



# Examination of the Office of the Independent Assessor 2024

**Report No. 14, 57th Parliament**  
**Housing, Big Build and Manufacturing Committee**  
**June 2024**

## **Housing, Big Build and Manufacturing Committee**

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## Chair's foreword

This report presents a summary of the Housing, Big Build and Manufacturing Committee's examination of the Office of the Independent Assessor, aligning with the committee's oversight responsibility.

The committee's task for this report was to review the operations of the Office of the Independent Assessor since the completion of the State Development and Regional Industries Committee's inquiry into the Independent Assessor and councillor conduct complaints system and the introduction of the *Local Government (Councillor Conduct) and Other Legislation Amendment Act 2023* on the 22 November 2023.

The committee has been highly engaged with all processes involving the OIA, and has had oversight of the improved processes within the councillor conduct and complaint systems in Queensland. We are pleased that we currently retain oversight of the continued improvement of the councillor conduct and complaints system.

I commend this report to the House.

A handwritten signature in black ink, appearing to read 'C. Whiting', written in a cursive style.

Chris Whiting MP  
Chair

## Recommendations

### Recommendation 1

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The committee notes the improvements in the performance of the OIA and congratulates them on their implementation of the legislative reforms and the SDRIC Report recommendations.

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## 1 Introduction

### 1.1 Oversight of the Office of the Independent Assessor

The Housing, Big Build and Manufacturing Committee (the committee) has oversight responsibility for the Independent Assessor (IA), as established under Schedule 6 of the Standing Rules and Orders of the Queensland Legislative Assembly (Standing Orders).

Under the Standing Orders (SO 194A), the committee's functions with respect to the IA are to:

- monitor and review the IA's performance of the functions of the office
- report to the Legislative Assembly on:
  - any matter concerning the IA, the Assessor's functions, or the performance of those functions that the committee considers should be drawn to the Legislative Assembly's attention
  - any changes to the functions, structures and procedures of the IA that the committee considers desirable for the more effective operation of the IA or of the *Local Government Act 2009*.
- examine the annual report of the IA and, if appropriate, comment on any aspect of the report.

The committee does not have the power to re-investigate complaints made to the IA or reconsider a decision or finding of the IA. The committee does not act as an appeal body in respect of decisions made by the IA.

### 1.2 Role of the Independent Assessor

The Office of the Independent Assessor (OIA) undertakes the initial assessment of all complaints about councillor conduct in Queensland ensuring the process remains transparent and accountable.

It investigates misconduct complaints about mayors and councillors and, where appropriate, prepares applications for hearing by the independent Councillor Conduct Tribunal which decides misconduct matters.

Previously, complaints about councillor conduct were assessed by a council's CEO or the chief executive of the Department of Local Government.

The IA reports directly to the Minister for Local Government. The amended *Local Government Act 2009* states that the IA is not subject to direction by another person in regard to exercising its powers.

The IA has jurisdiction over the assessment of complaints made against all councillors in Queensland.<sup>1</sup>

### 1.3 Background

The current councillor conduct complaints system was introduced in 2018 to provide a simpler, more streamlined councillor conduct complaints system for making, investigating and determining complaints about councillor conduct in Queensland. As part of these reforms the OIA was established to investigate all complaints and information about councillor conduct before deciding how it should be dealt with.<sup>2</sup>

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<sup>1</sup> Office of the Independent Assessor, About us, Queensland Government, 20 December 2023, <https://www.oia.qld.gov.au>

<sup>2</sup> Department of Housing, Local Government, Planning and Public Works, *Local Government (Councillor Conduct) and Other Legislation Amendment Act*, Queensland Government, <http://www.localgovernment.qld.gov.au/for-councils/governance/local-government-councillor-conduct-and-other-legislation-amendment-act>

On 25 October 2021, the then Deputy Premier, Steven Miles MP, Minister for State Development, Infrastructure, Local Government and Planning and Minister Assisting the Premier on Olympics Infrastructure wrote to the Legislative Assembly's State Development and Regional Industries Committee (SDRIC)<sup>3</sup> requesting it conduct a review into the functions of the IA in accordance with SDRIC's general oversight responsibilities for the IA.<sup>4</sup>

On 14 October 2022, SDRIC tabled *Report No. 28 of the 57th Parliament - Inquiry into the Independent Assessor and councillor conduct complaints system* (SDRIC Report) in the Legislative Assembly. The SDRIC Report made 40 recommendations to improve the councillor conduct complaints system in Queensland. On 12 January 2023, the Government's response to the SDRIC Report was tabled in the Legislative Assembly, supporting or supporting in-principle all 40 recommendations.<sup>5</sup>

The Local Government (Councillor Conduct) and Other Legislation Amendment Bill 2023 was passed by the Queensland Parliament on 15 November 2023 and received assent on 22 November 2023. The provisions of the then *Local Government (Councillor Conduct) and Other Legislation Amendment Act 2023* (the Act) commenced on 22 November 2023.<sup>6</sup>

The Act amends the *Local Government Act 2009* to make several amendments to the councillor conduct complaints system to enhance its efficiency and effectiveness. The Act implements SDRIC's recommendations that required a legislative response and additional changes to enhance the efficiency and effectiveness of the councillor conduct complaints system generally.<sup>7</sup>

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<sup>3</sup> On 13 February 2024, the Legislative Assembly amended Schedule 6 of the *Standing Rules and Orders of the Legislative Assembly*, establishing the Housing, Big Build and Manufacturing Committee in place of SDRIC.

<sup>4</sup> Department of Housing, Local Government, Planning and Public Works, *Local Government (Councillor Conduct) and Other Legislation Amendment Act*, Queensland Government, <http://www.localgovernment.qld.gov.au/for-councils/governance/local-government-councillor-conduct-and-other-legislation-amendment-act>

<sup>5</sup> Department of Housing, Local Government, Planning and Public Works, *Local Government (Councillor Conduct) and Other Legislation Amendment Act*, Queensland Government, <http://www.localgovernment.qld.gov.au/for-councils/governance/local-government-councillor-conduct-and-other-legislation-amendment-act>

<sup>6</sup> Department of Housing, Local Government, Planning and Public Works, *Local Government (Councillor Conduct) and Other Legislation Amendment Act*, Queensland Government, <http://www.localgovernment.qld.gov.au/for-councils/governance/local-government-councillor-conduct-and-other-legislation-amendment-act>

<sup>7</sup> Department of Housing, Local Government, Planning and Public Works, *Local Government (Councillor Conduct) and Other Legislation Amendment Act*, Queensland Government, <http://www.localgovernment.qld.gov.au/for-councils/governance/local-government-councillor-conduct-and-other-legislation-amendment-act>



## 2 Operations of the OIA since the introduction of the Act

### 2.1 Reassessment of matters

The changes in the operation of the OIA since November 2023, as a result of the SDRIC Report and the legislative amendments, have been well received and applauded by all stakeholders.

Since the introduction of the Act on 22 November 2023, the OIA reassessed all matters in either the investigation or natural justice phase with the OIA, and all matters referred to the Councillor Conduct Tribunal (CCT), which were still undetermined.<sup>8</sup>

As a result of these reassessments:

- 18 investigations were dismissed
- 15 matters that were undergoing natural justice were dismissed
- 26 matters that were awaiting determination by the CCT were withdrawn.<sup>9</sup>

All councillors were provided with an update on the completion of the reassessment process on 15 December 2023, with the OIA specifically noting that a withdrawal does not mean the IA has a view of whether or not the conduct breached a councillor's responsibilities. It is possible that a Councillor did indeed breach their legislative responsibilities but there were other public interest reasons supporting the dismissal or withdrawal of a matter.<sup>10</sup>

Prior to the local government elections on 16 March 2024, the OIA continued to reassess matters to determine if further matters should or must be withdrawn.<sup>11</sup>

#### **Committee comment**

The committee acknowledges the OIA's ongoing efforts to improve the efficiency of the council complaints process.

### 2.2 Stakeholder engagement and the tripartite forum

Since the introduction of the Act there has been consideration of how the OIA can better engage with key stakeholders such as the Local Government Association of Queensland (LGAQ), the Local Government Managers Association (LGMA) and the Department of Housing, Local Government, Planning and Public Works (the department).<sup>12</sup>

The most important stakeholder engagement mechanism has been the tripartite forum, held regularly with the department, the CCT and the OIA.

The OIA has also been meeting with the LGAQ and the department on a regular basis and has begun consultations to develop a stakeholder engagement plan which will address:

- how the OIA can better communicate with stakeholders
- what information stakeholders would like from the OIA
- how the OIA can better collaborate with stakeholders to support them in their capacity building roles.<sup>13</sup>

<sup>8</sup> Correspondence from the OIA, 21 February 2024, p 1.

<sup>9</sup> Correspondence from the OIA, 21 February 2024, p 1.

<sup>10</sup> Correspondence from the OIA, 21 February 2024, p 1.

<sup>11</sup> Correspondence from the OIA, 21 February 2024, p 1.

<sup>12</sup> Correspondence from the OIA, 21 February 2024, p 2.

<sup>13</sup> Correspondence from the OIA, 21 February 2024, p 2.

This work will lead to a renewed Strategic Plan for the OIA, focusing on how the OIA can support agencies to drive capability uplift in the local government sector. Ideally the OIA wishes to see less complaints being received and a greater level of capacity amongst councillors in terms of how they handle their statutory responsibilities. There are multiple stakeholders who all play a role in seeing that occur.<sup>14</sup>

On 16 February 2024, the Acting Independent Assessor and Deputy Independent Assessor briefed the LGAQ policy executive on the work of the OIA over the preceding three months and the OIA's strategic priorities and approach moving forward. This was an important stepping stone in collaboration between the OIA, the LGAQ and its executive.<sup>15</sup>

On 7 February 2024, the OIA, the department and the CCT met to refresh the terms of reference for the tripartite forum and to commit to regular meetings. The tripartite forum will be an important part of communications focused on reducing the CCT backlog and in building sector capacity.<sup>16</sup>

A key part of the OIA's approach with stakeholders will be transparency in terms of how the OIA assesses complaints and data about its operations. The OIA has produced a dashboard which it intends to publish monthly to show the status of matters dealt with by the OIA and key trends. In due course, it is also intended that this dashboard will provide regular updates regarding the time taken by the OIA to assess and investigate complaints.<sup>17</sup>

### **Committee comment**

The committee commends the OIA on their role in the tripartite forum and the development and actioning of a stakeholder engagement plan.

## **2.3 Implementation of recommendations from the SDRIC Report**

The OIA is conscious of its role in driving an efficient councillor conduct framework and in ensuring matters are assessed and investigated quickly. To that end, the OIA is committed to working with the CCT to remove the CCT backlog and to ensuring that resources are used in a manner that prioritises serious instances of misconduct. The OIA anticipates investigating less complaints but is expecting that the complaints investigated will be those which are more complex and more serious.<sup>18</sup>

The OIA is conscious of its role in implementing many of the recommendations from the Committee's SDRIC Report resulting from the Inquiry into the Independent Assessor and councillor conduct complaints system.<sup>19</sup> Table 1 provides an update of the OIA's progress in implementing the report recommendations as per correspondence February 2024.

**Table 1: An update of the OIA's progress in implementing the report recommendations**<sup>20</sup>

<b>Committee Recommendation</b>	<b>OIA Implementation Notes</b>
<p><b>Recommendation 1</b></p> <p>That the following target timeframes be applied to the complaints framework by the OIA and the CCT for all but the most complex or serious of cases:</p>	<p>The Act does not prescribe target timeframes for the IA to undertake particular actions. The Act specifies a new preliminary assessment process that must be undertaken before progressing a matter and</p>

<sup>14</sup> Correspondence from the OIA, 21 February 2024, p 1.

<sup>15</sup> Correspondence from the OIA, 21 February 2024, p 1.

<sup>16</sup> Correspondence from the OIA, 21 February 2024, p 1.

<sup>17</sup> Correspondence from the OIA, 21 February 2024, p 1.

<sup>18</sup> Correspondence from the OIA, 21 February 2024, p 3.

<sup>19</sup> Correspondence from the OIA, 21 February 2024, p 1.

<sup>20</sup> Correspondence from the OIA, 21 February 2024, pp 6-8.

<ul style="list-style-type: none"> <li>• initial assessment or 'triage' of complaint completed by OIA within 7 days of receipt</li> <li>• misconduct investigations including natural justice processes completed by OIA within 60 days of initial assessment</li> <li>• determination of conduct matters completed by CCT within 3 months of the date of referral, unless the subject councillor requests an extension under the <i>Local Government Act 2009</i></li> <li>• adoption of a statute of limitation, to be determined by the Queensland Government with advice from the tripartite forum (Recommendation 38), to accept complaints unless they involve matters to be referred to the Crime and Corruption Commission.</li> </ul>	<p>timeframes for when complaints, notices and information about councillor conduct must be made.</p> <p>Irrespective, the OIA is keen to implement clear target timeframes which are reported regularly through the OIA's performance dashboard and then annually through the Annual Report. The OIA is currently upgrading its complaints system to allow for accurate reporting of time taken to undertake the assessment, investigation and natural justice phase of each complaint.</p> <p>The timeframes to which the OIA will work will reflect an "Other Party Pause" function, noting the considerable time it can take other parties to provide the OIA with information to further progress a matter.</p> <p>The matter of timeframes is still under consideration, with a view to this being finalised for the 2024/2025 financial year and reporting to begin at that point. It is noted that the OIA is investing considerable time in working to clear the CCT backlog and that may impact on timeframes early in the 2024/2025 financial year. However, once the backlog is cleared the OIA is confident of its ability to more accurately specify aspirational target timeframes for 2025/2026 providing even greater certainty to stakeholders.</p>
<p><b>Recommendation 2</b></p> <p>That the OIA publish its performance measured against the target timeframes in its annual report, and the department publish the CCT's performance measured against the target timeframes in its annual report.</p>	<p>Performance will be reported in the OIA's annual report.</p>
<p><b>Recommendation 3</b></p> <p>That the Queensland Government commit to allocating levels of funding provided in the 2022-23 Budget to the OIA on an ongoing basis so as to support the appointment of permanent positions and longer-term contracts for employees of the OIA.</p>	<p>The OIA believes it has an appropriate level of establishment funding. OIA establishment levels will be continually assessed, as against any change in its operations resulting from passage of the Act.</p>
<p><b>Recommendation 16</b></p> <p>That the OIA publish information on the number of matters referred to local government for resolution, the number reported back to the OIA by the local government as being resolved by local governments, and the number of matters that are currently unresolved or not reported.</p>	<p>The OIA have, and will continue to, report these statistics in its annual report. The Act requires the publication of additional particulars in the OIA's annual report, including a description of decisions to refer matters to local governments to deal with, suspected conduct breach matters decided by local governments and suspected conduct breach matters not yet decided by local governments.</p>
<p><b>Recommendation 22</b></p> <p>That the OIA, CCT and other parties inform relevant councillors of the potential penalties of a finding of misconduct as early as possible in the process.</p>	<p>The OIA provides this information to subject councillors as a matter of course.</p>
<p><b>Recommendation 28</b></p>	<p>The Act establishes an administrative process where the OIA may declare, in certain circumstances, that a</p>

<p>That all stakeholders involved in the councillor conduct process use a consistent definition of vexatious and frivolous complaints and complainants, and the OIA continue to report annually on actions taken on these complainants.</p>	<p>person is a vexatious complainant for a period of not more than four years.</p> <p>The OIA must be satisfied a person has repeatedly made complaints and that at least 3 of the complaints have been dismissed by the OIA as being frivolous or vexatious, or have been made other than in good faith.</p> <p>The OIA is very conscious of the need to appropriately manage vexatious and frivolous complaints and this is a consideration at the forefront of all assessments.</p> <p>The OIA has recently commenced a prosecution against a complainant for causing the making of a vexatious complaint by a third party. This matter is currently before the courts.</p>
<p><b>Recommendation 31</b></p> <p>That the OIA continue to publish the number of complaints dismissed or deemed to require no further action in its annual report.</p>	<p>The OIA currently reports this information and will continue to report this information in its annual report.</p>
<p><b>Recommendation 32</b></p> <p>That the OIA consider recruitment of experienced former local government managers to provide a broader range of skills and outlook in the councillor complaint assessment process.</p>	<p>The OIA includes experience in local government as a skill which is highly regarded as part of its recruitment processes.</p>
<p><b>Recommendation 38</b></p> <p>That the recently established tripartite forum, chaired by the department and with representation from the OIA and the CCT, continue to meet on a regular basis and develop a formalised terms of reference and publish directions as appropriate.</p>	<p>The terms of reference for the tri-partite forum have been refreshed, with a focus on ensuring the efficient handling of complaints and capability uplift in the local government sector.</p> <p>The forum has agreed to meet monthly at this point in time.</p>

**Recommendation 1**

The committee notes the improvements in the performance of the OIA and congratulates them on their implementation of the legislative reforms and the SDRIC Report recommendations.

### 3 Operations of the OIA prior to the introduction of the Act

The Annual Report 2022-23 provides an illustration of the state of the OIA's performance prior to the introduction of the Act.

#### 3.1 Progress on SDRIC Report recommendations as at 30 June 2023

Out of the 40 recommendations made by the committee, the OIA was directly responsible for implementing 6, 3 of which were already part of the OIA's annual reporting (Recommendations 16, 28 and 31).<sup>21</sup>

The OIA provided councillors with information about likely CCT orders in the event that misconduct is sustained. This information is provided at the natural justice stage for the 5 per cent of all complaint matters that reach this part of the complaints process (Recommendation 22).<sup>22</sup>

The OIA updated other correspondence and website content to reduce the 'fear factor' as described in the committee's report (Recommendation 14.2).<sup>23</sup>

The OIA considered and encouraged people with local government experience to apply for positions at the OIA (Recommendation 32), and the IA continued to take part in tripartite meetings (Recommendation 38).<sup>24</sup>

The OIA assisted other stakeholders within the councillor conduct complaints system with a further four recommendations.<sup>25</sup>

The remaining recommendations are the responsibility of the department, the CCT, councils and the portfolio committee to implement.<sup>26</sup>

SDRIC also accepted 10 recommendations that were advanced by the OIA to improve the system. The OIA has also progressed other initiatives to improve the efficiency of the councillor conduct framework. For example, following the CCT introducing a new expedited procedure for dealing with matters where councillors agree that they had engaged in misconduct, the OIA wrote to all councillors with matters before the Tribunal to make them aware of the new process.<sup>27</sup>

The OIA provided councillors with information about what submissions the IA would make in relation to disciplinary orders in the event councillors elected to expedite matters, sparing the resources of the Tribunal in dealing with a matter as a full hearing. In 2022-23, 4 councillors expedited their misconduct matters and received an outcome from the CCT within 2 to 4 months (Recommendation 9). One further expedited matter was being considered by the CCT as of 30 June 2023.<sup>28</sup>

#### **Committee comment**

The committee recognises the comprehensive work that has been undertaken by the OIA to meet the recommendations of the SDRIC Report.

<sup>21</sup> OIA Annual Report 2022-23, p 12.

<sup>22</sup> OIA Annual Report 2022-23, p 12.

<sup>23</sup> OIA Annual Report 2022-23, p 12.

<sup>24</sup> OIA Annual Report 2022-23, p 12.

<sup>25</sup> OIA Annual Report 2022-23, p 12.

<sup>26</sup> OIA Annual Report 2022-23, p 12.

<sup>27</sup> OIA Annual Report 2022-23, p 12.

<sup>28</sup> OIA Annual Report 2022-23, p 12.

## **3.2 Complaints and notifications**

The number of complaints received by the OIA in the early years after its inception presented challenges to the OIA. The OIA received 4,707 complaints about councillor conduct since its establishment on 3 December 2018 to 30 June 2023.<sup>29</sup>

In 2022-23, the OIA received 897 complaints or notifications containing 958 separate allegations. This represents a 2 per cent increase in the number of complaints or notifications received in 2021-22. Since establishment, the OIA has consistently received on average 1,000 complaints or notifications a year.<sup>30</sup>

### **3.2.1 Source of complaints**

In 2022-23, there was a 44 per cent decrease in the number of councillors reporting their own conduct. Only 18 councillors self-referred their conduct. In 2021-22 there were 32 self-referrals and 30 the year before that. In comparison, complaints or notifications from one councillor about the conduct of another councillor accounted for 22 per cent of all complaints or notifications received, up from 19 per cent the previous year.<sup>31</sup>

The source of complaints in 2022-23 were:

- 53 per cent from local government sector, including councillors, councillor self-referrals, CEOs and council staff
- 38 per cent from members of the public
- 2 per cent referred by the Crime and Corruption Commission (CCC)
- 6 per cent from other sources.<sup>32</sup>

### **3.2.2 Complaint allegations**

In 2022-23 many complaints involved multiple allegations, with:

- 49 per cent of allegations related to alleged misconduct, up from 45 per cent
- 41 per cent related to alleged inappropriate conduct, up from 36 per cent
- 3 per cent related to suspected corrupt conduct, down from 7 per cent
- 7 per cent were other matters, down from 12 per cent.<sup>33</sup>

Out of the 41 per cent of complaints or notifications about alleged inappropriate conduct, 37 per cent of these related to alleged breaches of the mandatory Code of Conduct for Councillors in Queensland, up from 33 per cent in 2021-22 and 24 per cent in 2020-21.<sup>34</sup>

### **3.2.3 Anonymous complaints**

In 2022-23, the OIA received 130 anonymous complaints which accounted for 14 per cent of all complaints received. There were 10 fewer (2 per cent) than the previous year with the rate of anonymous complaints remaining generally consistent for the past 3 financial years.<sup>35</sup>

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<sup>29</sup> OIA Annual Report 2022-23, p 13.

<sup>30</sup> OIA Annual Report 2022-23, p 13.

<sup>31</sup> OIA Annual Report 2022-23, p 16.

<sup>32</sup> OIA Annual Report 2022-23, p 16.

<sup>33</sup> OIA Annual Report 2022-23, p 16.

<sup>34</sup> OIA Annual Report 2022-23, p. 16.

<sup>35</sup> OIA Annual Report 2022-23, p. 17.

### 3.2.4 Independent Assessor initiated complaints

Under the *Local Government Act 2009*, the IA can initiate investigations. Twelve own-motion investigations were commenced in 2022-23. There were 8 in the previous financial year.<sup>36</sup>

The IA raised these own-motion investigations in circumstances where the assessment of a complaint identified the conduct of other councillors in allegedly failing to declare a conflict of interest, and where potential criminal conduct was widely publicised.<sup>37</sup>

At least 3 of these matters resulted in the OIA identifying a systemic issue and writing to the department and requesting a training intervention.<sup>38</sup>

### 3.2.5 Impact on corruption complaints

The OIA referred 24 complaints to the CCC in 2022-23, these represented 3 per cent of all complaints assessed.<sup>39</sup>

CCC statistics reveal complaints to the CCC involving the local government sector, including elected officials and employees, decreased in 2022-23; continuing a downward trend over the last three years. The CCC states that several factors may have driven this trend, including the establishment of the OIA.<sup>40</sup>

In 2022-23, the CCC received 243 complaints related to the local government sector, which was a 19 per cent decrease on the previous year. The complaints contained 386 allegations, a 40 per cent decrease from 2021-22.<sup>41</sup>

According to the CCC, corruption allegations about local governments increased noticeably in 2017-18 and remained high until dropping in 2020-21.<sup>42</sup>

It is noted however that changes to the *Local Government Act 2009*, which commenced in October 2020, operated to reduce the number of complaints that would meet the definition of corrupt conduct; section 201D created a new high threshold for a statutory offence under the LG Act.<sup>43</sup>

### 3.2.6 Timeframe improvements

The Annual Report 2022-23 illustrated that the OIA had addressed noteworthy reductions in timeframes for assessing and resolving complaints.

A key theme of the SDRIC inquiry was the time taken for councillor conduct matters to be dealt with. For the OIA, timeframes were impacted from establishment, with an average 1,000 complaints a year received; the OIA was set up to deal with 160 a year.<sup>44</sup>

An expanded jurisdiction followed, with the Brisbane City Council coming into the OIA's remit in March 2020. From December 2020 the OIA was supported with additional temporary funding and FTE positions to address the time taken to deal with the volume of complaints. As a consequence of this

<sup>36</sup> OIA Annual Report 2022-23, p. 17.

<sup>37</sup> OIA Annual Report 2022-23, p. 17.

<sup>38</sup> OIA Annual Report 2022-23, p. 17.

<sup>39</sup> OIA Annual Report 2022-23, p. 17.

<sup>40</sup> OIA Annual Report 2022-23, p. 17.

<sup>41</sup> OIA Annual Report 2022-23, p. 17.

<sup>42</sup> OIA Annual Report 2022-23, p. 17.

<sup>43</sup> OIA Annual Report 2022-23, p. 17.

<sup>44</sup> OIA Annual Report 2022-23, p. 11.

support, the OIA was able to remove all backlogs in progressing misconduct matters and has substantially reduced timeframes.<sup>45</sup>

As of 30 June 2023:

- 94 per cent of complaints were assessed and an outcome communicated within 21 working days
- OIA investigation timeframes averaged 2 months with the natural justice process at just over 4 months
- all but one active investigation was under 3 months duration.<sup>46</sup>

The key driver for extending timeframes was delays due to other parties. This included responses to requests for information from councils, affidavit responses, natural justice responses from councillors or their legal representatives and requests for extensions of time.<sup>47</sup>

### **3.2.7 OIA budget and staff**

The Queensland Government 2023-24 State Budget provided budget and permanent FTE for the OIA to transfer 8 temporary staff to permanent positions, aligning with Recommendation 3 of the SDRIC Report. The OIA was then funded for 19 permanent FTE. The OIA's operational budget for 2023-24 was \$4.223 million.<sup>48</sup>

#### **Committee comment**

The committee has been pleased to be involved with the oversight of the OIA, and the development of improved processes within the councillor conduct and complaint systems in Queensland.

Reports indicate a tangible improvement in the operation of the system. It is a credit to the commitment of all local government stakeholders in Queensland, and their willingness to work collaboratively on improving the support settings for Queensland councillors.

The committee acknowledges the OIA's preliminary efforts to action SDRIC recommendations prior to the introduction of the Act.

The committee notes the OIA's focus on improving timeframes for assessing and providing outcomes for complaints and their publishing of processing timeframes for complaints, as per recommendations.

We look forward to the continued improvement of the councillor conduct and complaints system over the coming years.

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<sup>45</sup> OIA Annual Report 2022-23, p 11.

<sup>46</sup> OIA Annual Report 2022-23, p 11.

<sup>47</sup> OIA Annual Report 2022-23, p 11.

<sup>48</sup> OIA Annual Report 2022-23, p 11.