

POLICY NUMBER:	97 (C)
NAME OF POLICY:	Councillor Integrity Policy and Internal Resolution Procedures
DATE OF NEXT REVIEW:	29 April 2029
DATE APPROVED:	29 April 2025
RESPONSIBLE OFFICER:	Manager Governance and Risk
REFERENCES:	<i>Local Government Act 2020</i> <i>Local Government (Governance and Integrity Regulations) 2020</i> Model Councillor Code of Conduct

1. CONTENTS

1. Purpose.....	3
2. Legislative context.....	3
3. Scope	3
4. related Policies and Procedures	3
5. Roles and Responsibilities	4
5.3 Role of a Councillor.....	4
5.4 Role of the Mayor	5
5.5 Role of the Deputy Mayor	7
5.6 Role of the Chief Executive Officer	7
6. Specific Councillor Conduct Obligations.....	8
6.3 Social Media and communications.....	8
6.4 Confidential information	8
6.5 Binding caucus votes	9
6.6 Conflicts of Interest	9
6.7 Land Use Planning Interactions	10
6.8 Elections / Political Activity	11
6.9 Reporting unethical behaviour/Fraud and Corruption.....	11
7. Internal resolution procedure (prescribed Procedures).....	12
7.3 Stage 1 - Discussion	12
7.4 Stage 2 - Conciliation	13
7.5 Stage 3 - External Mediation	15
7.6 Where the Internal Resolution Procedure Does Not Apply.....	16
7.7 Formal Dispute Resolution Procedure.....	17
8. Definitions	18
9. Review	20
APPENDIX 1 - Application for conciliation	21

APPENDIX 2 – Internal resolution flow chart.....	22
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1. PURPOSE

The Model Councillor Code of Conduct is prescribed under the *Local Government Act 2020* (the Act) and forms part of the [Councillor Conduct Framework](#) and sets the standards of councillor behaviour.

The Councillor Integrity Policy (the Policy) is designed to complement the Model Code, and provide additional guidance to Councillors in the performance of their duties.

The Internal Resolution Procedure within this Policy set out the procedural requirements for an alleged breach of the Model Councillor Code of Conduct.

2. LEGISLATIVE CONTEXT

Division 5 Section 139 of the *Local Government Act 2020* (the Act) requires that Councillors must observe the Model Councillor Code of Conduct.

The Internal Resolution Procedure (**Procedure**) is adopted under and in accordance with s140 of the *Local Government Act 2020* (**Act**) and regulation 12A of the *Local Government (Governance and Integrity) Regulations 2020*.

The Model Code and this Policy should be read alongside other key Council documents, including the Council Plan, Council Vision, other Council policies, protocols, Council's local laws and rules, as applicable, which all form part of the governance framework of Hepburn Shire Council.

3. SCOPE

The Councillor Model Code of Conduct and this Policy apply to the Councillors of Hepburn Shire Council.

For the purposes of this Code, the term "Councillors" includes the Mayor, Deputy Mayor and all other Councillors.

This Policy does not apply to the members of Council staff, who are governed by the Employee Code of Conduct.

4. RELATED POLICIES AND PROCEDURES

- Model Councillor Code of Conduct
- Council Expenses and Resources Policy
- Councillor Gifts, Benefits and Hospitality Policy

- Councillor Staff Interaction Policy
- Respectful Relationships Policy
- Fraud Prevention Policy
- Child Safe Policy
- Public Interest Disclosure Procedures
- Governance Rules and Election Period Policy
- Public Transparency Policy
- Procurement Policy
- Privacy Policy
- Our Commitment to the Human Rights Charter

5. ROLES AND RESPONSIBILITIES

An understanding and agreement of the different roles within Council helps achieve good governance and respectful relationships.

The primary role of a Council is to provide good governance in its municipal district for the benefit and wellbeing of the municipal community.

5.3 ROLE OF A COUNCILLOR

A Councillors role is to represent their community and advocate on their behalf. They are a valuable link between the community and Council are key to facilitating communication with the community and encouraging engagement with the activities of Council.

There is an expectation that Councillors will make decisions that will benefit and be in the best long-term interest of the whole community. Council has a statutory obligation to represent all people who live, participate and invest within the Hepburn Shire municipality.

Councillors determine Council policies and set the strategic direction of the Council, and have a key advocacy and leadership role. Councillors appoint, manage and support the Chief Executive Officer of the organisation to deliver the strategic objectives of the Council. The Chief Executive Officer is responsible for the management and administration.

Councillors collectively as Council, have responsibility for:

- Determining high level strategic directions, policy and service delivery programs;
- Facilitating and encouraging the planning and development of the Shire;
- Advocating on behalf of the local community to various stakeholders and governments

- Representing all citizens and creating a viable and sustainable future and
- Undertaking duties and responsibilities as authorised under the *Local Government Act 2020*.

In accordance with section 28 of the *Local Government Act 2020* the role of a Councillor is to:

(1) *The role of every Councillor is—*

- (a) *to participate in the decision making of the Council; and*
- (b) *to represent the interests of the municipal community in that decision making; and*
- (c) *to contribute to the strategic direction of the Council through the development and review of key strategic documents of the Council, including the Council Plan.*

(2) *In performing the role of a Councillor, a Councillor must—*

- (a) *consider the diversity of interests and needs of the municipal community; and*
- (b) *support the role of the Council; and*
- (c) *acknowledge and support the role of the Mayor; and*
- (d) *act lawfully and in accordance with the oath or affirmation of office; and*
- (e) *act in accordance with the Model Councillor Code of Conduct; and*
- (f) *comply with Council procedures required for good governance.*

3) *The role of a Councillor does not include the performance of any responsibilities or functions of the Chief Executive Officer.*

5.4 ROLE OF THE MAYOR

The Mayor is the elected leader of Council. A key role of the Mayor is to facilitate good relationships between Councillors, Councilors and the Chief Executive Officer and the Executive Leadership Team.

The mayor is elected by Council to represent the views and directions of Council, and councillors, in performing various roles and duties in accordance with section 18 of the *Local Government Act 2020* including:

- chair Council meetings
- be the principal spokesperson for the Council

- lead engagement with the municipal community on the development of the Council Plan
- report to the municipal community, at least once each year, on the implementation of the Council Plan
- promote behaviour amongst Councillors that is consistent with the Model Councillor Code of Conduct
- assist Councillors to understand their role
- take a leadership role in ensuring the regular review of the performance of the Chief Executive Officer
- provide advice to the Chief Executive Officer when the Chief Executive Officer is setting the agenda for Council meetings
- perform civic and ceremonial duties on behalf of the Council

The Mayor should be:

- committed to and involved in the Hepburn Shire community;
- be motivated to succeed;
- be politically astute and possess a keen political awareness,
- be an innovator and creative thinker, enjoy and be able to meet the demands of a public profile;
- be an effective communicator;
- have a positive and professional presentation;
- be committed to personal and professional development;
- be able to work with a wide range of people from diverse backgrounds and groups, be fair, impartial and objective.

The Mayor must have a combination of skills, qualifications and experience, and personal attributes to enable him or her to provide the leadership, motivation and support to ensure the sustained and continuing development of the Hepburn Shire Council, the staff and the Hepburn Shire community.

The Mayor must be able to gain the co-operation, trust and respect of Councillors, staff and the community and have the ability to motivate other people to achieve stated outcomes and results in a team environment.

The Mayor must be able to establish, maintain and present at all times a positive, professional and dynamic image of Council and the community.

5.5 ROLE OF THE DEPUTY MAYOR

The role of the elected Deputy Mayor is to give effective support to the Mayor and the Councillors and the day-to-day function of Council.

In accordance with section 21 of the *Local Government Act* the Deputy Mayor must perform the role of the Mayor and may exercise any of the powers of the Mayor if:

- the Mayor is unable for any reason to attend a Council meeting or part of a Council meeting; or
- the Mayor is incapable of performing the duties of the office of Mayor for any reason, including illness; or
- the office of Mayor is vacant.

5.6 ROLE OF THE CHIEF EXECUTIVE OFFICER

The Chief Executive Officer (CEO) has a number of statutory responsibilities and is accountable to the Mayor and Councillors for delivering Council's strategies and services.

The CEO is responsible for the operations of Council, to provide professional, relevant and timely information and support to the Council.

In accordance with the *Local Government Act 2020*:

- (1) *A Chief Executive Officer is responsible for—*
 - a) *supporting the Mayor and the Councillors in the performance of their roles; and*
 - b) *ensuring the effective and efficient management of the day to day operations of the Council.*
- (2) *Without limiting the generality of subsection (1)(a), this responsibility includes the following—*
 - a) *ensuring that the decisions of the Council are implemented without undue delay;*
 - b) *ensuring that the Council receives timely and reliable advice about its obligations under this Act or any other Act;*
 - c) *supporting the Mayor in the performance of the Mayor's role as Mayor;*
 - d) *setting the agenda for Council meetings after consulting the Mayor;*
 - e) *when requested by the Mayor, reporting to the Council in respect of the implementation of a Council decision;*
 - f) *carrying out the Council's responsibilities as a deemed employer with respect to Councillors, as deemed workers, which arise under or with respect to the Workplace Injury Rehabilitation and Compensation Act 2013.*

The CEO is a member of Council staff and is required to comply with all the relevant legislation as the senior officer within the Council administration.

6. SPECIFIC COUNCILLOR CONDUCT OBLIGATIONS

The following sections set out specific conduct obligations complimentary to the Model Councillor Code of Conduct. In some instances, a breach of the conduct obligations under this part might also constitute a breach of the conduct standards. As noted in part 5.1 a breach of the conduct standards may result in a finding of misconduct under the *Local Government Act 2020*.

6.3 SOCIAL MEDIA AND COMMUNICATIONS

It is important for Councillors to understand that the standards of conduct set out in the Model Code of Conduct apply equally when using social media.

Where a Councillor describes themselves as a Councillor in a social media post or at the top of their page or in their username or profile it is reasonable for members of the public to assume that Councillor's activities are being carried out in the performance of their role and that the post is covered by the Model Code of Conduct.

In various circumstances, a Councillor's conduct will fall within the scope of the Model Code of Conduct when using social media, even if they have not described themselves as a Councillor. This includes where a Councillor makes social media posts or comments relating to council business.

When using social media, Councillors need to adhere to Policy 92 (O) Communications and Social Media Policy have at the forefront of their minds their obligations under the Model Councillor Code of Conduct. The Model Councillor Code of Conduct applies to online activity in the same way it does to other written or verbal communication. This means five key things:

1. Be respectful
2. Be fair and open minded
3. Be accurate
4. Avoid the perception of apprehended bias
5. Avoid commenting on issues where the Councillor may later declare a conflict of interest.

6.4 CONFIDENTIAL INFORMATION

Councillors have access to council information necessary for them to carry out their roles properly. However, a Councillor must remain impartial and must not use council

information to gain advantage for themselves or any other person. Information is 'confidential' for the purposes of the Act if it is:

- provided for a closed council or delegated committee meeting;
- designated confidential by resolution of a council or delegated committee; and
- designated confidential by the Chief Executive officer

Information discussed at a closed meeting is confidential. Unless the information is already publicly available, Councillors must not talk about anything discussed at the meeting with people who were not present in accordance with section 125 of the *Local Government Act 2020*.

6.5 BINDING CAUCUS VOTES

Councillors must not participate in binding caucus votes in relation to matters to be considered at a Council or committee meeting.

For the purposes of this section, a binding caucus vote is a process whereby a group of Councillors are compelled by a threat of disciplinary action or otherwise adverse action to comply with a predetermined position on a matter before the Council or committee, irrespective of the personal views of individual councillors of the group on the merits of the matter before the Council or the Committee.

This section does not prohibit Councillors from discussing a matter before the Council or a committee prior to considering the matter in question at a Council or a committee meeting, or from voluntarily holding a shared view with other Councillors on the merits of a matter.

6.6 CONFLICTS OF INTEREST

Each Councillor is required to identify, manage and disclose any conflicts of interest that they may have. Councillors therefore recognise the importance of fully observing the requirements of the *Local Government Act 2020* (namely Division 2 sections 126 to 131) and the *Local Government (Governance and Integrity) Regulations 2020* in regard to the disclosure of conflicts of interest and will comply with the requirements of the Act and Regulations in regard to conflicts of interest.

In addition to these requirements of the Act, Councillors will:

- a) Give early consideration and notify the Mayor as well as the Chief Executive Officer on whether a conflict of interest exists on any matter to be considered at

- a Council meeting or Councillor briefing, delegated committee or advisory committee of which the Councillor is a member.
- b) Give consideration on whether a conflict of interest exists
- c) Recognise that the level of onus to determine whether a conflict of interest rests entirely with each individual Councillor and members of Council Staff are not responsible for this determination.
- d) If a Councillor is uncertain as to whether a conflict of interest exists, the Councillor should declare a conflict of interest and comply with the relevant requirements as if they had a conflict of interest.
- e) Notify, as soon possible the mayor or the Committee Chair if they consider that they are unable to vote on a matter because of a conflict of interest depending on whether the matter is to be considered by the Council or the delegated committee.

Councillors are required to notify the Chief Executive Officer or the Mayor of any declaration of conflict of interest in writing at Councillor briefings, Council or Committee meetings or meeting conducted under the auspice of Council, at which a matter is to be discussed.

6.7 LAND USE PLANNING INTERACTIONS

Councillors must ensure that land use planning decisions are properly made, and that all parties are dealt with fairly.

Councillors must avoid any occasions or situations where there may be a suspicion or perception of improper conduct in the exercise of land use planning, development assessment and other regulatory functions.

In exercising land use planning, development assessment and other regulatory functions, Councillors must ensure that no action, statement or communication between themselves and others conveys a suggestion of willingness to improperly provide concessions or preferential or unduly unfavourable treatment.

When proposing to meet with a planning permit applicant, either for the purposes of discussing the application or where the application is likely to become a topic of discussion, Councillors should seek a meeting via the Manager Planning and Building to ensure a Council planning officer is present.

Councillors must disclose all interactions via any and all means with planning applicants (applicant and their representatives), developers and objectors within seven days of the interaction.

These disclosures will be recorded on a register, which will be made public each month via Council's website, and include details of all interactions disclosed within the previous 12 months.

6.8 ELECTIONS / POLITICAL ACTIVITY

Councillors are committed to fair and democratic Council elections and adopts practices and legislative requirements as set out in Council's Election Period Policy – Chapter 7 of Council's Governance Rules and the *Local Government Act 2020*.

6.8.1 STATE AND FEDERAL ELECTIONS

Councillors are required to follow any guidelines issued in relation to Candidature of Councillors in State or Federal Elections. These include the Municipal Association of Victoria's (MAV) Policy position regarding Candidature of Councillors in State or Federal Elections or Local Government Victoria guidelines.

6.9 REPORTING UNETHICAL BEHAVIOUR/FRAUD AND CORRUPTION

Ethical behaviour is an integral part of responsible, effective and accountable government.

Councillors need to acknowledge Council's obligations under the *Public Interest Disclosure Act 2012* to facilitate the making of disclosures of improper conduct by public officers and public bodies, including Council, its employees and Councillors.

Councillors are required to report to the Chief Executive Officer and/or appropriate integrity body, in line with Council's Public Interest Disclosure Procedures, any suspected, potential, or actual fraudulent, criminal, unethical, corrupt, or other unacceptable behaviour that comes to their knowledge.

Councillors are required to participate to the best of their ability in any subsequent investigation whether undertaken internally or externally.

7. INTERNAL RESOLUTION PROCEDURE (PRESCRIBED PROCEDURES)

Councillors are encouraged to attempt to resolve any disputes, including disputes concerning alleged breaches of the Model Code of Conduct, through this procedure in the first instance. Where a complaint has been made or dispute has arisen concerning an alleged breach of the Model Code of Conduct, the Councillors involved in the matter should use their best endeavours to resolve the matter in a courteous and respectful manner with a view to maintaining effective working relationships.

This Procedure is designed to minimise cost and disruption of disputes to Council and individual Councillors and, where possible, avoid disputes escalating and becoming the subject of an internal arbitration.

These processes may also provide an effective avenue to address other types of complaints or disputes that may arise, including interpersonal disputes or complaints about serious misconduct.

An overview of the Procedure is included at Appendix 2.

This Procedure will not be suitable for resolution of all disputes between Councillors.

This Procedure is to apply to those disputes in which one Councillor (**the Complainant**) alleges that another Councillor (**the Respondent**) has breached the Model Councillor Code of Conduct or acted inappropriately.

7.3 STAGE 1 - DISCUSSION

A Complainant is encouraged to raise their issue directly with the Respondent in a respectful and courteous manner, either in person or in writing, where they feel comfortable to do so.

Councillors are encouraged to recognise that:

- a) certain behaviours and communications may be perceived by others to be causing issues or offence that may not have been intended;
- b) it can provide useful insight to reflect on their own behaviour or motivation and possible contribution to the dispute, whether intended or not; and
- c) dealing with the dispute early is more likely to avoid the issue escalating and resolve it before it threatens the effective operation of Council.

It is useful to frame any issue from the Councillor's perspective (e.g. "I felt disrespected when you said / did ..."), rather than accusing another person of holding a particular position or taking a negative action deliberately. A Councillor should let the other

Councillors know how they feel and ask for an explanation, rather than making accusations or assumptions.

7.4 STAGE 2 - CONCILIATION

Where a direct conversation between Councillors has not been successful in resolving the dispute, or a Councillor does not feel comfortable communicating directly with another Councillor, the second stage of this Procedure is conciliation.

7.4.1 INITIATING CONCILIATION

A Complainant initiating conciliation must notify the Mayor and the Respondent of the dispute by completing a **Conciliation Application Form**. That form (see Attachment 1 to this Procedure) must:

- a) specify the names of the Complainant and Respondent;
- b) specify the provision (or provisions) of the Model Councillor Code of Conduct alleged to have been breached;
- c) detail what was said or done by the Respondent to constitute a breach of the Model Councillor Code of Conduct;
- d) attach any supporting information to provide examples of the behaviour complained of (e.g. screenshots or emails); and
- e) be dated and signed by the Complainant.

7.4.2 PARTICIPATING IN CONCILIATION

Councillors are not obliged to engage in conciliation but should only decline to participate if they honestly and reasonably believe that their participation would adversely affect their health or wellbeing or would otherwise be unsafe.

A Respondent declining to participate in the conciliation must advise the Complainant and the Mayor of their unwillingness to participate, and the reasons for it. That advice must be provided no more than one week after receiving the Conciliation Application Form.

7.4.3 CONDUCTING CONCILIATION

Conciliation is to be conducted by the Mayor except when the Mayor is a party to the dispute or otherwise unavailable to conduct conciliation. In that case the Deputy Mayor will assume the role of the Mayor in the conciliation process. If both the Mayor and the Deputy Mayor are parties to the dispute or otherwise unavailable to conduct the conciliation, the role of the Mayor must be performed by a Councillor jointly chosen for the purpose by the parties.

When, in this Procedure, reference is made to the Mayor it includes:

- a) the Deputy Mayor; and
- b) a Councillor jointly chosen for the purpose by the parties,

when the Mayor and/or the Deputy Mayor are parties to the dispute or otherwise unavailable to conduct a conciliation.

7.4.4 ROLES AND RESPONSIBILITIES

The role of the Mayor is to provide guidance to the parties to the dispute about the Standards of Conduct in the Model Councillor Code of Conduct, and actively explore whether the dispute can be resolved by agreement between them.

The role of the Complainant and Respondent is to explain their respective positions and, in a show of goodwill, actively explore the possibility of resolving the dispute by agreement.

All Councillors are responsible for conducting themselves in a courteous and respectful manner at all times during the conciliation.

The role of the Councillor Conduct Officer is to provide the Mayor with the administrative support necessary to arrange and conduct the conciliation.

7.4.5 SUPPORT FROM COUNCIL

Council, through the Councillor Conduct Officer, will provide administrative assistance to the Mayor when arranging a time and place for conciliation, including any technical assistance that may be required. Council will make a venue available to the Councillors within Council's offices that is private and suited to the conciliation process.

Council will not provide any substantive guidance or advice about the subject matter of the dispute, or pay the costs of legal advice or representation for any Councillor in connection with this Procedure. Parties to a dispute may seek their own legal or other advice at their own cost, if they choose to do so.

7.4.6 TERMINATION OF CONCILIATION

Conciliation will end or be terminated if any of the following occurs:

- a) the parties cannot jointly choose a Councillor to conduct the conciliation within one week of being asked to do so;
- b) the Respondent notifies the Mayor that they do not wish to participate in conciliation, and the reasons for it, within one week of receiving the Conciliation Application Form;

- c) the Respondent does not respond to the Conciliation Application Form at all within two weeks of receiving it;
- d) conciliation has not occurred within four weeks of the Complainant submitting the Conciliation Application Form;
- e) conciliation has occurred and the parties have been unable to resolve the dispute; or
- f) the dispute has been resolved.

The time for conciliation may be extended by the time for conciliation may be extended by agreement between the parties to the dispute, whether or not the matter has been escalated to one of the formal dispute resolution procedures outlined in the Act.

7.4.7 CONFIDENTIALITY

Parties and other participants are expected to maintain confidentiality concerning the dispute and the operation of this Procedure.

7.4.8 RECORD OF OUTCOME

The Mayor must document any agreement that is reached between the Complainant and Respondent. The agreement must be signed by the Complainant, Respondent and Mayor. Copies must be provided to the Complainant and Respondent, and the original must be retained by the Mayor. Again, parties and the Mayor are expected to maintain the confidentiality of the agreement reached.

7.5 STAGE 3 - EXTERNAL MEDIATION

If reconciliation of the dispute is not possible after discussion and conciliation, the Councillor may request assistance from an external mediator to resolve the dispute.

The request must be submitted in writing to the Councillor Conduct Officer setting out the name of the Councillor and the details of the dispute. The request must:

1. State that it is an application for “external mediation”.
2. Where the application relates to an alleged contravention of the Councillor Code of Conduct, the application must:
 - specify the name of the Councillor alleged to have contravened the Code;
 - specify the provision(s) of the Code that is alleged to have been contravened;
 - include evidence in support of the allegation; and
 - name the Councillor appointed to be their representative where the application is made by a group of Councillors.

3. Copy the other party to the request, or provide evidence that the other party has been notified of the request.

The Councillor Conduct Officer is to ascertain (in writing) whether or not the other party is prepared to participate in external mediation. If the other party declines to participate in an external mediation, they are to provide their reasons for doing so in writing to the Councillor Conduct Officer.

When the other party declines to participate in an external mediation, this does not constitute a contravention of this Councillor Code of Conduct.

If the other party agrees to participate in an external mediation, the Councillor Conduct Officer is to advise the applicant, the Mayor and Chief Executive Officer immediately.

The Councillor Conduct Officer is to engage the services of an external mediator to conduct the mediation at the earliest practicable opportunity.

The mediator is to document any agreement reached at the meeting. Copies of the agreement are to be provided to both parties. Where one party does not comply with the agreement, the other party has recourse to the internal resolution procedure where the matter relates to an alleged contravention of the Councillor Code of Conduct.

If the parties cannot resolve the dispute at the meeting, a further meeting may be convened with the consent of both parties. Where the dispute remains unresolved, the applicant may choose to pursue formal dispute resolution procedures.

7.6 WHERE THE INTERNAL RESOLUTION PROCEDURE DOES NOT APPLY

The following disputes are not covered by this Procedure:

- a) differences between Councillors in relation to policy or decision making, which are appropriately resolved through discussion and voting in Council meetings;
- b) complaints made against a Councillor or Councillors by a member or members of Council staff, or by any other external person;
- c) allegations of sexual harassment;
- d) disclosures made about a Councillor under the *Public Interest Disclosures Act 2012*, which can only be made to the Independent Broad-based Anti-corruption Commission; and
- e) allegations of criminal misconduct, which should be immediately referred to Victoria Police or the relevant integrity authority.

7.7 FORMAL DISPUTE RESOLUTION PROCEDURE

This Procedure operates alongside, but does not replace, the formal dispute resolution procedures outlined in the Act.

The formal dispute resolution procedure can apply to misconduct, serious misconduct and gross misconduct.

7.7.1 INTERNAL ARBITRATION

Section 141 of the Act provides for an internal arbitration process concerning a breach of the Standards of Conduct set out in the Model Councillor Code of Conduct. This is subject to change based on the legislative amendments.

Under Internal Arbitration, arbiters are appointed from an established state wide panel. Councillors will only have access to legal representation where the arbiter considers that representation is required for the process to be conducted fairly.

An application for internal arbitration must be made within 3 months of the alleged misconduct.

Findings of serious misconduct are required to be referred to the Chief Municipal Inspector.

Costs associated with internal arbitration are borne by Council.

8. DEFINITIONS

The following terms are referred to in the policy.

Term	Definition
Acting Chief Executive Officer	means an Acting Chief Executive Officer in accordance with section 44(4) of the <i>Local Government Act 2020</i> . The terminology of Acting Chief Executive officer is also used interchangeably with interim Chief Executive Officer as determined from time to time by Council resolution.
Chief Executive Officer	means the Chief Executive Officer as appointed by Council in accordance with section 44 of the <i>Local Government Act 2020</i> .
Chief Municipal Inspector	means the Chief Municipal Inspector who is responsible for investigating and prosecuting possible breaches and offences under the <i>Local Government Act 2020</i> , investigating allegations of Councillor misconduct, serious misconduct and gross misconduct, making an application for a Councillor Conduct Panel to make a finding of serious misconduct against a Councillor and making an application to the Victorian Civil and Administrative Tribunal for a finding of gross misconduct by a Councillor.
Conflict of interest	means a Conflict of Interest as defined by Division 2 of the Act.
Council	means Hepburn Shire Council
Councillor Conduct Panel	means a panel formed by the Principal Councillor Conduct Registrar under section 156 of the <i>Local Government Act 2020</i> .
Councillors	means the elected representatives of Hepburn Shire Council
Governance Rules	means Council's Governance Rules as adopted in accordance with section 60 of the <i>Local Government Act 2020</i> .

Term	Definition
Gross misconduct	means Gross misconduct as defined under s3(1) of the Act
Internal arbitration process	means the internal arbitration process of a Council under section 141 under the <i>Local Government Act 2020</i>
Council staff	means appointed by the Chief Executive Officer in accordance with section 48 of the <i>Local Government Act 2020</i> to enable the functions of Council under the <i>Local Government Act 2020</i> or any other Act to be performed.
Misconduct	means any breach by a Councillor of the prescribed standards of conduct included in the Model Councillor Code of Conduct, or as defined under s3(1) of the Act
Overarching governance principles and supporting principles	means the principles specified in section 9 of the <i>Local Government Act 2020</i> .
Councillor Conduct Officer (CCO)	<p>means the person appointed in writing by the Chief Executive Officer to be the Councillor Conduct Officer (CCO). Council's CCO is the Manager Governance and Risk.</p> <p>The purpose of the CCO is to provide administrative and operational support associated with the council's internal resolution procedure and councillor conduct framework.</p> <p>A CCO cannot assist one party in a way that would give them an advantage over another party. This means that a CCO cannot provide advice to councillors about the merits of making an application, tell them what to include or how to write an application, or how they may respond to an application.</p>
Principal Councillor Conduct Registrar	means the person appointed by the Secretary to be the Principal Councillor Conduct Registrar under section 148 of the <i>Local Government Act 2020</i> .
Public transparency principles	means the principles specified in section 58 of the <i>Local Government Act 2020</i> .

Term	Definition
Serious misconduct	means Serious misconduct as defined under s3(1) of the Act
Standards of Conduct	means the standards of conduct prescribed under section 139(3)(a) of the Act to be included in the Model Councillor Code of Conduct and schedule 1 of the <i>Local Government (Governance and Integrity) Regulations 2020</i>
Strategic planning principles	means the principles specified in section 89(2) of the <i>Local Government Act 2020</i> .
The Act	means The <i>Local Government Act 2020</i>
The Model Code	means the Model Councillor Code of Conduct as in force under s12 of the <i>Local Government (Governance and Integrity) Regulations 2020</i> .

9. REVIEW

The Integrity Policy will be reviewed every four years or sooner if required by legislation.

The officer responsible for the review of this policy is the Manager Governance and Risk.

APPENDIX 1 - APPLICATION FOR CONCILIATION

Complainant:	
Respondent:	
Provisions of Model Councillor Code of Conduct breached:	
Action constituting breach:	
(Include dates, times and detailed descriptions of the action complained of. Attach further documents as necessary.)	

Signed by

on

APPENDIX 2 – INTERNAL RESOLUTION FLOW CHART

