



Councillor disregards code of conduct

A complaint is made about an elected representative of a municipal city council. Even if the allegations are not substantiated, what lessons can be learned?

The story

In February 2016, the Victorian Independent Broad-based Anti-corruption Commission (IBAC) received a complaint concerning allegations a councillor was involved in serious corrupt conduct while an elected representative of a municipal city council. It was alleged the councillor received gifts and benefits in exchange for awarding council grants to a local business person.

IBAC undertook an investigation, Operation Charnley. As part of the investigation, IBAC obtained relevant documents and policies from the council and interviewed relevant witnesses. IBAC assessed the evidence acquired during the investigation in conjunction with the council's policies and procedures and the *IBAC Act* of Victoria.

While the allegations could not be substantiated, IBAC identified concerns regarding the conduct of councillors in public office, as well as broader issues that caused the council to be vulnerable to corruption, including:

- ▼ conflicts of interest not being reported and a lack of knowledge about when a conflict of interest or perceived conflict of interest exists, and
- ▼ behaviours inconsistent with the councillor code of conduct.

IBAC's investigation provided the council with the opportunity to address compliance issues regarding policies and processes and improve councillor awareness of behaviours expected of people in public office. IBAC recommended that the Minister for Local Government consider providing the council with advice that it thoroughly review its policies, procedures and training to ensure that the vulnerabilities identified in Operation Charnley were addressed and that councillors fully understood their obligations concerning:

- ▼ councillor code of conduct
- ▼ conflict of interest, and
- ▼ gifts, benefits and hospitality.

In response to the issues raised in Operation Charnley, the council provided the Minister with key actions the council would take to address the issue.

With thanks to IBAC, Victoria

