



Elected Members Policies | Governance

EMP-GOV-001 | Code of Conduct for Council Members Committee Members and Candidates

Strategic Context

Strategic Link	Policy Objective
✓ United ✓ Safe & Healthy ✓ Beautiful & Respected ✓ Prosperous & Equitable	The objective of this policy is to establish a clear and consistent standard of conduct for Council Members, Committee Members and Candidates that promotes ethical behaviour, integrity, accountability, respectful engagement and good governance, and supports public confidence in the decision-making and representative functions of local government.

Introduction

1. Council Members, Committee Members and Candidates play an important role in representing the community, participating in local government decision-making, and upholding public trust in the Shire of Halls Creek. The conduct of individuals in these roles must reflect the principles of integrity, accountability, fairness, respect and good governance, and must support lawful, ethical and transparent decision-making. This policy establishes a clear framework for the standards of behaviour expected of Council Members, Committee Members and Candidates to promote respectful and professional conduct, support public confidence in local government, and uphold the reputation and integrity of the Shire.

Purpose

2. This Code of Conduct is in line with *Local Government Act 1995* (WA) and the *Local Government (Model Code of Conduct) Regulations 2021* (Model Code of Conduct Regulations).
3. There have been several key changes to the above regulatory requirements which commenced operation on 1 January 2026. This Code of Conduct has been amended as required by law in line with the Act and Model Code of Conduct Regulations.

Policy Scope

4. This policy applies to all Council Members, Committee Members and Candidates of the Shire of Halls Creek in connection with the performance of their roles, responsibilities and conduct in matters relating to local government functions. This policy applies to behavior and interactions undertaken in official capacities, during Council or committee business, and in any circumstances where conduct may reasonably be regarded as connected to the role of a Council Member, Committee Member or Candidate.

Policy Statement

- Council Members, Committee Members and Candidates of the Shire of Halls Creek are expected to conduct themselves in a lawful, ethical, respectful and responsible manner in the performance of their roles and in all matters connected with local government functions. They must act with integrity, accountability, fairness and transparency, treat others with courtesy and respect, and uphold the reputation, good governance and decision-making processes of the Shire. Conduct that is inconsistent with these standards, or that undermines public confidence in local government, is not acceptable.

Principles Underpinning the Policy

Principle Name	Principal Definition
Integrity and Honesty	Council Members, Committee Members and Candidates must act honestly, ethically and in the public interest, and must not use their position for improper advantage or personal gain.
Accountability and Transparency	Decisions, actions and conduct must be undertaken in a manner that is responsible, transparent and capable of withstanding public scrutiny.
Respect and Professionalism	All interactions with fellow Council Members, Committee Members, Candidates, employees, contractors, stakeholders and members of the community must be conducted in a courteous, respectful and professional manner.
Fairness and Impartiality	Roles and responsibilities must be exercised fairly, consistently and without bias, favouritism or improper influence.
Lawful and Ethical Conduct	Council Members, Committee Members and Candidates must comply with all applicable legislation, regulations, prescribed codes and Shire policies, and must act in a manner consistent with ethical local government practice.
Good Governance	Conduct must support effective, lawful and ethical decision-making, uphold the reputation of the Shire, and maintain public confidence in the Shire's leadership and governance processes.

Definitions

Principle Name	Principal Definition
Candidate	A person who has nominated, or publicly declared an intention to nominate, for election as a Council Member of the Shire of Halls Creek.
Committee Member	A person appointed by Council or the Chief Executive Officer to a committee, advisory group or other body established by the Shire, including external members where applicable.
Council Member	A person elected or appointed as a member of the Council of the Shire of Halls Creek under the <i>Local Government Act 1995</i> .
Chief Executive Officer (CEO)	The person appointed by the Shire of Halls Creek to perform the functions of the Chief Executive Officer under the <i>Local Government Act 1995</i> .
Code of Conduct	The standards of behaviour and conduct set out in this policy, together with any applicable prescribed or legislative code of conduct requirements.

Complaint	A report or allegation that a Council Member, Committee Member or Candidate may have acted in a manner that is inconsistent with this policy, applicable legislation, or any prescribed code of conduct.
Confidential Information	Information that is not publicly available and is obtained through a person's role with the Shire, including information designated as confidential, information considered at a meeting closed to the public, or information that is required by law to be kept confidential.
Local Government	The Shire of Halls Creek.
Official Capacity	Activities, conduct, communications or decisions undertaken in connection with a person's role or functions as a Council Member, Committee Member or Candidate, or that may reasonably be perceived as connected to that role
Policy	This Code of Conduct for Council Members, Committee Members and Candidates.
Prescribed Code	Any code of conduct prescribed under the Local Government Act 1995 or associated regulations that applies to Council Members, Committee Members or Candidates.
Shire	The Shire of Halls Creek.

Policy Details

6. Division 1 — Preliminary Provisions

6.1 This policy is cited as the Shire of Halls Creek Code of Conduct for Council Members, Committee Members and Candidates (the Code). For the purposes of this Code, Act means the *Local Government Act 1995 (WA)*, Candidate means a candidate for election as a Council Member, Complaint means a complaint made under clause 11(1) of this Code and publish includes publication on a social media platform. Unless the contrary intention appears, terms used in this Code that are also used in the *Local Government Act 1995 (WA)* have the same meaning as in that Act.

7. Division 2 — General Principles

7.1 Council Members, Committee Members and Candidates are expected to conduct themselves in a manner that reflects integrity, accountability, respect, and good governance. This includes acting with reasonable care and diligence, honesty, integrity and lawfulness, appropriately identifying and managing conflicts of interest, and avoiding conduct that may damage the reputation of the local government.

7.2 Council Members and Committee Members are expected to act in accordance with the trust placed in them, participate in decision-making in an honest, fair, impartial and timely manner, and actively engage in training, briefings, workshops and other development opportunities relevant to the performance of their role.

7.3 In their dealings with others, Council Members, Committee Members and Candidates must treat all persons with respect, courtesy and fairness, and recognize and value diversity within the community. Council Members and Committee Members must also contribute to a harmonious, safe, and productive work environment.

7.4 Council Members and Committee Members are expected to exercise accountability by basing decisions on relevant and factually correct information, making decisions on merit, in the public interest, and in accordance with statutory obligations, principles of good governance and procedural fairness, reading all agenda papers provided in relation to Council or committee meetings, and remaining open and accountable to the community they represent.

8. Division 3- Behavioral Requirements & Complaints and Alleged Breaches

8.1 Behavioral Requirements. This Division sets out the behavioural standards expected of Council Members, Committee Members, and Candidates. All people to whom this Code applies must ensure that their use of social media and other forms of communication complies with this Code, and that any material they publish is factually correct. Council Members and Committee Members must not be impaired by alcohol or drugs in the performance of their official duties and must comply with all applicable policies, procedures and resolutions of the local government. Council Members, Committee Members and Candidates must not engage in bullying or harassment, must treat others respectfully and appropriately, must not use offensive or derogatory language, must not disparage the character of another Council Member, Committee Member, Candidate or local government employee, and must not attribute dishonest or unethical motives to others in connection with the performance of official duties. When attending Council or committee meetings, Council Members, Committee Members and Candidates must behave respectfully and in an orderly manner, must not act in an abusive or threatening way, make false or misleading statements, or repeatedly disrupt proceedings, and must comply with applicable meeting procedures, local laws and any lawful direction of the presiding member.

8.2 Complaints and Alleged Breaches. A person may make a complaint alleging a breach of the behavioural requirements set out in this Division. Complaints must be made in writing, in the approved form, to an authorised person and within the prescribed timeframe. Complaints are to be received, assessed and dealt with in accordance with the *Local Government Act 1995*, the *Local Government (Model Code of Conduct) Regulations 2021*, the *Local Government (Local Government Inspector) Regulations 2025*, and any applicable local government procedures. Following consideration of a complaint, the local government may dismiss the complaint, determine that no breach has occurred, or make a finding that a breach has occurred and determine an appropriate response, including taking no further action or implementing a plan to address the behaviour. Complaints relating to conduct at Council or committee meetings that have already been dealt with by the presiding member or remedied under applicable meeting procedures may be dismissed. Complaints may be withdrawn in writing before a finding is made. Where required by law, complaints must be referred to the Inspector, and any referral, monitoring or determination process must be undertaken in accordance with applicable legislative requirements.

9. Division 4- Rules of Conduct

Rule of Conduct	Requirement
Use of Local Government Resources	Council Members must not use local government resources for electoral purposes or any other unauthorised purpose, unless authorised under the <i>Local Government Act 1995</i> , or by the local government or the Chief Executive Officer.
Improper Use of Office	Council Members must not improperly use their office to gain an advantage for themselves or another person, or to cause detriment to the local government or any other person.
Involvement in Administration	Council Members must not undertake administrative tasks of the local government unless expressly authorised, other than as part of lawful deliberations at a Council or committee meeting.
Relationship with Employees	Council Members and Candidates must maintain appropriate and professional boundaries with local government employees and must not

	direct, improperly influence, threaten, reward, abuse or intimidate employees in the performance of their duties.
Conduct Towards Employees	Council Members and Candidates must not make offensive, objectionable or disparaging statements about local government employees, including allegations of incompetence or dishonesty, in connection with official duties or functions
Confidential Information	Council Members must protect confidential information obtained through confidential documents or closed meetings and must not disclose such information except where authorised or permitted by law.
Disclosure of Interests	Council Members must disclose interests that may, or may reasonably be perceived to, adversely affect their impartiality in matters before Council or a committee, in accordance with legislative requirements.
Compliance with Plan Requirements	Council Members must comply with any requirement imposed under an approved behaviour management plan.

9.1 The Rules of Conduct set out in this section are to be interpreted and applied in conjunction with the Local Government Act 1995, the Local Government (Model Code of Conduct) Regulations 2021, and any other applicable legislative or regulatory requirements, as amended from time to time.

Accountability

10. Council Members, Committee Members and Candidates are individually accountable for complying with this policy and for ensuring their conduct is consistent with the standards of behaviour, integrity, accountability and good governance expected under applicable legislation, regulations and this policy. Council is responsible for adopting this policy and maintaining the governance framework that supports ethical conduct and public confidence in local government. The Chief Executive Officer is responsible for overseeing the administration and implementation of this policy, ensuring appropriate procedures are in place, and facilitating the receipt and management of complaints in accordance with legislative requirements and approved local government processes. Where required by law, complaints and related matters must be referred to the appropriate external authority and dealt with in accordance with the applicable statutory framework.

Related Documentation / Legislation

Legislation	Shire of Halls Creek Documentation
a. <i>Local Government Act 1995 (WA)</i> b. <i>Local Government (Model Code of Conduct) Regulations 2021 (WA)</i> c. <i>Local Government (Rules of Conduct) Regulations 2007 (WA)</i> d. <i>Local Government (Administration) Regulations 1996 (WA)</i>	a. Council Member Induction and Professional Development Policy / Program b. Council Meeting Procedures Local Law (or equivalent local law, if adopted)



Policy Review

11. This policy will be reviewed every two (2) years from the date of endorsement, or earlier in the event of legislative change, audit findings or a resolution of Council.

Document Control

Relevant delegations	Nil		
Risk Evaluation	Moderate		
Council adoption	26/03/2026	Resolution:	2026/024
Previous Title	A1A Code of Conduct for Council Members, Committee Members and Candidates		
Reviewed	17 June 2021 (Resolution no. 2021/066) 28 July 2022 (Resolution no. 2022/071) 27 July 2023 (Resolution no. 2023/064) 22 August 2024 (Resolution no. 2024/194)		
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