



## Behavioural Support Policy

<b>Policy Classification</b>	Council Policy
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<b>Related Policies or Documents:</b>	Behavioural Management Policy Behavioural Standards (Gazetted)
<b>Associated Forms:</b>	
<b>Responsible Manager:</b>	Chief Executive Officer
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## 1. Introduction

- 1.1 The Kangaroo Island Council (the **Council**) is committed to acting as a representative, informed and responsible public authority.
- 1.2 In meeting these requirements, it supports its Elected Members (**Members**) to uphold the values of honesty, integrity, accountability and transparency, for the purposes of fostering community trust and confidence in the Council specifically, but also in local government generally.
- 1.3 The obligations for Members under the *Local Government Act 1999* (the **Act**) include to ensure positive and constructive working relationships within the Council and to develop skills relevant to their roles.
- 1.4 Members are also required to represent the interests of residents and ratepayers, by providing community leadership and guidance and facilitating communication between the community and the Council.
- 1.5 This Behavioural Support Policy (the **Policy**) has been agreed and adopted by the Council, as a governing body and sets out the expectations of Members with respect to their interactions as between themselves, Administration and the community in giving effect to these principles.
- 1.6 The Policy is designed to support appropriate behaviour by Members of the Council and is to be read in conjunction with the *Behavioural Standards for Council Members*.

## 2. Purpose

- 2.1 This Policy applies to all Members of the Council.
- 2.2 It has been prepared and adopted pursuant to section 75F of the Act and:
  - 2.2.1 sets out the expectations of Members with respect to their interactions with each other, with Administration and with members of the community;
  - 2.2.2 specifies expected behaviours that must be observed by Members of the Council; and
  - 2.2.3 matters relating to behaviour of Members considered appropriate by the Council.
- 2.3 The Council recognises its responsibilities to support Members in giving effect to their roles and responsibilities under the Act.
- 2.4 A breach of a Member's agreed obligations and responsibilities under this Policy will be received and managed under the *Behavioural Management Policy*.

## 3. Definitions

***Behavioural Standards for Council Members*** are the Standards established by the Minister for Local Government, as published in the SA Government Gazette, specifying standards of behaviour to be observed by all Members of councils;

***Behavioural Management Policy*** is the Policy the Council is required to adopt pursuant to section 262B of the Act relating to the management of behaviour of Members.

***frivolous*** is a matter that lacks substance or merit, is of little weight or importance, and/or lacking in seriousness;

A frivolous complaint may be one that:

- is trivial in nature; or
- has no serious purpose or value; or
- is sufficiently meritless that further action would be a waste of time or cost; or
- the extent of the complaint is out of proportion to the significance of the matter.

**trivial** means a matter of little or no importance and/or insignificant, where the person responsible for managing the complaint considers it unreasonable to dedicate resources to investigate the matter;

**vexatious** includes a matter raised without reasonable grounds or raised for the predominate purpose of causing annoyance, delay or detriment and/or to achieve any other wrongful purpose.

A complaint may be regarded as vexatious if it:

- continues to pursue a complaint that has already been addressed without providing any new information that warrants further action; or
- fails to provide additional information which would be likely to be available, relevant to and supportive of, the issues raised in the complaint; or
- comprises or includes lies or provides misleading information to the person responsible for managing the complaint.

#### 4. Values

The Members of the Council commit to the following values:

<b>Honesty</b>	to speak and act truthfully and openly, and engage in respectful debate in the Chamber. We will support the decisions of the Council;
<b>Integrity</b>	to serve the best interests of the community and to discharge duties conscientiously, to the best of the Members' ability and for public not private benefit at all times. To act in a trustworthy and responsible manner, working together in giving effect to the roles and responsibilities of office;
<b>Accountability</b>	to understand that the community has elected Members to represent their interests at Council and in the Chamber. Members commit to making responsible, reasonable decisions, that are open to be made on the facts available, made in the public interest and not based on flawed decision-making processes;
<b>Transparency</b>	to provide an open, responsive and accountable level of government and to achieve and maintain standards of good public administration; Members will be open with members of the community, without otherwise breaching obligations of confidentiality; and
<b>Collaboration</b>	as representatives of an open, responsive and accountable Council, Members are committed to considering all relevant information and opinions, giving each due weight and in accordance with the Council's community consultation obligations.

## **5. Member Commitments**

To support these shared values and behaviours the Members agree:

- 5.1 they have a duty to place the interests of the community before their own interests and to build and maintain positive, constructive relationships amongst the Council, as a governing body;
- 5.2 it is appropriate and important for a range of views to be expressed at Council meetings and whilst Members will disagree at times as part of robust debate, this debate will be conducted in a respectful manner, with a focus on the merits of the matter;
- 5.3 to exercise care and caution in expressing views regarding the conduct of other Members and not to express views regarding employees, other than in a private manner with the CEO;
- 5.4 the Mayor is responsible for maintaining good order at Council meetings and all Members will demonstrate constructive and positive behaviour in effective decision making at Council;
- 5.5 to engage and communicate with Administration in accordance with the requirements of the CEO and relevant legislation, recognising the separation of powers between Members and the CEO and the importance of working together constructively to achieve outcomes for the community; and
- 5.6 to demonstrate community leadership and guidance at all times.

## **6. Other matters relating to the Behaviour of Members**

- 6.1 In accordance with section 75F(2)(c) of the Act, Members agree that the following matters relating to the behaviour of Members are appropriate and Members will observe and comply with the following specific obligations:
  - 6.1.1 the Mayor is the principal spokesperson of the Council, as assisted by the CEO, and will be solely responsible for disseminating information to the media and via social media, for and on behalf of the Council;
  - 6.1.2 any comments made by Members to the media, or via social media, are required to be made strictly accordance with the Council's Social Media Policy (including as amended from time to time);
  - 6.1.3 whilst Members may express their individual personal views through the media, as well as social media, they are required to make it clear that any such comment is a personal view and does not represent the position of Council;
  - 6.1.4 however, noting the obligation for Members to ensure that they do not detrimentally impact community trust and confidence in the Council, if they do choose to make personal views known via media, including social

- media, they must refrain from expressing public dissent with Council decisions or criticising individual Members and/or employees;
- 6.1.5 while Members may link and forward information from official Council social media platforms in messaging the community, they will not change or interpret the information;
  - 6.1.6 noting the obligation for Members to promote positive and constructive working relationships not only amongst themselves, but also the organisation as a whole, they will not promote and/or practice open communication with Administration in accordance with the requirements of the CEO;
  - 6.1.7 if Members have a reason to query, or have a concern with, any operational matter, they will raise these matters directly with the CEO and not with any other employee;
  - 6.1.8 as persons elected to represent the interests of residents, ratepayers and electors, Members are expected to attend at all Council and Committee Meetings (as required), as well as information or briefing sessions, unless there are good reasons for being an apology (or a leave of absence is has been obtained);
  - 6.1.9 'attendance' at meetings is not just physical attendance, but the expectation that all Members will have read and carefully considered the Agenda items prior to the meeting or briefing and be ready to fully participate in discussion and debate on the items;
  - 6.1.10 any questions that Members have with respect to an Agenda item, or a matter to be discussed at an information or briefing session, must be raised at the earliest opportunity with the CEO, following the delivery of the Agenda rather than being left until the meeting/briefing in question;
  - 6.1.11 after reading and considering the Agenda for any Council or Committee Meeting, Members will consider whether any of the items give rise to a conflict of interest for them, as captured under the Act. If so, at the earliest opportunity, Members will complete a Conflict of Interest declaration form and provide this to the CEO for noting at the meeting in question;
  - 6.1.12 Members will address each other, as well as any employee and/or member of the public (or invited guest) in attendance at Council and Committee Meetings in a respectful manner;
  - 6.1.13 irrespective of how a Member may have participated in the discussion and debate on any Agenda item arising for decision, they will fully commit to supporting the resultant Council decision on the matter, unless amended, varied or revoked in accordance with the *Local Government (Procedures at Meetings) Regulations 2013*. Members will refrain from publicly expressing dissent with the decision, so as not to undermine community trust and confidence in the Council.

- 6.1.14 Whilst Members may have a mobile telephone on the desk in front of them at Council and Committee meetings, as well as information or briefing sessions, these must be on silent and calls may only be taken in an emergency and not in the Chamber whilst the meeting is in progress.
- 6.1.15 Any Member who may be the nominated Council representative to attend at a community event or meeting but is subsequently unable to do so, will ensure, with the consent of the community group / event coordinator, that there is a replacement Member able to attend in their place.
- 6.1.16 Members commit to not making or pursuing trivial, frivolous or vexatious complaints against each other and, where there may be disagreement, they will, so far as is reasonably practicable, attempt to negotiate the matter in an informal manner between themselves, with the assistance of the Mayor as required.

## **7. Further Information**

- 7.1 This Policy is available from Council's website: [www.kangarooisland.sa.gov.au](http://www.kangarooisland.sa.gov.au)
- 7.2 A printed copy of this Policy may be purchased from the Council office.

SIGNED:



Chief Executive Officer

Date:

16/01/2024

<b>History:</b>		
Date Reviewed:	Version:	Reason for Amendment: