



Local Government Regulation Amendments 2021 Guidance Note

Suggested actions and considerations for implementation of the:

Local Government (Model Code of Conduct) Regulations 2021

Local Government (Administration) Amendment Regulations 2021

Local Government Regulations Amendment (Employee Code of Conduct) Regulations 2021

Introduction:

This document is intended to assist Local Governments to understand their responsibilities, to complement the resources provided by the Department of Local Government Sport and Cultural Industries (DLGSC), and to provide some suggested actions and considerations for Local Governments when implementing the new requirements.

Although this Guide will assist Local Governments in understanding the amended legislation, we strongly advise that you read and contemplate the legislative amendments to the Local Government Act and Regulations to ensure the organisation has a full appreciation of its statutory obligations.

WALGA welcomes feedback on the content of this document, particularly if your Local Government has identified other issues, opportunities or improved practices in relation to these amendments. Your suggestions will inform the continuous improvement and updates of this document for the assistance of all Western Australian Local Governments. Your feedback will also inform WALGA's advocacy where legislative amendment is deemed necessary.

Please send your comments on this document to governance@walga.asn.au

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Legend

Act	<i>Local Government Act 1995</i>
MCCR	<i>Local Government (Model Code of Conduct) Regulations 2021</i>
Model Code	<i>Local Government (Model Code of Conduct) Regulations 2021, Schedule 1 only</i>
Code of Conduct	The Code of Conduct adopted by the Council of the Local Government, incorporating the Model Code of Conduct, with or without additions.
LGAAR	<i>Local Government (Administration) Amendment Regulations 2021</i>
Admin Regs	<i>Local Government (Administration) Regulations 1996 as amended</i>
Model Standards	<i>Local Government (Administration) Regulations 1996, Schedule 2 only [inserted by LGAAR]</i>
CEO Standards	The Standards for CEO recruitment, performance and termination adopted by the Council of the Local Government, incorporating the Model Standards, with or without additions.
Employee Code Regulations	<i>Local Government Regulations Amendment (Employee Code of Conduct) Regulations 2021</i>
Code of Conduct for Employees	Code of Conduct for Employees prepared and implemented by the CEO in accordance with s.5.51A of the Act and Part 4A of the Admin Regs [inserted by the Employee Code Regulations].

1.0 Model Code of Conduct for Council Members, Committee Members and Candidates

The [Local Government \(Model Code of Conduct\) Regulations 2021](#) (MCCR) repeals and replaces the *Local Government (Rules of Conduct) Regulations 2007*, and there are associated amendments to s.5.103 of the *Local Government Act 1995*. The effect is that the former Code of Conduct for Council Members, Committee Members and Employees is now replaced with statutory requirements for separate Codes of Conduct for Council Members, Committee Members and Candidates; and for Employees. The Code of Conduct for Employees is dealt with in Part 3 of this Guide.

The Model Code of Conduct for Council Members, Committee Members and Candidates is contained in Schedule 1 of the MCCR. In addition to redrafted versions of the previous Rules of Conduct (Schedule 1, Division 4), the Model Code includes general principles (Schedule 1, Division 2) and behaviours (Schedule 1, Division 3). The Model Code requires that complaints about alleged breaches of behavioural requirements under Division 3 must be dealt with at a local level by the Local Government.

Local Governments will be required to adopt a Code of Conduct that incorporates the Model Code within three months of 3 February 2021, in accordance with the s.5.104 of the *Local Government Act 1995* (the Act).

Until that time, the Model Code as prescribed in Schedule 1 of the Regulations is taken to be the Local Government's adopted Code of Conduct [s. 5.104(5)].

Available Resources:

- DLGSC has published resources on its ['About the reforms'](#) page. This includes 'Guidelines on the Model Code of Conduct for Council Members, Committee Members and Candidates' and a template complaints form.

1.1 Actions and considerations when implementing the Model Code of Conduct

Induct Council Members, Committee Members and the CEO in the Model Code of Conduct

When:

As soon as practicable. The Model Code applies from 3 February 2021, so it is essential that those affected are aware of their obligations.

Points to consider:

- Highlight the fact that the new Model Code incorporates the Rules of Conduct and repeals the former Code of Conduct for Council Members, Committee Members and Employees.
- Alert Council Members they are now accountable under the Model Code, which includes a local level behaviour complaints process to be administered by the Local Government. This is crucial, especially if your Local Government's former Code did not include a methodology for addressing Code of Conduct breaches.

- Facilitating an induction can support Council Members to consider not only how the Model Code affects their behaviour, but also what they expect to be included in their behaviour complaints management policy. This information will help the Administration to prepare a draft policy for behaviour complaints management for further consultation with Council Members.
 - Alert Council Members to the opportunity to include additional behaviours when adopting a Code of Conduct that includes the Model Code of Conduct. This may be the subject of workshops/consultation at a later point (see further discussion below).
- Inform Council Members that the responsibility for approving a new Employee Code of Conduct is now a function of the CEO.

Council Decision:

- **Adopt a Complaints Form** [MCCR Sched. 1, cl.11(2)(a)]
- **Authorise a Person to Receive Complaints** [MCCR Sched. 1, cl.11(3)]

When:

By 24 February 2021, Local Governments were required to adopt a behaviour complaint form and authorise a person to receive complaints in relation to alleged breaches of 'Division 3 – Behaviour'. If this has not yet been done, it is strongly recommended immediate action be taken.

Points to consider when adopting a Complaints Form:

- DLGSC has produced a [template complaint form](#).
- Requires Council resolution to approve the behaviour complaint form [MCCR.cl.11(2)(a)]
- Alternatively, consider a delegation to the CEO, providing authority to approve the complaint form (and any future amendments to the form) [MCCR.cl.11(2)(a)].

Points to consider when Authorising a Person to Receive Code of Conduct Behaviour Complaints

- Council may authorise the CEO, by council resolution, or any other employee(s) or person(s) (Note – 'person' may include an external consultant/entity) [MCCR.cl.11(3)].
- An employee designated by the CEO as the Rules of Conduct Complaints Officer under s.5.120 of the Act, may also be authorised to receive behaviour complaints.
- Recommend that Local Governments authorise at least two persons to receive Code of Conduct Behaviour Complaints to provide sufficient coverage / capacity i.e. where one authorised person is on leave, or has a conflict of interest.
- Consider a delegation to the CEO, providing authority to authorise persons to receive complaints and withdrawal of complaints [MCCR.cl.11(3)].
 - A delegation may provide flexibility to address staff changes, provide backup coverage through additional appointments, and make subsequent appointments based on better understanding of the authorised officer role as the Local Government develops its complaints management procedure.

- A delegation may not be appropriate for all Local Governments, as the Council may wish to retain the decision making function to authorise Behaviour Complaints Officers, dependent on the functions that the Council has assigned to this role through its adopted Policy for Code of Conduct Behaviour Complaints Management.
- When proposing person(s) to be authorised to receive behaviour complaints, it is important to consider the intended functions of those person(s) in fulfilling requirements detailed in the Local Government's adopted Policy for Code of Conduct Behaviour Complaint Management, and the training and experience that will be required to enable the person to fulfil the role.
- Clause 11 of the Model Code of Conduct provides that Local Governments may authorise "1 or more persons" to receive complaints. The term "persons" includes the ability to appoint an external person or entity to receive behaviour complaints and complaint withdrawals. If considering appointing an external person / entity to receive behaviour complaints then procurement planning will be required to ensure compliance with the Local Government' Purchasing Policy.

Update any internal forms or templates that include statutory references for declarations of impartiality interests to refer to MCCR cl.22.

When:

As soon as practicable. Council Members, Committee Members, Officers and the community may rely on this information to understand the relevant obligations.

Points to consider:

Make sure you review all the Local Government's resources (templates, procedures, policies, etc.) to ensure they accurately refer to the new Act and Regulation requirements.

Develop and Adopt a Policy for Code of Conduct Behaviour Complaints Management

When:

As soon as practicable.

Points to consider (initially):

- Each Local Government will need to adopt a procedure detailing how it will manage Code of Conduct Behaviour Complaints. It is recommended that this is adopted as a Council Policy linked to the adopted Code of Conduct for Council Members, Committee Members and Candidates. Adoption as a Policy ensures the process is:
 - publicly transparent and accountable; and
 - periodically reviewed and re-endorsed by the Council.
- Complaints may be made in relation to behaviour occurring on or after 3 February 2021, and must be made within 1 month of the alleged breach.

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- If a complaint is lodged *before* a complaints management procedure is adopted, the Local Government should pause progressing the complaint until an appropriate procedure can be adopted. If the complaint is paused:
 - Advise the complainant and keep them informed.
 - Prioritise developing the Local Government's complaint management procedure. WALGA will develop a Framework Complaints Management Procedure to assist.
 - [Ombudsman WA Guidelines](#) (as recommended by DLGSC), and any existing internal complaints procedure, may provide a basis for an interim process and policy development.

Points to consider:

WALGA is currently preparing a Code of Conduct Behaviour Complaint Management Framework, and the following points may assist Local Governments that had previously established Code of Conduct breach procedures or are already advanced in reviewing or developing new complaint management procedures aligned to the new Code of Conduct Behaviour Complaint requirements. If on reviewing the below points, you identify further ideas, suggestions or comments, please forward them to governance@walga.asn.au.

- Initially, outline the process (i.e. a flowchart):
 - Compliance requirements prescribed in the Model Code.
 - At which points will Council decisions be required? What lead times are required for scheduling special meetings or will matters be referred to next ordinary meeting?
 - At which points will a notice be required to be given to either or both parties?
 - When must a person complained about be given reasonable opportunity to be heard?
 - How do notice requirements and opportunities for response affect the timing/sequence of decisions?
 - What administrative processes will be required to facilitate prescribed requirements (i.e. communication with complainants and the person complained about, preparation of matter to be considered at Council meeting, actions subsequent to decision, recordkeeping).
 - How will the Local Government deal with a Behaviour Complaint, if the complaint alleges a matter that is serious misconduct (and therefore has mandatory reporting requirements to the CCC) or alleges a criminal matter? If such matters are alleged, the Local Government may be required to suspend any further action that may compromise a criminal or CCC investigation.
 - Then, develop the detailed policy and procedure – additional matters to consider:
 - Alternative dispute resolution – will the Local Government offer mediation or other mechanism to informally resolve the complaint, where appropriate and agreed by both parties?
 - Reasonable opportunity for person complained about to respond – determine what is an appropriate format and timeframe for response? What information or assistance will be provided? What information or Local Government records may be accessed if relevant?
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Would an opportunity to respond be provided before Council considers whether to dismiss the complaint [MCCR.cl.13] as well as the required opportunity before a finding is made [MCCR.cl.12(2)]?

- Conflicts of interest – the person complained about is likely to be a Council Member (i.e. unless they are a Committee Member who is not a Councillor). The complainant may be a Council Member. What mechanisms will be used to manage their conflicts of interest?
 - Confidentiality – what level of confidentiality will be applied to behaviour complaints?
 - Will the complainant, the person complained about and the Local Government be required to keep the complaint confidential before a finding is made?
 - How will the identity and particularly the contact information of complainants be managed? It may be appropriate to provide the name of the complainant to the person complained about, unless the complainant provides reasons their name should be withheld. Contact information should be treated as confidential, not provided to the person complained about or included in any publicly accessible documents.
 - How will a finding about a breach be documented in a recommendation / Council decision (i.e. this information may be sufficient to identify a complainant without the person actually being named)? **OR** will all details of the complainant, the person complained about and the nature of the complete be kept as confidential? If so, how will Council resolutions be worded / structured to achieve this outcome?
 - Would a finding be made at an ordinary council meeting or special council meeting?
 - Would the complaint be considered behind closed doors in accordance with s.5.23(2)(b)?
 - How will public questions or statements made at the Council Meeting regarding a complaint be handled?
 - Does the complaint remain confidential after a finding is made? How will this be maintained and managed through Council decision making processes?
 - Role of administration – Will administration conduct an investigation? Will administration engage an external independent consultant to conduct an investigation and provide a report? Or, will administration simply compile and present the complaint and response as submitted, as attachments to a Council report? What will a report to Council include? How would administration provide a recommendation?
 - Evidence – Finding must be based on ‘evidence from which it may be concluded that it is more likely than not that the breach occurred’ [MCCR.cl.12(2)]. What evidence can/will be considered? The DLGSC Guideline’s definition of ‘evidence’ includes ‘other relevant information’. To what extent and in what circumstances will the Local Government’s process enable ‘other relevant information’ to be sourced? Role of administration considerations are also relevant here.
 - Consequences of finding of breach – How will Council decide whether to take no further action or prepare a plan to address the behaviour? What criteria might apply? Does the person complained about have the opportunity to respond/request that no action be taken? If a plan is prepared, how will Council decide what will be required under the plan?
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What criteria might apply? How will proportionality of the plan to address behaviour be considered and determined? How will Council consult with the person complained about [MCCR.cl.12(5)]? How will Council ensure the plan is reasonable and SMART? As failure to comply is a minor breach [MCCR.cl.23], how will compliance be monitored and confirmed?

- How will awareness of the Code of Conduct and complaints management procedures be promoted?
 - The way in which information about the complaint policy will be made available to the general public and to Council Members i.e. through induction and training.
 - Level of information and assistance to be provided to a complainant – providing information on the process may be a minimum standard. What assistance will be provided to complainant to complete a valid complaint, in particular for people with disabilities, from LOTE speaking backgrounds or affected by other barriers. Would a complainant be prompted to provide evidence? What information or Local Government records may be accessed if relevant? This aspect may need to also be acknowledged in the adopted policy.
- Procurement - if the Local Government intends to engage third party consultants as authorised persons to receive complaints, as mediators, or as investigators then procurement planning will require consideration of:
 - How will the Local Government comply with its adopted Purchasing Policy?
 - How will quotations be evaluated? i.e. qualifications, experience and capacity to deal with matters in a timely manner / within LGs deadlines.
 - How will quotations be evaluated to determine best value for money... this may require the Local Government to seek quotations from potential providers detailing methodologies and hourly estimates / rates to deal with an example simple and an example complex scenario to facilitate a comparative evaluation.
 - How will the Local Government manage the provider to ensure that over servicing / overcharging does not occur? I.e. how many hours would a provider need to commit to complete a review of a simple or complex complaint? How will this be monitored, charged and where necessary approvals provided for more work by the consulted?

Gaps / Issues identified so far:

- The same conduct could constitute a breach of the behavioural requirements under Division 3 of the Model Code **and** a breach of the Rules of Conduct under Division 4. The Model Code does not prevent a person making a behavioural complaint to the Local Government and a minor breach complaint under Division 4 to the Standards Panel about the same matter.
 - If the s.5.120 Complaints Officer **is** the person authorised under MCCR.cl.11(3) to receive behavioural complaints, they may be able to informally counsel the complainant to choose a single mechanism, but cannot reject either of the complaints, if the complainant wishes to pursue both. They cannot inform a subsequent behavioural complainant that a complaint of a minor breach has been made, without breaching the confidentiality requirements under s.5.123.

- If the s.5.120 Complaints Officer **is not** the person authorised to receive behavioural complaints they cannot inform the person authorised under MCCR.cl.11(3) that a complaint of a minor breach has been made, without committing an offence under s.5.123.
- In either case, there is no mechanism for a Local Government to refuse or defer a behavioural complaint to allow the Standards Panel to make a decision.
- There may be a risk of abuse of process through multiple complaints of the same behaviour, and/or two penalties applied for the same conduct where the complaint has been submitted to the Local Government and the Standards Panel.

Adopt Local Government's Code of Conduct for Council Members

When:

As soon as practicable but no later than 3 May 2021, adopt (by absolute majority) a Code of Conduct for Council Members, Committee Members and Candidates that includes the Model Code. Section 5.104 requires each Local Government to have prepared and adopted (by absolute majority) a code of conduct within 3 months after the day on which the MCCR come into operation. Section 5.104(7) requires an up-to-date version of the adopted Code of Conduct to be published on the website.

Points to consider:

- The Code of Conduct adopted by a Local Government must include the Model Code [s.5.104(1)].
- The adopted Code of Conduct may include additional behavioural requirements that are not inconsistent with the Model Code [s.5.104(3) and (4)].
- Local Governments that have not yet facilitated a Council Member induction may do so after adoption to ensure Council Members fully understand the implications and proposed complaints management approach.
- This may provide an opportunity for consultation with Council Members to consider additional provisions that may be incorporated in the Code of Conduct in future (provided the proposed provisions are not inconsistent with the Model Code). For example - the adopted values of the Local Government, dress codes, social media behaviour, etc. Local Government should be cautious as any additional behaviour requirements may, become the subject of future behaviour complaints.
- Once adopted, publish the adopted Code on the Local Government's website [s.5.104(7)]. To support community understanding of the Code and the right to make a complaint, it may also be beneficial to publish the adopted behaviour complaint form and policy on Code of Conduct Behaviour Complaint Management alongside the adopted Code of Conduct.
- WALGA has provided an [MS-Word template of the Model Code of Conduct](#), which may assist Local Governments (i.e. easy to insert Local Government logos, etc) to prepare the Code of Conduct for adoption as a Council Policy. Adoption of the Code of Conduct as a Council Policy, ensures the Council periodically reviews their adopted position, within its regular policy review framework.

2.0 Mandatory Standards for CEO Recruitment, Performance and Termination

The *Local Government (Administration) Amendment Regulations 2021* (LGAAR) amended the *Local Government (Administration) Regulations 1996* (Admin Regs) and inserted the Model Standards for the recruitment, performance review and termination of Local Government CEOs (Model Standards) as Schedule 2.

Local Governments must adopt CEO Standards that incorporate the Model Standards within three months, under the new s.5.39B(2) of the Act. Until this time, the Model Standards are taken to be the adopted standards (new s.5.39B(5)).

Resources available:

- DLGSC has published resources on its '[About the reforms](#)' page. This includes 'Guidelines for Local Government CEO Recruitment and Selection, Performance Review and Termination'.

2.1 Actions and considerations when implementing the Model CEO Standards

CEO recruitment, performance review or termination process currently in progress

When:

As soon as possible contact DLGSC by email to actreview@dlgsc.wa.gov.au to obtain advice on compliance requirements where the Local Government has currently commenced and not yet concluded a CEO recruitment, performance review or termination process.

Review CEO Employment Contract and Performance Review arrangements against the Model Standards

When:

As soon as practicable. The Model Standards apply now and may change the Council's obligations for managing the CEO's employment.

Points to consider:

- Shire Presidents / Mayors and CEOs should initiate discussions to determine whether any inconsistencies exist between the CEO Standards and the CEO's employment contract and previously agreed Performance Review arrangements.
- If inconsistencies exist, it may be appropriate to seek employment relations advice to assist with negotiation and referral to Council (as the employing authority) for decision if required.
- If the CEO has been employed in the position of CEO for a period longer than 10-years, or the period of employment will be longer than 10-years **when the CEO's current employment contract expires**, the Model Standards will require Council to conduct a recruitment process that complies with the Model Standards.

Adopt CEO Standards

When:

As soon as practicable, Local Governments must adopt (by absolute majority) CEO Standards that incorporate the Model Standards, but in any case must be adopted by 3 May 2021 [s.5.39B(2)].

Once adopted, s.5.39B(6) requires the CEO to publish an up-to-date version of the Standards on the Local Government's official website.

Points to consider:

Preparing to adopt CEO Standards

- Local Governments are able to include in their adopted CEO Standards additional provisions that are not inconsistent with the Model Standards [s.5.39B(4)].
- Local Governments should exercise caution in adopting additional provisions, as the Council will be required to certify, by absolute majority, that a recruitment or termination process was undertaken in accordance with the adopted CEO Standards [Admin.regs 18FB and 18FC].
- WALGA has prepared an [MS-Word template of the CEO Standards](#), which may assist Local Governments (i.e. easy to insert Local Government logos, etc) to prepare the CEO Standards for adoption as a Council Policy. Adoption of the CEO Standards as a Council Policy, ensures the Council periodically reviews their adopted position, within its regular policy review framework.

Applying the CEO Standards

- When undertaking recruitment, performance review or termination, Local Governments will need to consider, plan and schedule specific processes to give effect to the CEO Standards, and meet Council's obligations as the employing authority, with the agreed processes being subject to endorsement by Council resolution.
- For example - when recruiting:
 - What information will need to be gathered and analysed by the Council to determine the skills, qualifications, experience and qualities that the Council will expect a CEO candidate to demonstrate? How will the Council facilitate discussion and develop consensus on these attributes i.e. Council workshops?
 - Who will draft the Position Description? Will this be managed by an external human resources consultant to ensure the Position Description is drafted in accordance with appropriate industrial practice?
 - Who will draft the proposed contract of employment? Will this be managed by an external legal consultant so that it complies with employment law, the Salaries and Allowances Tribunal Local Government CEO Determination and appropriate industrial practice?
 - Will the Council appoint a Recruitment Consultant? What will be the scope of activity that the consultant will be required to undertake on the Local Government's behalf? What

reports and recommendations will the consultant be required to make? When and how will the consultant be required to provide the Council with reports and recommendations?

- How will the procurement and selection of consultant services (HR consultant, legal consultant and / or recruitment consultant) be facilitated to comply with the adopted Purchasing Policy?
- The Council will need to establish a Selection Panel. Will this be a formal committee of Council under s.5.8?
- What criteria will the Council use to identify and select an independent person to be a member of the Selection Panel? Will this be an open or closed process?
- What probity requirements will members of the selection panel need to comply with i.e. confidentiality, disclosure of interests?
- What will the Council include in a Terms of Reference to establish the extent of activity and discretion that the Selection Panel will be required to perform, perhaps including clear statements of the Panel's limitations?
- Generally for recruitment, performance reviews or termination:
 - When will the Council need to schedule informal Council workshops to receive background information, facilitate discussion to form consensus views so that Council reports and recommendations can be prepared to enable formal decision making?
 - When will Council Meetings need to be scheduled? Will Special Council Meetings be required to facilitate an efficient process?
 - Who will provide administrative support planning and convening informal Council workshops, Council Meetings, preparing Council meeting agenda, reports and recommendations and collating and distributing background information necessary to facilitate the process? This is particularly important if the incumbent CEO is conflicted from advising the Council due to involvement in the process.

Adopt a Policy for Temporary Employment or Appointment of a CEO

When:

As soon as practicable, adopt (by absolute majority) a policy for temporary employment or appointment of a CEO [s.5.39C(1)], and publish the adopted policy on the Local Government website [s.5.39C(4)] .

Points to consider:

- The Policy must address the employment of a person, and the appointment of an employee, in the position of CEO for a period not exceeding 1 year [s.5.39C].
- For internal appointments of an Acting CEO, the policy may include employee position titles, specifying that the Council considers a person holding these positions to be suitably qualified and experienced for the position of CEO.

- How will the Council identify and select (what process) suitably qualified and experienced candidates when appointing a temporary CEO after the incumbent CEO has resigned or been terminated, whilst the Council conducts a recruitment and selection process?
- How will the Council determine remuneration of a temporary and / or acting CEO in accordance with the Salaries and Allowances Tribunal Local Government Determination?

3.0 Code of Conduct for Employees

The *Local Government Regulations Amendment (Employee Code of Conduct) Regulations 2021* (Employee Code Regulations) amend the *Local Government (Administration) Regulations 1996* to prescribe requirements that the CEO must include in a Code of Conduct for Employees. The requirements for disclosure of gifts are now at the discretion of the CEO. The CEO is also able to determine a lower threshold for prohibited gifts which can include a 'no gifts' provision. Requirements in relation to impartiality interests have been redrafted but remain the same in substance, and the Employee Code Regulations also include a list of additional matters that must be addressed.

DLGSC has confirmed that Local Governments are not required to implement a new Code of Conduct for Employees immediately. Rather, existing Codes of Conduct should be reviewed, and a new Code of Conduct for Employees prepared and implemented as soon as practicable.

Resources available:

- DLGSC has published resources on its ['About the reforms'](#) page.
- WALGA will prepare an MS Word template Code of Conduct for Employees. This is anticipated to be available in May 2021.

3.1 Actions and considerations when implementing the Model Code of Conduct for Employees

Update forms or templates that include statutory references for Employee declarations of impartiality interests to refer to Admin R.19AD.

When:

As soon as practicable. Officers and the community may rely on this information to understand the relevant obligations.

Points to consider:

Local Government should review all its relevant resources (templates, procedures, policies, etc.) to ensure they are accurate to the new Act and Regulation amendments and compliance requirements.

Prepare and implement a Code of Conduct for Employees that addresses the Employee Code Regulations**When:**

As soon as practicable. WALGA will prepare an MS Word template Code of Conduct for Employees. This is anticipated to be available in May 2021.

Points to consider:

- The Code of Conduct for Employees applies to persons employed under s.5.36(1) and persons engaged by a Local Government under a contract for services [Admin Reg.19AA].
- The CEO must approve the Code of Conduct for Employees and arrange for an up-to-date version to be published on the Local Government website [s.5.51A]. If the CEO has made a determination of a threshold amount that is different to definition in Admin Reg19AA (i.e. a 'no gifts' provision), then the requirement to publish this determination on the website [Admin Reg.19AF] can be met by including this in the Code, and publishing the Code on the Local Government website. [Admin Reg.19AF]
- Local Governments should ensure employees and contractors are appropriately inducted and trained in the new Code of Conduct for Employees, with reference to their employment conditions. This will include creating records that evidence how employees and contractors have been advised of the changes to the Code of Conduct for Employees, and their acceptance of its provisions.