

GUIDELINE ON INTERACTION BETWEEN COUNCILLORS AND STAFF

Related Policy

This guideline is part of Council's Code of Conduct. It exists to strengthen the working relationship between Councillors and Council's Senior Management Team, and to define appropriate Councillor contacts with other Council officers.

Scope

The City of Ryde Council acknowledges that Councillors require access to Council information and staff in order to exercise their civic duties under the *Local Government Act, 1993* (The Act). Interactions between Councillors and staff are necessary to facilitate well-formed policies and decisions and to provide optimum service delivery.

The Act requires Councillors and staff to:

- Act honestly and responsibly when carrying out their functions.
- Not take advantage of their position by unduly influencing Councillors or staff in the performance of their duties or functions.
- Not use their position to obtain, either directly or indirectly, an advantage for them or any other person.

Council's Code of Conduct provides that "Councillors must not contact a member of the staff of the Council on Council related business unless in accordance with the policy and procedures governing the interaction of councillors and council staff that have been authorised by the council and the general manager" (Standards: Clause 6.2c).

This Guideline governs the interaction of Councillors and Council staff, and as such is an enforceable part of the Code of Conduct.

Objectives

The objectives of this Guideline are to:

- Ensure that Councillors receive advice to assist them in the performance of their civic duty in an orderly, courteous and regulated manner.
- Ensure Councillors have adequate access to information in order for them to exercise their statutory roles.
- Ensure Councillors have clarity on which staff they can communicate with and the processes for contacting staff.

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- Ensure staff understand their obligations with regard to providing information to Councillors and the set service standards.
- Maintain transparent decision making and governance arrangements.

The aim of this Guideline is to facilitate a positive working relationship between Councillors as elected representatives of the community and the staff employed to administer the operations of Council.

It is important to have an effective working relationship that recognises the important but differing contribution both parties bring to their complementary roles.

Introduction

Good governance and effective service delivery are dependent on a good relationship between the elected members and the organisation, and an understanding of the roles and responsibilities of both groups.

Good governance requires clear and effective communication protocols for Councillors and senior staff which provide for courteous and respectful communication.

Both Councillors and senior staff should strive for a work-life balance between their work commitments and their personal, community and cultural responsibilities, interests and obligations.

This Guideline addresses interaction between Councillors and Staff with regard to:

- *Appropriate Staff contacts*
- *Personal Interaction between Councillors and Staff*
- *Councillors' HelpDesk*
- *Emails*
- *Phone Calls and messaging*
- *Social Media*
- *Accessing Information*
- *Personal Enquiries*

It also provides a table of service standards with regard to Councillor and Staff interactions.

Interactions that are not conducted in accordance with these Guidelines may be inappropriate.

Councillors are encouraged to advise the General Manager where an interaction is inappropriate.

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Staff are empowered to advise Councillors where an interaction is inappropriate and to refer them to these Guidelines. Alternatively, staff should inform their Manager of any inappropriate actions.

Appropriate Staff contacts

The General Manager authorises the following staff interaction:

- Contact between Councillors and Directors is appropriate for matters specific to that Director's area of individual responsibility.
- Contact with HelpDesk staff is appropriate for all Councillor service requests and enquiries.
- Contact with other specific staff is appropriate as part of a Councillor's role on an Advisory Committee, at Council events or meetings, and similar situations.
- In some instances, a Director or the General Manager will direct individual staff to contact Councillors to provide specific information or clarification relating to a specific matter.

Apart from the instances above, all communication with Councillors is to be made via the General Manager or relevant Director.

Personal Interaction between Councillors and Staff

While this Guideline, and the Code of Conduct, governs the interactions between Councillors and staff, it does not prevent Councillors and staff from communicating generally. From time to time, Councillors and staff may be present at social and community events. In such situations, both parties must refrain from discussing matters relating to council business.

Councillors' HelpDesk

The Charter of Respect requires that Councillors make service requests to staff through the Councillors' HelpDesk.

The HelpDesk allows Councillors to:

- Make service requests for information and/or actions,
- Seek updates on Council's operations; and
- Forward queries and complaints received from residents.

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All requests from Councillors to the HelpDesk are logged and then sent to the relevant Council officer for a response. All Councillor requests to the HelpDesk are acknowledged by email (with a reference number).

The service standard for an initial response to a Councillor is five (5) working days, with HelpDesk responses to include the name and details of the relevant Director. Reports regarding the performance of the HelpDesk will be provided to Councillors each month through the Councillor Information Bulletin. In addition, Councillors will be surveyed annually to measure satisfaction levels regarding the HelpDesk and areas for improvement.

In the case of enquiries regarding Development Applications, planning matters and procurement processes, responses will be provided to all Councillors each week through BoardVantage. This is to promote openness, transparency and accountability in what is considered a high risk area of Council's operations.

Where a Councillor's request requires the allocation of resources or expenditure of funds, the Councillor will be requested to consider a Notice of Motion.

If a Councillor would like staff to contact and update a resident directly, they should indicate this in their request. When sending a service request to the HelpDesk, Councillors should include sufficient information to enable staff to respond, for example, the name and contact details of a resident if staff are required to contact them.

The HelpDesk is provided for Councillors only and emails should not be copied to residents. The HelpDesk provides support to Councillors with the responses provided for the information of Councillors only.

Staff will endeavor to indicate to Councillors if a response contains confidential information and it is not in the public interest to circulate to residents.

Any requests that are not sent via the HelpDesk will be forwarded or redirected to the HelpDesk by staff. This may impact upon the time taken to respond.

Documents such as the Executive Team Minutes and Minutes of the Mayor's Meeting with the Executive Team will be provided to all Councillors by the HelpDesk using BoardVantage.

While it is acknowledged that the procedures relating to the conduct of the Councillor HelpDesk are an operational matter to be determined by the General Manager, Councillors will be consulted on any proposed changes.

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Emails

The following email protocols apply to Councillors and staff:

Reply to all – This function is to be used with discretion. Think about whether “all” really need to be aware of your reply to conduct business.

Attachments – Where possible limit the size and number of attachments. Instead consider providing links to websites or BoardVantage as this reduces the message size.

Provision of Information – Information provided to Councillors is to assist them in the conduct of their civic duties. Care should be given prior to forwarding information and regard must be given to the potential confidentiality requirements regarding information.

Circulation of resident correspondence – Correspondence will be circulated only when the author has specifically requested it be forwarded to all Councillors or specific Councillors.

BoardVantage – The circulation of information to Councillors will be done through BoardVantage as it is the preferred method to provide information.

Phone Calls and SMS messaging

(a) Councillors contacting staff

It is acknowledged that Councillors will require personal contact with Senior Staff, including the General Manager, when an urgent matter arises and an immediate response is required. In these circumstances, Councillors are requested to contact the Senior Staff member, Customer Service or the Councillor HelpDesk as follows:

- *During Office hours (Monday to Friday: 8.30am to 4.45pm):*
Calls to any member of the Executive Team during these times will be answered by either the relevant staff member or an assistant. On rare occasions it may be necessary for Councillors to leave a message. This will be returned as soon as practicable.
- *Outside Office hours (Monday to Friday: 7.30am to 8.30am and 4.45pm to 8pm):*

Councillors can contact members of the Executive Team on their mobile phone numbers. Should it be necessary to leave a message, the Councillor can expect a return call as soon as possible.

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- *Other times*

At any other time Councillors should only contact a member of the Executive Team by phone or SMS in a genuine emergency.

It is noted that some events are conducted outside of work hours and phone calls or messages regarding these specific events may be appropriate.

- *Customer Service 9952 8222 and After Hours Requests*

Councillors can contact 9952 8222 at any time. The City of Ryde has an on-call officer available at all times to respond to urgent matters. When a Council request or complaint is received after hours, a call centre operator at “Well Done Services” refers the request/complaint to the relevant on-call Council Officer via SMS if appropriate.

In addition, the request or complaint is emailed to Council’s after hours email address by “Well Done Services”. These emails are reviewed and replied to, as appropriate, by Council’s Customer Service Centre the next working day. All request/complaints are then registered with Council’s Customer Request Management (CRM) System – Merit.

Where Councillors identify themselves as such, this will be specifically recorded and the Councillor will receive a follow up email or phone call.

- *Councillor HelpDesk*

Calls to the Councillor HelpDesk during office hours will be answered by a member of the Governance Section. Outside office hours, Councillors can leave a message. Messages will be checked every weekday morning and phone calls will be returned.

In addition, if a Councillor leaves a message and their phone number, the request will be identified as a Councillor request and recorded in the Councillor HelpDesk.

- *SMS messages*

SMS messages from Councillors requesting information or service will be forwarded to the HelpDesk to be acknowledged and actioned.

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(b) Staff contacting Councillors

It is acknowledged that staff will be required, on occasion to contact Councillors. In these circumstances, staff will follow these protocols:

- *Calls to Councillors*

Staff will attempt to limit calls to Councillors. Calls will be made in response to a request or where an email is considered inappropriate.

Staff will not call Councillors outside office hours unless it is urgent, in response to a request to call or a message left. Staff will endeavour to contact Councillors using their preferred method of contact whether it be email or phone call, and to their preferred location, whether it be home, office or mobile.

- *During Office hours (Monday to Friday: 8.30am to 4.45pm):*

Calls to Councillors during office hours will be limited unless it is in response to a particular query or message from a Councillor.

- *Outside Office hours (Monday to Friday: 7.30am to 8.30am and 4.45pm to 8pm):*

Calls or SMS messages to Councillors during these hours will be limited to responses to requests or messages, or matters of urgency.

- *Other times*

At any other time staff will only contact Councillors by phone or SMS in the case of a genuine emergency.

It is noted, that some events are conducted outside of work hours and phone calls or messages regarding these specific events may be appropriate.

(c) Phone Calls – Residents

Residents seeking assistance should be directed to Council’s Customer Service Centre on 9952 8222 between Monday to Friday 8am to 5.30pm. All calls outside these hours to Council, that is Monday to Friday 5.30pm to 8am and all day Saturday and Sunday, are directed to Council’s after hours service by contacting 9952 8222.

It is not appropriate for Councillors to provide residents with a staff member’s direct contact details. Similarly, staff will not provide residents with Councillors contact details, other than the details which Councillors have designated for public use.

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Social Media

Councillors and staff should be mindful of the following issues when using Social Media:

- Privacy
- Confidentiality
- Discrimination, Bullying and Harassment
- Misrepresentation of City of Ryde
- Improper interactions between Councillors and staff
- Seeking or obtaining advantage or preferential treatment because of their position or role

Councillors and staff should refer to the *Social Media Policy and Procedure on Representing City of Ryde on Social Media*.

Accessing Information

The General Manager and the Public Officer are responsible for ensuring that members of the public, Councillors and administrators can gain access to documents under the *Government Information (Public Access) Act 2009*.

Where the General Manager and/or the Public Officer determine to refuse access to a document or information sought by a Councillor, they must act reasonably. In reaching this decision they must take into account whether or not the document sought is required for the Councillor to perform his or her civic duty. The General Manager or the Public Officer must state to the Councillor the reasons for the decision if access is refused.

Councillors can appeal the decision for refusal by contacting either the NSW Information Commissioner on 1800 194 210 and/or the Administrative Decisions Tribunal on 9223 4677. It should be noted that the *Government Information (Public Access) Act* only allows appeal to these bodies if an initial *Formal Access to Information Application* has been made and a *Request for Review* of determination sought.

Councillors are required to treat all information provided by staff appropriately and to adhere to any confidentiality requirements. If a Councillor is unsure whether a document or advice is confidential they should contact the relevant Director or Councillor HelpDesk for clarification prior to releasing the information.

Where possible, staff will clearly identify information which is confidential to assist Councillors in the appropriate handling of such information.

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From time to time, it may be necessary to have specific protocols for access to information and Councillors and staff are expected to respect and adhere to these protocols. This is particularly the case for sensitive and confidential information where information management protocols are required to allow Council to protect and monitor confidential documents while balancing the need to assist Councillors and staff in the performance of their duties.

Personal Enquiries

Councillors and staff must follow the same process as all other members of the public if they require information, action or advice in relation to a personal or private matter.

Councillors and staff should be mindful of the public perception of their request and direct all general enquiries to the Councillors' HelpDesk or the Customer Service Centre as appropriate.

If a staff member receives a request from a Councillor which is not considered relevant to the Councillor's civic duties, the General Manager is entitled to require the Councillor to demonstrate how the request relates to the Councillor's civic duties.

If the General Manager is not satisfied that the request relates to the Councillor's civic duties, the General Manager is entitled to refuse to action the request or advise the Councillor of the normal process for members of the public to make such requests.

Examples of Appropriate Interactions

- Informal briefings and Councillor Workshops are opportunities for staff who are experts in their area to convey and disseminate information to Councillors. Staff can seek feedback from Councillors and Councillors are encouraged to ask questions from staff. In this 'relaxed' environment, care must be taken to ensure that both parties show respect and courtesy to each other.
- Councillors and staff present a positive and united front in public forums.
- Care must be taken to ensure that Councillors and staff do not discuss individual or operational staff matters other than broader workforce policy issues.
- Staff must ensure that information provided to one Councillor is available to all Councillors so that there is equity and transparency in the distribution of information.
- Council staff must contact Councillors within the provisions of this Guideline and must refrain from providing ad hoc advice to Councillors. Staff must ensure that information provided to Councillors is valid, up-to-date and impartial.

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Service Standards

Item	Standard
Councillor HelpDesk Requests: Acknowledged	Within 1 working day
Councillor HelpDesk Requests: Response	Within 5 working days
Councillor Requests: Not through the HelpDesk	No service standard will apply
Councillor HelpDesk Requests (Development Applications and Planning Matters)	Weekly update to all Councillors regarding all requests
Phone Calls to Directors during Office Hours	Office phone will be attended by either the Director or their assistant. Messages will be returned by a staff member the same day.
Phone Calls to the HelpDesk during Office Hours	HelpDesk phone will be attended by Governance staff. Messages left during office hours will be returned the same day.
Phone Calls to the HelpDesk outside Office Hours	Messages left will be returned the next working day.

Important Note – Code of Conduct

The General Manager will retain responsibility for enforcing and delegating the decision to provide or refuse to provide information. This will be subject to the decisions of Council and will be in accordance with the Code of Conduct, particularly Part 6 of the Standards of Conduct – Relationship Between Council Officials.

In addition, this Guideline governs the interaction of Councillors and Council staff and as such is an enforceable part of the Code of Conduct. Accordingly, complaints regarding breaches of this Guideline will be handled in accordance with the Code of Conduct Complaints Procedure.

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