Councillor Conduct Framework Overview

Applicant Process Sanctions Grounds Misconduct Internal arbitration process (IAP) Apology Council or Internal resolution procedure Breach by a Councillor of Model Suspension (max 3 months) An independent arbiter is appointed Councils must have an internal Councillor(s) Councillor Code of Conduct to the Council by the Principal Removal from position as council resolution procedure for dealing with Councillor Conduct Registrar (PCCR) alleged breaches of the Model Code representative / chair of delegated to hear allegations of misconduct. of Conduct. **Serious Misconduct** Council, Councillor(s), Training or counselling Failure to comply with IAP Chief Municipal The arbiter appointed is selected by Ineligible to attend a council This procedure may also provide an Failure to comply with arbiter Inspector (CMI) the PCCR from a panel list effective avenue to address direction established by the Secretary to the Ineligible to hold office of interpersonal disputes and other Failure to attend CCP hearing **Department of Government Services** Mayor/Deputy Mayor for up to 12 conduct complaints incl. serious Failure to comply with CCP under section 142 of the LG Act.** misconduct. direction Continued or repeated Ineligible to hold office of **Councillor Conduct Panel (CCP)** misconduct CCP is formed by PCCR to hear an Mayor/Deputy Mayor for remainder Bullying allegation of **serious misconduct** by of term (unless CCP directs Sexual harassment a councillor. otherwise) Disclosure of confidential Reprimand information The CCP comprises two people **Apology** Directing a member of council Suspension (max 12 months) selected by the PCCR from a panel staff list established by the Minister for Ineligible to chair delegated Failure to disclose a conflict of Local Government under section 153 committee interest* of the LG Act Mediation, training, counselling *** **Gross Misconduct** CMI Behaviour that demonstrates that a **VCAT** Councillor is not of good character Disqualification (max 8 years) VCAT may hear an application made or is otherwise not a fit and proper Office of Councillor is vacated by the CMI that alleges gross person to hold the office of misconduct by a Councillor. Councillor

^{*}An application that alleges that a councillor has failed to disclose a conflict of interest may only be made by the CMI.

^{**}LG Act refers to the Local Government Act 2020

^{***} A CCP can also make a finding of misconduct or make a finding that remedial action is required