

CODE OF CONDUCT

Guide for Community Representatives

March 2025

PREPARED BY:
CORPORATE GOVERNANCE DIVISION



SUTHERLAND SHIRE

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Guide for Community Representatives



INTRODUCTION

At Sutherland Shire Council we aim to build a safe and connected community that values people, nature and supports an active lifestyle and a strong local economy.

Community representatives help us to achieve our goals by giving feedback on community priorities and the services, plans and policies we create.

One of the ways in which community representatives make a valuable contribution toward Council decision making, is through their involvement in Council Reference Groups and Working Parties. These groups are established to provide a key forum for Councillors, Council Staff, community representatives and other subject matter experts to come together and share their specialised knowledge and advice on Council strategies, plans and policies.

Ethical behaviour is foundational to all decisions we make in managing Council operations. Our Codes of Conduct outline the behaviour we expect from all Councillors, employees, delegates, and advisers in order to maintain the trust of our community.

GUIDE FOR COMMUNITY REPRESENTATIVES

When a member of the community becomes a representative on a Reference Group or Working Party, they are referred to as a “delegate of the Council” and the relevant Code of Conduct applies to them. This guide has been developed to support your understanding of Council’s Code of Conduct and outlines how the Code applies to your role as a delegate of Council.

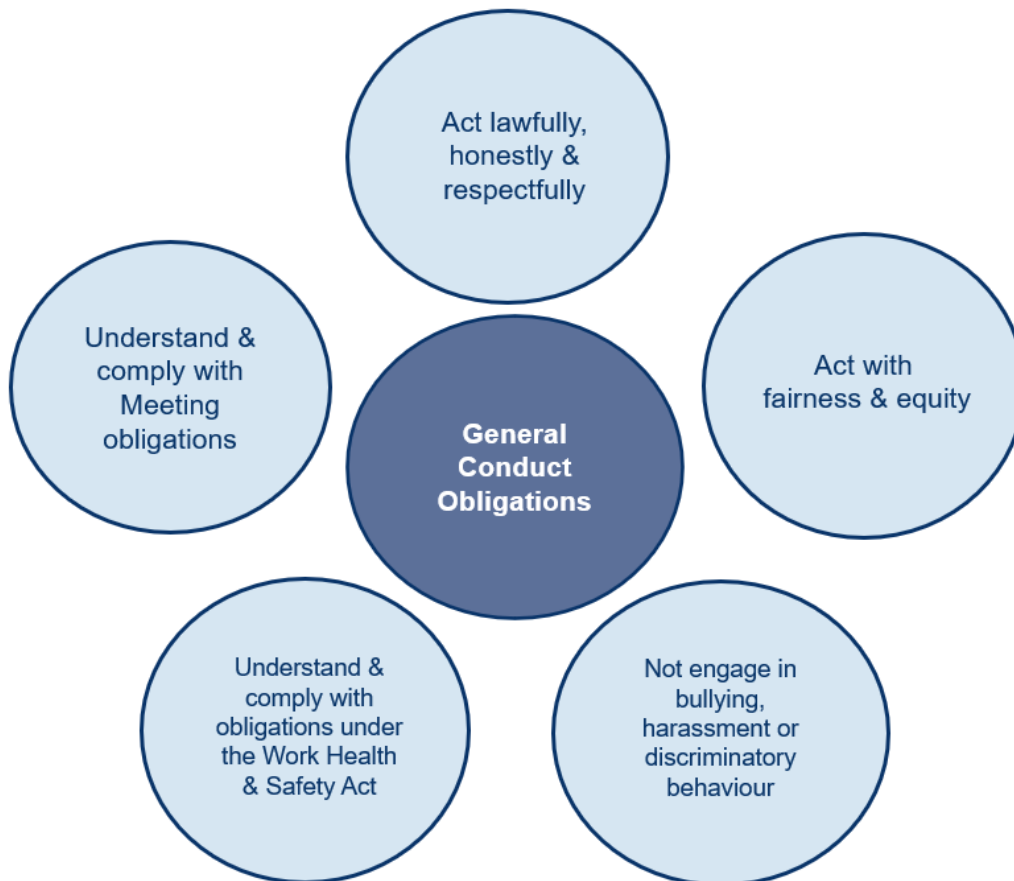
This guide will assist you to:

- understand the expected minimum standards of conduct you will be required to uphold,
- fulfill your duty to act lawfully, honestly, and with care, and
- to act in ways that foster public trust and confidence in the integrity of the Council

Reference Groups and Working Parties are wholly advisory only. Decision-making authority remains the responsibility of the elected Council.

GENERAL CONDUCT OBLIGATIONS

As delegates of Council, you have a responsibility to ensure that your conduct and behaviour meets the high standards that the community is entitled to expect of all Council Officials. Each area of expected conduct is outlined in the diagram below:



CONFLICT OF INTEREST

A conflict of interest exists when it is likely that you could be influenced, or appear to be influenced, by a personal interest whilst carrying out your public duty. It is important that potential and actual conflicts are identified, disclosed, and managed appropriately.

Types of Conflicts of Interest



Pecuniary Conflict of Interest (financial)

Where there is potential for personal financial gain, or loss, whilst carrying out your official duties

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A **pecuniary conflict of interest** occurs when you, or someone closely related to you (such as a spouse, employer, friend or relative), could potentially gain or lose financially as a result of your advice, recommendations or influence whilst carrying out your official duties.

It is important to understand that a conflict of interest isn't about whether you're actually making choices with bias — it is also about how others could perceive your choices. A person's perception that you might gain or lose financially when carrying out your official duties could make others question whether you are acting ethically.

For example, if someone thinks you are making decisions based on your own financial situation, this could lead to a loss of trust and integrity. To maintain transparency and public confidence, it's important to declare a pecuniary conflict of interest *wherever there is potential* for personal financial gain or loss whilst carrying out your official duties.



Non-Pecuniary Conflict of Interest (non-financial)

Where there is potential for your personal relationships to influence how you perform your official duties

A **non-pecuniary conflict of interest** relates to a situation where personal interests, such as family or personal relationships, or involvement in social, sports or cultural groups could influence how you perform your duties. For example: *'he only recommended that supplier because he belongs to the same club as the owner'*.

Non-pecuniary interests are further defined as **significant** or **non-significant**, depending on their nature. The significance can be determined by the extent to which you are involved with the person or group.

How to Manage Conflicts of Interest

If you become aware of a potential conflict of interest, you can declare it at any time by completing the Conflict of Interest Form available on Council's website (hard copy forms are available at all Meetings). Your declaration will be recorded on Council's Conflict of Interest Register.

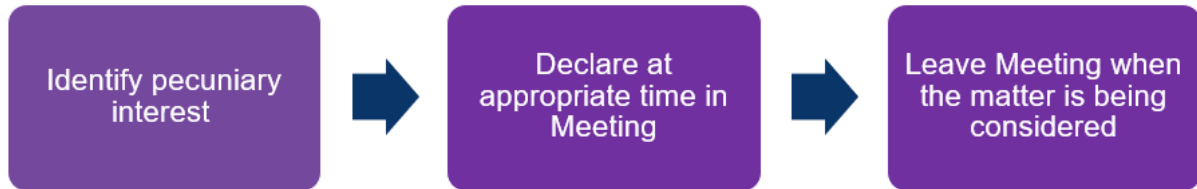
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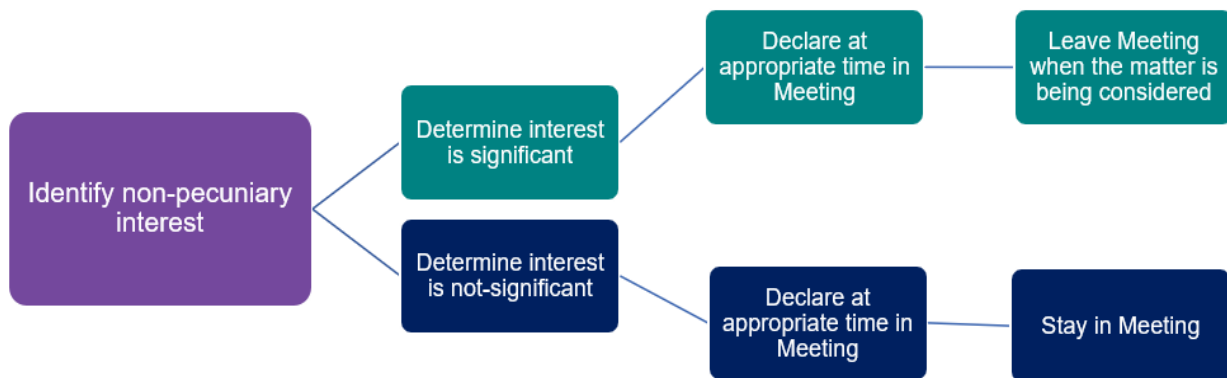


The nature of the conflict of interest will determine how it is managed. The flowchart below will assist you.

Pecuniary conflict of interest



Non-Pecuniary conflict of interest



GIFTS AND BENEFITS

During the course of your duties, you may be offered gifts or benefits. Gifts or benefits are items offered to you for personal use and enjoyment. There are clear guidelines as to which gifts or benefits can be accepted and which must be declined. These rules are in place to maintain the integrity and transparency of Council operations at all times.

Key principles:

- You must not benefit personally, or be perceived as benefiting personally, from your role as a delegate of Council
- You must not be influenced, or be seen to be influenced, as a result of the receipt of a gift or personal benefit.

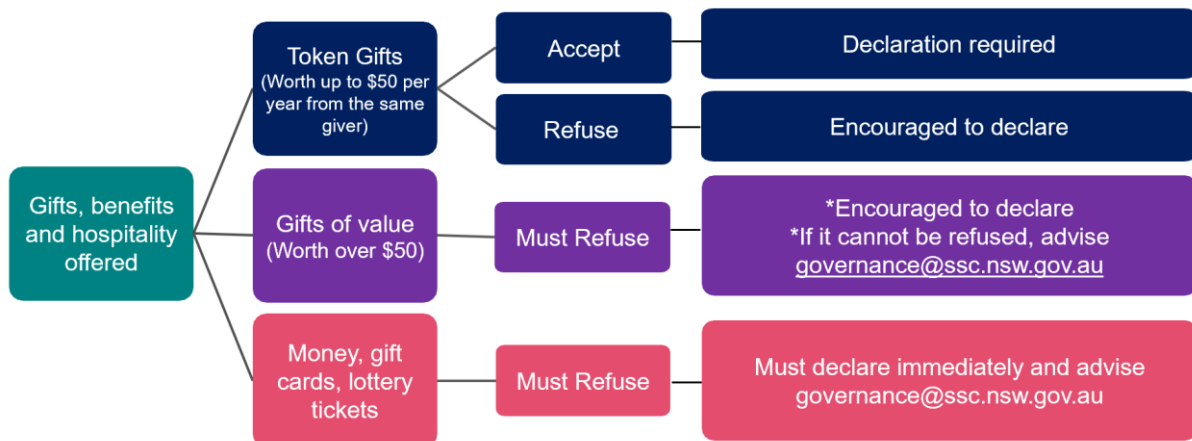
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A declaration can be made by completing the Gifts or Benefits declaration form available on Council's website (hard copy forms are available at all Meetings). This register is made available to the public on Council's website, to ensure there is transparency over advice and decision making for the community.

The flowchart below outlines how offers of gifts and benefits must be handled by Delegates.



ACCESS TO COUNCIL RESOURCES AND INFORMATION

During the course of your duties, you may be authorised to access relevant Council information and resources for the purpose of carrying out your duties. This diagram outlines how Delegates can use or not use council resources and information.



RELATED DOCUMENTS

- [Code of conduct for Council Committee Members, Delegates of Council and Council Advisers](#)
- [Procedures for the administration of the Codes of Conduct](#)

RELEVANT LEGISLATION AND REGULATIONS

- *Local Government Act 1993 (NSW)*

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DEFINITION OF TERMS

Term	Meaning
Complaint	a code of conduct complaint made for the purposes of clauses 4.1 and 4.2 of the Procedures.
Conduct	includes acts and omissions.
Council official	includes Councillors, members of staff of a council, administrators, council committee, reference group and working party members, delegates of council and council advisers. For the purposes of this Code of Conduct, it is taken to include members of wholly advisory bodies.
Councillor	any person elected or appointed to civic office, including the mayor and includes members and chairpersons of county councils and voting representatives of the boards of joint organisations and chairpersons of joint organisations.
Delegate of council	a person (other than a Councillor or member of staff of a council) or body, and the individual members of that body, to whom a function of the council is delegated.
Members of staff of a council	includes members of staff of county councils and joint organisation.
Wholly advisory bodies	a Council body that the council has not delegated any functions to.
Reference Group	a group of community representatives, selected Councillors, Council staff and other subject matter experts that have authority from Council to review specific matters and make recommendations to Council for action. Reference Groups and Working Parties are wholly advisory bodies.

End of Document

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