



Lifestyle and opportunity @ your doorstep



**Interface and Day to Day Oversight
of the Chief Executive Officer by the
Mayor including Mayor's Roles and
Responsibilities Policy**

Document Version Control

Document Name:	Interface and Day to Day Oversight of the Chief Executive Officer by the Mayor including Mayor's Roles and Responsibilities Policy
Content Manager Reference (Word):	D24/150722
Content Manager Reference (PDF)	D24/150725
Document Status:	Approved by Council
Version Number:	Version 4.0
Date:	22 October 2024
Author:	Business Assurance and Governance
Endorsed By:	Council
Distribution:	Internal and External

Change History

Version	Issue Date	Author	Reason for Change
1.0	12 November 2013	Customer Service and Governance	Initial Approval by Council and Publication of Document
2.0	11 February 2014	Customer Service and Governance	(D14/12411)
3.0	24 October 2017	Audit, Risk and Governance	(D17/151607)
3.1	12 April 2021	Corporate Governance	Style and formatting changes to align with current Council templates. Updated reference to position titles (D21/47907)
3.2	25 October 2022	Corporate Governance	Updated reference to align with position titles. Presented to Council for Adoption and Publication of Document (D22/143506)
4.0	22 October 2024	Business Assurance and Governance	Updating of relevant legislations, staff positions and other amendments based on the Office of Local Government's Risk Management and Internal Audit Guidelines for Local Government in NSW and the Guidelines for the appointment and oversight of General Managers.

Interface and Day to Day Oversight of the Chief Executive Officer by the Mayor including Mayor's Roles and Responsibilities Policy		
Owner: Business Assurance and Governance	Accountability: Business Assurance and Governance	Adopted by Council: 22 October 2024
CM Reference (Word): D24/150722 Reference (PDF): D24/150725	Next Review date: October 2028	Last Review Date: October 2024

Contents

1. Purpose.....	4
2. Scope.....	4
3. Legislative Provisions	4
4. Guidelines / Procedures.....	6
5. References – Legislation and City of Ryde Policies	6
6. Review Process and Endorsement.....	6
Attachment A – Specific Responsibilities.....	7

Interface and Day to Day Oversight of the Chief Executive Officer by the Mayor including Mayor’s Roles and Responsibilities Policy		
Owner: Business Assurance and Governance	Accountability: Business Assurance and Governance	Adopted by Council: 22 October 2024
CM Reference (Word): D24/150722 Reference (PDF): D24/150725	Next Review date: October 2028	Last Review Date: October 2024

1. Purpose

The aim of the Policy is to strengthen the executive management of the Council by detailing the relationship, appropriate interface and the day-to-day oversight by the Mayor of the Chief Executive Officer and aims to ensure that there is a clear understanding between the Chief Executive Officer and the Mayor of the day. It will ensure that expectations and transparency of the interface between the Mayor and Chief Executive Officer is consistently applied to strengthen and maintain a positive working relationship between both parties.

This document also aims to provide clarity and transparency regarding the role and responsibilities of the Mayor in accordance with Section 226 of the *Local Government Act 1993*, which includes the statement, to “exercise any other functions of the Council as the Council determines”.

2. Scope

This Policy governs the appropriate interface between the Mayor of the City of Ryde and the Chief Executive Officer in keeping with the *Guidelines for the Appointment and Oversight of the General Manager (Chief Executive Officer)* (Office of Local Government – July 2022) and other related policies and guidelines.

The relationship between the Chief Executive Officer and the Mayor of the City of Ryde is a critical interface required to ensure that the Mayor’s role in the day-to-day management of the Chief Executive Officer is transparent and appropriately delegated by Council. Constructive professional relationships between the Mayor and the Chief Executive Officer are essential to enable the effective executive management of the Council.

This Policy also addresses the Roles and Responsibilities of the Mayor in accordance with the *Local Government Act 1993*, relevant guidelines and Council Policies.

The Policy aims to provide, as far as practicable, a single source of information regarding the Interface between the Mayor and Chief Executive Officer, as well as the Mayor’s Roles and Responsibilities. As a result, there are references to legislation, existing Council Policies and resolutions of Council.

3. Legislative Provisions

Role of the Mayor

Section 226 of the *Local Government Act 1993* sets out the role of Mayor as follows:-

- (a) *to be the leader of the council and a leader in the local community,*
- (b) *to advance community cohesion and promote civic awareness,*
- (c) *to be the principal member and spokesperson of the governing body, including representing the views of the council as to its local priorities,*
- (d) *to exercise, in cases of necessity, the policy-making functions of the governing body of the council between meetings of the council,*
- (e) *to preside at meetings of the council,*

Interface and Day to Day Oversight of the Chief Executive Officer by the Mayor including Mayor’s Roles and Responsibilities Policy		
Owner: Business Assurance and Governance	Accountability: Business Assurance and Governance	Adopted by Council: 22 October 2024
CM Reference (Word): D24/150722 Reference (PDF): D24/150725	Next Review date: October 2028	Last Review Date: October 2024

- (f) to ensure that meetings of the council are conducted efficiently, effectively and in accordance with this Act,
- (g) to ensure the timely development and adoption of the strategic plans, programs and policies of the council,
- (h) to promote the effective and consistent implementation of the strategic plans, programs and policies of the council,
- (i) to promote partnerships between the council and key stakeholders,
- (j) to advise, consult with and provide strategic direction to the Chief Executive Officer in relation to the implementation of the strategic plans and policies of the council,
- (k) in conjunction with the Chief Executive Officer, to ensure adequate opportunities and mechanisms for engagement between the council and the local community,
- (l) to carry out the civic and ceremonial functions of the mayoral office,
- (m) to represent the council on regional organisations and at inter-governmental forums at regional, State and Commonwealth level,
- (n) in consultation with the councillors, to lead performance appraisals of the Chief Executive Officer,
- (o) to exercise any other functions of the council that the council determines.

Role of the Deputy Mayor

Section 231, Clause 3 of the *Local Government Act 1993* describes the role of the Deputy Mayor as follows:-

The deputy mayor may exercise any function of the mayor at the request of the mayor or if the mayor is prevented by illness, absence or otherwise from exercising the function, or if there is a casual vacancy in the office of mayor.

Functions of the Chief Executive Officer

Section 335 of the *Local Government Act 1993* sets out the functions of Chief Executive Officer as follows:-

- (a) to conduct the day-to-day management of the council in accordance with the strategic plans, programs, strategies and policies of the council,
- (b) to implement, without undue delay, lawful decisions of the council,
- (c) to advise the mayor and the governing body on the development and implementation of the strategic plans, programs, strategies and policies of the council,
- (d) to advise the mayor and the governing body on the appropriate form of community consultation on the strategic plans, programs, strategies and policies of the council and other matters related to the council,
- (e) to prepare, in consultation with the mayor and the governing body, the council's community strategic plan, community engagement strategy, resourcing strategy, delivery program, operational plan and annual report,

Interface and Day to Day Oversight of the Chief Executive Officer by the Mayor including Mayor's Roles and Responsibilities Policy		
Owner: Business Assurance and Governance	Accountability: Business Assurance and Governance	Adopted by Council: 22 October 2024
CM Reference (Word): D24/150722 Reference (PDF): D24/150725	Next Review date: October 2028	Last Review Date: October 2024

- (f) to ensure that the mayor and other councillors are given timely information and advice and the administrative and professional support necessary to effectively discharge their functions,
- (g) to exercise any of the functions of the council that are delegated by the council to the Chief Executive Officer,
- (h) to appoint staff in accordance with the organisation structure determined under this Chapter and the resources approved by the council,
- (i) to direct and dismiss staff,
- (j) to implement the council's workforce management strategy,
- (k) any other functions that are conferred or imposed on the Chief Executive Officer by or under this or any other Act.

4. Guidelines / Procedures

This Policy is drafted to ensure compliance with appropriate legislative requirements, existing Council Policies and is supported by the attached Annexure.

5. References – Legislation and City of Ryde Policies

- The Local Government Act 1993 and Regulations
- Public Interest Disclosures Act 2022
- Anti-Corruption Safeguards and the NSW Planning System – ICAC 2012
- Guidelines for the Appointment and Oversight of Chief Executive Officers (Office of Local Government July 2022)
- City of Ryde Code of Conduct
- City of Ryde Code of Meeting Practice
- City of Ryde Media Policy
- City of Ryde Expenses Relating to the Chief Executive Officer and Senior Staff Policy
- City of Ryde Corporate Credit Card Policy
- City of Ryde Gifts and Benefits Policy
- City of Ryde Public Interest Disclosures Internal Reporting Policy
- City of Ryde Policy on Ethical Lobbying
- City of Ryde Councillor Expenses and Facilities Policy
- City of Ryde Councillor and Staff Interaction Policy

6. Review Process and Endorsement

This Policy should be reviewed each term of Council and endorsed by the Council.

Interface and Day to Day Oversight of the Chief Executive Officer by the Mayor including Mayor's Roles and Responsibilities Policy		
Owner: Business Assurance and Governance	Accountability: Business Assurance and Governance	Adopted by Council: 22 October 2024
CM Reference (Word): D24/150722 Reference (PDF): D24/150725	Next Review date: October 2028	Last Review Date: October 2024

Attachment A – Specific Responsibilities

1. The Chief Executive Officer’s Appointment

The Mayor will establish and chair a selection panel for the purpose of selecting the Chief Executive Officer in accordance with the Guidelines for the *Appointment and Oversight of Chief Executive Officers* (Office of Government July 2022).

Council’s practice has been that this process has been coordinated by the Manager – People and Culture in liaison with the Mayor. The recruitment process has then been reported to Council, in closed session.

This process includes the appointment of a recruiting organisation that would assist Council in the advertising and selection process, including Council determining the selection panel for the position of Chief Executive Officer.

Following the selection of a Chief Executive Officer, a recruiting agent would assist Council in the formulation of a performance plan and then facilitate the annual performance review of the Chief Executive Officer.

2. Management of the Chief Executive Officer’s Performance including the Mayor’s Responsibilities

The Chief Executive Officer’s performance management process will be conducted annually in accordance with the Guidelines for the *Appointment and Oversight of Chief Executive Officers* (Office of Local Government July 2022).

The Mayor will chair the Performance Review Panel and oversee the appointment of an external facilitator to assist with the process of performance appraisal and the development of performance plans.

The Office of Local Government’s (OLG) Guidelines set out the following:

Selection Panel Report

The selection panel is responsible for preparing a report to the council’s governing body that:

- outlines the selection process
- recommends the most meritorious applicant with reasons
- recommends an eligibility list if appropriate
- recommends that no appointment is made if the outcome of interviews is that there are no suitable applicants.

This report should be confidential and reported to a closed meeting of the Council.

The appointment of a Chief Executive Officer is a non-delegable function of the Council under section 377 of the Act and a Chief Executive Officer cannot be appointed without a formal resolution of the Council.

Interface and Day to Day Oversight of the Chief Executive Officer by the Mayor including Mayor’s Roles and Responsibilities Policy		
Owner: Business Assurance and Governance	Accountability: Business Assurance and Governance	Adopted by Council: 22 October 2024
CM Reference (Word): D24/150722 Reference (PDF): D24/150725	Next Review date: October 2028	Last Review Date: October 2024

The Council’s governing body must by resolution approve the position of the Chief Executive Officer being offered to the successful candidate before the position is offered to the candidate

3. Chief Executive Officer’s Leave Applications

The Mayor will be the approval authority for all leave applications made by the Chief Executive Officer in accordance with Council’s Leave policies.

4. Chief Executive Officer’s Expense Claims

The Mayor will be the approval authority for all expense claims relating to the Chief Executive Officer’s out-of-pocket expenses and use of Council’s Corporate Credit Card in keeping with the Chief Executive Officer’s Terms of Engagement, Council’s Policy on Expenses and Council’s Corporate Credit Card Policy.

5. Chief Executive Officer’s Gifts and Benefits Claims

The Mayor will be the acknowledging authority for all Gifts and Benefits Disclosure Forms completed by the Chief Executive Officer in keeping with the Chief Executive Officer’s Terms of Engagement, and Council’s Gifts and Benefits Policy.

6. Training and Development – Applications by the Chief Executive Officer

It is recognised that the Chief Executive Officer is required to keep abreast of local government issues, industry best practice and to keep his/her knowledge and skills relevant. To this end, the Chief Executive Officer will attend industry seminars, conferences and forums such as those provided by Local Government Professionals Australia, the General Manager /Chief Executive Officers’ Group of Australasia, the Local Government NSW conference, and the National General Assembly of Local Government.

When deemed that attendance at an industry forum/conference is appropriate, the Chief Executive Officer will seek the Mayor’s approval to attend.

Should the Chief Executive Officer seek to attend formal training or education relating to advancing his/her knowledge and skills and in accordance with Council’s Policy on Tertiary Education, Conferences and Training, the Chief Executive Officer will seek the Mayor’s approval to do so.

Interface and Day to Day Oversight of the Chief Executive Officer by the Mayor including Mayor’s Roles and Responsibilities Policy		
Owner: Business Assurance and Governance	Accountability: Business Assurance and Governance	Adopted by Council: 22 October 2024
CM Reference (Word): D24/150722 Reference (PDF): D24/150725	Next Review date: October 2028	Last Review Date: October 2024

7. Presiding at Council Meetings including the Mayor's Responsibilities

Under Section 226 of the *Local Government Act 1993*, the Mayor presides at meetings of the Council.

Setting the Agenda for Council or Committee Meetings

The Agenda must be set in accordance with Section 240 of the Local Government (General) Regulation 2015, which provides that:-

- 1) *The Chief Executive Officer must ensure that the agenda for a meeting of the council states:*
 - (a) *all matters to be dealt with arising out of the proceedings of former meetings of the council, and*
 - (b) *if the mayor is the chairperson - any matter or topic that the chairperson proposes, at the time when the agenda is prepared, to put to the meeting, and*
 - (c) *subject to subclause (2), any business of which due notice has been given.*
- 2) *The Chief Executive Officer must not include in the agenda for a meeting of the council any business of which due notice has been given if, in the opinion of the Chief Executive Officer, the business is (or the implementation of the business would be) unlawful. The Chief Executive Officer must report (without giving details of the item of business) any such exclusion to the next meeting of the council.*

Once the agenda has been set, the Chief Executive Officer or his/her nominee may meet with the Mayor to discuss the matters on the agenda of either a Council or Committee meeting prior to the meeting being convened. To ensure that the independence of advice to the Council is maintained, the Mayor cannot direct the Chief Executive Officer or his/her staff to either prepare or remove reports set on an existing or future agenda.

Clause 240 of the Regulation also stipulates that the Chief Executive Officer must cause the agenda for a meeting of Council or a Committee of the Council to be prepared as soon as practicable before the meeting. This supplements Section 367 of the *Local Government Act 1993* which requires that

“the Chief Executive Officer of a council must send to each councillor, at least 3 days before each meeting of the council, a notice specifying the time and place at which and the date on which the meeting is to be held and the business proposed to be transacted at the meeting.”

Clause 240 of the Regulation also specifies that for meetings where the Mayor is the Chairperson, the Agenda is to include *“any matter or topic that the Mayor proposes at the time when the Agenda is prepared”*. This is to be done in accordance with Council's adopted Code of Meeting Practice.

Interface and Day to Day Oversight of the Chief Executive Officer by the Mayor including Mayor's Roles and Responsibilities Policy		
Owner: Business Assurance and Governance	Accountability: Business Assurance and Governance	Adopted by Council: 22 October 2024
CM Reference (Word): D24/150722 Reference (PDF): D24/150725	Next Review date: October 2028	Last Review Date: October 2024

Calling Extraordinary or Special Meetings

In accordance with Council’s Code of Meeting Practice, the Mayor does not have the authority, in their own right, to call an Extraordinary or Special Council Meeting.

The Mayor, following a written request signed by at least two Councillors, must call an Extraordinary Council meeting. The Mayor can be one of the two Councillors, but the Mayor cannot call Extraordinary meetings by him or herself without having a written request with another Councillor’s signature. The Mayor must then ‘call’ the meeting, which is to be held as soon as practical but within fourteen (14) days after the request is made (OLG Meeting Practice Note 1.1.2 and Section 366 of the *Local Government Act 1993*). However, “notice of less than 3 days may be given of an Extraordinary meeting called in an emergency.” (Section 367(2) of the *Local Government Act 1993*).

The Chief Executive Officer must ensure that the agenda for an Extraordinary meeting of a Council deals only with the matters stated in the notice of the meeting (CI 242 of the Regulation).

8. Conducting Meetings with Ministers and Members of Parliament

The Mayor and Chief Executive Officer will from time to time have reason to meet with Ministers and Members of Parliament to discuss issues of importance to the City of Ryde and the implementation of its *Community Strategic Plan* and Council resolutions.

These meetings are to be included in the Councillors’ Information Bulletin Calendar including who the meeting is with, and the topic to be discussed. Where practicable, Councillors are to be consulted in advance of the meeting to ensure all relevant information and issues are gathered.

As per Council’s resolution of 22 November 2011, the Chief Executive Officer and/or his/her nominee will accompany the Mayor to any meeting with a State Minister or Member of Parliament at which Council business will be discussed.

In accordance with this resolution, “a report of the meeting is to be presented to Councillors through the Councillors’ Information Bulletin, and if appropriate, through the Council business papers (and that the report include all matters raised, any advice or commitments given by either side and other relevant information to ensure that Council remains fully informed.”

These actions will ensure appropriate briefings can be given relating to Council’s Policies, operational matters or strategic impacts relating to the discussions, and to ensure that the follow up of agreed actions at the meeting will take place.

9. Conducting Meetings with Constituents and those wishing to make representations to the Mayor

It is acknowledged that the Mayor will meet with constituents relating to a range of matters and may request the presence of the Chief Executive Officer. In some instances, the Chief Executive Officer may delegate attendance to the relevant senior staff member.

- *General Matters*

From time to time, the Mayor will request that the Chief Executive Officer attend meetings with

Interface and Day to Day Oversight of the Chief Executive Officer by the Mayor including Mayor’s Roles and Responsibilities Policy		
Owner: Business Assurance and Governance	Accountability: Business Assurance and Governance	Adopted by Council: 22 October 2024
CM Reference (Word): D24/150722 Reference (PDF): D24/150725	Next Review date: October 2028	Last Review Date: October 2024

constituents or other parties. Adequate notice (where practicable, no less than three working days) and background information will be given to the Chief Executive Officer to ensure that the Chief Executive Officer is able to prepare for the meeting in advance. Meetings will be held in the Mayoral suite during business hours and secretarial support will be provided for meetings that occur to ensure that records are kept detailing the agenda and minutes of the meeting.

- *Meetings relating to Complaints*

The Mayor may receive complaints about the level of service provided by the Council’s staff. These complaints will be referred to the Chief Executive Officer prior to any meeting between the complainant, the Mayor and the Chief Executive Officer taking place. This will ensure that appropriate preparations can be made and will be dealt with in accordance with the Council’s Customer Feedback Policy. Meetings will be convened as outlined above in General Matters.

Should the complaint relate to a development matter the procedure outlined below will be followed.

- *Matters relating to Proposed Development Matters (either Planning Proposals or proposed major Development Applications)*

No meetings will take place with any developer or their representative unless a detailed agenda item is prepared prior to the meeting. Council’s Ethical Lobbying Policy will apply to meetings attended by those lobbying on behalf of their client. At such meetings the Chief Executive Officer (or his/her nominee) is also be in attendance. Meetings will be convened as outlined above under General Matters and will be minuted by the Mayor and Councillors Executive Assistant or an appropriate staff member.

In accordance with Council’s resolution of 27 September 2005, “.. *in the interest of transparency, all significant meetings held by the Mayor, or by the Mayor’s nominee with parties participating or seeking to participate in development or other activities in the City of Ryde, (are to) be reported to all Councillors via the Councillors Bulletin papers on a fortnightly basis.*”

It is inappropriate for the Mayor to attempt to influence the independent advice of Planning staff on any planning proposal or development assessment report. No meetings will be held on matters where a development application assessment process is already underway, to ensure there can be no perception of inappropriate influence.

Interface and Day to Day Oversight of the Chief Executive Officer by the Mayor including Mayor’s Roles and Responsibilities Policy		
Owner: Business Assurance and Governance	Accountability: Business Assurance and Governance	Adopted by Council: 22 October 2024
CM Reference (Word): D24/150722 Reference (PDF): D24/150725	Next Review date: October 2028	Last Review Date: October 2024

10. Public Relations Management

The Chief Executive Officer will ensure that the Mayor is provided with adequate resources to meet his/her requirements for public relations management. Public relations management relates to the provision of advice and preparation of:

- press releases
- issues management
- speeches
- Mayoral pieces in Council publications – for example the Annual Report
- Social media monitoring, articles
- opinion pieces for journals etc.

In accordance with Council's Media Policy, both the Mayor and the Chief Executive Officer can make comments to the media on policy matters. When doing so, the Mayor and Chief Executive Officer will communicate with members of the press through Council's media advisor to ensure consistency of message. All articles and speeches etc relating to or quoting the Mayor will be approved by the Mayor prior to their release.

The Chief Executive Officer will comment on administration issues in accordance with the Media Policy.

The Chief Executive Officer will ensure that Council staff provide necessary public relations support for all non-political issues relating to Council's operations and the adopted resolutions of Council. Should the Mayor wish to make commentary that in the opinion of the Chief Executive Officer is of a political nature and does not relate to matters of Council policy, business or resolution etc, Council's media staff will not be used to draft or place such statements.

11. Mayor's Responsibilities with respect to Council's Media Policy

In accordance with Council's Media Policy the Mayor and the Chief Executive Officer are Council's official spokespersons on all matters. The Mayor may nominate another Councillor to speak on a particular matter.

Council's Media Officer is responsible for the coordinating media liaison and issuing press releases. All media enquiries should be directed to the Media Officer.

In addition:

- 1) Every Councillor has a right to express a private opinion on any issue, whether or not that opinion reflects Council's official position, but Councillors must carefully identify the role in which they speak or write.
- 2) Whenever Councillors publicly express their own opinions they must make it clear they are speaking for themselves, unless delegated by the Mayor, and not for Council, unless they are supporting a Council position.
- 3) When Councillors speak "for the Council" when delegated by the Mayor, they must express and support Council's entire Policy on the issue at hand.

Interface and Day to Day Oversight of the Chief Executive Officer by the Mayor including Mayor's Roles and Responsibilities Policy		
Owner: Business Assurance and Governance	Accountability: Business Assurance and Governance	Adopted by Council: 22 October 2024
CM Reference (Word): D24/150722 Reference (PDF): D24/150725	Next Review date: October 2028	Last Review Date: October 2024

13. Managing Complaints about the Chief Executive Officer

All complaints about the Chief Executive Officer's conduct will be referred to the Mayor and will be managed in accordance with Council's Code of Conduct and if necessary, the *Public Interest Disclosures Act 2022* and Council's Public Interest Disclosures Internal Reporting Policy. The Mayor may seek the independent assistance of the Manager Business Assurance and Governance, external experts and Council's General Counsel should she/he so require, when undertaking investigations or seeking advice. The procurement of external experts will be managed by Council's Manager Business Assurance and Governance.

All Code of Conduct complaints relating to Councillors made by the Chief Executive Officer will be made to the Mayor, and managed in accordance with Council's Code of Conduct and if necessary the *Public Interest Disclosures Act 2022* and Council's Public Interest Disclosures Internal Reporting Policy.

Clauses 5.27 – 5.33 of the 'Code of Conduct – Complaints Procedure' sets out the Mayor's role with regard to Code of Conduct complaints while Part 10 of the 'Public Interest Disclosures Internal Reporting Procedure' sets out the Mayor's role with regard to Public Interest Disclosure reporting.

14. Mayor's Responsibilities with respect to Council's Code of Conduct

In accordance with Council's Code of Conduct, the Mayor is responsible for receiving written Code of Conduct complaints about the Chief Executive Officer. Where the complaint cannot be made in writing, the Mayor is to confirm the complaint in writing as soon as possible after the receipt of the complaint.

The Mayor must give consideration to the complainant's preferences in deciding how to deal with the complaint.

Where the Mayor becomes aware of a possible breach of the Code of Conduct by the Chief Executive Officer, they may initiate the process for the consideration of the matter in accordance with the Code of Conduct without a written complaint. The Mayor also has senior staff available to assist in such matters including Council's General Counsel or the Manager Business Assurance and Governance.

The specific provisions regarding Code of Conduct complaints about the Chief Executive Officer are set out below:

How are code of conduct complaints about the Chief Executive Officer to be dealt with?

The Mayor must refer the following code of conduct complaints about the Chief Executive Officer to the NSW Office of Local Government (OLG):

- (a) complaints alleging a breach of the pecuniary interest provisions contained in Part 4 of the Code of Conduct,
- (b) complaints alleging a breach of Part 9 of the code of conduct relating to the maintenance of the integrity of the code, and
- (c) complaints the subject of a special complaints management arrangement with the Office under clauses 5.48 and 5.49.

Interface and Day to Day Oversight of the Chief Executive Officer by the Mayor including Mayor's Roles and Responsibilities Policy		
Owner: Business Assurance and Governance	Accountability: Business Assurance and Governance	Adopted by Council: 22 October 2024
CM Reference (Word): D24/150722 Reference (PDF): D24/150725	Next Review date: October 2028	Last Review Date: October 2024

Where the Mayor refers a complaint to the OLG under clause 5.28, the Mayor must notify the complainant of the referral in writing.

Where the Mayor considers it to be practicable and appropriate to do so, he or she may seek to resolve code of conduct complaints about the Chief Executive Officer, other than those requiring referral to OLG under clause 5.27, by alternative means such as, but not limited to, explanation, counselling, training, mediation, informal discussion, negotiation or apology instead of referring them to the Complaints Coordinator under clause 5.33.

Where the Mayor resolves a code of conduct complaint under clause 5.32 to the Mayor's satisfaction, the Mayor must notify the complainant in writing of the steps taken to resolve the complaint within 21 days of the receipt of the complaint and this shall finalise the consideration of the matter under these procedures.

The Mayor must refer all code of conduct complaints about the Chief Executive Officer other than those referred to the OLG under clause 5.27 or finalised under clause 5.30 or resolved under clause 5.31 to the Complaints Coordinator.

The detailed procedure for complaint management is set out in the Code of Conduct – Complaints Procedure.

In addition, where complaints about the Chief Executive Officer are received by the Mayor, the Mayor is to advise all Councillors in writing that a complaint has been received and, where appropriate, the nature of the complaint. In addition, the Mayor is to advise all Councillors of the intended course of action and subsequently report the complaint handling plan to Council as a confidential Mayoral Minute.

15. Mayor's Responsibilities with respect to Public Interest Disclosures

The provisions for the reporting of Public Interest Disclosures are set out in Council's adopted Internal Reporting Policy – Public Interest Disclosures which aligns to the *Public Interest Disclosures Act 2022*.

The Mayor is identified as a Public Interest Disclosure Officer and as such is able to receive complaints regarding Councillors or the Chief Executive Officer.

In this role the Mayor is responsible for:

- deciding if a report is a protected disclosure
- determining what needs to be done next, including referring it to other authorities
- deciding what needs to be done to correct the problem that has been identified

The Mayor must make sure there are systems in place in the City of Ryde to support and protect staff who report wrongdoing.

If the report is about the Chief Executive Officer, the Mayor is also responsible for referring actual or suspected corrupt conduct to the Independent Commission Against Corruption (ICAC).

Interface and Day to Day Oversight of the Chief Executive Officer by the Mayor including Mayor's Roles and Responsibilities Policy		
Owner: Business Assurance and Governance	Accountability: Business Assurance and Governance	Adopted by Council: 22 October 2024
CM Reference (Word): D24/150722 Reference (PDF): D24/150725	Next Review date: October 2028	Last Review Date: October 2024

To support the Mayor in this role, training will be provided regarding the management and handling of public interest disclosures. This training will also be offered to the Deputy Mayor where possible. The Mayor also has senior staff available to assist in such matters including Council’s Disclosures Coordinator/Manager Business Assurance and Governance or the General Counsel

16. Civic Events, Ceremonies, Conferences and Forums

It is acknowledged that both the Mayor and the Chief Executive Officer will represent Council at Civic Events, Ceremonies and professional forums etc. When both the Mayor and Chief Executive Officer are speaking at an event the Mayor will always speak first. Media staff will coordinate the content of each speech to ensure consistency of message and avoid duplication.

When the Chief Executive Officer is speaking at a forum or conference, he/she will advise the Mayor of the topic of address. The Mayor will respect the independence of the content and the format of the presentation to enable the Chief Executive Officer to provide his/her professional views. The Chief Executive Officer must make it clear when doing so if they are not the views of Council or its policies.

When speaking about the City of Ryde Council, Council’s policies and views will always be clearly stated by the Mayor and Chief Executive Officer.

17. Civic and Ceremonial Functions of the Mayoral Office

In accordance with the provisions of the *Local Government Act 1993*, the Mayor will undertake the civic and ceremonial functions of the Mayoral Office.

The Mayoral chains and robes are generally only to be worn at official Council functions. Should the Mayor identify another event or occasion where it would be appropriate for the ceremonial clothing to be worn, that this be at the discretion of the Mayor.

In accordance with the Councillor Expenses and Facilities Policy, Council shall meet the cost of providing refreshments and associated expenses for civic receptions hosted by the Mayor at Council premises, subject to funds being available within the appropriate allocation in the Mayor’s Office Budget.

18. Exercise of Policy Making Functions

Where in cases of necessity, the Mayor exercises the policy-making functions of the Council in between Council meetings, in accordance with Section 226 of the *Local Government Act 1993*, this is to be communicated to all Councillors and the Chief Executive Officer as soon as possible. Any action taken is to be reported to the next available Council Meeting by way of a Mayoral Minute.

It is recommended that the Mayor liaise and seek guidance from the Chief Executive Officer, and communicate the intent to exercise such functions to Councillors, prior to the taking of any action.

Interface and Day to Day Oversight of the Chief Executive Officer by the Mayor including Mayor’s Roles and Responsibilities Policy		
Owner: Business Assurance and Governance	Accountability: Business Assurance and Governance	Adopted by Council: 22 October 2024
CM Reference (Word): D24/150722 Reference (PDF): D24/150725	Next Review date: October 2028	Last Review Date: October 2024

19. Role of the Deputy Mayor

As provided by Section 231 of the *Local Government Act 1993*, the Deputy Mayor may exercise any function of the Mayor at the request of the Mayor, or if the Mayor is prevented by illness, absence or otherwise from exercising the function of the Office of the Mayor, or if there is a casual vacancy in the office of Mayor.

Mayoral Leave of Absence

The *Local Government Act 1993* deals with an endorsed Leave of Absence in relation to attendance at Council Meetings only.

Where the Mayor applies for and is granted a Leave of Absence, the Mayor must specifically state as part of the application whether this leave applies only to Council Meetings or whether the Deputy Mayor is to assume the Mayoral duties in accordance with the Act and this document. This will also require a resolution of Council with regard to the payment of any fee to the Deputy Mayor from the Mayor's fee to undertake these duties.

Where the Mayor is on an endorsed Leave of Absence, the Deputy Mayor by resolution of Council will undertake the roles as responsibilities of the Mayor in accordance with this document, legislation and relevant Council policies.

Where the Mayor is not present at a Council Meeting, the Deputy Mayor will preside at that meeting without the requirement of a resolution of Council. In the absence of the Mayor, this policy applies to the interface and day to day oversight between the deputy mayor and the Chief Executive Officer.

20. Updating Relevant Information

Both the Mayor and Chief Executive Officer will use their best endeavours to keep each other appraised of relevant issues relating to Council's operations and the local government industry. Whilst this should take place on an 'as needs' basis, a more formal regular update meeting may take place between the Mayor and the Chief Executive Officer and his/her executive team as agreed by both parties.

In accordance with Council's resolution dated 12 February 2013, the Mayor and Chief Executive Officer may agree to fortnightly meetings including with members of the executive leadership team and Manager Business Assurance and Governance.

Interface and Day to Day Oversight of the Chief Executive Officer by the Mayor including Mayor's Roles and Responsibilities Policy		
Owner: Business Assurance and Governance	Accountability: Business Assurance and Governance	Adopted by Council: 22 October 2024
CM Reference (Word): D24/150722 Reference (PDF): D24/150725	Next Review date: October 2028	Last Review Date: October 2024