

Appendix 1 - Board Member Code of Conduct

1. Purpose

To outline the code of conduct to be observed by all of the Board of Chairs and local Board members.

2. Scope

This applies across LLS.

3. Policy Position

3.1 Key Considerations

The Board of Chairs and local Board members must:

- Act honestly and exercise a reasonable degree of care and diligence in carrying out his or her functions under the Local Land Services Act or any other Act; and
- Act for a proper purpose in carrying out his or her functions under the Local Land Services Act or any other Act; and
- Not use his or her office or position for personal advantage; and
- Not use his or her office or position to the detriment of the Board or the member's local board (respectively); and
- Disclose any interest (whether pecuniary or otherwise) that could conflict with the proper performance of his or her functions under the Local Land Services Act any other Act and avoid performing any function that could involve such a conflict of interest; and
- Ensure that their conduct (whether by way of act or omission) in carrying out his or her functions does not, and is not likely to, bring the Board or a local board into disrepute.

The primary source of information on the role and functions of the Board is the *Local Land Services Act 2013 and Local Land Services Regulation 2013*. Boards and committees must also comply with a broad range of whole of government regulations and policies including those stipulated in legislation, regulations, Ministerial Memoranda, Department of Premier and Cabinet Circulars, Treasury publications and Public Service Commission policy documents.

Further information relating to the roles and responsibilities of Board and committee members for NSW Government entities can be found in the NSW Government Boards and Committees guidelines.

http://www.dpc.nsw.gov.au/_data/assets/pdf_file/0020/154127/2013-170983_NSW_Government_Boards_and_Committees_Guidelines.pdf

3.2 Prohibited Behaviour

The Board of Chairs and local Board members must not:

- Engage in conduct that contravenes all or specified provisions of the Local Land Services Act or the Local Land Services Regulations in all or specified circumstances; and
- Engage in improper or unethical conduct; and
- Abuse their power or engage in misconduct; and
- Carry out any action that causes, comprises or involves any of the following:

- intimidation, harassment or verbal abuse;
 - discrimination, disadvantage or adverse treatment in relation to employment;
 - prejudice in the provision of a service to the community.
- Engage in conduct that causes, comprises or involves:
 - Directing or influencing, or attempting to direct or influence, a member of the staff of Local Land Services in the exercise of the functions of the staff member; and
 - An act of disorderly conduct committed at a meeting of the Board or a local Board.

3.3 Treatment of Confidential Information

The Board of Chairs and local Board members must:

- Not disclose any confidential documents or information to other parties
- To do so will be treated as a breach of the code of conduct

3.4 Disclosure of Interests

The Board of Chairs and local Board members must:

- Disclose interests whether pecuniary or otherwise, that could conflict with the proper performance of a member's functions and avoid conflict of interest
- Maintain currency of any new interests through updating declaration forms or at every meeting

3.5 Board Procedures

Every Board and local Board member must:

- Comply with the Local Land Services Act 2013 and Local Land Services Regulations 2014 covering the function and operations of Board meetings; and
- Comply with Board resolutions where such resolutions are lawfully and properly made.

3.6 Breaches of the Code

The Board of Chairs and local Board members must:

- Not breach this code of conduct
- Breaches of the code of conduct by any board members will be managed by the Chair of the local board or elevated to the Chair of the Board of Chairs and may result in disciplinary action.

4. Related documents

- Conflict of interest policy (RM8 ref: DOC16/895)

5. Responsibility for implementation, monitoring and continual improvement

The following are responsible for implementation, monitoring and continual improvement of this policy. (Noting the broad application of this policy, a range of people across LLS have policy responsibility).

Name	Responsibility
Board of Chairs	Policy oversight, monitoring and improvement
Senior Executive Team	Policy implementation, monitoring and improvement

6. Approval and revision

Approved by resolution of the Board of Chairs through circulating motion number one.

Revision	Date	Position	Notes
1.0	12/5/2014	Board of Chairs	Draft approved
1.1	26/6/2014	Board of Chairs	Minor amendments
1.2	23/7/2015	Annual policy review –	Board of Chairs