
From: Shelton, Mark
Sent: Tuesday, 17 September 2019 9:25 AM
To: Shelton, Minister
Subject: FW: Gill v Synfield
Attachments: Letter to Minister_Synfield.pdf

From: Martin Gill <Martin.Gill@mvc.tas.gov.au>
Sent: Monday, 16 September 2019 2:22 PM
To: Shelton, Mark (External Contact) (DPaC) <Mark.Shelton@parliament.tas.gov.au>
Cc: Tay, Alex (DPaC) <Alex.Tay@dpac.tas.gov.au>; katrena.stephenson@lgat.tas.gov.au
Subject: Gill v Synfield

Dear Minister,

Please find attached a letter prepared on behalf of the staff at Meander Valley Council.

Kind regards

Martin

Martin Gill | General Manager
Meander Valley Council
working together

T: 03 6393 5317 | **F:** 03 6393 1474 | **E:** martin.gill@mvc.tas.gov.au | **W:** www.meander.tas.gov.au
26 Lyall Street (PO Box 102), Westbury, TAS 7303



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Meander Valley Council

W O R K I N G T O G E T H E R

16 September 2019

Mark Shelton MP
Minister for Local Government
10A Marlborough Street
Longford TAS 7301

Dear Minister

RE: Code of Conduct Complaint Outcomes

As you would be aware, at the Ordinary Council Meeting August 2019, Meander Valley Council received the Code of Conduct Panel Determination report in the matter of Gill v Synfield.

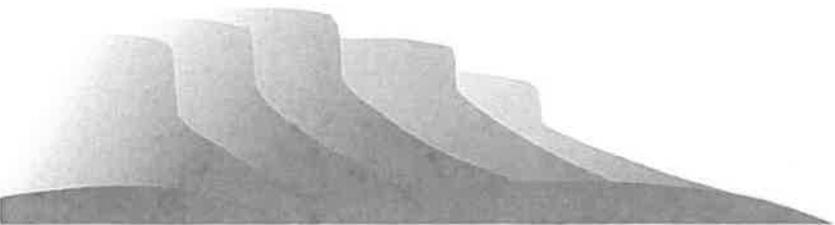
I am writing to you on behalf of the Meander Valley Council staff because we are concerned that the public response to the Panel's determination has revealed a concerning lack of leadership on an important issue within the Local Government sector.

Council recognises that the Local Government Act 1993 and the independence of the Code of Conduct Panel limit the ability of both Council and the Minister to proactively respond to the findings of the Panel. These constraints, however, are not necessarily understood in the broader community, and the cautious bureaucratic deferral to legislation and process is becoming a silence that undermines trust and is damaging the reputation of Local Government.

We believe, however that the constraints also present an opportunity for leadership on an important issue.

The Code of Conduct Panel Determination report outlines behaviour that needs to be publicly denounced. There is an opportunity for you as the Minister for Local Government to say that the behaviour is not acceptable and to set your expectations about the appropriate conduct of our elected representatives.

Two of the key principles underpinning the current review of the Tasmania's Local Government Legislation Review Framework include, building confidence in councils and aligning the sector with the expectations of the community.



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Our community expects that we would stand up and condemn harassment of employees in the workplace. The response of our community following the release of the Code of Conduct Panel Determination report confirms this expectation.

We think that this expectation extends to the broader Tasmanian community including the many people in our community who work in the Local Government sector.

For these reasons we believe that it is important that the Minister for Local Government takes the lead on this matter. Confidence is built when we can see that our leaders understand our concerns, name them and respond to them.

We would respectfully suggest that this is one of those instances where silence has undermined confidence, but a few strong words condemning harassment will could start to build it.

Yours sincerely

A handwritten signature in dark ink, appearing to be 'MG' or similar initials, followed by a long, sweeping horizontal line that extends to the right.

Martin Gill
General Manager
Meander Valley Council

CC - Alex Tay - Director Local Government Division
Dr Katrena Stephenson -CEO Local Government Association Tasmania

**Minister for Police, Fire and Emergency Management
Minister for Local Government**

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2-5 OCT 2019

Mr Jonathan Harmey
Acting General Manager
Meander Valley Council
Email: jonathan.harmey@mvc.tas.gov.au

Dear Mr Harmey

I am writing to you as Meander Valley Council's Acting General Manager in response to a letter of 16 September 2019 (copy enclosed) from Mr Martin Gill who has since resigned as General Manager of the Council. The letter related to the determination of a Code of Conduct complaint made by Mr Gill against Councillor Rodney Synfield. Mr Gill stated his letter was on behalf of the Meander Valley Council staff.

I appreciate Mr Gill's desire to publicly reinforce that inappropriate behaviours by councillors, contrary to the Council's Code of Conduct, are not acceptable. The Tasmanian Government has demonstrated its commitment to ensuring confidence is retained in the local government sector through the introduction in 2016 of a statewide Model Code of Conduct framework to establish a consistent set of behavioural standards for councillors that reflect community expectations.

The Model Code of Conduct was developed in close consultation with the local government sector on the understanding that, while individual councils will adopt the Model Code provisions, each council will effectively 'own' its Code of Conduct. As such, one of the underlying principles of the framework is that individual councils are responsible and accountable for ensuring that councillors comply with the relevant Council's Code of Conduct.

As Minister for Local Government, I strongly support the expectation that councillors will behave appropriately and in line with the Code of Conduct adopted by the relevant council.

I note that in this instance, the Code of Conduct Panel made a number of findings against Councillor Synfield, including that he had breached various provisions of the Council's Code of Conduct, and imposed a sanction against him.

The Code of Conduct Panel found that Councillor Synfield's actions constituted harassment of the employee and he did not appeal the determination. Unequivocally, harassment has no place in society or any workplace and his behaviour was not acceptable.

Thank you for receiving this letter and I trust my response is helpful.

Yours sincerely

Hon Mark Shelton MP
Minister for Local Government

Encl.

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