

Code of Conduct App A Amended Policy

STRATEGIC POLICY

Councillor Code of Conduct

Corporate Plan Reference:	8. Great Governance 8.1 Ethical, accountable and transparent decision-making 8.1.3 Councillors and employees are aware of the importance of ethical behaviour, compliance with codes of conduct and providing complete information and advice.
Endorsed by Council on:	8 June 2011
Policy Owner and Department:	Manager, Council Services & Business Integration

Title:	Councillor Code of Conduct
Introduction:	<p>This Code of Conduct sets out the standards of behaviour expected of councillors of the Sunshine Coast Council.</p> <p>The requirements of this code are in addition to the roles, responsibilities and obligations of councillors, as set out in the <i>Local Government Act 2009</i>.</p> <p>This code has been adopted by resolution of Council. Council accordingly considers this code to be a "procedure", as that term is used in section 176(4) of the <i>Local Government Act 2009</i> (see below).</p>
Key Ethical and Behavioural Obligations:	<p>Councillors must:</p> <ul style="list-style-type: none"> ▪ 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 authorised 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 ▪ 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

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<p>Consequences of Failing to Comply with this Code:</p>	<p>Section 176(4) of the <i>Local Government Act 2009</i> provides:</p> <p><i>(4) Inappropriate conduct is conduct that is not appropriate conduct for a representative of a local government, but is not misconduct, including for example-</i></p> <p><i>(a) a councillor failing to comply with the local government's procedures; or</i></p> <p><i>(b) a councillor behaving in an offensive or disorderly way in a meeting of the local government or any of its committees.</i></p> <p>A failure to comply with this code by a councillor (other than by the mayor or deputy mayor) will be inappropriate conduct (as defined in section 176(4)(a) of the <i>Local Government Act 2009</i>) and render a councillor liable to disciplinary action prescribed by section 181 (1) of that Act. Section 181(1) provides:-</p> <p><i>(1) If the chief executive officer refers a complaint to the mayor, the mayor may make either or both of the following orders that the mayor considers appropriate in the circumstances-</i></p> <p><i>(a) an order reprimanding the councillors for the inappropriate conduct;</i></p> <p><i>(b) an order that any repeat of the inappropriate conduct be referred to the department's chief executive as misconduct.</i></p> <p>A failure to comply with this code by the mayor or deputy mayor will be referred to the Chief Executive of the Department of Local Government (see section 177(5)(a) of the <i>Local Government Act 2009</i>).</p>
<p>Resolution or Council Meeting Date:</p>	<p>OM11/144 8 June 2011</p>
	<p>Note: Prepared by King and Company, Solicitors – August 2010 and endorsed by LGAW Executive 30 August 2010.</p>

Deleted: considered misconduct and
Deleted: Infrastructure and Planning

Version control:

Version	Reason/ Trigger	Change (Y/N)	Endorsed/ Reviewed by	Date
1.0	Eg. Create new			DD/MM/YYYY
	Eg. Review			