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**Committee Members Code of Conduct**

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## Part 1 - Preliminary

### 1.1 Title

This is the *City of Wanneroo Code of Conduct for Committee Members 2008*.

### 1.2 Commencement

This Code comes into operation on 11 March 2008.

### 1.3 Definitions

In this Code, unless the contrary intention appears:

“**Act**” means *Local Government Act 1995*;

“**CEO**” means the chief executive officer of the City;

“**committee**” means a committee established by the council under the Act;

“**committee member**” means a member of a committee appointed by the City under the Act;

“**council**” means the council of the City;

“**City**” means City of Wanneroo;

“**Rules of Conduct Regulations**” means *Local Government (Rules of Conduct) Regulations 2007*;

### 1.4 Application

(1) Subject to subclause (2), this Code applies to the committee members.

(2) This Code does not apply to any committee member who is an employee of the City or who is a member of the council.

### 1.5 Requirement for this Code of Conduct

This Code is adopted by the council as required by section 5.103 of the Act.

## **Part 2 - Obligations of committee members**

### **2.1 General principles**

It is a requirement of this Code that committee members observe the general principles referred to in Regulation 3(1) of the Rules of Conduct Regulations.

Footnote:

Regulation 3(1) of the Rules of Conduct Regulations provides as follows:

General principles to guide the behaviour of council members include that a person in his or her capacity as a council member should –

- (a) act with reasonable care and diligence; and
- (b) act with honesty and integrity; and
- (c) act lawfully; and
- (d) avoid damage to the reputation of the local government; and
- (e) be open and accountable to the public; and
- (f) base decisions on relevant and factually correct information; and
- (g) treat others with respect and fairness; and
- (h) not be impaired by mind affecting substances.

### **2.2 Personal behaviour**

A committee member must:

- (a) act, and be seen to act, properly and in accordance with the requirements of the law and the terms of this Code;
- (b) perform his or her duties impartially and in the best interests of the City;
- (c) act in good faith and fidelity in the interests of the City and the community; and
- (d) make no allegations which are improper or derogatory (unless true and in the public interest) and refrain from any form of conduct, in the performance of the committee member's role, which may cause any reasonable person unwarranted offence or embarrassment.

### **2.3 Honesty and integrity**

A committee member must:

- (a) observe the highest standards of honesty and integrity, and avoid conduct which might suggest any departure from these standards; and
- (b) bring to the notice of the CEO any dishonesty or possible dishonesty on the part of any other committee member.

**2.4 Performance of role**

A committee member must:

- (a) exercise reasonable care and diligence in the performance of his or her role; and
- (b) be consistent in his or her decision making but must treat all matters on individual merits, in an honest and fair manner.

**2.5 Compliance with lawful orders and policies**

- (1) A committee member must comply with any lawful order given by any person having authority to make or give the order, with any doubts as to the propriety of the order being taken up with the superior of the person who gave the order and, if resolution cannot be achieved, with the CEO.
- (2) A committee member must give effect to the lawful policies of the City, whether or not the committee member agrees with or approves of them.

**2.6 Administrative and management practices**

A committee member must ensure compliance with proper and reasonable administrative practices and conduct, and professional and responsible management practices.

**2.7 Relationships between committee members and employees**

To be effective, a committee member must work as part of the committee and with the CEO and other employees. That teamwork will only occur if committee members and employees have a mutual respect and co-operate with each other to achieve the City's corporate goals and implement the City's strategies. To achieve that position a committee member must:

- (a) acknowledge that he or she has no capacity to individually direct members of staff to carry out particular functions; and
- (b) refrain from publicly criticising staff in a way that casts aspersions on their professional competence and credibility.

**2.8 Use of the City's resources**

A committee member must:

- (a) be scrupulously honest in his or her use of the City's resources and must not misuse them or permit their misuse; and
- (b) not use the City's resources (including the services of the City's employees) for private purposes, unless properly authorised to do so, and appropriate payments are made (as determined by the CEO).

**2.9 Securing personal advantage or disadvantaging others**

A committee member must not make improper use of the committee member's office:

- (a) to gain directly or indirectly an advantage for the person or any other person; or
- (b) to cause detriment to the council or any other person.

**2.10 Prohibition against involvement in administration**

- (1) A person who is a committee member must not undertake a task that contributes to the administration of the council unless authorised by the council or by the CEO to undertake that task.
- (2) Subclause (1) does not apply to anything that a committee member does as part of the deliberations at a committee meeting.

**2.11 Relations with local government employees**

- (1) A committee member must not:
  - (a) direct or attempt to direct a person who is an employee of the council to do or not to do anything in the person's capacity as the council's employee; or
  - (b) attempt to influence, by means of a threat or the promise of a reward, the conduct of a person who is an employee of the council in the person's capacity as the council's employee.
- (2) Subclause (1) does not apply to anything that a committee member does as part of the deliberations at a committee meeting.
- (3) If a person, in his or her capacity as a committee member, is attending a committee meeting or other organised event and members of the public are present, the person must not, either orally, in writing or by any other means:
  - (a) make a statement that an employee of the council is incompetent or dishonest; or
  - (b) use offensive or objectionable expressions in reference to an employee of the council.

**Part 3 – Contravention of this Code****3.1 Complaining to CEO of contravention**

A person who has reason to believe that a committee member has contravened a provision of this Code may complain to the CEO.

**3.2 Procedure for making complaint**

The procedure to be followed by a person making a complaint is to be determined by the CEO.

**3.3 Procedure for dealing with complaint**

The procedure to be followed in dealing with a complaint is to be determined by the council.

**Responsibility for Implementation**

Governance and Executive Services

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