

Module 5 – Councillor Conduct and Integrity

Narration script — one entry per slide

Slide 1 — Councillor Conduct and Integrity

Welcome to Module 5 – Councillor Conduct and Integrity. Modules 1 through 4 covered what local government is, how it's structured, and the standard of good governance councillors should aim for. This module gets more specific: it looks at the actual legal obligations around councillor conduct — conflicts of interest, confidentiality, gifts, and the consequences of getting it wrong. None of this is abstract. These are real provisions in the Local Government Act, with real penalties attached, and they exist because a council's authority ultimately rests on public trust. Lose that trust, and even a technically well-run council struggles to function.

Slide 2 — Before You Begin

This module is for anyone considering election to Council, current councillors, and community members who want to understand the conduct standards councillors are actually held to. It draws on the Local Government Act, the Code of Conduct, and Tasmania's Good Governance Guide. You don't need to memorise every section number — the aim is to understand the principles well enough to know when to stop and ask for advice. You can pause at any time.

Slide 3 — Why Integrity Matters

It's worth pausing on why this module exists before getting into the specifics. A council's authority depends on the community believing that decisions are made honestly, in the community's interest, and without anyone quietly benefiting along the way. That belief is fragile. Public trust, once lost, is genuinely hard to rebuild — and it doesn't take a major scandal to lose it; a councillor who's seen to benefit personally from a decision, or who leaks confidential information, can damage a council's reputation just as much as a serious offence would. It's also worth noting that a council's reputation is collective: one councillor's conduct problem tends to reflect on the whole council in the community's mind, whether or not that's entirely fair. Integrity isn't a box to tick once you're elected — it's the thing that makes everything else in this series actually work. Good governance without integrity is just a process on paper.

Slide 4 — The Councillor Code of Conduct

Every Tasmanian councillor must comply with the Code of Conduct, which is prescribed under the Local Government (Code of Conduct) Order. It sets eight standards: decision-making with an open, unprejudiced mind; managing conflicts of interest; proper use of your office; proper use of council resources; proper use of information, including confidentiality; transparency around gifts, benefits and donations; respectful relationships with colleagues and employees; and appropriate representation — knowing when you're speaking as yourself and when you're speaking for Council. Your role is also a public one: even outside official council business, you can be seen as acting in your councillor capacity, and judged accordingly. If a breach is alleged, it's generally dealt with first through internal dispute resolution in accordance with Council's policy; where that's not appropriate, or doesn't resolve things, a formal complaint can be made to the Code of Conduct Panel for investigation and possible sanctions. It's worth reading the actual Code of Conduct in full

rather than relying on a summary like this one — it's a short document, and it's the one you're actually bound by.

Slide 5 — Pecuniary Interest

Pecuniary interest is dealt with in Part 5 of the Local Government Act, and it's an absolute requirement — there's no judgement call involved. If you or a close associate have a financial interest in a matter before Council, you must declare it before any discussion begins, leave the room for that item, and notify the general manager in writing within seven days. This isn't about assuming councillors are dishonest — it's about protecting decisions from even the appearance of self-interest, which matters just as much as actual self-interest when it comes to public trust. Getting this step right, every time, is one of the simplest and most important habits a new councillor can build.

Slide 6 — Conflicts of Interest

Conflicts of interest are related to pecuniary interest, but distinct from it, and sit under the Code of Conduct rather than the pecuniary interest provisions of the Act. They cover a broader range of situations — personal relationships and other associations, not just a financial interest — anything that could reasonably be seen to influence your decision-making. Unlike pecuniary interest, a conflict of interest isn't always an automatic leave-the-room situation: sometimes that's the right response, other times declaring the interest and continuing to participate is appropriate, depending on the circumstances. Council has its own management of conflict of interest policy that sets out how these situations should be managed in more detail, and we'll cover that properly in a dedicated module later in the series. For now, the key point is simply to recognise a possible conflict and raise it, rather than deciding for yourself that it doesn't matter.

Slide 7 — Confidentiality and Disclosure of Information

Councillors need full information to make sound decisions, which is why so much detail gets shared with you — but some of it has to stay confidential. Matters discussed in closed session are confidential unless Council specifically authorises disclosure, and councillors must not disclose information given to them on a confidential basis. This isn't a minor courtesy. Leaking confidential information is a breach of the Act, not just a breach of trust, and it can damage the council's ability to do business — external parties become far more cautious about what they share with a council that can't keep information confidential, which affects everyone, not just the person who leaked it.

Slide 8 — Improper Use of Information and Misuse of Office

Two related offences sit alongside confidentiality. Improper use of information means using information you've acquired through your role to gain an advantage, avoid a disadvantage, or cause loss or damage to someone else — for yourself, your family, or a close associate. Misuse of office is broader again: you must not do anything, in your capacity as a councillor, where you, your family, or a close associate could directly or indirectly benefit, or avoid a disadvantage, as a result. Notice how both tests focus on the outcome for you personally, not your intent — you don't need to have set out to gain an advantage for the offence to apply. That's deliberately a high bar, and it's meant to be one you clear without having to think too hard about it.

Slide 9 — Gifts, Benefits and Donations

Gifts and benefits sit within the Code of Conduct as a standard of transparency and responsibility, but Part 5A of the Local Government Act adds specific, binding detail on top of that general principle. The statutory trigger is \$50 — either a single gift or benefit worth \$50 or more, or a series of gifts from the same donor that add up to \$50 or more across a financial year. Once you're over that threshold, you must notify the general manager of the gift or donation. The general manager keeps a public register of all of this, available at Council's office, published on Council's website, and updated at least monthly. Below that \$50 threshold, the Code of Conduct's general expectation of transparency still applies — even a small gift can raise a perception question, so when in doubt, the safer approach is still to ask rather than assume it's fine.

Slide 10 — Personal Interest Returns

Under changes being introduced by the State Government, Tasmanian councillors will be required to submit an initial and annual Personal Interest Return, disclosing things like sources of income, property interests, and memberships, to the council's general manager. Only a summary register will be published on the council's website, so this isn't about publishing your personal finances — it's about giving the organisation visibility of potential conflicts before they arise in a specific decision, rather than relying on you to catch every one yourself in the moment when it actually comes up at the table.

Slide 11 — Serious Misconduct and Consequences

Most conduct issues get resolved through Code of Conduct processes — a complaint, an investigation, and if needed a finding and a proportionate response, as outlined earlier. But the State Government is introducing provisions for serious councillor misconduct, where the Director of Local Government can refer significant contraventions of the Code of Conduct directly to the Tasmanian Civil and Administrative Tribunal for determination. The consequences attached to these provisions are genuinely serious — fines, and in some cases disqualification from holding office or even nominating as a candidate for years afterward. This isn't designed to catch people out over honest mistakes. It exists for the cases where a councillor has knowingly and seriously crossed a line, and it's there precisely so the vast majority of councillors, doing the right thing, aren't tarred by the minority who don't.

Slide 12 — Five Things to Remember

Before we finish, five things worth carrying forward. First: integrity isn't separate from governance — it's what makes the rest of it actually work, and it's built on public trust that's easy to lose and hard to rebuild. Second: pecuniary interest has a clear, non-negotiable process — declare it, leave the room, notify the general manager in writing within seven days. Other conflicts of interest also need to be actively managed, even when they don't require you to leave the room. Third: confidentiality, proper use of information, and proper use of office are all Act-based obligations, not just good manners, and they're judged on outcome, not intent. Fourth: gifts, benefits and donations are governed by clear statutory notification and register requirements, not personal judgement calls about what seems fine. And fifth: serious misconduct provisions exist for genuine, knowing breaches — they protect the great majority of councillors who are simply doing the job properly.

Slide 14 — Next Module

In the next module, we'll look at how Council actually makes decisions — the meeting procedures, the voting processes, and the practical mechanics that put everything covered so far into action around the council table. A later module, Local Government Oversight, will then look at the bodies — the Minister, the Director of Local Government, the Ombudsman, the Integrity Commission, and the Tasmanian Audit Office — that sit above individual councils and provide external accountability. Thank you for watching.