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Submission Re: Review of the Local Government Act 2019

Focus Area: Code of Conduct Framework

Mind Moves Counselling acknowledges the Larrakia custodians of the country in which they practice, and pays respect to the Elders, past, present, and emerging.



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Mind Moves Counselling

As the founder and lead therapist at Mind Moves Counselling, I have spent decades working alongside individuals, families, workplaces, and community groups across the Top End. Our practice is rooted in the belief that healthy relationships—whether in homes, offices, or local government council chambers—are the foundation of thriving communities.

This submission is not just a policy response; it reflects what we see every day in our work. We witness the toll that unresolved conflict, poor communication, and lack of psychological safety can take on people’s wellbeing. We also see the transformative power of conflict solution skills through respectful dialogue, emotional intelligence, and relational leadership.

Our submission

Mind Moves Counselling attended the public consultation session on Friday 23 May 2025 and was able to listen to the Department of Housing, Local Government and Community Development’s discussion regarding the challenges being faced within the Code of Conduct Framework contained within the *Local Government Act 2019*. From our vantage point, the behaviour of elected members is more than a governance issue—it is a mirror of community values and a determinant of public trust.

When councilors model respectful engagement, even in disagreement, they set a tone that ripples outward. It fosters safer workplaces, healthier communities, and a culture where people feel heard and valued.

Conversely, when public figures act without accountability or empathy, it sends a message to other elected members, and the broader community, that such behaviour is acceptable. This undermines not only institutional integrity but also the emotional wellbeing of those who work within and interact with these systems.

Understanding how to navigate conflict solutions is integral to successfully navigating these tricky interpersonal situations. Conflict solutions include creating safe spaces, reflective practices, and good communication skills.

Our insights are informed not only by clinical expertise, but by lived experience—working with people affected by council decisions, workplace dynamics, and community tensions.

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Reflections on the Proposed Code of Conduct Framework

Firstly, we would like to commend the Department's commitment to a more structured and preventive Code of Conduct within the Local Government Sector. We recognise the large and fundamental undertaking this will entail.

We offer the following reflections as guiding principles for a Code of Conduct that fosters relational integrity, cultural safety, and community trust.

1. Compliance to Culture
2. Prioritising Education and Support
3. Strengthening Alternative Dispute Resolution
4. Psychological Safety Matters
5. Safeguards Against Misuse
6. Reflecting Community Values

1. From Compliance to Culture

We believe that the way elected members treat one another is not only a matter of governance—it reflects the emotional climate of our communities. A robust Code of Conduct must therefore support not just compliance, but connection.

At Mind Moves, we often say: *"Rules don't build relationships—people do."* A Code of Conduct should be more than a set of rules; it should be a tool for cultivating relational leadership. Relational leadership is not innate—it is learned. Councilors deserve access to tools that help them lead with empathy, curiosity, and courage.

We support framing the Code as a guide for building emotionally intelligent, inclusive, and respectful council cultures. This includes:

- Supporting councilors in developing self-awareness and emotional regulation.
- Promoting shared values and group norms that foster psychological safety.
- Embedding relational integrity into governance training and practice.

2. Prioritising Education and Support

We frequently hear from clients: *"I wish someone had taught us how to talk through conflict."* This is especially true in leadership settings. Education is not a remedial tool—it is a proactive investment in leadership, wellbeing and community cohesion.

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We recommend:

- In-person induction training focused on respectful disagreement and group dynamics. Training should be catered to different levels of competency and delivered in a culturally appropriate manner.
- Annual reflective practice sessions for councilors to build trust and cohesion. The introduction of individual competency demonstrations for each session will aid in proactively identifying areas for elected member focus.
- Trauma-informed approaches to conflict resolution, especially in culturally diverse councils.
- Councilors, like anyone else, are susceptible to stress, burnout, and interpersonal reactivity. Proactive support can prevent reactive escalations.
- Consideration of whether elected members should be included within council's employee assistance programs despite not being employees of the council.

3. Strengthening Alternative Dispute Resolution (ADR)

Conflict is not inherently harmful—it is mismanaged conflict that causes harm. Unresolved conflict doesn't just stall decision-making—it erodes trust, morale, and mental health. The views from local government council members at the consultation session demonstrated a strong need for dispute resolution practices like mediation at an early stage to de-escalate conflict. We strongly support the integration of ADR into the framework and recommend:

- Ensuring ADR services are trauma-informed and culturally competent.
- Requiring ADR participation before formal escalation, where appropriate.
- Maintaining a panel of skilled mediators with expertise in local government dynamics.

4. Psychological Safety Matters

Psychological safety is the bedrock of effective teams. When psychological safety is present, people speak up, take responsibility, and collaborate more effectively. When it is absent, fear and silence take its place. Councils must be places where people feel safe to speak up, disagree, and show vulnerability so that elected members can effectively represent their constituents properly without fear of psychological harm. We recommend:

- Embedding psychological safety into training for Chairs and SGCC members.
- Facilitated governance health checks to reflect on inclusion and power dynamics.
- Setting clear expectations for respectful listening and dialogue.

5. Safeguards Against Misuse

Equity must be embedded in every stage of the complaints process, ensuring that power imbalances and cultural contexts are not overlooked. Lived experiences discussed at the consultation session demonstrated that the current Code of Conduct Framework needs strengthening to support elected members and deter frivolous complaints that heighten the conflict. We support mechanisms to dismiss frivolous complaints but urge caution to ensure:

- Complaints rooted in identity-based conflict or unclear power dynamics are not dismissed prematurely.
- Councilors from minority backgrounds are not disproportionately targeted.
- Cultural safety and lived experience are considered in all evaluations.

Although we are not opposed generally to the imposition of penalties or sanctions for breaches of the conduct of conduct, they need to be proportional and not subject to being misused. We also note that elected members are democratically elected by the constituents of their local government area, and the seriousness of dismissal or suspension of an elected member for breaches of code of conduct should be considered by the Department to ensure that the principles of democracy are not eroded.



6. Reflecting Community Values

The Code should feel human, not bureaucratic. A Code that speaks in human terms—clear, compassionate, and culturally aware—will resonate more deeply and be more widely respected. It should reflect the values of the communities it serves.

We recommend:

- Writing the Code in plain English.
- Including real-life examples of constructive and harmful behaviour.
- Engaging community reference groups in shaping tone and priorities.
- Removing the Code from Schedule 1 in the legislation and inserting it in the *Local Government (General) Regulations 2021* to enable less cumbersome amendments to adapt to the needs of the local government sector.

In Conclusion

At Mind Moves Counselling, we believe that relational integrity is not a luxury—it is a necessity. We support a revised Code of Conduct Framework that centers on education, early intervention, cultural safety, and accountability. We urge the Department to continue engaging with practitioners, community leaders, and cultural custodians to co-design a framework that truly reflects the heart of the Territory and works in practice.

We thank the Department for its thoughtful consultation and welcome any opportunity to contribute to the design or delivery of relational and preventative interventions.

Warm regards,

Beth Lovell

Founder and Lead Therapist
Mind Moves Counselling

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