

18 December 2015

Secretariat

Submission: Local Government Act Review

Thank you for the opportunity to submit to the above mentioned review.

I have been a Councillor since 2005, a five-time Mayor with the City of Warrnambool and I have been involved in a number of council conduct processes.

My submission relates specifically to Chapter 8: Councillor Conduct, offences and enforcement.

I would like to convey my support for the reforms as listed in Appendix 2: Governance and councillor reforms.

I would also like to raise a number of points:

1. I believe there needs to be clarity around the status of Councillors that are forced to take leave or are suspended, as the result of misconduct, serious misconduct or gross misconduct, particularly relating to access to allowances and/or resources for the period of forced leave/suspension.
2. I strongly support having a 'gatekeeper' so that there is a vetting process to ensure evidence-based grounds before the escalation of issues.
3. I believe that people appearing at panels should be accountable for any false/incorrect/misleading statements made.
4. I believe that there needs to be clarity around the obligation of witnesses to appear, particularly non-council, and their obligations in relation to confidential information and consequences of releasing information outside of panel environments.
5. Finally, I believe that the focus of cases that have escalated to hearings (relating to misconduct, serious misconduct and gross misconduct) should be dealt with in the context of addressing a 'breach' and not as 'conciliation' process.

If you would like to discuss any of these points further, please feel to contact me.

Regards



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