

Title	Code of Conduct for Board Members
Classification	Governance

Purpose

This Code of Conduct is to be observed by all Limestone Coast Local Government Association (LCLGA) Board Members.

The LCLGA is a subsidiary established by the City of Mount Gambier, District Council of Grant, District Council of Robe, Kingston District Council, Naracoorte Lucindale Council and Tatiara District Council (Constituent Councils) to:

- work in association with both the Local Government Association SA and the Australian Local Government Association
- undertake coordinating, advocacy and representation roles on behalf of its Constituent Councils at a regional level
- facilitate and coordinate activities of local government at a regional level related to social, environmental and community development with the object of achieving improvement for the benefit of the Constituent Councils communities.
- develop, encourage, promote, foster and maintain consultation and cooperation and to strengthen the representation and status of local government when dealing with other governments, private enterprise and the community;
- develop further cooperation between its Constituent Councils for the benefit of the communities of its region
- develop and manage policies which guide the conduct of programs and projects in its region with the objective of securing the best outcomes for the communities of the region
- undertake projects and activities that benefit its region and its communities.
- associate, collaborate and work in conjunction with other regional local government bodies for the advancement of matters of common interest
- implement programs that seek to deliver local government services on a regional basis
- effectively liaise and work with the State and Commonwealth Governments and instrumentalities on a regional basis for the general enhancement of the region.

Board Members must comply with the provisions in this Code in carrying out their functions as public officials. It is the personal responsibility of Board Members to ensure they are familiar with, and comply with, the standards in the Code at all times.



Part 1—Principles

Higher principles—Overarching Statement

This part does not constitute separate enforceable standards of conduct.

As members of the Board, we are dedicated to serving the best interests of our Constituent Councils and their communities. We pledge to fulfill our responsibilities diligently, prioritising public benefit over personal gain at all times.

Collaboratively, we will uphold honesty, integrity, accountability, and transparency as core values. By doing so, we aim to instil confidence and trust in our Local Government among Constituent Councils and the community.

In carrying out duties, we will consider the diverse present and future needs of the Constituent Councils and their communities. We will provide leadership and advocate for the interests of the Board.

We will actively seek to stay informed about both legal obligations and best practices relevant to our roles as Board Members.

Furthermore, we commit to complying with all legislative requirements associated with our positions and adhering to this Code of Conduct.

Part 2—Behavioural Code

Behavioural Code

In line with ‘Part 1—Principles’ of this Code, the following behaviour is considered essential to upholding the principles of good governance in the subsidiary.

This Part is for the management of the conduct of Board Members that does not meet the reasonable expectations of the conduct of Board Members. It deals with conduct that does not, and is not likely to, constitute a breach of Part 3—Misconduct or criminal matters such as those contained in the Appendix to this document.

Robust debate within the Board conducted in a respectful manner is not a breach of this Code.

It is intended that the Board will adopt a process for the handling of alleged breaches of this Part. This process will be reviewed within 12 months of a new Board commencing.

General Behaviour

LCLGA Board Members must:

- 2.1. at all times act with reasonable care and diligence in the performance and discharge of official functions and duties;
- 2.2. at all times act honestly in the performance and discharge of official functions and duties
- 2.3. act in a way that generates Constituent Council, and community trust and confidence in the LCLGA;
- 2.4. act in a reasonable, just, respectful and non-discriminatory way with all people;
- 2.5. show respect for others if making comments publicly; and
- 2.6. ensure that personal comments to the media or other public comments on Board decisions and other relevant matters clearly indicate that it is a private view and not that of the Board;

Responsibilities as a member of the Board

- 2.7. A Board Member must take reasonable steps to inform themselves about the relevant aspects of the operations and activities
- 2.8. Comply with all LCLGA policies, codes and resolutions;
- 2.9. Deal with information received in their capacity as a Member in a responsible manner;
- 2.10. A Board Member or former Board Member must not, whether within or outside the State, make improper use of information acquired by virtue of his or her position as a Board Member to gain, directly or indirectly, an advantage for himself or herself or for another person or to cause detriment to the LCLGA or its Constituent Councils;
- 2.11. At all times behave in a manner that maintains and enhances the image of the LCLGA and/or does not reflect adversely on the LCLGA;
- 2.12. Endeavour to provide accurate information to the Board and public at all times.

Relationship with fellow Board Members

- 2.13. Endeavour to establish and maintain a respectful relationship with all Board Members, regardless of differences of views and opinions; and
- 2.14. Not bully or harass other Board Members.

Relationship with LCLGA staff

- 2.15. Not bully or harass LCLGA staff;
- 2.16. Direct all requests for information from LCLGA administration, or requests for work or actions by LCLGA staff to LCLGA's Executive Officer or nominated delegate/s;

- 2.17. Refrain from directing or influencing LCLGA staff with respect to the way in which these employees perform their duties.

Requirement to report breach of Part 3 (Misconduct)

- 2.18. A Board Member who is of the opinion that a breach of Part 3 of this Code (Misconduct) - has occurred, or is occurring, must report the breach to the LCLGA President or Executive Officer, the Ombudsman or the Office for Public Integrity.
- 2.19. A failure to report an alleged or suspected breach of Part 3 of this Code is in itself a breach under this Part (Behavioural Code).

Complaints

- 2.20. Any person may make a complaint about a Board Member under Part 2 (Behavioural Code);
- 2.21. Complaints about behaviour alleged to have breached Part 2 (Behavioural Code) should be brought to the attention of the President of the LCLGA Board or the Executive Officer, or nominated delegate/s.
- 2.22. A complaint may be investigated and resolved in any manner which the Board deems appropriate in its process for handling alleged breaches of this Part. This can include but is not limited to a mediator or conciliator, a regional governance panel or an independent investigator.
- 2.23. A complaint may be considered within this process to be trivial, vexatious or frivolous, and accordingly be dismissed and not investigated.
- 2.24. A failure of a Board Member to cooperate with the Board's process for handling alleged breaches of this Part may be referred for investigation under Part 3 (Misconduct).
- 2.25. A failure of a Board Member to comply with the finding of an investigation adopted by the Board under this Part, may be referred for investigation under Part 3 (Misconduct).
- 2.26. A breach of the Part 2 (Behavioural Code) must be the subject of a report to a public meeting of the Board.

Findings

If, following investigation under the Board's complaints handling process, a breach of the Behavioural Code by a Board Member is found, the Board may, by resolution:

- 2.27. Take no action;
- 2.28. Pass a censure motion in respect of the Board Member;
- 2.29. Request a public apology, whether written or verbal;
- 2.30. Request the Board Member to attend training on the specific topic found to have been breached;
- 2.31. Resolve to remove or suspend the Board Member from their position within the Board;

Part 3—Misconduct

Misconduct of Board Members

Failure by a Board Member to comply with this Part constitutes misconduct. The provisions within this Part may refer to statutory matters under the *Local Government Act 1999*. Any breach of these provisions will be investigated under that legislation.

Any person may report an alleged breach of this Part to the President of the LCLGA Board, the Executive Officer, the Ombudsman, the Electoral Commissioner (for alleged breaches of Code 3.8) or the Office for Public Integrity. Alleged breaches of this Part made to the Board or to the Office for Public Integrity may be referred to the Ombudsman for investigation under section 263 of the *Local Government Act 1999*, by LCLGA's Executive Officer or by the Independent Commissioner Against Corruption, where he or she so determines.

A report from the Ombudsman that finds a Board Member has breached this Part (Misconduct) of the Code of Conduct must be provided to a public meeting of the Board. The Board must pass resolutions that give effect to any recommendations received from the Ombudsman, within two ordinary meetings of the Board following the receipt of such recommendations.

An investigation under Part 3 of this Code does not preclude an investigation being launched as a potential breach of the criminal matters listed in Appendix A.

Member Duties

Board Members must:

- 3.1. Act honestly at all times in the performance and discharge of their official functions and duties; and
- 3.2. Perform and discharge their official functions and duties with reasonable care and diligence at all times; and
- 3.3. Not release or divulge information that the Board has ordered be kept confidential, or that the Board Member should reasonably know is information that is confidential, including information that is considered by the Board in confidence; and
- 3.4. Not exercise or perform, or purport to exercise or perform, a power, duty or function that he or she is not authorised to exercise or perform; and
- 3.5. Not attempt to improperly direct a member of LCLGA staff to act in their capacity as a Local Government subsidiary employee for an unauthorised purpose;
- 3.6. Not use any information obtained as a result of their position as a Member of the Board of LCLGA for any purpose other than that required to fulfil the role and responsibility as a Board Member;
- 3.7. Respect and maintain confidentiality, and not at any time release to any person or organisation any documents or information that the Board of LCLGA has resolved to be kept confidential, or that is indicated to be kept confidential; and

- 3.8. Ensure that relationships with external parties cannot amount to interference by improper influence, affecting judgement, decisions and/or actions.

Gifts and Benefits

- 3.9. Board Members must not:
- 3.9.1. Seek gifts or benefits of any kind;
 - 3.9.2. Accept any gift or benefit that may create a sense of obligation on their part or may be perceived to be intended or likely to influence them in carrying out their public duty;
 - 3.9.3. Accept any gift or benefit from any person who is in, or who seeks to be in, any contractual relationship with LCLGA.
- 3.10. Notwithstanding code 3.9, Board Members may accept hospitality provided in the context of performing their duties, including:
- 3.10.1. Free or subsidised meals, beverages or refreshments of reasonable value provided in conjunction with:
 - 3.10.1.1. Board related events such as training, education sessions workshops and conferences;
 - 3.10.1.2. LCLGA functions or events;
 - 3.10.1.3. Social functions or events organised by groups such as Constituent Council committees and community organisations;
 - 3.10.2. Invitations to, and attendance at local social, cultural or sporting events.
- 3.11. If a Board Member receives a gift or benefit with a value more than the value published in the Government Gazette by the Minister, the Board Member must, within 10 days, provide details of the gift or benefit to the President of the LCLGA Board or the Executive Officer.
- The threshold amount governing when a gift or benefit must be registered is \$50.00. This was published by the Minister in the Gazette on 17 November 2022
- 3.12. Details of each gift must be recorded within a gifts and benefits register maintained and updated quarterly by the LCLGA's Executive Officer. This register will be made available on the LCLGA website and from the principal office of the LCLGA.

Conflict of Interest

- 3.13. Board Members must be committed to making decisions without bias and in the best interests of the whole community and comply with the relevant conflict of interest provisions of the *Local Government Act 1999*.

Misuse of LCLGA Resources

- 3.14. Board Members using LCLGA resources must do so effectively and prudently.

- 3.15. Board Members must not use LCLGA resources, including services of staff, for private purposes, unless legally or properly authorised to do so and payments are made where appropriate.
- 3.16. Board Members must not use public funds or resources in a manner that is irregular or unauthorised.

Repeated or sustained breaches of Part 2

- 3.17. At the discretion of the Board, repeated or sustained inappropriate behaviour, as listed in Part 2, may be escalated to an allegation of misconduct under this Part.
- 3.18. A failure to comply with a finding of inappropriate behaviour (by the Board, independent investigator or Ombudsman) under Part 2 is also grounds for a complaint under this Part.

Code Responsibility

The Executive Officer is responsible for ensuring the proper operation of this Code.

Availability/Accessibility

An electronic version of this Code is publicly available upon request. A hard copy can be provided upon request.

Applicable Legislation/Other References

Independent Commissioner Against Corruption Act 2012

Ombudsman Act 1972

Local Government Act 1999

Criminal Law Consolidation Act 1935

Definitions

In this Code, unless the contrary intention appears, these words have the following meanings:

The Limestone Coast Local Government Association means the Limestone Coast Local Government Association (LCLGA)

Board Member/s means the Board Member/s of the Limestone Coast Local Government Association (LCLGA)

Executive Officer means the Executive Officer (EO) of the Limestone Coast Local Government Association (LCLGA)

Constituent Councils means the City of Mount Gambier, District Council of Grant, District Council of Robe, Kingston District Council, Naracoorte Lucindale Council and the Tatiara District Council

Employees means all Limestone Coast Local Government Association (LCLGA) staff, including labour hire, contractors and volunteers.

RELATED DOCUMENTATION

Related Policies, Procedures or Forms	Risk Management Policy
Applicable Legislation	Local Government Act 1999

ROLES & RESPONSIBILITIES

Position	Role & Responsibility
Executive Officer	To take appropriate action to resolve breaches in a timely manner
LCLGA Audit and Risk Committee	Recommend this policy
LCLGA Board	To approve the use of this policy

FILE INFORMATION

File name	Code of Conduct for Board Members v2
File location	Policies and Procedures 2026

FILE HISTORY

Status	Under review
Last review date	August 2024
Next review date	April 2028

FILE REVIEW NOTES

Date	Description
V1 August 2024	Policy approved by LCLGA Board
V2 March 2026	Audit and Risk Committee Review
V2 April 2026 LCLGA Board Meeting	Policy approved and adopted by LCLGA Board

