

Complaint of Breach of Behaviour Form - Code Of Conduct For Council Members, Committee Members And Candidates

Instructions for making a complaint about an alleged breach of the City of Armadale Code of Conduct for Council Members, Committee Members and Candidates

Behaviour Complaint

Please read the City of Armadale's Code of Conduct Behaviour Complaints Policy on our website before submitting a complaint. This Policy details:

- How the City of Armadale will process and determine a Behaviour Complaint; and
- How confidentiality of the complaint will be handled.

To make a valid **Behaviour Complaint**:

- The allegation must relate to a breach of the behaviour standards in Part 5 of the City of Armadale's Code of Conduct for Council Members, Committee Members and Candidates.
- Complete all sections of the Behaviour Complaint Form attached, including any additional information that will support assessment of the complaint. The Behaviour Complaints Officer may contact you to clarify or ask for more information.
- The completed Behaviour Complaint Form **MUST** be lodged with the City of Armadale Behaviour Complaints Officer within one (1) month of the alleged behaviour breach.

Rules of Conduct Complaint

A **Rules of Conduct Complaint** refers to a breach of the Rules of Conduct outlined in Part 9 of the City of Armadale's Code of Conduct for Council Members and Candidates, including Council Members when acting as a Committee Member. This type of complaint is determined by the Local Government Standards Panel, administered through the Department of Local Government, Sport and Cultural Industries. Further information about Rules of Conduct Complaints may be obtained from:

- Department of Local Government, Sport and Cultural Industries: (08) 6552 7300 or www.dlgsc.wa.gov.au; OR
- The City of Armadale's Complaints Officer at info@armadale.wa.gov.au.

Need Advice?

If you require advice in making a Behaviour Complaint, please contact the City of Armadale's Behaviour Complaints Officer on (08) 9394 5149 or by email governance@armadale.wa.gov.au

Name of person who is making the complaint:	
Name: _____	_____
Given Name(s)	Family Name

Contact details of person making the complaint:
Address: _____
Email: _____
Contact number: _____

Name of council member, committee member, candidate alleged to have committed the breach:

Select the position that the person was fulfilling at the time the person committed the alleged behaviour breach:	Council Member of the City of Armadale	<input type="checkbox"/>
	Member of a Committee of the City of Armadale	<input type="checkbox"/>
	Candidate for election at the City of Armadale	<input type="checkbox"/>

Date of incident
Click to enter a date

Location where the alleged behaviour breach occurred:	
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Which of the behaviours prescribed in Part 5 of the City of Armadale's Code of Conduct do you allege this person has breached?	
Clause 5.1. Personal integrity	
(1) A council member, committee member or candidate —	
(a) must ensure that their use of social media and other forms of communication complies with this code; and	<input type="checkbox"/>
(b) must only publish material that is factually correct	<input type="checkbox"/>
(2) A council member or committee member —	
(a) must not be impaired by alcohol or drugs in the performance of their official duties; and	<input type="checkbox"/>
(b) must comply with all policies, procedures and resolutions of the local government.	<input type="checkbox"/>

Clause 5.2. Relationship with others	
A council member, committee member or candidate —	
(a) must not bully or harass another person in any way; and	<input type="checkbox"/>
(b) must deal with the media in a positive and appropriate manner and in accordance with any relevant policy of the local government; and	<input type="checkbox"/>
(c) must not use offensive or derogatory language when referring to another person; and	<input type="checkbox"/>
(d) must not disparage the character of another council member, committee member or candidate or a local government employee in connection with the performance of their official duties; and	<input type="checkbox"/>
(e) must not impute dishonest or unethical motives to another council member, committee member or candidate or a local government employee in connection with the performance of their official duties.	<input type="checkbox"/>
Clause 5.3. Council or committee meetings	
When attending a council or committee meeting, a council member, committee member or candidate —	
(a) must not act in an abusive or threatening manner towards another person; and	<input type="checkbox"/>
(b) must not make a statement that the member or candidate knows, or could reasonably be expected to know, is false or misleading; and	<input type="checkbox"/>
(c) must not repeatedly disrupt the meeting; and	<input type="checkbox"/>
(d) must comply with any requirements of a local law of the local government relating to the procedures and conduct of council or committee meetings; and	<input type="checkbox"/>
(e) must comply with any direction given by the person presiding at the meeting; and	<input type="checkbox"/>
(f) must immediately cease to engage in any conduct that has been ruled out of order by the person presiding at the meeting.	<input type="checkbox"/>
Clause 5.4. Discrimination	
(1) The City's Equal Employment Opportunity and Diversity Principles provides a guide to assist Council Members and Committee Members in ensuring the workplace is free from any form of discrimination. All Council Members and Committee Members will treat each other, employees and members of the community with respect and observe the requirements of Equal Opportunity legislation by not discriminating against a person on the basis of –	
(a) Age	<input type="checkbox"/>
(b) Race	<input type="checkbox"/>
(c) Sex	<input type="checkbox"/>
(d) Sexual orientation	<input type="checkbox"/>
(e) Marital or family status	<input type="checkbox"/>
(f) Impairment or disability	<input type="checkbox"/>
(g) Parental or caregiving responsibility	<input type="checkbox"/>
(h) Pregnancy or breastfeeding	<input type="checkbox"/>

(i) Religious conviction	<input type="checkbox"/>
(j) Political affiliation	<input type="checkbox"/>
(k) Gender history	<input type="checkbox"/>
(l) Social status	<input type="checkbox"/>
(m) Prior criminal history, if the conviction is a spent conviction	<input type="checkbox"/>
(2) All Council Members and Committee Members shall not engage in conduct that constitutes –	
(a) Harassment (particularly on grounds associated with (1) above including sexual harassment)	<input type="checkbox"/>
(b) Threatening behaviour, including threats of violence	<input type="checkbox"/>
(c) Bullying, whether overt or covert and includes cyberbullying	<input type="checkbox"/>
(d) Nepotism or cronyism	<input type="checkbox"/>
(e) Victimisation, particularly toward a person who has made a complaint about something	<input type="checkbox"/>
(f) Deliberate exclusion, for example activities or workplace discussions	<input type="checkbox"/>
(g) Unreasonable demands or work practices outside what is expected for lawful purposes in connection with a person's duties	<input type="checkbox"/>

What happened? State the full details of the alleged breach

List any additional information you have provided as part of this complaint: <i>Please ensure all information relevant to the alleged breach has been attached. This information will be the basis on which the complaint is considered.</i>

Have you made any efforts to resolve the complaint with the respondent councillor?	
<input type="checkbox"/> YES	<input type="checkbox"/> NO
Briefly describe the efforts that you have made	Include a brief statement why you have not made any efforts to resolve the issue with the respondent councillor

The City of Armadale has a policy that the Complainant and the Respondent be offered the opportunity to participate in an Alternative Dispute Resolution process, that if agreed to by BOTH parties, will be undertaken before the complaint is dealt with.

The objective is to support both parties to reach a mutually satisfactory outcome that resolves the issues and restores the relationship between them. An outcome may be that as the Complainant, you will have absolute discretion to withdraw or continue with this Complaint.

Please contact the Behaviour Complaints Officer if you would like more information.

Would you agree to participate in an Alternative Dispute Resolution process?

YES

NO

Desired outcome of the Complaint

Please explain what you would like to happen as a result of lodging this complaint, including the opportunity to participate in Alternative Dispute Resolution.

I declare that, to the best of my knowledge and belief, the information I have given in this complaint is not false or misleading.

SIGNED:

Complainant's signature: _____

Date of signing: _____ / _____ / 20_____

Please submit completed Behaviour Complaint to :

The City of Armadale's Behaviour Complaints Officer:

Mailing Address: Locked Bag 2 Armadale 6992

In person: 7 Orchard Avenue, Armadale

Received by Authorised Officer

Authorised Officer's Name: _____

Authorised Officer's Signature: _____

Date received: _____ / _____ / 20_____