

18 December 2015

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Ms Jenny Doran
Manager, Governance and Legislation
Local Government Act Review Secretariat
c/o Local Government Victoria
PO Box 500
MELBOURNE VIC 3002

Dear Ms Doran

Submission to review of the *Local Government Act 1989*

Thank you for the opportunity to respond to the Review of the *Local Government Act 1989* discussion paper.

I welcome the government's commitment to 'give the community the strong, accountable and efficient councils they deserve'¹ and am pleased to provide this submission on six issues of interest to my office which are outlined below

The Ombudsman's role and local government

My office has almost 40 years' experience with handling complaints about local government, and 14 years' experience with disclosures about improper conduct in local government.

The *Ombudsman Act 1973* empowers my office to enquire into or investigate administrative actions taken by or on behalf of government departments, public statutory bodies and municipal councils.

In addition to this function, I have responsibilities to investigate protected disclosure complaints referred to my office by the Independent Broad-based Anti-corruption Commission (IBAC)²; and I may enquire into or investigate

¹ Victorian Department of Environment, Land, Water and Planning, *Review of the Local Government Act 1989: Discussion Paper* (2015), Minister's foreword, p 6.

² *Protected Disclosure Act 2012* (Vic); *Independent Broad Based Anti-Corruption Commission Act 2011* (Vic) section 73; *Ombudsman Act 1973* (Vic) Part IV Division 1A.

whether an administrative action is inconsistent with a human right set out in the *Charter of Human Rights and Responsibilities Act 2006*³.

In the last 10 years, my office has published 18 reports involving local government or councillor conduct (these reports are summarised in Attachment A). Issues have ranged from complaint handling to conflict of interest, improper conduct and poor governance.

Complaints about local government continue to account for almost 25% of all jurisdictional approaches to my office with over 3,400 approaches about local government closed last financial year.

Outline of this submission

The Local Government Act enshrines the principles of good public administration in its objectives for local government, including accessible and equitable services and facilities, efficient and effective use of resources, and transparency and accountability in decision making⁴. The key value underpinning all of these objectives is the community interest.

These values, as important as they are, cannot produce good public administration on their own. The operational provisions of the Local Government Act need to reflect these values and embed them in councils' day to day work.

Recent enquiries and investigations by my office have identified six areas where the Local Government Act could do this better:

- oversight of local government (see Chapter 8 of the discussion paper – Councillor conduct, offences and enforcement)
- open council meetings (see Chapter 4 – How councils operate)
- complaint handling (see Chapter 4 – How councils operate)
- political affiliations and donations (see Chapter 3 – How councils are elected)
- conflict of interest (see Chapter 8 – Councillor conduct, offences and enforcement)
- codes of conduct (see Chapter 8 – Councillor conduct, offences and enforcement).

This submission outlines these issues for the review's consideration.

³ *Ombudsman Act 1973* (Vic) section 13(2).

⁴ *Local Government Act 1989* (Vic) section 3C.

Oversight of local government

Strong, independent integrity oversight and enforcement is critical to safeguarding transparency and democratic accountability.

In Victoria, the oversight and enforcement provisions in the Local Government Act sit within a broader oversight framework for the public sector. The system as a whole needs to function efficiently to deliver real improvements in local government and achieve the objectives of the Local Government Act.

In recent years, the system has become more complex, with the creation of new agencies and offices to deal with specific types of conduct.

At the time this submission was prepared, there were four integrity agencies in Victoria with power to scrutinise aspects of the actions of councils and/or councillors:

- IBAC – IBAC takes complaints about corrupt or improper conduct by councillors and council officers. IBAC can investigate 'serious corrupt conduct'. It can refer other complaints to my office or other bodies however can only refer protected disclosure complaints about councillors to my office⁵.
- Victorian Ombudsman – my office can enquire into and investigate complaints about administrative actions of councils and council officers, but not councillors. My office can only investigate the actions of councillors if IBAC determines the matter to be a protected disclosure complaint and refers it to my office for investigation.
- Local Government Investigations and Compliance Inspectorate (the Inspectorate) – as the discussion paper notes, the Inspectorate investigates alleged breaches of the Local Government Act. It also conducts compliance audits at councils.
- Victorian Auditor-General's Office (VAGO) – VAGO audits the financial statements and performance of councils.

This is in addition to:

- the powers given to Councillor Conduct Panels and the Victorian Civil and Administrative Tribunal (VCAT) by the Local Government Act to hear applications regarding misconduct by councillors

⁵ Section 73(3) of the *Independent Broad-Based Anti-Corruption Act 2011* specifies the entities that protected disclosure complaints may be referred to.

- recent amendments to the Act to create a further office of Municipal Monitor (who can be appointed by the responsible minister) to investigate and report on certain complaints about councillors⁶.

The system also includes bodies responsible for prosecution and enforcement, such as the Inspectorate; the oversight powers of the responsible minister under the Local Government Act; and judicial or merits review of some council decisions, such as planning decisions, by the courts or VCAT.

The diagram at Attachment B illustrates the complexity created by these arrangements.

The practical result of this complexity of review, appeal and oversight is:

- frustration for members of the public trying to identify where to go to complain about councils or councillors
- double-handling of complaints and disclosures when matters are referred between oversight agencies
- the real potential for each agency in their respective investigations to reach different conclusions about similar facts and the relevant policies and laws
- potential for integrity investigations to compromise subsequent legal proceedings
- lost opportunities to identify common or systemic issues. There is no central repository of information about complaints and investigations that can be used to identify patterns at councils or across the sector generally.
- unfairness to councillors and council officers who may find themselves subject to multiple oversight processes or investigations.

These problems have been compounded at times by legislative provisions restricting exchange of information between agencies in the system⁷.

⁶ *Local Government Amendment (Improved Governance) Act 2015* (Vic). The Act had been passed but had not commenced at the time this submission was prepared.

⁷ The *Integrity and Accountability Legislation Amendment (A Stronger System) Bill 2015*, which was before the Parliament at the time this submission was prepared, will provide the ability of my office to share information with a wider range of bodies, including the Inspectorate.

The following scenario illustrates the practical impact the current arrangements can have on serious allegations.

Example: Triple handling of a complaint about conflict of interest

My office receives a complaint that a councillor and a council officer used an official function to promote private business interests.

The information appears to constitute improper conduct and may be a protected disclosure under the *Protected Disclosure Act 2012*. Under that Act, my office is required to notify IBAC.

After considering the information, IBAC advises that it has determined that the information is not a protected disclosure complaint and returns the complaint to my office.

My officers contact the person who made the complaint and explain that my office only has power to consider the actions of the council officer, not the councillor. They suggest the person contact the Inspectorate if they want to pursue their complaint about the councillor.

At this point, more than two months may have passed. The information has been referred between agencies three times, without any agency starting to investigate the substance of the complaint.

My officers are unable to share information with the Inspectorate about their enquiries into the council officer.

While these problems go beyond the review's terms of reference, I strongly recommend the review consider ways to streamline the current oversight arrangements as far as possible.

Open council meetings

The provision in the Local Government Act requiring council meetings to be open to members of the public encourages transparency in council decision making.

Secrecy in government creates conditions in which improper conduct and poor administration can flourish. It also fuels suspicions of wrongdoing and erodes community trust. Members of the public who complain to my office about council decisions occasionally mention the fact that decisions were made 'behind closed doors' or 'in secret' as evidence to support their concerns.

I accept that the public interest in transparency needs to be balanced against other interests, including the privacy of individuals. The Local Government Act accommodates these situations by allowing councils to close meetings to

members of the public when certain matters are discussed. As the discussion paper states, these situations should be exceptions not the norm.

Further questions need to be asked about the performance of councils in this area, and the appropriateness of decisions to close specific meetings to members of the public.

While the Local Government Act requires councils to record the reasons for closing a meeting in the minutes, recent experience of my office is that councils on occasion simply repeat the wording of the Act without providing specific reasons as required by the Act.

The recent implementation of performance reporting by councils about closed meetings is welcome⁸. I would encourage the review to consider a broader performance measure which captures all council meetings at which records are kept.

I also note that Victoria's Act does not provide for separate confidentiality orders for documents. While a meeting may be closed to the public for valid reasons, the documents considered at that meeting may not contain the same level of confidential information.

I favour strengthening these provisions in the Local Government Act to promote transparency, encourage councils to minimise the use of closed meetings, and to provide more information to the community about the reasons for closed meetings.

Complaint handling

The issue of how a council deals with complaint handling is integral to addressing transparency, accountability and good governance.

In its current form, the Act only deals with complaint handling in the context of complaints about the Chief Executive Officer of a council. This is not sufficient. The main subject matter of complaints about councils to my office continues to be the manner in which councils handle complaints. Of the roughly 3,400 complaints received by my office last financial year, almost 1,000 complaints raised issues about the way the council had handled the complaint. Key problems included delays, inadequate processes and inadequate remedies.

⁸ See *Local Government (Planning and Reporting) Regulations 2014* Schedule 3 Part 2. The 'Know Your Council' website now gives the public easier access to this information: www.knowyourcouncil.vic.gov.au.

The discussion paper notes that this year my office released a report titled *Councils and complaints – A report on current practice and issues*, which discusses the issue of complaint handling by councils. The observations and recommendations I made in this report remain relevant and should be considered in the process of this review. In my report, I recommended two key changes to the Act:

1. The inclusion of the following definition of a complaint into the Act,

A complaint is an expression of dissatisfaction with:

- the quality of an action taken, decision made, or service provided by a council or its contractor
- a delay or failure in providing a service, taking an action, or making a decision by a council or its contractor

2. The inclusion of a requirement that councils have a complaint handling policy and procedure and an internal review function into the Act.

Publication of complaint handling policies on websites would also promote transparency in council practices.

It is my expectation that if all councils adopt this definition of a complaint and have adequate complaint handling policies in place, their processing of complaints will improve and they will have data that will enable them to easily identify and rectify issues.

In summary, I continue to support the changes recommended in my report and propose that they are implemented as part of the review of the Act.

Political affiliations and donations

The Local Government Act and the discussion paper understandably focus on the conduct of local government elections. Councils and councillors do not work in isolation from the broader political system. Relationships between councillors and federal and state political parties and processes have been at the heart of a number of my office's investigations into councils and councillors.

My recent report to the Parliament examined issues arising from allegations about two councillors who stood for election during the last state election⁹. It was alleged that the councillors received donations to their state election campaigns in return for favourable council planning decisions.

⁹ Victorian Ombudsman, *Investigation of a protected disclosure complaint regarding allegations of improper conduct by councillors associated with political donations* (2015).

The investigation did not substantiate the allegations that the donations were made or received for any improper purpose. It did highlight issues of public interest around political donations by property developers and transparency in Victoria's donation disclosure laws. These problems have created an environment where allegations of improper conduct can flourish. This creates a perception that politicians can be bought, which reduces public trust in government.

I recommended that the government consider whether there should be restrictions on donations to candidates and political parties by property developers; and whether the details of all donations should be published on a publically available register within 30 days of the relevant election.

While these recommendations concern broader electoral law, I recommend the review consider them in the context of the Local Government Act. In particular, emphasis should be given to the need for transparency and full disclosure.

Earlier investigations by my predecessor identified issues that affect good governance when prior political affiliations – both within and across political parties – lead to 'block voting' by councillors. Previous investigations by my office have noted that this hampers the proper functioning of a council as a decision-making body, with councillors engaging in decision making which in effect:

- takes place behind closed doors
- causes detriment to the council
- sees votes made for personal gain or political motivations
- sees voting in a 'block' to support a faction when those decisions may not be necessarily in the best interests of the community
- lacks impartiality when councillors meet in a 'block' prior to council meetings to determine their votes without considering the merits of a matter while in council chambers¹⁰.

I also note that my predecessor made a submission to the 2014 Local Government Electoral Review supporting disclosure of political affiliations by local government candidates so that existing allegiances are known to voters.

Conflict of interest

Local communities are entitled to expect that councillors and council officers are acting in their interest, not for their own personal gain.

¹⁰ See, for example, Victorian Ombudsman, *Investigation into the alleged improper conduct of councillors at Brimbank City Council* (2009).

Conflict of interest continues to be a problem in practice, despite the extensive provisions in the Local Government Act, additional guidance prepared by the department and reporting by integrity agencies and the media.

In 2008, my predecessor conducted an own motion investigation into Conflict of Interest in Local Government. He noted that:

My review found that the policies and practices in many councils do not adequately identify conflicts of interest and do not sufficiently monitor and control conflict situations. This lack of clarity and rigour leaves councils and council staff vulnerable to issues of integrity. In my opinion, there are clearly unmet needs in local government both for model conduct guidelines and for training and education.

Seven years later, allegations of conflict of interest continue to be made about councillors and council officers. My office received over 40 complaints about conflict of interest in the last financial year. Eleven of those complaints were considered serious enough to be notified to IBAC by my office.

Investigation reports tabled by my office in the last five years¹¹ have substantiated allegations against councillors and council officers including:

- a councillor campaigning for closure of a council facility that appears to have directly benefited his private business
- the same councillor attempting to use his official position to alter the course of action that officers were adopting in relation to a land dispute to which he was a party
- a councillor approaching a council officer about the conditions of a planning permit issued to a business associate
- the same councillor using official council letterhead to invite foreign nationals to Australia to invest in his private business.

While there have been a number of amendments to the conflict of interest provisions in the Act, the provisions remain complex. In 2008 my predecessor recommended that the minister consider simplifying the provisions in the Act. This recommendation is just as relevant today.

I consider that a broad conflict of interest definition should be used, and it should include pecuniary and non-pecuniary interests, the interests of close relatives/friends and conflicts arising from competing duties.

¹¹ Victorian Ombudsman, *Whistleblowers Protection Act 2001 – Conflict of interest, poor governance and bullying at the City of Glen Eira Council* (2012). Victorian Ombudsman, *Whistleblowers Protection Act 2001 – Investigation into allegations of improper conduct by a councillor at the Hume City Council* (2011).

Legislation on its own will not be enough. The provisions in the Act need to be supported by additional steps to ensure councillors and council officers understand their ethical obligations, and timely enforcement for individuals who put their own interests before the community.

Code of conduct

I welcome the recent changes to the Local Government Act to make it mandatory for a councillor to sign a councillor code of conduct and provide mandatory dispute resolution procedures¹².

Councillors are statutory officeholders with significant responsibilities to the community. It is important that they fully understand the obligations of their role and matters crucial to good governance such as councillor conduct and conflict of interest. In my view, further training to councillors on these important issues should be considered.

I also support the creation of a uniform code of conduct for all councils. While the Local Government Act requires councils to establish a Councillor Code of Conduct, there is no requirement for a uniform code across the state. Having a prescribed code of conduct would provide consistency in the application of key principles of behaviour.

New South Wales and South Australia already require each council to adopt a model code of conduct which is specified by regulations under subordinate legislation¹³. These codes provide a guide to the required behaviour and conduct of councillors. This in turn allows for greater transparency and administration of these values to ensure good public administration.

Recommendations

In summary, I recommend that the review:

- consider ways to consolidate and streamline the current oversight arrangements for local government as far as possible
- consider strengthening the provisions on open council meetings and the release of information available to the community
- implement the recommendations in my report *Councils and Complaints – A report on current practice and issues*
- consider the recommendations in my report *Investigation of a protected disclosure complaint regarding allegations of improper conduct by*

¹² *Local Government Amendment (Improved Governance) Act 2015* (Vic). The Act had been passed but had not commenced at the time this submission was prepared.

¹³ *Local Government Act 1993* (NSW) section 440, 440A; *Local Government (General) Regulation 2005* (NSW) regulation 193; *Local Government Act 1999* (SA) section 63.

councillors associated with political donations in the context of the Local Government Act

- consider simplifying the conflict of interest provisions using a broad definition of conflict of interest
- provide for further training for councillors which addresses matters crucial to good governance
- support the creation of a legislated uniform code of conduct for all councils.

Conclusion

Thank you again for the opportunity to respond to the review's discussion paper. If you have any queries regarding this submission, please contact Ms Natasha Goss, Assistant Director, on 9613 6243. We would also be happy to meet with you to discuss the review further.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Deborah Glass', written in a cursive style.

Deborah Glass
Ombudsman

Cc The Hon Natalie Hutchins, Minister for Local Government

SUMMARY OF OMBUDSMAN REPORTS OVER LAST 10 YEARS

Investigation of a protected disclosure complaint regarding allegations of improper conduct by councillors associated with political donations (2015)

This report arose from allegations about local councillors at an outer metropolitan council who stood as candidates at the 2014 state election. It was alleged the councillors received donations to their state campaigns in return for favourable council planning decisions.

My investigation did not substantiate that the donations were made or received for any improper purpose. I tabled the report to highlight issues of public interest regarding donations to political campaigns. I recommended the government consider whether there should be restrictions on donations to candidates and political parties by property developers; and whether the details of all donations should be published on a publically available register within 30 days of the relevant election.

Councils and complaints – A report on current practice and issues (2015)

This report resulted from work by my office to produce a guide for councils on good complaint handling. When my office consulted with councils about the guide, it became clear that there was no agreement about some core issues, including what constituted 'a complaint'. I recommended that the minister consider changes to the Local Government Act to include an inclusive definition of 'complaint', and to require councils to have complaint handling policies. The responsible department accepted these recommendations in principle.

Investigation into Latrobe City Council's failure to reinstate Summerfield Track following a landslip in June 2012 (2014)

My office received a complaint from two elderly ratepayers that the council was not taking action to reopen the only access road to their rural property following a landslip. When they approached my office, the ratepayers had been not been able to return to the property for almost a year.

The investigation identified a number of problems including lack of immediate action by the council, and poor communication with the ratepayers. I made four recommendations, including that the council compensate the ratepayers and develop guidelines on management of natural disasters.

Conflict of interest in the Victorian public sector - ongoing concerns (2014)

This report highlighted poor management of conflicts of interest in recruitment and procurement, including at local councils. One of the case studies in the report concerned a council employee who was involved in engaging her spouse as a contractor in the council's fleet department. The employee declared the relationship when she recommended her spouse to her supervisors, but was subsequently involved in approving his invoices and allocating work in some circumstances. The report recommended that Victoria's public sector agency review its guidance materials on conflict of interest, and consider further ways to support greater awareness and action in agencies. The agency accepted these recommendations.

Conflict of interest, poor governance and bullying at City of Glen Eira Council - Whistleblowers Protection Act 2001 (2012)

This investigation considered several whistleblower disclosures about a councillor at Glen Eira. Amongst other things, it was alleged the councillor advocated for the closure of a free council mulch facility to obtain a benefit for his own building supply business.

The report concluded that the councillor had refused to acknowledge or deal with conflicts of interest, made inappropriate approaches and requests of staff, bullied the council's Chief Executive Officer and failed to cooperate with a council investigation. It found his conduct had distracted the council and council staff from their proper functions and roles.

It recommended the council take action to seek a finding of misconduct by a councillor conduct panel, and that the secretary of the local government department consider applying to VCAT alleging gross misconduct. It also recommended the Premier and minister consider additional means to assist councils to deal with difficult councillors.

Whistleblowers Protection Act 2001 - Investigation into allegations of improper conduct by a councillor at the Hume City Council (2011)

This investigation involved a whistleblower disclosure about possible illegal conduct. The disclosure alleged that, during a meeting, a company director claimed that a planning permit should not contain certain conditions because he had paid \$5,000 to a contact at the council to 'take care of' the application.

The investigation identified that the contact was a councillor, but did not identify any payment. It did identify that the councillor had a conflict of interest resulting from a personal business interest with the director, and should not have involved

himself in the permit. It also identified that he had not registered a private business interest with the council, and that he had used official council letterhead to invite foreign nationals to Australia to invest in the business.

The report recommended that the minister consider the matters with reference to possible breaches of the Local Government Act.

Ombudsman investigation into the probity of the Kew Residential Services and St Kilda Triangle developments (2010)

This investigation looked at the probity of two development projects. One of these was the St Kilda Triangle development, which had been managed by the City of Port Phillip on behalf of the state government.

The investigation found that attention paid to probity issues during the projects was insufficient. It identified that some individuals failed to recognise conflicts of interest during tender processes, in particular regarding acceptance of hospitality from the private sector. It also found poor procurement and contract management processes at the council.

The investigation made 18 recommendations to different agencies. They included a recommendation that the local government department update its procurement guidelines for councils.

Report of an investigation into Local Government Victoria's response to the Inspectors of Municipal Administration's report on the City of Ballarat (2010)

This report examined an investigation at the City of Ballarat by two inspectors of municipal administration. At the time, my office had no jurisdiction regarding inspectors and the investigation focused on the department's actions. It concluded that the department should have drawn its minister's attention to the fact that two witnesses had not been given natural justice during the investigation. It recommended that the minister require inspectors to give people who are subject to adverse comments an opportunity to respond; that the department train certain officers about the requirements of natural justice; and that the Premier and minister consider amendments to give the Ombudsman jurisdiction regarding inspectors.

Investigation into the disclosure of information by a councillor of the City of Casey (2010)

This whistleblower investigation found that a councillor improperly disclosed information about the outcome of a council expression of interest process to one of the unsuccessful bidders. The report concluded that the conduct appeared to

be inconsistent with the councillor's obligations under the Local Government Act. It recommended that the Minister for Local Government consider the matters in the report and determine what action should be taken.

Brookland Greens Estate – Investigation into methane gas leaks (2009)

This investigation commenced after residents of a housing estate were evacuated due to the danger posed by methane gas leaking from a closed landfill next door. The landfill had been owned by a local council, and managed by that council and a second council. At the time of the report, it was estimated that remediation of the site would cost over \$100 million.

The report was critical of the actions of the local council and Victoria's environmental regulator in approving and overseeing the landfill, and their responses when problems emerged. It concluded that the council and the regulator had placed residents of the estate at unnecessary risk.

The report made 65 recommendations and stated that affected residents should be compensated. Residents reached a \$23.5 million legal settlement with agencies after the report was tabled.

A report of investigations into the City of Port Phillip (2009)

This investigation examined a number of matters at the council involving poor procurement and contract management, failure of governance, conflicts of interest and staff misconduct.

The council's Chief Executive and its Executive Directors had resigned by the time the report was tabled in Parliament. The report made a series of recommendations to the council to improve policies and practices, and recommended that Local Government Victoria be actively involved in supporting the council towards compliance with the Local Government Act.

Conflict of Interest and Abuse of Power by a Building Inspector at Brimbank City Council (2009)

This whistleblower investigation substantiated allegations that a council building inspector used information and his influence in his role at the council to gain an advantage in the purchase of a property.

The inspector resigned from the council during the investigation. The report recommended that the council refer some aspects of his conduct to Victoria Police. It also made recommendations to the council, including that it train employees regarding its code of conduct, including conflicts of interest.

Investigation into the alleged improper conduct of councillors at Brimbank City Council (2009)

This whistleblower investigation was triggered by multiple allegations of improper conduct by councillors. It concluded that the council was generally dysfunctional and marked by in-fighting and personal conflict; and that the governance and operation of the council was being influenced by individuals who held no elected local government office. It also found conflicts of interest, bullying of staff, inappropriate use of council funds and property, and inappropriate release of council information.

The report recommended that Local Government Victoria investigate possible breaches of the Local Government Act by some councillors. It also recommended that the Minister closely monitor the council and consider suspending or dismissing the council if the poor practices continued. The council was later dismissed by an Act of Parliament.

The government also implemented the report's recommendation to amend the Local Government Act to prohibit councillors from being employed by federal and state members of parliament.

Investigation into Corporate Governance at Moorabool Shire Council (2009)

This investigation considered a number of governance issues in response to media reports and other information about the council. It identified concerns including a refusal by councillors to sign the council's code of conduct, and evidence that councillors were involved in day to day matters at officer briefings and working party meetings.

The report made 15 recommendations, including that briefings only be used as a forum for clarification, information and advice and that all decisions to change or reject officer recommendations be made at formal council meetings.

Conflict of interest in local government (2008)

This investigation looked at the nature and source of conflicts of interest in local government, and the mechanisms for preventing and detecting conflicts.

The investigation found that policies and practices at many councils did not adequately identify conflicts of interest, or sufficiently monitor and control conflict situations. It attributed the problems to various issues, including lack of transparency, with decisions inappropriately made in private and the complexity of the conflict of interest provisions in the Local Government Act.

The report identified a need for model conduct guidelines and training and education. It made 17 recommendations, including that the responsible minister consider simplifying and better defining the conflict of interest provisions in the Act; and that officer briefings be used to advise councillors, not as a forum for debate on recommendations for consideration at council meetings.

Own motion investigation into the policies and procedures of the planning department at the City of Greater Geelong (2007)

This investigation took place in response to a number of complaints about planning matters at the council. It found general compliance with planning legislation, but weaknesses in the council's processes. It made 9 recommendations to the council, including that it review its councillor code of conduct and ensure it sets parameters for councillor contact with staff.

Investigation into parking infringement notices issued by Melbourne City Council (2006)

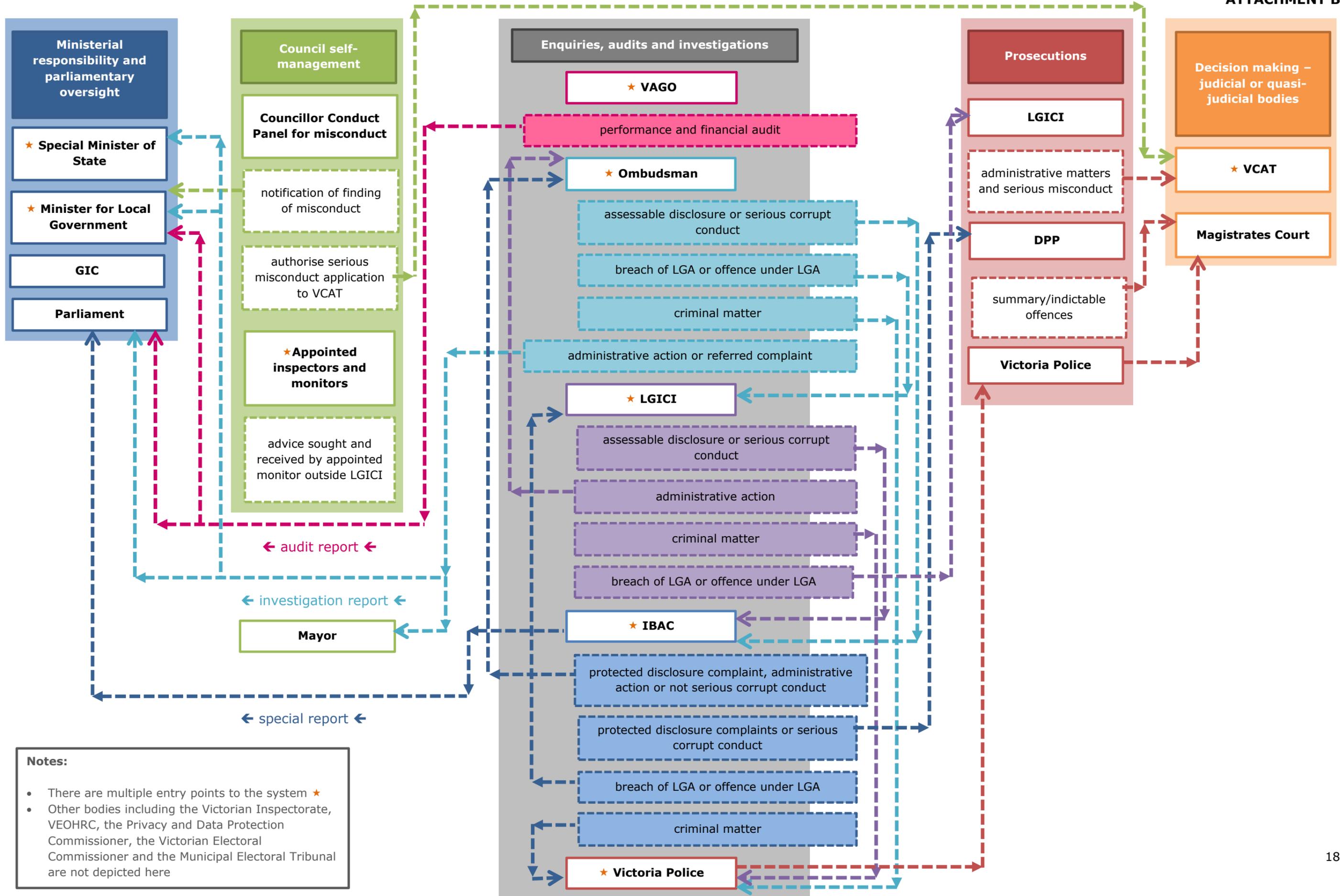
This report arose from a whistleblower disclosure about parking fines issued in the Docklands area. It found some discrepancies in the council's practices, including a failure to ensure that all parking officers held appropriate authorisations. The report recommended that the council refund a number of fines and review certain practices, which it agreed to do.

Investigation into the Conduct of Council Officers in the Administration of the Shire of Melton (2005)

This investigation considered a series of complaints about council officers including failure to follow due process when appointing senior staff and provision of inaccurate planning advice. The investigation substantiated some but not all of the specific allegations. It concluded that a former Chief Executive Officer had at times acted improperly and without regard to due process

Integrity and oversight system - local government in Victoria

ATTACHMENT B



Notes:

- There are multiple entry points to the system ★
- Other bodies including the Victorian Inspectorate, VEOHRC, the Privacy and Data Protection Commissioner, the Victorian Electoral Commissioner and the Municipal Electoral Tribunal are not depicted here