GLEN INNES
SEVERN COUNCIL

Governance Framework

Glen Innes Severn Council
June 2024

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1. The Governance Framework

1.1 Governance Defined

Purpose

This Governance Framework has been prepared to ensure Council's compliance with all relevant legislation including the *Local Government Act 1993* (the Act) and the pursuit of best practice as a democratic local government.

This Framework is an overview of the Governance program that has been put in place so that Council officials can meet their Governance responsibilities. Further, it enables the community and other stakeholders to understand the Governance Framework and demonstrates how all people associated with Glen Innes Severn Council (Council) can participate.

What is Governance?

Governance is the framework in which an organisation operates; or the method or system of government or management. It encompasses all the relevant legislation, regulations, policies, procedures, guidance, systems, rules and processes for making and implementing decisions, that define expectations, delegates and grants powers or outlines expectations of performance. In a nutshell, it is how Council will exercise its authority.

The Governance Framework details how Council ensures and enhances good Governance principles throughout the organisation, to maintain the trust and confidence of the community.

What is good Governance?

Good Governance relates to processes and behaviours essential for Council to achieve its intended purpose, and conforms by complying with all relevant laws, codes and directions whilst meeting community expectations of probity, accountability and transparency. It impacts on all sectors of our community and the practice of good Governance is considered critical in ensuring that:

- Council meets its ethical and legal obligations,
- Council establishes and maintains confidence and trust in carrying out its functions,
- Council makes decisions that are consultative and are in the best interests of all stakeholders,
- Council provides transparency and accountability for all its actions, and
- Council reviews and improves the services provided to the community.

It is defined by the following principles:

Accountability

Accountability is vital. Council has an obligation to report, explain and be answerable for the consequences of decisions it has made on behalf of the community.

Transparency

The Community and stakeholders should be able to follow and understand Council's decision-making process. This means they will be able to clearly see how and why a decision was made, what information, advice and consultation Council considered, and which legislative requirements (when relevant) Council followed.

Legislatively Compliant

This means that decisions are consistent with relevant legislation or common law and are within the powers of Council.

Responsive

Council should always try to serve the needs of the entire community whilst balancing conflicting interests in an appropriate, timely and responsive manner.

Equitable and Inclusive

The community's wellbeing derives from the community's satisfaction that Council has considered their interests in the decision-making process. This means that all groups, particularly the most vulnerable, should have opportunities to participate in the process.

Effective, efficient and sustainable

Council should implement decisions and follow processes that make the best use of available staff, resources and time, to ensure the best possible results for the community.

Participatory

Anyone affected by or interested in a decision, should have an opportunity to participate in the process for making that decision, whether this is by being provided with information, or consultation to provide them with opportunity to give their opinion or recommendations.

Why is good Governance important to Council?

- It underpins the confidence that the community has in Council and its services,
- It affects the quality of Council's outputs – goods, services and programs,
- It is a value adding activity in that it impacts the effectiveness and efficiency of goods, services, and programs,
- It ensures that Council meets its statutory obligations, and
- It is a strong reminder to Council that it is ultimately accountable to the community it serves.

Good governance must be accompanied by a good governance culture therefore making it necessary that the attitudes, values, beliefs and behaviours of Council's leaders must support good governance. This will result in Council, the General Manager, employees and the community being confident that Council is being run efficiently, is sustainable and is carrying out the objectives, policies and plans of Council.

1.2 Introduction

Local governments are experiencing increasing scrutiny of their operations and activities, creating a need for full and open disclosure of their Governance systems. Council considers the principles of key stakeholder rights, enterprise risk management, corporate reporting and disclosure to develop suitable Governance frameworks that ensure effective, transparent and sustainable administration of Council's affairs.

The Audit Office of NSW Governance Framework

The Audit Office of NSW (Audit Office) has developed a governance guide and framework and it recommends Councils should adapt the eight best practice principles found in the guide to their governance arrangements and adopt all 17 elements. Council's Governance Framework has fittingly adapted the eight principles contained within the Audit Office framework and has expanded on the elements in its Governance Health Check.

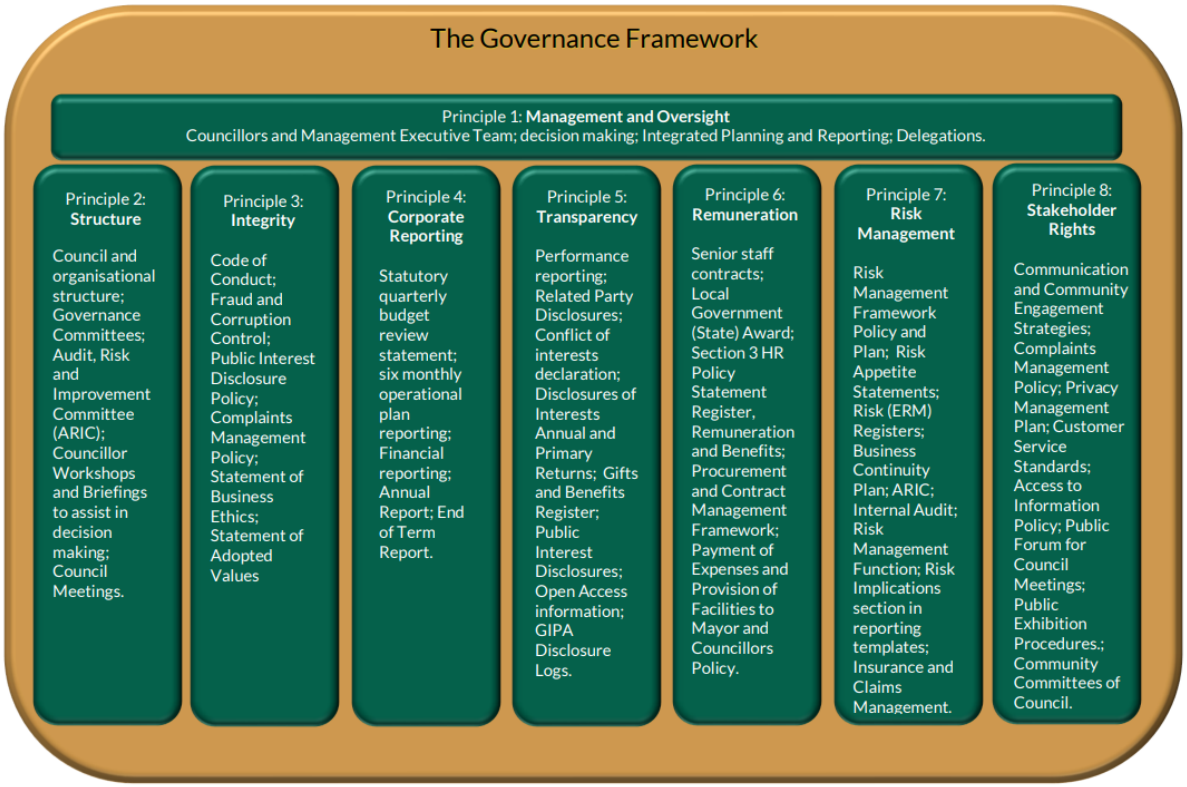
2. The Governance Framework in Action

Council is a dynamic organisation providing many different services to residents of the Glen Innes Severn Local Government Area (LGA). It is important to view Council's day-to-day activities through the lens of good governance by recognising that different activities, policies, procedures and frameworks provide opportunity to demonstrate strong governance and leadership in facilitating good decision making and management.

Governance is recognised through the implementation of processes and procedures that demonstrate transparency and accountability. Governance is accompanied by a good governance culture whereby attitudes, values, beliefs and behaviours of leaders must set the standard and be reflected in roles and responsibilities.

Council's Governance Framework is summarised in Figure 1.

Figure 1: The Governance Framework



2.1 Culture and Corporate Values

Good Governance is reflected in the values and behaviours of Council. Council's corporate values guide its behaviours. All staff are encouraged to keep these values "front of mind" in all dealings with customers, partners and their colleagues. Councils Values are detailed in Figure 2.

Figure 2: Council's Values

2.2 Glen Innes Severn Council Governance Framework

Council's Governance Framework aims to provide proper and democratic government, to the residents, ratepayers, commercial, business, visitors and workers who interact with the LGA.

The benefits to the organisation that derive from a robust governance framework in local government includes:

- Providing clear guidelines for the role of the Council, Councillors and the General Manager, ensuring that all responsibilities are properly allocated and performance expectations are understood,
- Assisting Council and the General Manager in delivering good governance;
- Ensuring Council's legislative compliance obligations are met,

- Setting robust and clear delegations of authority,
- Influencing processes that set clear guidelines for planning at all levels,
- Acting as a point of reference for disputes, and
- Providing a guide for inductions for newly elected members and employees.

The Framework provides guidance on processes associated with decision making by which Council is directed, controlled and held to account. For the organisation to demonstrate good Governance, there must be a clear understanding about responsibility and accountability.

Principle 1: Management and Oversight

Leadership

Council is governed by seven Councillors, including the Mayor that represent the LGA. The role of the Mayor is prescribed in section (s) 226 of the *Local Government Act 1993* (NSW) (the Act). The Mayor is elected by his/her peers and serves for a period of two years. The role of the Councillors is prescribed in s232 of the Act and Councillors hold office for a period of four years.

Section 335 of the Act recognises the functions and role of the General Manager. The General Manager is employed under a performance-based contract over an agreed period which ranges between 1 – 5 years. Council has three other senior managers, known as Directors, who report directly to the General Manager, namely the Director of Corporate and Community Services, Director of Infrastructure Services and Director of Place and Growth. These positions make up the Management Executive Team (Manex). Further, Council has 12 managers who oversee the various business units at Council and meet monthly with Manex to form a leadership team.[1]

The principles of s8 of the Act provide guidance "to enable councils to carry out their functions in a way that facilitates local communities that are strong, healthy and prosperous". As provided in the Act, the Guiding Principles for Councils are as follows:

1. Exercise of General Functions

a) Councils should provide strong and effective representation, leadership, planning and decision making,

b) Council should carry out functions in a way that provides the best possible value for residents and ratepayers,

c) Councils should plan strategically, using the integrated planning and reporting framework, for the provision of effective and efficient services and regulation to meet the diverse needs of the local community,

d) Councils should apply the integrated planning and reporting framework in carrying out their functions so as to achieve desired outcomes and continuous improvements,

e) Council should work co-operatively with other councils and the State Government to achieve desired outcomes for the local community,

f) Councils should manage lands and other assets so that current and future local community needs can be met in an affordable way,

[1] See Appendix B, Organisational Chart.

g) Councils should work with others to secure appropriate services for local community needs,

h) Councils should act fairly, ethically and without bias in the interests of the local community,

i) Councils should be responsible employers and provide a consultative and supportive working environment for staff.

2. Decision – making

a) Councils should engage in good decision making, with fair and reasonable decisions, in accordance with relevant legislation,

b) Councils should consider natural justice and procedural fairness principles,

c) Council decision-making should be transparent and decision-makers are to be accountable for decision and omissions,

d) Councils should recognise the range of relevant stakeholders and the diverse local community needs and interests,

e) Councils should consider social justice principles,

f) Councils should consider the long term and cumulative effects of actions on future generations,

g) Councils should consider the principles of ecologically sustainable development.

3. Community Participation

Councils should actively engage with their local communities, through a diverse range of engagement strategies and the use of the integrated planning and reporting framework which requires all NSW Councils to develop a Community Participation or Engagement Strategy.

Strategic and Business Plans

Council implements the Management and Oversight Governance Principle through its various plans, policies and delegations.

The main suite of strategic planning is included within the Integrated Planning and Reporting Framework. This legislated framework is designed to bring long term financial sustainability, asset management, community engagement and organisational planning together to better inform decision making and achieve the Community's desired outcomes.

The Community Strategic Plan is the highest strategic plan, developed by Council on behalf of the Community and its stakeholders. In response to the Community Strategic Plan, Council implements a Delivery Program and Operational Plan that aligns with all programs, projects and services to meet the needs identified by the Community.

It is through the Delivery Program that Council identifies those activities Council is responsible for. Council's Delivery Program is supported by the Resourcing Strategy. The Resourcing Strategy includes the Long-Term Financial Plan, Asset Management Strategy, Information Communications Technology (ICT) Strategic Plan, and Workforce Management Strategy.

Further, Council has other Plans and Strategies used to assist in the decision-making process of Council including the Community Engagement Strategy, Youth Strategy, Waste Management Strategy, Communication Strategy, Work Health and Safety Management Plan, Drought

Management Plan, Disability Inclusion Action Plan, Economic Development Strategy, Cultural Plan, Community Participation Plan, Renewable Energy Action Plan, and Development Control Plan. Copies of all documents are provided on Council's Website.[2]

Council endorses the Community Strategic Plan on behalf of the community and adopts the Delivery Program and Operational Plan. The General Manager, Manex and Management are responsible for the implementation of the programs, projects and services within these Strategies and Plans and are accountable to the Council and the Community. Business Units are responsible for addressing resourcing requirement for the Operational Plan reflected in their Business Plans and staff work plans to ensure that projects, services, activities and programs are completed within agreed timeframes and budget.

Regular reporting against plans

Council conducts regular reporting on the performance of its plans which are public documents and available on Council's website. Reporting includes quarterly reporting against the Budget, six monthly reporting against the Delivery Program, and the Annual Report which summarises both operational and statutory activities on a yearly basis. Further to this, at the end of each term of Council, the End of Term Report is tabled at the first meeting of the incoming Council; reporting on the outcomes of the Community Strategic Plan.

All these reporting documents are presented to the elected Council and are publicly available. Further, the General Manager undergoes performance reviews and there is a clear division of responsibilities between the General Manager and the Elected Council.

Clear accountability and delegations

Council has many powers and duties which are governed by legislation. Council determines the Instrument of Delegation to the General Manager and these delegations are exercised within the framework of legislation, policy and procedures.

Council delegates to the General Manager those functions and powers it deems fit in accordance with s377 of the Act and reviews these delegations during the first 12 months of a newly elected Council.[3] In turn the General Manager then sub-delegates, in accordance with s378 of the Act, to specified positions to undertake various duties and exercise powers in accordance with legislation.

The Delegation of Authority is the mechanism by which Council enables officers to act on its behalf. The delegations register is used to ensure all delegations are relevant and up to date.[4]

Inductions and Equal Employment Opportunity

In accordance with s333 of the Act, Council reviews its organisational structure within its first 12 months in office. Following the review, the organisational structure is adopted in accordance with legislative requirements, which then guides the roles and responsibilities across the organisation.

Council has a robust induction and on-boarding framework that assists new starters transitioning into working with Council with a focus on standard operating policies, procedures and general knowledge areas. Staff are provided with ongoing education and training opportunities to support their role in Council. Council also offers career development and performance management through its performance management system.

[2] www.gisc.nsw.gov.au
[3] See s380 of the Act.
[4] Council publishes its instruments of delegation on its website, www.gisc.nsw.gov.au.

Council has an Equal Employment Opportunity Policy and diversity is considered and reflected in all recruitment and selection processes amongst other areas of Council's business.

Principle 2: Structure and Key Governance Committees

Council implements the structure governance principle through its various meetings and decision-making forums including Council Meetings, Committee Meetings, Workshops and Briefings.

As elected members, Councillors attend Council Meetings monthly with a set agenda and business paper. The management of Council meetings is dictated by the Code of Meeting Practice which is reviewed, exhibited to the community and adopted by Council. The current Code provides guidelines on the meeting processes and rules for Council.

Council facilitates several internal committees and Councillors are members of several internal and external committees.[5] All Committees have well-defined and clear terms of reference with identified Chairs who are independent of management. Council has adopted a Community Committees of Council Manual which provides general terms of constitution, and, *inter alia*, procedures for meeting practice, financial management, risk management, office bearer and building maintenance responsibilities.

Independent Assurance and Advice

Council's Audit, Risk and Improvement Committee (ARIC) is established to promote good corporate governance by providing independent objective assurance and advice to Council on compliance, risk management, fraud control, financial management, governance, implementation of community strategic plan, delivery program, service reviews and any other matters prescribed by the *Local Government (General) Regulations 2021* (the Regulations). The ARIC is independently Chaired and acts in accordance with its Terms of Reference, including review and endorsement of Council's internal audit program. The ARIC can speak directly with the Chief Audit Executive and can do so without management present if desired. The Committee has full access to the information it requires.

Council's External Auditors are the Audit Office of NSW.

Workshops and Briefings

Council holds workshops and briefings on different topics between Council meetings. These are designed to provide Council with information on matters of significant importance and interest that assist in decision making.

Management Meetings

Manex meets as an independent group to make strategic operational decisions to ensure that they are achieving organisational outcomes. The Leadership Team (Manex and Business Unit Managers) hold a monthly meeting as an extended team for the purpose of shared management of operational matters. Directors also hold cascade meetings with their Business Unit Managers in relation to organisational and directorate issues. It is then the responsibility of the Business Unit Managers to cascade information to their extended teams.

[5] Council's internal and external committees are detailed in Council's Agency Information Guide available on its website.

Principle 3: Integrity Framework

Council implements the ethics governance principle through the Integrity Framework.

All key policies are considered and resolved by the elected Council and in some instances, subject to public exhibition prior to approval.

The Integrity Framework includes:

- Code of Conduct (which includes declaration of Conflict of Interests and Annual Disclosures of Interests Return)
- The Procedures for the Administration of the Model Code of Conduct,
- Gifts and Benefits Declarations,
- Fraud and Corruption Control Policy,
- Complaints Management Policy,
- Councillor Access to Council Staff, Information and Premises Policy,
- Lobbying of Councillors Policy,
- Conflicts of Interest (in dealing with Council related development) Policy,
- Public Interest Disclosures Policy, and
- Statement of Business Ethics.

Other key policies include the Access to Information Policy, Privacy Management Plan, Data Breach Policy and Payment of Expenses and Provision of Facilities to the Mayor and Councillors Policy.

Any alleged breaches of these Policies are managed in accordance with the adopted Code of Conduct and the Procedures for the Administration of the Model Code of Conduct and the relevant Award Provisions.

Council's Corporate and Community Services Directorate *Governance* business unit provides an overarching range of services that help Council to maintain its compliance obligations.

Principle 4: Corporate Reporting

Council adapts the Corporate Reporting principle through several channels including Corporate Reporting and Financial Reporting which are tabled at relevant Council Meetings each year in line with the statutory requirements set down by the Office of Local Government (OLG). These provide information quarterly budget reviews and progress made on achieving the Operational Plan and Delivery Program. The General Manager and Chief Financial Officer sign off on the financial reports including the end of year financial statements. All reports are presented and adopted by Council and are provided to the Community via Councils Website.

Other Statutory Reporting includes the Annual Report which is provided to the OLG and the Information Commissioner each November and the End of Term Report, which is tabled at the first meeting of the incoming Council reporting on the outcomes of the Community Strategic Plan.

Principle 5: Transparency

Council implements the Transparency governance principle through its annual reporting as outlined in the Integrated Planning & Reporting Framework which is publicly available. Council is committed to disclosing performance information openly through its reporting structures to the elected members at Council meetings. These include six monthly reports aligned with the Delivery Program and Operational Plan and quarterly financial budget reviews.

Elected members and staff members must comply with the requirements for disclosure of interests as prescribed within the Act and the Code of Conduct. The responsibility rests on the individual to declare disclosures of interests including annual written returns, gifts and benefits, related party disclosures and conflicts of interest. Other registers kept and reported on include contracts register, secondary employment, investigations and privacy.

Council's Public Interest Disclosure Policy establishes an internal reporting system to encourage and facilitate the reporting of disclosures of corrupt conduct, maladministration, serious and substantial waste of public money, government information contravention or local government pecuniary interest contravention by Councillors and Staff. The policy lists the Public Interest Disclosure Officers, encourages staff to report wrongdoing and encourages Council to create an atmosphere where staff will be confident and comfortable to report any wrongdoing.

Further Council discloses information, known as *open access* information, in accordance with the Government Information (Public Access) 2009 Act on its website.

Principle 6: Remuneration

Councillors, as elected representatives, are remunerated for carrying out their official function. The remuneration of the Mayor and Councillors is determined by the Local Government Remuneration Tribunal, reviewed on an annual basis.

Council implements the remuneration governance principle through a senior staff contract (for the General Manager); the Local Government State Award; and the Staff Consultative Committee. The General Manager's contract is a standard contract in accordance with the OLG requirements as outlined in the Act and the processes associated with reviews, including reviews of remuneration operate in accordance with those provisions.

The General Manager is subject to a performance-based contract. Other staff are paid in accordance with the Local Government (State) Award and Council's Salary Structure which aims to ensure that staff are appropriately remunerated and aware of the terms and conditions of their employment. Provisions for contractors and consultants are acquired through the procurement processes with end dates to contracts.

Principle 7: Risk Management

Council implements the risk management governance principle through Council's Risk Management Policy and Plan.[6] Risk is considered in context with the strategic objectives and Council's risk appetite statements. Council has a Risk Management Function which is a part of broader roles in the Governance business unit of the Corporate and Community Services Directorate. Council's Strategic Risks cascade into the Operational Risk Register. Council aligns its internal audit plan to the risk framework and updates the Audit, Risk and Improvement Committee (ARIC) on any significant risks. Council's Risk Register is a 'living' record and captures both primary and subset risks.

[6] Council's risk management framework conforms with AS 31000 Risk Management and the OLG -Risk Management and Internal Audit Guidelines for local government in NSW.

The ARIC provides assurance on Council's risk management activities through reports from the three lines of defence model:

1. Business Unit Manager assessment reports,
2. Risk Management Function review reports, and
3. Internal or other independent audits.

The Business Continuity Plan provides staff a plan to restore business operations in the event of an unscheduled business disruption to functions performed at Council. The plan provides strong guidance across key phases of a disaster including Emergency response, Crisis Management, Business Recovery and Business Resumption. Both Council Policies and Operational Policies are reviewed and endorsed by the Executive team prior to implementation.

Council participates in the annual Continuous Improvement Pathway through Statewide Mutual which benchmarks Council's risk management processes, for the three chosen elements, with other NSW Councils.

The General Manager provides an attestation statement that is provided in the Annual Report, which opines whether (or not) Council has complied with the core requirements of the Risk Management and Internal Audit Guidelines for local government in NSW.

Principle 8: Key Stakeholder Rights

Council implements the Key Stakeholder Rights governance principle through the Communications and Community Engagement Strategies, Public Exhibition Procedures, research and engagement across the organisation which includes workshops, physical pop-ups, digital and social media platforms, online panels and surveys. Council has developed a set of four principles that guide and shape its approach to all community and stakeholder engagement activities. These are outlined in Council's Engagement Strategy and are:

1. Equity: Everyone should experience fairness in decision making, prioritising and allocation of resources, particularly for those in need. Everyone should have a fair opportunity to participate in the future of the community. The planning process should take particular care to involve and protect the interests of people in vulnerable circumstances.

2. Access: Everyone should have fair access to services, resources and opportunities to maintain or improve quality of life through community activities.

3. Participation: Everyone should have the maximum opportunity to genuinely participate in decisions that affect their community.

4. Rights: Equal rights should be established and promoted, with opportunities provided for people from diverse linguistic, cultural and religious backgrounds to participate in community life.

Community members have access to the contact details of their elected representatives and all information is provided on Council's website and included in promotional materials distributed across the LGA.

The community can attend Council meetings either in person or via the live steaming telecast of Council meetings. Further, Council provides a Public Forum, held 15 minutes prior to Council meetings where members of the public may apply to speak for or against items included in the Business Paper of the Meeting.

Council has Customer Service Standards and a Complaints Management Policy which provide guidance to members of the public and the management of interactions with Council. Council's commitment to its customers is captured in the Customer Service Standards and includes:

Customers have a right to expect:

- Courtesy, respect, honesty and professionalism, and
- That the Council staff member will listen to their request or question, ask for clarification if necessary, and provide complete, knowledgeable, accurate and precise information regarding their enquiry, within the staff member's capacity to do so.

Further, customers who complain to Council are provided with the NSW Ombudsman's document, Individual Rights and Mutual Responsibilities of the Parties to a Complaint.

Assessment and Review

Review

The Governance Framework document will be reviewed every four 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.

Assessment

There are 41 functional elements that make up the Governance Framework.[7] These will be assessed at least once each term of Council. The assessments will be conducted based on the Governance Health Check model contained in Appendix C.

[7] The 41 elements are detailed in Appendix C.

Appendix A

Document Control/Authorisation

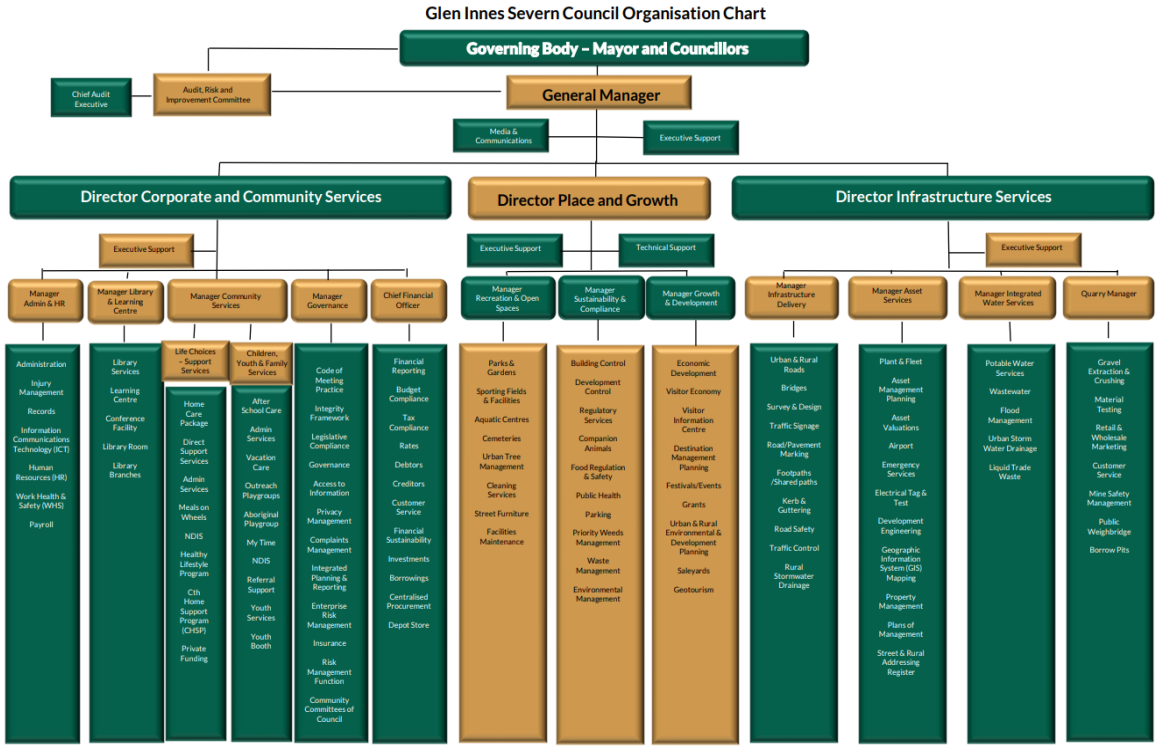
Responsible Officer		Manager Governance (MG)			
Reviewed By		Management Executive Team (Manex), Audit, Risk and Improvement Committee (ARIC)			
Review Due Date		June 2028			
Version Number		1			
Versions	**Date**	**Resolution Number**	**Description of Amendments**	**Author / Editor**	**Approved / Adopted By**
1	27/06/2024	8.06/24	Creation of the document.	MG	Council

…….
General Manager

1/7/ 24
…….
Date

Appendix B

Organisational Chart



Appendix C

Governance Health Check

The Governance Health Check is an assessment tool to measure the maturity of individual elements in the Governance Framework. There are 41 elements spread over the eight principles. Each element is to be assessed at least once in a term of a Council.

Elements

1. ***Management and Oversight***

1.1 Community Strategic Plan

1.2 Resourcing Strategy

1.3 Elections (including election of mayor)

1.4 Delegations of Authority

1.5 Councillor Inductions and Professional Development

1.6 Organisational Structure

2. ***Structure***

2.1 Code of Meeting Practice

2.2 Committee Systems

2.3 ARIC

2.4 Councillor Workshops and Briefings

2.5 Policy Framework

2.6 Legislative Compliance Framework

3. ***Integrity Framework***

3.1 Code of Conduct (which includes The Procedures for the Administration of the Model Code of Conduct)

3.2 Gifts and Benefits Declarations

3.3 Fraud and Corruption Control

3.4 Lobbying of Councillors

3.5 Conflicts of Interest (in dealing with Council related development) Policy

3.6 Public Interest Disclosures

3.7 Statement of Business Ethics

3.8 Statement of Adopted Values

4. Corporate Reporting

4.1 End of Term reporting

4.2 Delivery Program (Including six monthly reporting)

4.3 Operational Plan and Budget (Including quarterly budget reporting)

4.4 Annual Report

5. Transparency

5.1 Privacy Management

5.2 Access to Information and Agency Information Guide

5.3 Records Management and Governance of Data

6. Remuneration

6.1 Payment of Expenses and provision of Facilities to the Mayor and Councillors

6.2 General Manager Performance Committee

6.3 Council's Salary Framework

6.4 Performance Management

6.5 Recruitment

7. Risk Management

7.1 Enterprise Risk Management System (Internal Controls)

7.2 Audits – Internal and External

7.3 Risk Management Function

7.4 Insurance

7.5 Claims Management

7.6 Business Continuity

7.7 Information Communications Technology Governance

8. Stakeholder Rights

8.1 Complaints Management

8.2 Community Engagement

Rating Scale

Governance Health Check Rating Scale

Rating	Level of Achievement
0	Council has no system or policy in place in relation to this element.
1	Council can demonstrate the existence of an informal system or policy that aims to address the element.
2	Council can demonstrate a basic formal policy or system which does not meet all legislative requirements, regulatory guidelines or Australian Standards.
3	Council can demonstrate a formal system or policy that meets the minimum Australian Standards or regulatory guidelines and all legislative requirements.
4	Meets all requirements of Rating 3, plus there is evidence that the system or policy has been implemented and communicated to relevant stakeholders, with necessary procedures, plans etc. developed along with some regular or as required training and awareness programs provided. Further evidence will show that the policy is generally understood and adhered to.
5	Meets all requirements of Rating 4, plus there is evidence that the effectiveness of the system or policy (and any associated procedures, plans etc.) is regularly measured and reviewed.