

**EXTRAORDINARY ELECTIONS
SATURDAY 14 DECEMBER 2019**

CANDIDATE NOMINATION PACKAGE

The Shire of Narembeen has eight (8) Councillors on four (4) year terms, with ordinary vacancies alternating every two (2) years.

To be eligible to nominate for Council you must be:

- 18 years or older; and
- An elector of the district

This year, new laws have been introduced which makes it compulsory for all candidates nominating in a local government election to complete an online induction.

You will be asked to declare that you have completed the online induction when filling out your nomination form. It is an offence to make false or misleading statements on the nomination form.

At the end of the online induction you will need to fill in your details to register your completion. Please make sure you press the registration button at the end or your completion will not be registered. You should receive an email confirming you have completed the induction. Please keep this for your records. The induction should take no longer than one hour to complete.

To complete the Local Government Candidate Induction go to the link below:-

<https://dlqsc.wa.gov.au/local-government/local-governments/council-elections/local-government-candidate-induction>

Attached are the "Frequently Asked Questions" about the Candidate Induction for your reference.

Nominations open on Thursday 31st October 2019 and close on Thursday 7th November 2019. The Shire of Narembeen has two (2) vacancies all with four (4) year terms.

Along with the above, the following documents which are attached will provide important information for prospective candidates to assist in the nomination process:-

- In Person Election Timetable
- Nomination for Election by Candidate
- Nomination for Election by Agent
- Electoral Code of Conduct
- Council Policy - Councillors/Staff Code of Conduct

- Shire of Narembeen Rates Information 2019/20
- Shire of Narembeen Town Brochure

Prospective candidates are encouraged to view link to the Department of Local Government, Sport and Cultural Industries which provides further information for candidates on the local government elections and covers the following:-

1. Introduction to Local Government in Western Australia
2. Section 1: Standing as a council member
3. Section 2: Voting and participating in local government including key dates for 2019
4. Section 3: Now you're a council member

The link to the Department of Local Government, Sport and Cultural Industries is below:-

<https://test-dlgsc-sitefinitycms-ause.azurewebsites.net/local-government/local-governments/council-elections/put-yourself-forward-nominate-for-council>

Prospective candidates are encouraged to view the following links which will provide candidates with important information relating to the operations of the Shire of Narembeen:-

- **Council Documents**
Strategic Community Plan, Corporate Business Plan and Annual Budget
<https://www.narembeen.wa.gov.au/documents/corporate-plans-and-strategies>
- **Current Shire of Narembeen Elected Members**
<https://www.narembeen.wa.gov.au/the-shire/your-council/councillors.aspx>
- **Council Community Group Representatives**
<https://www.narembeen.wa.gov.au/the-shire/your-council/committees.aspx>
- **My Council**
MyCouncil is an initiative of the State Government to strengthen local government accountability and performance. MyCouncil is a place where you can find out how local governments are raising, spending and managing their money.
<http://www.mycouncil.wa.gov.au/>
- **Your Everyday**
Your Everyday is for residents and visitors to WA with information about Local Council facilities and events.
<https://youreveryday.com.au/Councils/WA-Councils>

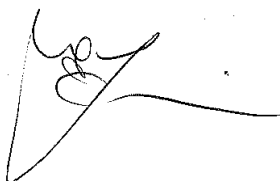
To nominate as a candidate for the extraordinary election, the candidate must make a valid nomination application which consists of:-

- A completed nomination form (attached)
- A candidate profile (150 words maximum)
- A deposit of \$80 (payable at the Shire office)
- A photograph (optional)

Candidates who have further questions regarding the election or nomination process should contact the Returning Officer, Chris Jackson during office hours on 9064 7308.

Thank you for your interest in being part of the Shire of Narembeen Council. I wish candidates all the best with your nomination and look forward to an exciting period for the Shire of Narembeen over the next 2 to 4 years.

Come join us and be part of our team!



Chris Jackson
CHIEF EXECUTIVE OFFICER
16 October 2019



LOCAL GOVERNMENT ACT REFORM



TRANSFORMING LOCAL GOVERNMENT

Candidate Induction Frequently Asked Questions

What is candidate induction?

- This is a training module to assist people who are thinking of becoming a local government councillor.
- Candidates need to understand both the role they will potentially be taking on and what laws affect the way they conduct their campaign.
- Specifically, induction will cover:
 - Role of council and council members.
 - Election and campaigning rules (includes gifts and social media).

Who has to do candidate training?

- Every person who wishes to be a candidate in the local government election in October 2019.
- Every person who wishes to be a candidate in any other local government election.

How will the induction be delivered?

- The module will be available online through the Department of Local Government, Sport and Cultural Industries' website by the end of July 2019.

Is there an exam?

- There are quizzes included to help your understanding of the material.
- There is no test that you must pass.
- The module is designed to help you make good decisions.

What if I don't have access to the Internet?

- You will be able to visit your local library or local government offices to get access.

What is the cost?

- The online induction module is free.

I have a disability. How accessible is the module?

- The candidate induction has been designed to meet the Web Content Accessibility Guidelines 2.0 level AA as per the [Accessibility and Inclusivity Standard](#).
- If you need any assistance in accessing the induction please contact the Department on 9492 9762 or actreview@dlgsc.wa.gov.au.

Who has been involved in the development of the candidate induction?

- The Induction was developed by the Department of Local Government, Sport and Cultural Industries and incorporates examples from other States and Territories.
- In terms of the induction content, input was sought and received from:
 - The Western Australian Electoral Commission (WAEC)
 - The Western Australian Local Government Association (WALGA)
 - Local Government Professional (LG Pro)
 - Current councillors

Does it apply to council members who are recontesting their seat?

- Yes, it will serve as a refresher for them. Rules and expectations change.
- While serving councillors already have experience in running campaigns, being reminded of the rules governing a campaign is always useful.

How will this be enforced?

- Every person nominating for council is required to declare that they have completed the candidate induction at the time of nomination.
- There are penalties for making false or misleading statements on the nomination form (a maximum penalty of a \$5,000 fine or 1 year imprisonment).

Will the list of people who have completed the induction package be published?

- No, some of the people that complete the induction may choose not to be candidates.
- Publication of their names would be an unwarranted invasion of their privacy.

Will returning officers be given access to the list of people who have completed the induction?

- When completing the online induction, participants will be required to advise of the local government area for which they are intending to nominate.
- The department will be able to provide a list to the returning officers for that district so that they can confirm that candidates have completed the induction.

Will local governments still be able to conduct their own induction sessions?

- Yes, a local government can still provide their own district specific induction if they wish, and this is encouraged
- This will supplement the online induction as it will be specific to the local government.

Who do I contact if I am having problems?

- You can contact the Department of Local Government, Sport and Cultural Industries on 9492 9762 or actreview@dlgsc.wa.gov.au



Elections Timetable Template

Local Government Extraordinary Elections

Enter election date>> **14/12/2019**

Note: Please manually adjust dates in the 'Date' column which fall on a public holiday to the next business day.

	Days from Polling Day	Election Activities or Events	Relevant Act sections or Regulations	Day	Date
	273 to 92	If an elected member's office becomes vacant on or between these days, the council may, with the approval of the Electoral Commissioner, allow the vacancy to remain unfilled until the ordinary election.	LGA s4.16(4) LGA s4.17(2)	Sat to Fri	16/03/2019 to 13/09/2019
	91	If an elected member's office becomes vacant on or after this day the vacancy will remain unfilled until the ordinary election.	LGA s4.16(2)(3) LGA s4.17(1)	Sat	14/09/2019
	80	Last day for local governments to gain agreement from the Electoral Commissioner to conduct the election (compulsory if intent is to hold a postal election).	LGA s4.20 (2)(3)(4) LGA s4.61 (2)(4)	Wed	25/09/2019
	80	A decision for the Electoral Commissioner to conduct the election cannot be rescinded after this day.	LGA s4.20(6) LGA s4.61(5)	Wed	25/09/2019
	70 to 56	Between these days, the CEO of the local government is to give Statewide public notice of the closing date and time for elector enrolments.	LGA s4.39(2)	Sat to Sat	5/10/2019 to 19/10/2019
	56	Last day for the local government's CEO to advise the Electoral Commissioner of the need to prepare an updated residents roll.	LGA s4.40(1)	Sat	19/10/2019
Close of Rolls	56	Advertising may begin for council nominations from 56 days, and no later than 45 days, before election day.	LGA s4.47(1)	Sat	19/10/2019
	50	Close of Rolls – 5.00pm	LGA 4.39(1)	Fri	25/10/2019
Nominations Open	45	Last day for advertisement to be placed calling for council nominations.	LGA s4.47(1)	Wed	30/10/2019
	44	Nominations Open First day for candidates to lodge completed nomination papers, in the prescribed form, with the Returning Officer. Nominations are open for 8 days.	LGA s4.49(a)	Thu	31/10/2019
Close of Nominations	38	If a candidate's nomination is withdrawn not later than 4.00pm on this day, the candidate's deposit is to be refunded.	LGA s4.50 Reg. 27(5)	Wed	6/11/2019
	37	Close of Nominations – 4.00pm	LGA 4.49(a)	Thu	7/11/2019
	36	Last day for the Electoral Commissioner to prepare an updated residents roll for the election. Last day for the local government's CEO to prepare an owners and occupiers roll.	LGA s4.40(2) LGA s4.41(1)	Fri	8/11/2019
	36	Returning Officer to give Statewide public notice of the election as soon as practicable but no later than 19 days before election day.	LGA s4.64(1)	As soon as practicable	
	22	The preparation of any consolidated roll (combined roll of residents, owners and occupiers) under regulation 18(1) is to be completed on or before this day.	LGA s4.38(1) Reg. 18(1)(2)	Fri	22/11/2019
	19	Last day for the Returning Officer to give Statewide public notice of the election.	LGA s4.64(1)	Mon	25/11/2019
	4	Close of absent voting and close of postal vote applications for 'voting in person' elections – 4.00pm.	LGA s4.68(1)(c) Reg. 37(3)(4)	Tue	10/12/2019
Election Day	1	Close of early voting for 'voting in person' elections – 4.00pm.	LGA s4.71(1)(e) Reg. 59(2)	Fri	13/12/2019
	0	Election Day Close of poll – 6.00pm.	LGA s4.7 LGA s4.68(1)(e)	Sat	14/12/2019
	2	Election results declared and published.	LGA s4.77	As soon as practicable	
	2 - 14	Report to Minister. The report relating to an election under section 4.79 is to be provided to the Minister within 14 days after the declaration of the result of the election. (See Online 'Form 20' at www.dlgc.wa.gov.au)	LGA s4.79(1)(2) Reg. 81	As soon as practicable	
	Within 28 days of result publication	An invalidity complaint can be made to a Court of Disputed Returns, constituted by a magistrate, but can only be made within 28 days after notice is given of the result of the election.	LGA s4.81(1)	As applicable	
	Within 2 months of result declaration	Newly elected members to make their declarations of office.	LGA s2.29(1)(2) LGA s2.32(c) LGA s2.34(1)(c)	As soon as practicable	
	Within 3 months of members making declarations	Newly elected members to lodge their Primary Returns with the local government's CEO.	LGA s5.75(1)	As soon as practicable	

* All Act sections refer to the *Local Government Act 1995*. All regulations refer to the *Local Government (Elections) Regulations 1997*.



FORM 8
Local Government Act 1995
Local Government (Elections) Regulations 1997 [s.4.49(a)]
NOMINATION FOR ELECTION BY CANDIDATE
 (see back for notes on how to make your nomination)

Nominee	Family name:											
	Other names:					Date of birth:						
	Name on Ballot Paper ⁽¹⁾ :											
	Postal Address:		No:		Street Name:							
			Suburb:				Postcode:					
	Phone numbers (H):				(W):				(M):			
	Fax number:				Email:							
	Property for which nominee is enrolled as an elector:		No:		Street Name:							
			Suburb:				Postcode:					
			Lot/Location No:									

Office	Local Government District:								
	Ward:								
	Office		<input type="checkbox"/> Mayor / President				<input type="checkbox"/> Councillor		
	Vacancy:		<input type="checkbox"/> Ordinary		<input type="checkbox"/> Extraordinary			<input type="checkbox"/> Other	

Declaration	[Making a false declaration is an offence]			
	I declare that: <ul style="list-style-type: none"> I am at least 18 years of age; and I am an elector of the district ⁽²⁾; and I am not disqualified from being a member of the council ⁽³⁾; and [nominees for councillor only] I am eligible to nominate as a councillor ⁽⁴⁾; and I have completed the course of induction ⁽⁵⁾; and All the details set out above are true and correct. 			
	[To be signed before a witness]		Signature: _____ Date: _____	

Witness	Full Name: _____		
	Signature: _____		Date: _____



Back of Form 8:

(1) Name on ballot paper	The name to be printed on the ballot paper must be your surname and one or more of your given names (or an initial or a commonly accepted variation). You must use the same name on your candidate profile. To ensure fairness between candidates the Returning Officer may rule that a name is inappropriate for inclusion on the ballot paper. If so he or she may ask you to nominate another name or choose one he or she considers appropriate.
(2) Who is an elector	You are an elector of the district if you are eligible to be included on the electoral roll for that district. However it is not sufficient if you are only eligible to be on the roll as the nominee of a body corporate which owns or occupies property in the district. You need not be an elector in the ward in which you nominate
(3) Disqualification	You are disqualified for membership of a council if you: <ul style="list-style-type: none"> • are a member of the Legislative Assembly, the Legislative Council, the House of Representatives or the Senate (or have been elected as such a member but have not yet taken office); or • are a member of the council of another local government; or • are an insolvent under administration; or • are in prison serving a sentence for a crime; or • have been convicted of a serious local government offence within the last 5 years (unless the court waived the disqualification); or • have been convicted of an offence for which the indictable penalty was or included — <ul style="list-style-type: none"> (i) imprisonment for life; or (ii) imprisonment for more than 5 years; or • are subject to a court order disqualifying you from being a member of a council because you have misapplied local government funds or property.
(4) Eligibility to nominate as a councillor	You are not eligible to nominate as a councillor if you are: <ul style="list-style-type: none"> • a member of the council (unless your term of office expires on election day); or • a candidate in another election for the office of councillor.
(5) Course of induction	The course of induction is the course titled Local Government Candidate Induction that is available on the Department's official website.
Where to send your nomination	When you have completed and signed this form, send it to the Returning Officer for the district. You may send your nomination by post, by fax or by other electronic means so long as it is capable of being printed in its entirety, including signatures. If you send it by fax or electronically you should check that it has been received.
Closing date for nominations	Your nomination must be received by the Returning Officer before 4 p.m. on the 37th day before election day. If you send your nomination electronically it is taken to be received at the time the Returning Officer prints it out.
Candidate's profile	Your nomination must be accompanied by a candidate's profile of not more than 150 words plus your name, address and contact numbers. The profile must be confined to information about you. It may include a recent passport size photo of your head or head and shoulders. The profile must be (or if it is sent electronically, be capable of being) printed on a single A4 page.
Deposit	When you make your nomination you must pay a deposit of \$80. You may send this with your nomination form or deliver it to the Returning Officer at any time before the closing date for nominations. You may pay your deposit in cash or by cheque, bank draft or postal order. If you make appropriate arrangements with the Returning Officer you may be able to pay your deposit by electronic transfer or other means.
Withdrawing your nomination	You may withdraw your nomination by giving written notice to the Returning Officer before the closing date for nominations. You may send your withdrawal by post, by fax or by other electronic means so long as it is capable of being printed in its entirety, including signatures. A withdrawal may be lodged by your agent if it is accompanied by a written authorisation, signed by you, permitting the agent to lodge the withdrawal.





FORM 9
Local Government Act 1995
Local Government (Elections) Regulations 1997 [s.4.49(a)]
NOMINATION FOR ELECTION BY AGENT
 (see back for notes on how to make a nomination)

Agent	Full Name:							
	Postal Address:	No:		Street Name:				
		Suburb:				Postcode:		
	Phone numbers (H):			(W):			(M):	
	Fax number:			Email:				

Nominee	Family name:							
	Other names:					Date of birth:		
	Name on Ballot Paper ⁽¹⁾ :							
	Postal Address:	No:		Street Name:				
		Suburb:				Postcode:		
	Phone numbers (H):			(W):			(M):	
	Fax number:			Email:				
	Property for which nominee is enrolled as an elector:	No:		Street Name:				
		Suburb:				Postcode:		
	Lot/Location No:							

Office	Local Government District:			
	Ward:			
	Office	<input type="checkbox"/> Mayor / President		<input type="checkbox"/> Councillor
	Vacancy:	<input type="checkbox"/> Ordinary	<input type="checkbox"/> Extraordinary	<input type="checkbox"/> Other



Declaration [Making a false declaration is an offence] [To be signed before a witness]	I declare that: <ul style="list-style-type: none"> • I am at least 18 years of age; and • I am an elector of the district ⁽²⁾; and • I am not disqualified from being a member of the council ⁽³⁾; and • [nominees for councillor only] I am eligible to nominate as a councillor ⁽⁴⁾; and • I have completed the course of induction ⁽⁵⁾; and • All the details set out above are true and correct. 		
	Signature:		Date:

Witness [Witness must be at least 18 years of age]	Full Name: 		
	Signature:		Date:

Authorisation by nominee ⁽⁶⁾	Full Name: 		
	Signature:		Date:

Back of From 9

(1) Name on ballot paper	The name to be printed on the ballot paper must be the candidate's surname and one or more of his or her given names (or an initial or a commonly accepted variation). The same name must be used on the candidate profile. To ensure fairness between candidates the Returning Officer may rule that a name is inappropriate for inclusion on the ballot paper. If so he or she may ask you to nominate another name or choose one he or she considers appropriate.
(2) Who is an elector	The nominee is an elector of the district if he or she is eligible to be included on the electoral roll for that district. However it is not sufficient if he or she is only eligible to be on the roll as the nominee of a body corporate which owns or occupies property in the district. The nominee need not be an elector in the ward in which he or she is nominated.
(3) Disqualification	The nominee is disqualified for membership of a council if he or she: <ul style="list-style-type: none"> • is a member of the Legislative Assembly, the Legislative Council, the House of Representatives or the Senate (or has been elected as such a member but has not yet taken office); or • is a member of the council of another local government; or • is an insolvent under administration; or • is in prison serving a sentence for a crime; or • has been convicted of a serious local government offence within the last 5 years (unless the court waived the disqualification); or • has been convicted of an offence for which the indictable penalty was or included — <ul style="list-style-type: none"> (i) imprisonment for life; or (ii) imprisonment for more than 5 years; or • is subject to a court order disqualifying him or her from being a member of a council because he or she has misapplied local government funds or property.
(4) Eligibility to nominate as a councillor	The nominee is not eligible to be nominated as a councillor if he or she is: <ul style="list-style-type: none"> • a member of the council (unless his or her term of office expires on election day); or • a candidate in another election for the office of councillor.
(5) Course of induction	The course of induction is the course titled Local Government Candidate Induction that is available on the Department's official website.
(6) Authorisation	You must give to the Returning Officer written evidence that the nominee has authorised you to make the nomination. The nominee may fill in and sign this box or you may send a written authorisation, signed by the nominee, to the Returning Officer with your nomination form or at any time before the closing date for nominations
Where to send your nomination	When you have completed and signed this form, send it to the Returning Officer for the district. You may send your nomination by post, by fax or by other electronic means so long as it is capable of being printed in its entirety, including signatures. If you send it by fax or electronically you should check that it has been received
Closing date for nominations	Your nomination must be received by the Returning Officer before 4 p.m. on the 37th day before election day. If you send your nomination electronically it is taken to be received at the time the Returning Officer prints it out.
Candidate's profile	Your nomination must be accompanied by a candidate's profile of not more than 150 words plus the nominee's name, address and contact numbers. The profile must be confined to information about the candidate. It may include a recent passport size photo of the candidate's head or head and shoulders. The profile must be (or if it is sent electronically, be capable of being) printed on a single A4 page.



Deposit	<p>When you make your nomination you must pay a deposit of \$80. You may send this with your nomination form or deliver it to the Returning Officer at any time before the closing date for nominations.</p> <p>You may pay your deposit in cash or by cheque, bank draft or postal order. If you make appropriate arrangements with the Returning Officer you may be able to pay your deposit by electronic transfer or other means</p>
Withdrawing your nomination	<p>You may withdraw your nomination by giving written notice to the Returning Officer before the closing date for nominations. You may send your withdrawal by post, by fax or by other electronic means so long as it is capable of being printed in its entirety, including signatures.</p>



ELECTORAL CODE OF CONDUCT



Shire of Narembeen

Electoral Code of Conduct

Introduction

This code of conduct contains the principles and standards we are to apply in performing electoral officer duties.

Elections are the very foundation of our democratic society and vigilance is required in preserving the integrity of the electoral process.

Elections can also be an emotional experience for winning and losing candidates and a fertile area for disputation if cause exists. All candidates are entitled to expect that we will so conduct ourselves as to ensure the election outcome is a true expression of the will of the electorate.

An election is also an opportunity for personal contact with a big number of the Shire's customers. Casting a vote will be one of the few direct contacts some will have with the Shire during the course of the year. Our goal should be to project an image of professionalism, impartiality and friendliness.

The charter for this Code of Conduct is contained in Elections Regulation 8, which provides -

- “8. (1) *This regulation applies to the ordinary elections to be held in 1999 and to each subsequent election.*
- (2) *The RO for any election to which this regulation applies is to prepare or adopt an electoral code of conduct for the election that aims to ensure that all electoral officers, act –*
- a) lawfully;*
 - b) professionally;*
 - c) fairly and impartially;*
 - d) with honesty and integrity; and*
 - e) without any conflict of interest,*
in relation to the election.
- (3) *The RO is to provide each electoral officer with a copy of, or access to a copy of, the electoral code of conduct.*
- (4) *An electoral officer is to observe and comply with the electoral code of conduct.”*

This Code of Conduct is a living document in that it will be examined by us each year to ensure that the guidance contained therein remains relevant and attuned to on-the-job experiences. Your contribution to this on-going review will be appreciated and in the interim, do not hesitate to raise, either directly with the RO or through an appropriate forum, ethical issues impacting on our role as electoral officers.

Our Commitment

Act Lawfully

We will –

- complete the Form 1 declaration before acting
- prepare so that we are familiar with the Act and Regulations, and the duties expected of us : ask questions so that uncertainties are resolved before election day
- exercise care in carrying out duties and making decisions: penalties for electoral offences are high
- abide by the detail of the Act, Regulations, and instructions issued, in performing all duties
- maintain surveillance to ensure security of election papers and secrecy of the ballot
- report offences to the appropriate authority.

We will not -

- make improper use of official information for the gain or detriment of any person, or falsify reports.

Act Professionally

We will –

- dress in a manner which depicts the professional position we hold
- open on time
- behave in a consistently ethical, competent and reliable manner
- be familiar with the Local Government Act and Regulations
- obey promptly any lawful instruction of a supervising officer
- assist and cooperate with other staff
- observe “no smoking” policies of the Shire

Act Fairly and Impartially

We will –

- act impartially to serve the common good, while recognising that equity can involve treating people differently according to their circumstances
- be polite and sensitive to customer needs : explain the reason for decisions
- be alert to any attempt by candidates/scrutineers to gain an unfair advantage : report any questionable activities in this regard to the appropriate authority
- refrain from making comments of a party political nature, or about candidates or local referendum issues, or policies of the Council.

We will not –

- solicit or accept gifts, fees, favours or remuneration of any kind, from a candidate or person assisting a candidate.

Act with Honesty and Integrity

We will –

- advise if we cannot allow a vote, and why
- have available a supply of Enrolment Eligibility Claim forms
- invite aggrieved persons to exercise their rights of appeal or complaint
- explain processes and procedures

Duty of Care

As electoral officers we must exercise a duty of care in order to fulfil our obligations effectively and without causing harm. Such a duty of care includes -

- ensuring the efficient and effective use of the resources placed at our disposal
- being accountable for the use of those resources; and
- setting an example by supporting and monitoring ethical behaviour.

Act with No Conflict of Interest

Electoral officers are to act without conflict of interest.

Generally, a conflict of interest exists if the relationship between a prospective electoral officer and a candidate is such as could influence, or be seen by others to influence, the partiality with which electoral provisions are administered.

Examples of “closely associated” relationships an officer could have to a candidate where a conflict of interest might arise include:

- A spouse (includes defacto) of the candidate
- A parent of a candidate
- A close relative of a candidate
- A partner of a candidate
- An employee of a candidate
- A trustee, if a candidate is a beneficiary
- Associated through his/her spouse who is living with the officer and is –
 - (a) parent of a candidate living with them
 - (b) partner of a candidate
 - (c) an employee of a candidate or
 - (d) a trustee, if a candidate is a beneficiary

If any officer has such a “close association” or is the director of a company associated with a candidate they must disclose the relevant detail to the RO and accept that person’s judgment as to whether or not the ‘interest’ should preclude their engagement as an electoral officer.



POLICY SECTION:	Council/elected members
POLICY NUMBER:	4.2.20
POLICY TITLE:	CODE OF CONDUCT

POLICY

That Council adopts the model code of conduct as its Code of Conduct for Elected Members and Staff. Council is to review its Code of Conduct on a yearly basis.

Retained

OBJECTIVES

The Code of Conduct provides Council Members, Committee Members and staff in Local Government with consistent guidelines for an acceptable standard of professional conduct. The Code addresses in a concise manner the broader issue of ethical responsibility and encourages greater transparency and accountability in individual Local Governments.

The Code is complementary to the principles adopted in the Local Government Act and regulations which incorporates four fundamental aims to result in :-

- (a) better decision-making by local governments;
- (b) greater community participation in the decisions and affairs of local governments;
- (c) greater accountability of local governments to their communities; and
- (d) more efficient and effective local government.

The Code provides a guide and a basis of expectations for Council Members, Committee Members and staff. It encourages a commitment to ethical and professional behaviour and outlines principles in which individual and collective Local Government responsibilities may be based.

SCOPE

PRINCIPLES

1. ROLES

1.1 Role of Council Member

The primary role of a Council Member is to represent the community, and the effective translation of the community's needs and aspirations into a direction and future for the Local Government will be the focus of the Council Member's public life.

The Role of Council Members as set out in S 2.10 of the Local Government Act 1995 follows:

“A Councillor —

- (a) Represents the interests of electors, ratepayers and residents of the district;*
- (b) provides leadership and guidance to the community in the district;*
- (c) facilitates communication between the community and the council;*
- (d) participates in the local government’s decision-making processes at council and committee meetings; and*
- (e) performs such other functions as are given to a Councillor by this Act or any other written law.”*

A Council Member is part of the team in which the community has placed its trust to make decisions on its behalf and the community is therefore entitled to expect high standards of conduct from its elected representatives. In fulfilling the various roles, Council Members activities will focus on:

- achieving a balance in the diversity of community views to develop an overall strategy for the future of the community;
- achieving sound financial management and accountability in relation to the Local Government’s finances;
- ensuring that appropriate mechanisms are in place to deal with the prompt handling of residents’ concerns;
- working with other governments and organisations to achieve benefits for the community at both a local and regional level;
- having an awareness of the statutory obligations imposed on Council Members and on Local Governments.

In carrying out its functions a local government is to use its best endeavours to meet the needs of current and future generations through an integration of environmental protection, social advancement and economic prosperity.

1.2 Role of Staff

The role of staff is determined by the functions of the CEO as set out in S 5.41 of the Local Government Act 1995:-

“The CEO’s functions are to —

- (a) advise the council in relation to the functions of a local government under this Act and other written laws;*
- (b) ensure that advice and information is available to the council so that informed decisions can be made;*
- (c) cause council decisions to be implemented;*
- (d) manage the day to day operations of the local government;*
- (e) liaise with the mayor or president on the local government’s affairs and the performance of the local government’s functions;*
- (f) speak on behalf of the local government if the mayor or president agrees;*
- (g) be responsible for the employment, management supervision, direction and dismissal of other employees (subject to S 5.37(2) in relation to senior employees);*
- (h) ensure that records and documents of the local government are properly kept for the purposes of this Act and any other written law; and*
- (i) perform any other function specified or delegated by the local government or imposed under this Act or any other written law as a function to be performed by the CEO.”*

1.3 Role of Council

The Role of the Council is in accordance with S 2.7 of the Local Government Act 1995:

*“(1) The council —
(a) directs and controls the local government’s affairs; and
(b) is responsible for the performance of the local government’s functions.
(2) Without limiting subsection (1), the council is to —
(a) oversee the allocation of the local government’s finances and resources; and
(b) determine the local government’s policies.”*

1.4 Relationships between Council Members and Employees

An effective Councillor will work as part of the Council team with the Chief Executive Officer and other members of staff. That teamwork will only occur if Council Members and employees have a mutual respect and co-operate with each other to achieve that Council’s corporate goals and implement the Council’s strategies. To achieve that position, Council Members need to observe their statutory obligations which include, but are not limited to, the following –

- accept that their role is a leadership, not a management or administrative one;
- acknowledge that they have no capacity to individually direct members of staff to carry out particular functions;
- refrain from publicly criticising employees in a way that casts aspersions on their professional competence and credibility.

2. CONFLICT AND DISCLOSURE OF INTEREST

2.1 Conflict of Interest

- (a) Council Members, Committee Members and staff will ensure that there is no actual (or perceived) conflict of interest between their personal interests and the impartial fulfilment of their professional duties.
- (b) Staff will not engage in private work with or for any person or body with an interest in a proposed or current contract with the Local Government, without first making disclosure to the Chief Executive Officer. In this respect, it does not matter whether advantage is in fact obtained, as any appearance that private dealings could conflict with performance of duties must be scrupulously avoided.
- (c) Council Members, Committee Members and staff will lodge written notice with the Chief Executive Officer describing an intention to undertake a dealing in land within the local government area or which may otherwise be in conflict with the Council’s functions (other than purchasing the principal place of residence).
- (d) Council Members, Committee Members and staff who exercise a recruitment or other discretionary function will make disclosure before dealing with relatives or close friends and will disqualify themselves from dealing with those persons.
- (e) Staff will refrain from partisan political activities which could cast doubt on their neutrality and impartiality in acting in their professional capacity. An individual’s rights to maintain their own political convictions are not impinged upon by this clause. It is recognised that

such convictions cannot be a basis for discrimination and this is supported by anti-discriminatory legislation.

2.2 Financial Interest

Council Members, Committee Members and staff will adopt the principles of disclosure of financial interest as contained within the Local Government Act.

2.3 Disclosure of Interest

Definition :

In this clause, and in accordance with Regulation 34C of the Local Government (Administration) Regulations 1996 -

“interest” means an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest and includes an interest arising from kinship, friendship or membership of an association.

- (a) A person who is an employee and who has an interest in any matter to be discussed at a council or committee meeting attended by the person is required to disclose the nature of the interest -
 - (i) in a written notice given to the CEO before the meeting; or
 - (ii) at the meeting immediately before the matter is discussed.
- (b) A person who is an employee and who has given, or will give, advice in respect of any matter to be discussed at a council or committee meeting not attended by the person is required to disclose the nature of any interest the person has in the matter –
 - (i) in a written notice given to the CEO before the meeting; or
 - (ii) at the time the advice is given.
- (c) A requirement described under items (a) and (b) exclude an interest referred to in S 5.60 of the Local Government Act 1995.
- (d) A person is excused from a requirement made under items (a) or (b) to disclose the nature of an interest if -
 - (i) the person's failure to disclose occurs because the person did not know he or she had an interest in the matter; or
 - (ii) the person's failure to disclose occurs because the person did not know the matter in which he or she had an interest would be discussed at the meeting and the person discloses the nature of the interest as soon as possible after becoming aware of the discussion of a matter of that kind.
- (e) If a person who is an employee makes a disclosure in a written notice given to the CEO before a meeting to comply with requirements of items (a) or (b), then –
 - (i) before the meeting the CEO is to cause the notice to be given to the person who is to preside at the meeting; and
 - (ii) immediately before a matter to which the disclosure relates is discussed at the meeting the person presiding is to bring the notice and its contents to the attention of the persons present.
- (f) If -

- (i) to comply with a requirement made under item (a), the nature of a person's interest in a matter is disclosed at a meeting; or
- (ii) a disclosure is made as described in item (d)(ii) at a meeting; or
- (iii) to comply with a requirement made under item (e)(ii), a notice disclosing the nature of a person's interest in a matter is brought to the attention of the persons present at a meeting, the nature of the interest is to be recorded in the minutes of the meeting.

3. PERSONAL BENEFIT

3.1 Use of Confidential Information

Council Members, Committee Members and employees shall not use confidential information to gain improper advantage for themselves or another person or body in ways which are inconsistent with their obligation to act impartially and in good faith, or to improperly cause harm, detriment or impairment to any person, body or the Council.

Due discretion shall be exercised by all those who have access to confidential or sensitive information. Every matter dealt with by, or brought before, a meeting sitting behind closed doors, shall be treated as strictly confidential, and shall not without the authority of the Council be disclosed to any person other than the Council members and/or employees of the Shire (and in the case of employees only so far as may be necessary for the performance of their duties) prior to the discussion of the matter at a meeting of the Council held with open doors.

Nothing in this section prevents a Council member or officer from disclosing confidential information:

- to a legal practitioner for the purpose of obtaining advice; or
- if the disclosure is permitted by law.

3.2 Intellectual Property

The title to Intellectual Property in all duties relating to contracts of employment will be assigned to the Local Government upon its creation unless otherwise agreed by separate contract.

3.3 Improper or Undue Influence

Council Members, Committee Members and employees shall not take advantage of their position to improperly influence any other person in order to gain undue or improper (direct or indirect) advantage or gain, pecuniary or otherwise, for themselves or for any other person or body. Similarly, Council members, committee members and employees shall not take advantage of their positions to improperly disadvantage or cause detriment to the local government or any other person.

3.4 Gifts

Definitions :

In this clause, and in accordance with Regulation 34B of the Local Government (Administration) Regulations 1996 -

“activity involving a local government discretion” means an activity -

(a) that cannot be undertaken without an authorisation from the local government; or

(b) by way of a commercial dealing with the local government;
“gift” has the meaning given to that term in S 5.82(4) except that it does not include -
(a) a gift from a relative as defined in S 5.74(1); or
(b) a gift that must be disclosed under Regulation 30B of the Local Government (Elections) Regulations 1997; or
(c) a gift from a statutory authority, government instrumentality or non-profit association for professional training;
“notifiable gift”, in relation to a person who is an employee, means -
(a) a gift worth between \$50 and \$300; or
(b) a gift that is one of 2 or more gifts given to the employee by the same person within a period of 6 months that are in total worth between \$50 and \$300;
“prohibited gift”, in relation to a person who is an employee, means -
(a) a gift worth \$300 or more; or
(b) a gift that is one of 2 or more gifts given to the employee by the same person within a period of 6 months that are in total worth \$300 or more.

(a) A person who is an employee is to refrain from accepting a prohibited gift from a person who -

- (i) is undertaking or seeking to undertake an activity involving a local government discretion; or
- (ii) it is reasonable to believe is intending to undertake an activity involving a local government discretion.

(b) A person who is an employee and who accepts a notifiable gift from a person who -

- (i) is undertaking or seeking to undertake an activity involving a local government discretion; or
- (ii) it is reasonable to believe is intending to undertake an activity involving a local government discretion,

notify the CEO, in accordance with item (c) and within 10 days of accepting the gift, of the acceptance.

(c) The notification of the acceptance of a notifiable gift must be in writing and include –

- (iii) the name of the person who gave the gift; and
- (iv) the date on which the gift was accepted; and
- (v) a description, and the estimated value, of the gift; and
- (vi) the nature of the relationship between the person who is an employee and the person who gave the gift; and
- (v) if the gift is a notifiable gift under paragraph (b) of the definition of “notifiable gift” (whether or not it is also a notifiable gift under paragraph (a) of that definition) –
 - (1) a description; and
 - (2) the estimated value; and
 - (3) the date of acceptance,

of each other gift accepted within the 6 month period.

(d) The CEO is to maintain a register of notifiable gifts and record in it details of notifications given to comply with a requirement made under item (c).

- (e) This clause does not apply to gifts received from a relative (as defined in S 5.74(1) of the Local Government Act) or an electoral gift (to which other disclosure provisions apply).
- (f) This clause does not prevent the acceptance of a gift on behalf of the local government in the course of performing professional or ceremonial duties in circumstances where the gift is presented in whole to the CEO, entered into the Register of Notifiable Gifts and used or Retained exclusively for the benefit of the local government.

4. CONDUCT OF COUNCIL MEMBERS, COMMITTEE MEMBERS AND STAFF

4.1 Personal Behaviour

- (a) Council Members, Committee Members and staff will:
 - (i) act, and be seen to act, properly and in accordance with the requirements of the law and the terms of this Code;
 - (ii) perform their duties impartially and in the best interests of the Local Government uninfluenced by fear or favour;
 - (iii) act in good faith (i.e. honestly, for the proper purpose, and without exceeding their powers) in the interests of the Local Government and the community;
 - (iv) make no allegations which are improper or derogatory (unless true and in the public interest) and refrain from any form of conduct, in the performance of their official or professional duties, which may cause any reasonable person unwarranted offence or embarrassment; and
 - (v) always act in accordance with their obligation of fidelity to the Local Government.
- (b) Council Members will represent and promote the interests of the Local Government, while recognising their special duty to their own constituents.

4.2 Honesty and Integrity

Council Members, Committee Members and staff will:

- (a) observe the highest standards of honesty and integrity, and avoid conduct which might suggest any departure from these standards;
- (b) bring to the notice of the Mayor/President any dishonesty or possible dishonesty on the part of any other member, and in the case of an employee to the Chief Executive Officer.
- (c) be frank and honest in their official dealing with each other.

4.3 Performance of Duties

- (a) While on duty, staff will give their whole time and attention to the Local Government's business and ensure that their work is carried out efficiently, economically and effectively, and that their standard of work reflects favourably both on them and on the Local Government.

- (b) Council Members and Committee Members will at all times exercise reasonable care and diligence in the performance of their duties, being consistent in their decision making but treating all matters on individual merits. Council Members and Committee Members will be as informed as possible about the functions of the Council, and treat all members of the community honestly and fairly.

4.4 Compliance with Lawful Orders

- (a) Council Members, Committee Members and staff will comply with any lawful order given by any person having authority to make or give such an order, with any doubts as to the propriety of any such order being taken up with the superior of the person who gave the order and, if resolution cannot be achieved, with the Chief Executive Officer.
- (b) Council Members, Committee Members and staff will give effect to the lawful policies of the Local Government, whether or not they agree with or approve of them.

4.5 Administrative and Management Practices

Council Members, Committee Members and staff will ensure compliance with proper and reasonable administrative practices and conduct, and professional and responsible management practices.

4.6 Corporate Obligations

(a) Standard of Dress

Council Members, Committee Members and staff are expected to comply with neat and responsible dress standards at all times. Accordingly :

- (i) Council Members and Committee Members will dress in a manner appropriate to their position, in particular when attending meetings or representing the Local Government in an official capacity.
- (ii) Management reserves the right to adopt policies relating to corporate dress and to raise the issue of dress with individual staff.

(b) Communication and Public Relations

- (i) All aspects of communication by staff (including verbal, written or personal), involving Local Government's activities should reflect the status and objectives of that Local Government. Communications should be accurate, polite and professional.
- (ii) As a representative of the community, Council Members need to be not only responsive to community views, but to adequately communicate the attitudes and decisions of the Council. In doing so Council Members should acknowledge that:
 - as a member of the Council there is respect for the decision making processes of the Council which are based on a decision of the majority of the Council;
 - information of a confidential nature ought not be communicated until it is no longer treated as confidential;
 - information relating to decisions of the Council on approvals, permits and so on ought only be communicated in an official capacity by a designated officer of the Council;
 - information concerning adopted policies, procedures and decisions of the Council is conveyed accurately.

- (iii) Committee Members accept and acknowledge it is their responsibility to observe any direction the Local Government may adopt in terms of advancing and promoting the objectives of the Committee to which they have been appointed.

4.7 Appointments to Committees

As part of their representative role Council Members are often asked to represent the Council on external organisations. It is important that Council Members :

- clearly understand the basis of their appointment; and
- provide regular reports on the activities of the organisation.

5. DEALING WITH COUNCIL PROPERTY

5.1 Use of Local Government Resources

Council Members and staff will:

- (a) be scrupulously honest in their use of the Local Government's resources and shall not misuse them or permit their misuse (or the appearance of misuse) by any other person or body;
- (b) use the Local Government resources entrusted to them effectively and economically in the course of their duties; and
- (c) not use the Local Government's resources (including the services of Council staff) for private purposes (other than when supplied as part of a contract of employment), unless properly authorised to do so, and appropriate payments are made (as determined by the Chief Executive Officer).

5.2 Travelling and Sustenance Expenses

Council Members, Committee Members and staff will only claim or accept travelling and sustenance expenses arising out of travel-related matters which have a direct bearing on the services, policies or business of the Local Government in accordance with Local Government policy and the provisions of the Local Government Act.

5.3 Access to Information

- (a) Staff will ensure that Council Members are given access to all information necessary for them to properly perform their functions and comply with their responsibilities.
- (b) Council Members will ensure that information provided will be used properly and to assist in the process of making reasonable and informed decisions on matters before the Council.

GUIDELINES

STATUTORY ENVIRONMENT

The Model Code of Conduct observes statutory requirements of the Local Government Act 1995 (S 5.103 – Codes of Conduct) and Local Government (Administration) Regulations 1996 (Regs 34B and 34C).

RULES OF CONDUCT

Council Members acknowledge their activities, behaviour and statutory compliance obligations may be scrutinised in accordance with prescribed rules of conduct as described in the Local Government Act 1995 and Local Government (Rules of Conduct) Regulations 2007.

POLICY REQUIREMENTS

I.....

in my position as

With the Shire of Narembeen declare that I have read and understood the Code of Conduct for Council Members, Committee Members and Employees.

DELEGATED AUTHORITY

CEO

REVIEW

EMCS

HISTORY

Adopted:	19/05/2004	MIN:	3036/04
Reviewed:	18/02/2015	MIN:	5896/15
Reviewed:	15/02/2017	MIN:	6367/17
Reviewed:	18/04/2018	MIN:	6624/18

RATES INFORMATION 2019-2020

HIGHLIGHTS FROM 2018-2019

What did we achieve?

**MAJOR
ROADWORKS
\$2.7M**



- Cramphorne Rd
- Bruce Rock/
Narembreen Rd
- Narembreen Sth Rd
- Townsite initiatives
& more

**COMMUNITY
PRECINCT
EXTENSION
\$1.3M**



**COMMUNITY BUS
REPLACEMENT
\$170K**



**TOWN CCTV
INSTALLATION
\$70K**



**PROJECTS
UNDERWAY**



- Lesser Hall Precinct
and Interpretation
Project
- Cemetery Upgrade
- Major repairs-Road
Board Building

BIG THINGS PLANNED FOR 2019 - 2020

**APEX PARK
TOILET BLOCK
UPGRADE**

**AIRSTRIPE
UPGRADE**

**MAJOR
ROADWORKS**

**CARAVAN PARK
ROADWAYS
IMPROVEMENT**

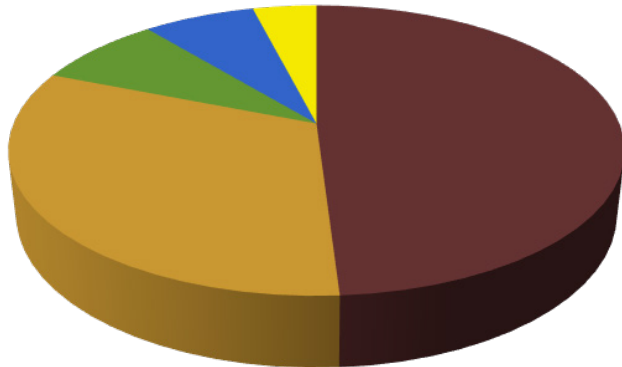
**TOWNSITE
FOOTPATH
NETWORK
IMPROVEMENTS**

WHERE ARE YOUR RATES SPENT?

In 2019-2020 the Shire of Narembeen expects to spend approximately \$7.5m on capital and operating activities throughout the year.

EXPENDITURE

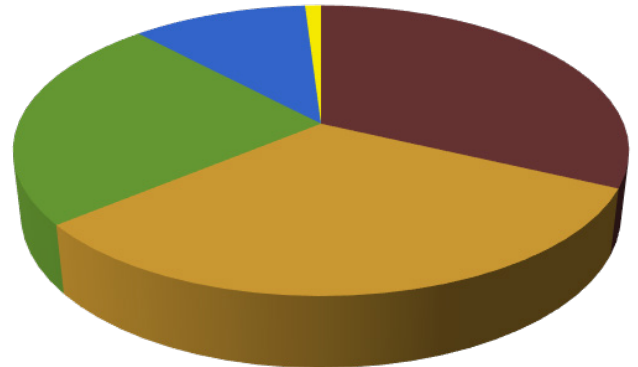
The below table summarises the Shire's main expenditure areas:



Roads and Footpaths
Community Facilities and Activities
Administrative/Statutory Responsibility Costs
Property and Plant Costs
Town Services and Tourism

INCOME

In order to fund its activities the Shire receives income from a number of sources, summarised below:



Rates
Operating Grants and Contributions
Capital Grants and Contributions
Fees and Charges
Interest

UNDERSTANDING YOUR RATES CHARGES



GENERAL RATES

Council

Council have determined a rate increase of 3.5% on the total rate income. This may vary from property to property.

Changes in valuations to your land may affect the change in rates on your property.

Note: A revaluation of townsite properties occurred in the 18/19 financial year.

RUBBISH CHARGE

Council

The rubbish charge per service has not increased. The rubbish service includes the small general rubbish bin as well as the recycling bins.

General rubbish is collected every Monday morning and recycling every second Tuesday.

EMERGENCY SERVICES LEVY

State Government

This is a charge collected on behalf of the State Government to help fund fire agencies. It is set by the State Government. The current Emergency Services Levy for 19/20 is \$84 per rates notice.

YOUR RATES BILL

- ✓ General Rates
- ✓ Rubbish Charge
- ✓ Emergency Services Levy

If you are eligible for a Pensioner or Seniors rebate and it is not already included in your rates notice, please contact Shire's Finance Officer.

For a complete list of Council's services and facilities, please visit the Shire of Narembeen website www.narembeen.wa.gov.au

Alternatively, additional information is available in the Narembeen Community Directory (available from the Narembeen Community Resource Centre, T: 9064 7055)

Enquiries to: Shire of Narembeen T: 9064 7308 E: admin@narembeen.wa.gov.au



Shire of Narembeen



shireofnarembeen



@shire_narembeen