

Behavioural Standards Panel



Checklist

Supporting Information

November 2022



Behavioural Standards Panel



Contents

For a complaint of alleged misbehaviour	1
For a complaint alleging repeated misbehaviour	2
For a complaint of alleged serious misbehaviour	3



Behavioural Standards Panel

Checklist of supporting information to be provided with complaint form

The following supporting information should be attached with the complaint form.

For a complaint of alleged misbehaviour

- Report or records of the inquiries undertaken by the council or person responsible for managing the complaint under the council's behavioural management policy, which should include:
 - the date(s), time(s) and location(s) of the behaviour that is the subject of the complaint;
 - the standard/s of behaviour (Behavioural Standards or standards within a council adopted behavioural support policy) that the member was determined to have breached as part of the initial complaint;
 - a record of the steps undertaken by the council under its behavioural management policy to address the matter, including whether informal or formal action was taken;
 - if informal action was taken, a record of the steps and action(s) taken by the person authorised to manage the complaint under the council's Behavioural Management Policy, and a record of discussions and any agreement or undertaking by the council member to do or refrain from doing something;
 - if formal action was taken, the action(s) taken by the council under section 262C of the Act.
- A copy of the council's behavioural support policy (if adopted).
- A copy of the council's behavioural management policy.

Behavioural Standards Panel

For a complaint alleging repeated misbehaviour

- Report(s) or any records of the inquiries undertaken by the council or person responsible for managing the complaint under the council's behavioural management policy, and any actions taken.
 - the date(s), time(s) and location(s) of the behaviour that is the subject of the complaint;
 - the standard of behaviour (Behavioural Standard or standard in a council adopted behavioural support policy) that the member was determined to have breached;
 - a record of the steps undertaken by the council under its behavioural management policy to address the matter, including whether informal or formal action was taken;
 - if informal action was taken, a record of the steps and action(s) taken by the person authorised to manage the complaint under the council's Behavioural Management Policy, and a record of discussions and any agreement or undertaking by the council member to do or refrain from doing something;
 - if formal action was taken, the action(s) taken by the council under section 262C of the Act;
 - information on any instances of non-compliance by the council member of the action (e.g. undertake specific training) that was required of the member or where the council member had made an agreement or undertaking to take that action.
- A copy of the council's behavioural support policy (if adopted).
- A copy of the council's behavioural management policy.

Behavioural Standards Panel

For a complaint of alleged serious misbehaviour

- Details of the alleged act(s) or omission(s) by the council member that adversely affected the health and safety of a council member or council employee, in contravention of the health and safety duties under section 75G of the Act, including the date(s), time(s) and location(s).
- Details of the assessment of the responsible person on how the health and safety of the affected council member(s) or employee(s) has been adversely affected by the council member's act(s) or omission(s).
- What reasonable direction(s) were given to the council member?
- Were the reasonable directions complied with? If not, provide details of non-compliance by the council member, including the date(s), time(s) and location(s) of the member's non-compliance.
- If the complaint referred to the Panel relates to a single incident for which the council member is alleged to have failed to comply with the health and safety duties under section 75G of the Act, the person(s) referring the complaint may, if they wish the Panel to take into consideration past breaches of section 75G when deciding on an appropriate action:
 - provide a record of information on any alleged past breaches of section 75G, details of the reasonable direction(s) given by the responsible person, and the member's compliance with any directions given; or
 - if no reasonable direction(s) was given, information of why reasonable direction(s) was not given, any undertakings the member may have agreed to, and whether they were complied with.
- If the complaint referred to the Panel relates to multiple incidents for which the council member is alleged to have failed to comply with the health and safety duties under section 75G of the Act, the person(s) referring the complaint may must:
 - provide a record of information on any alleged past breaches that are included in the complaint, and details of the reasonable direction(s) given by the responsible person and the member's compliance with any directions given; or
 - if no reasonable direction(s) was given, information of why reasonable direction(s) was not given, any undertakings the member may have agreed to, and whether they were complied with; and
 - information on why the person(s) referring the complaint to the Panel has decided to do so at this time should also be provided.