



MICC Councillor Conduct Register

This register records information as required under s150DX, 150DY and 150DZ of the *Local Government Act 2009*.

Complaint Reference Number	Date of Complaint	Date of Decision	Subject Councillor (Not required where complaint dismissed or where decided the Councillor did <u>not</u> engage in inappropriate conduct or misconduct)	Meeting Complaint Relates to (where applicable)	Summary of Decision /Complaint	Outcome of Decision/ Complaint	Reason for Decision
C18-00190	03/12/2018	17/12/2018	N/A	Ordinary Meeting 11/01/2017	<ul style="list-style-type: none"> i. During the meeting the councillor dealt with the complainant in an inappropriate manner; and ii. That since the meeting a relative of the complainant, a Council employee, had been removed from their position. 	Complaint dismissed by the Independent Assessor.	The complaint is lacking in substance.
C18-00355	19/12/2018	14/02/2019	N/A	Ordinary Meeting 13/06/2018	It is alleged a councillor failed to declare a material personal interest or conflict of interest in a Council meeting held on 13 June 2018 when there were discussions and a vote on the reduction of a speed limit.	Complaint dismissed by the Independent Assessor.	The OIA delegate decided to dismiss the complaint on the basis they were satisfied that the relevant meeting agenda item involved an 'ordinary business matter'. Pursuant to the definition of material personal interests and conflicts of interest a councillor does not have to declare an interest for an 'ordinary business matter'. The councillor's conduct therefore did not constitute inappropriate conduct or misconduct
C19-00348	21/03/2019	13/05/2019	N/A	N/A	It is alleged that five councillors had failed to appropriately update records in their register of interests.	Complaint dismissed by the Independent Assessor	The OIA delegate for the independent assessor decided to dismiss the complaint pursuant to section 150X(c)(i) of the <i>Local Government Act 2009</i> . The councillors have updated their register of interests therefore it would not be in the public interest to proceed.
C18-00355	19/12/2018	16/05/2019	N/A	N/A	It is alleged that a councillor had failed to appropriately update records in their Register of Interests to show income from a business interest.	Complaint dismissed by the Independent Assessor	The OIA delegate for the independent assessor decided to dismiss the complaint pursuant to section 150X(a)(ii) of the <i>Local Government Act 2009</i> . The councillor does not receive an income from the interest. Therefore, the conduct does

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							not constitute inappropriate conduct of misconduct.
C19-00440	29/04/2019	16/05/2019	N/A	N/A	It is alleged that a Councillor removed comments made by the complainant from the council's Mount Isa City Council Facebook page then subsequently blocked them from the page altogether.	Complaint dismissed by the Independent Assessor	Council employees are responsible for moderating/administering the Council's Facebook page. The OIA dismissed the complaint pursuant to section 150X(a)(ii) on the basis that the conduct did not constitute inappropriate conduct or misconduct by a councillor.
C19-00516	15/05/2019	31/05/2019	N/A	N/A	It was alleged that a Council contract for the construction of a street bridge was unfairly awarded to an 'out of town' company that had no local connections to the Mount Isa region.	Complaint dismissed by the Independent Assessor	The OIA delegate made the decision to dismiss the complaint as it does not constitute inappropriate conduct or misconduct by a councillor or councillors and is outside the OIA's jurisdiction.
C19-00505	09/05/2019	12/06/2019	N/A	N/A	It was alleged a councillor: <ul style="list-style-type: none"> • Sold supplies from their personal business to a company that was successfully granted a Council contract; and • Did not disclose financial transactions between their personal company and Council in the 'related party' section of their Register of Interests. 	Complaint dismissed by the Independent Assessor	The complaint was dismissed pursuant to section 150X(a)(ii) in that it did not raise a reasonable suspicion of inappropriate conduct or misconduct. This was on the basis that the subject company was not awarded a contract with Council. The information that founded the complaint was found to be inaccurate.
C/20/00036 C/20/00037	15/01/2020	29/01/2020	N/A	N/A	Allegations were raised against several Councillors in relation to information not included in the Council's financial statements.	Complaint dismissed by the Independent Assessor	The OIA dismissed this matter pursuant to section 150X(a)(ii) as the information provided did not raise a reasonable suspicion of inappropriate conduct or misconduct by Councillors.

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C/20/00309	07/05/2020	09/06/2020	N/A	N/A	It was alleged a councillor breached the Code of Conduct by misrepresenting events and bringing Council into disrepute after decisions were made during an internal meeting.	Independent Assessor decided to take no further action	The OIA decided to take no further action pursuant to section 150Y(b)(i) of the <i>Local Government Act 2009</i> (the Act) as the conduct as alleged did not raise a reasonable suspicion of inappropriate conduct or misconduct. This decision was made on the basis that it was not unreasonable for the councillor to ask for such decisions to be made by way of Council resolution.
C/20/00571 C/20/00572 C/20/00573 C/20/00574 C/20/00575 C/20/00576 C/20/00577	04/08/2020	02/12/2020	N/A	N/A	It was alleged <ul style="list-style-type: none"> that on an unknown date, Councillors directed the Chief Executive Officer (CEO) not to provide information to a Right to Information (RTI) applicant requesting financial information about the CEO and Councillors business dealings with the council, travel expenses and legal expenses. that on an unknown date, Councillors directed senior managers to alter water statistics to say that the water supply was safe when in fact it was unsafe. 	Complaint dismissed by the Independent Assessor	Following an investigation, the OIA decided to dismiss the complaint pursuant to section 150X(a)(ii) of the Local Government Act 2009 [the Act] on the basis that the conduct does not raise a reasonable suspicion of inappropriate conduct or misconduct. There was no evidence that any councillor had directed or influenced council's response to the RTI application Enquiries disclosed that council had contracted an independent external agency to explore the issues relating to the allegations of recording false and misleading water statistics. This investigation did not identify any evidence of Councillors directing staff as alleged.

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C/20/00298	30/04/2020	03/03/2021	N/A	N/A	It was alleged that a councillor engaged in misconduct by making a racist comment during an informal briefing meeting on Friday 24 April 2020.	Complaint dismissed by the Independent Assessor	The OIA dismissed this matter pursuant to section 150X(a)(i) of the <i>Local Government Act 2009</i> following an investigation. Other participants in the conversation were interviewed, but there was insufficient evidence to prove that the councillor had engaged in the misconduct alleged.
C/20/00545	30/06/2020	06/02/2021	N/A	N/A	It is alleged that a councillor released confidential information to the media regarding a complaint made to council.	Independent Assessor decided to take no further action	The OIA decided to take no further action pursuant to section 150Y(b)(i) of the <i>Local Government Act 2009</i> on the basis that the conduct does not raise a reasonable suspicion of inappropriate conduct or misconduct. A review of the actual information provided to the media shows that what was published was made up of high-level information provided by the subject councillor and assumptions made by the journalist, or reports made from other sources. There was no evidence to suggest that the councillor had released confidential information.
C/21/00183	17/03/2021	23/04/2021	N/A	N/A	It is alleged that a former Councillor bullied council staff and directed a senior officer to appoint a close friend of the Councillor's to mediate the complaints, which were dismissed. It is alleged that at the direction of former Councillor, a senior council officer and alleged friend of the	Independent Assessor decided to dismiss the complaint	The OIA dismissed this matter pursuant to section 150X(a)(ii) of the <i>Local Government Act 2009</i> , on the basis that the conduct does not raise a reasonable suspicion of inappropriate conduct or misconduct. The complaint was made anonymously, so the OIA was unable to enquire directly with the complainant for more specific information. In regard to the Councillor's alleged involvement in appointing a friend as a mediator of



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					former Councillor was also implicated for bullying.		complaints made against them, inquiries undertaken by the OIA identified that the Councillor was not a party to that decision having declared a conflict of interest and left the decision-making forum.
C/21/00410 & C/21/00411	23/06/2021	30/06/2021	N/A	N/A	Both complaints alleged that a councillor had released information that was confidential to the local government to a previous councillor. The complainants believed that the information had been released because a document written by the subject councillor had the previous councillor's name as the 'author' of the document.	Independent Assessor decided to dismiss the complaint	The OIA dismissed this matter pursuant to section 150X(a)(ii) of the <i>Local Government Act 2009</i> . Enquiries were made with Council, and it was ascertained that the previous councillor had nothing to do with writing the document. It was an administrative error by Council staff who used an old template document that still had the previous councillor's name on it.
C/21/00649	28/09/2021	01/10/2021	N/A	N/A	It is alleged a councillor breached the Acceptable Request Guidelines Policy of Council when speaking to a subcontractor on a Council project to take action about a safety issue.	Independent Assessor decided to dismiss the complaint	The OIA decided to take no further action pursuant to section 150Y(b) (iii) of the <i>Local Government Act 2009</i> [the Act] on the basis that taking further action would be an unjustifiable use of resources. The OIA noted that the councillor spoke to the subcontractor in their capacity as an office holder in a sporting club about a Work Health and Safety issue that could impact the safety of those engaged in sporting activity. In these circumstances it was not considered a justifiable use of resources to deal with this matter as a potential breach of council's accept request guidelines by a councillor.



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C/21/00668	14/10/2021	02/11/2021	N/A	N/A	It was alleged a councillor failed to declare an interest in a matter before council, the interest was the councillor's partner's relationship to a party associated with the matter before council.	Independent Assessor decided to dismiss the complaint	<p>The OIA dismissed this matter pursuant to section 150X(c)(ii) of the <i>Local Government Act 2009</i> (the Act) as further dealing with this complaint would be unjustifiable use of resources.</p> <p>On the information available to the OIA the relationship between the councillor and the interested party in a matter was too remote to raise a conflict of interest.</p>
C/21/00710	26/10/2021	12/11/2021	N/A	N/A	It was alleged that a councillor made a statement which was defamatory of another councillor during a meeting between council representatives and a private company.	Independent Assessor decided to dismiss the complaint	<p>The OIA dismissed this matter pursuant to section 150X(a)(ii) of the <i>Local Government Act 2009</i> (the Act) on the basis that the conduct does not raise a reasonable suspicion of inappropriate conduct or misconduct.</p> <p>The statement was general in nature and no individuals or businesses were identified. It was made in a closed meeting between council and an external company. Further, it was open to those at the meeting to express an alternative view if they were concerned or in disagreement with the statement attributed to the councillor.</p>