

Election fact sheet:

How the Local Government Inspectorate works with Councillors

The Local Government Inspectorate (LGI) is an independent agency responsible for making sure Victorian councils follow the [Local Government Act 2020](#) (the Act).

LGI assesses and investigates complaints about potential breaches of the Act by councils, councillors and staff, including:

- conflict of interest
- misuse of position
- disclosure of confidential information
- directing council staff
- electoral offences

Chief Municipal Inspector

The head of the LGI is the Chief Municipal Inspector (CMI), Michael Stefanovic AM.

The CMI's powers are set out in the Act, and include:

- investigating any aspect of council operations through own motion examinations
- helping with oversight of council elections
- investigating and prosecuting anyone who has committed an offence under the Act

The CMI can delegate functions and powers to LGI's Inspectors of Municipal Administration, including the ability to:

- investigate and prosecute any possible offences under the Act
- examine any possible breaches of the Act
- investigate any allegations of misconduct, serious misconduct and gross misconduct by a councillor

- apply to a Councillor Conduct Panel to make a finding of serious misconduct against a councillor
- investigate any public interest disclosure, referred by IBAC, relating to councillors or officers
- make an application to VCAT for a finding of gross misconduct by a councillor

The CMI reports to the Attorney General and provides reports to councils and government to help drive good governance across the sector.

Key offences under the Local Government Act 2020

Councillors should familiarise themselves with the key offences under the Act, that LGI assess and investigates:

- **Misuse of position** by a councillor (section 123)
- **Conflict of interest** by a councillor, senior council employee or person providing advice to council (ss 127-131)
- **Directing council staff** (s 124)
- **Disclosure of confidential information** (s 125)
- All council **election offences** including nomination of someone not qualified to be a council election candidate (ss 286-305)

Governance examinations

As the dedicated integrity agency for Victorian councils, LGI's role is to ensure that council's governance and operating procedures are compliant with the Act and to avoid breaches of the Act.

In order to do this, LGI examines:

- **individuals or groups of councils** – focusing on various governance processes and practices
- a **topic or theme** across all councils (e.g. personal interest returns, compliance with policy requirements under the Act)

More information about LGI's governance examinations can be found [here](#).

Proactive education and sector support

The CMI and Municipal Inspectors conduct a number of visits to councils each year.

The purpose of these visits is to assist the elected council and council's administration to address emerging issues and improve corporate governance.

Presentations to the council, Audit and Risk Committees and senior staff form part of these proactive visits. These are designed to educate the sector about LGI's responsibilities, emerging issues of concern across the sector and suggestions around how to achieve best practice governance across the organisation.

LGI staff are also involved in presentations and workshops with other integrity agencies, such as

the Independent Broad-based Anti-Corruption Commission (IBAC), throughout the year.

What LGI cannot investigate or receive complaints about

LGI generally **does not** investigate:

- planning and building permits
- council services
- performance of council staff, unless related to offences under the Act
- council decisions, unless there is a possible conflict of interest
- council fines
- rates charges, barking dogs, noise complaints

These are matters dealt with by council's own complaint policy procedures or the Victorian Ombudsman.



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Local Government Inspectorate

Encouraging higher standards of integrity, accountability and transparency in local government

Level 27, 1 Spring Street, Melbourne, VIC 3000 | inspectorate@lgi.vic.gov.au | 1800 469 359 | www.lgi.vic.gov.au