

## 1 PURPOSE

The purpose of this policy is to set out the conduct obligations of Elected Members of Council, members of local boards and members of Council Committees.

## 2 SCOPE

This policy applies to all elected members and members of Council committees. Committees are those committees established and appointed by Council in accordance with the *Local Government Act 2008*.

## 3 POLICY STATEMENT

### 3.1 CODE OF CONDUCT – SCHEDULE 2 LOCAL GOVERNMENT ACT 2008

City of Darwin will adhere to the Code of Conduct as outlined in Schedule 2 of the *Local Government Act 2008*.

### 3.2 HONESTY AND INTEGRITY

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

### 3.3 CARE AND DILIGENCE

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

### 3.4 COURTESY

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

### 3.5 CONDUCT TOWARDS COUNCIL STAFF

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

### 3.6 RESPECT FOR CULTURAL DIVERSITY

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.

### 3.7 CONFLICT OF INTEREST

A member must, if possible, avoid any conflict of interest, between the member's private interests and official functions and responsibilities.

Where a conflict in fact exists, the member must comply with the member's statutory obligations of disclosure.

### 3.8 RESPECT FOR CONFIDENCES

A member must respect the confidentiality of information obtained in confidence in the member's official capacity.

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.

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### 3.9 GIFTS

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.

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.

An Elected Member must not:

- Solicit or encourage gifts or private benefits from any person who may have interest in obtaining a benefit from City of Darwin
- Seek or accept a bribe or other improper inducement
- By virtue of his or her position, acquire gift or benefit which has a monetary value, other than one of a nominal or token value.

An Elected Member must not seek or accept any gift, payment or benefit intended or likely to influence, or that could be perceived by an impartial observer as intended or likely to influence an Elected Member to:

- Act in a particular way (including making a decision)
- Fail to act in a particular way
- Otherwise deviate from the proper exercise of his or her statutory duties.

An Elected Member may accept gifts or benefits of a nominal or token value that:

- Do not create a sense of obligation on his or her part
- That would not be reasonably perceived by an impartial observer to be intended to or likely to influence him or her in carrying out their statutory duty.

An Elected Member must never accept an offer of money, regardless of the amount.

A nominal or token value is considered to be valued at less than \$50.00. This may include items such as:

- Marketing trinkets
- Corporate mementos
- Inexpensive pens and pencils
- Notepads
- Keyrings
- Conference attendance packs

All Elected Members who receive a gift or benefit valued at over \$50.00 must complete the Elected Members Gifts and Benefits Disclosure Form so that the item can be included on the Gifts and Benefits Register. The register is available for public inspection on request.

If a gift is received by an Elected Member as part of an official delegation, for example Government to Government, it remains the property of Council and should be registered on the Gifts and Benefits Register and handed over to the Lord Mayor's office for appropriate display or use.

A separate register is maintained for protocol gifts received by the Lord Mayor.

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### 3.10 ACCOUNTABILITY

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.

### 3.11 INTERESTS OF MUNICIPALITY, REGION OR SHIRE TO BE PARAMOUNT

A member must act in what the member genuinely believes to be the best interests of the municipality, region or shire.

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 will best advance the best interests of the municipality, region or shire.

## 4 DEFINITIONS

**Elected Members** are the Lord Mayor and Alderman who are elected by the community.

## 5 LEGISLATIVE REFERENCES

Local Government Act 2008 (NT)

## 6 PROCEDURES AND RELATED DOCUMENTS

1150.100.E.R – Elected Members Expenses, Facilities and Support

1010.100.E.R – Caretaker

1200.100.E.R – Protocols and Interactions

## 7 RESPONSIBILITY AND APPLICATION

The Chief Executive Officer (or delegated authority) is responsible for ensuring these policies are understood, and adhered to, by Elected Members and relevant City of Darwin staff.

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