

POLICY NUMBER: 0037

DEPARTMENT: Chief Executive Office

EFFECTIVE DATE: 12.11.14

UNIT: Governance

1.0 Purpose and Scope

This Code of Conduct sets out the standards of behaviour expected of Councillors of the Central Highlands Regional Council.

The requirements of this code are in addition to the roles, responsibilities and obligations of Councillors, as set out in the Local Government Act 2009.

The Code of Conduct for Councillors mirrors the Model Code of Conduct for Councillors endorsed by the Local Government Association Queensland (LGAQ).

2.0 Reference

Local Government Act 2009 - section 176(4)

3.0 Definitions

Act shall mean the Local Government Act 2009

Councillors shall mean duly elected members of the Central Highlands Regional Council

4.0 Policy Statement

Key Ethical and Behavioural Obligations

Councillors must:

- ensure their personal conduct does not reflect adversely on the reputation of the Council;
- demonstrate respect for fellow councillors, council staff and other members of the public;
- refrain from harassing, bullying or intimidating fellow councillors, council staff or other members of the public;
- not communicate with the public or media on behalf of the Council, unless expressly authorized by the Council to make that communication;
- when communicating with the public or the media, make it clear when they are expressing a personal opinion, and when they are speaking on behalf of Council; and
- when communicating with the public or the media to express a personal opinion about a Council resolution, respect the democratic process by first acknowledging that Council resolutions represent the majority view of Council

Consequences of Failing to Comply with this Code

Section 176(4) of the Local Government Act 2009 provides:

*(4) **Inappropriate conduct** is conduct that is not appropriate conduct for a representative of a local government, but is not misconduct, including for example:*

- a) a Councillor failing to comply with the local government's procedures; or
- b) a Councillor behaving in an offensive or disorderly way in a meeting of the local government or any of its committees.

A failure to comply with this code by a Councillor (other than by the Mayor or Deputy Mayor) will be considered inappropriate conduct (as defined in section 176(4) (a) of the Local Government Act 2009) and render a Councillor liable to disciplinary action prescribed by section 181(2) of that Act. Section 181 (2) relevantly provides that the Mayor may make either or both of the following orders that the Mayor considers appropriate in the circumstances:

- a) an order reprimanding the Councillor for the inappropriate conduct;
- b) an order that any repeat of the inappropriate conduct be referred to the regional conduct review panel as misconduct.

A failure to comply with this code by the Mayor or Deputy Mayor will be referred to the Chief Executive of the Department who is entitled to take disciplinary action prescribed by section 181(2) of that Act. Again, section 181 (2) relevantly provides that the Chief Executive of the Department may make either or both of the following orders that the Chief Executive considers appropriate in the circumstances:

- a) an order reprimanding the Mayor or Deputy Mayor for the inappropriate conduct;
- b) an order that any repeat of the inappropriate conduct be referred to the regional conduct review panel as misconduct.

5.0 Policy Review

This policy is nominated to be reviewed on: 12 November 2016

All policies will be reviewed at least two yearly or when any of the following evaluations occur:

- Relevant legislation, regulations, standards and policies are amended or replaced; and
- Other circumstances as determined from time to time by the Chief Executive Officer / ELT / Managers.