

## Behavioural Complaint Form

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

### Behaviour Complaint

Please read the City of Bayswater's [Code of Conduct Complaint Management Policy](#) on our website before submitting a complaint. This Policy details:

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

To make a valid **Behaviour Complaint**:

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- The allegation must relate to a breach of the behaviour standards in [Division 3](#) of the [City of Bayswater Code of Conduct for Council Members, Committee Members and Candidates](#).
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- 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.*
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- The completed Behaviour Complaint Form **MUST** be lodged with the City of Bayswater Behaviour Complaints Officer within one (1) month of the alleged behaviour breach.
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### Conduct Complaint

A *Conduct Complaint* refers to an alleged breach of the Rules of Conduct set out in Division 4 of the [City of Bayswater Code of Conduct for Council Members, Committee Members and Candidates](#). These provisions also apply to Council Members when performing their duties as a Committee Member.

Conduct Complaints are managed by the **Office of the Local Government Inspector**, which is responsible for receiving, assessing, and determining these complaints under the *Local Government Act 1995*.

For further information or assistance, please contact:

- **Office of the Local Government Inspector** - <https://www.wa.gov.au/organisation/local-government-inspector> or (08) 6552 7300.

### Need Advice?

If you require advice in making a Behavioural Complaint, please contact the City of Bayswater's Behaviour Complaints Officer on (08) 9272 0622 or by email [behaviourcomplaints@bayswater.wa.gov.au](mailto:behaviourcomplaints@bayswater.wa.gov.au).

## Behavioural Complaint Form

City of Bayswater Code of Conduct for Council Members, Committee Members and Candidates

Name of Person Making the Complaint			
<b>Complainant Name:</b> <i>Given Name/s and Family Name</i>			
Contact Details			
<b>Residential Address:</b>			
<b>Postal Address:</b>			
<b>Phone:</b>	Day-time:		Mobile:
<b>Email:</b>			

Complaint Details:			
<b>1.</b>	<b>Insert Name of Person alleged to have committed a behavioral breach:</b>		
<b>2.</b>	<b>Select the position that the person was fulfilling at the time the person committed the alleged behavioural breach:</b>	Council Member of the City of Bayswater	<input type="checkbox"/>
		Member of a Committee of the City of Bayswater	<input type="checkbox"/>
		Candidate for election at the City of Bayswater	<input type="checkbox"/>
<b>3.</b>	<b>Date that the alleged behavioural breach occurred:</b>		
<b>4.</b>	<b>Location where the alleged behavioural breach occurred:</b>		

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<b>5.</b>	<b>Which of the behaviours prescribed in Division 3 of the City of Bayswater’s Code of Conduct do you allege this person has breached?</b>	
	<b>Clause 8. Personal integrity</b>	
	(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"/>
	<b>Clause 9. Relationship with others</b>	
	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"/>
	<b>Clause 10. Council or committee meetings</b>	
	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"/>	

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<b>6.</b>	<b>State the full details of the alleged breach.</b>

<b>7</b>	<b>List any additional information you have provided as part of this complaint:</b> <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>

<b>8</b>	<b>Have you made any efforts to resolve the complaint with the Respondent?</b> <i>Please note, you MUST complete this section</i>	
<b>YES</b>	<input type="checkbox"/>	<i>If yes, please describe the efforts that you have made.</i>
<b>NO</b>	<input type="checkbox"/>	<i>If no, please include a brief statement explaining why you have not made any efforts to resolve the issue with the person complained about.</i>

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<b>9</b>	<b>Desired outcome of the Complaint</b> <i>Please explain what you would like to happen as a result of lodging this complaint.</i>

<b>COMPLAINANT, please sign and date</b>	
<b>Signature:</b>	
<b>Date:</b>	

**Please submit completed Behavioural Complaint to:**

The City of Bayswater's Behaviour Complaints Officer:

Email: [behaviourcomplaints@bayswater.wa.gov.au](mailto:behaviourcomplaints@bayswater.wa.gov.au)

Mailing Address PO Box 467  
MORLEY WA 6943

In person: 61 Broun Avenue, Morley

<b>OFFICE USE ONLY: Received by the Council appointed Behaviour Complaints Officer</b>	
Authorised Officer's Name:	
Authorised Officer's Signature:	
Date received:	