



City of **HOBART**

**Memorandum:** Lord Mayor  
Deputy Lord Mayor  
Elected Members

## **Response to Question Without Notice**

### **ELECTED MEMBER CODE OF CONDUCT**

**Meeting:** Finance and Governance Committee      **Meeting date:** 15 September 2020

**Raised by:** Deputy Lord Mayor Burnet

**Question:**

- (a) Could the General Manager please provide a total legal cost paid by the Council for costs associated with Elected Member Code of Conduct complaints for the term of this Council?
- (b) Is there a way Elected Members can avoid these costs to ratepayers, such as following a conflict resolution policy?

**Response:**

To date, the total costs incurred by the Council in relation to Code of Conduct complaints since the 2018 elections (ex gst) is \$41,192 in reimbursement of legal expenses and \$17,359 in determination fees charged to Council for the hearing.

A further \$17,000 (ex gst) is estimated for determination costs yet to be invoiced by the Department of Premier and Cabinet.

Of the above mentioned legal expense reimbursements, the Council has received a reimbursement payment under its Councillors and Officers insurance policy of \$11,515 which reduces the legal expense reimbursements for Code of Conduct complaints within the current term of Council to approximately \$29,600.

Claims made under the Council's Councillors and Officers insurance policy attract a \$5,000 excess.

In February 2020, the Council adopted a number of policies to support of the Elected Member Code of Conduct, namely Elected Member Fitness to Undertake Duties, Elected Member Behaviour and Elected Member Issue Resolution Policies.

The Issue Resolution Policy provides Elected Members with a range of options for resolving an issue, conflict or dispute in an informal manner prior to entering into a formal Code of Conduct process.

*As signatory to this report, I certify that, pursuant to Section 55(1) of the Local Government Act 1993, I hold no interest, as referred to in Section 49 of the Local Government Act 1993, in matters contained in this report.*

A handwritten signature in black ink, appearing to read 'Paul Jackson', with a stylized flourish at the end.

Paul Jackson  
**MANAGER LEGAL AND  
GOVERNANCE**

Date: 2 December 2020  
File Reference: F20/102995; 13-1-10