

Council Reference: Code of Conduct
Your Reference: A565071



7 December 2017

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Mr Tim Hurst
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Please address all communications
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Attention: Council Governance Team

Dear Mr Hurst

Review of Model Code of Conduct and Administration Procedure

Council has reviewed the Consultation drafts of the Model Code of Conduct and the Procedure for the Administration of the Model Code of Conduct and wishes to make the following submission in relation to these documents:

Model Code of Conduct

Part 3.6 – consideration be given to the inclusion of the word – religion – within the areas of harassment and discrimination.

Part 3.7 – delete a) as interpretation of this wording could be too open and c) – hostile – should be defined.

Part 3.10 – a) delete the word – intimidating, delete f) and h) as they are Industrial Relations matters and are covered under the Local Government (State) Award.

Part 3.15 – totally endorsed – as this has been an enhancement within council's Model Code of conduct.

Part 4.27 – these requirements should also take into account the possibility of Identity Theft and Asset Security due to all property being required to be disclosed. In lieu of being published on the council website, copies of these returns could be retained by the Audit Office and only released under GIPAA requirements.

Part 5.30 b) – creates issues for council staff who are unable to conduct any business with council within normal work hours. There should be a provision included that – allows interaction during designated breaks or while on leave.

Part 6.6 – value of Token Gifts should be amended to be a value of \$100, with the exception of d) that should remain at \$50.

Part 6.7, 6.8 and 6.9 – the value should be increased to \$100.

Part 8.21 d) – requires a definition of the words misleading and deceptive – this would remove any ambiguity from this process.

Parts 8.22 and 8.23 – requires consideration be given to GIPAA requirements which includes access to records and the manner that they are stored within the council's systems. These parts appear to be too open in their interpretation.

Procedures for Administration of the Model Code of Conduct

The establishment of a panel of conduct reviewers – consideration should be given to the establishment of conduct reviewers initiated by the Office of Local Government in a similar way to the establishment of Regional Joint Planning Panels.

Part 6.3 – reference to incorporated or other entity which is in conflict with the fact that only individuals can be appointed to the panel of conduct reviewers.

Thank you for the opportunity of being able to make a submission on the proposed changes to the Model Code of conduct and the associated Procedure.

Should you require any further information, please contact – Manager Corporate Governance Neil Baldwin on (02) 6670 2421.

Yours faithfully

Troy Green PSM
GENERAL MANAGER