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29 August 2025

Ms Sarah Connolly MP
Chair
Public Accounts and Estimates Committee
Parliament of Victoria

paec@parliament.vic.gov.au

Dear Chair

Parliamentary Enquiry into Fraud and Corruption in Local Government

Thank you for your correspondence dated 22 August 2025 requesting further information relating to the Committee's inquiry into Fraud and Corruption Control in Local Government.

As requested, please find below the response from Management and Administrators at Moira Shire Council.

Responses from Management

1. *Would standardisation across Councils be beneficial? What things would you like to have standardised (e.g. policies, processes, reporting, grant assessment criteria)?*

   A standardised approach would be beneficial as it would lead to a more effective and coordinated response to fraud and corruption controls. It can also enhance transparency in how fraud and corruption is handled, building public trust in Local Government.

   Standardised policies, process and reporting provides consistency across the sector and allows for greater collaboration between Councils. A standard approach allows Councils to share any lessons learned and identify any process improvements.

2. *How does your Council ensure that its Audit and Risk Committee is contributing to best practice controls? For example, how your ARC prioritises its work and meeting agendas and maintains transparency.*

   The Audit and Risk Committee priorities its work through the Audit and Risk Committee Charter Work Program, setting out the Agenda Items for each meeting that cover the duties and responsibilities detailed in the Charter. An annual self-assessment against the Charter ensures the Committee are contributing to best practice controls by identifying any skills and reporting gaps.

   Leveraging the skills and expertise of the internal and external auditor, proactively driving the resolution of outstanding items on the ARC registers and reporting back to Council on outstanding items will support the implementation of best practice controls. Ensuring there is a dynamic approach to the Internal Audit Program to accommodate and respond to newly identified risks/issues.

3. *How adequate do you believe the current consequences/penalties for breaches to the Local Government Act or instances of fraud and corruption are? What would you like to see changed?*
   We believe that there are adequate penalties and consequences.

4. *How adequate do you believe current whistleblower protections in the local government sector and how could these protections be improved?*
   Based on limited instances of whistleblower activities, we are of the view that when the process is exercised it works at a satisfactory level.
   However, this is a question that may be best answered by surveying public officers anonymously, as there may be people across the sector who would have reported questionable activities but were deterred as they felt that they could have been identified by the nature of the report. It would be important to capture their voice and perspective in answering this question.

Responses from Elected Members (Administrators)

1. *How comfortable are you with the current use of confidentially in meetings within your Councils?*

   Moira Shire takes a ‘transparency-first’ approach in relation to matters which are presented to Council for consideration. Therefore, only very limited matters (consistent with the definition of ‘confidential information’ and section 66 of the Act) are considered as confidential in meetings. On this basis, we are very comfortable with the use of confidentiality in Council meetings at Moira Shire.

   a. *How could the need for confidentiality be better balanced with the requirement for Council decisions to be reported transparently?*

   The management of confidentiality starts with a clear understanding of what constitutes ‘confidential information’. This requires reference to the definition of confidential information in the Local Government Act. Invariably, the definition of confidential information in the Act requires judgment to be applied. Terms such as ‘would prejudice the Council’s position’ and ‘would result in unreasonable disclosure of information’ require judgement in application. This judgement can often lead to a conflict in interpretation and tension when determining what should be treated as confidential, and what should be reported transparently. Whilst respecting that each circumstance will turn on its own facts, a potential solution could lie in expanded and more refined definitions.

2. *What have been the barriers and enablers to your council having a culture that makes councillors and council staff feel safe to ‘speak up’ when they identify fraud or corruption (both internally and formally through Public Interest Disclosures)?*

   The enabler to creating a culture where there is safety in speaking up (to identify fraud or corruption) starts with visible and consistent demonstrations of behaviour by senior leadership. That is, authentic conversations are encouraged at all levels of the organisation, trust is the foundation of all activity, and a willingness to act is evident. Organisational systems and processes need to enable a safe environment for reporting, and adequate protections against retribution need to be assured.

a. *Do you feel confident that integrity agencies are willing and able to investigate suspected fraud and corruption incidents in an appropriate and timely manner?*

Yes

Thank you for the opportunity to provide further information. If you have any queries or wish to discuss this matter further, do not hesitate to contact me on (03) 5871 9222.

Yours sincerely

[redacted]

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