

EC2 – Code of Conduct Reviewers

EC2

Code of Conduct Reviewers

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TRIM 8639-2

EXECUTIVE SUMMARY

- Council is required to ensure a panel of Conduct Reviewers are appointed through the selection process as prescribed by the Office of Local Government.
- It is recommended that the following Organisations be appointed to the Code of Conduct Review Panel for a four (4) year period:
 - Weir Consulting
 - Cripps Consulting
 - Mediate Today
 - The Centium Group
 - Strategy Hunter
 - Oakton
 - Sincsolutions.

REPORT

Council must by resolution establish a panel of conduct reviewers as outlined in its adopted *Code of Conduct* and *Procedures for the Administration of the Code of Conduct* (the Procedures).

In relation to the establishment of a panel of conduct reviewers, Part 3 of the Procedures outline the following requirements:

- “3.1 *The Council must by resolution establish a panel of conduct reviewers.*
- 3.2 *The Council may by resolution enter into an arrangement with one or more other councils to share a panel of conduct reviewers.*
- 3.3 *The panel of conduct reviewers is to be established following a public expression of interest process.*
- 3.4 *An expression of interest for members of the council’s panel of conduct reviewers must, at a minimum be advertised locally and in the Sydney metropolitan area.*
- 3.5 *To be eligible to be a member of a panel of conduct reviewers, a person must, at a minimum, meet the following requirements:*
 - a) *an understanding of local government, and*
 - b) *knowledge of investigative process including but not limited to procedural fairness requirements and the requirements of the Public Interest Disclosures Act 1994, and*

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- c) *knowledge and experience of one or more of the following:*
- i) *investigations, or*
 - ii) *law, or*
 - iii) *public administration, or*
 - iv) *public sector ethics, or*
 - v) *alternative dispute resolution, and*
- d) *meet the eligibility requirements for membership or a panel of conduct reviewers under clause 3.6.*
- 3.6 *A person is not eligible to be a member of the panel of conduct reviewers if they are:*
- a) *a Councillor, or*
 - b) *a nominee for election as a Councillor, or*
 - c) *an administrator, or*
 - d) *an employee of a council, or*
 - e) *a member of the Commonwealth Parliament or any State Parliament or Territory Assembly, or*
 - f) *a nominee for election as a member of the Commonwealth Parliament or any State Parliament or Territory Assembly, or*
 - g) *a person who has a conviction for an indictable offence that is not an expired conviction.*
- 3.7 *A person is not precluded from being a member of the council's panel of conduct reviewers if they are a member of another council's panel of conduct reviewers.*
- 3.8 *A panel of conduct reviewers established under this Part is to have a term of up to four years.*
- 3.9 *The council may terminate the panel of conduct reviewers at any time by resolution.*
- 3.10 *When the term of the conduct reviewers concludes or is terminated, the council must establish a new panel of conduct reviewers in accordance with the requirements of this Part.*
- 3.11 *A person who was a member of a previous panel of conduct reviewers established by the council may be a member of subsequent panels of conduct reviewers established by the council."*

Advertisements were placed locally on the 11th, 14th, 25th & 28th November 2017 and with the Sydney Morning Herald on the 14th November. The advertisement was also placed on Council's website.

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Eighteen (18) expressions of interest were received and it is recommended that the following seven (7) applicants be appointed to Council's panel of Conduct Reviewers.

- Weir Consulting
- Cripps Consulting
- Mediate Today
- The Centium Group
- Strategy Hunter
- Oakton
- Sinc solutions.

The above list of applicants provide a range of skills that may be employed if required. These include:

- Extensive experience in Code of Conduct matters
- Investigation expertise
- Mediation and alternate dispute resolution
- Local Government experience.

The selection of a Conduct Reviewer from the Panel approved by Council will be conducted by the Complaints Coordinator, Manager Governance in accordance with the Procedures.

CONSULTATION

Advertisements were placed locally, in the Sydney metropolitan area and on Council's website. Reference checks were undertaken for each of the proposed panel members.

FINANCIAL IMPLICATIONS

Funding is adopted in the Governance Operating budget for the engagement of Conduct Reviewers.

ATTACHMENTS

There are no attachments to this report.

RECOMMENDATION

That Council endorse the appointment to the Code of Conduct Review Panel for a four (4) year period:

- Weir Consulting
- Cripps Consulting
- Mediate Today
- The Centium Group
- Strategy Hunter
- Oakton
- Sinc solutions.