

Councillor Conduct Register



**MORNINGTON
SHIRE COUNCIL**

In accordance with s150DX of the Local Government Act, Council must maintain and publish a Councillor Conduct Register.

The Register must record matters about Unsuitable Meeting Conduct; Suspected Inappropriate Conduct; Decisions about Misconduct, Conduct Complaints dismissed by the Office of the Independent Assessor, and decisions by the Office of the Independent Assessor to take no further action.

Date of Complaint	Summary of the Complaint	Date of Decision	Decision	Reason for Decision
28/06/2020	It was alleged that all five councillors denied an employee the opportunity to address council at a meeting on an agenda item relating to a request for assistance.	17/07/2020	Dismissed	<p>The OIA dismissed each of these matters pursuant to section 150X(a)(ii) of the Local Government Act 2009 as the conduct does not raise a reasonable suspicion of inappropriate conduct or misconduct.</p> <p>The acting CEO had considered the request and advised the employee that it was not appropriate forum. There was no indication that this was a decision of the councillors.</p>
16/06/2020	<p>It was alleged that a councillor put posters up in the community about a council initiative before the initiative was formally endorsed at a council meeting.</p> <p>It was further alleged a councillor was using council provided equipment incorrectly</p>	06/07/2020	Dismissed	<p>The OIA dismissed this matter pursuant to s150X(a)(ii) of the Local Government Act 2009 as the conduct does not raise a reasonable suspicion of inappropriate conduct or misconduct.</p> <p>The complaint was made anonymously and the OIA were unable to verify whether the poster relating to the initiative was posted before the matter was voted on at the Council meeting.</p> <p>In relation to the use of Council provided equipment, the councillor was authorized to use the council equipment in the manner described.</p>

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23/05/2020	It is alleged a Councillor had unlawfully restricted the access of a council officer to the council office	12/06/2020	No further action	<p>The OIA decided to take no further action in relation to this matter pursuant to section 150y(b)(i) of the Local Government Act 2009 as the conduct does not raise a reasonable suspicion of inappropriate conduct or misconduct.</p> <p>Enquiries made by the OIA into the reasons for removal of access identified that the actions were not unreasonable in the circumstances.</p>
23/04/2020	It is alleged a Councillor benefited from the misuse of Council Resources	30/04/2020	No further action	<p>The OIA decided to take no further action pursuant to section 150Y(b)(iii) of the Local Government Act 2009 [the Act] on the basis that taking further action would be an unjustifiable use of resources.</p> <p>This was on the basis that there would be limited public interest in allocating further resources to this matter, the lower degree of seriousness of the alleged conduct and that potential disciplinary outcomes are limited where a person is no longer a Councillor.</p>
28/09/2019	It is alleged that a councillor failed to declare an association with a community group that was the recipient of local government grants	03/10/2019	No further action	<p>The OIA resolved to take no further action pursuant to s150Y(b)(i) of the Local Government Act 2009 [the Act] on the basis that the councillor's conduct did not raise a reasonable suspicion of inappropriate conduct or misconduct. The OIA established that the councillor had disclosed the association on the Councillor's register of interest and had declared their interest in the community group during a Council meeting when a matter involving the community group was considered by Council.</p>

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10/09/2018	The complaint related to the conduct of a single councillor and alleged that the contents of written communications sent to a senior council officer were repeatedly inappropriate and disrespectful.	08/04/2019	No further action	The OIA decided to take no further action about the conduct of the councillor pursuant to s150Y(b)(iii) of the Local Government Act 2009 on the basis that it would be an unjustifiable use of resources to continue with investigation as the senior council officer has reported the inappropriate and disrespectful written communications have ceased.
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