

ESTABLISHMENT & TERMS OF REFERENCE

BOARD OF INQUIRY INTO THE DORSET COUNCIL

Part 13, Division 1 of the *Local Government Act 1993*

Pursuant to section 215(1) of the *Local Government Act 1993* (the Act), I, Nicholas Adam Street, Minister for Local Government, hereby establish a Board of Inquiry to investigate the Dorset Council in accordance with the Terms of Reference set out below.

Terms of Reference

1. The Board is to inquire into and make findings and recommendations with regard to the matters referred to in the Director of Local Government's *Investigation Report - Investigation into concerns regarding statutory non-compliance, conflicted interests, governance of decision-making and improper use of statutory authority in Dorset Council*, in particular:
 - 1.1. that council officers have used legislative authority improperly and/or with bias;
 - 1.2. that the council has allowed, with intent or through inadequate oversight, the general manager to operate without due regard for the law;
 - 1.3. that conflicts of interest have not been adequately managed by senior council officials;
 - 1.4. that the mayor, councillors or general manager has tolerated retributive action against people that disagreed with the council, the mayor or the general manager through, for example, inappropriate and offensive forms of communication; and
 - 1.5. that the council has failed to implement policies and processes that support, at all times, transparent and effective decision-making.
2. In considering the matters referred to in 1 above, the Board is to have regard to:
 - 2.1. The performance by the Mayor of his functions under section 27 of the Act, including promoting good governance by, and within, the Council and leading and participating in the appointment, and monitoring the performance, of the General Manager;

- 2.2. The performance by councillors of their individual and collective functions under section 28 of the Act, including monitoring the performance of the General Manager and monitoring the manner in which services are provided by the Council;
 - 2.3. The performance by the current and former General Manager of the functions under section 62 of the Act, including to implement the policies, plans and programs of the council, to be responsible for the day-to-day operations and affairs of the council, to liaise with the mayor on the affairs of the council and the performance of its functions, and to manage the resources and assets of the council; and
 - 2.4. The compliance by Council, councillors, the general manager and council employees with relevant laws relating to the performance of their duties and functions.
3. The Board may inquire into any further complaints, claims of non-compliance or breaches of the Act and associated regulations, or any other legislation, that are germane to the matters referred to in 1 above and are:
 - 3.1. brought to its attention during its inquiry; or
 - 3.2. lodged with the Director of Local Government; or
 - 3.3. lodged with the Minister for Local Government.

The Board is to submit a report on its findings and recommendations to the Minister for Local Government no later than 30 April 2024.



Hon Nicholas Adam Street MP
Minister for Local Government

Dated: 15 January 2024