

# Code of Conduct Policy- Members

MC04-CP (Superseding CP102 Code of Conduct Members Policy)



*Hard copies of documents are uncontrolled and may not be current - please refer to the electronic version.*

## 1. Purpose

To establish acceptable behaviours to be followed by members of the Council, Local Authorities, and Council Committees.

## 2. Scope

The policy applies to all members of Council, Local Authorities, and Committees of Council (herein referred to as members).

## 3. Objectives

To ensure that:

- 3.1. MacDonnell Regional Council (MRC) exercises strong and accountable governance;
- 3.2. Constituents of MRC are aware of the behaviours they can expect from members.

## 4. Statement

The below is extracted from Schedule 1 of the *Local Government Act 2019*.

### 4.1. Honesty and integrity

- 4.1.1. A member must act honestly and with integrity in performing official functions.

### 4.2. Care and diligence

- 4.2.1. A member must act with reasonable care and diligence in performing official functions.

### 4.3. Courtesy

- 4.3.1. A member must act with courtesy towards other members, council staff, electors and members of the public.

### 4.4. Prohibition on bullying

- 4.4.1. A member must not bully another person in the course of performing official functions.

### 4.5. Conduct towards council staff

- 4.5.1. A member must not direct, reprimand, or interfere in the management of, council staff.

### 4.6. Respect for cultural diversity and culture

- 4.6.1. 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.
- 4.6.2. A member must act with respect for cultural beliefs and practices in relation to other members, council staff, electors and members of the public.

### 4.7. Conflict of interest

- 4.7.1. A member must avoid any conflict of interest, whether actual or perceived, when undertaking official functions and responsibilities.
- 4.7.2. If a conflict of interest exists, the member must comply with any statutory obligations of disclosure.

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- 4.8. **Respect for confidences**
  - 4.8.1. A member must respect the confidentiality of information obtained in confidence in the member's official capacity.
  - 4.8.2. 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.
- 4.9. **Gifts**
  - 4.9.1. 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.
  - 4.9.2. 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.
- 4.10. **Accountability**
  - 4.10.1. 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.
- 4.11. **Interests of municipality, region or shire to be paramount**
  - 4.11.1. A member must act in what the member genuinely believes to be the best interests of the municipality, region or shire.
  - 4.11.2. 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.
- 4.12. **Training**
  - 4.12.1. A member must undertake relevant training in good faith.

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## 5. Policy Details

<b>Replaces Policy No: (if applicable)</b>	CP102 - Code of Conduct - Members
<b>Responsible Directorate/Department:</b>	Corporate Services - Governance and Compliance
<b>Approval Date:</b>	28 May 2021
<b>Minutes Reference and Resolution number:</b>	Item # 15.2 Resolution OCSM2021-075
<b>Review Cycle:</b>	28 May 2025 – Review every four (4) years or after changes to relevant legislation.

## 6. Legislation and References

<b>Related Legislation:</b>	<i>Local Government Act 2019, s119 and Schedule 1</i>
<b>Related Policies:</b>	
<b>Associated Documents:</b>	MC04-P1 Breach of Code of Conduct - Members

## 7. Version Control

<b>Version No.</b>	<b>Approval Date</b>	<b>Policy No.</b>	<b>Minutes reference and Resolution number</b>
1.	28 October 2016	CP102	OCM Item #13.2 - OCM2016-067
2.	28 May 2021	MC04-CP	OCSM Item #15.2 - OCSM2021-075