

Code of Conduct for Members of Special Committees

PURPOSE

A special committee is a committee established by Council under section 24 of the *Local Government Act 1993* (Tas). The purpose of a special committee is to consider any matter referred to it by Council, within the terms of reference applicable to that committee.

Council determines the membership of a special committee, drawing from aldermen, Council employees and the general public.

This code of conduct sets out the standards of behaviour expected of members in relation to:

- behaviour in special committee meetings; and
- the performance of work for or in connection with that committee.

SCOPE

This code of conduct applies to members of special committees who are not Aldermen or Council employees. Aldermen or Council employees who are members of a special committee are not subject to this code of conduct. Aldermen are subject to the Code of Conduct for Aldermen (14-Plx-032). Council employees are subject to the Code of Conduct Policy (22-PI-030).

POLICY

1. A member of a special committee, through their participation in the committee and their interaction with other members, staff and the general public on matters related to the committee:
 - (a) is to treat all persons with courtesy, fairness, dignity and respect; and
 - (b) is not to intentionally cause any person offence or embarrassment; and
 - (c) is not to bully or harass any person.
2. A member is to listen to, and respect, the views of other participants in committee meetings and any other proceedings of the committee, and endeavour to ensure that issues, not personalities, are the focus of debate.
3. When giving information to the community, a member is to accurately represent the decisions of the committee.
4. A member is to clearly indicate when they are putting forward their personal views.
5. A member is to respect the authority of the chairperson in the oversight of the committee meetings.
6. A member is not to influence, or attempt to influence, any Council employee or delegate of Council, in the exercise of the functions of the employee or delegate.
7. A member is not to contact an employee of the Council in relation to committee matters unless authorised by the chairperson, who will in turn seek the approval of the General Manager of the Council.

8. A member is not to knowingly misrepresent information that he or she has obtained in the course of their duties as a member of the committee.
9. A member is not to speak on behalf of the committee, unless specifically authorised or delegated by the chairperson.
10. A member's personal views are not to be expressed in such a way as to undermine the decisions of the committee or bring the committee into disrepute.
11. The personal conduct of a member is not to reflect, or have the potential to reflect, adversely on the reputation of the committee or the Council.

PRINCIPLES

Members are expected to commit to the following principles:

- *Equitable* – Provide all members with the opportunity to participate in the decision making process and treat all members equally.
- *Participatory and inclusive* – Ensure that all members of the committee have the opportunity to participate in the process for making that decision.
- *Effective and efficient* – Implement decisions and follow processes that make the best use of the available people, resources and time, to ensure the best possible results for the community.
- *Consensus oriented* – Take into account the different views and interests in the community, to reach a majority position on what is in the best interests of the whole community, and how it can be achieved.

CONTRAVENING THIS CODE OF CONDUCT

If the chairperson believes a member has contravened this code of conduct, they will, in the first instance, raise the matter in a meeting with the member, outlining:

1. the provision in this code of conduct that the member is alleged to have contravened, and
2. the details of the behaviour of the member that constitutes the alleged contravention.

There are four likely outcomes that will arise from the meeting, and the process for the chairperson to follow for each of these is as follows:

1. If the member accepts that they have contravened the code of conduct and this contravention can be resolved without recommending removal from the committee, the chairperson may:
 - issue the member with a formal caution or reprimand; and/or
 - require the member to apologise to any person(s) affected by the contravention.
2. If the member refuses to accept that they have contravened the code of conduct and, in the opinion of the chairperson, this contravention may be resolved without recommending dismissal from the committee, the chairperson will seek advice from the General Manager on how to proceed.

3. If the member accepts that they have contravened the code of conduct and this alleged contravention is such that it warrants removal from the committee, they will be provided the opportunity to resign from the committee.
4. If the alleged contravention is such that it warrants removal from the committee and the member:
 - accepts that they have contravened the code of conduct and does not resign from the committee; or
 - refuses to accept that the alleged contravention is such that it warrants removal from the committee

the chairperson will write to the General Manager including in the correspondence:

- the name of the member;
- the provision of the code of conduct that the member has allegedly contravened, and
- the details of the behaviour of the member that constitutes the alleged contravention.

Upon receiving the correspondence, the General Manager will refer the matter to Council for decision.

RELATIONSHIP BETWEEN THIS POLICY AND A SPECIAL COMMITTEE'S TERMS OF REFERENCE OR CHARTER

If a provision in this code of conduct is inconsistent with a provision made in any special committee's terms of reference or charter, the provision in this code of conduct prevails.

RELATED POLICIES & PROCEDURES

14-HLPr-012 Committee Representation Details
14-Plx-032 Code of Conduct for Aldermen
22-PI-030 Code of Conduct Policy

RELATED LEGISLATION

Not applicable.

REFERENCES

Not applicable.

DEFINITIONS

Special Committee: a special committee is a committee convened under section 24 of the *Local Government Act 1993* (Tas).

Member: a representative with voting rights on a special committee covered by this code of conduct.

REVIEW

This code of conduct will be reviewed no more than four years after the date of approval to broadly align with the local government election cycle, or more frequently if required by operational demands and with Council's approval.