- P15 Procedures for Council and Council Committee Meetings
- P28 Media Policy
- P29 Audit Committee Terms of Reference
- P30 Privacy Policy
- P31 Dispute Resolution, Counselling, Disciplining and Dismissal
- P50 Fraud and Corruption Protection

**5. REFERENCES AND LEGISLATION**

*Local Government Act 2019*  
*Office of the Independent Commissioner Against Corruption, Mandatory Reporting Directions and Guidelines*

**6. REVIEW HISTORY**

<b>Date Approved:</b> 19/10/21	<b>Approved By Council:</b> Moved: Vice President Tom Dyer Seconded: Cr Noeletta McKenzie Vote: AIF	<b>Resolution No.</b> 2021/186	<b>Date for review:</b> Next Term of Council
<b>Date Approved:</b>	<b>Approved By Council:</b> <b>Moved:</b> <b>Seconded:</b> <b>Vote:</b>	<b>Resolution No.</b>	<b>Date for review:</b>