

ITEM 17 CODE OF CONDUCT - COMPLAINT STATISTICS REPORT 2024-25

The Procedure for the Administration of the Codes of Conduct requires the Code of Conduct Complaints Coordinator to provide complaint statistics to Council within three months from the end of September each year.

RECOMMENDATION

The report on Code of Conduct complaint statistics for 2024-2025 be received and noted.

REPORT AUTHORISATIONS

Report of: Todd Hopwood, Manager Customer + Business Integrity

Authorised by: Renee Campbell, Director Corporate Services - Connected + Engaged City

ATTACHMENTS

- 1 Code of Conduct Complaints (GM & Councillors) Report - 2024-25

BACKGROUND

Under Part 11.1 of the *Procedure for the Administration of the Codes of Conduct*, the Complaints Coordinator must arrange for the following statistics to be reported to the Council within three months of the end of September each year:

- a) the total number of Code of Conduct complaints made about Councillors and the General Manager under the Code of Conduct in the year to September (the reporting period)
- b) the number of Code of Conduct complaints referred to a conduct reviewer during the reporting period
- c) the number of Code of Conduct complaints finalised by a conduct reviewer at the preliminary assessment state during the reporting period and the outcome of those complaints
- d) the number of Code of Conduct complaints investigated by a conduct reviewer during the reporting period
- e) without identifying particular matters, the outcome of investigations completed under these procedures during the reporting period
- f) the number of matters reviewed by the Office during the reporting period and, without identifying particular matters, the outcome of the reviews, and
- g) the total cost of dealing with Code of Conduct complaints made about Councillors and the General Manager during the reporting period, including staff costs.

Under Part 11.2 of the Procedure, Council is to provide the Office of Local Government with a report containing the statistics referred to in Part 11.1 within three months of the end of September each year.

Council's Manager Customer and Business Integrity is the appointed Code of Conduct Complaints Coordinator for Wollongong City Council.

PROPOSAL

For the period 1 September 2024 to 31 August 2025 there were five Code of Conduct complaints received about Councillors and no Code of Conduct complaints received about the General Manager. As at the end of the reporting period (31 August 2025) one matter remained open, however that matter has subsequently been resolved.

Attached to this report is the full Model Code of Conduct Complaints Statistics report for Wollongong City Council that has been submitted to the Office of Local Government in accordance with the Procedures.

PLANNING AND POLICY IMPACT

This report contributes to the delivery of Our Wollongong Our Future 2035 Goal 4 “We have a healthy, respectful, and inclusive community”. It specifically delivers on the following:

Community Strategic Plan 2035	Delivery Program 2025-2029
Strategy	Service
4.14 Council demonstrates responsible leadership that is customer focused, demonstrates respect and inclusion and uses resources that are managed effectively to ensure long-term sustainability.	Governance and Administration

RISK MANAGEMENT

The management of Code of Conduct complaints is integral to maintaining public trust and ensuring the integrity of Council operations. Effective oversight of complaint trends enables early identification of potential governance risks, including breaches of ethical standards, reputational harm, and procedural deficiencies. By regularly reviewing complaint statistics and implementing targeted training, policy updates, and preventative measures, Council mitigates the risk of misconduct and promotes a culture of accountability and transparency. This approach aligns with the Office of Local Government’s expectations and supports continuous improvement in ethical governance.

FINANCIAL IMPLICATIONS

Responsibility for the management of Code of Conduct complaints relating to Councillors and the General Manager is the responsibility of the Complaints Coordinator utilising existing resources.

Management of Code of Conduct complaints may also require resourcing to support investigations of matters referred for formal investigation. Such matters are generally referred to Council’s panel of Code of Conduct reviewers on a fee for service basis. No such referrals were required in this reporting period.

CONCLUSION

Clause 11.1 of the Procedures for Administration of the Codes of Conduct require Council’s Code of Conduct Complaints Coordinator to report details of any complaints received about Councillors and the General Manager under the Code of Conduct, within three months of the end of September of each year. This report is now presented to Council in accordance with these requirements and will also be provided to the Office of Local Government within required timeframes.

Model Code of Conduct Complaints Statistics 2024-25
Wollongong City Council

Number of Complaints

1	The total number of complaints received in the reporting period about councillors and the General Manager (GM) under the code of conduct from the following sources:	
i	Community	1
ii	Other Councillors	1
iii	General Manager	0
iv	Other Council Staff	3
2	The total number of complaints finalised about councillors and the GM under the code of conduct in the following periods:	
i	3 Months	3
ii	6 Months	1
iii	9 Months	0
iv	12 Months	0
v	Over 12 months	0

Overview of Complaints and Cost

3	a	The number of complaints finalised at the outset by alternative means by the GM or Mayor	3
	b	The number of complaints referred to the Office of Local Government (OLG) under a special complaints management arrangement	0
	c	The number of code of conduct complaints referred to a conduct reviewer	0
	d	The number of code of conduct complaints finalised at preliminary assessment by conduct reviewer	0
	e	The number of code of conduct complaints referred back to GM or Mayor for resolution after preliminary assessment by conduct reviewer	0
	f	The number of finalised code of conduct complaints investigated by a conduct reviewer	0
	g	Cost of dealing with code of conduct complaints via preliminary assesment	0
	h	Progressed to full investigation by a conduct reviewer	0
	i	The number of finalised complaints investigated where there was found to be no breach	0
	j	The number of finalised complaints investigated where there was found to be a breach	0
	k	The number of complaints referred by the GM or Mayor to another agency or body such as the ICAC, the NSW Ombudsman, OLG or the Police	
	i	ICAC	0
	ii	NSW Ombudsman	0
	iii	OLG	1
	iv	Police	0
	v	Other Agency (please specify)	0

l	The number of complaints being investigated that are not yet finalised	1
m	The total cost of dealing with code of conduct complaints within the period made about councillors and the GM including staff costs	1,000

Preliminary Assessment Statistics		
4	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 (clause 6.13(a) of the 2020 Procedures)	0
b	To resolve the complaint by alternative and appropriate strategies (clause 6.13(b) of the 2020 Procedures)	0
c	To refer the matter back to the GM or the Mayor, for resolution by alternative and appropriate strategies (clause 6.13(c) of the 2020 Procedures)	0
d	To refer the matter to another agency or body such as the ICAC, the NSW Ombudsman, OLG or the Police (clause 6.13(d) of the 2020 Procedures)	0
e	To investigate the matter (clause 6.13(e) of the 2020 Procedures)	0
f	Other action (please specify)	

Investigation Statistics		
5	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	0
b	That a person or persons undertake training or other education (clause 7.40 of the 2020 Procedures)	0
6	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 (clause 7.39 of the 2020 Procedures)	0
b	In the case of a breach by the GM, that action be taken under the GM's contract for the breach (clause 7.37(a) of the 2020 Procedures)	0
c	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 (clause 7.37(b) of the 2020 Procedures)	0
d	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 and that the matter be referred to OLG for further action (clause 7.37(c) of the 2020 Procedures)	0
7	Matter referred or resolved after commencement of an investigation (clause 7.20 of the 2020 Procedures)	0

Categories of misconduct		
8	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)	0
b	Non-pecuniary conflict of interest (Part 5)	0
c	Personal benefit (Part 6)	0
d	Relationship between council officials (Part 7)	0
e	Access to information and resources (Part 8)	0

Outcome of determinations		
9	The number of investigated complaints resulting in a determination that there was a breach in which the council:	
a	Adopted the independent conduct reviewers recommendation	0
b	Failed to adopt the independent conduct reviewers recommendation	0
10	The number of investigated complaints resulting in a determination where:	
a	The external conduct reviewers decision was overturned by OLG	0
b	Council's response to the external conduct reviewers recommendation was overturned by OLG	0
11	Date Code of Conduct data was presented to council	27-Oct-25