



This information sheet is for people appointed as a temporary adviser under section 438G of the *Local Government Act 1993*.

### **ROLE**

The functions of a temporary adviser are generally:

- To provide advice and assistance to the council for the purpose of ensuring it complies with a performance improvement order, and
- To monitor and report back on the council's compliance with the performance improvement order.

Other functions may be specified in the order when the temporary adviser is appointed.

### **REQUIREMENTS**

- Temporary advisers need to be suitably qualified and experienced, with relevant expertise in local government and/or the matters that are the subject of the performance improvement order.

### **TERM OF APPOINTMENT**

- A temporary adviser's term of appointment will be specified in the relevant performance improvement order, or by subsequent order, but will not exceed the period for compliance with the performance improvement order.
- The Minister for Local Government may terminate a temporary adviser's appointment at any time.

### **TIME COMMITMENT**

- The temporary adviser is expected to commit the time required to effectively assist and advise the council on implementing the performance improvement order.

### **OBLIGATIONS**

- The temporary adviser is expected to act in accordance with the *Model Code of Conduct for Local Councils in NSW*. Complaints about the conduct of a temporary adviser can be made to the Office of Local Government.
- The temporary adviser's ongoing appointment is subject to satisfactory performance.

***PAYMENT***

- A temporary adviser must be paid a salary from the council's funds. This salary will be determined by the council (where an adviser is appointed on the recommendation of the council) or by the Minister (in any other case).
- Temporary advisers are appointed at the council's cost. If the OLG pays the adviser, it will invoice the council to recoup the cost.

***COUNCIL SUPPORT AND CO-OPERATION***

- The council will provide facilities for the temporary adviser to perform their duties.
- Councillors and council staff are required to co-operate with the temporary adviser and provide any information or assistance the temporary adviser reasonably requires to exercise their functions under the Order of Appointment.

***REPORTING REQUIREMENTS***

- The council must provide the temporary adviser with an opportunity to review any proposed compliance report at least 14 days before it is given to the Minister.
- The council is to provide the Minister with a copy of any comments on the compliance report made by the temporary adviser.
- If a council fails to give a temporary adviser an opportunity to review a proposed compliance report, or the council fails to submit a compliance report to the Minister as required, the temporary adviser is to inform the Minister and provide their own report on council's compliance with the performance improvement order.