



HUON VALLEY COUNCIL

PUBLIC MEETING REGARDING THE PROCESS UNDERTAKEN BY HUON VALLEY COUNCIL FOR RECRUITING AND APPOINTING THE NEW GENERAL MANAGER

4 FEBRUARY, 2022

SUMMARY OF SUBMISSIONS

33 submissions were received during the advertising period 7 January 2022 to 28 January 2022 from 27 members of the public.

Two (2) submissions were received after the closing time citing lack of internet access available to lodge within the time. Both submissions have been included in this summary. Any further submissions received after this time have not been included in this document however, they will be placed onto the Council's website.

32 submissions raised a broad number of concerns with the General Manager recruitment process that they say must be addressed by the Council.

Three (3) submissions noted that the process was flawed however the Council had responded appropriately.

Where the submission is or includes a motion, a summary of the motion will be provided in the table.

A number of questions were asked within the submissions. Those questions and answers, where these can be provided, are included within this document.

Key themes and concerns included:

- Councillors ignored advice that the recruitment process was flawed and made the appointment.
- The Edge Legal Report and Simmons Wolfhagen Reports should be released in full.
- The Council's response to the process and the conflict of interest was not transparent and did not meet community expectations.
- Questioning whether the Mayor performed the roles set out in section 27(1)(c) and (g) of the *Local Government Act 1993*.
- Concern for the impact of the General Manager appointment on Council staff.
- The Mayor and Deputy Mayor must take responsibility for the flawed process and resign.
- The General Manager should not be confirmed on probation or the General Manager resign and the General Manager position be re-advertised and the recruitment process recommenced through an un-conflicted and independent recruitment agency.
- Requests for further investigations from the Auditor-General or an established independent commission into the entire recruitment process not simply limited to the issue of conflict of interest and should include the activity of the consultant and the General Manager.
- The circumstances of the matter are acknowledged and the process was flawed but that does not demonstrate that anything improper took place.
- Expression of concern for the misinformation in the public arena and that from all the enquiries there was no breach of the code of conduct, the Council's governance framework, the *Criminal Code Act 1924* or actual bias in the recruitment process.
- The opportunity for showing no confidence in Councillors is at the next Council elections.
- That training in relation to conflict of interest be delayed until a new Council is elected and the Integrity Commission be contacted to provide free training for the Councillors.

Copies of all submissions are available on the Council's website.



HUON VALLEY COUNCIL

SUBMISSION NUMBER	SUMMARY
1	<p><u>Geoffrey Swan (1)</u></p> <p>Contains a number of Articles published in Tasmanian Times:</p> <ul style="list-style-type: none">• “Explosive Breach impacts Council” – 16 July 2021 – Provides comment on an alleged breach of confidentiality associated with the General Manager Recruitment process by release of short listed candidate names for the position and speculates as to the circumstances of the recruitment process.• “Quiet at the Huon Valley Council” – 22 July, 2021 – Provides further comment on the alleged breach and raising concerns regarding the impact of this on the recruitment process.• “Enders Ends Independence, Outs Herself as a Liberal Candidate” – 30 March 2021 – Provides comment on the Mayor’s pre-selection as a Liberal candidate for the state election and the campaign run for Mayor which was as an independent.• “Flawed General Manager Recruitment Process at HVC” - 23 August, 2021 – Provides comment on a link between the consultant chosen to undertake the recruitment and a potential preferred candidate for the position of General Manager and raises conflict of interest concerns.• “Alleged Corruption in HVC Appointment” - 9 September, 2021 – Announcing the appointment of the General Manager, commencement date and stating that the name was one of the names provided in the alleged leak. The article raises a number of questions that were asked of the Mayor and the consultant.• “GM Appointment at HVC is Untenable” – 13 September, 2021 – Comment on the recruitment process and the impact of the stated conflict on the consultant’s initial assessment of applications prior to providing the list of applicants to the Council and the decision of the Council. The article speculated on discussions for the special meeting of the Council to be held on 15 September, 2021.• “Is this the End for Enders?” – 12 October, 2021 – Commenting on a public petition that was to be circulated to the community, questioning the legality of the recruitment panel and the outcome of a community protest rally held 29 September, 2021.

2	<p><u>Pat Synge (on behalf of Huon Valley Residents and Ratepayers Association)</u></p> <ul style="list-style-type: none"> • Comments on preparation of the legal report and the independence of the advisor • Challenging the Council for ignoring warnings regarding the conflict of interest issue particularly in light of the Edge Legal Report being available to Councillors. • Criticism of the lack of detail in the summary of the Edge Legal Report and it has never adequately been explained why complete information on the decisions leading up to the flawed process and the Edge Legal Report has not been released in full. • Raising concerns as to the standard of the Council’s public response to their concerns. <p>This submission includes a number of questions regarding the Edge Legal Report.</p> <p><u>Motion (summarised)</u> Requesting release of the Edge Legal Report and the Mayor release a statement of all facts that would lead to a better understanding why the Council ignored the warnings.</p>
3	<p><u>Liz Smith (1)</u></p> <ul style="list-style-type: none"> • Questioning whether the Mayor has breached section 27(1)(c) and (g) of the Local Government Act 1993 during the General Manager recruitment process by not meeting the requirement of a Mayor “to promote good governance by, and within, the Council” and “to lead and participate in the appointment of the general manager.” <p><u>Motion (summarised)</u> Requesting the Mayor and Deputy Mayor provide statutory declarations that contains detail of all actions they undertook during April 2021 in relation to the recruitment process.</p>
4	<p><u>Geoffrey Swan (2)</u></p> <ul style="list-style-type: none"> • Raising concerns for the impact of the General Manager recruitment process on Council staff who do not have a voice in the process. <p><u>Motion (summarised)</u> Requesting the Council to engage an independent firm to conduct an employee satisfaction survey that is run wholly independent from staff and Councillors.</p>
5	<p><u>Martin and Jennifer Chance</u></p> <ul style="list-style-type: none"> • As a result of the circumstances of the conflict of interest, the recruitment contract has been compromised and the Council’s appointment of the General Manager was ethically and procedurally compromised to the point of it now needing to be cancelled.
6	<p><u>Hermanis Mouthan</u></p>

	<ul style="list-style-type: none"> • Procedural comments on the public meeting process that the General Manager is not the appropriate person to receive submissions and motions and how the independent chair should be selected.
7	<p><u>Liz Smith (2)</u></p> <ul style="list-style-type: none"> • Commenting on the early stages of the recruitment process. • Questioning whether the Mayor has breached section 27(1)(c) and (g) of the Local Government Act 1993 during the General Manager recruitment process by not meeting the requirement of a Mayor “to promote good governance by, and within, the Council” and “to lead and participate in the appointment of the general manager.” • Commenting on the appointment process for the General Manager Recruitment Panel ought to have been in Open Council. • Questioning the roles of the Mayor and Deputy Mayor during that period. • Raising concerns as to the legality of the process. <p>This submission includes questions regarding the training and selection criteria for the recruitment panel, the role of the Mayor during the period, the role of the Deputy Mayor during that period and other general questions.</p>
8	<p><u>John Hughes</u></p> <ul style="list-style-type: none"> • Raises the community expectations of the Council as having the direct connection to hands-on government including: to represent the values of the community; to have the best standards of conduct by its representatives. • The reputation of the Council has been damaged by the questionable recruitment process. • The General Manager role is pivotal and the local ratepayers and residents deserve a fair and open re-run of the recruitment process to consider a full field of applicants.
9	<p><u>Lyn Schofield</u></p> <ul style="list-style-type: none"> • Appointments must be made at a distance from any interested party as a primary consideration. • Council should set up frameworks that supports standards the community can respect, that is the job of Council.
10	<p><u>Christopher Holliday</u></p> <ul style="list-style-type: none"> • It appears that the selection procedure was conflicted and that due process was not followed.
11	<p><u>Archie Donley (1)</u></p> <p><u>Motions (summarised)</u> That:</p> <ul style="list-style-type: none"> • the General Manager appointment not be confirmed at the end of the probation period and the

	<p>position be re-advertised;</p> <ul style="list-style-type: none"> • the Mayor and Deputy Mayor take responsibility for the process and resign; • no money be paid to the consultant and any monies that have been paid should be recovered.
12	<p><u>Robert Wills</u></p> <ul style="list-style-type: none"> • The Mayor and Deputy Mayor should not have allowed this flawed selection process to happen. • The General Manager position should be re-advertised and selected by an independent recruitment agency.
13	<p><u>Jeanne Wills</u></p> <ul style="list-style-type: none"> • The Mayor and Deputy Mayor should not have allowed this flawed selection process to happen. • The General Manager position should be re-advertised and selected by an independent recruitment agency.
14	<p><u>Geoffrey Swan (3)</u></p> <ul style="list-style-type: none"> • Questioning the independence of the two legal firms engaged to provide advice on the recruitment process. • Requesting release of both reports. <p><u>Motion (summarised)</u> Requesting the release of both the Edge Legal and Simmons Wolfhagen reports in full.</p>
15	<p><u>Stanley Armstrong</u></p> <ul style="list-style-type: none"> • Commenting on the actions of the Mayor in standing for the Liberal party at the state election compromising her management of the Council. <p><u>Motion (summarised)</u> Requesting the Mayor to take full responsibility for the situation and to resign her position as Mayor.</p>

16	<p><u>(John) Paul McArthy</u></p> <p><u>Motion (summarised)</u> The submission includes a motion requesting the General Manager to resign his position because of the flawed process.</p>
17	<p><u>Debbie Armstrong (1)</u></p> <p>The submission raises a number of questions relating to the any Council relationships with the consultant.</p> <p><u>Motion (summarised)</u> That:</p> <ul style="list-style-type: none"> • The Council request the Office of Local Government to establish an independent commission into the poor governance practices within the Council; • The Council explain why action should not be taken against individual Councillors that openly and deliberately ignored reports that the recruitment process was flawed; • Council to recommence the recruitment process. Failure to recommence should result in legal action against the Councillors which should not be paid by the ratepayers or Council insurance; • Council to explain the roles that the former General Manager and Commissioner played in relation to the recruitment process.
18	<p><u>Debbie Armstrong (2)</u></p> <ul style="list-style-type: none"> • Expressing resident alarm that the appointment did not follow due process and that the General Manager is conflicted.
19	<p><u>Windsor Dobbin</u></p> <p>The submission asks a number of questions relating to the recruitment process.</p>
20	<p><u>Peter Coad (1)</u></p> <ul style="list-style-type: none"> • The Council participated in a flawed General Manager recruitment process and that Council failed to address community concerns. • That there have been no detailed investigation into the actions of the consultant or the General Manager. • There is a duty of care owed to the Huon Valley community that must now be tested in the Courts and noting disappointment that the Office of Local Government and the Minister did not take any decisive or appropriate action to prevent the appointment of a conflicted General Manager given all reports into the matter state the process was flawed. • Questioning whether the Minister exercised his powers appropriately to rectify the flawed recruitment process including when the Minister should have intervened and noting the power of the Minister to issue orders relating to the appointment of General Managers under the Act.

	<ul style="list-style-type: none"> • Questioning the legal advice provided by the Office of Local Government to the Police for their investigation. • Speculating whether legislation was considered for the actions of the consultant and the General Manager. • Questioning breaches of legislation by the consultant. Potential defamatory imputations framed as questions redacted. • Stating there is a High Court decision which possibly makes the consultant subject to the pecuniary interest provisions in section 55 of the Act. <p><u>Motion (summarised)</u> Seeking the community to support both the Auditor-General’s report and the Edge Legal report that the recruitment process was flawed; it is apparent that those with authority have collectively failed to take any action to request the flawed process be recommenced; and, the community seeks to take legal action against individual Councillors, the consultant and the Minister for Local Government for possible breaches and non-compliance with the Act for not providing for good governance and duty of care to the community.</p>
21	<p><u>Irene Swan</u></p> <ul style="list-style-type: none"> • The lack of transparency was raised by the Mayor during the 2018 elections and the lack of transparency was a key issue noted in the Board of Inquiry. • The Council has failed the community completely with the flawed General Manager recruitment process. <p><u>Motion (summarised)</u> That all motions and submissions be discussed in open Council; that no discussion from the meeting be taken into closed Council; and, Councillors are allowed to speak freely and openly about any matters concerning the General Manager Recruitment Process.</p>
22	<p><u>Laurie Dillon</u></p> <ul style="list-style-type: none"> • The Council may have been caught in an unfortunate circumstance but this does not mean that anything improper took place. • Making or forming conclusions on conflict of interest is not clear cut and it is easy to make allegations. • The Council has been a victim of events and has carried out the process as best could be done. • The Council has taken the proper legal actions to mitigate the decision. The decision should stand.
23	<p><u>Imogen Viner</u></p> <ul style="list-style-type: none"> • Expressing outrage over the appointment of the General Manager. • Given the Auditor-General findings and that the only reasonable course of action for the Council is to readvertise the position through a totally independent recruiting agency. • The Mayor and Deputy Mayor should publicly acknowledge their culpability in the matter.

24	<p><u>John Diment</u></p> <ul style="list-style-type: none"> • That the recruitment process was part of a lack of transparency and the “jobs for the mates” culture. • While the General Manager may be qualified for the position there is no evidence that he was the best candidate. If the recruitment is re-run, as the incumbent, he would stand a fair chance.
25	<p><u>Peter Coad (2)</u></p> <p><u>Motion (summarised)</u> Requests the Council to forward a statutory declaration, that will be read on the night, to the Solicitor General, Auditor General and Director of Local Government for investigation. In addition Council is called upon to conduct an independent investigation as to the contents of the statutory declaration as a matter of urgency and provide a full report to the public of the outcome of the investigation.</p>
26	<p><u>Jane Clark</u></p> <ul style="list-style-type: none"> • Expressing concern as to the vitriol and misinformation in the public arena and concerned about personal attacks on members of the Council. • Public enquiries reveal no breach of the Code of Conduct; breach of the Council’s governance framework; breach of the Criminal Code Act 1924; or, actual bias in the recruitment process. • The General Manager is well-qualified for the position. • Comments are made on various statements made by other parties regarding the recruitment process.
27	<p><u>Archie Donley (2)</u></p> <ul style="list-style-type: none"> • Expressing shock of hearing about the flawed recruitment process 3 days before the General Manager was appointed. A request was made to delay of the process to allow for an investigation. • It was a mistake by six (6) Councillors to vote for the appointment in those circumstances. • The Mayor and Deputy Mayor must take responsibility for the flawed process and resign. • The General Manager was never fairly or legitimately recruited and his position should not be confirmed at the end of the probationary period. A new recruitment process should be undertaken that has the confidence of the community.
28	<p><u>Geoffrey Swan (4)</u></p> <ul style="list-style-type: none"> • Notes that following the Edge Legal, Simmons Wolfhagen and Auditor-General reports, Council has decided to undertake conflict of interest training and sought expressions of interest. • On 14 December 2021 a media release confirmed WLF Accounting and Advisory were appointed to provide training for Councillors in February, 2022 at a cost of \$7,920. • A question was asked at the 24 November meeting seeking Councillor comment on the availability of free face to face training from the Integrity Commission and questioning why that was not used rather than the cost of a consultant given that there is less than 12 months to the next election.

	<p><u>Motion (summarised)</u> That the Council accepts and recognises broad training offered by the Integrity Commission and that the Council abandons plans to spend more ratepayers money on the flawed General Manager recruitment process; and, that the training is not urgent as there are only 8 months left in the term of current elected Councillors.</p>
29	<p><u>Jen Hadaway (2)</u></p> <ul style="list-style-type: none"> • Notes the limited review undertaken on the General Manager recruitment process by the Auditor-General which did not include the suitability of the applicant or identifying entering into a contract with the consultant. • The review found that the recruitment process was flawed and there was significant potential for bias and unfair treatment of the applicants. It was also found the process undermined public confidence in the appointment and the Council's efforts fell well below expected standards of managing conflicts. <p><u>Motion (summarised)</u> That the meeting requests the Auditor-General to begin a comprehensive investigation taking into account each point on the petition and investigates the whole recruitment process, makes findings regarding conflicts of interest involved, advises the Council of what action to take to rectify the situations and the report is released publicly.</p>
30	<p><u>Brian Millar</u></p> <p><u>Motion (summarised)</u> The submission includes a motion that requests the Council and the Mayor to disclose in full who was involved in the decision making process which resulted in continuing with the flawed recruitment process</p>
31	<p><u>Elizabeth Howarth</u></p> <ul style="list-style-type: none"> • Proper governance is clearly part of the Council's policies but the recent General Manager appointment shows a flagrant disregard of conflict of interest with respect to the appointment.
32	<p><u>Alison Viner</u></p> <ul style="list-style-type: none"> • Question how Councillors could not recognise the conflict of interest and deemed it appropriate to continue with the services of Red Giant particularly when there was an opportunity • Question how the consultant did not consider the conflict of interest and exclude herself. • Question how the General Manager accepted the position knowing the conflicted selection process. • There must be some redress, the Mayor must resign, the consultant at the very least should return funds paid and the General Manager should resign.
33	<p><u>Lance Hadaway</u></p> <ul style="list-style-type: none"> • The submission expresses the writer's views on the General Manager's responsibilities regarding

	<p>the conflict of interest during the recruitment process.</p> <ul style="list-style-type: none"> • Questioning how the Council have considered the General Manager could have the attributes of a “respected and accomplished senior leader with an unwavering values-based approach to leadership and employee engagement” whilst being a party to a conflicted recruitment process and accepting the role. <p><u>Motion (summarised)</u> That the meeting pass a motion of no confidence in the General Manager.</p>
34	<p><u>Derek Pennington</u></p> <p><u>Motion (summarised)</u> Requesting the General Manager to:</p> <ul style="list-style-type: none"> • Explain measures he took to manage his conflict of interest with the consultant to ensure all conflicts were documented through the process referring to various stages on the progression of his application; and • What measures he has taken since starting as General Manager to ensure that the conflict of interest is adequately documented so there is an ongoing basis for the statement “The announcement of the new General Manager comes at the end of a rigorous recruitment process”.

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Diana Leeder

- The matter has been dealt with in depth by the Council
- An independent review found that there were no breaches of the Code of Conduct, the Local Government Act or the Council' governance framework and no evidence the recruitment was tainted by actual bias.
- The review found the management of the conflict of interest fell below expected standards. A number of recommendations for training and preparations of guidelines were made and Council has agreed to implement them.
- There is no evidence that the General Manager is not competent in the role.
- The appropriate opportunity to express a lack of confidence in elected members is through the election process. Money should not be wasted pursuing the matter.

QUESTIONS ASKED WITHIN SUBMISSIONS

The following questions were asked within submissions. Answers are provided where the information is already available from public sources including Council Reports, Council releases and the Auditor-General's report on the General Manager Recruitment.

It will not be possible to answer some questions at this point in time as they may:

- relate to matters considered in closed Council and a response would need to be considered by the Council for release;
- be directed to specific Councillors and it would be a matter for that Councillor to respond; or,
- relate to matters outside the business activity of the Council.

SUB No.	QUESTION	RESPONSE
2	When the Director of Local Government asked the Huon Valley Council to commission an independent review of the process why did the council use a person with a history of providing legal advice in defence of the council?	The consultant was engaged by the Acting General Manager at the time the decisions were made. Whether or not Council has used a lawyer previously has absolutely no relevance to any later advice given. Any advice at any given time is independent in accordance with professional legal standards.
	So why did Edge Legal state that the recruitment agent is "highly credentialed"?	This will need to be considered in conjunction with the request for the release of the full report.
	When she (the Mayor) says that it (release of the whole report) may create "...further issues for the council" does she perhaps mean what it might create "further issues" for her and/or other councillors who were members of the recruitment panel?	The statement made by the Mayor is clear: <i>"While we recognise the community may want to see the whole report, due to confidentiality and privacy obligations, as well as potential defamation, Council is unable to release the full report following legal advice in relation to what can be confidently released without creating further issues <u>for the council.</u>"</i>
	Is Council's refusal to release the entire document justified or not? (Edge Legal Report)	Yes. The statement made by the Mayor is clear: <i>"While we recognise the community may want to see the whole report, due to confidentiality and privacy obligations, as well as potential defamation, Council is unable to release the full report following legal advice in relation to what can be confidently released without creating further issues <u>for the council.</u>"</i>
	Are the recommendations 'that it implement a guideline or supporting documents to the Code of Conduct as a best practice approach to managing conflicts of interest in recruitment, and further, that Councillors undertake training in relation to managing conflicts of interest' part of the report and, if so why were they redacted? (Edge Legal Report)	Yes. The Council agreed to release a redacted version of the findings of the Report and for that purpose has released a summary of the findings of the Report which can be viewed on the Council's website at: https://www.huonvalley.tas.gov.au/consultations/general-manager-appointment/ (under the Heading Independent Review of the General Manager Recruitment Process).

		<p>That summary clearly states: <i>“The Council has agreed to the report’s recommendations that it implement a guideline or supporting document to the Code of Conduct as a best practice approach to managing conflicts of interest in recruitment, and further, that Councillors undertake training in relation to managing conflicts of interest.”</i> Furthermore, Councillors undertook this training on 1 February 2022 and will shortly be reviewing the guideline and supporting documents as described.</p>
	What other information is included in this Report? (<i>Edge Legal Report</i>)	Those matters necessary to provide legal advice.
7	What training was provided to the Panel at the start of the process?	No training was provided.
	Had the all-important criteria for the attributes that the Council expected for the new General Manager been discussed in full council, under the leadership of the mayor, prior to the election of the Panel?	No. This discussion was held with Councillors at a later date in a meeting with the appointed consultant.
	Had Terms of Reference for the Panel been discussed and established by the whole Council under the leadership of the Mayor before the election of the Panel?	Yes. Council adopted the roles and functions of the Panel before the election of the Panel. This was lead by the Deputy Mayor acting as the Mayor having the authority of the Mayor.
	What criteria were considered in the appointment of the recruitment agency, and was any outside advice sought before the decision to appoint Red Giant was made by the Panel, and if so, who was consulted?	Prior to seeking request for quote from any recruitment agency contact was made with former Commissioner Taylor who provided some advice to support the request. Prospective recruitment agencies had to address how they would undertake the Council’s approved recruitment process. No outside advice was sought after quotes had been provided.
	Was the job description written by Joanne Inches, and, if so, did the recruitment panel review it and amend it?	No, the job description <u>was not written by the consultant</u> . The job description was reviewed and approved by Council and provided to the consultant.
	How many meetings of the Panel did the Mayor attend during April?	Mayor Bec Enders did not attend any meetings of the Panel during April. All meetings were chaired by the Deputy Mayor acting as the Mayor having the authority of the Mayor.
	What role did Mayor Enders play in ensuring the integrity of the critical stages of the process during April – confirming the Panel’s understanding of the process, the establishment of selection criteria, choosing a recruitment agency and preparation of the advertisement?	The Deputy Mayor, acting as the Mayor having the authority of the Mayor informed Mayor Enders through the process.

	Was the Deputy Mayor formally appointed to lead the process for the appointment of the General Manager, and if so, how was the responsibility transferred from the Mayor	The Mayor appointed the Deputy Mayor as Acting Mayor in accordance with the provisions of section 27(2)(b) of the Act. This was for the period 26 March, 2021 to 5 May, 2021.
	Did the Mayor formally transfer in writing, her responsibility for each step of the process to the Deputy Mayor, as required under s.27(2)(b), and if so when was this done?	The Mayor appointed the Deputy Mayor as Acting Mayor in accordance with the provisions of section 27(2)(b) of the Act. This was for the period Friday 26 March, 2021 to Wednesday 5 May, 2021. No further action was necessary.
	If this did not happen, was the Panel legally constituted and able to functions in its role in April, with only three members, Deputy Mayor Doyle and Crs Newell and Wilson and without the Mayor leading and participating in the appointment process?	Not applicable, the Panel was legally
	Did Mayor Enders breach s.27(1)(c), 27(1)(g) and 27(2)(b) of the Local Government Act 1993?	This is not a matter for Council opinion. Whether or not a breach has occurred is a matter for those responsible for administration of the Act. Any enquiries regarding a breaches of the LG Act should be referred to the Director of Local Government or complaints be made to the Code of Conduct Panel.
	Was Edge Legal informed of all circumstances of the first month of the recruitment process and whether the Mayor fulfilled her requirement to “lead and participate in the appointment of the general manager”?	Edge Legal were asked to provide advice solely on the issue of conflict of interest.
	Did the Council provide the information outlined above to Simmons Wolfhagen in order that their report also covered these essential aspects of the process, especially with regard to the Local Government Act 1993?	Simmons Wolfhagen were asked to provide advice regarding any potential corruption or breaches of the Criminal Code Act, Local Government Act 1993 and the Code of Conduct.
17	Having failed as a Tasmanian Liberal candidate, did Mayor Enders have a relationship or discussions with the Inches family prior to the conflicted appointment of the General Manager?	The Mayor does not know any member of the Inches family and my first introduction to Jo Inches was through the recruitment process.
	If so, has Council brought these possible relationships to the attention of the Director of Local Government, and if not, why not given the potential conflict of interest for the Mayor?	Not applicable.
	Are there any other Councillors that have relationships with Joanne Inches family, formal or informal, and if so, to what extent, and why was a conflict of interest not declared?	This is a personal matter for the Councillors.

	Would the Mayor explain why she resigned as Director of Destination Southern Tasmania?	We are fortunate to have two 'current' Directors on Destination Southern Tasmania that operate businesses in the Huon Valley and are also associated with the local tourism association in the Huon Valley. I felt it was only fair for other areas of southern Tasmania that were not represented to have a place at the Director's table. I therefore resigned to help facilitate this.
19	How and why was Red Giant appointed? Was this put to tender?	Quotations were requested from a number of consultancy firms. The General Manager Recruitment Panel considered the quotations and the Deputy Mayor, as Acting Mayor, at the time took those to a Councillor workshop and contacted each Councillor individually that could not make the workshop to obtain their views on the engagement before the appointment was finalised.
	Why was a small firm with only one employee chosen over bigger companies?	This question presumes that a bigger company is better and more qualified than a small firm. Choosing the preferred consultant involved consideration of the detail within proposal as to how they will deliver the recruitment services and also have different cost and pricing structures.
	Does anyone on the Council have a friendship or business relationship with the owner of Red Giant?	This is a personal matter for the Councillors to respond to.
	When council first became aware of the conflict of interest, why was the relationship with Red Giant not immediately severed?	As stated in the released findings from the Edge Legal Report: <i>"Council's Recruitment Panel should have referred the conflict back to full Council to resolve how to manage it when meeting on 5 July, 2021 to, among other things, discuss the conflict which was notified to them on 4 July, 2021. The late disclosure by the recruitment agency would have made it undesirable to remove the recruitment agency from the process at a late stage. The Recruitment Panel was confident in being able to select for themselves a short list but was unaware as to how to properly manage such a conflict."</i>
	Does the Mayor or any other member of council have a previous work relationship or friendship with the new appointee?	The Mayor has never had a working relationship or friendship with Jason Browne.
	Why does the council take legal advice and then not act on it?	It is not clear on what advice is being said that it has not acted on. The Council has accepted the recommendations of the Edge Legal Report.

	<p>How does the council know if any of the 38 candidates dismissed by Red Giant were superior to the selected candidate, given the potential for bias of Red Giant. or were there any applicants in the 71 that may be well suited to the advertised position that quite possibly should have had the attention of the Council GM recruitment panel?</p>	<p>This will need to be considered for release from Closed Council information.</p>
	<p>If the date of Mr Browne's application was outside the original closing date of 17 May, 2021 was this the reason for change to the closing date?</p>	<p>The closing date for applications was never advertised as the 17 May 2021.</p> <p>The position was advertised on 5 May, 2021 and the closing date for applications was initially advertised as 24 May 2021. As it had been agreed with the Recruitment Panel there would a 3 week advertising period, this date was extended by Red Giant to 26 May 2021 to ensure it met the 3 week agreed timeframe.</p>
	<p>Why is it so hard for this meeting to be streamed/filmed for those unable to attend. This is contrary to the Mayor's promise for "open governance"?</p>	<p>The recording device used by Council does not provide for live-stream. There is also reduced Council access to bandwidth at the site, whilst able to connect to the 4G network given the time of the meeting this does not ensure a reliable stream. If there are any issues with the stream dropping out this would also affect the recording of the meeting.</p>
	<p>Mayor Enders has publicly stated "no conflicts existed at the time of appointment." Does she still maintain this stance?</p>	<p>The Mayor will provide a response to this question.</p>