



# **Policy Document Incorporating Guidelines for Councillor Workshops**

**DOCUMENT AUTHORISATION**

| <b>RESPONSIBLE OFFICER:</b> |              | GENERAL MANAGER       |                                   |                         |                               |
|-----------------------------|--------------|-----------------------|-----------------------------------|-------------------------|-------------------------------|
| <b>REVIEWED BY:</b>         |              | MANEX                 |                                   |                         |                               |
| <b>REVIEW DUE DATE:</b>     |              | October 2025          |                                   |                         |                               |
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| 5                           | 28/10/2021   | 7.10/21               | Minor additions.                  | General Manager         | Council                       |
| 4                           | 22/10/2020   | 3.10/20               |                                   | General Manager         | Council                       |
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| 1                           | 26/07/2007   | 4.07/2007             |                                   | General Manager         | Council                       |

  
 .....  
 Acting General Manager

2-11-2021.....  
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 Date

## **PURPOSE**

The purpose of this policy is to:

- ensure that the primacy of the official monthly Ordinary Council Meeting is preserved as a decision-making forum;
- ensure that all Councillors have an opportunity, from time to time, to access information within a more informal and interactive forum with regards to the development of key strategic documents for Council;
- ensure that all Councillors have an opportunity, from time to time, to receive information by way of information sessions or briefings with regards to subject matters that are substantial and complex in nature.

## **APPLICABILITY**

This policy applies to:

- Councillors;
- The Management Executive Team (MANEX);
- Council Staff who present at the Councillor Workshops.

## **OUTCOMES**

This Policy Document and Guidelines have been developed to:

- provide for clear guidelines as to when Councillors would meet for the purposes of having a Councillor Workshop, in order for them to obtain information related to the development of key strategic documents for Council, as well as to receive information on matters that are substantial and complex in nature;
- provide for consistency in the approach to determine whether the holding of a particular Councillor Workshop is appropriate.

## **ROLES AND RESPONSIBILITIES**

The General Manager, in consultation with MANEX, will schedule Councillor Workshops as required.

Councillors are invited to attend Councillor Workshops, however, are under no obligation to attend.

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## DEFINITIONS

Nil.

## POLICY STATEMENT

All approvals for Councillor Workshops to be held will be determined by the General Manager, or in his/her absence, the Acting General Manager.

## GUIDELINES FOR COUNCILLOR WORKSHOPS

Council will consider the following guidelines to assist Council in determining whether it would be desirable for Councillors to hold a Workshop:

### **Acknowledgement of Broad Governance Principles Applicable to Local Government**

- Council acknowledges that it speaks by resolution and that the official Ordinary Council Meeting is the means by which Councillors should receive, consider and debate Council business;
  - Council acknowledges and supports the principle that all Council related business should be dealt with in an open and transparent manner and that members of the public should have access to all of Council's discussions, deliberations and debate, except in those instances where the *Local Government Act 1993* (sections 10A – 10D) makes provision for items to be considered in Closed Council;
  - Council acknowledges and supports the principle that members of the public should have an opportunity to formally address Council at Council Meetings, and Council will continue to provide for an opportunity to community members to address Council regarding Council related business before the actual monthly Council Meeting starts;
  - Council acknowledges and supports the principle that staff members are employed as professional specialists and as such enjoy independence in terms of Section 352 of the *Local Government Act 1993*, and are therefore not subject to direction by the Council or by a Councillor as to the content of any advice or recommendation made by staff members; and
  - Council also acknowledges that the above paragraph does not prevent the Council or the Mayor from directing the General Manager to provide the Council with advice or a recommendation about a particular matter as part of its official Business Paper.
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## Particular Guidelines for Councillor Workshops

Given the increasing volume and complexity of material necessary to consider by Councillors, Council finds it necessary to, from time to time, implement a mechanism of Councillor Workshops to assist Councillors in developing a thorough understanding of the issues at stake within a more informal and interactive forum. These Councillor Workshops will, however, only be held under the following conditions:

- Where the particular subject matter to be dealt with at the Councillor Workshop is dealing with the development of key strategic documents; such as a strategic plan for Council. This, however, implies that there will be substantial further public consultation before Council would be able to finalise its position on these types of matters;
  - Where the particular subject matter to be dealt with at the Council Workshop is of a substantial and complex nature and where it would assist Councillors to receive information by way of information sessions or briefings; such as the presentation of a draft budget and operational plan.
  - Councillor Workshops have, as a focus, the provision and/or presentation of information in a structured way, whilst also providing for an opportunity for clarification of the material presented. Workshop papers will therefore contain information, but no recommendations;
  - Councillor Workshops are not designed, or allowed, to become a substitute for open debate in the official monthly Ordinary Council Meeting;
  - Councillor Workshops are not designed, or used by, or allowed to be used by any Councillor, to reach a pre-determined position on issues that will later be presented to, and be voted on at, an Ordinary Council Meeting. No agreement will therefore be sought from any Councillor during the course of the Workshop;
  - Councillor Workshops are not used, or allowed to be used, as an avenue to influence staff or attempt to influence staff or to give direction to staff or to attempt to give direction to staff as to what the contents of their reports or recommendations to Council should be. No agreement will therefore be sought from any staff member during the course of the Workshop;
  - Notice of Councillor Workshops to all Councillors and MANEX is given at least five (5) days in advance by the General Manager or Acting General Manager's Office – preferably by way of electronic communication – clearly indicating the subject matter or matters that are to be discussed;
  - Councillors are under no obligation to attend Councillor Workshops;
  - Councillor Workshops are chaired by the General Manager or in his/her absence another senior officer. This will assist in placing workshops in their proper perspective, that is, an information sharing forum, and avoid the appearance of a formal Council Meeting which carries the attendant risk of de facto decision-making; and
  - Councillor Workshops will be conducted in an informal way, but with the necessary acknowledgement and respect shown to the Chair by all participants.
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## COUNCIL'S VALUES

- Respect;
- Integrity;
- Courage;
- Honesty; and
- Transparency.

## LEGISLATION AND SUPPORTING DOCUMENTS

### Relevant Legislation, Regulations and Industry Standards include:

- *Local Government Act 1993* (Chapter 9 Part 2, Chapter 11 – particularly Section 352 – and Chapter 12 Part 2);
- *Local Government (General) Regulation 2005* (Part 10)) regarding the system, process and operation of Local Government and how matters should be dealt with by the Council in an open and transparent manner

### Relevant Council Policies and Procedures include:

- Meeting Practice Note developed by the then Department of Local Government (Practice Note No 16 of August 2009);
- Council's Code of Conduct for Councillors;
- Council's Code of Conduct for Staff;
- Letter of advice from the Department of Local Government dated 29 June 2007, within which it expressed its views with regards to Councillors Workshops;
- Circular Number 10-10, dated 21 May 2010 from the then Division of Local Government regarding the "Implementation of the Revised Meetings Practice Notes";
- Council's Code of Meeting Practice;
- Council's Payment of Expenses and Provision of Facilities to the Mayor and Councillors.

## VARIATION AND REVIEW

The Policy Document Incorporating Guidelines for Councillor Workshops will be reviewed every four (4) years, or earlier if deemed necessary, to ensure that it meets the requirements of legislation and the needs of Council. The term of the Policy does not expire on the review date, but will continue in force until superseded, rescinded or varied either by legislation or a new resolution of Council.

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