

Breach Complaint Form

Please read the [Breach Complaints Guideline](#) in the 'Information and Guidance' section of the Local Government Inspector's website before making your complaint.

Use this form to lodge a behavioural, conduct or specified breach complaint against an individual council member, or candidate for election as a council member, with the Local Government Inspector under section 8A.5 of the *Local Government Act 1995* (Act). Each complainant must submit their own complaint form.

Please note: Allegations of a behavioural breach will be referred to the relevant local government to be dealt with under its Code of Conduct, unless specific circumstances apply. You may wish to consider lodging your behavioural breach complaint directly with the local government.

The following types of complaint are **not** covered by the breach complaint process:

| If the complaint is about | Make the complaint to |
|--|---|
| Contravention of a provision of the Act or associated regulations (excluding matters which could be a behavioural, conduct or specified breach), i.e. a general complaint. | Refer to our ' General Complaints Guideline ' |
| Decision making or actions of a local government in providing services to the public where you are personally impacted. | Ombudsman WA |
| Serious misconduct by either a council member or an employee of a local government. | Corruption and Crime Commission |
| Minor misconduct by an employee of a local government. | Public Sector Commission |
| An election conducted by the Western Australian Electoral Commission. | Western Australian Electoral Commission |

Making your complaint

Complaints can be made using the online form available on the Local Government Inspector website: www.lginspector.wa.gov.au

If you are unable to complete the form online, you can complete and send this form to the Local Government Inspector by email or post.

Email: complaints@lginspector.wa.gov.au

Post: Local Government Inspector
Locked Bag 14
Cloisters Square Perth WA 6850

Your complaint will be acknowledged in writing within 14 days of being received.

All complaints will be assessed prior to being accepted. Please refer to the '[Our Complaints Process](#)' section of the Local Government Inspector website for information about how a complaint may progress. You will be advised in writing if your complaint is not accepted.

If you require assistance with completing this form, please contact the Local Government Inspector by email or phone.

Email: complaints@lginspector.wa.gov.au

Phone: +61 8 9222 3333

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Important

All complaints are treated as confidential under section 8A.36 of the Act. You must not disclose or use any information about the complaint or its details, unless permitted by law (maximum penalty: \$10,000).

Refer to the '[Confidentiality](#)' section of the Local Government Inspector website for further information on your confidentiality obligations.

Under section 8A.38 of the Act, it is an offence to include information in a complaint knowing it to be consequently false or misleading (maximum penalty: \$10,000).

A complaint must be made in the manner and form approved by the Local Government Inspector under section 8A.5 of the Act. A complaint cannot be lodged anonymously. **All questions marked with an asterisk (*) are mandatory.**

*Are you complaining about a council member or candidate for election as a council member?

Yes No

Your details

Details of the person making the complaint must be provided.

*Given or first name: _____

*Family or last name: _____

*Phone number (business hours): _____

Email address: _____

*Postal address: _____

Home address: Same as postal address

or _____

Preferred method of communication: Email Phone Both

Relationship with the local government (select the most appropriate option):

Council member

Employee

Community member/resident/ratepayer

Business owner

Other (please specify) _____

Do you have a disability that means you require assistance with communication? Yes No

If yes, please tell us how we can assist you: _____

Do you need a translator or interpreter? Yes No

If yes, please tell us what language you require: _____

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Details of alleged breach

Details of the alleged breach and the council member or candidate who the complaint is about must be given. Please refer to [Breach Complaints Guideline](#) for further information on acceptable complaints or contact the Local Government Inspector via email: complaints@lginspector.wa.gov.au or, by phone: +61 8 9222 3333.

*What is your complaint about?

Limit your complaint to a particular incident, but please select all alleged breaches that apply.

- Behavioural breach – personal integrity
- Behavioural breach – relationship with others
- Behavioural breach – council or committee meetings
- Misuse of local government resources (Code of Conduct)
- Securing personal advantage or disadvantaging others (Code of Conduct)
- Prohibition against involvement in administration (Code of Conduct)
- Relationship with local government employees (Code of Conduct)
- Disclosure of information (Code of Conduct)
- Disclosure of interests (Code of Conduct)
- Compliance with plan requirement (Code of Conduct)
- Contravention of a local law relating to conduct at council or committee meetings
- Failure to complete compulsory training
- Failure to declare, or false declaration of, passing or exemption from compulsory training
- Failure to vote at a meeting
- Failure to disclose an interest
- Voting with an interest
- Non-compliance with participation approval conditions
- Failure of council member to disclose a gift
- Improper use of information
- Failure to inform the CEO of a disqualification offence charge
- Disclosure of information about a complaint
- Hindering or obstructing a monitor
- Bribery of a public officer under section 82 of the Criminal Code
- Corruption under section 83 of the Criminal Code
- Falsification of record by a public officer under section 85 of the Criminal Code

Other _____

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*Name of the council member alleged to have committed the breach: _____

*Name of the local government they represent: _____

Please summarise your complaint in one sentence:

*Please provide details regarding the nature of the alleged breach/es and any supporting information:

- Keep your complaint limited to information about the incident.
- If known, please include the relevant section(s) of the Act or Regulations.
- Provide details of any relevant evidence and/or witnesses.
- Limit the information you provide to the actions of the council member or candidate.
- Avoid general criticism, personal attacks and abusive language.

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Where did it happen (if applicable)? _____

How often did this occur?

Once

More than once

Ongoing

*When did it occur?

Start date: _____ End date (if applicable): _____

Are you including attachments relevant to your complaint? Yes No

Please attach documents and list anything you have attached:

Previous complaints

Have you lodged a complaint about this matter previously to the Local Government Inspector? Yes No

Have you complained about this matter to any other person(s) or organisation(s)? Yes No

Who did you complain to (if applicable)?

Local government

Ombudsman WA

Corruption and Crime Commission

Public Sector Commission

Western Australian Electoral Commission

Department of Local Government, Industry Regulation and Safety

Minister for Local Government

Other (please specify) _____

Please provide reference/case numbers for prior complaints about this matter:

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Reminder:

- Complaints cannot be lodged anonymously.
- You may be contacted or compelled to provide evidence.
- You will be advised if a complaint is not accepted.

*Declaration

I declare that the information provided in this complaint is true and correct. I understand that it is an offence under section 8A.38 of the *Local Government Act 1995* to knowingly provide false or misleading information in connection with a complaint.

I acknowledge that once this complaint is submitted, confidentiality provisions apply. I will not disclose that a complaint has been made, nor any details of the complaint, unless permitted under section 8A.36 of the *Local Government Act 1995*.

I understand that failure to comply with these requirements may result in penalties.

Signature: _____ Date: _____

Thank you for lodging your complaint. Your complaint will be acknowledged in writing within 14 days of being received.

Translation services

If you require an interpreter, please contact the Translating and Interpreting Service on 131 450.

National Relay Service

Voice Relay: If you find it difficult to use the phone because of a speech communication difficulty or because of a voice output device, please call 1300 555 727.

TTY/Voice: If you use a teletypewriter for phone communication, please call 133 677.

Please visit www.accesshub.gov.au for further information on chat, SMS and video relay options.