

SCHEDULE 2

TERMS OF REFERENCE OF APPOINTMENT OF THE MUNICIPAL MONITOR TO WHITTLESEA CITY COUNCIL APPOINTED UNDER SECTION 179 OF THE LOCAL GOVERNMENT ACT 2020

Without limiting the Municipal Monitor functions and powers under sections 180 and 181, respectively, of the Act, the Municipal Monitor is:

1. To monitor, advise and provide guidance on the governance processes and practices of the Council, with specific regard to the following matters identified by the *Commission of Inquiry into Whittlesea City Council report* (Inquiry report) –
 - a. The Council's response to the findings and recommendations of the Inquiry report
 - b. Developing effective working relationships between councillors and between councillors and staff, including by:
 - i. updating the Council's Internal Resolution Procedure to provide for expert external mediation and other effective dispute resolution procedures
 - ii. supporting the Council to engage a professional external mediator or facilitator to assist the Council to establish and conduct regular councillor-only sessions, evaluate the effectiveness of working relationships and support the return of councillors returning from a period of suspension, and
 - iii. supporting councillors to address conduct concerns in a way that is proportionate, effective and preserves relationships, including any actions to improve councillor confidence to engage in processes included in the Internal Resolution Procedure
 - c. Support for the councillors to understand and perform their statutory role and responsibilities, including a review of the mandatory councillor induction training and ensuring the delivery of any professional development or other training to be undertaken by individual and / or all councillors
 - d. Support for the Chief Executive Officer (CEO) to perform the particular aspects of the role of CEO addressed within the Inquiry report, including with any councillors returning from a period of suspension, and
 - e. Any other matters that may create a risk to health and safety or affect the Council's ability to effectively perform its functions, including councillor behaviour and any arrangements to manage interactions between councillors and staff.
2. To advise, and provide any relevant assistance and support to the Council to ensure good governance, with specific regard to the matters raised in clause 1.
3. To engage with and assist the Council to develop an Action Plan and progress updates for any necessary governance improvements, with specific regard to the matters raised in clause 1.
4. To report to the Minister for Local Government, with respect to the matters in clause 1, on:
 - a. any steps or actions taken by the Council to improve its governance and the effectiveness of those steps or actions;

- b. any recommendations in relation to the exercise of any Ministerial power under the Act.