

# Attachment A

Hope Vale Aboriginal Shire Council

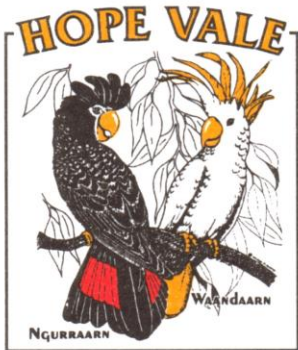
## CODE OF CONDUCT FOR ADVISORY COMMITTEE MEMBERS POLICY

**Document Control**

**Policy Responsibility Branch: CEO Office**

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**Version History**



Version Number	Date	Signature	Reason / Comments
1			Council Resolution

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## SCOPE

This Code of Conduct applies to all persons who act as Advisory Committee Members to Hope Vale Aboriginal Shire Council (“**Council**”).

For the purpose of this Code of Conduct, an Advisory Committee Member means any person who sits on a committee:

•(a) That is an advisory committee appointed by Council pursuant to section 264(1)(b) of the *Local Government Regulation 2012*;

(a)(b) That is any other committee that discharges an advisory function to Council, whether in its capacity as a local authority, as trustee of land, or in any other capacity, whose members are, in whole or in part, appointed by Council (in any of its capacities).

## POLICY STATEMENT

### Local Government Principles

To ensure the system of local government is accountable, effective, efficient and sustainable Parliament has founded five local government principles with which anyone who performs a responsibility under the *Local Government Act 2009* and *Local Government Regulation 2012*, including Advisory Committee Members, must comply while performing their roles. These principles are:

1. Transparent and effective processes, and decision making in the public interest
2. Sustainable development and management of assets and infrastructure, and delivery of effective services
3. Democratic representation, social inclusion and meaningful community engagement.
4. Good governance of, and by, local government
5. Ethical and legal behaviour.

### Code of Conduct

This Code of Conduct provides a set of values that describe the types of conduct Advisory Committee Members should demonstrate to ensure their compliance with the local government principles. These values are listed below:

1. In providing advice and recommendations on local government matters, Advisory Committee Members will:
  - Declare any conflicts of interest that could affect their objectivity.
  - Not attempt to influence any person in an improper way.

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- Not misrepresent any information which their advice and recommendations are based upon.
  - Commit to exercising proper diligence, care and attention.
  - Make informed recommendations in as open and transparent a setting as possible.
  - Properly inform relevant personnel of all relevant information.
  - Make recommendations to Council in accordance with law and policy.
2. In representing and meaningfully engaging with the community, Advisory Committee Members will:
- Show respect to all persons.
  - Clearly and accurately explain any recommendations.
  - Accept and value differences of opinion.
3. In exercising good governance, Advisory Committee Members are committed to:
- The development of open and transparent processes and procedures.
  - Keeping clear, concise and accessible records of recommendations.
4. To meet the community's expectations for high level leadership, Advisory Committee Members will:
- Be committed to the highest ethical standards.
  - Uphold the system of local government and relevant laws applicable.

This Code of Conduct also sets out standards of behaviour aimed at helping Advisory Committee Members understand how the principles and values are put into practice while performing their role to provide advice and recommendations to Council. Each standard of behaviour is not intended to cover every possible scenario. However, they provide general guidance about the manner in which Advisory Committee Members are expected to conduct themselves. It is important to note that the principles, values and standards set out in the Code of Conduct are of equal importance.

This Code of Conduct sets out the standards of behaviour applying to all Advisory Committee Members. The behavioural standards relate to, and are consistent with, the local government principles and their associated values.

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The standards of behaviour are summarised as the three Rs, being:

1. Responsibilities;
2. Respect; and
3. Reputation.

Each standard of behaviour includes, but is not limited to, several examples to guide Advisory Committee Members in complying with the Code of Conduct when carrying out their role. Advisory Committee Members are to understand and comply with the following standards of behaviour as set out in the Code of Conduct listed below.

## **1. Responsibilities**

Advisory Committee Members are required to carry out responsibilities conscientiously and in the best interests of the Council and the community. For example, Advisory Committee Members, have the following responsibilities:

- 1.1 Attend and participate meaningfully in all committee meetings, informal meetings, briefings, relevant workshops and training opportunities to assist them in fulfilling their roles other than in exceptional circumstances and/or where prior leave is given.
- 1.2 Respect and comply with all policies, procedures and resolutions of Council.
- 1.3 Report any suspected wrongdoing to the appropriate entity in a timely manner.
- 1.4 Ensure that their behaviour or capacity to perform their responsibilities as an Advisory Committee Member is not impaired by the use of substances that may put them or others at risk while performing their duties (for example, alcohol, illegal drugs or prescribed/nonprescribed and/or restricted substances).
- 1.5 Cooperate with any investigation being undertaken by the local government or other entity.

## **2. Respect**

Advisory Committee Members must treat people in a reasonable, just, respectful and non-discriminatory way. For example:

- 2.1 Treat fellow Advisory Committee Members, Councillors, Council employees and members of the public with courtesy, honesty and fairness.
- 2.2 Not use abusive, obscene or threatening language (either oral or written).
- 2.3 Have proper regard for other people's rights, obligations, cultural differences, safety, health and welfare.

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## 3. Reputation

The Advisory Committee Members must ensure that their conduct does not reflect adversely on the reputation of Council. For example, Advisory Committee Members will, at a minimum, conduct themselves in the following manner:

- 3.1 When expressing an opinion dissenting with the majority decision of Council, respect the democratic process by acknowledging that the Council decision represents the majority view of the Council.
- 3.2 Not to make public comment on behalf of the Council or the Advisory Committee.
- 3.3 At all times strive to maintain and strengthen the public's trust and confidence in the integrity of Council and avoid any action which may diminish its standing, authority or dignity.
- 3.4 Social Media

It is important that Advisory Committee Members are aware of the potential damage which may be caused to Council, to relationships with other Advisory Committee Members and to a person's own reputation, as a result of use of social media. Where an Advisory Committee Member can be explicitly or implicitly identified as an Advisory Committee Member from content that an Advisory Committee member has published from their personal profile, must not:

- Publish, post, forward, share or endorse (i.e. like) material which is inappropriate, offensive, defamatory, threatening, misleading or is otherwise unlawful.
- Give the impression that they are authorised to publish content on behalf of Council or the Committee
- Publish, post, forward, share or endorse any content which may cause damage to Council or the Committee or otherwise bring ~~their~~ [Council or the Committee's](#) reputation into disrepute.
- Publish, post, forward, share or endorse any content which is disrespectful to Council, the Committee or other Advisory Committee Members, which may cause damage to relationships.

## Conflicts of Interest

Advisory Committee Members must declare any conflicts of interest that could affect their objectivity to carry out their duty to provide advice and recommendations to Council. A Conflict of Interest involves a conflict between your duties and responsibilities in serving the public interest and your private interests. The conflict may arise from a range of factors including our personal relationships (relatives and friends), employment, our membership of special interest groups, or our ownership of property.

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Having a conflict of interest is not unusual and it is not wrongdoing. However, failing to disclose and manage the conflict appropriately is likely to be wrongdoing. If you believe you have a Conflict of Interest, whether real, potential or perceived, you must report this immediately.

Advisory Committee members must manage conflicts of interest in a way that:

- Is open, honest and transparent;
- Places the public interest above the member's private interests;
- Ensures that the member can participate in the business of the Advisory Committee in a fair and unbiased way;
- Has regard to Council's organisational reputation, and ensures that Council's reputation could not, in the eyes of a reasonable person, be harmed because of the way in which the member has managed the conflict.

The general requirements for dealing with conflicts of interest are:

- Members must always proactively disclose any conflicts of interest and particulars about their conflict of interest in any decision-making process in which they are involved, at the earliest opportunity;
- Members should take all reasonable steps necessary to avoid participating in discussions in which they a conflict of interest;
- Where the member cannot reasonably avoid participating in the discussion, the member may only participate in that process if the conflict has been managed in accordance with this Code of Conduct
- Members must manage conflicts of interest in consultation with the Chair of the Advisory Committee and the Chief Executive Officer of Council.

## REVIEW

The Chief Executive Officer of Council will monitor the adequacy of this Policy and recommend appropriate changes to Council for consideration as adopted.

This Policy will remain in force unless otherwise amended or repealed by Council.