

ELECTED MEMBERS CODE OF CONDUCT

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|------------------------|---|-----------------------|---------------------------|
| Type: | Council Policy | | |
| Owner: | Chief Executive Officer | | |
| Responsible Officer: | Chief Executive Officer | | |
| Approval Date: | 22/02/2022 | Next Review: | 22/02/2026 |
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| Legislation Reference: | Section 119 of the <i>Local Government Act 2019</i> | | |

1 PURPOSE

The purpose of this policy is to outline the conduct obligations of Elected Members of Council and members of Council Committees.

2 SCOPE

This policy applies to all Elected Members and members of Council committees and replaces all previous policies.

3 DEFINITIONS

Elected Member means the Mayor and Councillors elected by the community.

Council committee means the committees established by the Council, including the Audit and Risk Management Committee, Showgrounds Advisory Committee, Sportsground Advisory Committee and any other committees that may be established by the Council from time to time.

4 DETAILS

The *Local Government Act 2019* Code of Conduct outlined in Schedule 1 governs the conduct of members of a Council and Council committee.

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

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.

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

A member must avoid any conflict of interest, whether actual or perceived, when undertaking official functions and responsibilities.

If a conflict of interest exists, the member must comply with any statutory obligations of disclosure.

8. RESPECT FOR CONFIDENCES

A member must respect the confidentiality of information obtained in confidence in the member's official capacity.

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

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.

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

A member must act in what the member genuinely believes to be the best interests of the municipality, region or shire.

In particular, a member must seek to ensure that the member's decisions and actions are based on an honest, reasonable and properly informed judgment about what best advances the best interests of the municipality, region or shire.

12. TRAINING

A member must undertake relevant training in good faith.

5 ASSOCIATED POLICIES/DOCUMENTS

Breach of Code of Conduct policy

Gifts and benefits (Council Members) policy

Other reasonable expenses and non-monetary benefits (Council Members) policy

Register of declared conflicts – elected members

Register of declared gifts and benefits – elected members

Professional development allowance policy

Register of declared conflicts (audit committee members and council committee members)

Confidential information policy

Privacy policy

6 REFERENCES AND RELATED LEGISLATION

Local Government Act 2019

Local Government (General) Regulations 2021

Information Act 2002

Revision History

| Version | Approval date | Details of change | Responsible officer |
|---------|---------------|--------------------------------------|---------------------|
| 1 | 22/02/2022 | Creation, effective from 1 July 2021 | CEO |
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