

CSF039: COUNCIL POLICY – CODE OF CONDUCT

- Proponent** : City of Albany
- Attachments** : • Draft Code of Conduct Policy titled: Council Policy – Code of Conduct (Council Members, Committee Members, Staff and Volunteers)
- Responsible Officer(s)** : Executive Director Corporate Services (G Adams)
Manager Governance & Risk Management (S Jamieson)

**Responsible Officers
Signature:**



STRATEGIC IMPLICATIONS

1. *This item relates to the following elements of the [City of Albany Strategic Community Plan 2023](#) and [Corporate Business Plan 2013-2017](#):*
 - a. **Key Theme:** 5. Civic Leadership
 - b. **Strategic Objective:** 5.2 To provide strong accountable leadership supported by a skilled and professional workforce.
 - c. **Strategic Initiative:** Nil.

In Brief:

- Review and adopt the fully revised Code of Conduct Policy.

RECOMMENDATION

CSF039: COMMITTEE RECOMMENDATION
VOTING REQUIREMENT: ABSOLUTE MAJORITY

THAT Council RESCIND the current policies:

- (a) Council Policy – Code of Conduct for Members of Council
- (b) City Policy – Code of Conduct (for City of Albany Staff, including Volunteers)

and ADOPT the revised Code of Conduct Policy-Code of Conduct (Council Members, Committee Members, Staff and Volunteers)

CSF039: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR BOWLES
SECONDED: COUNCILLOR CALLEJA

THAT Council RESCIND the current policies:

- (a) Council Policy – Code of Conduct for Members of Council
- (b) City Policy – Code of Conduct (for City of Albany Staff, including Volunteers)

and ADOPT the revised Code of Conduct Policy-Code of Conduct (Council Members, Committee Members, Staff and Volunteers)

CARRIED 11-0

CSF039: RESPONSIBLE OFFICER RECOMMENDATION

THAT Council RESCIND the current policies:

- (a) Council Policy – Code of Conduct for Members of Council
- (b) City Policy – Code of Conduct (for City of Albany Staff, including Volunteers)

and ADOPT the revised Code of Conduct Policy-Code of Conduct (Council Members, Committee Members, Staff and Volunteers)

BACKGROUND

2. In 2011, the City of Albany rescinded the Code of Conduct (Code) that applied Members of Council and Staff and adopted two separated codes.

DISCUSSION

3. Council may at any time alter the proposed Code of Conduct, or substitute a new Code of Conduct.
4. The amended policy position is based on comparable Codes from across the local government sector and compliments the community's expectation encapsulated in the [City of Albany Strategic Community Plan 2023](#) and communicated through Council's "Our Values", statement, being:
 - a. **Focused:** on community outcomes;
 - b. **United:** by working and learning together;
 - c. **Accountable:** for our actions; and
 - d. **Proud:** of our people and our community.
5. This Code provides City of Albany Council Members, Committee Members, Staff and Volunteers with consistent guidelines for an acceptable standard of professional conduct. This Code addresses in a concise manner the broader issue of ethical responsibility and encourages greater transparency and accountability.

6. This Code is complementary to the principles adopted in the *Local Government Act 1995* (the Act) and regulations which incorporates four fundamental aims to result in:
 - a. better decision-making;
 - b. greater community participation in the decisions and affairs of the City;
 - c. greater accountability to the City's communities; and
 - d. a more efficient and effective local government.
7. The Code provides a guide and a basis of expectations for Council Members, Committee Members, Volunteers and Staff. It encourages a commitment to ethical and professional behaviour and outlines principles in which individual and collective responsibilities may be based.

GOVERNMENT & PUBLIC CONSULTATION

8. The proposed Code compliments the agreed values encapsulated in the adopted "Our Values" statement, which was developed in consultation with Community, Council and Staff.
9. Prior to presentation to Council, through the Corporate Services and Finance Committee (CSF), this document has been reviewed formally by the Executive Management Team on four separate occasions.

STATUTORY IMPLICATIONS

10. In accordance with section 2.7 of the *Local Government Act 1995* (the Act), Council is responsible for determining local government policies.
11. Section 5.103(1) of the Act states: Every local government is to prepare or adopt a code of conduct to be observed by council members, committee members and employees.

POLICY IMPLICATIONS

12. Adoption of this policy will replace the current policies adopted by Council and the City's Executive in 2011.

RISK IDENTIFICATION & MITIGATION

13. The risk identification and categorisation relies on the City's [Enterprise Risk Management Framework](#).

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<i>Statutory Non Compliance</i>	<i>Unlikely</i>	<i>Medium</i>	<i>Medium</i>	<i>Adoption of new policy position (code), ensure legislative compliance and compliments the spirit of the Act and "One Team" leadership.</i>

FINANCIAL IMPLICATIONS

14. There are no financial implications related to this item.

LEGAL IMPLICATIONS

15. The proposed new Council Policy position ensures legislative compliance with section 5.103(1) of the Act. (Refer to Statutory implication section of report).

ALTERNATE OPTIONS

16. Council may chose to review its policy position; however in the interim it is recommended that the policy is amended to legislative compliance.

SUMMARY CONCLUSION

17. Recommend that the new Code is adopted in accordance with the Act.

Consulted References	:	<ul style="list-style-type: none">• <i>Local Government Act 1995</i>• <i>Local Government (Rules of Conduct) Regulations 2007</i>• <i>Public Interest Disclosure Act 2003 (WA)</i>• <i>The Complete Guide to the Local Government Act, Volume 3, Councillors Manual</i>• <i>Local Government Operational Guidelines – Number 01, May 2000</i>
File Number (Name of Ward)	:	CM.STD.7 (All Wards)
Previous Reference	:	OCM 11/10/2011 Item 1.6