

Hon. Nic Street MP

Minister for Local Government

Box 123

Hobart TAS 7001

25 August 2024

By email: lg.consultation@dpac.tas.gov.au

RE: Local Government (General) Regulations and Code of Conduct Order Submission

Dear Minister Street,

Local Government Professionals Tasmania (**LG Pro**) appreciates the opportunity to provide a submission on the proposed draft amendments to the Local Government (General) Regulations and a new Local Government Code of Conduct.

LG Pro would like to provide the following feedback for your consideration:

- That it supports for the Code's more inclusive gender-neutral language.
- That It's members do not believe that the changes go far enough by not providing for higher penalties. Harsher penalties would reinforce the importance of adhering to the regulations and serve as a deterrent.
- That the behaviour of Councillors cannot be separated from organisational cultural considerations, and therefore, it would be appreciated if there was a level of flexibility for Council to develop their own behavioural policies that align with organisational cultural values.
- An ineffective system for managing poor behaviour "at the top" may expose professionals to an unacceptable level of risk that cannot be managed at the Council level due to an imbalance of power.
- Workplaces are increasingly focused on individuals' health and well-being. There is a growing emphasis on holistic employee well-being, including mental health and psychological safety. Councils as an employer are responding to this and creating supportive and inclusive work environments for their workforces. Attitudes and expectations are changing, and the sector needs to adapt to ensure that local government remains an attractive career choice for Councillors and Executives.

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- The Mayor's role plays a significant leadership role in managing and promoting a respectful work environment, but, in practice, the Mayor has limited tools and powers to assist in that role.
- This Dispute Resolution Policy is proposed to resolve any disputes internally with Code of Conduct complaints being against Elected Members of the Council, there is potential that this internal mediation process could create division between the elected member and the General Manager who appears to become responsible for an internal dispute resolution process. There is an increasing number of areas of Council business where the General Manager is becoming responsible for regulating the actions of the Elected Members, who employ and monitor the performance of the General Manager.

The General Manager should not regulate or mediate Councillor behaviour. This is not only an effective use of this role's focus and time but also of the industry's resources. The General Manager's role could and will be compromised, given Councillors are their employers. The dispute resolution process should be independent of the General Manager as is the case in some other states.

- Should the General Managers be required to manage the internal dispute resolution processes, the Office of Local Government would need to provide training and support to General Managers to implement the model policy for the reasons set out above.

Thank you for the opportunity to provide feedback on these important draft amendments

Yours Sincerely



Kristen Desmond

President

LG Professionals Tasmania