

CODE OF CONDUCT

ELECTED MEMBERS, COMMITTEE
MEMBERS AND EMPLOYEES

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PREAMBLE

The Shire of Dardanup - Code of Conduct provides Council Members, Committee Members and staff in Local Government with consistent guidelines for an acceptable standard of professional conduct. The Code addresses in a concise manner the broader issue of ethical responsibility and encourages greater transparency and accountability in individual Local Governments.

The Shire of Dardanup - Code of Conduct is complementary to the principles adopted in the Local Government Act and regulations which incorporates four fundamental aims to result in :-

- (a) better decision-making by local governments;
- (b) greater community participation in the decisions and affairs of local governments;
- (c) greater accountability of local governments to their communities; and
- (d) more efficient and effective local government.

The Code provides a guide and a basis of expectations for Council Members, Committee Members and staff. It encourages a commitment to ethical and professional behaviour and outlines principles in which individual and collective Local Government responsibilities may be based.

Elected members are referred also to the Local Government (Rules of Conduct) Regulations 2007, the Rules of Conduct are attached (Appendix CoC: 1) to this Code of Conduct.

STATUTORY ENVIRONMENT

The Shire of Dardanup - Code of Conduct observes statutory requirements of the Local Government Act 1995 (S 5.103 – Codes of Conduct) and Local Government (Administration) Regulations 1996 (Regs 34B and 34C).

RULES OF CONDUCT

Council Members acknowledge their activities, behaviour and statutory compliance obligations may be scrutinised in accordance with prescribed rules of conduct as described in the Local Government Act 1995 and Local Government (Rules of Conduct) Regulations 2007.

CODE OF CONDUCT FOR COUNCIL MEMBERS, COMMITTEE MEMBERS & EMPLOYEES

1. ROLES

1.1 Role of Council Member

The primary role of a Council Member is to represent the community, and the effective translation of the community's needs and aspirations into a direction and future for the Local Government will be the focus of the Council Member's public life.

The Role of Council Members as set out in S 2.10 of the Local Government Act 1995 follows:-

“A Councillor —

(a) Represents the interests of electors, ratepayers and residents of the district;

(b) provides leadership and guidance to the community in the district;

(c) facilitates communication between the community and the council;

(d) participates in the local government's decision-making processes at council and committee meetings; and

(e) performs such other functions as are given to a Councillor by this Act or any other written law.”

A Council Member is part of the team in which the community has placed its trust to make decisions on its behalf and the community is therefore entitled to expect high standards of conduct from its elected representatives. In fulfilling the various roles, Council Members activities will focus on:

- achieving a balance in the diversity of community views to develop an overall strategy for the future of the community;
- achieving sound financial management and accountability in relation to the Local Government's finances;
- ensuring that appropriate mechanisms are in place to deal with the prompt handling of residents' concerns;
- working with other governments and organisations to achieve benefits for the community at both a local and regional level;
- having an awareness of the statutory obligations imposed on Council Members and on Local Governments.

In carrying out its functions a local government is to use its best endeavours to meet the needs of current and future generations through an integration of environmental protection, social advancement and economic prosperity.

1.2 Role of Staff

The role of staff is determined by the functions of the CEO as set out in S 5.41 of the Local Government Act 1995: -

“The CEO's functions are to —

(a) advise the council in relation to the functions of a local government under this Act and other written laws;

(b) ensure that advice and information is available to the council so that informed decisions can be made;

- (c) cause council decisions to be implemented;*
- (d) manage the day to day operations of the local government;*
- (e) liaise with the mayor or president on the local government's affairs and the performance of the local government's functions;*
- (f) speak on behalf of the local government if the mayor or president agrees;*
- (g) be responsible for the employment, management supervision, direction and dismissal of other employees (subject to S 5.37(2) in relation to senior employees);*
- (h) ensure that records and documents of the local government are properly kept for the purposes of this Act and any other written law; and*
- (i) perform any other function specified or delegated by the local government or imposed under this Act or any other written law as a function to be performed by the CEO."*

1.3 Role of Council

The Role of the Council is in accordance with S 2.7 of the Local Government Act 1995 :

- "(1) The council —*
- (a) directs and controls the local government's affairs; and*
- (b) is responsible for the performance of the local government's functions.*
- (2) Without limiting subsection (1), the council is to —*
- (a) oversee the allocation of the local government's finances and resources; and*
- (b) determine the local government's policies."*

1.4 Relationships between Council Members and Staff

An effective Councillor will work as part of the Council team with the Chief Executive Officer and other members of staff. That teamwork will only occur if Council Members and staff have a mutual respect and co-operate with each other to achieve the Council's corporate goals and implement the Council's strategies. To achieve that position, Council Members need to observe their statutory obligations which include, but are not limited to, the following:

- accept that their role is a leadership, not a management or administrative one;
- acknowledge that they have no capacity to individually direct members of staff to carry out particular functions;
- refrain from publicly criticising staff in a way that casts aspersions on their professional competence and credibility.

2. CONFLICT AND DISCLOSURE OF INTEREST

2.1 Conflict of Interest

- a) Council Members, Committee Members and staff will ensure that there is no actual (or perceived) conflict of interest between their personal interests and the impartial fulfilment of their professional duties.
- b) Staff will not engage in private work with or for any person or body with an interest in a proposed or current contract with the Local Government, without first making disclosure to the Chief Executive Officer. In this respect, it does not matter whether advantage is in fact obtained, as any appearance that private dealings could conflict with performance of duties must be scrupulously avoided.
- c) Council Members, Committee Members and staff will lodge written notice with the Chief Executive Officer describing an intention to undertake a dealing in land within the local government area or which may otherwise be in conflict with the Council's functions (other than purchasing the principal place of residence).
- d) Council Members, Committee Members and staff who exercise a recruitment or other discretionary function will make disclosure before dealing with relatives or close friends and will disqualify themselves from dealing with those persons.
- e) Staff will refrain from partisan political activities which could cast doubt on their neutrality and impartiality in acting in their professional capacity. An individual's rights to maintain their own political convictions are not impinged upon by this clause. It is recognised that such convictions cannot be a basis for discrimination and this is supported by anti- discriminatory legislation.

2.2 Financial Interest

Council Members, Committee Members and staff will adopt the principles of disclosure of financial interest as contained within the Local Government Act.

2.3 Disclosure of Interest

Definition :

In this clause, and in accordance with Regulation 34C of the Local Government (Administration) Regulations 1996 -

“interest” means an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest and includes an interest arising from kinship, friendship or membership of an association.

- a) A person who is an employee and who has an interest in any matter to be discussed at a council or committee meeting attended by the person is required to disclose the nature of the interest –
 - (i) in a written notice given to the CEO before the meeting; or
 - (ii) at the meeting immediately before the matter is discussed.

- b) A person who is an employee and who has given, or will give, advice in respect of any matter to be discussed at a council or committee meeting not attended by the person is required to disclose the nature of any interest the person has in the matter:-
- (i) in a written notice given to the CEO before the meeting; or
 - (ii) at the time the advice is given.
- c) A requirement described under items (a) and (b) exclude an interest referred to in S 5.60 of the Local Government Act 1995.
- d) A person is excused from a requirement made under items (a) or (b) to disclose the nature of an interest if -
- (i) the person's failure to disclose occurs because the person did not know he or she had an interest in the matter; or
 - (ii) the person's failure to disclose occurs because the person did not know the matter in which he or she had an interest would be discussed at the meeting and the person
- discloses the nature of the interest as soon as possible after becoming aware of the discussion of a matter of that kind.
- e) If a person who is an employee makes a disclosure in a written notice given to the CEO before a meeting to comply with requirements of items (a) or (b), then -
- (i) before the meeting the CEO is to cause the notice to be given to the person who is to preside at the meeting; and
 - (ii) immediately before a matter to which the disclosure relates is discussed at the meeting the person presiding is to bring the notice and its contents to the attention of the persons present.
- f) If -
- (i) to comply with a requirement made under item (a), the nature of a person's interest in a matter is disclosed at a meeting; or
 - (ii) a disclosure is made as described in item (d)(ii) at a meeting; or
 - (iii) to comply with a requirement made under item (e)(ii), a notice disclosing the nature of a person's interest in a matter is brought to the attention of the persons present at a meeting, the nature of the interest is to be recorded in the minutes of the meeting.

2.4 Interest - [Definitions]

Elected Members and Staff will adopt the principles of disclosure of an interest in any matter before Council or Committee including the type of interest being either a Financial, Indirect Financial, Proximity or Closely Associated persons, or impartial.

Financial:

A person has a financial interest in a matter if it is reasonable to expect that the matter will, if dealt with by the Local Government in a particular way, result in a financial gain, loss, benefit or detriment for the person.

Indirect Financial:

Closely associated person may have a matter before Council that will result in financial gain, loss, benefit or detriment for the person.

The association would be a financial partnership, or a matter relevant to a relative of yours and that relative is living with you.

Proximity:

If you live in proximity to the land subject to the matter before Council, even though you believe there will be no financial gain, loss, benefit or detriment, you must disclose your interest.

Proximity means land that shares a common boundary or is directly across the thoroughfare.

If the matter relates to works on the thoroughfare, the proximity interest only applies if where the works are, have a common boundary with the person's land.

Closely Associated Person:

- i) Partnerships - If you are in partnership with a person who has a matter before Council you must disclose the interest.
- ii) Employer - If you or a closely associated person employed by the person with a matter before Council you must disclose it.
- iii) Trusts - If you are a trustee then if any beneficiary, or object of a discretionary trust that has a matter before Council, you must disclose it.
- iv) Body Corporate - If you:
 - Are a director, secretary or executive officer of a body corporate.
 - Hold shares in a company which have a total nominal value exceeding \$10,000 or 1% of the total issued share capital value

and that company has a matter before Council, you are deemed to have a financial interest and must disclose.

- v) Spouses, Defacto Spouses and Children - If your spouse, defacto spouse or child has a matter before Council and at the time the matter is before Council they are living with you, you are deemed to have a financial interest.
- vi) Provider of Election Related Gifts - If during your election campaign or since your election a person gave you a gift, then if that person has a matter before Council, you are deemed to be "Closely Associated" and must disclose your interest.
- vii) Where a person has received or given "legal or financial advice" within the previous 12 months to/from a relevant person it is automatically regarded as having a financial interest with that person. The relevant person is to declare that interest at meetings where applicable.

The value of shares (for the purposes of the declaration of financial interests) shall be calculated on the closing share price of the stock exchange on the last trading day of the financial year. Where share is not listed on the stock exchange, it shall be calculated on the original nominal value of the share.

The minimum value of shares held in a company which have a total nominal value exceeding \$10,000 or 1% of the total issued share capital value

Impartiality Interest:

An interest that would give rise to a reasonable belief that the impartiality of the person having the interest would be adversely affected by that interest.

2.5 Procedure for Disclosing Interest

- i.) Declare your interest.
- ii.) If you desire to be present to speak or vote you must ask Council if they will allow you to be present. You must disclose the extent of the interest at this point if you want to stay and vote.
- iii.) Leave the room while the remaining elected members consider your request.
- iv.) Council will consider if they will allow you to be present, to speak only, or to fully participate and vote.
- v.) If they will allow you to be present they will call you back.
- vi.) Then you come in for the discussion and then leave again unless you have also been given approval to vote. (You may only speak if the matter is considered trivial or insignificant or is common to a significant number of electors or ratepayers.)
- vii.) If the decision is that you not be allowed in, you must stay out until the matter is dealt with.

2.6 Disclosing an Impartiality Interest

The Shire Council has resolved that the following Interests of Impartiality be declared by the relevant person:

Matters before Council by:

- a) Sons, daughters and spouses not living with you.

(Note: If they are living with you it becomes an indirect financial interest.)

- b) An organisation or club that you are an office bearer of.

(Note: If you are only a financial member then this scenario would mean no disclosure is necessary.)

- c) A friend that you share a meal with at least once per month.

(Note: Councillors and employees have many friends that they talk to and perhaps would have social interaction with on an irregular basis, this should not give rise to a disclosure.)

- d) Past or current business associates that you can share information with but do not transact business with.

(Note: If you transact business with them then it is a financial interest.)

The member or staff member with an interest in any matter affecting impartiality is to declare the interest prior to the matter being discussed by the Council. The declaration is to include the nature of the association with the person, friend or organisation.

The member or staff member is to continue to participate in the meeting as if no declaration of interest affecting impartiality was made.

Suggested Disclosure Declaration:

"With regard to..... the matter in item....., I disclose that I have an association with the applicant. As a consequence there may be a perception that my impartiality on the matter may be affected.

I declare that I will consider this matter on its merits and vote accordingly."

3. PERSONAL BENEFIT

3.1 Use of Confidential Information

Council Members, Committee Members and staff will not use confidential information to gain improper advantage for themselves or for any other person or body, in ways which are inconsistent with their obligation to act impartially and in good faith, or to improperly cause harm or detriment to any person or organisation.

3.2 Intellectual Property

The title to Intellectual Property in all duties relating to contracts of employment will be assigned to the Local Government upon its creation unless otherwise agreed by separate contract.

3.3 Improper or Undue Influence

Council Members and staff will not take advantage of their position to improperly influence other Council Members or staff in the performance of their duties or functions, in order to gain undue or improper (direct or indirect) advantage or gain for themselves or for any other person or body.

3.4 Gifts

Definitions :

In this clause, and in accordance with Regulation 34B of the Local Government (Administration) Regulations 1996

- a) A person who is an employee is to refrain from accepting a prohibited gift from a person who -
 - (i) is undertaking or seeking to undertake an activity involving a local government discretion; or
 - (ii) it is reasonable to believe is intending to undertake an activity involving a local government discretion.

- b) A person who is an employee and who accepts a notifiable gift from a person who:-
 - (i) is undertaking or seeking to undertake an activity involving a local government discretion; or
 - (ii) it is reasonable to believe is intending to undertake an activity involving a local government discretion, notify the CEO, in accordance with item (c) and within 10 days of accepting the gift, of the acceptance.

- c) The notification of the acceptance of a notifiable gift must be in writing and include:-
- (i) the name of the person who gave the gift; and
 - (ii) the date on which the gift was accepted; and
 - (iii) a description, and the estimated value, of the gift; and
 - (iv) the nature of the relationship between the person who is an employee and the person who gave the gift; and
 - (v) if the gift is a notifiable gift under paragraph (b) of the definition of "notifiable gift" (whether or not it is also a notifiable gift under paragraph (a) of that definition) –
 - (1) a description; and
 - (2) the estimated value; and
 - (3) the date of acceptance,of each other gift accepted within the 6 month period.
- d) The CEO is to maintain a register of notifiable gifts and record in it details of notifications given to comply with a requirement made under item (c).
- e) This clause does not apply to gifts received from a relative (as defined in S 5.74(1) of the Local Government Act) or an electoral gift (to which other disclosure provisions apply).
- f) This clause does not prevent the acceptance of a gift on behalf of the local government in the course of performing professional or ceremonial duties in circumstances where the gift is presented in whole to the CEO, entered into the Register of Notifiable Gifts and used or retained exclusively for the benefit of the local government.

4. CONDUCT OF COUNCIL MEMBERS, COMMITTEE MEMBERS AND EMPLOYEES

4.1 Personal Behaviour

- a) Council Members, Committee Members and staff will:
- (i) act, and be seen to act, properly and in accordance with the requirements of the law and the terms of this Code;
 - (ii) perform their duties impartially and in the best interests of the Local Government uninfluenced by fear or favour;
 - (iii) act in good faith (i.e. honestly, for the proper purpose, and without exceeding their powers) in the interests of the Local Government and the community;
 - (iv) 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 their official or professional duties, which may cause any reasonable person unwarranted offence or embarrassment; and
 - (v) always act in accordance with their obligation of fidelity to the Local Government.
- b) Council Members will represent and promote the interests of the Local Government, while recognising their special duty to their own constituents.

4.2 Honesty and Integrity

Council Members, Committee Members and staff will:

- a) observe the highest standards of honesty and integrity, and avoid conduct which might suggest any departure from these standards;
- b) bring to the notice of the Mayor/President any dishonesty or possible dishonesty on the part of any other member, and in the case of an employee to the Chief Executive Officer.
- c) be frank and honest in their official dealing with each other.

4.3 Performance of Duties

- a) While on duty, staff will give their whole time and attention to the Local Government's business and ensure that their work is carried out efficiently, economically and effectively, and that their standard of work reflects favourably both on them and on the Local Government.
- b) Council Members and Committee Members will at all times exercise reasonable care and diligence in the performance of their duties, being consistent in their decision making but treating all matters on individual merits. Council Members and Committee Members will be as informed as possible about the functions of the Council, and treat all members of the community honestly and fairly.

4.4 Compliance with Lawful Orders

- a) Council Members, Committee Members and staff will comply with any lawful order given by any person having authority to make or give such an order, with any doubts as to the propriety of any such order being taken up with the superior of the person who gave the order and, if resolution cannot be achieved, with the Chief Executive Officer.
- b) Council Members, Committee Members and staff will give effect to the lawful policies of the Local Government, whether or not they agree with or approve of them.

4.5 Administrative and Management Practices

Council Members, Committee Members and staff will ensure compliance with proper and reasonable administrative practices and conduct, and professional and responsible management practices.

4.6 Corporate Obligations

- a) Standard of Dress

Council Members, Committee Members and staff are expected to comply with neat and responsible dress standards at all times. Accordingly :

- (i) Council Members and Committee Members will dress in a manner appropriate to their position, in particular when attending meetings or representing the Local Government in an official capacity.
- (ii) Management reserves the right to adopt policies relating to corporate dress and to raise the issue of dress with individual staff.

- b) Communication and Public Relations

- (i) All aspects of communication by staff (including verbal, written or personal), involving Local Government's activities should reflect the status and objectives of that Local Government. Communications should be accurate, polite and professional.
- (ii) As a representative of the community, Council Members need to be not only responsive to community views, but to adequately communicate the attitudes and decisions of the Council. In doing so Council Members should acknowledge that:
 - as a member of the Council there is respect for the decision making processes of the Council which are based on a decision of the majority of the Council;
 - information of a confidential nature ought not be communicated until it is no longer treated as confidential;
 - information relating to decisions of the Council on approvals, permits and so on ought only be communicated in an official capacity by a designated officer of the Council;

- information concerning adopted policies, procedures and decisions of the Council is conveyed accurately.
- (iii) Committee Members accept and acknowledge it is their responsibility to observe any direction the Local Government may adopt in terms of advancing and promoting the objectives of the Committee to which they have been appointed.

4.7 Appointments to Committees

As part of their representative role Council Members are often asked to represent the Council on external organisations. It is important that Council Members :

- clearly understand the basis of their appointment; and
- provide regular reports on the activities of the organisation.

5. DEALING WITH COUNCIL PROPERTY

5.1 Use of Local Government Resources

Council Members and staff will:

- a) be scrupulously honest in their use of the Local Government's resources and shall not misuse them or permit their misuse (or the appearance of misuse) by any other person or body;
- b) use the Local Government resources entrusted to them effectively and economically in the course of their duties; and
- c) not use the Local Government's resources (including the services of Council staff) for private purposes (other than when supplied as part of a contract of employment), unless properly authorised to do so, and appropriate payments are made (as determined by the Chief Executive Officer).

5.2 Travelling and Sustenance Expenses

Council Members, Committee Members and staff will only claim or accept travelling and sustenance expenses arising out of travel-related matters which have a direct bearing on the services, policies or business of the Local Government in accordance with Local Government policy and the provisions of the Local Government Act.

5.3 Access to Information

- a) Staff will ensure that Council Members are given access to all information necessary for them to properly perform their functions and comply with their responsibilities.
- b) Council Members will ensure that information provided will be used properly and to assist in the process of making reasonable and informed decisions on matters before the Council.

6. STAFF/VOLUNTEERS WORKING WITH THE YOUTH/YOUNG PEOPLE

Note: Youth/young people are persons under the age of twenty five years.

6.1 Confidentiality

Youth/young people may share personal information about themselves or others. Staff/volunteers are required to respect the young person's right to confidentiality. Information shared by the young person shall not be used against them nor will it be shared with others without their permission. Youth/young people should be made aware of the limits to confidentiality.

Staff/volunteers who have concerns in regard to the young person's disclosure should consult with the Shire's Youth Services Supervisor.

There are four situations in which confidentiality can be breached.

They are:

1. If you believe the young person is at risk of serious harm.
2. If you have reason to believe the young person is at risk of harming others.
3. Information is subpoenaed by the courts – in which case, staff/volunteers can request that the 'Shire of Dardanup's Code of Conduct' be respected and for information held regarding the young person remain confidential.
4. If a crime has been committed against the Shire, staff/volunteers or others, staff/volunteers must report the matter to the Shire's Youth Services Supervisor prior to any details being provided to the Police. The matter must then be reported to the Chief Executive Officer of the Shire of Dardanup and then to the Police and if required the Department of Child Protection.

6.2 Duty of Care

Staff/volunteers must avoid where possible exposing youth/young people and peers to the likelihood of harm or injury.

Supervision ratios shall be one staff-per 10 youth/young people.

Staff/volunteers are required to adhere to the following:

- Perform their duties with skill, care and diligence;
- Follow policy and procedure as set out in this document;
- Represent the Shire of Dardanup in a respectful, constructive and positive way, and promote a positive public image;
- No consuming alcohol, illicit drugs or tobacco whilst working, adhering to Policy "Alcohol, Drugs & Illegal Substance Use In The Workplace" at all times;

- Treat all persons with courtesy, respect and consideration at all times; and
- Wear appropriate clothing and footwear/uniform.

6.3 Working With Children's Clearance

It is mandatory for all staff/volunteers who work with youth/young people that are connected with the Shire of Dardanup to have a current Working with Children's Clearance. The Shire of Dardanup requires a copy of a current clearance prior to commencement of duties or activities with youth/young people.

6.4 Rights of Youth/Young People

Staff/volunteers are required to understand the rights of youth/young people accessing the Shire of Dardanup's programs and services, and to conduct themselves in a manner that reflects these rights.

Youth/young people have the right to:

- access safe, affordable and professional programmes and services that are free from harassment and discrimination;
- confidentiality;
- complain if they are not satisfied with the service they receive;
- not be physically, mentally, sexually or verbally abused; and
- an environment which will assist them to reach their potential;

6.5 Behaviours With Youth/Young People

Staff/volunteers are required to be role models to youth/young people. Explicit bad language should not be used by staff/volunteers and should be discouraged from youth/young people. Staff/volunteers should at no time act in a discriminatory, corrupt or disrespectful manner towards other staff/volunteers, youth/young people, parents/guardians or community members.

6.6 Personal Relationships Outside Of Work

During the course of the work, staff/volunteers will develop a level of rapport and professional relationship with the youth/young people. This should not extend to relationships or interaction outside work hours.

Staff/volunteers are required to maintain this professional relationship outside of work hours should they come into contact with youth/young people who access Shire services/programs.

Staff/volunteers shall not:

- Initiate social contact with youth/young people from their work;
- Have romantic or sexual relations with youth/young people from their work;
- Allow youth/young people to visit or contact staff/volunteers at their home;

- Give out their home/private phone number or address; and
- Loan money to youth/young people under any circumstances.

6.7 Transport/Lifts

Youth/young people may request to be picked up or dropped off by staff/volunteers. It is expressly forbidden to provide lifts to youth/young people in personal vehicles without written consent from the parent/guardian. Written permission should be obtained from a parent or guardian prior to staff transporting youth/young people. If this is not possible, verbal confirmation may be acceptable in an emergency situation or where duty of care is owed to a young person. This must be an emergency situation and a written file note is required. If a lift is provided then two people either a staff member or volunteer shall be in the vehicle with the young person. The staff member or volunteer shall not be alone in a vehicle with a young person. Under no circumstances shall a staff member provide an unaccompanied lift.

SIGNED

Shire of Dardanup - Code of Conduct:

- Adopted by Council at the Ordinary Meeting of Council held 23 November 2011. Resolution 346/11.
- Amended by Council at the Ordinary Meeting of Council held 10 October 2012. Resolution 342/12.
- Amended by Council at the Ordinary Meeting of Council held 6 November 2013. Resolution 337/13.
- November 2018 – Council considered a full review of the Code of Conduct at a workshop held with WALGA representative and management in attendance. It was agreed that the review be held off pending the review of the Local Government Act 1995:

Phase 1 of the Local Government Act review process will soon progress with the presentation of a Bill to Parliament, potentially by the end of 2018. It is hoped this Bill will progress through Parliament by mid-2019.

The Bill will introduce some significant changes in the way Codes of Conduct are adopted and managed, in the following ways;

- *The current Rules of Conduct Regulations will become mandatory content of a Code of Conduct, which must be adopted by all Local Governments. The Code will apply to Council Members, Committee Members and election candidates;*
- *Allegations of breach of a Rule will still be referred to the Local Government Standards Panel;*
- *A Code of Conduct can contain content in addition to the Rules of Conduct, and any allegations of a breach of Code content (i.e not the Rules) will be dealt with by the Local Government;*
- *The CEO will be responsible for determining the Code of Conduct for employees. The Bill will also change the rules relating gifts and CEO's will in future use the Code as a means of describing employees responsibilities to accept and declare gifts received in association with their employment.*

Due to the substantial changes to the Local Government Act described above, it is proposed that the current Code of Conduct review be deferred until the new legislation relating to Codes of Conduct commences in 2019.

Signed:



CR. MICK T BENNETT
Shire President

Date: 06/11/2013

Signed:



MR MARK L CHESTER
Chief Executive Officer

Date: 06/11/2013

