

Response form - Alleged Breach of the Code of Conduct for Council Members, Committee Members and Candidates

Purpose of this form

The *Local Government (Model Code of Conduct) Regulations 2021* (the Regulations) sets out a framework for administering allegations of breaches of the model code.

The purpose of this form is to enable a person to whom a complaint under the model code has been received, to:

- be notified of the allegation;
- provide an opportunity to respond to the allegation in accordance with Regulation 12 of the Regulations;
- consult with the person in making a plan to address the behaviour in accordance with Regulation 12 of the Regulations (if a breach is found).

The information provided in this form may be published.

The person to whom the complaint has been made shall be given 14 days to respond.

Section 1 – to be completed by the Authorised person

Name of person who is making the complaint	
Given Name(s):	
Family Name:	
Contact details of person making the complaint	
Address:	
Email address:	
Contact number:	
Name of the Council Member, Committee Member, Candidate alleged to have committed the breach:	
Date of alleged breach:	
Details of the alleged breach provided by the complainant in the approved form:	



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Section 2 – to be completed by the person to whom the complaint relates

Contact details of person to whom the complaint relates	
Address:	
Email address:	
Contact number:	
Response to the alleged breach*:	
Proposed plan to address the behaviour**:	

* Regulation 12 of the *Local Government (Model Code of Conduct) Regulations 2021* states that before making a finding in relation to the complaint, the local government must give the person to whom the complaint relates a reasonable opportunity to be heard. Under Regulation 13 of the *Local Government (Model Code of Conduct) Regulations 2021* you may request that the complaint be dismissed, if:

- the behaviour to which the complaint relates occurred at a council or committee meeting; and
- either —
 - the behaviour was dealt with by the person presiding at the meeting; or
 - the person responsible for the behaviour has taken remedial action in accordance with a local law of the local government that deals with meeting procedures.

** Under regulation 12 of the *Local Government (Model Code of Conduct) Regulations 2021*, in the event that the local government finds that a breach has occurred, it may either take no further action or prepare a plan to address the behaviour. The plan may include a requirement to do 1 or more of the following:

- engage in mediation;
- undertake counselling;
- undertake training;
- take other action the local government considers appropriate.

In this part of the form, the person to who the complaint relates should specify what action they believe Council should order.



Continued

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Signed complaint form is to be forwarded to:

Attention: Manager Governance

Email: info@sjshire.wa.gov.au

Postal address: Shire of Serpentine Jarrahdale

6 Paterson Street Mundijong WA 6123

Authorised Person Use Only	
Authorised person's name:	
Authorised person's signature:	
Date received:	