POLICY 2.30
Governance
Elected Member Behavioural Support
Version: 2 **| Next Review:** November 2030

DISTRICT COUNCIL of TUMBY BAY

1. INTRODUCTION

1.1 The District Council of Tumby Bay (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 must be read in conjunction with the *Behavioural Standards for Council Members* and relevant legislative requirements.

2. POLICY OBJECTIVE

2.1 This Policy applies to all Members of the Council.

2.2 This Policy has been prepared and adopted by Council pursuant to section 75F of the *Local Government Act 1999* (the Act) and forms part of the Behavioural Management Framework for Council Members.

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. LEGISLATIVE REQUIREMENTS

This Policy is made pursuant to section 75F of the *Local Government Act 1999* (the Act), which requires councils to develop and adopt a behavioural support policy to assist Council Members to maintain appropriate standards of conduct.

This Policy operates in conjunction with, and must be read consistently with, the following legislative and regulatory framework:

3.1 The *Local Government Act 1999*, including but not limited to:

a) Section 62 – Roles and responsibilities of Council Members,

b) Section 63 – General duties of Members,

c) Sections 73–74 – Conflict of interest provisions,

d) Section 75 – Register of interests,

e) Section 75G – Behavioural Standards,

f) Section 80A – Training and development of Members, and

g) Section 99 – Role and functions of the Chief Executive Officer.

3.2 *Behavioural Standards for Council Members*, as prescribed by the Minister for Local Government and published in the Government Gazette, establishes mandatory standards of conduct for all Members.

3.3 *Local Government (Procedures at Meetings) Regulations 2013* governs the conduct of Council and Committee meetings.

3.4 The *Independent Commission Against Corruption Act 2012* establishes obligations relating to misconduct, maladministration and corruption in public administration.

3.5 The *Ombudsman Act 1972* provides for independent review of administrative actions of the Council.

3.6 The *Public Interest Disclosure Act 2018* provides protections and processes for reporting inappropriate conduct within public authorities.

Where there is any inconsistency between this Policy and any legislative requirement, the relevant legislation will prevail.

This Policy does not replace or limit any statutory obligations imposed on Members but is intended to support compliance with those obligations and promote a culture of respectful, transparent and accountable governance.

4. 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.

5. VALUES

The Members of the Council commit to the following values:

5.1 *Honesty*

We will speak and act truthfully and openly, and engage in respectful debate in the Chamber. We will support the decisions of the Council.

5.2 *Integrity*

We are committed to serving the best interests of the community and to discharging our duties conscientiously, to the best of our ability, and for public not private benefit at all times. We will act in a trustworthy and responsible manner, working together in giving effect to our roles and responsibilities.

5.3 *Accountability*

We understand the community has elected us to represent their interests at Council and in the Chamber. We commit to making responsible, reasonable decisions, that are open to be made on the facts available to us, made in the public interest and not based on flawed decision-making processes.

5.4 *Transparency*

We are committed to providing an open, responsive and accountable level of government and in achieving and maintaining standards of good public administration. We will be open with members of the community, to whom we represent, without otherwise breaching our obligations of confidentiality.

5.5 *Collaboration*

As representatives of an open, responsive and accountable Council, we are committed to considering all relevant information and opinions, giving each due weight and in accordance with the Council's community consultation obligations.

6. MEMBER COMMITMENTS

To support these shared values and behaviours the Members agree:

6.1 Members 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.

6.2 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.

6.3 To exercise care and caution in expressing views regarding the conduct of other Members and will not express views regarding employees, other than in a private manner with the CEO.

6.4 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.

6.5 Members will 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.

6.6 Members will demonstrate community leadership and guidance at all times.

7. OTHER MATTERS RELATING TO THE BEHAVIOUR OF MEMBERS

In accordance with section 75F(2)(c) of the Act, Members agree the following matters relating to the behaviour of Members are appropriate and Members will act in accordance with the following specific obligations:

7.1 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,

7.2 any comments made by Members to the media, or via social media, are required to be made strictly in accordance with the Council's Social Media Policy (including as amended from time to time),

7.3 whilst Members may express their individual personal views through the media, as well as social media, Members are required to make it clear that any such comment is a personal view and does not represent the position of Council,

7.4 however, and noting the obligation for Members to ensure they do not detrimentally impact community trust and confidence in the Council, if Members do choose to make personal views known via media, including social media, they must refrain from expressing dissent of Council decisions publicly or criticising individual Members and/or employees,

7.5 whilst Members may link and forward information from official Council social media platforms in messaging to the community, they are not to change or interpret the information,

7.6 noting the obligation for Members to promote positive and constructive working relationships not only amongst themselves, but also the organisation as a whole,

Members are to promote and practice open communication with Administration in accordance with the requirements of the CEO,

7.7 if Members have a reason to query, or have a concern with, any operational matter, they are to raise these matters directly with the CEO, not with any other employee,

7.8 as persons elected to represent the interests of residents, ratepayers and electors on the Council, Members are expected to attend 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 has been obtained),

7.9 'attendance' at meetings is not just physical attendance, but the expectation that all Members have read and carefully considered the Agenda items prior to the meeting or briefing and are ready to fully participate in discussion and debate on the items,

7.10 any questions that Members may 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 and not left until the meeting/briefing in question,

7.11 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,

7.12 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,

7.13 irrespective of how a Member may have participated in the discussion and debate on Agenda items arising for decision, Members will fully commit to supporting the resultant Council decision on the matter, unless otherwise amended, varied or revoked in accordance with the Local Government (Procedures at Meetings) Regulations 2013. Members will refrain from expressing public dissent in the decision, so as not to undermine community trust and confidence in the Council.

7.14 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,

7.15 any member who may be the nominated Council representative to attend at a community event or meeting and is subsequently unable to do so, will arrange, with the consent of the community group/event coordinator, for a suitable replacement to attend in their place, and

7.16 Members commit to not making or pursuing trivial, frivolous or vexatious complaints against each other, and where there may be disagreement, members will, so far as is reasonably practicable, attempt to negotiate the matter in an informal manner as between themselves, with the assistance of the Mayor as required.

8. POLICY REVIEW

This Policy will be reviewed every four (4) years, and within six (6) months following the periodic election. The Council has the right to review this policy at any time, if considered desirable.

9. AVAILABILITY OF POLICY

This policy will be available for inspection at the Council's offices during ordinary business hours and via the Council's website www.tumbybay.sa.gov.au. Copies will also be provided to the public upon request, and upon payment of a fee in accordance with the Council's Schedule of Fees and Charges.

10. FURTHER INFORMATION

File reference	R26/10272
Responsibility	Chief Executive Officer
Version	2
Effective date	14/07/2026
Last revised date	10/10/2023
Minutes reference	18c/72026
Next review date	November 2030
Applicable Legislation	*Local Government Act 1999* *Independent Commission Against Corruption Act 2012* *Ombudsman Act 1972* *Public Interest Disclosure Act 2018*
Related Policies	Policy 2.20 - Social Media Policy 2.29 - Elected Member Behavioural Management
Related Procedures & Documents	Behavioural Standards for Elected Members Elected Member Behavioural Management Policy Procedure Flowchart Conflict of Interest Declaration Form

AUTHORITY: Adopted by Council: 10/10/2023 {Motion 2c/102023}
Adopted by Council: 14/07/2026 {Motion 18c/72026}

SIGNED: 

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Responsible Officer

DATED: 14/07/2026