

# Model Councillor Code of Conduct & Training for Mayors and Councillors

Consultation Stage One Report

August 2024

# Introduction

The *Local Government Amendment (Governance and Integrity) Act 2024* (the Bill) will make various amendments to the *Local Government Act 2020* (the Act) that aim to enhance standards of governance and behaviour across the local government sector.

Key reforms include the introduction of a Model Councillor Code of Conduct (Model Code), mandatory mayoral training and mandatory professional development training for councillors.

These reforms necessitate the development of regulations to prescribe the Model Code and to prescribe the content that must be covered in the delivery of the new mandatory training.

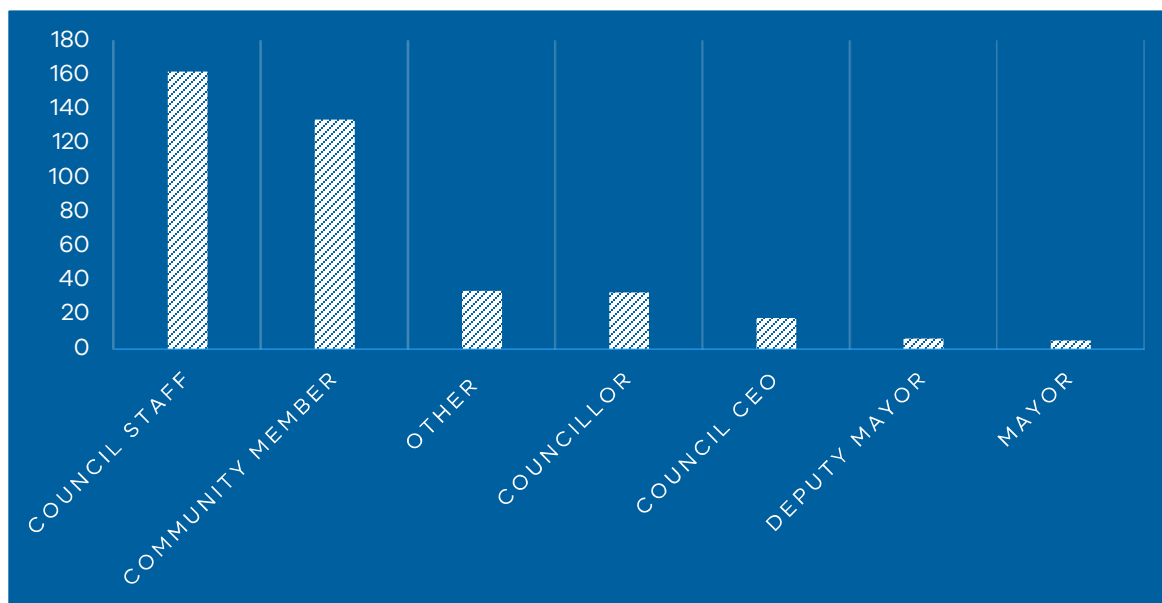
## Consultation Overview

Two surveys were made available on Engage Vic from 21 June to 15 July 2024 to get the views of councillors, Chief Executive Officers (CEOs), council staff, peak bodies, community groups and members of the community on what should and shouldn't be included in the Model Code and the professional development and mayoral training.

Overall:

- 146 people completed the Professional Development and Mayoral Training survey
- 246 people completed the Model Councillor Code of Conduct survey.

The largest cohort of participants were council staff (41 per cent of responses), followed by community members (34 per cent of responses).



We also received feedback from councillors, mayors, former councillors, council CEOs. Respondent who selected other stated that they were former councillors, administrators, representative of community organisations or council committee members.

Analysis showed little deviation between the types of respondents and the answers they provided.

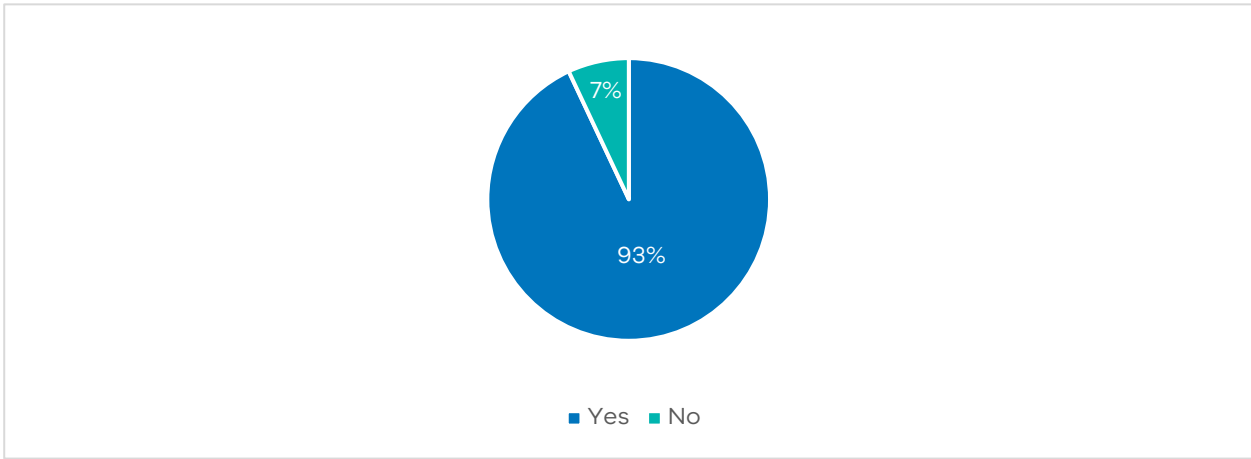
The results from the survey questions are set out in the below along with an overview of the free text responses.

# Model Councillor Code of Conduct survey results

## CONTENT OF THE MODEL CODE

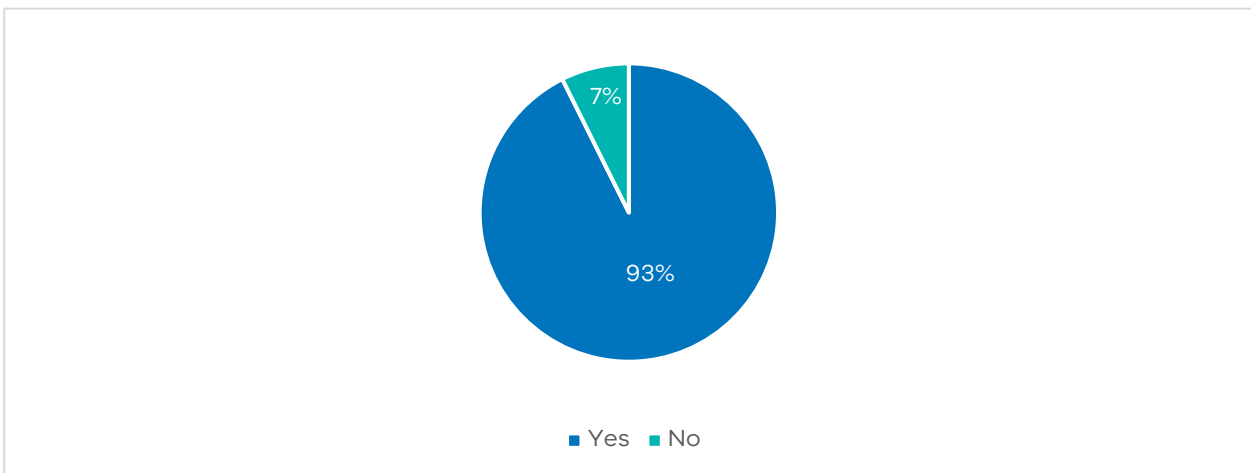
### 1. Should the Standards of Conduct be strengthened in the Model Code?

The vast majority of respondents stated that they thought the current Standards of Conduct in the Local Government (Governance and Integrity) Regulations 2020 could be strengthened in the Model Code.



### 2. Should the Model Code set out the conduct expected of councillors as public officials?

The vast majority of respondents stated that they thought the Model Code should include the standards expected of councillors as public officials.



### 2.1 Select the behaviours you think should be included:

The table below lists the behaviours that respondents selected that they believed should be included in the Model Code.

<b>Response</b>	<b># who selected this response</b>
Always acting with the highest levels of integrity, care and diligence to promote the best interests of the community as a whole	210
Engaging in an open and respectful way towards each other's viewpoints without shutting down or denigrating the contributions of others	209
Not exercising undue influence on other councillors, members of council staff or members of the public to gain or attempt to gain an advantage	209
Not seeking preferential treatment in their private personal or business dealings with the council	204
Complying with all relevant laws, including federal, state or local laws	199
Working together and being accountable to achieving the aspirations and best interests of the community	197
Being prepared when coming together to discuss council business	187
Exercising reasonable care and diligence in performing the functions of councillors	183
Exercising their duties in a way that is compatible with the human rights set out in the Charter of Human Rights and Responsibilities	180
Other: [please specify]	84

Under other, respondents raised the need to address behaviours that relate to social media, political influences, gender equality, discrimination, developers, the treatment of council staff and the need for a safe working environment.

Respondents also thought that the following behaviours should be required:

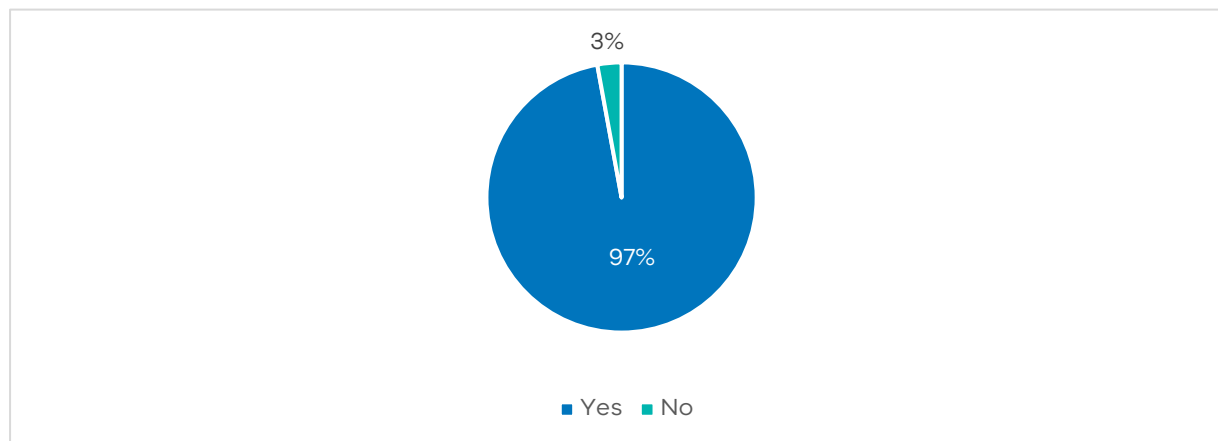
- Consult the community regarding any major proposals.

- Actively promote gender equality, inclusion and diversity, as well as address any discrimination based on race, gender, identity, ability or background.
- Ensure respectful relationships among Councillors and with council staff and community free of any discrimination, sexual harassment or other misconduct behaviours.
- Respectful interactions on Social Media.
- Not incite violent or abusive behaviour from members of the public.
- Abide by the Policies, Strategies and Plans of the Council.
- Not directing council staff.
- Prohibit bigotry and racist behaviour.
- Prohibit violent behaviour.
- Promote respect, gender equality, inclusion and diversity in dealings with diverse community members and with fellow Councillors, as well as with council staff.
- Adhere to the *Gender Equality Act 2020* and Victorian Free From Violence Strategy and Action Plan.
- Provide a safe workplace for fellow councillors and council staff.
- Appropriate behaviour around children and young people to encompass child safety and the Child Safe Standards.
- Not voting based on political party policy and not block voting.
- Ensure they have read and considered the background material provided to them by officers and others to aid decision-making.
- Attending and participating in at least 80% of meetings and a reasonable number of sub-committees.
- Being respectful of the role of the CEO and Council officers and how it differs to the role of the elected Council.
- Declare interactions with property developers.
- Debating the issue, not attacking the individual.
- No wasting council funds for personal matters or non-local issues.
- Transparency with the public.
- Abide by rulings of the Chair.
- Maintain confidentiality.
- No conflicting interests and personal biases.
- Not seeking to use their role as councillor to obtain special favours with developers, local businesses etc.
- Support, understand and acknowledge the role of the Mayor.
- Must report all breaches of the Model Code and Local Laws as well as maladministration, misconduct and corruption to the relevant bodies.
- Focus on local issues only, not international subjects or State/federal issues.
- Respect that operational matters are the responsibility of the CEO and will leave the management of these matters to the CEO.
- Respectful interactions with members of the public
- Not providing the community with misinformation or disinformation.
- Committing to early resolution of interpersonal matters, disputes and other concerns.
- Expectations around being responsive to the community.

Some respondents were concerned that the Model Code could be used to attack independent councillors.

### 3. Should the Model Code require councillors to treat other councillors, council staff and members of the community with dignity, fairness, objectivity, courtesy, and respect?

The vast majority of respondents stated that the requirement in the current Standards of Conduct to treat other councillors, council staff and members of the community with dignity, fairness, objectivity, courtesy, and respect should be retained in the Model Code.



#### 3.1 Should the Model Code expand on the conduct expected of councillors when they are interacting with:

The table below lists the interactions that respondents selected that they believed should be captured by the Model Code.

Response	# who selected this response
Council staff	218
Other councillors	209
Members of the community	203
Other: [please specify]	56

Under other, respondents raised that the following should also be captured:

- Already marginalised community cohorts
- CEOs
- Developers
- Investors and Business
- Children and young people
- Partners, stakeholders, other levels of government
- Federal and State law enforcement, regulators, and integrity bodies
- State and federal members
- Neighbouring council's councillors and members

- Members of other committees and group
- Visitors who are from other States or countries
- Representatives of Peak Bodies
- Media (e.g. Newspapers, magazines, TV) and others online on social media
- Contractors/Suppliers with business relationships with Council
- Community organisations.
- Traditional Owners

### 3.2 Should the Model Code set out the conduct required in relation to any of the following:

The table below lists the conduct that respondents selected that they believed should be captured by the Model Code.

Response	# who selected this response
Bullying	210
Discrimination and victimisation	207
Sexual harassment	203
Occupational health and safety for councillors, council staff and community members	199
Gender equality	182
Child Safe Standards	181
Respect for traditional owners	170
Cultural awareness	165
LGBTQIA+ inclusiveness	155
Other: [please specify]	35

Some respondents did not agree that the behaviours listed above should be captured in the Code.

Under other, respondents listed the following types of conduct that they thought should also be included:

- Disability inclusiveness and accessibility
- Positive Duty as referred to in the Sex Discrimination Act
- Religious and faith-based perspectives and protocols
- Psychological safety

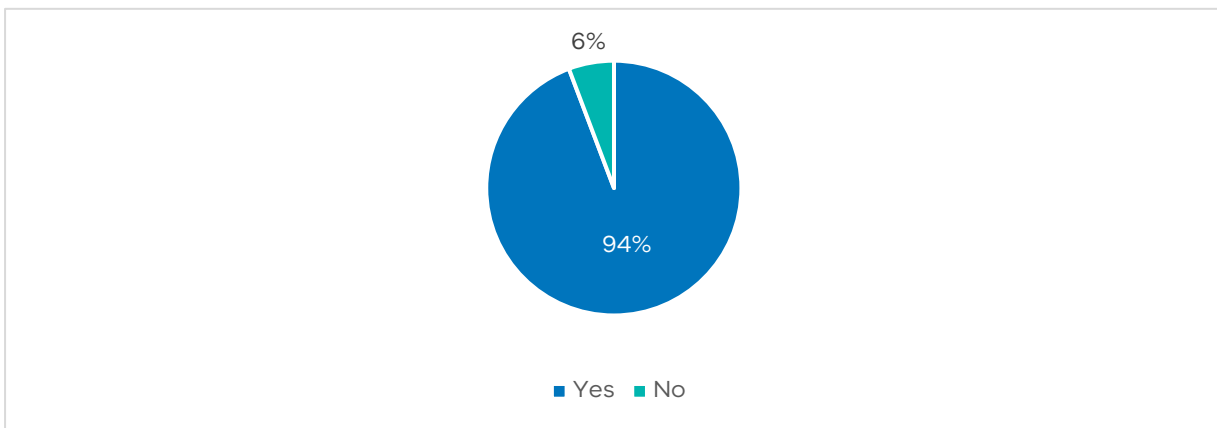


- Inclusion of those with differing sexual orientations and gender identities
- Age friendly
- Racism
- Inciting vilification via social media
- Gendered violence.

Some respondents wanted the Code to include conduct relating to copyright infringements, fraudulent behaviour and the use of lawyers to threaten, intimate and silence community members.

#### 4. Should the Model Code provide that councillors must do everything reasonably necessary to ensure that they perform the role of a councillor effectively and responsibly?

The majority of respondents stated that the current requirement in the Standards of Conduct for councillors to do everything reasonably necessary to ensure that the Councillor performs the role of a Councillor effectively and responsibly should be retained.



#### 4.1 Should this be clearly set out in the Model Code in relation to any of the following:

The table below lists the conduct that respondents selected that they believed should be expanded on under the role of a councillor.

Response	# who selected this response
Becoming informed about matters subject to a council decision by reading briefing materials and participation in councillor briefings	209
Considering the diversity of interests and needs of the municipal community	205

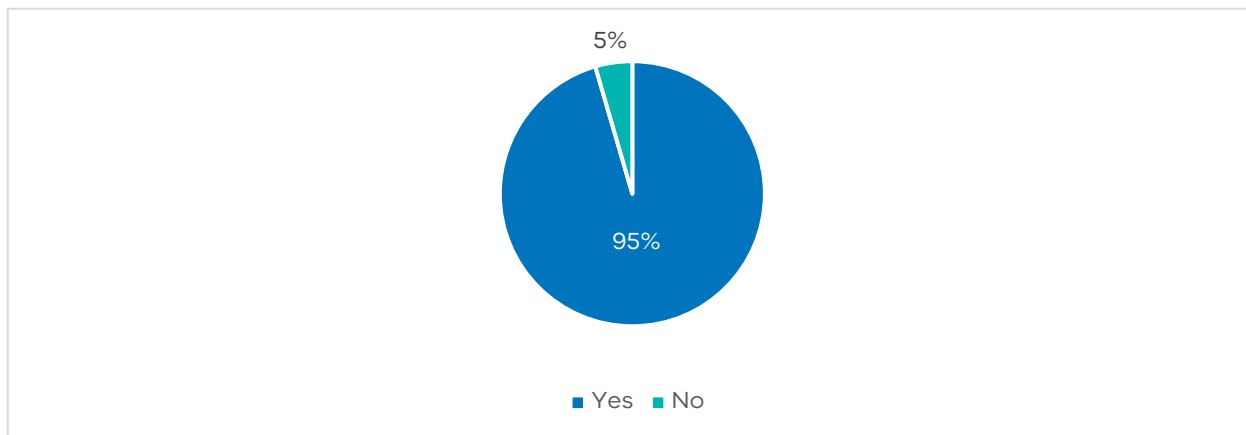
Using council resources appropriately	198
Attending meetings	197
Making sound decisions	194
Not performing any responsibilities or functions of the Chief Executive Officer	179
Planning processes and regulatory functions	177
Acknowledging and supporting the role of the mayor and council	170
Other: [please specify]	39

Under other, respondents listed the following types of conduct that they thought should also be included:

- Not undermining the work of Council staff who work on social justice, human rights, inclusion and social cohesion space.
- Progressing lawful outcomes/actions only.
- The role of councils in supporting implementation of state government policy.
- Being able to effectively recruit and manage the CEO.
- Putting the needs of the local community first.
- Accepting feedback receive in consultations.
- Ability and transparency to engage constituents broadly to adequately understand and consider the diversity of views.
- Expectations around the number of briefings councillors should attend and representation on committees of council.
- Apprehended bias and decision making as it relates to planning matters.

**5. Should the Model Code provide that councillors must diligently and properly comply with council policies for managing interactions with council staff and councillor expenses and the council’s Governance Rules?**

The majority of respondents stated that the current requirements in the Standards of Conduct relating to good governance should be retained in the Model Code.



### 5.1 Should the Model Code also require councillors to comply with council policies and processes relating to:

The table below lists the conduct that respondents selected that they believed should be expanded on in order to ensure good governance.

Response	# who selected this response
Fraud and corruption	210
Gifts and benefits (including donations)	209
Private interests	208
Privacy and data protection, and confidentiality	201
Public transparency	194
Conduct during elections	191
Complaints	187
Community Engagement	173
Procurement	167
The employment and remuneration of the Chief Executive Officer	159

Other: [please specify]	44
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Some respondents suggested the Code should address conduct which misleads community through conspiracy theories, spreads misinformation, and provides advice that contradicts expert opinion.

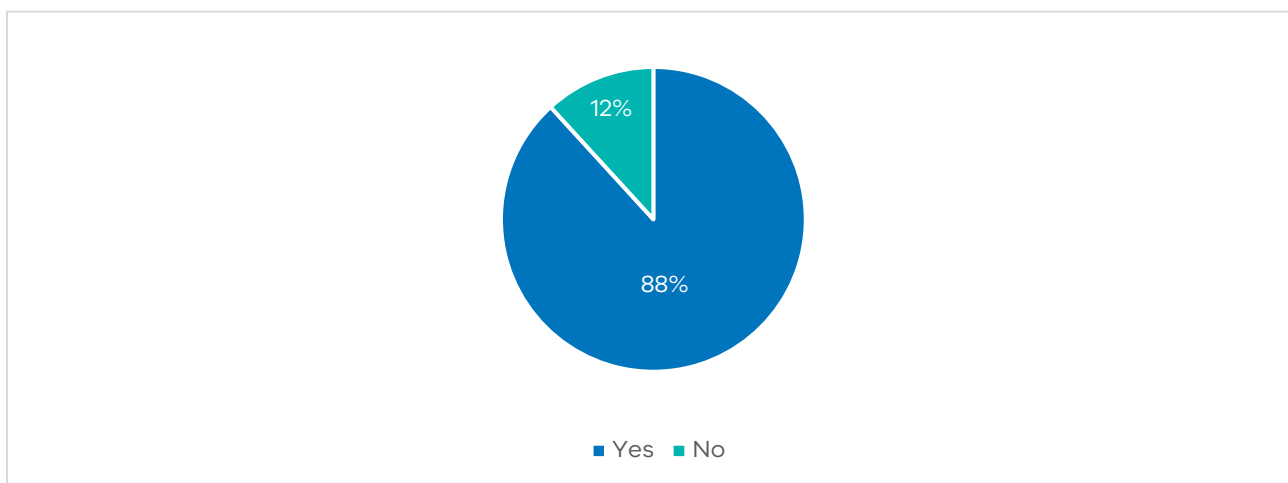
Under other, respondents listed the following types of conduct that they thought should also be included:

- Sexual Harassment Policy and procedure
- Council's policies on Human rights, Diversity Inclusion and Social Cohesion
- Media and social media policies
- Planning schemes
- Delegations
- Procurement
- Interactions with developers
- Conflict of interest policies
- All councillor only policies
- Councillor / Staff Interaction Protocols
- Cyber security policies
- OH&S and cultural safety policies
- Sound finance and resource management policies.

Some respondents asked that the Model Code not include references to offer policies as they will differ across councils and may be weaponised or used to divide the Council.

## 6. Should the Model Code detail the behaviour that would bring discredit upon the council or deliberately mislead the council or the public?

Eighty-eight per cent of respondents stated that the current requirements in the Standards of Conduct relating to conduct that would bring discredit upon the council or deliberately mislead the council or the public should be retained in the Model Code.



### 6.1 Should this include conduct in relation to:

The table below lists the conduct that respondents selected that they believed should be expanded on in order to maintain integrity.

<b>Response</b>	<b># who selected this response</b>
The use and disclosure of council information	200
Communicating council decisions	197
Social media	187
Other: [please specify]	39

Under other, respondents listed the following types of conduct that they thought should also be included:

- Adhering to Human Rights Policy and Social Cohesion Plan
- The use and disclosure of confidential information including correcting misleading information as soon as practicable
- Interactions with developers/ land owners
- Not abusing nor denigrating staff publicly or during closed council business
- Legal breaches and serious police matters like assaults and breaches of AVOs
- Bullying and harassment and indirect coercion
- The use of billboards, handouts and other materials.
- Misuse of Council funds
- Conduct in public meetings and forums
- Conduct in the community when the individual could be reasonably recognised as being a representative of Council
- Receipt of donations particularly for election campaigns.

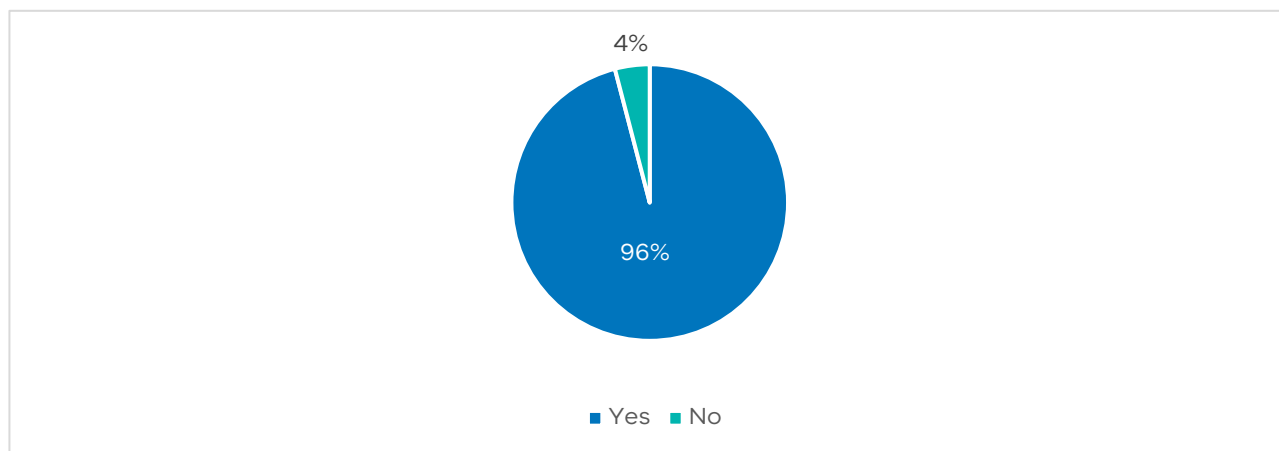
Some respondents thought the Code should include the flexibility for all councillors to communicate and engage in public discussions with the community on council decisions.

A respondent thought the Code should allow for a councillor to provide a copy of the Notice of Motion and any relevant background material directly to the media to enhance transparency and decision making.

Other respondents though the Code should prohibit councillors from using their families, third parties and volunteers as foot soldiers to protest any decisions they do not agree with.

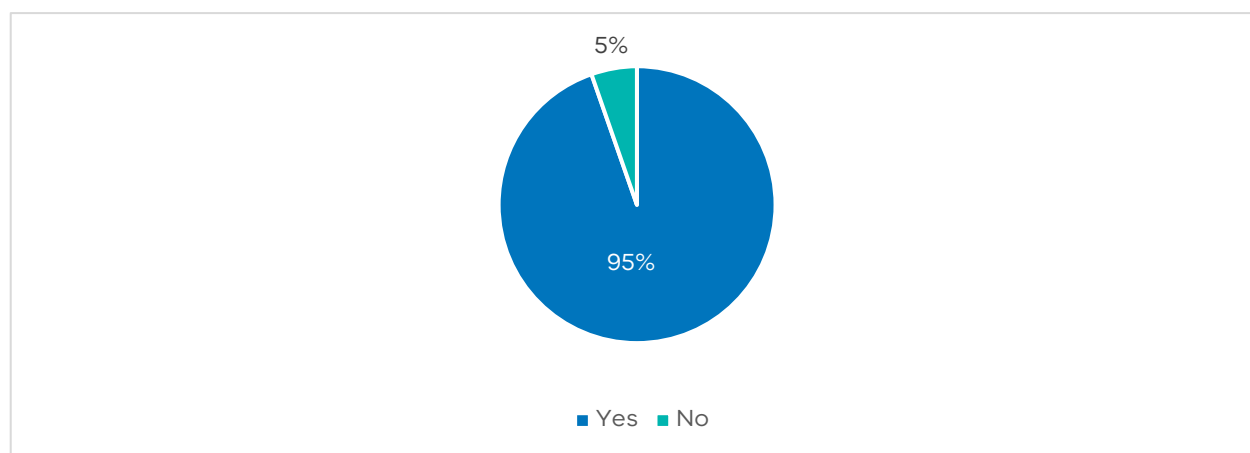
## **7. Should the Model Code encourage the reporting of improper conduct to the relevant authorities, including corruption conduct, breaches of the Local Government Act 2020 and public interest disclosures?**

Ninety-six per cent of respondents stated that the Model Code should encourage the reporting of improper conduct.



**8. Should the Model Code include conduct relating to existing offences under the Local Government Act 2020, such as directing council staff, use of office for personal advantage and failing to declare conflicts of interest?**

The majority of respondent stated that the Model Code should include conduct related to offenses under the Act.



**9. Which of the following should the Model Code not limit or restrict?**

The table below lists what respondents stated should not be limited or restricted by the Model Code.

Response	# who selected this response
Robust public debate carried out in a respectful manner	235

A reasonable direction in relation to behaviour that poses a risk to health or safety	199
A reasonable direction given by the chair of a council or delegated committee meeting	181
Other: [please specify]	21

Under other, respondents also thought that the following should not be limited or restricted:

- Whistle blower protections.
- A reasonable direction in relation to behaviour or statements that are racist, homophobic, ableist or otherwise diminishes the dignity and humanity of staff or community members.
- A reasonable direction in relation to behaviour that poses a risk to children and young people's safety. a reasonable direction in relation to behaviour that poses a risk to community members' safety.
- Actions where following the instruction of an integrity agency.
- A reasonable right to advocate and enquiries on behalf of constituents.

Some respondents stated that there should be no government control on robust public debate.

## 10. Should the Model Code make clear that robust political debate does not include:

The table below lists what respondents stated should not be included in robust political debate.

Response	# who selected this response
Suggestion without evidence that an individual participant in the decision-making process has a conflict of interest or reasonable apprehension of bias	210
A refusal to participate in a decision-making process on the grounds that it is invalid, corrupt or otherwise inappropriate	184
Unreasonable criticism of the decision-making process that led to a council decision	182
Criticism of a Council decision after it is made	141
Other: [please specify]	46

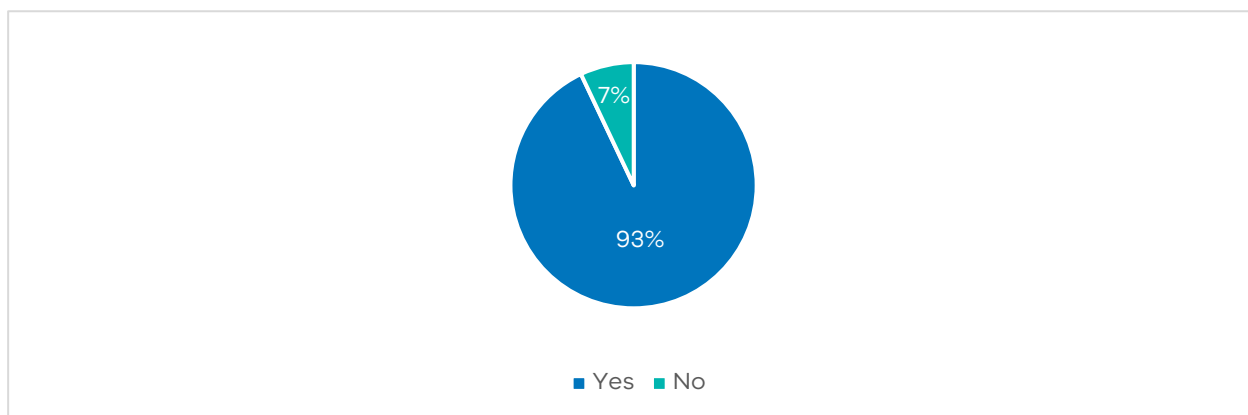
Under other, respondents also thought that the following should not be included in robust political debate:

- Abstaining from voting
- Casting negative or misleading aspersion on the councillor group
- Criticizing council staff

Many respondents stated that Councillors should be able to express their disappointment with a decision they disagree with and should be able to publicly explain why they voted in the way that they did.

### 11. Should there be a uniform process set out in the Regulations for councils to manage complaints about alleged breaches of the Model councillor Code of Conduct in the first instance?

Ninety-three per cent of respondents stated that there should be a uniform process for managing allegations of Model Code breaches in the first instance.



### 12. Which of the following steps should be included in an internal dispute resolution process?

The table below lists what respondents stated should not be included in an internal dispute resolution process.

Response	# who selected this response
Councillors are encouraged to attempt to resolve disputes themselves in the first instance	205
A mediator to attempt to find an agreed way forward between the parties	202
A councillor may request that the mayor (or the deputy mayor if the mayor is a party to the dispute) convene a	186



meeting between the parties to the dispute to attempt to facilitate a resolution	
A councillor may request that the mayor (or the deputy mayor if the mayor is a party to the dispute) act as a mediator to attempt to find an agreed way forward between the parties	153
Other: [please specify]	40

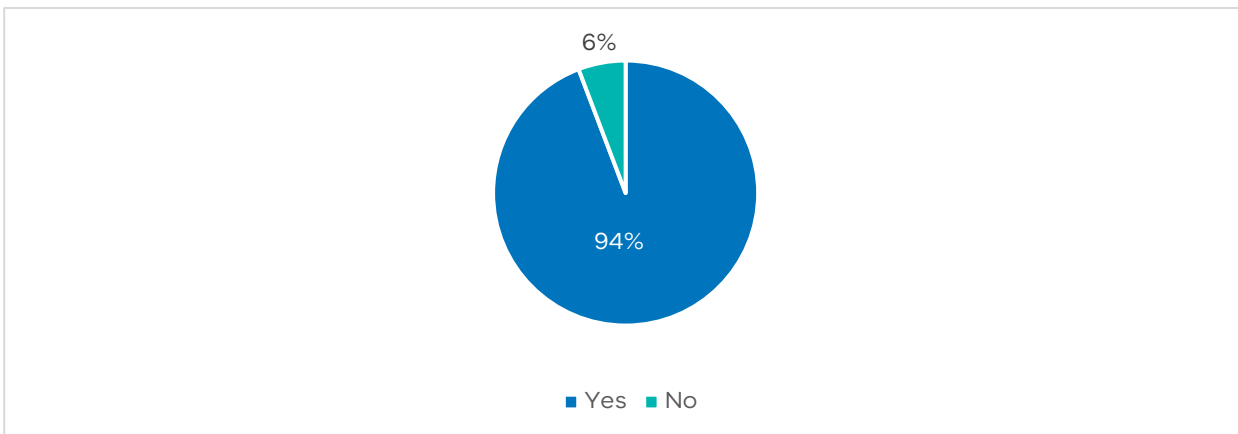
Under other, respondents also thought that the following internal dispute resolution processes should be considered:

- Ability to have support person of choice if agreed to by all parties.
- External mediator at CEO discretion.
- Local Government Inspectorate based mediator facility should be available to councillors to resolve matters.
- There should be an attempt to resolve internally via a formal internal process such as mediation.
- If the internal dispute includes a significant number of councillors and council staff then a resolution should be sought through Local Government Victoria.

Respondents also highlighted the need for mayors to do mediation training and receive guidance on how to support councillors through this process and the benefits of having a list of mediators, who understand the intricacies of local government and the requirements of a councillor's role.

### 13. Should guidance be provided to support councillors to understand and comply with the Model Code?

The vast majority of respondents stated that guidance should be provided to councillors to assist them to understand and comply with the Model Code.



### 14. Which of the following should be included in a guide for councillors?

The table below lists what respondents stated should be provided in guidance.

<b>Response</b>	<b># who selected this response</b>
The roles and responsibilities of councillors, mayors and the CEO	232
Examples of what constitutes a breach of the Model Code	225
What is considered to be robust public debate	205
The role of integrity bodies	204
Occupational health and safety for councillor, council staff and community members	203
Councillor conduct framework application processes	190
Other: [please specify]	31

Under other, respondents also thought that guidance should be provided on:

- Responsible and respectful social media use
- Examples of what types of comments or behaviours would be considered racist, homophobic etc.
- Examples of Council/Councillor/CEO roles and responsibilities
- Importance of evidence based decision making
- Avenues for complaint and consequences for transgression
- Strategic vs Operational
- Indemnity insurance cover
- Councillor responsibilities as administrators of their own social media accounts
- Community engagement principles
- Where and how to seek help with understanding obligations under the Code, or complying with one or more provisions.
- Examples for what might be deemed reasonable where restrictions or limitations apply

## **15. Are there any other matters you would like to see covered in the Model Code?**

Respondents were invited to provide any additional comments on what they would like to see covered in the Model Code. The responses touched on the need for the following to be included (a full list of comments is provided at **Appendix 1**):

- Access to Employment Assistance Program for Councillors
- Respecting diversity of points of view
- Councillors' obligations to council staff's occupational health and safety
- Respectful treatment of staff, including not to demean, belittle or humiliate council staff

- Staying out of CEO responsibilities
- Requirements to behave lawfully when making decisions
- Councils to be required to have racism and anti-racism policies
- Clear articulation of councillors' relationship boundaries with staff
- What happens when Councillors do not act in accordance with the Model Code and why the Model Code is important
- Requirement for councillors to sign on to the Model Code and acknowledge that it has been read and understood.

Respondents also highlighted the need for guidelines to be provided to support understanding of the Model Code.

## Professional development and mayoral training survey results

### INDUCTION TRAINING

#### 1. What knowledge does a councillor need to acquire during induction training?

The table below lists the knowledge that respondents selected that they believed councillors should acquire during induction training.

Response	# who selected this response
Obligations under the local government act 2020	143
Legislative requirements of the role of a councillor	140
Understanding good governance and council policies	138
Council statutory responsibilities	137
Differentiating between the role of a councillor and the role of the CEO	136
How council meetings work	133
How decisions are made	133
Transparency and reporting requirements	132

Information about the role of the mayor and deputy mayor	130
Understanding key strategic documents	126
Support available for councillors	123
Community engagement	121
Information about the council	118
Information about the municipality	117
Other: [please specify]	56

Under other, respondents listed the following knowledge that they felt should also be covered in induction training:

- The difference between being a member of the community and the responsibilities of being a Councillor
- Basics of governance
- How to understand financial documents and some planning basics
- The *Gender Equality Act 2020* and obligations under the Act (e.g. requirement for Gender Impact Assessments on new policies and projects)
- Prevention of violence against women
- Training about the Traditional Owners of the municipality, their inclusion within the definition of municipal community under the *Local Government Act 2020*, any relevant provisions of a Recognition and Settlement Agreement with the group/s, any relevant Country Plan or other strategic document of the group/s
- Fundamentals of Asset Planning and how it is connected to long term financial planning
- The application of United Nation's 17 Sustainable Development Goals for climate change and sustainability reporting both within council and throughout supply chains
- Difference between operational and strategic matters, acting in the municipality's best interest
- Occupational, Health and Safety obligations
- Unconscious bias training
- Evidence-based decision making and Emotional Intelligence leadership
- Awareness training of priority populations such as Aboriginal and Torres Strait Islander people, Culturally and linguistically diverse groups, Disability, LGBTIQ+, as well as other priority groups
- Council processes, practices & tools, media training including appropriate use of social media
- Non-violent interactions
- The role of the peak bodies such as MAV; where to go if external assistance is required; payments; gifts and benefits and conflicts of interest specifically
- Understanding Council Finances
- How to work as part of a team

- What respectful behaviour looks like.

## 2. What skills should a councillor learn during induction training?

The table below lists the skills that respondents selected that they believed councillors should acquire during induction training.

<b>Response</b>	<b># who selected this response</b>
Ethical and accountable behaviour	138
Strategic and financial planning and management	126
Statutory decision-making	123
Community engagement	112
Communication skills	108
Teamwork	105
Analytical skills	90
Leadership	87
Organisational skills	79
Other: [please specify]	40

Under other, respondents listed the following skills that they felt should also be covered in induction training:

- Resilience and grit
- How high-performing teams function
- Use of relevant council technology and associated acceptable use policies
- How to provide and receive feedback
- Decision making
- Questioning techniques
- Leading with integrity
- Ethics
- Emotional intelligence
- Service mindset with vision for the future
- Complaints/conflict management
- Compromise, negotiation and facilitation skills
- Understanding corporate governance, risk management and importance of good governance

- Skills in working with diversity and inclusion across various stakeholders and communities.
- Training on unconscious bias, use of pronouns, multicultural awareness, understanding of gender inequality and how it drives gender-based violence.
- The consequences of not working together to make the best decisions such as disharmony, challenges, Commissions of Inquiries, financial costs, appointment of municipal monitors or dismissals of councillors.
- Mental health check, ongoing mental checks and support.

## PROFESSIONAL DEVELOPMENT TRAINING

### 3. What knowledge does a councillor need to further develop their understanding of the role of councillor?

The table below lists the knowledge that respondents selected that they believed councillors should acquire during professional development training.

Response	# who selected this response
Offenses under the act (conflicts of interest, confidentiality, misuse of position, directing council staff)	136
Statutory responsibilities under other acts (including the planning and environment act 1987 and the charter for human rights and responsibilities act 2006)	134
Understanding council finances and good financial management	133
Responsible decision making	127
How to provide good governance and comply with council policies	127
Transparency and reporting requirements	126
How to identify and report fraud and corruption	117
How to recruit and manage the CEO's performance	104
Other: [please specify]	36

Under other, respondents listed the following knowledge that they felt should also be covered in professional development training:

- Thinking and communicating outside the box

- Knowledge about the impacts of climate change (climate risk)
- How to identify, manage and report any actual or perceived conflict of interest
- Strategic analysis of issues
- Statutory responsibilities under the *Children, Youth and Families Act 2005*
- Understanding council's role in public health and wellbeing, and sustainability
- Instruments of delegation
- Asset management
- Critical thinking and identifying misinformation and disinformation
- Diversity training, active bystander (on family violence, LGBTIQ+, First Nations, people with disabilities - intersectional discrimination and gender equality) - how to call it out, respond to backlash)
- Unconscious bias training
- Decisions under the *Planning and Environment Act 1987* and the planning scheme
- How to create, foster and promote a safe and respectful workplace
- OH&S and the psychosocial requirements of an employer
- CEO performance training
- Representing Council in the community or on committees.

#### 4. What skills does a councillor need to further develop their understanding of the role of councillor?

The table below lists the skills that respondents selected that they believed councillors should acquire during professional development training.

Response	# who selected this response
Ethical and accountable behaviour	135
Respectful interactions	129
Managing conflicts	121
How to assess complex issues	120
Effective communication	115
Strategic planning and management	112
Statutory decision-making	112
Negotiation	107

Community engagement	103
How to create a safe workplace	101
Teamwork	99
Leadership	94
Time management	78
Other: [please specify]	28

Under other, respondents listed the following skills that they felt should also be covered in professional development training:

- How to avoid politicising community interactions
- This training should build on the topics covered in the induction training
- Risk Management
- How to read and understand technical reports and documents
- Rather than time management it is more understanding how to prioritise
- There should be an agreed training and development plan for each councillor, relevant to each councillor
- Workplace professionalism and how to hold power
- Honesty and values driven decisions
- Chairing Advisory Group meetings
- Ability to be flexible, adaptable and resilient with zero tolerance to harm - no authoritarian dictators with self interest
- Ability to interact with a diverse group of people

## MAYORAL TRAINING

### 5. What additional knowledge is required to effectively perform the role of mayor?

The table below lists the knowledge that respondents selected that they believed mayors and deputy mayors should acquire during mayoral training.

Response	# who selected this response
The conduct expected of councillors set out in the Model Councillor Code of Conduct	139
The role, functions and powers set out in the <i>Local Government Act 2020</i>	138



The meeting procedures set out in the council's Governance Rules	135
Protocols for managing conflicts of interest	132
How the councillor conduct framework operates	122
Other: [please specify]	44

Under other, respondents listed the following knowledge that they felt should also be covered in mayoral training:

- Managing relationships, advocacy to other levels of government and influencing
- The effective chairing of a meeting and councillor briefing
- How to manage/de-escalate Councillor behaviour
- How to manage/support informal Councillor conflict resolution
- Corruption and anti-corruption
- How to promote and build a child safe culture
- Mentorship
- How to be a role model and a champion for human rights, diversity, inclusion, gender equality and respect of all diverse communities
- How to encourage teamwork, promote an environment of good governance and promote an environment of respect
- How to encourage robust debate and ensure all views are heard
- How to understand key strategic documents and frameworks such as Health and Wellbeing Plans, etc.
- Managing team dynamic and conflict
- Leading a team
- How to communicate
- Understanding own leadership style
- The 'first amongst equals' principle
- Effective communication with the CEO.

## 6. What additional skills are required to effectively perform the role of mayor?

The table below lists the skills that respondents selected that they believed mayors and deputy mayors should acquire during mayoral training.

Response	# who selected this response
Chairing council meetings effectively	138
Resolving disputes between councillors	132

Advocating for the priorities of the municipality with other tiers of government	127
Supporting councillors to adhere to the model councillor code of conduct	125
Performing the role of the council's principal spokesperson	124
Leadership	120
Managing and reviewing the performance of the CEO	117
Performing the civic and ceremonial duties on behalf of the council	115
Supporting councillors to understand their role	115
Leading the engagement with the municipal community on the development of the council plan and reporting to the community on its implementation each year	111
Other: [please specify]	30

Under other, respondents listed the following skills that they felt should also be covered in mayoral training:

- Community engagement
- Media and presentation skills
- How to lead with emotional intelligence, resilience and flexibility
- Delegating roles to other councillors
- Management of public at meetings
- Cultural competency delivered by Traditional Owners or local Aboriginal communities
- The principles of natural justice, impartiality, confidentiality
- Mediating disputes
- The relationship between the mayor and the CEO.

A respondent also suggested that there be an examination as part of Mayoral Training.

## DELIVERY

### 7. What support would assist councils to deliver the training?

The table below lists the supports that respondents selected that would assist councils to deliver the mandatory training.

<b>Response</b>	<b># who selected this response</b>
Subject matter experts	128
Course content	120
Identified training providers	114
Other: [please specify]	42

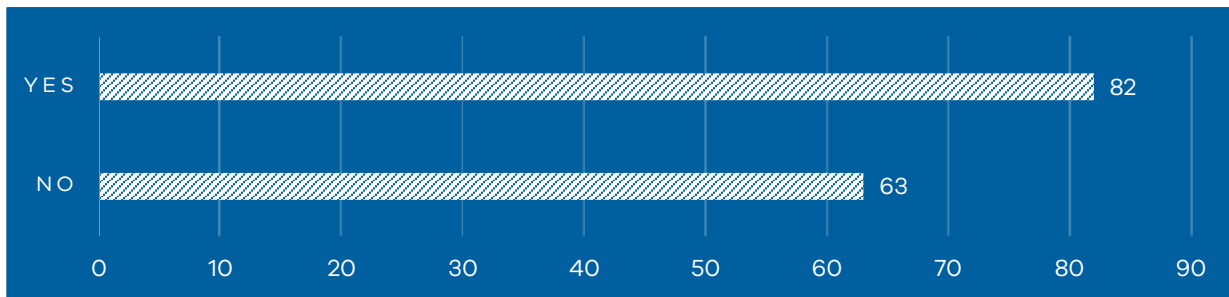
Under other, respondents listed the following supports they believe should be considered:

- Professional trainers for initial training delivery to ensure successful roll-out, with consideration for a train the trainer delivery model as competency grows.
- Baseline skills and knowledge assessments incorporated into guidelines to assist councils with selecting the appropriate content and professional development modules.
- Opportunities for self-paced and cross-council or cross-sector participation would enhance the training and make it more valuable and less compliance focused.
- Recognition of prior learning
- Shared platform for delivery of digital content and repository of resources could make this more efficient and consistent.
- Consultation and collaboration in content development, with ongoing review will assist, including input to the content from a diverse range of sources across and outside the sector.
- Ongoing professional development of councillors should include support for information on innovative international approaches to local issues.
- All councillors should do a form of de-escalation training.
- A provision for self-directed professional development for individual councillors and this should be separate from mandatory training.
- Comprehensive training in planning and development including understanding of the consequences of large planning decisions and the overall impact on the city.
- Training delivered by other persons and not the CEO or council officers.
- A list of topics is useful, but there still needs to be mandatory topics.
- Some training could be delivered by anyone, but expertise and evidence-based are needed for matters like First Nations cultural awareness and sexual harassment - or other diversity and inclusion topics.
- 80% should be standardised training offered by LGV across all councils. The remaining 20% would be council specific training provided and organised by the CEO (with approval by LGV).
- Opportunities for retraining should be available if Councils/Councillors require it.
- When a councillor applies to undertake a course, Council should ensure that it meets a strict requirement showing how the completion of the course would benefit the community.

- Should be a mandatory core with flexible additional modules based on need.
- It must be comprehensive and should be focussed each year on perceived needs.
- Mayoral training should be available to all aspiring Mayors, not just the old brigade who rotate Mayoral responsibilities.

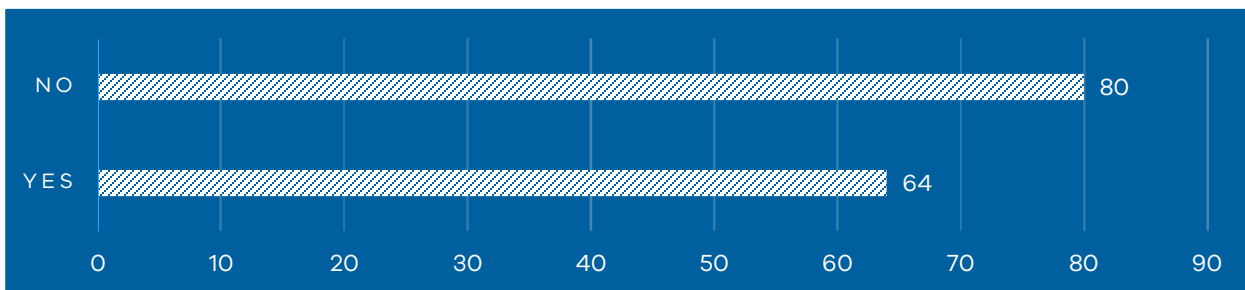
## 8. Should councils be able to choose what is covered in their professional development training each year from a list of topics?

The majority of respondents believed that some flexibility should be built into the training.



## 9. Should the training be designed in a way that anyone can deliver it?

The majority of respondents stated that they did not think that the training should be designed in a way that anyone can deliver it.



## 10. Are there any other matters you would like to see covered in the Professional Development and Mayoral Training?

Respondents were invited to provide any additional comments on what they would like to see covered in the mandatory training for councillors and mayors. The responses touched on the need for the following (a full list of comments is provided at **Appendix 2**):

- Mandatory topics with additional suggested topics
- Consistency across councils while allowing for flexibility to develop local content
- High quality trainers who are subject matter experts
- Emphasis to be on working together as a councillor group
- Accessibility and inclusiveness
- Costs to be minimised
- Coaching and mentoring

- Assessments to assist in tailoring content to knowledge and skill levels
- Consultation with the sector in the development of content
- Resources to assist councils.

## Appendix 1

### **Additional comments on other matters to be included in the Model Code of Conduct**

- The process of reaching consensus and compromise.
- Respecting diversity of points of view through effective listening.
- Data driven informed discussion before decisions are made.
- Including the beneficiaries and those impacted to be declared, even if unintended, throughout the decision-making process.

- Access to Employment Assistance Program for Councillors.
- Family Violence leave/support provision to Councillors (e.g. in case they have to miss Council meetings)

Signatory by Councillors to acknowledge that the code has been read and understood.

That this code of conduct covers social media as well.

Ensure that there is a clear process for managing irresponsible social media posting that leads to defamation of individuals or groups. That there is opportunity for affected individuals (Council officers or community members) to raise concerns and articulate the effects of the Councillor's actions. Whether a Councillor can be stood down when in breach of the Model Code

I would like to see that the ability to serve as a Councillor is time limited. For example, you cannot serve as a Councillor for more than two terms.

I'd like to see an emphasis placed on respectful treatment of council staff and their decisions, especially as regards minority communities represented on staff (e.g. multicultural or LGBTQIA+ staff).

Question 10 Should the Model Code make clear that robust political debate does not include 'other' would not allow me to type anything. So, my answer for 'other' for Qn 10 is that robust political debate does not include criticism, belittling etc Council officers.

How the model code should be shaped by elected representatives via input from the community not government

Explicit direction that Councils must behave lawfully. Suggestion or discussion of ignoring or breaking the law should be clearly identified as a breach of code of conduct.

Would like to see code include some element of mandatory reporting of poor conduct.

- Privacy and data protection
- Procurement
- Planning scheme decisions
- Delegations of authority

Recently at a council meeting the council approved an Aboriginal Engagement Plan this was disputed by one particular councillor with a history of derogatory views on First Nations people **[redacted text]** stated at the meeting "**[redacted text]**" **[redacted text]** remarks were divisive and damaged council reputation and caused much distress among our community. And yet [redacted text] still continues to say such things with no accountability this should be a breach of **[redacted text]** code of conduct, yet no action taken and continues to spew racial undertones. This cannot continue to happen.

Also, you must define cultural awareness vs cultural safety you can't have one without the other they are two different things you must include both.

Access of Councillors to Employee Assistance Program if they need support as a result of fulfilling their duties, e.g. in case of experience of discrimination, sexual harassment, family violence, etc.

Also access to Family Violence leave (in a way applicable to Councillor roles), e.g. in consideration of attending meetings, etc.

Interactions with developers/ property owners.

Seems the more political bullshit the better instead we have a council that will not listen to their rate payers i.e. wasting money on extra pedestrian crossings then the junket to Canberra.

Avenues for community feedback and input on decision making more heavily emphasised and encouraged/enforced.

YES, A VERY RESPONSIVE EXTERNAL BODY TO PROTECT THE RATEPAYER FROM THE COUNCIL THE RATEPAYER MUST ALWAYS BE SATISFIED IT IS THE REASON FOR EXISTENCE

We would like to see the inclusion of councillors' obligations to council staff's Occupational Health and Safety (OHS).

Councillors as key decision makers in the workplace hold OHS obligations to its workforce. This should be made explicitly clear for councillors through the Model Code. Ensuring that when councillors are making decisions, which can affect the OHS of council staff, they understand their responsibilities, obligations and accountability. Particular attention should be given to the observations and recommendations in the Shire of Moira's recent Commission of Inquiry regarding a death in the workplace

Further, training on the Code and Councillors obligations under the *Occupational Health and Safety Act 2004* should be urgently rolled out following Council elections in October this year.

I am writing to contribute to the ongoing consultations on local government reforms. As a concerned citizen, I would like to draw attention to critical findings from the Local Government Culture Project Report 2022, which has been instrumental in informing these reform discussions as outlined in the discussion paper released in January 2024.

A significant area of concern that requires urgent legislative attention is the transparency of political affiliations of councillors. Despite the implementation of the new Local Government Act 3.5 years ago, which mandates the publication of biannual personal interest return summaries on council websites, there has been a notable lack of compliance concerning the disclosure of political party memberships by councillors. This observation is particularly troubling as it undermines the principle of impartial governance and diminishes public trust in local council decisions.

Given this context, I propose the following targeted reforms to address these transparency gaps:

- **Mandatory Disclosure:** Revise the Local Government Regulations to mandate the disclosure of affiliations to political parties and unions in the biannual personal interest returns of all councillors.
- **Enforcement and Compliance:** Implement stricter enforcement mechanisms to ensure compliance with these disclosure requirements, thereby enhancing accountability.
- **Public Accessibility and Engagement:** Increase the accessibility of these disclosures and engage the public through consultations to evaluate the effectiveness of the transparency measures and gather community feedback.

These suggested reforms align with the insights gained from the ongoing monitoring of the current Act's implementation and are supported by evidence from the Local Government Culture Project Report 2022. Such measures are crucial for maintaining the integrity and accountability of our local governments, ensuring that they truly serve the community's interests without undue political influence.

Thank you for considering this submission. I am hopeful that through thoughtful amendments to the *Local Government Act*, we can achieve a standard of governance that reflects both transparency and impartiality, thereby strengthening public confidence in our local councils.

The Model Code needs to reflect the principles of the *Local Government Act 2020* and Regulations. It would be useful to explain the hierarchy of the Act, Model Code and Council Policies and how they should all work seamlessly together.

Strengthen expectations about respectful treatment of staff and staying out of CEO responsibilities

There should be much stronger reporting and disciplinary processes to ensure councillor conduct does not harm others mental health and effectively serves the community.

Again, it's all about councillors . I am glad there will be one statewide, but governments need to be mindful on how the current process has been used as witch hunt, the new legislation unfortunately will only add to independents being targeted

A clear direction on the Child Safe Standards

I'd love to see that the Mayor doesn't solely have the role of disciplining fellow Councillors.

I became resented by my colleagues as the Councillor responsible for using the Code of Conduct and avenues open to us when breaches occurred. There was a distinct lack of *we are all responsible for upholding the CoC* and it became a huge task and burden to be constantly dealing with poor Councillor behaviour.

The strict confidentiality surrounding alleged breaches meant I was unable to discuss matters with the full Council, and so it became a huge and ongoing burden to carry and impacted my mental, physical and emotional health.



**[redacted text]**. If Mayor's are to be the Councillor responsible for hold the rest of the Councillors to account around the CoC, then they need far better training, assistance and support so as to not create an OH&S risk for them.

Changes should be retrospective and investigation in the last council's engagement and activity.

Requirements for Councillors to undertake professional development during a Council term.

The Code should comprise some broad statements that allow for some interpretation while other can be more specific. A statement around respecting groups and community members could be more defined in regulations to include traditional owners, LGBTQI+, women and children, etc. It is important to have maybe 20-30 if well written, but not to go overboard.

Often the conduct process doesn't have meaningful impact until it becomes a breach. There is no clear way to deal with the conduct until it escalates to a higher or more serious level. Often low-level behaviour has a real cumulative impact - but as it doesn't reach the threshold for a breach of conduct, it is next to impossible to manage or improve.

It is also difficult for the mayor and CEO to play the mediatory or resolution role - there needs to be an independent body or person to manage escalations or complaints under the code and greater importance placed on proactive dynamics with councillors.

Accountability when the code of conduct is breached.

Many of these codes are obtuse, hard to define. If people can be adults without stupid rules, they should not be in council. How do you gatekeep speech? Offense is taken, not given. Spend less money being moral police. Local govt needs to stamp building plans, pick the bins ups, look after maternal health, the aged and a library. How does any of that cause issues? It's only wading into identity rubbish that conflicts may arise. Stop with the policy after policy, stop wasting money,

Should be discussion of ethics, morals, integrity.

I'm not in favour of additional restrictions on what constitutes debate, or behavioural policing of elected officials, as freedom of thought and speech, and viewpoint diversity, must be upheld in any genuinely democratic and liberal society.

I think councillors must need a vote from a member of public who is not culturally or ethnically attached to any intuitive to pass for fail a motion.

On the spot penalties

It would be good if councillors stayed out of social issues and stuck to the basics for the whole community.

The mandated Code of Conduct needs to try to clearly set out the expected standards across the wide range of matters in the draft material, be clear about examples of bad behaviour/good behaviour and then set in place some strict measures to deal with the bad behaviours.

When dealing with dispute resolution, it is vital that the matter raised be resolved as close to the Council as possible, as the legacy of a multitude of processes over a long-time frame leave the Cr in situ and leads to poor relationships long-term and a bad legacy.

It is preferable that strong processes, well supported with the option of advisory input be utilised quickly to attempt a resolution.

The success of the dispute process centres on the capacity of the Mayor to manage the process.

Council would like to see model Governance Rules also developed.

Training is critical to ensure compliance with the Model Code– and must be mandatory with penalties for non-participation – otherwise it will be seen as optional. This could also apply to failure to return Interests Declarations.

Yes, No ideological agendas, councils should stick to their primary functions.

- Definition of robust discussion
- Ensure feedback to draft model is independently assessed
- Ensure model is tested on case studies before legislated
- Ensure it is practical, fair and protects.

Yes. How do we also educate the community about the boundaries of a Councillor to counteract the unhealthy expectation that constituents have or expect from their Councillor representation?

Role of Mayor to outline their role to ensure processes remain fair and their management of council business judicious.

The Model Code still needs to ensure that it meets the principles of the *Local Government Act 2020*. It is important to highlight the hierarchy of legislation, the Code and various Council policies.

If debate rulings favour parties, or individuals it would become hard for Councillors to utilise the Mayors role in redressing issues etc

The Model Code still needs to ensure that it meets the principles of the *Local Government Act 2020*. It is important to highlight the hierarchy of legislation, the Code and various Council policies.

All monetary transactions transparent and accessible for public monitorship.

A gazette for all proposals of public works, fees, charges, amendments to by-laws, that can be confidently up for contentious scrutiny via notices in appropriate timeframe in effect of its residents and dwellers.

A more structured application of dispute resolution and management of councillor conduct, that is more practically effective at an earlier stage so that disputes and councillor misconduct are addressed without the exorbitant cost in time and money, of independent arbitration.

How the standards of conduct relate to leadership and community expectations of a councillor fulfilling their role. Perhaps this may be covered in the mandatory training.

- At all times all councillor must be treated equally.
- Mayor and deputy are one year only appointments.
- No discrimination or favouritism.
- Every councillor can [sic] the next Mayor.

This year, if culture and perception of council doesn't improve, there will be no candidates.

The word equity. Education on the difference between equality and equity. Does it need to be stated as 'gendered equity' ?

Honest dealings, Examples of poor behaviour - i.e. a Councillor moving interstate and then not declaring this to the community that they purport to represent should be determined as a breach of the Councillor Code of Conduct and not just hidden.

It reads like such a legal minefield I think it would put off lot of people who have good hearts, but not legal heads be put off standing for Council. That's why it needs simple examples. And more legal support for councillors.

It needs an expansion of understanding the basics of human rights charter and anti-discrimination. As our councils get more diverse the lack of understanding of what is discrimination becomes increasingly apparent.

Also needs expanding on the basic responsibilities of being an active councillor including the need to read reports and be across decision items and turn up to briefings and meetings and fully participate.

Less of the 'be respectful and nice' that is basic human decency and more explicit and meaningful boundaries and directions of what good leadership is.

YES.

It should be a consideration of what is included in the code of conduct when a community member is no longer able to deal with their councillor. Should the CEO appoint an officer to fulfill the role of engagement? Other councillors are unable to be relied on as they prioritise their own areas. It is a major failure of single ward councillors that rules out equitable consideration of the community due to the behaviour of a single councillor.

- It should be clear that a decision which is to be voted on by any councillor, that they should be able to be persuaded by community of that ward affected, and not just the benefits or detriment to their own ward.
- It is IMPERATIVE that the code of conduct actions are available to the community members and not just when sought by a councillor. Currently only councillors can make a complaint about another councillor - THIS MUST BE FIXED.

1. Councillors' responsibility to their own and other's OHS matters
2. Fitness for work
3. Suggest including more reference to the importance of timeliness in conducting duties and making decisions or recommendations.

The topics covered by councillors can be quite diverse. Should reference be made to councillors calling upon subject matter expertise where appropriate and necessary for more qualified and informed decision debate and decision making

I believe the most important thing that could be included in a guide and the Model Code would be a section with steps for Councillors with concerns, being able to contact an independent person/s, who they could discuss their concerns with and be guided about who to contact.

Councillors would need to have confidence that the conversation would be confidential. This independent person could then advise on options to resolve or act. (perhaps they could be referred on depending on for further advice, depending on the matter) e.g. if interaction with others is the concern, then they could be referred to a person with mediation and human behaviour qualification, etc.

I have always been a person of high integrity and respect for others, I did a lot of extra training to ensure I was doing the best I possibly could for the Municipal Community.

**[redacted text]**

It seems now that certain types of Councillors (it seems to be the ones who stand for the community) are all branded as always being the ones at fault - yet CEOs and Senior Managers can play us to get what they want too.

I believe genuinely good people are being mentally destroyed now in many cases, because there is absolutely NO support for Councillors who are looking for professional guidance.

LG is a minefield, and there is no recognition for the commitment it requires to be a good, genuine community representative.

In all my life I have never been involved in anything where I could not have an open discussion and work through matters or challenges with anyone concerned. I have never been abused the way I was, nor so frustrated by a system when I was determined to find a way to work through it.

**[redacted text]**

**[redacted text]**

The new legislation also seems to have been developed on the assumption that it is always Councillors at fault - It's time to make sure that everyone receives the training, respect and care they deserve.

I do not believe you will not solve all the LG current issues with legislation and rules and the Minister having the power to sack Councillors. (will this be on the advice of the Mayor and CEO - who can be the perpetrators? )

**[redacted text]**

I would like to see a better framework for how this will be enforced.

**[redacted text]**

**[redacted text]** this whole new code of conduct will not be worthy to use as even toilet paper unless you actually set up the right structure and framework to enforce it even if you have useless CEOs in place

Councillors should be able to get away with deliberately boycotting meetings to deny quorum.

There should have to be a reasonable rationale included with any rescission motion brought to council, and there should be a mandatory timeframe by which a rescission motion must be considered and debated by council, otherwise it should automatically lapse (this could be several weeks, but there should be a time-limit).

There should be more guidance and training around conflict of interest management.

I'm concerned that if the model code detailed behaviour that was considered to bring ""discredit"" or be ""deliberately misleading"" this could then just become a prescriptive list, and any behaviour that was similar to the list would get discounted even though it should be considered to be misconduct. It would potentially risk people working out how to ""game"" the rules and get away with really inappropriate behaviour on technicalities.

Strong, enforceable sanctions for breaches of the Code of Conduct.

- Child safe standard requirements
- WWC card mandated

- Must not impose unethical behaviour on others
- clearly addressing use of Social Media

- Being covered by the same Drug and Alcohol Policies as staff
- Ability to correct inaccurate or misleading information
- That Council can choose to add to the Code, and it can have the same weight as the Code.

- Meeting conduct
- Documenting a Notice of Motion
- Role of the Mayor
- Caretaker and role during election period

They must hear the wants and needs of all the Australian residents' locals from their representatives in the council area as well as representatives from the new people immigrants, migrants and consult the Australian locals before a decision is made so as a fair solution can be obtained for everyone not a one sided one. Australian Aboriginals as well.

Visitors from overseas to the suburbs in the council should also be given a guide as to what is acceptable behaviour or not in all the council areas towards the locals, new Australian migrants and immigrants. Australian Aboriginals

I would like to see a Gender Impact Assessment conducted on the Model Code prior to implementation and then upon review.

The use of internal dispute resolution and internal arbitration is confusing, especially as the Internal Arbitration is not actually internal.

To improve the safeguarding of Children and Young People in Victoria. It would be good to include a requirement that Councillors obtain and maintain a Working with Children Check. As well as some information around the Victorian Reportable Conduct Scheme in the *Child Wellbeing and Safety Act 2005*. It would also be good to include an appropriate behaviour with children and young people section in the Code of Conduct

- Expand on the role of a Councillor – currently the Act states to participate in decision making, represent the municipal community and to contribute the strategic direction of the Council. More detail is required to provide clarity on the expectations.
- Provision for an internal resolution process – this is currently included in the majority of Council's Code of Conduct policies – it would be beneficial for some consistency leading to more formal reporting channels.
- More detail on what will result from a breach of the Code i.e. Arbitration, Conduct Panel, Inspectorate etc. depending on the level of breach.
- Clarity that the behaviour expectations relate to their conduct and communication with each other as well as council staff and members of the public.
- Outline penalties for not completing mandatory

Role clarity and respecting boundaries between roles of officers/councillors. Greater emphasis on informal dispute resolution processes and a clear staged process prior to arbitration. Clear guidance on arbitration processes.

Council would like some assurance that the requirements will not vary significantly from what is proposed, or agree interim arrangements for the first year, given the timing of changes.

Ideally there would be transitional arrangements. For example, large councils in the first round, collateral and lessons shared with smaller councils.

There is an opportunity for model conflict of interest training resources to be provided – this would promote consistency and be useful for the whole sector. Mandatory training and resources in “working and communicating well as a team” would also be invaluable, ensuring all councils have access to the same resources.

It is noted that Councillor allowances for professional development and training varies significantly across the sector, including the process to access it, thereby creating an opportunity for a level of standardisation and consistency.

Further discussion should occur regarding the benefit of the model code being able to include certain additional items that may be relevant to an individual Council.

Uniformity across the sector will be beneficial for new Councillors

Concern that matters no longer in the code will be a challenge to enforce if only governed by additional Council policies e.g. social media

Concern at other documents this may lead to being standardised e.g. Governance Rules

Subject to a governance model for those regulations that is cross-sectoral and includes consultative review.

Councils being separate and not be involved in political influence in any form.

Some level of obligation on Councillors / Mayors to actually take action when aware of a breach.

The Model Code will be as useless as the current codes unless Councillors actually use the code to address inappropriate behaviours that breach the code. Without any obligation on Councillors to use the code to address breaches - many breaches (while relatively minor) will continue not to be addressed, and the failure to use the code to correct behaviour encourages that poor behaviour to continue, until it reaches extremes that can no longer be ignored.

Have monetary limits on how much a councillor can spend on expenses each financial year.

There must be safeguards in the code that prevent it being weaponised on the basis of pretend offence or arbitrary breaches to silence councillors right to voice their opinions or concerns.

Dismissal

- Honesty
- Third party interactions
- The Model Code to include all council representatives, incl special committee members, volunteers, workers under auspice arrangement.
- Third party processes
- Inclusion for special committee members
- Inclusion for volunteers to council funded community programs
- Access to IBAC for the community

Timelines for training to be completed including additional remuneration above the allowance to complete training and councillor roles

THIS SURVEY IS SKEWD & HENCE INVALID

We do not want our democratic representatives cowed by the state and are prepared to informally elect out own representatives if the state led process becomes a sham.

Pork barrelling.

Last minute changes to big budget items that are related to supporting human rights of local residents needs and requests, if an opposing councillor requests an explanation for the change, they are to have a documented explanation to the rationale approved reason for the change.

Since the adoption of a single councillor per ward (replacing 3 per ward) our elected councillor has totally failed us in being available and properly representing residents' concerns and request to Council.

Other councillors have had to step in to help, which has unfairly added to their existing workloads.

There needs to be provision , in the code, to address this problem. Thank you

A mechanism which prevents Councillors from demeaning, belittling or humiliating council staff.

Racism and anti racism policy should be a must for ever Council is Victoria to adopt.

Clear articulation of councillors relationship boundaries with staff and focus on related parties disclosures.

Council is about governance - councillors should know the difference between politics and governance and behave accordingly.

We note around local government election time that undue influence is brought to bear on Board members of organizations that are dependent on local government grants for their survival, with the



intention of siphoning funds indirectly to certain community members or current council members who hope to stand for election.

Such interference should be stopped at all costs.

Overall, I think this looks good and is headed in the right direction. An additional suggestion would be to link the Model Code to high performing organisations - Councils - that deliver for their communities. And also point out explicitly that when Councils don't do these things well, they run into serious performance and compliance issues. This would connect the Code to 'why' it's needed.

Ensure it is as paired backed and short as possible. Needs to not be so extensive as to be incomprehensible and impenetrable. Should not dive too far down niche rabbit holes. Keep to the most integral and broad principles.

I think the Minister Local Government's office should have more proactive involvement in Councillor conduct.

While the inspectorate/ IBAC is there for when things go horribly wrong, there is no middle point for support. It is left to the Council officers to deal with the fall out which is a complete imbalance of power.

Councillors consistently voting together as an alliance. Not sure how this could be proven but it's a problem.

Councillors meeting outside of council meetings without all councillors being invited.

Councillors meeting informally with CEO or other senior staff without all councillors being invited.

- Definition and clarity between a Councillor Briefing and a Council Meeting.
- Definition between debate and decision making.
- Raising last minute Notice of Motion and Urgent business resulting significant financial implication to Council. Noting this is addressed in the some of the Councils' Governance Rules and in my view, Councillors are reluctant to adopt this as part of their Governance Rules. In my opinion this should be captured somehow in the code of conduct
- Experience and anecdotal evidence suggest that many aspects of Councillor principles and conduct precede election! 'Character', values and temperament are crucial considerations. Voters are not usually in a position to make informed judgements on these matters ahead of casting their votes.

Councillors to declare and be transparent about political allegiances aspirations and memberships to a political party i.e.: members of state or federal political parties such as Labor, Liberal, Greens or Nationals.

Only to reinforce the point that the Model Code does need guidelines. As a governance staff member, we are reliant on arbiter decisions to provide examples as to what is / what isn't misconduct, however, the 'robust political debate' is often used as the default catch-all. In wider society, what is respectful seems to have gone from a shared understanding to a more nuanced/individual response.

Disciplinary action process and clearly defined consequences

Information on managing conflict of interest

Stronger consequences for Councillors who express views that cause harm to the human rights of diverse groups in the community including staff

Yes - the first rule should be stupid outspoken people should not run for Council.

Local council should be about local issues only. It is not the role of local councils to get entangled in virtue signalling about issues they can't affect.

- Separation and declaration of conflict of interest (including that of a councillor's family or household members) regarding their connection to community social media pages, including private Facebook groups, particularly those with an interest in or a focus on the actions of Council
- Please ensure it is standard across councils (taking into consideration the area size of metro, regional and rural councils) to make it equitable across councils and lock tight to ensure no manipulation by authoritarian leaders and their accessories who may otherwise weaponise well intentioned guides, codes and policy with potential risk to the organisation by doing so

The matter of transparency . The public as rate payers be informed when certain matters will duly affect them.

Under Item 4 above, and possibly this will be covered in the Professional Development /Training process, some Councillors have surprising little understanding of their role and authority with Council and required of some specialist knowledge to understand their roles. Two examples in my experience are:

1. Very poor understanding of financial management reporting and budget authority
2. Poor understanding of subcommittee process and their role as a participant. (Two Councillors saw themselves as 'observers - not participants - as members of an Audit and Risk Committee)

Mandatory disability confidence training of councillors and council staff.

Communication is with a calm and respectful tone, raising one's voice is unacceptable.

Question 10 is ambiguous and frankly obscure. It gave an option for ""other"" but wouldn't allow me to fill in that section .

Private meals for Councillor and partner/spouse when not working should be paid for by the individual Councillor.

## Appendix 2

### **Additional comments on other matters to be included in the Professional Development and Mayoral Training**

Local cultural awareness and cultural competency training, human rights training

Mayoral training should be available to all aspiring Mayors, not just the old-brigade who rotate Mayoral responsibilities.

Only specially trained people who know what they are doing should deliver training.

IT MUST BE COMPREHENSIVE AND SHOULD BE FOCUSED EACH YEAR ON PERCEIVED NEEDS

How and by whom Mayoral performance is assessed.

The ability to teach councillors strategic long-term thinking for their local governments, to be honest this should really extend to state and federal ministers too as all the short-sighted thinking and decisions many government officials, councils and ministers have displayed over the last few decades which have caused nothing but harm and damage to future generations communities and our population. Like selling off our state assets, closing down advanced manufacturing, environmental damage and defunding our public sector, all these decisions were made by thinking in the short term and the benefits it could bring not how it would affect many future generations and the strength of the nation. This is why now many upcoming generations are tipped to be worse off than their parents and earlier generations.

There should be mandatory training topics required by all LGAs e.g. Child Safety, with a list of suggested additional topics they can choose from as relevant to their municipality.

Having training designed so that it is able to be "delivered by anyone" will lead to significant variation in the quality of training delivered across the different LGAs, and may be determined by who is locally available. If instead there was a pool of accredited trainers, that would lead to better consistency in training quality across the state.

I think the 'who' or the person / group delivering the training will be critical to how well it is received and accepted, so my suggestion would be for the Victorian Government to ensure a high degree of quality in how this is done with senior and very experience and credible people only allowed to deliver this training.

Impacts of climate change; climate risk

Recognised Prior Learning RPL

Suggest initially that training is delivered where possible by professional trainers to ensure roll-out is successfully and delivered effectively.

Consideration could be given to a train the trainer delivery model as maturity and competency grows.

Changes to Governance Rules for when the Mayor (Chair) does not accept Points of Order during meetings.

What to do when the Mayor is subject of breaking code of conduct rules.

- Should be a mandatory core with flexible additional modules based on need.
- Consider whether there are expiry dates on training compliance (i.e. does it just last for 1 term maximum and do they then have to re-accredit ?).
- Training providers should be pre-qualified?

A clear understanding of what deliberative engagement is as required by the Act (and what it's not)

## Child Safety Training

I would just like to stress the importance of educating Councillors about the criticality of:

1. working together to get things done; and
2. effective, professional debating.

In my experience the most common failure of Councillors is to understand that if they are to achieve the outcomes they are pursuing, they MUST bring most of their colleagues with them.

Much more comprehensive understanding of the experiences of priority populations in communities. This should be non-negotiable.

- Gender diversity
- Unconscious bias
- Cultural awareness
- Sexual harassment

## How to network and learn from other council areas

Councils required by legislation to contribute a set amount of budget each year for Councillors/mayoral training though education or courses to invest in their councillors/leaders.

Training should be designed in a manner that is accessible and inclusive for all participants.

Emphasis that councillors are there to represent their community and advocate on LOCAL issues only!!

Councillors of **[redacted text]** have wasted money on many different things over the last few years, which include bike lanes in areas that are not utilised by cyclist.

Councillors often involve themselves in operational delivery, rather than strategic policy decisions etc - this can make it difficult for officers to provide the best service possible to community. While Councillors approve strategies etc, they need to allow the subject matter experts/officers to deliver on the strategies.

Support for Councillors to balance being community members and Councillors

- The importance of reading materials provided to enable better decision making
- Characteristics profiling in team building such as DISC or Myers Briggs
- Emotional intelligence
- Corporate Social Responsibility

Community resilience, reputation management and responsibilities, wellbeing

Trainings should be delivered by subject experts, reputable service providers working on the topic. The trainings (content, messaging) should be aligned with the national and state frameworks and policies

Some trainings could be delivered by subject experts from council's staff, who are trained on the topics

- Delivered by Professionals, ongoing and over time.
- Government relations and strategic thinking.
- There are still some councillors who do not get or do not want to get the distinction between governance and operations

- Conflicts of interest.
- Opportunities for retraining should be available if Councils/Councillors require it.
- Training and support need to be ongoing with the ability for all Councillors to have compulsory online competency-based auditing provisions.
- Responsible Social Media use.

- Cultural awareness
- Cultural safety

Completing workshops on subjects such as : LGBTQIA+ community, Disability, Neurodivergence, First Nations, Refugees and Migrants and Intersectionality. COUNCILLORS SHOULD DO THIS TOO.

The training should be accredited and externally managed.

Ethical and fraudulent behaviours and respect for council staff

I have a comment about the compulsory Mayoral Training –

I think there needs to be some provision that a Mayor who has completed the Mayoral training within the Council term doesn't have to do the training again if they are elected Mayor again. I think there needs to be some flexibility. Training can be very expensive and if you are training the same person (e.g. they are Mayor for a year then not then elected Mayor again) you are potentially spending money on training just to comply with the Act rather than getting any value.

- Keeping politics out of local government
- The importance of upholding democracy and respect for all elected official's rights

Consistency and standards of training delivered by accredited training organisations so to reduce the perception of training courses for your mates.

Training should be delivered by subject matter experts, e.g. primary prevention experts, LGBTIQA+ experts, First Nations, women with disabilities organisations.

Training providers should have to pay to be accredited and then on the list for State government to provide them to councils. should have set mandatory topics and then some optional specific to a particular council.

Again, staff are not clearly not trained.

Plus, can council even provide timely training and what's the added cost to the community. What's the benefit?

Councillors SHOULD DO ALL TRAINING BEFORE THEY CAN EVEN Nominate

- Finance 101
- Planning 101
- Dealing with conflict within meetings, and between Councillors
- Specific information related to managing points of order and alternative motions

I think that there needs to be a level of professionalism around delivering the training - it can't be 'anyone' - needs to be a professional who is engaging, understands the subject and can offer an objective and expert experience.

- Probity
- Cultural awareness
- Child Safety

80% should be standardised training offered by LGV across all councils. The remaining 20% would be council specific training provided and organised by the CEO (with approval by LGV).

Mayors need to understand a community and be the face/voice of the community

Must be independent from CEO and officers. Maybe use Council Watch Victoria after reviewing their programs. And not from agencies who support govt. like MAV (which should not be endorsed and funded by govt.)

A list of topics is useful, but there still needs to be mandatory topics. Some training could be delivered "by anyone", however this should not extend to matters that require expertise and evidence-based approaches such as First Nations cultural awareness and sexual harassment - or other diversity and inclusion topics.

Training is critical – and must be mandatory with penalties for non-participation – otherwise it will be seen as optional.

A debit to the Councillor allowance or similar if no participation

Local Councillors are inadequately trained in matters of planning and development to appreciate the consequences of their decisions, in particular how they affect Melbourne as a whole. Better training is needed so they understand what they are doing when it comes to large scale planning decisions.

Consistency for certain training so all receive the same, and then some training can be flexible in type and delivery e.g. online, in person, all Councillors, in regions.

Assertiveness training for Mayors, especially women.

Regular training by external professionals is important because it stops bad Cr habits of practice that veers way from the model of professional conduct and governance procedure. as an e.g. I have found a professional providing training from Maddocks for Governance Rules invaluable because they are able to objectively and impartiality instruct on rightful and lawful procedures.

It would be beneficial to undertake a skills gap audit with elected members of Council to identify strengths and areas for further learning.

I am conflicted on Q 9. There is a cost imposition on councils for engaging training providers rather than 'anyone' being able to deliver, but there are benefits in specialists and external people delivering training as it is often taken more seriously and makes available broader perspectives. It should not just be training for the sake of saying it has been undertaken but have some accessibility and potential for demonstrating competency. It was evident from research undertaken by the Australian Local Government Women's Association that on leaving elected office, many women councillors valued what in many cases was 'on the job' learning. These are all valuable and demonstrable skills for future governance roles outside of local government.

Behaviour expected of counsellors when in public

Discussing councillor allowances and tax (taxable allowances)

There should be a distinction between Induction Training after an election, and annual professional development training. Induction Training should be fixed, mandatory and the same for all councillors whether they are first time councillors or returning for a further term. Annual professional development



should be more flexible and tailored so that there is choice for Council's officers to propose a range of training for Councillors to choose from depending on perceived need.

- Understanding diverse communities and the importance of equity and intersectionality
- A comparison between a Councillor's role vs a corporate Board direct (Non-executive director) role

None

Uniform training providers for all Councils to ensure consistency of content delivery and training modules

I think a bit of self-awareness and learning how they themselves handle conflict and disputes and stress and how better to respond and have self-care in regard to that could be helpful.

If the training is to be mandated, central design and delivery would be best.

A belief in the greater good for the whole council's suburbs, upholding Australia's defences with the Australian country placed first above every other country and the wants and needs of the community as a whole Australian community but maintaining Australia's locals, freedoms, freedom of speech, democracy, laws, beliefs, and women's rights to be seen and heard, not hit or verbally degraded in the community and at home. Not to allow any other group to override or take control over the Australian locals.

All councillors should do a form of de-escalation training.

There should still be provision for some self-directed professional development aimed at an individual councillor's existing skills and experience. However, that should be separate from the mandatory training

I would like to strongly advocate for mandatory training to be provided on the principles underpinning diversity, equity and inclusion, and on the issues of gender equality, prevention of violence against women and prevention of family violence. By taking proactive steps to incorporate these issues in training practices, we are not only complying with any and all legislative requirements, but we will also be contributing to creating an environment where all members of the community can be represented and confidently engage with the councillors and mayor.

Costs need to be minimised.

Prospective Councillors need to understand the commitment required – it is clear many successful candidates do not understand the workload and intensity of the role. Strengthened candidate training

would address some of the above. This is currently an on-line training module completed in about an hour.

Strategic decision making and strategic plan development is critical.

With tight timeframes, clarity is required on when the deadline for Councillor induction starts (i.e. from election, declaration or swearing-in).

We recommend a centralised approach to managing the training and transition to any new arrangements.

Ongoing professional development of councillors should include support for information on innovative international approaches to local issues.

Concern regarding additional costs to councils for this training and availability of suitable consultants for rural Councils.

Timelines will be challenging and ensuring facilitators at short notice if required (even from existing staff) may present issues for rural and regional councils.

Clarification is required regarding if the training will be a strict one-size fits all approach or if there will be broad topics allowing Councils to tailor their training. Even where PD can be selected, will the content or format be customisable?

Shared platform for delivery of digital content and repository of resources could make this more efficient and consistent.

Consultation and collaboration in content development, with ongoing review will assist, including input to the content from a diverse range of sources across and outside the sector.

Content and format varied and includes coaching and mentoring, especially during the first year.

Baseline skills and knowledge assessments should form part of the guidelines to assist councils with selecting the appropriate content and professional development modules.

Opportunities for self-paced and cross-council or cross-sector participation would enhance the training and make it more valuable and less compliance focused.

Risk controls for opportunistic behaviour from vendors should be considered. Recognised prior learning, not everything should be mandatory

Non-Violent Interactions.

