


Organisational Protocols for Councillors and Staff

As at 20 October 2009



	<h1>POLICY</h1>		
TITLE	Organisational Protocols for Councillors and Staff		
DATE ADOPTED	17 May 2005	MINUTE	144/05
REVISED	20 October 2009	REVIEW	2012
RECORD	D/W no: 329099		
ASSOCIATED LEGISLATION	Local Government Act 1993		
ASSOCIATED POLICIES	Access by Councillors to Council Information Guideline Code of Conduct Code of Meeting Practice Councillors Facilities and Expenses Policy		

1.0 Introduction

1.1 Title and Commencement

This policy is titled *Organisational Protocols for Councillors and Staff*. This policy was adopted on 17 May 2005 by Council resolution (minute 144/05). The following amendments have been made.

Date	Type	Minute
20 October 2009	<ul style="list-style-type: none"> • Amendment of Organisational Protocols Policy • Replace 'Councillors - Hosting of delegations and VIPs policy' and include minute 229/08 • Replace 'Councillors - Invitations to Council functions or events policy' • Repeal minute 35/09 • Repeal minute 229/08 	366/09

1.2 Background and Purpose of Policy

This policy is based on Council's Code of Conduct and sets out organisational protocols for Councillors and staff.

1.3 Objectives of the policy

The objectives of this policy are:

- to ensure Councillors and staff maintain an appropriate level of professional conduct, behaviour and ethical standards at all times.

- to set out the requirements under the Code of Conduct, legislation and Council policies concerning conduct of council officials including councillors and staff

1.4 Coverage of the Policy

The policy applies to all Council officials including councillors, administrators, staff, contractors/consultants, volunteers and community representatives.

2.0 Policy Statement

2.1 Councillor Access to Council Buildings

Councillor's access to Council buildings is restricted and they may not enter staff areas without permission of the General Manager. If a Councillor is permitted entry to staff, they must be careful to avoid the appearance of improper influence over Council staff decisions.

Access to Council meeting rooms for matters requires approval of the General Manager and must relate to the business of Council. Council facilities are not to be used for political or private purposes.

Councillors may enter the following areas in Council buildings:

- (a) Public areas - Councillors may enter public areas of Council buildings during normal business hours and for meetings
- (b) Council Chambers - Council Chambers or venue for Council or committee meetings at times designated for meetings. In accordance with Council's adopted policy the use of the Council Chambers is for civic occasions only hosted by the Mayor or Mayor's representative or with the prior approval of the General Manager.
- (c) Meeting room - Council allocates a room for use of Councillors for council related business. Councillors are requested to make prior booking in order that all councillors have fair and reasonable access to the meeting room.
- (d) Mayor's room - Councillors may enter the Mayor's Room.
- (e) Car park - Secure parking for Councillors is available in the Council staff parking area at Strathfield Council administration building, outside of business hours.

2.2 Obligations during meetings

Councillors and staff must act in accordance with Council's Code of Meeting Practice and relevant legislation during council and committee meetings.

Councillors and staff must show respect to the chair, other Council officials and any members of the public present during council and committee meetings or other formal proceedings of the Council.

2.3 Obligations of Staff

The General Manager is responsible for the efficient and effective operation of the Council's organisation and for ensuring the implementation of the decisions of the Council without delay.

Members of staff of Council must:

- (a) give their attention to the business of Council while on duty
- (b) ensure that their work is carried out efficiently, economically and effectively
- (c) carry out lawful directions given by any person having authority to give such directions
- (d) give effect to the lawful decisions, policies, and procedures of the Council, whether or not the staff member agrees with or approves of them.

2.4 Obligations of Councillors

The Councillors are the governing body of the Council. The governing body has the responsibility of directing and controlling the affairs of the Council in accordance with the Act and is responsible for determining policy and strategy.

While the role of council is to determine policy and strategies, the day-to-day operations of the Council is managed by the General Manager, not Councillors. Councillors may give appropriate direction to the General Manager by way of Council resolution.

Councillors are not permitted to direct Council staff or influence the decisions and actions of Council staff. Council staff works under the direction of the General Manager.

Councillors are not permitted to contact or issue instructions to any of council's contractors or tenderers, including Council's legal advisers. This does not apply to Council's external auditors who, in the course of their work, may be provided with information by individual Councillors.

Section 352 Local Government Act 'Independence of staff for certain purposes' states:

- (1) A member of staff of a council is not subject to direction by the Council or by a Councillor as to the content of any advice or recommendation made by the member.
- (2) This section does not prevent the Council or the Mayor from directing the General Manager of the Council to provide advice or a recommendation by way of resolution.

2.5 Inappropriate interactions

The Code of Conduct considers the following to be inappropriate interactions:

- (a) Councillors and administrators approaching staff and staff organisations to discuss individual staff matters and not broader industrial policy issues.
- (b) Council staff approaching Councillors and administrators to discuss individual staff matters and not broader industrial policy issues.
- (c) Council staff refusing to give information that is available to other Councillors to a particular Councillor.
- (d) Councillors and administrators who have lodged a development application with Council, discussing the matter with Council staff in staff-only areas of the Council.
- (e) Councillors and administrators being overbearing or threatening to Council staff.
- (f) Councillors and administrators making personal attacks on Council staff in a public forum.

- (g) Councillors and administrators directing or pressuring Council staff in the performance of their work, or recommendations they should make.
- (h) Council staff providing ad hoc advice to Councillors and administrators without recording or documenting the interaction as they would if the advice was provided to a member of the community.
- (i) Council staff meeting with developers alone AND outside office hours to discuss development applications or proposals.
- (j) Councillors attending on-site inspection meetings with lawyers and/or consultants engaged by Council associated with current or proposed legal proceedings unless permitted to do so by Council's General Manager or, in the case of the Mayor or administrator, exercising their power under section 226 of the Act.

2.6 Seeking information

Council provides Councillors with information to enable them to carry out their civic office functions.

Requests for information must be made in writing. As information requests may contain personal and/or confidential information, Councillors are requested not to provide copies of information requested or responded to third parties without authorisation of the General Manager.

Councillors can contact the General Manager or Directors to seek information or request a meeting. They may not contact other staff members unless with the approval of the General Manager. Where a Councillor wishes to meet with the General Manager or responsible Director it is preferred that an appointment be made so that both Councillors and the staff member can maximise the use of their time.

Where a Councillor is dissatisfied in relation to a request for information the matter should be referred to the General Manager, the Mayor or Council in that order.

2.7 Mayor and Deputy Mayor – Council business representations

The Mayor is empowered under the Local Government Act to carry out the civic and ceremonial functions of the Mayoral office, which includes undertaking business on Council's behalf. In their absence, the Deputy Mayor or another Councillor (where authorised), may also perform this role.

On occasion where the Mayor or Deputy Mayor represents Strathfield Council at meetings or engagements, a record should be made of the meeting or engagement in accordance with the State Records Act. Copies of these records should be made available to other Councillors for viewing.

2.8 Invitations to Council functions or events

Any invitation to an official Council function is to be to the Mayor or Councillor alone, unless the Mayor or Councillor's spouse/partner/accompanying person is specifically included. Council does not cover expenses for spouses/partners/accompanying person in relation to functions, events or conference attendance.

Reimbursement of expenses, incurred by the Mayor and/or Councillors, is in accordance with the provisions of the *Councillors Facilities and Expenses Policy*.

If a Councillor is unable to accept Council's invitation in person, substitutes or representatives will not be recognised. (This does not apply where the Mayor requests the Deputy Mayor or a Councillor to represent him/her at a function).

A Councillor other than the Mayor is only entitled to officiate at a function held by Council if authorised by the Council or the Mayor.

Unless otherwise arranged, official seating will be limited to guests of the Council.

Councillors are not permitted to distribute or encourage others to material of a political or personal nature at a Council function unless such action is authorised.

2.9 Hosting of delegations and VIP's

The Mayor and/or their delegate shall represent Council when delegations or VIP's are hosted by Council.

Any requests for Council to host a delegation or VIP shall be referred to the Mayor and General Manager for determination.