

Councillor Conduct Register

(section 150DX Local Government Act 2009)

Decisions					
Complaint Reference number	Date Complaint Received	Conduct Category	Date of Decision	Councillor	Summary of the decision and reasons for the decision
F17/12431	5/10/2017	Misconduct	9/03/2018	Cr Morton	<p>The Regional Conduct Review Panel decided that the complaint that Councillor Morton had engaged in misconduct as defined in section 176(3)(b)(ii) of the Act was sustained.</p> <p>The Regional Conduct Review Panel made the following orders as part of its decision notice provided to Council on 9 March 2018:</p> <ol style="list-style-type: none"> 1) That Councillor Morton make an admission of error about the use of his Council email account for personal business and that the admission of error is to be made by him to a General meeting of the council in open session within 30 days of the receipt of a copy of this determination; and 2) That Councillor Morton be counselled by an appropriately qualified IT person about how not to repeat the misconduct. In particular, the counselling should focus on ensuring Councillor Morton knows how to send personal emails from his phone without using the Council server and that he limits his use of the Council's resources to Council business.
Dismissed Complaints					
Date of Complaint	Summary of Complaint			Reason for Dismissal	
13 July 2022	It was alleged that some councillors verbally attacked council staff at the Ordinary meeting held on 20 June 2022.			<p>The OIA dismissed this matter pursuant to section 150X(a)(ii) of the <i>Local Government Act 2009</i>.</p> <p>Breaches of the code of conduct that occur in a council ordinary or committee meeting are unsuitable meeting behaviour which is the responsibility of the Mayor as Chair of the meeting to deal with in real time. The OIA does not have jurisdiction to deal with unsuitable meeting behaviour.</p> <p>Having viewed the meeting in question the OIA have liaised with the DSDILGP to request that they undertake training in the respective roles of councillors and council officers as well as the conduct of council meetings.</p>	

Decision

Date of the Decision to take No further Action	Summary of the Complaint	Reason for taking no further Action
15 September 2022	A councillor, who was also engaged by council as an owner-operator via a tender process, raised concerns with a council officer about his entitlements as a contractor. During the interaction with the council officer, the councillor was alleged to have leveraged his position as a councillor	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. The evidence gathered during the investigation was not capable of proving that the councillor had engaged in the conduct alleged. Also, given the councillor was a first-time councillor and at the time of the alleged interaction, had been in the role for less than 12 months, there was no public interest in pursuing the matter further.