



## 2022-23 Investigation Smithies

<b>Sector</b>	Local Government
<b>Respondent level</b>	Designated Public Officer Public Officer
<b>Principal allegations</b>	Failure to manage conflicts of interest and improper exercise of powers in recruitment

### Description

Investigation Smithies considered 8 recruitment processes conducted by senior managers at a local council. Our assessment of the original complaint identified no evidence of personal relationships creating conflicts of interest; however the minimal documentation in each of the selection processes suggested a lack of policy and process, and a possible failure to apply the merit principle.

The investigation confirmed that the managers did not have personal conflicts of interest arising in the recruitments. However, professional associations were not declared or managed and were allowed to affect recruitment outcomes. Further, the council did not have a recruitment procedure, and its record keeping procedures were poor, with no selection reports or other records showing how candidates were selected on merit. Some recruitments involved direct appointments, again with little documentation created by the council.

The systemic misconduct risks identified in the investigation were considered in a separate research report. It found that, unlike other Australian jurisdictions, local councils are not required to recruit on merit. The Board has recommended that the Minister for Local Government reinstate in the Local Government Act 1993 the requirement for employees to be recruited on merit; and develop a model recruitment policy for Tasmanian councils.

<b>Outcome</b>	Referred to the Principal Officer for action
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