

Title: **Code of Conduct - Elected Members**
Policy No: 014
Adopted By: Council
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Responsibility: Chief Executive Officer
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Version	Decision Number	Adoption Date	History
1	20\2501	23/02/2010	Adopted
2	21\3132	31/03/2015	Adopted

1 Policy Summary

This policy sets out the conduct obligations of members of the Council, members of local boards, and members of Council committees.

2 Policy Objectives

That Elected Members of Council and all other members of local boards and Council Committees have a clear understanding of their conduct obligations pursuant to the Local Government Act (2008) and will be committed to conducting themselves in a way that demonstrates the highest ethical standards.

3 Background

The Local Government Act requires Councils to have a code of conduct.

77 Obligation to have code of conduct

- (1) A council must have a code of conduct.
- (2) The code of conduct must govern the conduct of members of the council, members of local boards, and members of council committees.
- (3) A council's code of conduct must be accessible on its website.

78 Making or adoption of code of conduct

- (1) A council may, by ordinary resolution:
 - (a) make or adopt a code of conduct; or
 - (b) amend its code of conduct.
- (2) Unless a council has a code of conduct that the council has itself made or adopted, the provisions set out in Schedule 2 constitute the council's code of conduct.

City of Darwin has chosen to adopt the Code contained within Schedule 2 of the Act as the Code governing the conduct of City of Darwin Elected Members.

4 Policy Statement

Local Government Act

Schedule 2

Honesty and integrity

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

Care and diligence

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

Courtesy

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

Conduct towards council staff

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

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.

Conflict of interest

A member must, if possible, avoid 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.

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.

Gifts

A member must not solicit or encourage gifts or private benefits from any person who might have an interest in obtaining a benefit from the council.

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.

Interests of municipality or shire to be paramount

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

5 Legislation, terminology and references

Local Government Act Schedule 2 and Section 77 and 78.

6 Implementation and delegation

The Chief Executive Officer is responsible for managing implementation of this policy

7 Evaluation and review

This policy should be reviewed once in the term of each Council or more often as required.