

# Local Government Culture Project Insights Report

May 2022

FINAL REPORT



## **Disclaimer**

This report is not intended to be used by anyone other than the Department of Jobs, Precincts and Regions (the “Department”).

We prepared this report solely for the Department’s use and benefit in accordance with and for the purpose set out in our Master Supply Agreement with the Department dated 20 August 2021. In doing so, we acted exclusively for the Department and considered no-one else’s interests.

We accept no responsibility, duty or liability:

- to anyone other than the Department in connection with this report
- to the Department for the consequences of using or relying on it for a purpose other than that referred to above.

We make no representation concerning the appropriateness of this report for anyone other than the Department. If anyone other than the Department chooses to use or rely on it, they do so at their own risk.

This disclaimer applies:

- to the maximum extent permitted by law and, without limitation, to liability arising in negligence or under statute; and
- even if we consent to anyone other than the Department receiving or using this report.

Liability limited by a scheme approved under Professional Standards legislation

# Glossary of Acronyms

<b>ALGWA</b>	Australian Local Government Women's Association
--------------	---

<b>DJPR</b>	Department of Jobs, Precincts and Regions
-------------	---

<b>IBAC</b>	Independent Broad-based Anti-corruption
-------------	---

<b>LG</b>	Local Government
-----------	------------------

<b>LG Act 2020</b>	Local Government Act 2020
--------------------	---------------------------

<b>LGBTQIA+</b>	Lesbian, Gay, Bisexual, Transgender, Queer, Intersex, and Asexual
-----------------	---

<b>LGV</b>	Local Government Victoria
------------	---------------------------

<b>VAGO</b>	Victorian Auditor-General's Office
-------------	------------------------------------

<b>VCAT</b>	Victorian Civil and Administrative Tribunal
-------------	---

<b>VEC</b>	Victorian Electoral Commission
------------	--------------------------------

# Contents

	Executive summary	05
1	Introduction	08
2	Summary of the discussion paper	11
3	What the sector is saying	12
4	Next steps	42
5	Conclusion	43
	Appendix	44





# Executive summary

## Introduction

The Local Government Culture Project aims to better understand the factors that affect Councillor culture and conduct, to support creating a safer, more diverse, and representative local government (LG) sector. Previous to the development of this Insights Report, a discussion paper was produced based on research, academic expertise and preliminary input from key stakeholders from the LG sector and released on 17 December 2021. Its purpose was to identify some of the culture and conduct issues that the LG sector is currently experiencing and to test these preliminary findings with the sector and broader public. The discussion paper put forward three key themes:

1. **Leadership experience and capability:** A lack of leadership experience and capability may be preventing some councils from effectively working together to achieve community-based goals.
2. **Councillor journey:** Councillors need to be supported throughout their journey (from candidacy through to being elected and when performing their role) to ensure they understand and can perform their duties, especially in the social media age.
3. **Early intervention and effective dispute resolution:** Early intervention and effective dispute resolution mechanisms are critical to resolving conflict and preventing the escalation of poor behaviour.

The discussion paper proposed these three key themes and 12 questions with the aim of inviting the sector and public to respond and provide further input on how culture and conduct issues could be addressed. The questions are outlined in **Appendix A**.

## Methodology

This project is being overseen by Local Government Victoria (LGV), a division of the Victorian Department of Jobs, Precincts and Regions. Local Government Victoria provides policy advice, oversees legislation and works with Victoria's 79 councils to support responsive and accountable LG services. Local Government Victoria commissioned PricewaterhouseCoopers Consulting (PwC) – in partnership with academics – to undertake the Local Government Culture Project. The academic partners are Professor Emeritus Anona Armstrong AM (Victoria University) and Dr. Yongqiang Li (Victoria University).

An initial discussion paper was developed by PwC with support and input from the academic partners, using broad research and preliminary insights from the sector. This discussion paper was released on the LGV website, and presented three key themes and 12 questions, inviting the LG sector and the general public to respond and provide further input on how culture and conduct issues in councils could be addressed.

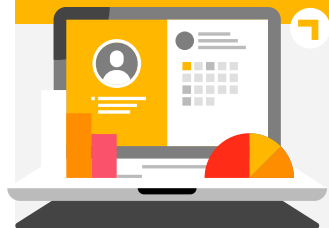
The deadline to receive submissions from the LG sector and the broader public closed on 28th February 2022. These submissions were collected by LGV, de-identified and then provided to PwC for qualitative analysis.

PwC reviewed all submissions in response to the discussion paper. The findings outlined in this report reflect a summary of the key insights raised in the submissions.

The Insights Report provides a reflection of the submissions that have been received, as well as accompanying opportunities to consider to improve council culture. Any opportunities reflected in the Insights Report have not been developed, proposed or prioritised by PwC. Though we have not been able to reflect every issue highlighted in the submissions, all submissions that have been received are being considered in relation to sector-wide ownership of the next steps.



## Submission highlights



### Submission period

**17 December 2021 to  
28 February 2022**



### Number of submissions

**149 responses registered\***

\* Note: a total of 149 responses were registered but 7 responses did not provide any information. Therefore data was only received from 142 submissions.



## Respondent characteristics

### Respondent type

### Approximate %

Council	11	
Mayor	5	
Current Councillor/s	27	
CEO	5	
Staff (current or former)	18	
Former Councillor	5	
Organisation - Peak body	3	
Organisation - Other	4	
Member of the public	21	
Unspecified	1	



## Theme characteristics



Approximately **96%** of submissions **confirmed** the themes in the discussion paper.



Approximately **4%** of submissions **contradicted** one or more of the themes in the discussion paper.

Where "confirmed" means the submission validated the findings from the discussion paper and "contradicted" means the submission did not entirely share the same view, or offered a different perspective.

Approximately **14%** of all submissions raised new themes that were not referenced in the discussion paper.



## Approximate geographical breakdown of submissions



### Metropolitan

26%

### Interface

9%

### Regional City

15%

### Large Shire

17%

### Small Shire

13%

### Unspecified




20%

# Executive summary

## What the sector is saying

We received 142\* submissions from the LG sector and broader public. These submissions provided further insights, case studies and opportunities for the sector to consider. All submissions received were reviewed and analysed when developing this Insights Report.

The majority of the responses to the discussion paper validated the key areas of focus in the discussion paper. This Insights Report reflects the nine key ideas that were identified from the submissions and have been aligned with the three themes identified in the discussion paper. These nine ideas provide insights into the major challenges facing culture and behaviour in the LG sector. The below table shows the key issues that were identified and the respective theme they were categorised into.

 <b>Leadership experience and capability</b> Issues that relate to how roles could be better defined and how leadership skills could be built and maintained.	 <b>Councillor journey</b> Issues that relate to support for Councillors throughout their journey to ensure they understand and can execute their role, particularly in the social media age.	 <b>Early intervention and effective dispute resolution</b> Issues that relate to resolving conflict and preventing the escalation of poor behaviour and its impacts.
<ul style="list-style-type: none"><li>1. There are opportunities to <b>address challenges</b> posed by the <b>Councillor-CEO employment relationship</b>.</li><li>2. Institutional factors could be addressed to allow councils to operate more like <b>representative boards of the community</b></li><li>3. <b>Leadership skills</b> need to be <b>taught</b> and upheld amongst <b>Councillors</b>.</li><li>4. The <b>support</b> and assistance provided to <b>Mayors</b> throughout their term could be significantly <b>strengthened</b>.</li><li>5. There is an opportunity to <b>improve diversity and representation</b> in local government.</li></ul>	<ul style="list-style-type: none"><li>6. <b>Training</b> offered pre-candidacy, for induction, and during term could be <b>strengthened</b>.</li><li>7. <b>Social media</b> needs to be understood, used and managed in ways that promote positive engagement.</li></ul>	<ul style="list-style-type: none"><li>8. The role of <b>Municipal Monitor</b> highlights opportunities for <b>independent and formal advice</b> to <b>resolve issues early</b>.</li><li>9. Consideration should be given to <b>strengthening resolution processes</b> and local powers to discipline.</li></ul>

This Insights Report also reflects ideas raised through consultations that could address these nine issues, at a high level. The feasibility of implementing the opportunities or suggestions arising from submissions discussed throughout this report has not been considered in this report.

## Where to from here

This Insights Report consolidates the feedback received from the submissions, and focuses on key and recurring insights. All submissions that have been received are being considered and incorporated into the next steps to be taken by the LG sector. Sector-wide ownership of the next steps will be crucial in ensuring that cultural challenges are addressed and long-term, systemic cultural change is achieved.

\* Note: a total of 149 responses were registered but 7 responses did not provide any information. Therefore data was only received from 142 submissions.

# 1 Introduction

Poor Councillor behaviour can have major impacts on the local government (LG) sector. This includes difficulties in attracting and retaining a diverse range of talented staff, weakening individual and council performance and damaging public trust. In more extreme cases, poor Councillor behaviour and misconduct can result in the dismissal of a council.

Misconduct by Councillors is defined in the *Local Government Act 2020* (LG Act 2020) as any breach of the standards of conduct included in a council's Councillor Code of Conduct. This includes the treatment of others, performing the role of Councillor and following good governance measures. Misconduct can also be demonstrated at higher levels. This includes *serious misconduct*, which involves disruptive behaviour such as bullying of other representatives and council staff, and directing of council staff.

Misconduct can also be categorised as *gross misconduct*, which involves the most serious misconduct events, and raises questions of whether the Councillor should continue to hold their position. The resolution process may require different managing bodies, depending on the type of misconduct.

While the current system has processes in place to address poor Councillor behaviour and misconduct, these processes may be insufficient in reducing its frequency or impact. It is important to understand what enables Councillors to behave in unacceptable ways. The sector has acknowledged, through the development of the discussion paper, that changes are required to empower the LG sector to prevent or proactively manage this behaviour to minimise its harmful impact and escalation.

## 1.1 Methodology

An initial discussion paper was developed by PwC and academic partners, using broad research and input from the sector. This paper was released on the 17th December 2021. The discussion paper presented three key themes and 12 questions, and invited the LG sector and general public to respond and provide input on how culture and conduct issues in councils could be addressed.

The deadline to receive submissions from the LG sector and the broader public closed on the 28th February 2022. These submissions were collected by Local Government Victoria (LGV) and provided to PwC for qualitative analysis.

PwC examined all submissions in depth. These submissions were consolidated, with recurring insights discussed and tested across two workshops conducted with LGV. The findings outlined in the Insights Report reflect the key issues raised in the submissions.

This Insights Report is not intended to provide any recommendations by PwC to be undertaken or implemented. Any opportunities for consideration outlined in this report are direct reflections drawn from submissions from the LG sector and broader public. All submissions that have been received will be considered in relation to next steps to be taken by the LG sector.





## 1.2 Context

There are 79 councils in Victoria, covering metropolitan, interface, regional city, small shires and large shires. Councils employ nearly 38,000 full-time equivalent staff, and are there to support, manage and respond to the needs of their local community. Initiatives and services are provided and delivered by councils and the LG sector that contribute to the economic, social and cultural development of municipalities. The majority of council funding is gained from revenue sources such as the collection of rates, fees and fines. Some funding is also provided by state and federal governments. Through its service delivery and development, the LG sector makes a large contribution to the Victorian economy. In the 2020-21 financial year alone, councils were budgeted to spend \$9.6 billion on operating expenses and over \$3.5 billion on capital works.

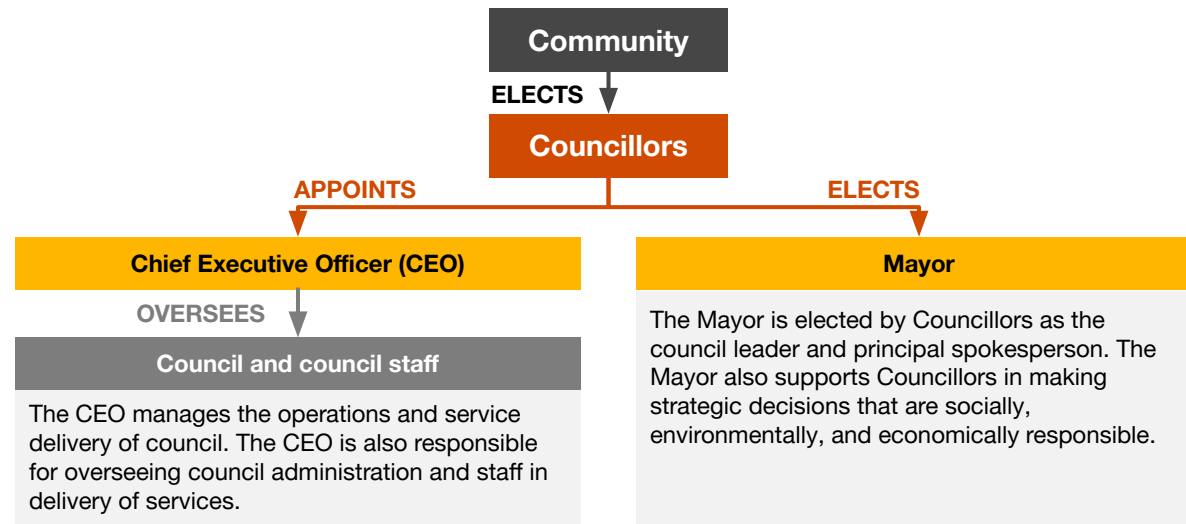
The Minister for Local Government in Victoria works with the LG sector to ensure there is a representative, accountable, responsive, and contemporary system of LG. This includes addressing sector concerns, delivering grant programs and recurrent funding for community infrastructure and services, and place-based responses to local needs and priorities.

Section 74A of the Victorian *Constitution Act 1975* declares local government as a “distinct and essential tier of government” consisting of democratically elected members (Councillors) and administration (council employees). Every four years, local communities elect Councillors who they believe will best represent and respond to the needs of their community.

Wards are subdivisions in local government areas for electoral purposes. Councillors may be elected from a multi-member ward (where two or more Councillors are elected to represent a ward), single-member ward (where the Councillor is elected as the only representative of their respective ward) or elected from across the whole municipality (unsubdivided). Each ward must be approximately the same size (by number of voters) and have identifiable and unifying characteristics.

Elected Councillors are responsible for the long-term strategic planning and the decision-making required to help the council achieve its community vision, strategic direction and financial strategy.

**Figure 1: Council structure overview.** This figure was adapted from the council structure graphic available via the Vic Councils – Council Structure webpage<sup>1</sup>.



Councillors are responsible for appointing the Chief Executive Officer (CEO) for up to five years. Councillors also elect a Councillor as Mayor to be the main spokesperson and, in most cases, to lead their council for up to a two-year term. It is common, however, for Mayors to change annually - with the exception for the City of Melbourne<sup>2</sup> and City of Greater Geelong<sup>3</sup>. The broad structure of a council is illustrated below in **Figure 1**.

The Mayor and CEO are effectively the leaders of the two components of the Council that need to work together - the elected representatives and the administration, respectively. The Mayor and CEO also have a statutory role to help Councillors understand and perform their role, and in the case of the Mayor, to promote behaviours among Councillors that meets the required standards.

The relationships between Councillors, Mayors and CEOs are critical and complex, and the nature of these relationships can be sensitive.

<sup>1</sup> Vic Councils, "Council structure," accessed at <https://www.viccouncils.asn.au/what-councils-do/council-responsibilities/council-structure>

<sup>2</sup> The City of Melbourne has its own Act and the Lord Mayor is directly elected by the community for a fixed four year term.

<sup>3</sup> Section 26(2) of the LG Act 2020 specifies that the City of Greater Geelong has a mayor that is elected for 2 years.

## 1.2 Purpose of this paper

It is clear there is poor and unacceptable behaviour occurring in the LG sector. This behaviour negatively impacts the relationships with and operations of councils, and prevents council staff and elected members from effectively performing their responsibilities and operating in the best interests of their communities.




The initial discussion paper sought written submissions from the LG sector and the broader public, as well as further input and ideas. These submissions have been reviewed and considered in the development of this Insights Report. As noted in the methodology section, this paper does not provide recommendations on actions to be taken as a result of the findings. The intention of this report is to support the LG sector to drive the change required to empower and enable a sustainable, respectful and inclusive culture in the LG sector. Opportunities and ideas raised in the submissions have been included in this report, however, the feasibility of implementing these opportunities has not been considered in detail. This review provides a unique opportunity for the LG sector to anticipate and respond to the existing and emerging challenges to Councillor culture and conduct.



# 2 Summary of the discussion paper

The Local Government Culture Project aims to better understand the factors influencing councillor culture and conduct. A discussion paper was released for public consultation on how the LG sector can work towards creating a safer, more diverse and representative LG sector. The discussion paper highlighted key initial insights, themes and ideas that arose from recent integrity reports, targeted stakeholder consultations and academic expertise to guide the next steps on what can be done sector-wide to improve council culture.

The three themes identified in the discussion paper which underpin Council culture are summarised below:

 <b>Leadership experience and capability</b>	 <b>Councillor journey</b>	 <b>Early intervention and effective dispute resolution</b>
<p><b>Supporting leadership competencies and capabilities</b></p> <ul style="list-style-type: none"><li>• The LG Act 2020 and LG (Governance and Integrity) Regulations 2020 may define the roles and responsibilities of Councillors, Mayors and CEOs, but the discussion paper highlighted that a lack of leadership experience may be preventing some councils from effectively working together to achieve community-based objectives.</li><li>• The pool of Councillor candidates may comprise individuals that have had little to no previous involvement or experience in leading a large-scale organisation or working in a board-type environment.</li></ul> <p><b>Operation of LG</b></p> <ul style="list-style-type: none"><li>• Councils are democratically elected bodies, however submissions demonstrated that there are expectations that they behave more as a 'board of directors' in some ways, such as having a diversity of skills and experiences, having performance regularly assessed, having clear principles around communication, and having a core focus on strategic decision-making. It is acknowledged however that some aspects of Councils need to be different from boards, such as representing the interests of communities.</li></ul>	<p><b>Training and professional development</b></p> <ul style="list-style-type: none"><li>• Candidate and induction training is mandated in the LG Act 2020. However online candidate training is applied at a basic level and may be completed as a 'tick box' exercise. Further, induction training timing competes with other priorities and commitments for Councillors.</li><li>• Councillors need to be supported throughout their journey (e.g. from candidacy through to appointment) to ensure they understand and can execute their role.</li></ul> <p><b>Use of social media</b></p> <ul style="list-style-type: none"><li>• Social media may help spread misinformation, as well as bullying and harassment of 'opposition' pre- and post-election. This behaviour has the ability to create a toxic, competitive environment, spread disinformation or skew public perception of candidates or Councillors. Social media harassment is not explicitly referenced in the LG Act 2020 but certain inappropriate online behaviours are covered by the definitions of misconduct and serious misconduct.</li></ul>	<p><b>Early intervention</b></p> <ul style="list-style-type: none"><li>• Tools to manage misconduct, serious misconduct and gross misconduct exist. Councils are responsible for putting in place mechanisms for resolving lower level misconduct (such as mediation).</li><li>• Early intervention and effective dispute resolution mechanisms are critical to resolving conflict and preventing the escalation of poor behaviour and its impacts.</li></ul> <p><b>Dispute resolution</b></p> <ul style="list-style-type: none"><li>• The threshold to meet, and effort needed, to make an application for misconduct may be too high, and the process itself prevents early intervention. The process to escalate a complaint or misconduct may be difficult to navigate.</li><li>• Consideration needs to be given to enable more immediate, or interim, consequences to hold Councillors accountable more promptly for their misconduct and poor behaviour. Many of the tensions involved with seeking support may be driven by the sensitive relationship between Councillors and CEOs.</li></ul>

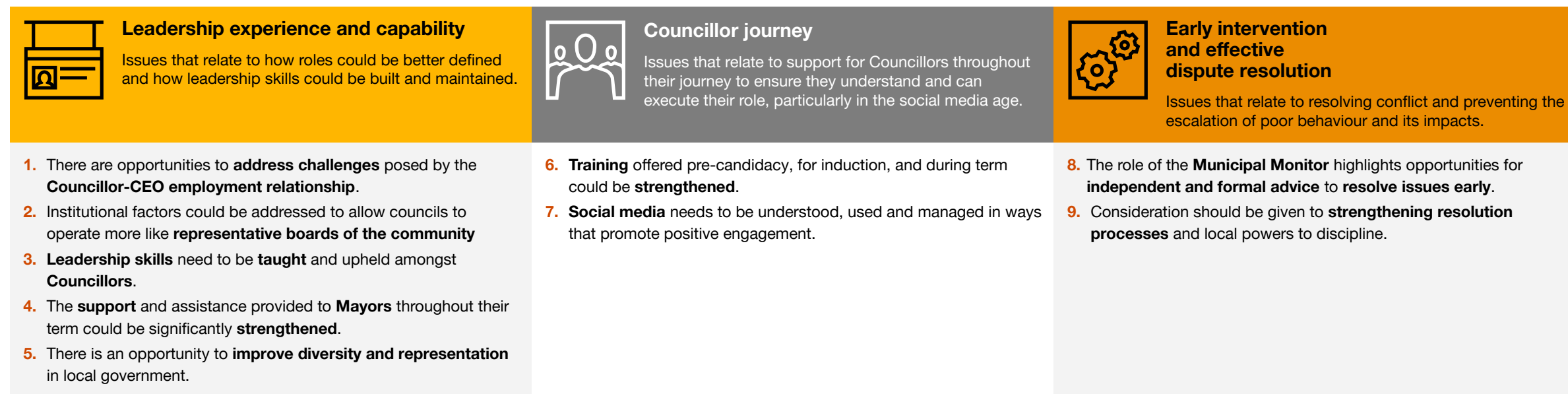
# 3 What the sector is saying

The majority of submissions received from the LG sector and broader public confirmed the themes of the discussion paper, with approximately **96%** of submissions confirming the themes proposed in the discussion paper. Separately, around **14%** of submissions proposed new ideas which were not covered in the discussion paper.

The submissions reflected numerous examples of areas where improvements could be made within the system, to support a better functioning sector. The submissions also provided many examples and case studies of great work occurring within the sector to consider for potential next steps to be taken.

The Insights Report focuses on the key and recurring insights arising from submissions. We have synthesised nine key insights in depth for consideration, and to reflect some of the major challenges facing culture and behaviour in the LG sector. The issues that have aligned with the three themes identified in the discussion paper as potential contributors to culture and behaviour in LG sector have been categorised into their respective theme, these being (1) Leadership experience and capability, (2) Councillor journey or (3) Early intervention and effective dispute resolution. **Figure 2** shows the key issues that have been identified and the theme that they have been categorised into. These will be discussed further in detail in the following sections.

**Figure 2:** Key identified insights through the submissions are reflected below and have been categorised into their respective themes.





# 3 How the key identified issues will be addressed in this report

**Figure 2** outlined the key identified issues (Issues 1 - 9) categorised into their respective themes. These issues will each be detailed further in the next section of this report. Guidance on how this report has approached these issues is outlined below.

A horizontal navigation bar at the top of each page will help identify which issue is being outlined. See below.

Issue 1	Issue 2	Issue 3	Issue 4	Issue 5	Additional information	Issue 6	Issue 7
Leadership experience and capability							Council

The highlighted issue will be the focus of the respective page.

This report will reflect the following for each identified issue:

- Framing and context
- Key challenges
- What this means moving forward
- Opportunities from submissions to consider for further exploration

We acknowledge the large number of submissions from across the LG sector in response to the discussion paper. This Insights Report focuses on key and recurring insights.



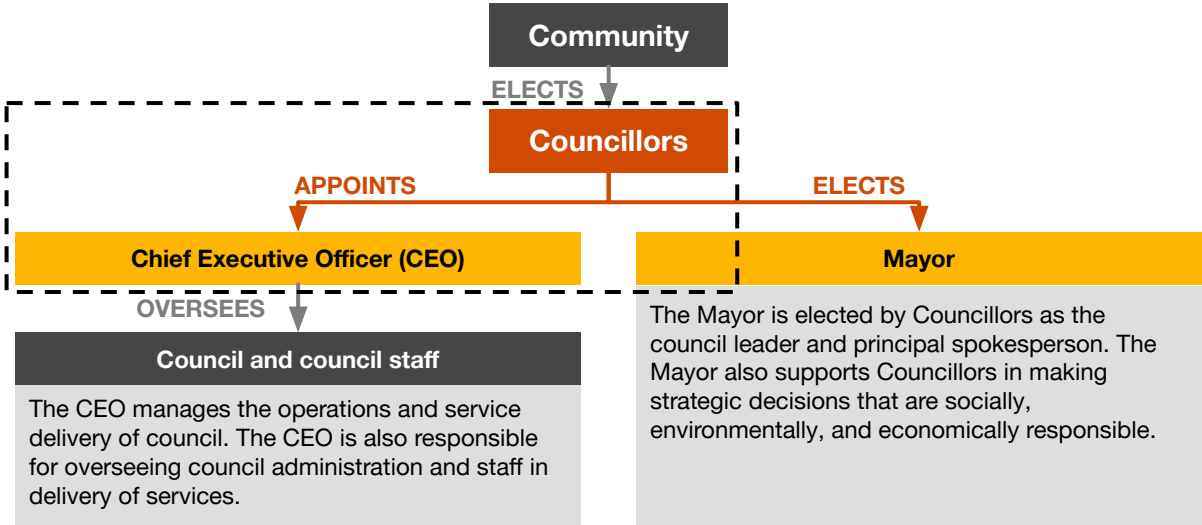
# 1. There are opportunities to address challenges posed by the Councillor-CEO employment relationship

Councils are made up of elected representatives (Councillors / Mayors), who appoint the CEO. Approximately **35% of submissions** received from the LG sector and public have reflected that there are challenges which are disrupting an effective Councillor-CEO relationship.

Councils are made up of elected representatives (Councillors / Mayors), who appoint the CEO. As representatives of local communities, **Councillors** (and Mayors) focus on **strategically driving the vision** of the municipality, including the strategic and financial objectives. **CEOs** are responsible for **driving the council at an organisational level**, including **implementing decisions** needed to achieve the council's strategic plan, **service delivery** and managing the **day-to-day operations** of a council.

Councillors and CEOs are required to work together to **meet the needs of their local community** and promote the **council's vision**. The working relationship between Councillors and the CEO should be **respectful, productive and professional**. The distinction between the roles and responsibilities of Councillors and CEOs is critical and allows these relationships to thrive. It is important to note that it should be the responsibility of the Mayor and other Councillors to call out poor Councillor conduct.

Alongside their operational responsibilities, CEOs are also responsible for **supporting the Mayor and Councillors in performing their roles** by providing advice on matters requiring strategic decision.



**Distribution of respondents who raised this issue**

Respondent type	Approximate %
Council	13
Mayor	2
Current Councillor/s	15
CEO	11
Staff (current or former)	36
Former Councillor	7
Peak / integrity body	7
Member of the public	9

Issue 1	Issue 2	Issue 3	Issue 4	Issue 5	Additional information	Issue 6	Issue 7	Additional information	Issue 8	Issue 9	Additional information
Leadership experience and capability						Councillor journey			Early intervention and effective dispute resolution		

### Challenge 1

Councillors are responsible for appointing CEOs and also have the authority to terminate their contract.

#### What this means:

- CEOs may find calling out poor Councillor behaviour challenging
- CEOs may not feel protected in holding inappropriate Councillor behaviour and misconduct to account
- This may interfere with early intervention and effective dispute resolution, as disputes may escalate due to being ignored and not addressed.

### Challenge 2

Councillors are responsible for the strategic direction of the council while CEOs handle operational matters. Some Councillors may unintentionally or deliberately overlap, or be unable to distinguish between strategic and operational roles and responsibilities.

#### What this means:

- Councillors may be inappropriately involved in CEO duties and council staff interactions
- Tensions may arise due to the overlap and cause further strain on the employer/employee relationship.

### What could this mean if not resolved?

- Impacting the ability to foster effective leadership and positive workplace / sector culture and trust
- Limiting staff diversity and retention, resulting in individuals being reluctant to be appointed as CEO given existing challenges, as well as loss of talent from the sector
- Councillors / Mayors, CEOs and council staff not feeling empowered to hold poor behaviour to account.

### Opportunities for further exploration:

- Improve the definition of CEO and/or Councillor roles and responsibilities to clearly distinguish between strategic and operational functions, and with practical examples
- Access to training and development and external independent support for CEOs for guidance and/or advice in managing poor Councillor behaviour and misconduct
- Conflict management training and support to promote collaborative problem-solving and dispute resolution understanding
- Legislative additions to protect the CEO, or providing CEOs with the ability to discipline Councillors displaying poor behaviour and misconduct
- CEO recruitment, performance assessments and/or governance and culture reviews to be conducted by an external party.



Issue 1	Issue 2	Issue 3	Issue 4	Issue 5	Additional information	Issue 6	Issue 7	Additional information	Issue 8	Issue 9	Additional information
Leadership experience and capability						Councillor journey			Early intervention and effective dispute resolution		

# Case studies and quotes

“ The current process of appointing and monitoring the performance of the CEO needs an overhaul.”

“ I was an officer at [a council] when a Councillor undermined officers at a public consultation. It was rude, embarrassing and bullying behaviour. [The CEO] had adequate leadership skills to pull this Councillor up on their behaviour in a respectful and kind manner. The message was that poor behaviour is not tolerated by anyone. This ended in the Councillors firing the CEO and than [sic] council being led by administrators. The dynamic of Councillors hiring the CEO for the CEO to then hold Councillors accountable does not work. Councillors should not be in charge of hiring the CEO. They are too inclined to hire the candidate that will do what they want. They play the political game even during the hiring process.”

“ Re CEOs being placed in a compromised position to fulfill their responsibilities: The imperative to address the [Councillor-CEO relationship] matter is echoed in the comments of a CEO, in reflecting on his experience as CEO, when he said, “A non-elected public servant should never be required to commission an investigation into an elected representative who is effectively their employer.”

“ CEOs are placed in a compromised position as they seek to fulfill their responsibilities and are largely, if not entirely, unprotected from uninformed Councillors who are unable to avoid operational matters or understand their role.”





## 2. Institutional factors could be addressed to allow councils to operate more like representative boards of the community

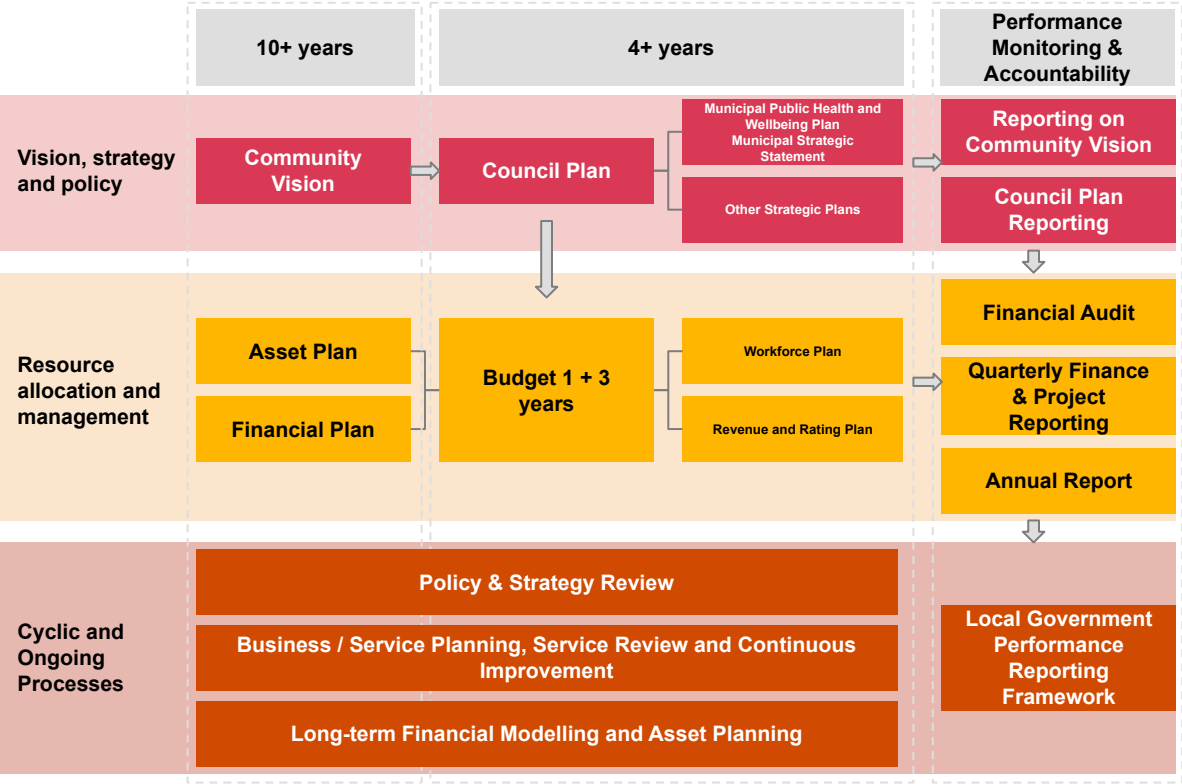
Every four years, local communities elect Councillors based on who they believe will best represent and respond to the needs of their community. These communities rely on Councillors and Mayors to strategically make decisions which drive the vision of the municipality. Approximately **14% of submissions** received from the LG sector and public have reflected that there are challenges between the parliamentarian-like election process and the board-like roles, responsibilities and expectations of Councillors once elected.

Councils, like federal and state governments, are governing bodies made up of **democratically elected members** (Councillors) and **administration** (council employees). However, the LG election process and governance is not party-aligned like federal and state government. The aim of the LG election process and governance is to **elect Councillors** who **best represent the community and their priorities**.

Elected Councillors are jointly responsible for the management, governance and direction of the council. Submissions noted that in some respects Councillors should behave more like a **corporate board of directors** - that is, collegiately as a group, rather than adversarial - with a strategic focus, having diverse representation of skills, experiences and backgrounds and have their performance regularly assessed.

The LG Act 2020 requires councils to take an integrated approach to strategic planning and reporting. The Integrated Planning and Reporting Framework, shown in **Figure 3**, allows councils and the community to have improved visibility across the components of strategic planning and reporting system. It also, however, should support Councillors in upholding an integrated and strategic focus to best respond to the needs of their local community.

Figure 3: Integrated Strategic Planning & Reporting Framework



Distribution of respondents who raised this issue

Respondent type	Approximate %
Council	27
Mayor	9
Current Councillor/s	18
CEO	9
Staff (current or former)	5
Former Councillor	5
Peak / integrity body	18
Unspecified	9

### Challenge

Councillors are democratically elected by their communities. However, there are expectations that in some respects they should behave more like a company board of directors. This creates some challenges which were raised throughout submissions.

#### What this means

- Councillors may not understand how to behave and / or operate once elected, as they are elected as public officials through a democratic process, as opposed to a parliamentarian process, and the roles and responsibilities of Councillors are more akin to a company board
- Company board principles including diversity of skills, experience and background, transparent communication protocols, and having performance regularly assessed may not always be upheld
- Councillors who lack the capabilities or an understanding of how local government operates may mimic parliamentary and party-aligned behaviour instead of operating in a collectively responsible manner in the best interests of their local communities
- Councillors may not fully understand their roles and responsibilities, resulting in possible tension with the CEO and staff.



### What could this mean if not resolved?

- Political bias or agendas of elected Councillors impairing the ability of Councillors to operate cohesively and their ability to make decisions in the best interests of their community
- Councillors not understanding how LG operates and mimicking parliamentary behavioural cues, particularly those with state or federal political aspirations
- The competing challenges of Councillors being elected by the community to act for the community, and expectations that in other ways they act as a company board of directors, can lead to misaligned expectations of how they should perform their role.

### Opportunities for further exploration:

- Mandatory disclosure of Councillors’ affiliations to political parties<sup>4</sup>
- A standardised position description for Councillors, Mayors and CEOs articulating role expectations
- Engage an external party to facilitate conversations about teamwork, group dynamics and values before developing a council’s Councillor Code of Conduct
- Implement term limits for Councillors
- Increase training pre-candidacy, during induction and throughout the term of Councillors around the roles and responsibilities of Councillors, emphasising the non-political aspect of the role. This could also cover principles of board leadership such as strategic decision making, communication protocols, and performance assessments.
- Increase direction in training materials and accompanying guidelines, including case studies and examples on how councils operate and the similarities and differences between a board member and the role of a Councillor.

<sup>4</sup> This has been examined previously but issues were raised in relation to the Charter of Human Rights and implied right to freedom of political communication



# Case studies and quotes

“ An overnight team building workshop for Councillors [was conducted] within a few months of election, to bring the group together to discuss priorities and any concerns. [This] provided an opportunity to share insights, learn from each other and helped Councillors to build trust early in the term - particularly given COVID restrictions prevented opportunities to develop relationships in person. Group time helped to establish norms and get to know each other. Creating time and space for Councillors [allowed them to] establish themselves as a 'board' working to achieve best outcomes rather than a 'parliament of oppositions'.”

“ The current term of Councillors at [council name] is very much a diverse board of the community. This has been achieved through the Councillors deciding to get together early on to agree upon group behavioural expectations, how to engage in respectful debate and to accept that diversity of views and skillset is important.”





### 3. Leadership skills need to be taught and upheld amongst Councillors

Local communities rely on Councillors for leadership to drive the vision of the municipality and to set the ethical tone of the council. Approximately **26% of submissions** received from the LG sector and public have reflected that there are challenges associated with Councillors’ understanding and demonstration of leadership.

Local governments drive the development of actions and services to meet the needs of their local communities. As such, local communities rely on **Councillors and Mayors** for **leadership** to understand, advocate and **promote the strategic vision** of the municipality, and to make **decisions in the best interests of their community**. Local communities also expect their voices to be reflected or considered in LG decision-making.

**Effective Councillor leadership** also incorporates the responsibility to create and uphold an **environment of trust** through leadership capabilities. By demonstrating leadership capabilities, Councillors generate public trust and **empower the community to be involved in building a shared strategy and vision**.

Strong leadership also allows for **Councillors to set the ‘ethical tone’** of the council, as well as **incorporating integrity and corruption resistance** within their respective council.

Councillors’ positions of leadership support good governance and behaviour in LG, and are **crucial to driving community-based, responsible and sustainable strategies**.





Issue 1	Issue 2	Issue 3	Issue 4	Issue 5	Additional information	Issue 6	Issue 7	Additional information	Issue 8	Issue 9	Additional information
Leadership experience and capability						Councillor journey			Early intervention and effective dispute resolution		

### Challenge

A lack of leadership experience and capability may be preventing some councils from effectively working together and demonstrating some qualities of a ‘board of the community’ to achieve community-centred goals.

#### What this means

- Councillors may not make decisions in the best interest of their local community
- Councillors may not understand their strategic and financial duties, council and operational matters, how to handle conflicts of interest, and the relationships with and roles of other Councillors
- Councillors may not be effective in setting the ethical tone of the council
- Councillors may not be able to embed integrity and corruption resistance into the council culture
- Councillors may have inappropriate interactions and boundaries with council staff, contributing to a toxic culture
- Councillors who are not well-informed on what high quality leadership skills look like may have a gap between their expectations and the reality of their role.



### What could this mean if not resolved?

- Impacting the ability of the council to achieve its community vision and strategic objectives
- Breaking down of trust and public accountability in local communities
- Creating and maintaining a toxic work environment and damaging the council’s reputation
- Making it difficult for a council to attract and retain talented and diverse staff.

### Opportunities for further exploration:

- Incorporate the voice of the community to say what leadership attributes they expect of elected representatives into candidate and induction training (e.g. video format / vox pop)
- Training pre-election, during induction and throughout the Councillor term to establish and enhance leadership skills
- Introduction of a formal mentoring system to help Councillors understand the role
- Increased clarity for Councillors on their leadership responsibilities through non-legislative mechanisms, including best practice guidelines, fact sheets, case studies and examples.



Issue 1	Issue 2	Issue 3	Issue 4	Issue 5	Additional information	Issue 6	Issue 7	Additional information	Issue 8	Issue 9	Additional information
Leadership experience and capability						Councillor journey			Early intervention and effective dispute resolution		

# Case studies and quotes

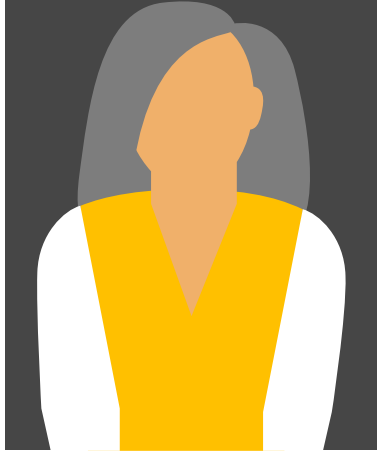


CEOs having one-on-one time with each Councillor to provide support and help build their leadership skills and avoid poor behaviours.”



[Mentoring] is an invaluable tool that provides support at times when most needed; it is often self-directed learning that offers guidance and challenges, and it helps to build important relationships and networks, especially for new Councillors who can feel very alone at the start of a term. Mentoring should be recommended as a developmental and support mechanism for all Councillors, recognising their different needs at different stages of their Councillor journey.”

“Some leaders become Councillors but not all Councillors become leaders.”

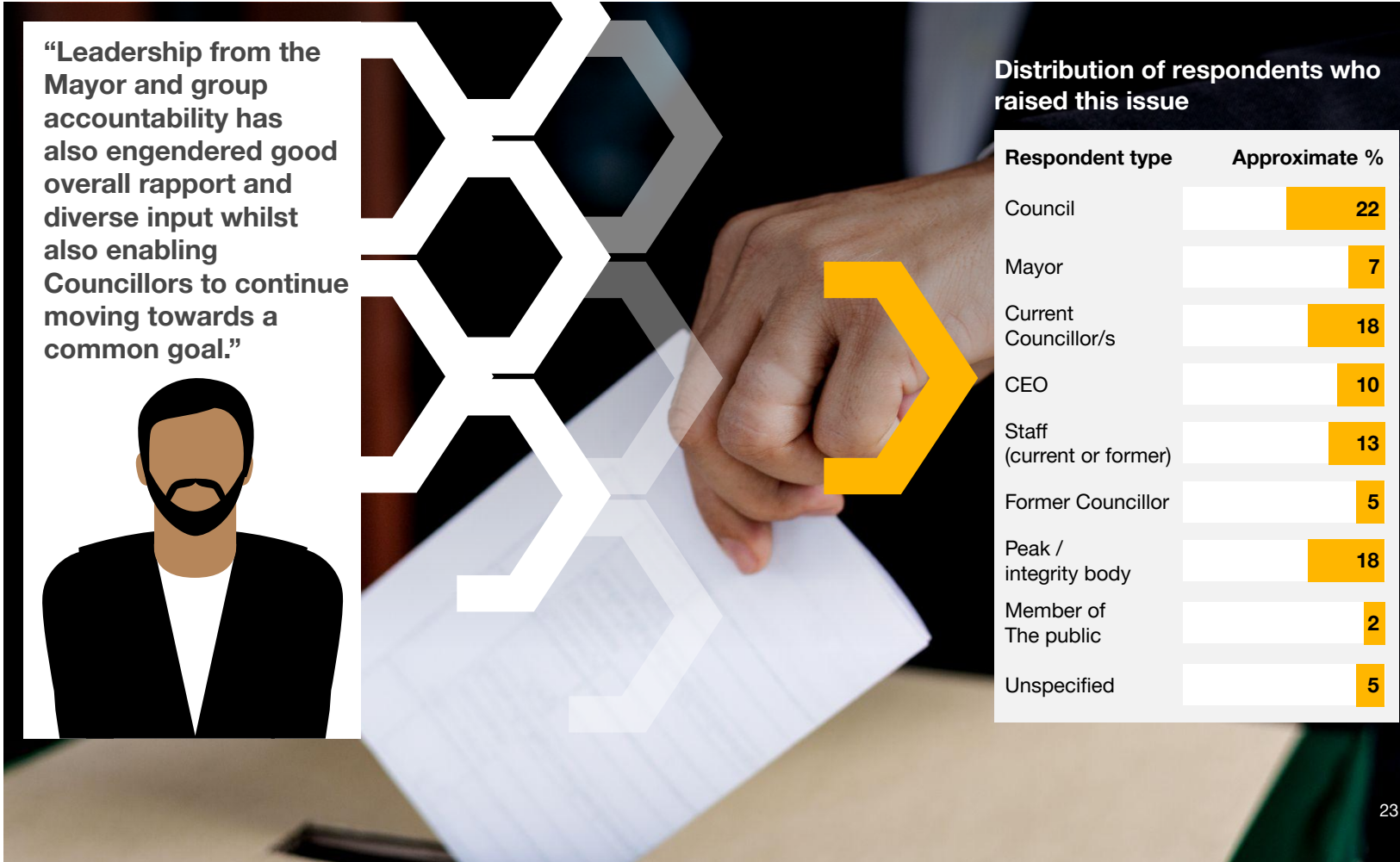


# 4. The support and assistance provided to Mayors throughout their term could be significantly strengthened

Mayors are ultimately responsible for the leadership of their council. Approximately **25% of submissions** received from the LG sector and public have reflected that there are challenges associated with the leadership and conflict capability management of Mayors.

**Councillors elect** a Councillor as **Mayor** to be the main spokesperson and, in most cases, to **lead their council**. Mayors, together with Councillors, are expected to **understand, support and drive the actions and decision-making** required to **promote the best interests** of the community. In addition to community-centred decision-making, **Mayors** have the **ultimate responsibility for effective leadership** for their council.

The **Mayor’s relationship with Councillors and the CEO** is also important to having a successful council. Mayors are expected to strengthen these relationships through exercising the leadership required to **create a culture of trust and by discouraging misconduct**. It is also expected that **Mayors manage and prevent the escalation of any conflict** by effectively approaching Councillors about poor behaviour. As the **Chair of council meetings**, Mayors should effectively support and ensure council meetings are conducted appropriately. This includes ensuring Councillors participate and behave in a manner expected of them by their communities.





Issue 1	Issue 2	Issue 3	Issue 4	Issue 5	Additional information	Issue 6	Issue 7	Additional information	Issue 8	Issue 9	Additional information
Leadership experience and capability						Councillor journey			Early intervention and effective dispute resolution		

### Challenge 1

Though Mayors are ultimately responsible for leading their council, some Mayors may not be receiving adequate leadership training and support, including for Chairs of Committees.

#### What this means

- Mayors may not have the skills, experience or understanding on how to effectively lead their council or to effectively chair council meetings. A lack of leadership training and support may compound this
- Councils may not be achieving the best outcomes for their local communities.

### Challenge 2

Though Mayors are expected to manage and prevent the escalation of conflicts, they may not be receiving the necessary level of training and support required when navigating conflicts.

#### What this means

- Mayors may not know how to effectively approach Councillors about poor behaviour
- Poor Councillor behaviour may continue as a result of limited intervention, contributing to a toxic council culture.

### What could this mean if not resolved?

- Impairing the council’s ability to work cohesively and achieve its community vision and strategic objectives
- Impacting the council’s ability to foster effective leadership and positive workplace / sector culture
- Limiting the confidence of staff to come forward when poor behaviour / misconduct occurs
- Making it difficult for a council to attract and retain talented staff.

### Opportunities for further exploration:

- Mandatory training for Mayors, focusing on developing effective leadership skills, understanding their roles and responsibilities, meeting procedures, and ways to manage conflicts that address root causes and prevent escalation. Training to be simple in language and include practical examples, and be on an ongoing basis
- Establishment of a hotline for Mayors to call someone external who can provide expert and independent advice on how to manage difficult situations before they escalate.





# 5. There is an opportunity to improve diversity and representation in local government

The state government has placed gender equality, diversity and inclusion as a key priority for councils. Approximately **10% of submissions** received from the LG sector and public have reflected that there are barriers to entry for women, people from diverse backgrounds and individuals with disabilities.

Local government, as the closest level of government to the community, is the bedrock and vehicle for community representation.

The Victorian state government has placed gender equality, diversity and inclusion as a key issue for councils to focus on, through the LG Act 2020 and the *Gender Equality Act 2020*. The actions provided in these Acts included mandating councils to develop plans that measure the gender equality, diversity and inclusiveness of their council, measures taken on sexual harassment and other forms of Councillor misconduct and gender equality audits across LG<sup>5</sup>. This legislation also aligns with the state government’s target of equal gender representation on councils by 2025.

Victorian councils employ nearly 38,000 full-time equivalent staff, and there are over 600 elected Councillors. To better serve their local communities, it is therefore important that councils reflect the diversity of the people in their communities.

<sup>5</sup> Victorian State Government, Department of Jobs, Precincts and Regions, “Gender Equality in Local Government,” accessed at <https://www.localgovernment.vic.gov.au/our-programs/gender-equity>

Insights Report  
PwC



Issue 1	Issue 2	Issue 3	Issue 4	Issue 5	Additional information	Issue 6	Issue 7	Additional information	Issue 8	Issue 9	Additional information
Leadership experience and capability						Councillor journey			Early intervention and effective dispute resolution		

## Challenge

Women, LGBTQIA+ people, individuals with disabilities, Aboriginal Victorians and those from culturally diverse backgrounds are often not inspired to stand for election or work in the LG sector. When they do, they may face harassment, lack of formal support and retribution for calling out poor behaviour. There is a view that the LG sector is male-dominated, with a lack of flexible work arrangements for those with caregiving responsibilities.

### What this means

- Women, LGBTQIA+ people, individuals with disabilities, Aboriginal Victorians and people from culturally diverse cultural backgrounds are often deterred from pursuing a career in LG
- Councils may not be representative of their communities
- Local communities may not trust their councils to act in their best interests
- Women, LGBTQIA+ people, individuals with disabilities, Aboriginal Victorians and those from culturally diverse backgrounds may find it difficult to report instances of harassment, discrimination or retribution.

## What could this mean if not resolved?

- Limited diversity and representativeness of Councillors
- Limited knowledge of specific cohort needs within a community
- Damaging the community's trust and the council's reputation
- Affecting the health and wellbeing of Mayors, Councillors and council staff
- Making it difficult for a council to attract and retain talented staff
- Significant barriers to pursuing a career in LG due to a toxic culture

## Opportunities for further exploration:

- Increase Councillor education on access, inclusion, disability, consultation, community engagement and the impacts of decisions on sectors in the community
- Mentoring programs for Councillors, with an increased focus on women, LGBTQIA+ people, individuals with disabilities, and those from diverse backgrounds
- Increase Councillor allowances to increase the candidature pool and improve council demographics
- Include more family-friendly meeting times and flexible working arrangements (e.g. hybrid online / in person working model).



Issue 1	Issue 2	Issue 3	Issue 4	Issue 5	Additional information	Issue 6	Issue 7	Additional information	Issue 8	Issue 9	Additional information
Leadership experience and capability						Councillor journey			Early intervention and effective dispute resolution		

# Case studies and quotes

## Case study

At a suburban council meeting, in response to a public question, the council stated that:

“The Councillor Code of Conduct does not specifically require Councillors to take positive steps to eliminate discrimination on the basis of gender.” This statement was not consistent with the standard of conduct for Councillors and the council’s Councillor Code of Conduct. As such, Councillors may not understand their obligation to take positive actions to eliminate discrimination on the basis of protected attributes.”

## Case study

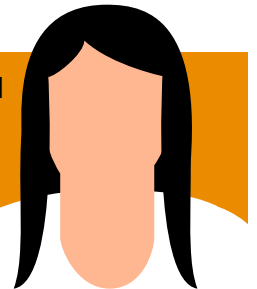
The Australian Local Government Women's Association Vic mentoring program for Women in Local Government commenced following the 2016 election, with 20 newly elected female Councillors matched with 20 experienced current or former female Councillors. After the 2020 elections the program was again organised but the demand had increased, with over 55 women being successfully mentored for their first year on council. Some of the mentors involved in the initiative in 2020 had transitioned from being a mentee in 2016. This program has been recognised nationally, having won the ‘Women in Local Government’ category of the National Awards for Local Government in December 2021. It has delivered extremely positive results in terms of guidance, problem solving and health and wellbeing support. Most of the partnerships have opted to continue beyond the formal end of the funded program because the benefits are valued and valuable. It provides much needed support to new Councillors adjusting to the landslide of information and responsibility and may, though can’t yet be proven, optimise retention beyond a first term.

“For women Councillors, the principal areas of concern were demands on their time (about 80% of respondents); balancing public and family life (70%); exclusion from informal decision-making outside meetings (65%); the need for training and confidence building (60%); inadequate remuneration (65%); the cost of election campaigns (55%); harassment, bullying and sexist remarks (45%); CEO and senior staff support (40%).”<sup>6</sup>

## Case study

In 2010, ahead of the 2012 Victorian LG elections, the Victorian Local Governance Association established More Women for Local Government, an online group of over 1000 members that encourages and supports women candidates standing for Victorian local government elections.

“Having more diverse and representative councils would go a long way towards creating a safer, inclusive and effective local government sector.”



<sup>6</sup> The Australian Local Government Women's Association Inc, “50 : 50 Vision, A National Program for Gender Equity in Local Government,” accessed at <https://www.algwa.net.au/manager/resources/test/5050vision.pdf>



Issue 1	Issue 2	Issue 3	Issue 4	Issue 5	Additional information	Issue 6	Issue 7	Additional information	Issue 8	Issue 9	Additional information
Leadership experience and capability						Councillor journey			Early intervention and effective dispute resolution		

# Additional information - what the sector is saying

Reflected below are some of the other issues raised through the submissions in relation to **Leadership experience and capability**:

- Submissions were received that have suggested that the **community needs increased understanding and education around the roles and responsibilities of the council and Councillors**. Improving the general public’s understanding of Councillor roles and how councils operate may support their expectations of Councillors, Mayors and CEOs. Additionally, improving general public understanding could possibly help Councillors focus on the strategic direction of the council, rather than the operational side due to a better understanding of duties. This in turn, could potentially contribute to reducing the likelihood of conflict with the CEO and staff and improve local government culture.
- Submissions have noted that there is a need for **improved screening processes for candidates**, without alienating women, people with disability or from diverse cultural backgrounds, and individuals with caring responsibilities. Currently, to become a candidate, individuals need to
  - be an Australian citizen or an eligible British subject referred to in section 48(1)(a) of the Constitution Act 1975
  - be aged 18 years of age
  - be enrolled on the electoral roll for the council in which you wish to stand
  - have completed the mandatory Local Government Candidate Training
  - not be disqualified from being a Councillor.<sup>7</sup>

Improving the way candidates are screened for specific skills and experience, while remaining a democratic election process, may contribute to understanding skills gaps and development areas that could be addressed through targeted training and mentoring. This could then potentially support a Councillor in being more equipped to perform their strategic duties, and thereby mitigate overlap and tensions with other Councillors, Mayors and CEOs.

- Submissions have also indicated that Councillors need a **better understanding of their local community**. Improving Councillors’ understanding of the needs of their community may help contribute to enabling community-centred, socially responsible decision-making. This may also improve trust within the community that Councillors are making decisions in the best interest of the local community. We have also received submissions that have proposed that **genuine community engagement and supporting / enabling community ownership in solving challenges** may help to centre the community’s needs at the core of council decisions. It is acknowledged that the LG Act 2020 has increased requirements for LG to undertake community engagement which may enhance community understanding of how LG operates, create pathways into LG and in turn attract candidates from diverse backgrounds with the right values and leadership qualities.
- We have heard from the submissions that there is **implicit racism** seen in local government, as staff do not reflect the diversity [of the LGA],” and “in many instances diverse applicants are not shortlisted for interviews.” Some suggestions arising from the submissions to improve the diversity of candidates include **increased transparency in the interview process** and **recognising different cultures and their respective significant days**. Embracing individuals from diverse cultural backgrounds will allow for a more respectful and representative council.
- Submissions have also indicated that the inclusion of **single member wards** may not promote community-minded candidates and may be counteractive to a ‘board model’. It is however acknowledged that on 17 June 2019, the Minister for Local Government announced his intention to reintroduce a Local Government Bill (now the LG Act 2020) into Parliament to **improve democracy, accountability and service delivery** of Victorian councils. The transition to single member wards was one of the reforms in the new LG Act 2020. This reform is intended to **support effective representation and accountability** to local communities. Public consultation on these reforms occurred in 2019.<sup>8</sup>

<sup>7</sup> Victorian Electoral Commission, “Becoming a local council candidate,” accessed at <https://www.vec.vic.gov.au/candidates-and-parties/becoming-a-local-council-candidate#:~:text=be%20aged%2018%20years%20of,disqualified%20from%20being%20a%20councillor>

<sup>8</sup> Local Government Victoria, “Local Government Bill - a reform proposal,” accessed at [https://www.localgovernment.vic.gov.au/\\_data/assets/pdf\\_file/0032/167549/LG-Bill-2019-Consultation-Paper-v.30-.pdf](https://www.localgovernment.vic.gov.au/_data/assets/pdf_file/0032/167549/LG-Bill-2019-Consultation-Paper-v.30-.pdf)

# 6. Training offered pre-candidacy, for induction, and during term could be strengthened

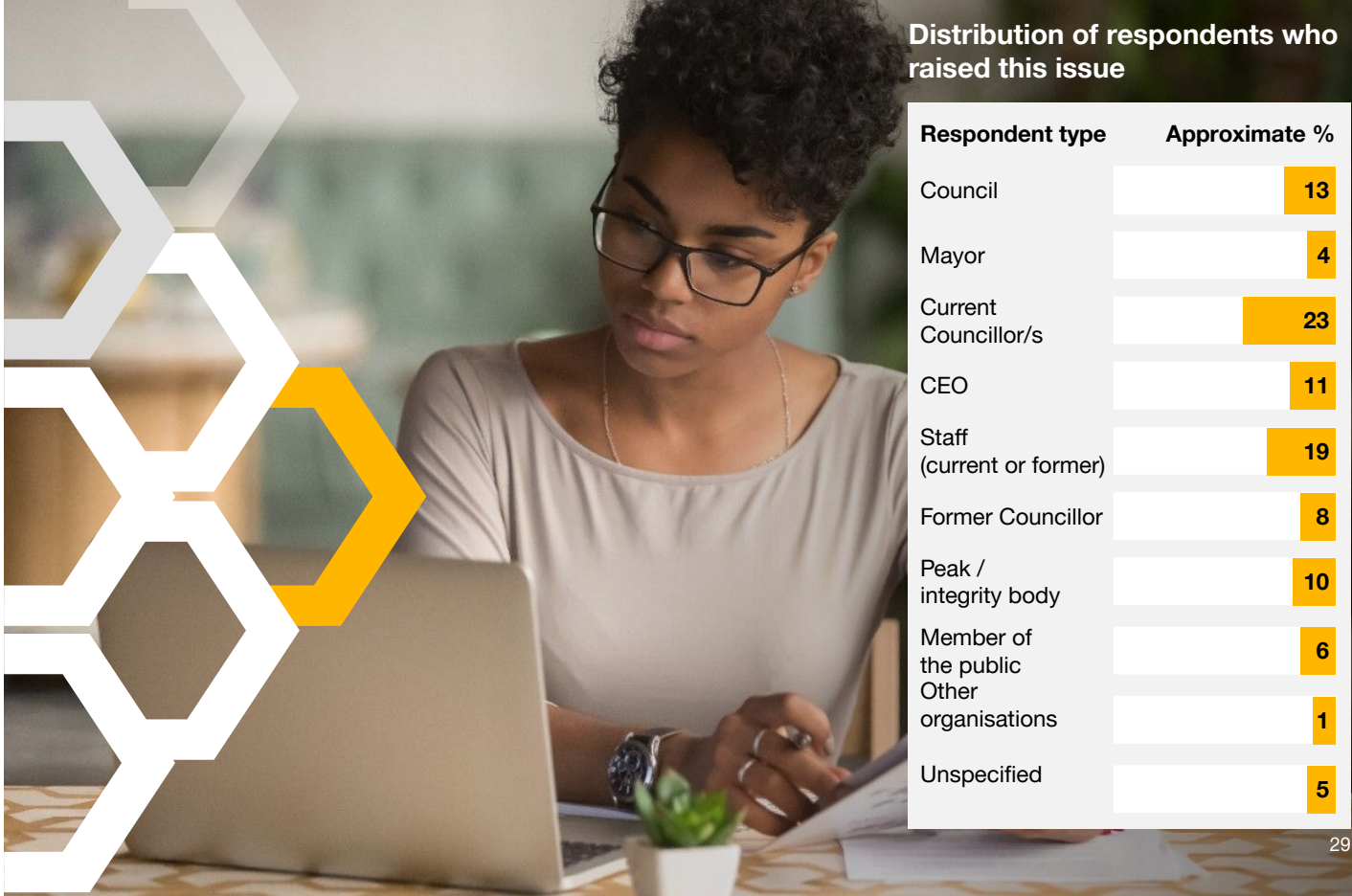
The LG Act 2020 mandates candidates and Councillors to complete candidate and induction training, respectively. Approximately **55% of submissions** received from the LG sector and public have reflected that there are issues with mandatory candidate, induction training and ongoing training.

Candidate training, Councillor induction training and ongoing training are critical tools that ideally facilitate the understanding of Councillor roles and responsibilities, as well as the LG sector and how it operates more broadly.

The LG Act 2020 mandated LG candidate training to educate and prepare candidates for the strategic focus of the Councillor role to minimise unrealistic expectations and confusion regarding the responsibilities of Councillors. The one-hour candidate training is required to be completed by individuals wanting to nominate.

Similarly, the Councillor induction training is mandatory and must be completed by all Councillors within the first six months of taking the oath or affirmation of office. This training is also critical for newly elected Councillors to receive the necessary guidance on the importance of building effective relationships and leadership capabilities.

Any additional or ongoing training throughout the course of the council term, and its frequency, is currently up to the discretion of the council.



### Challenge 1

Candidate training is inadequate as it only provides a basic introduction to relevant topics.

#### What this means

- If candidates are to be sufficiently prepared, it does not address the discrepancy in Councillors’ expectations versus what they actually do
- Lack of understanding of the spectrum of challenges faced by councils and the time commitment / workload required to be a Councillor
- Training format does not translate into a genuine understanding and expectation of the role.

### Challenge 2

Councillor induction training may be perceived as a ‘tick box’ exercise, particularly amongst other competing priorities.

#### What this means

- Councillors may be unable to give the induction training the focus and effort required to support understanding of their role and responsibilities
- Ongoing training being left up to the discretion of the council may mean that refreshing the understanding of Councillor roles and responsibilities may not occur.

### Challenge 3

Regular and ongoing training is not consistent across councils. There is also a discrepancy in training allowances across metropolitan, regional and rural councils.

#### What this means

- Across councils there may be an inconsistent understanding of the strategic and financial duties of Councillors
- Smaller or regional and rural councils may have access to less funds than their peers, limiting their access to regular and ongoing training.

### What could this mean if not resolved?

- Ongoing lack of understanding on roles and responsibilities, particularly in the absence of a structured competency framework
- Difficulty and subsequent tensions arising from inability to distinguish between strategic versus operational function of Councillors and CEOs
- Councillors may not have access to comprehensive and interactive training sessions
- Lack of realistic understanding of time commitment and workload required to be a Councillor, both in terms of delivering the role and the required training and ongoing development.

### Opportunities for further exploration:

- Assess candidate skills to inform targeted training if elected
- Incorporate practical examples of Councillor duties and responsibilities in training, to facilitate understanding of the role
- Extend or establish training for the general public on the functions and expectations of the LG sector, including roles and responsibilities of councils, Councillors, Mayors and CEOs
- Consider leveraging training from other sectors e.g. Respectful Relationships for schools (which also covers embedding gender equality into culture) and Australian Institute of Company Directors programs.





Issue 1	Issue 2	Issue 3	Issue 4	Issue 5	Additional information	Issue 6	Issue 7	Additional information	Issue 8	Issue 9	Additional information
Leadership experience and capability						Councillor journey			Early intervention and effective dispute resolution		

# Case studies and quotes

“ [Council name] has had success at building relationships at the Councillor level by providing Councillors with the time and space outside of formal meeting structures to spend time together and discuss and agree upon their preferred way of operating and group behavioural expectations. An annual check has been conducted successfully, to check how the council is progressing or meeting the Councillor’s mutual as well as the community’s expectations. The implementation of these relationship and team building sessions requires intervention by the organisation at an early time in the new council term. If these sessions were a standard part of Councillor training it is considered that could also be used helpfully by other councils, ensuing an ongoing focus on trust and relationship building once Councillors become familiar with their new roles.”



# 7. Social media needs to be understood, used and managed in ways that promote positive engagement

Councillors’ use of social media has accelerated, especially through the COVID-19 pandemic. Approximately **37% of submissions** received from the LG sector and public have reflected that there are issues with how social media is used by Councillors.

The broader media and **social media environments** are **dynamic and changing continuously**.

Social media usage within the LG sector, as with other sectors, is **difficult to effectively monitor** and manage. However, when used appropriately, social media is an **important tool** for councils and Councillors to **engage with their local community**, promote awareness, disseminate information and educate. With the increased usage of social media, particularly in a COVID-19 environment, the promotion of positive social media usage becomes increasingly important and can facilitate community revitalisation and trust.

Complexity around the use of social media is exacerbated even further by the fine line drawn between freedom of speech and the use of social media for vindictive purposes.





Issue 1	Issue 2	Issue 3	Issue 4	Issue 5	Additional information	Issue 6	Issue 7	Additional information	Issue 8	Issue 9	Additional information
Leadership experience and capability						Councillor journey			Early intervention and effective dispute resolution		

Challenge 1

Social media usage and its environment is constantly changing and is therefore difficult to consistently manage and monitor.

What this means

- It is difficult for legislation to keep up with changes in social media environment and usage
- This is an ongoing issue that will require constant monitoring and adaptation, even if the current issues are addressed.

Challenge 2

Managing social media complaints, comments and allegations is time-consuming and takes away from the core focus of LG.

What this means

- Lack of guidance on use of social media may demand a significant amount of resources to manage complaints and comments
- Misuse of social media by Councillors could further strain the Councillor-CEO relationship, as Councillor interactions with staff are managed by the CEO

Challenge 3

Unclear and / or inadequate guidance on the use of social media in LG allows for improper use.

What this means

- Continued use of social media without understanding the boundaries
- No clear definitions or guidance mean punishment for inappropriate social media usage may be limited.

“

Social media is a complex area, but an important tool for councils and Councillors. There is a lack of clarity and great variation of how social media is addressed.”

What could this mean if not resolved?

- Impacting the ability to foster effective leadership and positive workplace / sector culture
- The risk of social media misuse, including the spread of misinformation and bullying / harassment, may continue.

Opportunities for further exploration:

- Implement social media training which incorporates education on other relevant laws and Acts (e.g. Telecommunications Act)
- Explore how boundaries can be implemented and guidance around how social media should be used
- Explore mechanisms that can be used to report social media harassment, including appropriate penalties.





Issue 1	Issue 2	Issue 3	Issue 4	Issue 5	Additional information	Issue 6	Issue 7	Additional information	Issue 8	Issue 9	Additional information
Leadership experience and capability						Councillor journey			Early intervention and effective dispute resolution		

# Additional information - what the sector is saying

Reflected below are some of the other issues raised through the submissions in relation to the **Councillor journey**:

- We have received multiple submissions which have outlined the ways **training** can be utilised throughout the Councillor journey. Though some issues relating to training have been outlined in more depth in the previous section, the issues raised in this section relate to different aspects of how training can be improved. Some submissions have outlined that **specific topics** should be covered in Councillor training, including legislative obligations around conflicts of interest, probity, work health and safety, supporting a diverse workforce, community engagement and the impacts of their decisions on sectors in the community.
- Submissions have also suggested that increased training is needed around dealing with difficult workplace behaviours and conflict resolution. Covering these topics in training may improve Councillors' understanding and develop competencies to effectively perform their role, make decisions in the interest of the community and manage critical issues.
- Some submissions have outlined the potential to use a **uniform and transparent professional development pathway** across councils, allowing for more consistent Councillor training throughout the term across regions. Other submissions have suggested **council regions work together to run training in their local area**, allowing candidates to get to know each other and meet existing Councillors who can share case studies of their experience and the requirements of being a Councillor. Associated with this is the suggestion for the creation of a **separate professional development or training fund**.
- Submissions have also indicated that **current and former Mayors** who demonstrate leadership, good governance practices and change capability could be **used on panels to offer assistance and conciliation** to deliver early intervention guidance and resolution support to councils, before escalation to the present legislative provisions.

- We have also heard through the submissions that the **Councillor allowance** is **not reflecting the level of competency, responsibility and the amount of work required** for the role. This may result in the pool of candidates not reflecting the diversity of the community due to economic barriers, lack of motivation to improve Councillor performance, and lack of time for training and / or professional development due to time dedicated to other paid employment or family commitments. However, on 7 March 2022, through Determination No. 01/2022, the Victorian Independent Remuneration Tribunal increased the base allowance for each Council member.<sup>9</sup> The Tribunal made the Determination following the closure of discussion paper submissions and therefore we note that the submissions would not have been able to reflect or comment on the Determination.
- We have also received submissions around potentially introducing **networking opportunities between Councillors and council staff**. One submission stated that:

“...many [council] staff have never met or spoken to Councillors to understand their goals for the wider community.”

Another submission provided a case study where the CEO:

“implemented Councillor and Staff interaction protocol to understand the relationship between Councillors and staff,” where an “external trainer [was] engaged post election to conduct team building workshop.”

Focusing on improving and building relationships between Councillors and council staff may help encourage a positive culture and foster an environment where poor behaviour and misconduct is easier to call out, including from bystanders.

<sup>9</sup> State Government of Victoria, “Determination of allowances for Mayors, Deputy Mayors and Councillors” accessed at <https://www.vic.gov.au/allowances-mayors-deputy-mayors-and-councillors>

# 8. The role of Municipal Monitor highlights opportunities for independent and formal advice to resolve issues early

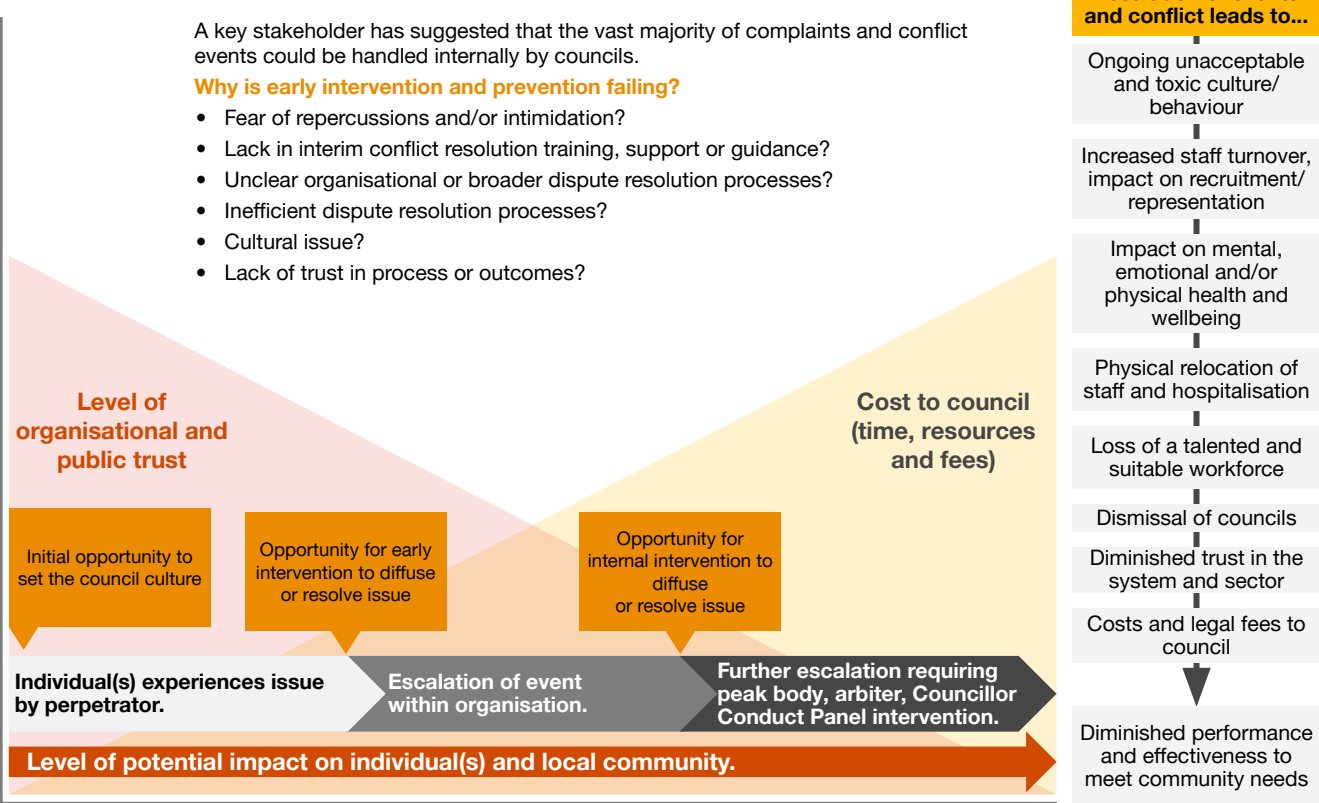
A Municipal Monitor is appointed by the Minister for Local Government in Victoria to observe and help guide good governance practices and Councillor conduct in councils to better serve the needs of their local communities. Approximately **15% of submissions** received from the LG sector and public have reflected issues around the role and support offered by a Municipal Monitor.

A **Municipal Monitor** is defined in the LG Act 2020 as someone appointed by the Minister for Local Government in Victoria to **monitor council governance processes and practices** and advise on improvements for a council to make. A Municipal Monitor **investigates, reports to and makes recommendations to the Minister** on matters requested by the Minister. Monitors are responsible for reporting corrupt conduct to the Independent Broad-based Anti-corruption Commission (IBAC). At the end of their appointment, Monitors will provide a final report to the Minister on a council's progress and recommend any further actions.

Recent appointments of Municipal Monitors were made to Darebin City Council, Moira Shire Council, Wodonga City Council, South Gippsland Shire Council, Strathbogie Shire Council and Yarra City Council<sup>10</sup>. These Monitors were appointed to help prevent issues from escalating, support Councillors in performing their duties, and / or support the transition of the council back to democracy after a period of administration. These appointments show the importance and relevance of the Monitor role in supporting good governance, and value in using an independent and external body as an early intervention mechanism.

<sup>10</sup> Victorian State Government, "Independent Reviews and Reports", accessed at <https://www.localgovernment.vic.gov.au/council-governance/independent-reports>  
 Insights Report  
 PwC

Figure 4: Escalation of Events



Distribution of respondents who raised this issue		
Respondent type	Approximate %	
Council		29
Mayor		4
Current Councillor/s		21
CEO		8
Staff (current or former)		9
Former Councillor		4
Peak / Integrity body		13
Other organisations		8
Unspecified		4

Gap: Building an environment of trust

Issue 1	Issue 2	Issue 3	Issue 4	Issue 5	Additional information	Issue 6	Issue 7	Additional information	Issue 8	Issue 9	Additional information
Leadership experience and capability						Councillor journey			Early intervention and effective dispute resolution		

### Challenge 1

Municipal Monitors may only be appointed by the Minister for Local Government in Victoria to a council once an issue has already escalated.

#### What this means

- Issues may continue to escalate without earlier intervention
- The potential impact on individual(s) involved and the local community could be greater than necessary
- This could impact ongoing culture, staff turnover and representation, and cost to council.

### Challenge 2

A balance needs to be achieved between autonomy of councils (empowering them to resolve issues and disputes in the first instance) and the role of the Minister for Local Government in Victoria in preventing governance failures.

#### What this means

- Councils may be seeking stronger and more formal / independent support by the Minister in early intervention in relation to issues or disputes. Greater transparency on how Municipal Monitors are appointed, for example, may also be sought
- Councils may need to give greater consideration to commissioning their own independent advice.

### What could this mean if not resolved?

- Insufficient early or proactive intervention mechanisms, as shown in **Figure 4** on the previous page
- Stigma associated with the appointment of a Municipal Monitor, and is viewed as a ‘failure’ of the council
- Submissions suggest that the need for a Municipal Monitor in its current legislated capacity reflects the lack of Councillor understanding of what constitutes good governance.

### Opportunities for further exploration:

- Explore opportunities to expand the role of Municipal Monitor as ‘organisational mentors’, without duplicating or replacing the responsibilities of CEOs in providing good governance advice to Councillors. This expansion may support and enhance continuous improvement in the context of governance in LG, not just oversight.
- Expand the role of Municipal Monitor to include ad-hoc situations or to provide councils with a tool to guide good governance (even those without conduct problems). This may support an improvement in LG’s reputation by providing a practical tool to assess and address challenges related to Councillor conduct and governance
- Explore the possibility of a Municipal Monitor acting similar to a ‘mystery shopper’ - arrival without notice to observe governance.





Issue 1	Issue 2	Issue 3	Issue 4	Issue 5	Additional information	Issue 6	Issue 7	Additional information	Issue 8	Issue 9	Additional information
Leadership experience and capability						Councillor journey			Early intervention and effective dispute resolution		

# Case studies and quotes

“ There is a fear of monitors. There is a perception that they arrive like a bad omen before a council is about to be sacked. But they do not need to be positioned in this way.”

**For consideration:** A ‘Municipal Monitor - Voluntary Health Check Program’ paper was written by a Councillor in 2020 to establish a program for councils to request via the Mayor a health check visit from a Municipal Monitor.

Implementation would not require legislative change, and intends to provide councils with a tool to assess and address challenges related to Councillor conduct and governance.

**In relation to why Municipal Monitors should be considered in earlier intervention:**

“ [Currently] as the level of dysfunction grows, successful intervention becomes more problematic.”



# 9. Consideration should be given to strengthening resolution processes and local powers to discipline




The LG sector may be hesitant to utilise current Councillor conduct processes due to a variety of reasons, and the threshold for misconduct may appear too high. Approximately **23% of submissions** received from the LG sector and public have reflected issues with how poor behaviour is currently managed and the resolution process.

To have an **LG sector that is working effectively**, an environment needs to be created where **poor behaviour and misconduct are unlikely to occur** and where it is **addressed in a timely, proactive manner when it does occur**. Having a **proactive approach** to disrupting poor behaviour and misconduct before incidents escalate is critical in maintaining good governance, and an effective and functioning council.

Councils are required to adopt a Councillor Code of Conduct within 4 months of an election that, among other things, sets out the mandatory standards of conduct and any other matters which the council considers appropriate to manage complaints about Councillors. Where there is **Councillor misconduct**, there are **multiple avenues that councils can take**. These include internal resolution processes, escalation to a Councillor Conduct Panel, the Local Government Inspectorate, the Victorian Ombudsman, and / or the Victorian Civil and Administrative Tribunal. A Municipal Monitor may be appointed to a Council. External integrity bodies such as IBAC and Auditor-General may also get involved.

These avenues demonstrate that **councils have access to tools to manage misconduct**. To use **these tools** the council, Councillor or group of Councillors, and / or the Chief Municipal Inspector must **escalate the matter**.

## Victoria’s integrity framework for local government - Overview

 <p><b>Councillor conduct framework</b></p> <ul style="list-style-type: none"> <li>• Code of Conduct</li> <li>• Arbiters (misconduct)</li> <li>• Councillor Conduct Panels (serious misconduct)</li> <li>• VCAT (gross misconduct)</li> <li>• Stand down of a councillor</li> </ul>	 <p><b>External integrity bodies</b></p> <ul style="list-style-type: none"> <li>• Local Government Inspectorate (Chief Municipal Inspector)</li> <li>• Ombudsman</li> <li>• VAGO</li> <li>• IBAC</li> </ul>	 <p><b>Ministerial oversight</b></p> <ul style="list-style-type: none"> <li>• Municipal monitors</li> <li>• Governance Directions</li> <li>• Commissions of Inquiry</li> <li>• Stand down of councillor</li> <li>• Suspension of councillors</li> <li>• Dismissal of council</li> </ul>
--	--	--

## Distribution of respondents who raised this issue

Respondent type	Approximate %
Council	22
Current Councillor/s	31
CEO	6
Staff (current or former)	14
Former Councillor	8
Peak / integrity body	14
Other organisations	3
Unspecified	2

Issue 1	Issue 2	Issue 3	Issue 4	Issue 5	Additional information	Issue 6	Issue 7	Additional information	Issue 8	Issue 9	Additional information
Leadership experience and capability						Councillor journey			Early intervention and effective dispute resolution		

Challenge 1

There is scope for councils to put in place mechanisms to manage misconduct, including giving CEOs and Mayors the authority for dealing with lower levels of misconduct, through a Councillor Code of Conduct. A Councillor Code of Conduct must be developed and adopted by the councils. However, submissions have suggested that the threshold for what constitutes misconduct may be too high and that the lack of local power of a CEO or Mayor to discipline may reduce early intervention and effective dispute resolution for poor behaviour.

What this means

- Councils may not be aware of or may be reluctant to leverage a Councillor Code of Conduct to establish mechanisms help manage misconduct
- This may allow poor Councillor behaviour to continue and escalate
- If these events escalate to the point of requiring intervention by independent or integrity bodies, the severity of impact and trauma on individuals may increase
- This may impact ongoing council culture and increase staff turnover.

Challenge 2

Timely and proactive dispute intervention and resolution is suggested to be relatively inadequate. While submissions reflect the effectiveness of Municipal Monitors for some councils, their involvement usually comes in when issues have already escalated.

What this means

- Poor Councillor behaviour or misconduct can escalate over time, increasing the negative impact on other Councillors and / or council staff
- This may impact ongoing council culture and contribute to staff turnover.

Challenge 3

The dispute resolution process is seemingly difficult to navigate and may be overly legalistic.

What this means

- Some matters can be dismissed on technical grounds even though they have merit to them
- There is a lack of understanding and transparency of the different dispute resolution processes, particularly for new Councillors.

What could this mean if not resolved?

- Negative health and wellbeing impacts on Councillors and staff
- Embedding a culture where Councillor behaviour and misconduct goes unchallenged
- Making it difficult for a council to attract and retain talented staff
- Limiting the confidence of staff to come forward when poor Councillor behaviour / misconduct occurs
- Negatively impacting the public reputation and trust in the council
- Reducing the effective performance of councils as a result of lengthy remediation activities.

Opportunities for further exploration:

- Consider improving CEOs' and Mayors' understanding of the scope of a Councillor Code of Conduct, especially in relation to the authority of CEOs and Mayors in dealing with poor behaviour
- Increased empowerment of the Mayor and CEO to fully address poor behaviour so Councillors and staff feel more confident to come forward, including more local power to discipline
- Ensure Councillors who have been formally / independently found to have behaved inappropriately and / or demonstrated misconduct should not be allowed to re-contest a seat on council<sup>11</sup>
- Amend the LG Act 2020 to compel Councillors to participate in mediation and dispute resolution activities. Failure to participate could be a reason for dismissal or sanction
- A publicised, standardised path of action for breaches in a council's Code of Conduct.

What could this mean if not resolved?

- If unresolved, continued escalation of incidents and greater impact on those involved / bystanders / council culture
- Lack of upfront conflict resolution management and training may contribute to disputes not being addressed in a collaborative and timely manner, and potentially escalating further
- Potential lack of encouragement, empowerment or drive to engage in a dispute resolution process.

Opportunities for further exploration:

- Explore lowering the threshold for misconduct and timeframes to deal with an issue
- Explore the use of an external mediator or workplace investigator (earlier than that of a Municipal Monitor) who observes, interviews and provides tangible recommendations to manage workplace culture and ensures procedural fairness
- Implement upfront learning and development for Councillors, Mayors and CEOs on dispute resolution and conflict management to drive positive and long-term change
- Ensure access to support or counselling services, such as Employee Assistance Programs for Councillors, Mayors, CEOs and council staff
- Implement clearer dispute resolution procedures in a council's Code of Conduct to foster early intervention, which could include an annual self assessment process for council's to undertake.



Issue 1	Issue 2	Issue 3	Issue 4	Issue 5	Additional information	Issue 6	Issue 7	Additional information	Issue 8	Issue 9	Additional information
Leadership experience and capability						Councillor journey			Early intervention and effective dispute resolution		

# Case studies and quotes

“ At present there is [sic] minimal avenues available to council staff to report poor Councillor behaviour and misconduct outside of council organisational processes.”

“ Penalties for poor Councillor behaviour also need to be given some teeth... The Mayor and council need to have greater authority to impose penalties for serious and repeated misconduct and this will only happen if there is a council-wide culture of speaking out and feeling safe in calling out bad behaviour.”

“ Processes should be reviewed to ensure they are more appropriate and focus on genuinely trying to resolve the issue in contention.”

“ What is missing is swifter action, many councils are known to be dysfunctional with no action being taken. A greater number of and more visible prosecutions and consequences are needed to provide confidence in the sector that poor behaviour will be dealt with accordingly.”

“ Lengthy timeframes leave the complainant potentially dealing with the Councillor before the claim is dealt with, sometimes at great personal cost.”

“ The dispute resolution process needs to be easier to navigate for all. There also needs to be the ability for staff and members of the public to have complaints dealt with that are not in the serious or gross misconduct category.”



Issue 1	Issue 2	Issue 3	Issue 4	Issue 5	Additional information	Issue 6	Issue 7	Additional information	Issue 8	Issue 9	Additional information
Leadership experience and capability						Councillor journey			Early intervention and effective dispute resolution		

# Additional information - what the sector is saying

Issues that were not raised as frequently in relation to **early intervention and effective dispute resolution**:

- We have heard through the submissions that the **description of behaviours within a council's Code of Conduct** needs to be **more specific and in plain English** to ensure everyone can understand them. Better defining behaviours and making a council's Code of Conduct more accessible may improve Councillor understanding and help lower the likelihood of poor Councillor behaviour and misconduct.
- Submissions have also noted that the **removal of the role of the CEO or Executive staff in handling poor behaviour and misconduct** may improve the current dispute resolution process. The potential conflict of interest that CEOs and senior governance roles may have may be hindering early intervention and effective dispute resolution. Submissions have also suggested that having **immediate access to an external independent team or body** to discuss any occurrences of poor behaviour and to act as a mediator between individuals may improve the current dispute resolution process.
- We have also received submissions that have indicated that the process of **reporting poor behaviour and misconduct** can be improved. Some submissions have highlighted that it may be useful to have a **formal reporting process for smaller issues**. The records from reporting smaller occurrences of poor behaviour could be drawn upon if an issue were to escalate at a later stage. Additionally, this data could be monitored for trends and to analyse and action the identified issues. This may also help with early intervention and prevent reoccurrence of poor behaviour. Some submissions have also noted that **poor behaviour should be publicly reported** by councils.

“The toxic culture - the bullying, harassment, discrimination and victimisation that I have experienced, has robbed me of the wonderful experience that others have had the privilege of having, in their introduction as a first time Councillor.”

“In 2022, it does not wash that poor and unacceptable behaviour can continue to be dismissed as “it’s just politics.”

- Some submissions have also noted that poor Councillor behaviour may not be able to be addressed by training or changes to legislation. **Poor behaviour** by some Councillors may be a **product of personality disorders** and, therefore, training, mediation and compliance may not be effective. To improve culture in councils, it was suggested that the use of an organisational or political psychologist may help in developing potential strategies and actions.
- Some stakeholders expressed a desire that **LGV could play a greater role in effectively addressing or managing culture and conduct issues in the LG sector**. Examples that were provided covered developing social media guidance, managing external dispute resolution processes for consistency and procedural fairness, and implementing community leadership programs to strengthen leadership capabilities of Councillors, Mayors and CEOs.



# 4 Next steps

The Insights Report lays the foundation for the LG sector including Councillors, Mayors, councils, CEOs, peak bodies to identify and, where necessary, agree on actions to address the issues raised. Sector-wide ownership of the next steps will be critical to ensuring that long term, systemic culture change is achieved.

01

## Discussion Paper

This paper highlighted the key issues arising from preliminary consultation, desktop review, and input from academic partners.

02

## Submissions Review

Submissions from the LG sector and broader public were consolidated, reviewed and considered.

03

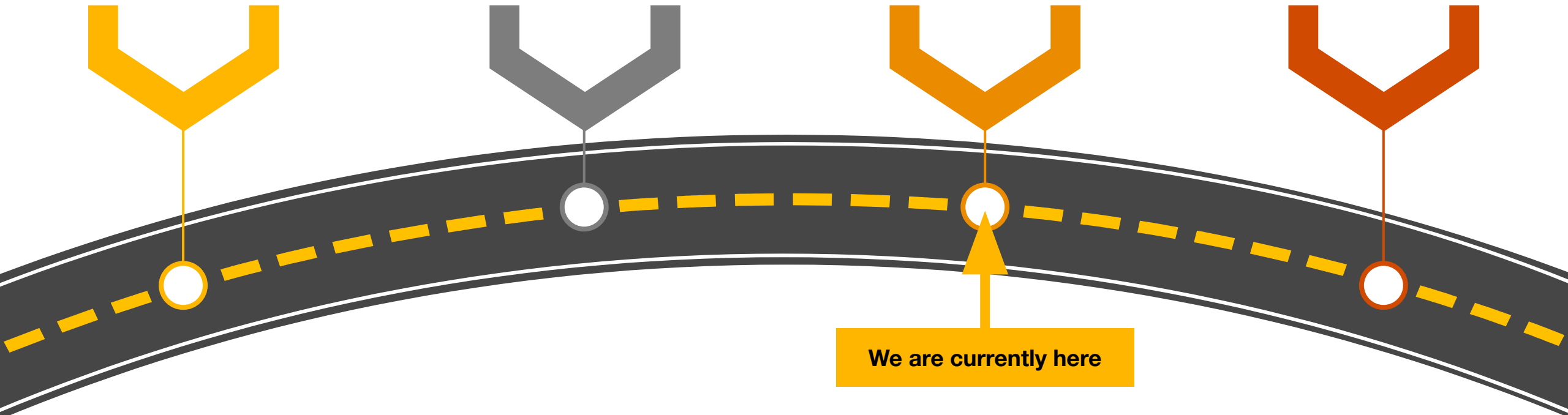
## Insights Report

This paper highlights the key insights arising from the submissions received from the LG sector and broader public.

04

## Next steps

Sector-wide ownership to address and improve Councillor culture.





# 5 Conclusion

Submissions from the LG sector and broader public were welcomed from the 17th December 2021 to 28th February 2022. The majority of these submissions validated the issues identified in the discussion paper in relation to poor Councillor conduct and culture. The issues raised in the submissions were sensitive and complex, and a range of ideas and potential opportunities were provided to PwC.

We acknowledge the large number of submissions from across the LG sector in response to the discussion paper. The Insights Report focuses on key and recurring insights. Nine key issues were outlined in depth in the Insights Report to provide insights into some of the major challenges facing conduct and culture in the LG sector. In some cases, submissions have suggested that existing resources could be better shared and promoted to people to help navigate the sector. Existing programs could also be refined and expanded. Submissions also provided examples of good practice and potential opportunities to consider for further exploration. Opportunities arising from the submissions that have been incorporated throughout the Insights Report have been consolidated in **Appendix B**.

The Insights Report will support the LG sector in determining its next steps and agreed actions to address the issues raised throughout the report. A sector-wide approach to implementing these actions is crucial to achieving a safer, more diverse and representative LG sector.

We would like to thank all the respondents from the local government sector and the public for their submissions. We appreciate your time taken to provide additional insight and information on this topic.



# Appendix A



# Summary of Questions posed in the discussion paper

## Leadership experience and capability

Supporting leadership competencies and capabilities	<b>Question 1:</b> The <i>Local Government Act 2020</i> (LG Act 2020) defines leadership roles and responsibilities. Does this require further role clarity? If so, which aspects require clarification and how may this be achieved (including legislative and non-legislative mechanisms)?
	<b>Question 2:</b> Given the diversity and experience of candidates' backgrounds, how can the LG sector improve leadership capability and better cultivate an environment of transparency, honesty, integrity and trust?
	<b>Question 3:</b> How successful have any existing initiatives been to promote strong leadership and build trust? Please provide case studies or examples of good practice that have worked well and could be considered for broader implementation.
Operation of Local Government	<b>Question 4:</b> Mention is made through consultation of LG being a 'parliament of opposition as opposed to a diverse board of the community'. What needs to change to better align Councillors and Mayors to effectively achieve community-based objectives and better operate as a diverse board of the community?

## Councillor journey

Pre-election, election and post-election (including education and training)	<b>Question 5:</b> How could the candidate and induction training support be improved to ensure genuine engagement and sustained understanding of role and responsibilities of Councillors?
	<b>Question 6:</b> How can the LG sector work to formalise a structured professional development pathway for Councillors and Mayors?
The vindictive use of social media	<b>Question 7:</b> Do you think that any amendments to the LG Act 2020 are required to deal with the usage of social media? How should social media harassment be defined and what mechanisms could be introduced into the Act?
	<b>Question 8:</b> How can more awareness and training around the use, monitoring and consequences of social media be provided to ensure a consistent management approach?

## Early intervention and effective dispute resolution

Precipitation of events	<b>Question 9:</b> In the context of leadership, what needs to change to empower elected representatives, CEOs, and council staff, to call out poor Councillor behaviour and misconduct without fear of retribution?
	<b>Question 10:</b> What can be done to better support dispute resolution at councils?
Dispute resolution	<b>Question 11:</b> What types of early intervention mechanisms can be formulated and when? What would an acceptable duration or time frame be for this intervention to fairly resolve a matter?
	<b>Question 12:</b> How can the process for misconduct and or poor behaviour claims be improved, or more adequate penalties for misconduct and poor behaviour be incorporated in a more effective way?



# Appendix B



# Summary of suggestions arising from submissions that can be considered for further exploration

Suggestions arising from submissions that have been incorporated throughout the Insights Report have been consolidated below for reference. These suggestions, along with others not directly reflected in this report, will be considered for further exploration.



## Leadership experience and capability

Issues that relate to how roles could be better defined and how leadership skills could be built and maintained.

### 1. There are opportunities to address challenges posed by the Councillor-CEO employment relationship.

- Improve the definition of CEO and/or Councillor roles and responsibilities to clearly distinguish between strategic and operational functions, and with practical examples
- Access to training and development and external independent support for CEOs for guidance and/or advice in managing poor Councillor behaviour and misconduct
- Conflict management training and support to promote collaborative problem-solving and dispute resolution understanding
- Legislative additions to protect the CEO, or providing CEOs with the ability to discipline Councillors displaying poor behaviour and misconduct
- CEO recruitment, performance assessments and/or governance and culture reviews to be conducted by an external party.

### 2. Institutional factors could be addressed to allow councils to operate more like representative boards of the community.

- Mandatory disclosure of Councillors' affiliations to political parties<sup>12</sup>
- A standardised position descriptions articulating role expectations
- Engage an external party to facilitate conversations about teamwork, group dynamics and values before developing a council's Councillor Code of Conduct
- Implement term limits for Councillors
- Increase training pre-candidacy, during induction and throughout the term of Councillors around the roles and responsibilities of Councillors, emphasising the non-political aspect of the role. This could also cover principles of board leadership such as strategic decision making, communication protocols, and performance assessments.
- Increase direction in training materials and accompanying guidelines, including case studies and examples on how councils operate and the similarities and differences between a board member and the role of a Councillor.

### 3. Leadership skills need to be taught and upheld amongst Councillors.

- Incorporate the voice of the community to say what leadership attributes they expect of elected representatives into candidate and induction training (e.g. video format / vox pop)
- Training pre-election, during induction and throughout the Councillor term to establish and enhance leadership skills
- Introduction of a formal mentoring system to help Councillors understand the role
- Increased clarity for Councillors on their leadership responsibilities through non-legislative mechanisms, including best practice guidelines, fact sheets, case studies and examples.

# Summary of suggestions arising from submissions that can be considered for further exploration



## Leadership experience and capability

Issues that relate to how roles could be better defined and how leadership skills could be built and maintained.

<b>4. The support and assistance provided to Mayors throughout their term could be significantly strengthened.</b>	<ul style="list-style-type: none"><li>• Mandatory training for Mayors, focusing on developing effective leadership skills, understanding their roles and responsibilities, meeting procedures, and ways to manage conflicts that address root causes and prevent escalation. Training to be simple in language and include practical examples, and be on an ongoing basis</li><li>• Establishment of a hotline for Mayors to call someone external who can provide expert and independent advice on how to manage difficult situations before they escalate.</li></ul>
<b>5. There is an opportunity to improve diversity and representation in local government.</b>	<ul style="list-style-type: none"><li>• Increase Councillor education to on access, inclusion, disability, consultation, community engagement and the impacts of decisions on sectors in the community</li><li>• Mentoring programs for Councillors, with an increased focus on women, LGBTQIA+ people, individuals with disabilities, and those from diverse backgrounds</li><li>• Increase Councillor allowances to increase the candidature pool and improve council demographics</li><li>• Include more family-friendly meeting times and flexible working arrangements (e.g. hybrid online / in person working model).</li></ul>
<b>Additional information section</b>	<ul style="list-style-type: none"><li>• Increase community understanding and education around the roles and responsibilities of the council and Councillors</li><li>• Improve screening processes for candidates, without alienating women, people with disability or from diverse cultural backgrounds, and individuals with caring responsibilities</li><li>• Improve Councillors' understanding of the needs of their community</li><li>• Increase transparency in the interview process and recognising different cultures and their respective significant days</li><li>• Explore strategies to support good governance at councils with single member wards.</li></ul>



# Summary of suggestions arising from submissions that can be considered for further exploration



## Councillor journey

Issues that relate to support for Councillors throughout their journey to ensure they understand and can execute their role, particularly in the social media age.

### 6. Training offered pre-candidacy, for induction, and during term could be strengthened.

- Assess candidate skills to inform targeted training if elected
- Incorporate practical examples of Councillor duties and responsibilities in training, to facilitate understanding of the role
- Extend or establish training for the general public on the roles and responsibilities of councils, Councillors, Mayors and CEOs
- Consider leveraging training from other sectors e.g. Respectful Relationships for schools (which also covers embedding gender equality into culture) and Australian Institute of Company Directors programs.

### 7. Social media needs to be understood, used and managed in ways that promote positive engagement.

- Implement social media training which incorporates education on other relevant laws and Acts (e.g. Telecommunications Act)
- Explore how boundaries can be implemented and guidance around how social media should be used
- Explore mechanisms that can be used to report social media harassment, including appropriate penalties.

### Additional information section

- Include specific topics in Councillor training, including legislative obligations around conflicts of interest, probity, work health and safety, supporting a diverse workforce, community engagement and the impacts of their decisions on sectors in the community
- Increase training on dealing with difficult workplace behaviours and conflict resolution
- Use a uniform and transparent professional development pathway across councils
- Run training together with other councils in the region
- Create a separate professional development or training fund
- Use current and former Mayors on panels to offer assistance and conciliation to deliver early intervention guidance and resolution support to councils
- Explore increasing the Councillor allowance
- Networking opportunities between council and council staff.

# Summary of suggestions arising from submissions that can be considered for further exploration



## Early intervention and effective dispute resolution

Issues that relate to resolving conflict and preventing the escalation of poor behaviour and its impacts.

### 8. The role of Municipal Monitor highlights opportunities for independent and formal advice to resolve issues early.

- Explore the opportunity to expand the role of Municipal Monitor as 'organisational mentors', without duplicating or replacing the responsibilities of CEOs in providing good governance advice to Councillors. This expansion may support and enhance continuous improvement in the context of governance in LG, not just oversight.
- Expand the role of Municipal Monitor to include ad-hoc situations or to provide councils with a tool to guide good governance (even those without conduct problems). This may support an improvement in LG's reputation by providing a practical tool to assess and address challenges related to Councillor conduct and governance
- Explore the possibility of a Municipal Monitor acting similar to a 'mystery shopper' - arrival without notice to observe governance.

### 9. Consideration should be given to strengthening resolution processes and local powers to discipline.

- Consider improving CEOs' and Mayors' understanding of the scope of a Councillor Code of Conduct, especially in relation to the authority of CEOs and Mayors in dealing with poor behaviour
- Increase empowerment of the Mayor and CEO to fully address poor behaviour so Councillors and staff feel more confident to come forward, including more local power to discipline
- Ensure Councillors who have been formally and independently found to have behaved inappropriately and / or demonstrated misconduct should not be allowed to re-contest a seat on council<sup>13</sup>
- Amend the LG Act 2020 to compel Councillors to participate in mediation and dispute resolution activities. Failure to participate could be a reason for dismissal or sanction
- A publicised, standardised path of action for breaches in a council's Code of Conduct
- Explore lowering the threshold for misconduct and timeframes to deal with an issue
- Explore the use of an external mediator or workplace investigator (earlier than that of a Municipal Monitor) who observes, interviews and provides tangible recommendations to manage workplace culture and ensures procedural fairness
- Implement upfront learning and development for Councillors, Mayors and CEOs on dispute resolution and conflict management to drive positive and long-term change
- Ensure access to support or counselling services, such as Employee Assistance Programs for Councillors, Mayors, CEOs and council staff
- Implement clearer dispute resolution procedures in a council's Code of Conduct to foster early intervention, which could include an annual self assessment process for council's to undertake.

# Summary of suggestions arising from submissions that can be considered for further exploration



## Early intervention and effective dispute resolution

Issues that relate to resolving conflict and preventing the escalation of poor behaviour and its impacts.

### Additional information section

- Increase specificity within a council's Code of Conduct and in plain English to ensure everyone can understand them
- Consider removing the role of the CEO or Executive staff in handling poor behaviour and misconduct
- Improve the process of reporting poor behaviour and misconduct can be improved
- Use an organisational or political psychologist to help develop potential strategies and actions for poor behaviour
- Greater focus across the sector on developing resources to effectively address and manage culture and conduct issues in the LG sector.



# Thank you

[pwc.com](https://pwc.com)

© 2022 PwC. All rights reserved. Not for further distribution without the permission of PwC. “PwC” refers to the network of member firms of PricewaterhouseCoopers International Limited (PwCIL), or, as the context requires, individual member firms of the PwC network. Each member firm is a separate legal entity and does not act as agent of PwCIL or any other member firm. PwCIL does not provide any services to clients. PwCIL is not responsible or liable for the acts or omissions of any of its member firms nor can it control the exercise of their professional judgment or bind them in any way. No member firm is responsible or liable for the acts or omissions of any other member firm nor can it control the exercise of another member firm’s professional judgment or bind another member firm or PwCIL in any way.

WLTP0185341