

# Local Government Amendment (Code of Conduct) Bill 2022

## Dispute resolution policy – draft prescribed information

Section 5 of the draft Local Government Amendment (Code of Conduct) Bill 2022 provides that councils must adopt a dispute resolution policy, which is to –

- (a) contain the prescribed information; and
- (b) include the processes to be followed in respect of prescribed matters.

The prescribed information contemplated by the amendment is set out below.

- Matters to be covered by a dispute resolution policy include any complaint regarding the breach of:
  - a council's behaviour standard policy if one exists; and
  - the code of conduct.
- The dispute resolution policy must contain information that outlines how the policy is:
  - **suitable** for resolving disputes, including:
    - the matters covered by the policy
    - the methods of dispute resolution available
    - the circumstances in which a council dispute resolution process might not be appropriate
    - guidance on when mediation would be suitable for resolving a dispute
  - **accessible** to complainants, including:
    - the form and manner in which a complaint must be lodged
    - the costs associated with lodging a complaint
  - **equitable** for both complainants and respondents, including:
    - the process that will be followed when seeking to resolve a dispute, including expected timeframes
    - requirements for confidentiality during a dispute resolution process
    - process for dealing with any conflict of interest
    - the roles and responsibilities of parties to a dispute
  - **transparent** in terms of process and decision making, including:
    - the factors that will be considered in determining the outcomes of the process
    - the procedure for documenting of the outcome of the process