

Complaint About Alleged Behaviour Breach Form
Code of Conduct for Council Members, Committee Members and Candidates

Schedule 1, Division 3 of the *Local Government (Model Code of Conduct) Regulations 2021*

Please read the notes at the end of the complaint form for details of the City of Wanneroo's process for receiving and determining a Behavior Complaint and the associated confidentiality requirements.

To make a valid **Behaviour Complaint**:

- The allegation must relate to a breach of the behaviour standards in Division 3 of City of Wanneroo's Code of Conduct for Council Members, Committee Members and Candidates.
- Complete all sections of the Behaviour Complaint Form including any additional information that will support an assessment of the complaint. *The Behaviour Complaint will be assessed based on the information provided only.*
- The completed Behaviour Complaint Form **MUST** be lodged with the the City of Wanneroo Behaviour Complaints Officer within one (1) month of the alleged behaviour breach.

Name of person making the complaint:		
Given Name:		Family Name:
Contact details of person making the complaint:		
Residential Address:		
Contact number:		Mobile:
Email:		
Name of the local government concerned:	City of Wanneroo	
Name of council member, committee member, candidate alleged to have committed the breach:		
Select the position that the person was fulfilling at the time the person committed the alleged behaviour breach:	Council Member of the City of Wanneroo	<input type="checkbox"/>
	Member of a Committee of the City of Wanneroo	<input type="checkbox"/>
	Candidate for election at the City of Wanneroo	<input type="checkbox"/>
Date that the alleged behaviour breach occurred:		
Location where the alleged behaviour breach occurred:		
Which of the behaviours prescribed in Division 3 of the City of Wanneroo Code of Conduct do you allege this person has breached?		
Clause 8. Personal integrity		

(1) A council member, committee member or candidate —	
(a) must ensure that their use of social media and other forms of communication complies with this code; and	<input type="checkbox"/>
(b) must only publish material that is factually correct	<input type="checkbox"/>
(2) A council member or committee member —	
(a) must not be impaired by alcohol or drugs in the performance of their official duties; and	<input type="checkbox"/>
(b) must comply with all policies, procedures and resolutions of the local government.	<input type="checkbox"/>
Clause 9. Relationship with others	
A council member, committee member or candidate —	
(a) must not bully or harass another person in any way; and	<input type="checkbox"/>
(b) must deal with the media in a positive and appropriate manner and in accordance with any relevant policy of the local government; and	<input type="checkbox"/>
(c) must not use offensive or derogatory language when referring to another person; and	<input type="checkbox"/>
(d) must not disparage the character of another council member, committee member or candidate or a local government employee in connection with the performance of their official duties; and	<input type="checkbox"/>
(e) must not impute dishonest or unethical motives to another council member, committee member or candidate or a local government employee in connection with the performance of their official duties.	<input type="checkbox"/>
Clause 10. Council or committee meetings	
When attending a council or committee meeting, a council member, committee member or candidate —	
(a) must not act in an abusive or threatening manner towards another person; and	<input type="checkbox"/>
(b) must not make a statement that the member or candidate knows, or could reasonably be expected to know, is false or misleading; and	<input type="checkbox"/>
(c) must not repeatedly disrupt the meeting; and	<input type="checkbox"/>
(d) must comply with any requirements of a local law of the local government relating to the procedures and conduct of council or committee meetings; and	<input type="checkbox"/>
(e) must comply with any direction given by the person presiding at the meeting; and	<input type="checkbox"/>
(f) must immediately cease to engage in any conduct that has been ruled out of order by the person presiding at the meeting.	<input type="checkbox"/>
Clause 10A – Land Dealings	
A council member or committee member —	
Must declare to the CEO in writing of an intention to undertake a land dealing within the City of Wanneroo district or which may otherwise be in conflict with the City's functions (other than the purchase of the council member's principal place of residence.	<input type="checkbox"/>
Clause 10C – Communications and public relations	
A council member or committee member must acknowledge:	
(1) As a council member there is respect for the decision making processes of council which are based on a decision of the majority of council; and	<input type="checkbox"/>
(2) information relating to decision of council on approvals, permits and so on must only be communicated in an official capacity by a designated officer of council; and	<input type="checkbox"/>
(3) information concerning adopted policies, procedures and decisions of the council must be conveyed accurately.	<input type="checkbox"/>

NO	<input type="checkbox"/>	<i>If no, please include a brief statement explaining why you have not made any efforts to resolve the issue with the person complained about.</i>

The Complainant and the Respondent will be offered the opportunity to participate in an Alternative Dispute Resolution process, that if agreed to by BOTH parties, will be undertaken before the complaint is dealt with.

The objective is to support both parties to reach a mutually satisfactory outcome that resolves the issues and restores the relationship between them. An outcome may be that as the Complainant, you will have absolute discretion to withdraw or continue with this Complaint.

Please contact the Behaviour Complaints Officer if you would like more information.

Would you agree to participate in an Alternative Dispute Resolution process?	YES	<input type="checkbox"/>
	NO	<input type="checkbox"/>

Comments:

Desired outcome of the Complaint
Please explain what you would like to happen as a result of lodging this complaint, including the opportunity to participate in Alternative Dispute Resolution.

COMPLAINANT *please sign and date*

Date: / /	Complainant's Signature

Received by Authorised Officer: Signature:	
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	Noelene Jennings, Director Corporate Strategy and Performance
Date received:	
Forward to:-	Complaints@wanneroo.wa.gov.au ; or City of Wanneroo Locked bag 1 Wanneroo WA 6969 ATT: Director Corporate Strategy and Performance

NOTE:

Behavioural Breach Complaint - Division 3:

1. A complaint about an alleged breach must be made:-
 - (a) in writing in the form approved by the local government;
 - (b) to the City's Complaints Officer; and
 - (c) within one month after the occurrence of the alleged breach.
2. This form should be completed, dated and signed by the person making a complaint of an alleged breach of the Code of Conduct.
3. The complaint is to be specific about the alleged breach and include the relevant section/subsection of the alleged breach.
4. Complaints will be dealt with and considered in the order in which they are received by the Complaints Officer.
5. The Council Member or Committee Member to whom the complaint relates will be notified of the receipt of complaint and will be provided with an opportunity to respond to the allegations in the Complaint in writing within 14 days of the notification of the Complaint.
6. Mediation will be offered to both parties and in the event that the matter is resolved to the satisfaction of both parties, the Complainant must lodge a withdrawal of Complaint.

Rules of Conduct Complaint – Division 4.

This type of complaint is determined by the Local Government Standards Panel. Please refer to the City's website for information on how to lodge a Rule of Conduct Complaint using the prescribed form.

Need Advice?

If you require advice in making a Behaviour Complaint or a Rule of Conduct Complaint, please contact the City's Complaints Officer (08) 9405 5000 or by email to enquiries@wanneroo.wa.gov.au. Att: Noelene Jennings, Director Corporate Strategy and Performance.