

Report of Governance to the Ordinary Meeting of Council held on Monday
18 September 2017

GO5 – Review of Code of Conduct

GO5 **Review of Code of Conduct**
238

TRIM 98

EXECUTIVE SUMMARY

- This report recommends that Council adopt the amended Wollondilly Shire Council's Code of Conduct.

REPORT

Council received a circular from the Office of Local Government on 3 November 2016 advising that the recent amendments to the *Local Government Act 1993* (the Act), will see the pecuniary interest provisions of the Act and the *Local Government (General) Regulation 2005* (the Regulation) incorporated into the Model Code of Conduct for Local Councils in NSW.

The reforms will consolidate all ethical standards for Council officials into a single statutory instrument. It will also mean that breaches of pecuniary interest obligations by councillors are treated as misconduct under the Act and will be subject to the 'three strikes' misconduct rules.

Councils and Conduct Reviewers were asked to assist with the review of the Model Code and submissions were invited to be provided by 2 December 2016.

Council staff have waited for the amendments to the Regulation and Model Code to be implemented however, no progress has occurred to date. To meet the requirements of section 440 of the Act, Council must review and adopt a Code of Conduct (the Code) within 12 months of the Local Government Election.

Council's Code has been reviewed and Part 3.6 has been updated to align with the staff "*Respectful Behaviours Administrative Protocol*". A new Part 3.13 and 3.14 have been added regarding Corruption Prevention and Fraud Control to align with best practice recommendations from the Audit Office of New South Wales. A general Work Health and Safety responsibility has also been added in part 3.15 and 3.16. Some minor grammatical changes were also made and these are outlined in the attached Summary of Changes Table.

CONSULTATION

No consultation was required.

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FINANCIAL IMPLICATIONS

This matter has no financial impact on Council's adopted budget or forward estimates.

ATTACHMENTS INCLUDED IN A SEPARATE BOOKLET

1. Summary of Changes Table
2. Draft Code of Conduct
3. Circular to Councils - 16-42

RECOMMENDATION

That Council adopt the amended Wollondilly Shire Council Code of Conduct.