

VLGA

COUNCILLOR CODE OF CONDUCT TRAINING 2020/21

*How to Create a Code
that Works for Your Council*

VLGA
Victorian
Local Governance
Association

JUSTITIĀ
— LAWYERS AND CONSULTANTS

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Background

It is sound practice for councils to develop meaningful codes of conduct. Under the *Local Government Act 2020* (Vic) (**LGA**), councils must review and adopt a Councillor Code of Conduct (**Code**) within 4 months of the general election, or 24 February 2020.

In addition to mandatory provisions such as standards of Councillor conduct, a Code may also include *“any other matter which the Council considers appropriate”*. So the Code of Conduct presents a valuable opportunity for Councils to establish some agreed “rules of engagement” or principles that Councillors agree will guide their interactions with each other, Council staff and the community.

The **VLGA** and **Justitia** see a shared value in early intervention around conflict. We like to build the capacity of individuals to resolve conflict, or to escalate it in a way that ensures working relationships can be maintained rather than be permanently damaged.

Together, we aim to work with Councillors to equip them with the tools they need to ensure a safe and effective working environment. Our combined experience has shown that consultation, education and good communication, as well as documentation of intent and clear guidelines are necessary to effectively manage issues that commonly arise in the Council setting. It requires a constant focus and should be revisited on a regular basis as Council groups change their membership, and the relationship with executives evolves over time.

The **VLGA** and **Justitia** are pleased to provide a training offering to Victorian councils in meeting their Code of Conduct responsibilities. This will take the form of an interactive workshop where Councils consider their current Code and what amendments are required to ensure compliance with the LGA, as well as exploring the opportunity for the Council to agree rules of engagement designed to promote healthy and effective working relationships, as well as some tools for effectively managing conflict.

About Justitia

Justitia has worked closely with many local councils, including as Arbiter of disputes under the Code of Conduct internal resolution procedures. Through their involvement in these processes they have witnessed how disruptive ongoing conflict can be, and its impact on the effective functioning of Council. Justitia has also seen the impact this conflict has on Councillor wellbeing.

About the VLGA

The Victorian Local Governance Association (VLGA) is an independent organisation supporting councils and councillors to deliver good governance. The VLGA provides opportunities for councillor networking, professional development and information exchange. It actively engages with key policymakers and broader stakeholders to inform, influence and lead the conversations that determine the priorities for the local government sector in Victoria and support good governance at the local level.

Package Content

1. **Prior to the Workshop, a brief online survey will be circulated to Councillors to get an understanding of:**
 - a. What they would like to see in their Code
 - b. What are their primary concerns with regards to Councillor conduct/misconduct
 - c. What they consider are the gaps in their current Code
2. **Justitia will perform a gap analysis of your current Code, with regards to both legislative requirements and to 'best practice'.**
3. **VLGA/Justitia conduct a 3 hour workshop with the Councillors covering:**
 - a. Brief summary of LGA requirements with respect to the Code including standards of conduct
 - b. Group discussion
 - I. What is the purpose of a Code? What would you like your Code to achieve?
 - II. What do you want to see in your Code?
 - c. What you have currently – gap analysis
 - d. Case Study: Internal dispute resolution procedures – when it all goes wrong
 - e. Group discussion – how do we want our Council to resolve disputes
 - f. Options for Codes:
 - I. Minimalist approach
 - II. Incorporated documents approach
 - III. 'One-stop-shop' approach

The workshop is intended to be highly interactive and therefore best conducted face to face where possible.

It provides a unique opportunity for councils to reflect on their previous experiences (whether in the local government setting or otherwise) of working effectively in a group environment and managing disputes, so that clear intentions about how they will interact with each other, and conduct themselves, can be agreed upon.

This shared understanding can then be used by the council as a basis for reviewing and amending the Code to support a positive culture, greater capacity of effective conflict resolution and heightened awareness of the Standards of Conduct.

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Trainers

The training will be delivered by Melissa Scadden, Partner, Justitia and Stephen Cooper, Chief of Staff, VLGA.



Melissa Scadden is a Partner at **Justitia**.

Melissa Scadden is an employment lawyer with extensive experience supporting organisations, including those in the local government sector, with their complex workplace issues. She is passionate about effective dispute resolution and early intervention, and works with employers to find practical, sustainable solutions.

Melissa is an experienced workplace educator who has delivered a wide variety of training programs to audiences in the local government, legal, education, corporate and not-for-profit sectors. Melissa has been involved in numerous disputes involving councillors, as a mediator, arbitrator or advisor and therefore has a unique perspective to share.



Stephen Cooper is Chief of Staff at the **VLGA**.

Steve is an experienced and engaging trainer and facilitator. He has supported councillor induction programs, strategic work with councillors and senior staff, as well as culture and values projects. As a consultant specialising in ethics and governance Steve has worked across metropolitan and rural councils, as well as at state government level.

Steve's career as a local government practitioner started in Swan Hill and he has also worked at Whitehorse, Port Phillip and Hobsons Bay Councils. His management roles include governance, media & communication, risk and OHS, corporate planning and reporting and contract management. He can lay claim to extensive insight as to the inner workings of local government.

Location, set-up requirements and materials

As the workshop is best conducted face to face, we propose using suitable meeting facilities at the Council.

Each session will require:

- an AV projector and screen suitable for a PowerPoint presentation
- copies of **worksheets**, the prescribed **Standards of Conduct** in the LGA and an abridged **handout of the presentation slides** for each participant.

Whilst face to face delivery is preferred, virtual workshops are also an option on request.

Cost

VLGA Members \$3,000 + GST

Non-Members \$4,500 + GST

Contact

Bookings

[Liddy Clark](#)

Further information

[Steve Cooper](#)