

## Model Code of Conduct Complaints Statistics Lithgow City Council

### Number of Complaints

- |   |   |   |    |
|---|---|---|----|
| 1 | a | The total number of complaints <b>received</b> in the period about councillors and the General Manager (GM) under the code of conduct | 12 |
|   | b | The total number of complaints <b>finalised</b> in the period about councillors and the GM under the code of conduct                  | 10 |

### Overview of Complaints and Cost

- |   |   |   |        |
|---|---|---|--------|
| 2 | a | The number of complaints <b>finalised at the outset</b> by alternative means by the GM or Mayor   | 7      |
|   | b | The number of complaints <b>referred to the Office of Local Government</b> under a special complaints management arrangement                        | 1      |
|   | c | The number of code of conduct complaints <b>referred to a conduct reviewer</b>  | 2      |
|   | d | The number of code of conduct complaints <b>finalised at preliminary assessment</b> by conduct reviewer   | 0      |
|   | e | The number of code of conduct complaints <b>referred back to GM or Mayor</b> for resolution after preliminary assessment by conduct reviewer        | 2      |
|   | f | The number of finalised code of conduct complaints <b>investigated by a conduct reviewer</b>  | 2      |
|   | g | The number of finalised code of conduct complaints <b>investigated by a conduct review committee</b>  | 0      |
|   | h | The number of finalised complaints investigated where there was found to be <b>no breach</b>  | 8      |
|   | i | The number of finalised complaints investigated where there was found to be <b>a breach</b>   | 1      |
|   | j | The number of complaints referred by the GM or Mayor <b>to another agency</b> or body such as the ICAC, the NSW Ombudsman, the Office or the Police | 0      |
|   | k | The number of complaints being investigated that are <b>not yet finalised</b>   | 2      |
|   | l | The <b>total cost</b> of dealing with code of conduct complaints within the period made about councillors and the GM including staff costs          | 52,652 |

### Preliminary Assessment Statistics

- 3 The number of complaints determined by the conduct reviewer at the preliminary assessment stage by each of the following actions:
- a To take no action
  - b To resolve the complaint by alternative and appropriate strategies
  - c To refer the matter back to the GM or the Mayor, for resolution by alternative and appropriate strategies
  - d To refer the matter to another agency or body such as the ICAC, the NSW Ombudsman, the Office or the Police
  - e To investigate the matter
  - f To recommend that the complaints coordinator convene a conduct review committee to investigate the matter

### Investigation Statistics

- 4 The number of investigated complaints resulting in a determination that there was **no breach**, in which the following recommendations were made:
- a That the council revise its policies or procedures
  - b That a person or persons undertake training or other education
- 5 The number of investigated complaints resulting in a determination that there **was a breach** in which the following recommendations were made:
- a That the council revise any of its policies or procedures
  - b That the subject person undertake any training or other education relevant to the conduct giving rise to the breach
  - c That the subject person be counselled for their conduct
  - d That the subject person apologise to any person or organisation affected by the breach
  - e That findings of inappropriate conduct be made public
  - f In the case of a breach by the GM, that action be taken under the GM's contract for the breach
  - g In the case of a breach by a councillor, that the councillor be formally censured for the breach under section 440G of the Local Government Act 1993
  - h In the case of a breach by a councillor, that the matter be referred to the Office for further action
- 6 Matter referred or resolved after commencement of an investigation under clause 8.20 of the Procedures

### Categories of misconduct

7 The number of investigated complaints resulting in a determination that there was a breach with respect to each of the following categories of conduct:

a General conduct (Part 3)

b Conflict of interest (Part 4)

c Personal benefit (Part 5)

d Relationship between council officials (Part 6)

e Access to information and resources (Part 7)

### Outcome of determinations

8 The number of investigated complaints resulting in a determination that there was a breach in which the council failed to adopt the conduct reviewers recommendation

9 The number of investigated complaints resulting in a determination that there was a breach in which the council's decision was overturned following a review by the Office