

Councillor Code of Conduct



Complaints Handling Process

This process sets out detailed information about how complaints received about Councillor behaviour under the Councillor Code of Conduct will be managed.

If a member of the public wishes to make a complaint about a Councillor's conduct	<p>If a member of the public complains that a Councillor has breached this Code of Conduct, the complaint will not be dealt with under the Code.</p> <p>The complainant will be advised by the Mayor that:</p> <ul style="list-style-type: none">a) this Code of Conduct is enforced internally for Councillor to Councillor behaviour; andb) the complaint should instead be directed to an appropriate external agency, such as the Victorian Ombudsman, the Independent Broad-based Anti-corruption Commission (IBAC), or the Local Government Inspectorate depending on the nature of the complaint. <p>If a member of the public complains about a matter in which the Mayor is involved, the matter will be referred to the Deputy Mayor for response.</p>
If a member of Council staff wishes to make a complaint about a Councillor's conduct	<p>If a member of Council staff complains that a Councillor has breached this Code of Conduct, the complaint will not be dealt with under the Code.</p> <p>The CEO will assess whether the complaint considers other legislation such as OHS (i.e. to create a safe working environment for staff) and respond to the complainant that the matter has been considered accordingly.</p> <p>The CEO may also notify the staff member that the complaint can be directed to an appropriate external agency, such as the Victorian Ombudsman, IBAC, or the Local Government Inspectorate</p>
If someone wishes to make a complaint about a Councillor's conduct anonymously	<p>Council will not investigate complaints submitted anonymously under the Code of Conduct as it is difficult for Council to assess the complaint, and the outcome of any complaint resolution process cannot be communicated back to the complainant.</p> <p>The City of Port Phillip Protected Disclosure (Whistleblowing) Procedures facilitates disclosures of improper conduct by Councillors. These procedures can be accessed by any member of the public or Council staff.</p> <p>The City of Port Phillip will take all reasonable steps to protect people who make such disclosures from any detrimental action in reprisal for making the disclosure.</p>

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<p>If a Councillor wishes to make a complaint about another Councillor's conduct</p>	<p>The complaint must be submitted to the Mayor in writing, providing details of the alleged contravention, when it occurred and who it involved.</p> <p>If a Councillor complains about a matter in which the Mayor is involved, the matter will be referred to the Deputy Mayor.</p> <p>Councillors are encouraged not to raise a complaint on behalf of a member of the public or a staff member, and instead direct a member of the public or a staff member through to the above channels to ensure appropriate and consistent response from Council.</p> <p>The CEO will perform a desktop assessment to determine the validity of the complaint to be dealt with under the Code of Conduct. In the event that the CEO is conflicted then the CEO will delegate their responsibilities to a member of ELT.</p> <p>The Mayor will attempt to resolve the complaint by looking into the matter, discussing with the Councillor(s) involved and determining an appropriate way to deal with the matter.</p> <p>The complainant will be advised that the matter has been considered, discussed with the Councillor(s) involved and how the matter was resolved.</p> <hr/> <p>If the Mayor is not able to resolve the matter, the Mayor will ask the Principal Conduct Officer to arrange for mediation to occur.</p> <p>Mediation will be undertaken in accordance with Step 2:C of the Internal Issue Resolution Procedure of the Councillor Code of Conduct.</p> <hr/> <p>The Mayor will ask the Principal Conduct Officer to appoint an arbiter if:</p> <ul style="list-style-type: none"> - the matter is not able to be resolved through mediation - a Councillor involved in the internal resolution process indicates that they are not satisfied with the resolution, or - in the case where there are repeated complaints <p>Arbitration will be undertaken in accordance with Step 3 of the Internal Issue Resolution Procedure of the Councillor Code of Conduct.</p>
<p>If Council wishes to refer a matter to a Councillor Conduct Panel</p>	<p>The Council will refer a matter to a Councillor Conduct Panel:</p> <ul style="list-style-type: none"> - on receipt of an arbiter's report showing a finding of misconduct or serious misconduct - on repeated findings through the arbitration process of contravention of the Councillor Conduct Principles, or - in the case of a Councillor failing to comply with a written direction (sanction) given by the Council