
LOCAL GOVERNMENT GOVERNANCE PANEL

ANNUAL REPORT
2014/2015

1. INTRODUCTION

The Local Government Association (LGA) established the Local Government Governance Panel (the Panel) in October 2009 to assist Councils in addressing complaints about conduct of Council Members under a Code of Conduct.

Members of the Panel:

Chairperson: *Marjorie Schulze, OAM*: Local Government consultant and advisor, former Councillor.

Members:

Sue Vardon AO — former CEO of the Department of Families & Communities, and former CEO of Centrelink.

Bruce Linn — Management Consultant, former CEO of Finlayson Lawyers and former Councillor.

Fiona Stevens — Registered Psychologist, Central Psychology Services.

Stephen Hains — Local Government Consultant; former CEO.

Beth Dunning — former senior State Government Public Servants and senior Council officer.

The Operation of the Panel

The function of the Panel is to assist Councils in addressing complaints about conduct of Council Members under the Code of Conduct for Council Members Part 2— Behavioural Code.

Referrals to the Panel are initially considered by the Chairperson. The Chairperson assesses each individual complaint and decides if the matter is within in the remit of the Panel and the appropriate Panel member to undertake the investigation.

Initial assessment of referrals by the Chairperson of the Panel also determines the value of mediation in seeking resolution of a matter or whether the matter should be dismissed (or referred back to the Council) on the basis that the complaint is frivolous, vexatious, misconceived.

The Panel has no coercive or other powers, its practice is to consider, investigate and assess referrals from Councils of alleged breaches of the Code of Conduct for Council Members Part 2—Behavioural Code.

Referrals to the Panel are made by Councils, in accordance with the Councils Complaint Handling Procedure under the Code of Conduct for Council Members. The Panel does not receive complaints directly from the public nor will it investigate allegations of misconduct under Part 3 of the Code of Conduct for Council Members.

The Governance Panel has an advisory role only and will prepare, for consideration by the Council, a report and in the event of a finding that a breach has occurred may include recommendations on the appropriate action the Council may resolve to take in response to the breach.

In exercising any functions all Panel members accord natural justice and procedural fairness to any party that may be adversely or deleteriously affected by any part of the Panel process, whether by virtue of the Panel's investigation, recommendations or otherwise.

The Panel is an independent advisory body that makes its own decisions about the conduct of investigations.

3. SUMMARY OF MATTERS REFERRED TO THE PANEL 2014/15

From September 2014 to August 2015 the Panel received a total of twelve referrals of alleged breaches of Part 2 of Code of Conduct for Council Members.

Six of the complaints of alleged breaches of Part 2 of the Code of Conduct were investigated by the Panel.

The balance of complaints were referred back to the Councils by the Chairperson accordance with clause 2.20 Code of Conduct for Council Members.