

## POLICY 2.29

### Governance

#### Elected Member Behavioural Management – Procedure

Version: 1 | Next Review: 2026



#### Behavioural Management Policy

##### Procedure Flowchart

#### 1. RECEIPT OF COMPLAINT

- CEO (or delegate) will acknowledge receipt as soon as reasonably practicable, but within 2 days of receipt.
- Complaint made within 6 months of the actions and/or behaviours said to breach the Standards; or discretion exercised by the person responsible for managing the complaint to extend time to make complaint.

#### 2. INFORMAL ACTION

- Person responsible for managing the complaint to determine if the matter can be resolved by Informal Action.
- If both parties agree, Informal Action outcome to be documented in writing.
- If parties do not agree, complaint is to be the subject of an Initial Assessment.

#### 3. INITIAL ASSESSMENT

- Person responsible for managing the complaint to determine whether the matter falls for consideration under the Policy, taking into account matters under clause 8.3.
- If the complaint warrants further action, Member complained about should be advised, provided a summary of allegations, and invited to respond, not more than 10 business days, unless extended with reasons.

#### 4. OUTCOME

- On receipt of any submission on Initial Assessment, person responsible for managing the complaint to determine what action is to be taken.
- Matter may proceed to a formal consideration under the Policy, unless ground(s) under clause 8.8 apply.
- If no action to be taken, complainant and Member to be advised in writing, with reasons.

#### 5. ALTERNATIVE RESOLUTION

- If a decision is made to refer the matter for Alternative Dispute Resolution, person responsible for managing the complaint to contact the Member and complainant to seek consent to process.
- If complainant does not agree, may be a relevant consideration in dismissing the complaint.
- Otherwise, consider Investigation.

#### 6. INVESTIGATION

- Member complained about will be provided a copy of this Policy, contact details of person responsible for managing complaint and full allegations (which may include copy of original complaint).
- Invited to respond to allegations, not more than 10 business days.

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## **7. REPORT**

- On completion of the investigation, draft report to be provided to both parties, and a reasonable opportunity to respond, not more than 10 business days.
- Any submission received to be considered in preparation of Final Report.

## **8. NO BREACH**

- Where no breach is found, parties advised in writing.
- Matter remains confidential, unless Member requests a report be included in the public Agenda for the next practicable Council meeting.

## **9. BREACH**

- Where a breach is found, person responsible for managing complaint to contact parties to determine if an agreed resolution can be reached.
- If so, document in writing, remains confidential unless Member requests a report be included in public Agenda for the next practicable Council meeting.
- If no agreement reached, report to be placed on public Agenda for next practicable Council Meeting.

## **10. FORMAL SANCTIONS**

- Where parties have failed to reach agreement on a breach, a report will be included on the public Agenda for the next practicable Council meeting.
- Council will determine the sanction to be applied in accordance with section 262C(1) of the Act.
- Where Council determines to take no further action, complainant to be advised, with reasons.

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POLICY 2.29 Elected Member Behavioural Management – Procedure

Strategic Reference	Nil
Delegation	Chief Executive Officer
Effective date	09/05/2023
Minutes reference	4c/52023
Next review date	Council Election 2026
Applicable Legislation	<i>Independent Commission Against Corruption Act 2012</i> <i>Local Government Act 1999</i> <i>Ombudsman Act 1972</i> <i>Public Interest Disclosure Act 2018</i>
Related Policies	Policy 2.30 Elected Member Behavioural Support
Related Documents	Behavioural Standards for Council Members Policy 2.29 Elected Member Behavioural Management

Adopted by Council:

09/05/2023

{Motion 4c/52023}

Signed:



Responsible Officer

Date: 09/05/2023

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