

Meeting Date: Tuesday 25 October 2022
Location: Council Chambers, Level 1A, 1 Pope Street, Ryde and Online
Time: 6.00pm

ATTACHMENTS FOR COUNCIL MEETING

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MODEL COUNCILLOR AND STAFF INTERACTION POLICY

2022



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**MODEL COUNCILLOR AND STAFF INTERACTION POLICY
2022**

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Preface

Positive working relationships between councillors and staff: a council's key asset

Positive, professional working relationships between councillors and staff are a key element of any council's success. If relationships between councillors and staff are functioning effectively, the council is more likely to perform effectively. If these relationships break down, it can lead to dysfunction, create a potential corruption risk¹, and ultimately the council's performance will suffer.

A good relationship between councillors and staff is based, in large part, on both having a mutual understanding and respect for each other's roles and responsibilities. These are defined in the *Local Government Act 1993* (the LGA) and the *Model Code of Conduct for Local Councils in NSW* (the Model Code of Conduct).

In broad terms, a councillor's role is a strategic one. As members of the governing body, councillors are responsible not only for representing the community, but also for setting the strategic direction of the council and keeping its performance under review. A comprehensive outline of the role of a councillor is provided in Part 4 of this Policy.

The role of council staff, under the leadership of the general manager, is to carry out the day-to-day operations of the council and to implement the decisions, plans, programs and policies adopted by the governing body.

Access to information: the key to the relationship

Councillors need access to information about the council's strategic position and performance to perform their civic functions effectively. The general manager and staff are responsible for providing councillors with this information to facilitate the decision-making process.

¹ As highlighted by the NSW Independent Commission Against Corruption's Operation Dasha <https://www.icac.nsw.gov.au>

Given councillors' role in setting the council's strategic direction and keeping its performance under review, councillors are entitled to request information about a range of issues.

However, in requesting information, councillors should not be seeking to interrogate the minutiae of the council's operations or to direct or influence staff in the performance of their duties. Councillors should also recognise that a council's resources are finite, and they need to be mindful of the impact of their requests.

Above all, interactions between councillors and staff should be positive, respectful and professional.

Official capacity versus private capacity

It is also inevitable that councillors and council staff will engage with their council in their private capacity. This can be for something as simple as borrowing a book from a council library, to more complex matters, such as submitting a development application.

In these circumstances, it is vital that councillors and council staff do not seek to use, or appear to use, their position within council to obtain a private benefit. To do so could be seen as an attempt to exert pressure on councillors and/or council staff with a view to obtaining preferential treatment. Such conduct has the potential to undermine both the integrity of a council's decision-making processes, as well as the community's confidence in council, and so must be avoided.

The development and intent of this policy

This Model Councillor and Staff Interaction Policy has been developed by the Office of Local Government (OLG) in consultation with councils, county councils and joint organisations.

It provides an exemplar approach, incorporating examples of best practice from a

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diverse range of NSW councils. At its core, the policy has three main goals:

- to establish a framework by which councillors can access the information they need to perform their civic functions,
- to promote positive and respectful interactions between councillors and staff, and
- to advise where concerns can be directed if there is a breakdown in the relationship between councillors and staff.

The Model Councillor and Staff Interaction Policy is structured as follows:

Part 1	Introduction
Part 2	Sets out the scope of the policy
Part 3	Describes the policy's objectives
Part 4	Sets out the respective roles and responsibilities of councillors and staff and the principles that should guide their interactions
Part 5	Sets out the administrative framework for a councillor requests system
Part 6	Identifies which staff councillors can contact directly
Part 7	Addresses councillors' entitlement to access council buildings
Part 8	Describes appropriate and inappropriate interactions between councillors and staff
Part 9	Provides advice about who complaints can be made to
Schedule 1	Contains a template for a list of staff councillors can contact directly under Part 6 of the policy

Adoption

While not mandatory, the Model Councillor and Staff Interaction Policy reflects best practice and all councils, county councils and joint organisations are encouraged to adopt it. In doing so, they are free to adapt the policy to suit their local circumstances and operating environments or to supplement it with their own provisions.

Model Councillor and Staff Interaction Policy

Provisions which can be adjusted are marked in red.

Note: In adopting the policy, joint organisations should adapt it to substitute the terms "board" for "council", "chairperson" for "mayor", "voting representative" for "councillor" and "executive officer" for "general manager".

Note: In adopting the policy, county councils should adapt it to substitute the term "chairperson" for "mayor" and "member" for "councillor".

Enforcement

Clause 3.1(b) of the Model Code of Conduct provides that council officials must not conduct themselves in a manner that is contrary to a council's policies. If adopted by a council, a breach of the policy may also constitute a breach of council's code of conduct.

Concerns or complaints about the administration of a council's councillor request system should be raised with the general manager (or the mayor in the case of a complaint about the general manager). If the matter cannot be resolved locally, councillors may raise their concerns with OLG.

Acknowledgements

OLG wishes to thank Local Government NSW, the NSW Independent Commission Against Corruption, Local Government Professionals, United Services Union, and the councils involved for their invaluable assistance in developing the Model Councillor and Staff Interaction Policy.

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Model Councillor and Staff Interaction Policy

Part 1 – Introduction

- 1.1 *The Councillor and Staff Interaction Policy* (the Policy) provides a framework for councillors when exercising their civic functions by specifically addressing their ability to interact with, and receive advice from, authorised staff.
- 1.2 The Policy complements and should be read in conjunction with *(insert name of Council's) Code of Conduct* (the Code of Conduct).
- 1.3 The aim of the Policy is to facilitate a positive working relationship between councillors, as the community's elected representatives, and staff, who are employed to administer the operations of the Council. The Policy provides direction on interactions between councillors and staff to assist both parties in carrying out their day-to-day duties professionally, ethically and respectfully.
- 1.4 It is important to have an effective working relationship that recognises the important but differing contribution both parties bring to their complementary roles.

Part 2 – Application

- 2.1 This Policy applies to all councillors and council staff.
- 2.2 This Policy applies to all interactions between councillors and staff, whether face-to-face, online (including social media and virtual meeting platforms), by phone, text message or in writing.
- 2.3 This Policy applies whenever interactions between councillors and staff occur, including inside or outside of work hours, and at both council and non-council venues and events.
- 2.4 This Policy does not confer any delegated authority upon any person. All delegations to staff are made by the General Manager.
- 2.5 The Code of Conduct provides that council officials must not conduct themselves in a manner that is contrary to the Council's policies. A breach of this Policy will be a breach of the Code of Conduct.

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Part 3 – Policy objectives

3.1 The objectives of the Policy are to:

- a) establish positive, effective and professional working relationships between councillors and staff defined by mutual respect and courtesy
- b) enable councillors and staff to work together appropriately and effectively to support each other in their respective roles
- c) ensure that councillors receive advice in an orderly, courteous and appropriate manner to assist them in the performance of their civic duties
- d) ensure councillors have adequate access to information to exercise their statutory roles
- e) provide direction on, and guide councillor interactions with, staff for both obtaining information and in general situations
- f) maintain transparent decision making and good governance arrangements
- g) ensure the reputation of Council is enhanced by councillors and staff interacting consistently, professionally and positively in their day-to-day duties
- h) provide a clear and consistent framework through which breaches of the Policy will be managed in accordance with the Code of Conduct.

Part 4 – Principles, roles and responsibilities

- 4.1 Several factors contribute to a good relationship between councillors and staff. These include goodwill, understanding of roles, communication, protocols, and a good understanding of legislative requirements.
- 4.2 The Council's governing body and its administration (being staff within the organisation) must have a clear and sophisticated understanding of their different roles, and the fact that these operate within a hierarchy. The administration is accountable to the General Manager, who in turn, is accountable to the Council's governing body.
- 4.3 Section 232 of the *Local Government Act 1993* (the LGA) states that the role of a councillor is as follows:
 - a) to be an active and contributing member of the governing body
 - b) to make considered and well-informed decisions as a member of the governing body
 - c) to participate in the development of the integrated planning and reporting framework
 - d) to represent the collective interests of residents, ratepayers and the local community
 - e) to facilitate communication between the local community and the governing body
 - f) to uphold and represent accurately the policies and decisions of the governing body
 - g) to make all reasonable efforts to acquire and maintain the skills

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necessary to perform the role of a councillor.

4.4 The administration's role is to advise the governing body, implement Council's decisions and to oversee service delivery.

4.5 It is beneficial if the administration recognises the complex political environments in which elected members operate and acknowledge that they work within a system that is based on democratic governance. Councillors similarly need to understand that it is a highly complex task to prepare information and provide quality advice on the very wide range of issues that Council operations cover.

4.6 Council commits to the following principles to guide interactions between councillors and staff:

Principle

Achieved by

Equitable and consistent

Ensuring appropriate, consistent and equitable access to information for all councillors within established service levels

Considerate and respectful

Councillors and staff working supportively together in the interests of the whole community, based on mutual respect and consideration of their respective positions

Ethical, open and transparent

Ensuring that interactions between councillors and staff are ethical, open, transparent, honest and display the highest standards of professional conduct

Fit for purpose

Ensuring that the provision of equipment and information to councillors is

done in a way that is suitable, practical and of an appropriate size, scale and cost for a client group of (Council to insert the number of councillors) people.

Accountable and measurable

Providing support to councillors in the performance of their role in a way that can be measured, reviewed and improved based on qualitative and quantitative data

4.7 Councillors are members of the Council's governing body, which is responsible for directing and controlling the affairs of the Council in accordance with the LGA. Councillors need to accept that:

- a) responses to requests for information from councillors may take time and consultation to prepare and be approved prior to responding
- b) staff are not accountable to them individually
- c) they must not direct staff except by giving appropriate direction to the General Manager by way of a council or committee resolution, or by the mayor exercising their functions under section 226 of the LGA
- d) they must not, in any public or private forum, direct or influence, or attempt to direct or influence, a member of staff in the exercise of their functions
- e) they must not contact a member of staff on council-related business unless in accordance with this Policy

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- f) they must not use their position to attempt to receive favourable treatment for themselves or others.

4.8 The General Manager is responsible for the efficient and effective day-to-day operation of the Council and for ensuring that the lawful decisions of the Council are implemented without undue delay.

Council staff need to understand:

- a) they are not accountable to individual councillors and do not take direction from them. They are accountable to the General Manager, who is in turn accountable to the Council's governing body
- b) they should not provide advice to councillors unless it has been approved by the General Manager or a staff member with a delegation to approve advice to councillors
- c) they must carry out reasonable and lawful directions given by any person having the authority to give such directions in an efficient and effective manner
- d) they must ensure that participation in political activities outside the service of the Council does not interfere with the performance of their official duties
- e) they must provide full and timely information to councillors sufficient to enable them to exercise their civic functions in accordance with this Policy.

Part 5 – The councillor requests system

5.1 Councillors have a right to request information provided it is relevant to councillor's exercise of their civic functions. This right does not extend to matters about which a councillor is merely curious.

5.2 Councillors do not have a right to request information about matters that they are prevented from participating in decision-making on because of a conflict of interest, unless the information is otherwise publicly available.

5.3 The General Manager may identify Council support staff (**the Councillor Support Officer**) under this Policy for the management of requests from councillors.

5.4 Councillors can use the councillor requests system to:

- a) request information or ask questions that relate to the strategic position, performance or operation of the Council
- b) bring concerns that have been raised by members of the public to the attention of staff
- c) request ICT or other support from the Council administration
- d) **request that a staff member be present at a meeting (other than a meeting of the council) for the purpose of providing advice to the meeting.**

5.5 Councillors must, to the best of their knowledge, be specific about what information they are requesting, and make their requests respectfully. Where a councillor's request lacks specificity, the General Manager or staff member authorised to manage the matter is

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- entitled to ask the councillor to clarify their request and the reason(s) why they are seeking the information.
- 5.6 Staff must make every reasonable effort to assist councillors with their requests and do so in a respectful manner.
- 5.7 The General Manager or the staff member authorised to manage a councillor request will provide a response within **(Council to insert timeframes for responding to councillor requests)**. Where a response cannot be provided within that timeframe, the councillor will be advised, and the information will be provided as soon as practicable.
- 5.8 Requests under clause 5.4 (d) must be made **(Council to specify time period)** before the meeting. The General Manager, or members of staff that are listed at Schedule 1 of this Policy, are responsible for determining:
- whether a staff member can attend the meeting; and
 - which staff member will attend the meeting.
- Staff members who attend such meetings must be appropriately senior and be subject matter experts on the issues to be discussed at the meeting.
- 5.9 Councillors are required to treat all information provided by staff appropriately and to observe any confidentiality requirements.
- 5.10 Staff will inform councillors of any confidentiality requirements for information they provide so councillors can handle the information appropriately.
- 5.11 Where a councillor is unsure of confidentiality requirements, they should contact the General Manager, or the staff member authorised to manage their request.
- 5.12 The General Manager may refuse access to information requested by a councillor if:
- the information is not necessary for the performance of the councillor's civic functions, or
 - if responding to the request would, in the General Manager's opinion, result in an unreasonable diversion of staff time and resources, or
 - the councillor has previously declared a conflict of interest in the matter and removed themselves from decision-making on it, or
 - the General Manager is prevented by law from disclosing the information.
- 5.13 Where the General Manager refuses to provide information requested by a councillor, they must act reasonably. The General Manager must advise a councillor in writing of their reasons for refusing access to the information requested.
- 5.14 Where a councillor's request for information is refused by the General Manager on the grounds referred to under clause 5.12 (a) or (b), the councillor may instead request the information through a resolution of the council by way of a notice of motion. This clause does not apply where the General Manager refuses a councillor's request for information under clause 5.12 (c) or (d).
- 5.15 Nothing in clauses 5.12, 5.13, and 5.14 prevents a councillor from requesting the information in accordance with the *Government Information (Public Access) Act 2009*.
- 5.16 Where a councillor persistently makes requests for information which, in the General Manager's opinion, result in a significant and unreasonable diversion of staff time and resources the council may,

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on the advice of the General Manager, resolve to limit the number of requests the councillor may make.

- 5.17 Councillor requests are state records and must be managed in accordance with the *State Records Act 1998*.
- 5.18 A report will be provided to Council (**Council to specify frequency**) regarding the performance and efficiency of the councillor requests system against established key performance indicators.

Part 6 – Access to Council staff

- 6.1 Councillors may directly contact members of staff that are listed in Schedule 1 of this Policy. The General Manager may amend this list at any time and will advise councillors promptly of any changes.
- 6.2 Councillors can contact staff listed in Schedule 1 about matters that relate to the staff member's area of responsibility.
- 6.3 Councillors should as far as practicable, only contact staff during normal business hours.
- 6.4 If councillors would like to contact a member of staff not listed in Schedule 1, they must receive permission from the General Manager.
- 6.5 If a councillor is unsure which authorised staff member can help with their enquiry, they can contact the General Manager or the **Councillor Support Officer** who will provide advice about which authorised staff member to contact.
- 6.6 The General Manager or a member of the Council's executive leadership team may direct any staff member to contact councillors to provide specific information or clarification relating to a specific matter.
- 6.7 A councillor or member of staff must not take advantage of their official position to improperly influence other councillors or members of staff in the performance of their civic or professional duties for the purposes of securing a private benefit for themselves or for another person. Such conduct should be immediately reported to the General Manager or Mayor in the first instance, or alternatively to the Office of Local Government, NSW Ombudsman, or the NSW Independent Commission Against Corruption.

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Part 7 – Councillor access to council buildings

- 7.1 Councillors are entitled to have access to the council chamber, committee room, mayor's office (subject to availability), councillors' rooms, and public areas of Council's buildings during normal business hours for meetings. Councillors needing access to these facilities at other times must obtain approval from the General Manager.
- 7.2 Councillors must not enter staff-only areas of Council buildings without the approval of the General Manager.

Part 8 – Appropriate and inappropriate interactions

- 8.1 Examples of appropriate interactions between councillors and staff include, but are not limited to, the following:
- a) councillors and council staff are courteous and display a positive and professional attitude towards one another
 - b) council staff ensure that information necessary for councillors to exercise their civic functions is made equally available to all councillors, in accordance with this Policy and any other relevant Council policies
 - c) council staff record the advice they give to councillors in the same way they would if it was provided to members of the public
 - d) council staff, including Council's executive team members, document councillor requests via the councillor requests system
 - e) council meetings and councillor briefings are used to establish positive working relationships and help councillors to gain an understanding of the complex issues related to their civic duties
 - f) councillors and council staff feel supported when seeking and providing clarification about council related business
 - g) councillors forward requests through the councillor requests system and staff respond in accordance with the timeframes stipulated in this Policy
- 8.2 Examples of inappropriate interactions between councillors and staff include, but are not limited to, the following:

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- a) councillors and council staff conducting themselves in a manner which:
 - i) is contrary to their duties under the *Work Health and Safety Act 2011* and their responsibilities under any policies or procedures adopted by the Council to ensure workplace health and safety
 - ii) constitutes harassment and/or bullying within the meaning of the Code of Conduct, or is unlawfully discriminatory
- b) councillors approaching staff and staff organisations to discuss individual or operational staff matters (other than matters relating to broader workforce policy such as, but not limited to, organisational restructures or outsourcing decisions), grievances, workplace investigations and disciplinary matters
- c) staff approaching councillors to discuss individual or operational staff matters (other than matters relating to broader workforce policy such as, but not limited to, organisational restructures or outsourcing decisions), grievances, workplace investigations and disciplinary matters
- d) subject to clause 5.12, staff refusing to give information that is available to other councillors to a particular councillor
- e) councillors who have lodged an application with the council, discussing the matter with staff in staff-only areas of the council
- f) councillors being overbearing or threatening to staff
- g) staff being overbearing or threatening to councillors
- h) councillors making personal attacks on staff or engaging in conduct towards staff that would be contrary to the general conduct provisions in Part 3 of the Code of Conduct in public forums including social media
- i) councillors directing or pressuring staff in the performance of their work, or recommendations they should make
- j) staff providing ad hoc advice to councillors without recording or documenting the interaction as they would if the advice was provided to a member of the community

8.3 Where a councillor engages in conduct that, in the opinion of the General Manager, puts the health, safety or welfare of staff at risk, the General Manager may restrict the councillor's access to staff.

8.4 Any concerns relating to the conduct of staff under this Policy should be raised with the General Manager.

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Part 9 – Complaints

- 9.1 Complaints about a breach of this policy should be made to the General Manager (if the complaint is about a councillor or member of council staff), or the Mayor (if the complaint is about the General Manager).
- 9.2 Clause 9.1 does not operate to prevent matters being reported to OLG, the NSW Ombudsman, the NSW Independent Commission Against Corruption or any other external agency.

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**Schedule 1 – Authorised staff contacts for councillors
(template table)**

1. Clause 6.1 of this Policy provides that councillors may directly contact members of staff that are listed below. The General Manager may amend this list at any time.
2. Councillors can contact staff listed below about matters that relate to the staff member’s area of responsibility.
3. Councillors should as far as practicable, only contact staff during normal business hours.
4. If councillors would like to contact a member of staff not listed below, they must receive permission from the General Manager or their delegate.
5. If a councillor is unsure which authorised staff member can help with their enquiry, they can contact the General Manager or the Councillor Support Officer who will provide advice about which authorised staff member to contact.
6. In some instances, the General Manager or a member of the Council’s executive leadership team may direct a council staff member to contact councillors to provide specific information or clarification relating to a specific matter.

Authorised staff members name	Position
<i>[Insert staff member's name]</i>	<i>[Insert position title]</i>

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ATTACHMENT 2

**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.

Interaction Between Councillors and Staff Guideline – May 2017		
Owner: Manager, Risk, Audit and Governance	Accountability: Governance Framework	Adopted by Council: 23 May 2017
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**GUIDELINE ON INTERACTION
BETWEEN COUNCILLORS AND STAFF**



- 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.

Interaction Between Councillors and Staff Guideline – May 2017		
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**GUIDELINE ON INTERACTION
BETWEEN COUNCILLORS AND STAFF**



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.

Interaction Between Councillors and Staff Guideline – May 2017		
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**GUIDELINE ON INTERACTION
BETWEEN COUNCILLORS AND STAFF**



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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Lifestyle and opportunity @ your doorstep



Councillor and Staff Interaction Policy

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1.1	18 January 2022	Corporate Governance	Document transitioned to new template and minor amendments made (D21/48912)
2.0	25 October 2022	Corporate Governance	Document updated to a Policy based on OLG Model Policy and endorsed by Council at meeting of 25 October 2022

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Preface

Positive working relationships between Councillors and staff: a Council's key asset

Positive, professional working relationships between Councillors and staff are a key element of any Council's success. If relationships between Councillors and staff are functioning effectively, the Council is more likely to perform effectively. If these relationships break down, it can lead to dysfunction, create a potential corruption risk¹, and ultimately the Council's performance will suffer.

A good relationship between Councillors and staff is based, in large part, on both having a mutual understanding and respect for each other's roles and responsibilities. These are defined in the *Local Government Act 1993* (the LGA) and the *Model Code of Conduct for Local Councils in NSW* (the Model Code of Conduct).

In broad terms, a Councillor's role is a strategic one. As members of the governing body, Councillors are responsible not only for representing the community, but also for setting the strategic direction of the Council and keeping its performance under review. A comprehensive outline of the role of a Councillor is provided in Part 4 of this Policy.

The role of Council staff, under the leadership of the Chief Executive Officer is to carry out the day-to-day operations of the Council and to implement the decisions, plans, programs and policies adopted by the governing body.

Access to information: the key to the relationship

Councillors need access to information about the Council's strategic position and performance to perform their civic functions effectively. The Chief Executive Officer and staff are responsible for providing Councillors with this information to facilitate the decision-making process.

Given Councillors' role in setting the Council's strategic direction and keeping its performance under review, Councillors are entitled to request information about a range of issues.

However, in requesting information, Councillors should not be seeking to interrogate the minutiae of the Council's operations or to direct or influence staff in the performance of their duties. Councillor should also recognise that a Council's resources are finite, and they need to be mindful of the impact of their requests.

Above all, interactions between Councillors and staff should be positive, respectful and professional.

¹ As highlighted by the NSW Independent Commission Against Corruption's Operation Dasha
<https://www.icac.nsw.gov.au>

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Official capacity versus private capacity

It is also inevitable that Councillors and Council staff will engage with their Council in their private capacity. This can be for something as simple as borrowing a book from a Council library, to more complex matters, such as submitting a development application.

In these circumstances, it is vital that Councillors and Council staff do not seek to use, or appear to use, their position within Council to obtain a private benefit. To do so could be seen as an attempt to exert pressure on Councillors and/or Council staff with a view to obtaining preferential treatment. Such conduct has the potential to undermine both the integrity of a Council's decision-making processes, as well as the community's confidence in Council, and so must be avoided.

The intent of this Policy

As its core, the Policy has three main goals:-

- to establish a framework by which Councillors can access the information they need to perform their civic functions;
- to promote positive and respectful interactions between Councillors and staff; and
- to advise where concerns can be directed if there is a breakdown in the relationship between Councillors and staff.

Enforcement

Clause 3.1(b) of the Model Code of Conduct provides that Council officials must not conduct themselves in a manner that is contrary to a Council's policies. If adopted by a Council, a breach of the Policy may also constitute a breach of Council's Code of Conduct.

Concerns or complaints about the administration of a Council's Councillor request system should be raised with the Chief Executive Officer (or the Mayor in the case of a complaint about the Chief Executive Officer). If the matter cannot be resolved locally, Councillors may raise their concerns with the OLG.

Important Note – Code of Conduct

The Chief Executive Officer 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 7 of the Standards of Conduct – Relationship Between Council Officials.

In addition, this Policy 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 Policy will be handled in accordance with the Code of Conduct Complaints Procedure.

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Councillor and Staff Interaction Policy

PART 1 – Introduction

- 1.1 The *Councillor and Staff Interaction Policy* (the Policy) provides a framework for Councillors when exercising their civic functions by specifically addressing their ability to interact with, and receive advice from, authorised staff.
- 1.2 The Policy complements and should be read in conjunction with City of Ryde Council's *Code of Conduct* (the Code of Conduct).
- 1.3 The aim of the Policy is to facilitate a positive working relationship between Councillors, as the community's elected representatives, and staff, who are employed to administer the operations of the Council. The Policy provides direction on interactions between Councillors and staff to assist both parties in carrying out their day-to-day duties professionally, ethically and respectfully.
- 1.4 It is important to have an effective working relationship that recognises the important but differing contribution both parties bring to their complementary roles.

PART 2 – Application

- 2.1 This Policy applies to all Councillors and Council staff.
- 2.2 This Policy applies to all interactions between Councillors and staff, whether face-to-face, online (including social media and virtual meeting platforms), by phone, text message or in writing.
- 2.3 This Policy applies whenever interactions between Councillors and staff occur, including inside or outside of work hours, and at both Council and non-Council venues and events.
- 2.4 This Policy does not confer any delegated authority upon any person. All delegations to staff are made by the Chief Executive Officer.
- 2.5 The Code of Conduct provides that Council officials must not conduct themselves in a manner that is contrary to the Council's policies. A breach of this Policy will be a breach of the Code of Conduct.

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PART 3 – Policy Objectives

- 3.1 The objectives of the Policy are to:-
- (a) establish positive, effective and professional working relationships between Councillors and staff defined by mutual respect and courtesy.
 - (b) enable Councillors and staff to work together appropriately and effectively to support each other in their respective roles.
 - (c) ensure that Councillors receive advice in an orderly, courteous and appropriate manner to assist them in the performance of their civic duties.
 - (d) ensure Councillors have adequate access to information to exercise their statutory roles.
 - (e) provide direction on, and guide Councillor interactions with staff for both obtaining information and in general situations.
 - (f) maintain transparent decision making and good governance arrangements.
 - (g) ensure the reputation of Council is enhanced by Councillors and staff interacting consistently, professionally and positively in their day-to-day duties.
 - (h) provide a clear and consistent framework through which breaches of the Policy will be managed in accordance with the Code of Conduct.

PART 4 – Principles, Roles and Responsibilities

- 4.1 Several factors contribute to a good relationship between Councillors and staff. These include goodwill, understanding of roles, communication, protocols and a good understanding of legislative requirements.
- 4.2 The Council's governing body and its administration (being staff within the organisation) must have a clear and sophisticated understanding of their different roles, and the fact that these operate within a hierarchy. The administration is accountable to the Chief Executive Officer, who in turn, is accountable to the Council's governing body.

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- 4.3 Section 232 of the *Local Government Act 1993* (the LGA) states that the role of a Councillor is as follows:-
- (a) to be an active and contributing member of the governing body.
 - (b) to make considered and well-informed decisions as a member of the governing body.
 - (c) to participate in the development of the integrated planning and reporting framework.
 - (d) to represent the collective interests of residents, ratepayers and the local community.
 - (e) to facilitate communication between the local community and the governing body.
 - (f) to uphold and represent accurately the policies and decisions of the governing body.
 - (g) to make all reasonable efforts to acquire and maintain the skills necessary to perform the role of a Councillor.
- 4.4 The administration's role is to advise the governing body, implement Council's decisions and to oversee service delivery.
- 4.5 It is beneficial if the administration recognises the complex political environments in which elected members operate and acknowledge that they work within a system that is based on democratic governance. Councillors similarly need to understand that it is a highly complex task to prepare information and provide quality advice on the very wide range of issues that Council operations cover.

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4.6 Council commits to the following principles to guide interactions between Councillors and staff:-

Principle	Achieved By
Equitable and consistent	Ensuring appropriate, consistent and equitable access to information for all Councillors within established service levels
Considerate and respectful	Councillors and staff working supportively together in the interests of the whole community, based on mutual respect and consideration of their respective positions
Ethical, open and transparent	Ensuring that interactions between Councillors and staff are ethical, open, transparent, honest and display the highest standards of professional conduct
Fit for purpose	Ensuring that the provision of equipment and information to Councillors is done in a way that is suitable, practical and of an appropriate size, scale and cost for a client group of 12 people
Accountable and measurable	Providing support to Councillors in the performance of their role in a way that can be measured, reviewed and improved based on qualitative and quantitative data

4.7 Councillors are members of the Council's governing body, which is responsible for directing and controlling the affairs of the Council in accordance with the LGA. Councillors need to accept that:-

- (a) responses to requests for information from Councillors may take time and consultation to prepare and be approved prior to responding.
- (b) staff are not accountable to them individually.
- (c) they must not direct staff except by giving appropriate direction to the Chief Executive Officer by way of a Council or Committee resolution, or by the Mayor exercising their functions under Section 226 of the LGA.
- (d) they must not, in any public or private forum, direct or influence, or attempt to direct or influence, a member of staff in the exercise of their functions.
- (e) they must not contact a member of staff on Council-related business unless in accordance with this Policy.
- (f) they must not use their position to attempt to receive favourable treatment for themselves or others.

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- 4.8 The Chief Executive Officer is responsible for the efficient and effective day-to-day operation of the Council and for ensuring that the lawful decisions of the Council are implemented without undue delay. Council staff need to understand:-
- (a) they are not accountable to individual Councillors and do not take direction from them. They are accountable to the Chief Executive Officer, who is in turn accountable to the Council's governing body.
 - (b) they should not provide advice to Councillors unless it has been approved by the Chief Executive Officer or a staff member with a delegation to approve advice to Councillors.
 - (c) they must carry out reasonable and lawful directions given by any person having the authority to give such directions in an efficient and effective manner.
 - (d) they must ensure that participation in political activities outside the service of the Council does not interfere with the performance of their official duties.
 - (e) they must provide full and timely information to Councillors sufficient to enable them to exercise their civic functions in accordance with this Policy.

PART 5 – The Councillor Requests System (Councillor HelpDesk)

- 5.1 Councillors have a right to request information provided it is relevant to Councillor's exercise of their civic functions. This right does not extend to matters about which a Councillor is merely curious.
- 5.2 Councillors do not have a right to request information about matters that they are prevented from participating in decision-making on because of a conflict of interest, unless the information is otherwise publicly available.
- 5.3 The Chief Executive Officer may identify Councillor support staff (the Councillor HelpDesk) under this Policy for the management of requests from Councillors.

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- 5.4 Councillors can use the Councillor requests system to:-
- (a) request information or ask questions that relate to the strategic position, performance or operation of the Council.
 - (b) bring concerns that have been raised by members of the public to the attention of staff.
 - (c) Request ICT or other support from the Council administration.
- 5.5 Councillors must, to the best of their knowledge, be specific about what information they are requesting, and make their requests respectfully. Where a Councillor's request lacks specificity, the Chief Executive Officer or staff member authorised to manage the matter is entitled to ask the Councillor to clarify their request and the reason(s) why they are seeking the information.
- 5.6 Staff must make every reasonable effort to assist Councillors with their requests and do so in a respectful manner.
- 5.7 The Chief Executive Officer or the staff member authorised to manage a Councillor request will provide an initial response within five (5) working days. Where a response cannot be provided within that timeframe, the Councillor will be provided with an interim response, and the information will be provided as soon as practicable.
- 5.8 All requests from Councillors to the Councillor requests system are logged and sent to the relevant Council department for a response. All Councillor requests logged in the Councillor requests system are acknowledged within one (1) working day and Councillors are provided with a reference number for each request so that individual requests can be tracked.
- 5.9 If a Councillor would like staff to contact and update a resident directly, they must indicate this in the request.
- 5.10 Councillors are required to treat all information provided by staff appropriately and to observe any confidentiality requirements.
- 5.11 Staff will inform Councillors of any confidentiality requirements for information they provide so Councillors can handle the information appropriately.
- 5.12 Where a Councillor is unsure of confidentiality requirements, they should contact the Chief Executive Officer, or the staff member authorised to manage their request.

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- 5.13 The Chief Executive Officer may refuse access to information requested by a Councillor if:-
- (a) the information is not necessary for the performance of the Councillor's civic functions, or
 - (b) if responding to the request would, in the Chief Executive Officer's opinion, result in an unreasonable diversion of staff time and resources, or
 - (c) the Councillor has previously declared a conflict of interest in the matter and removed themselves from decision-making on it, or
 - (d) the Chief Executive Officer is prevented by law from disclosing the information.
- 5.14 Where the Chief Executive Officer refused to provide information requested by a Councillor, they must act reasonably. The Chief Executive Officer must advise a Councillor in writing of their reasons for refusing access to the information requested.
- 5.15 Where a Councillor's request for information is refused by the Chief Executive Officer on the grounds referred to under Clause 5.13 (a) or (b), the Councillor may instead request the information through a resolution of the Council by way of a Notice of Motion. This Clause does not apply where the Chief Executive Officer refuses a Councillor's request for information under Clause 5.13 (c) or (d).
- 5.16 Nothing in Clauses 5.13, 5.14 and 5.15 prevents a Councillor from requesting the information in accordance with the *Government Information (Public Access) Act 2009*.
- 5.17 Where a Councillor persistently makes requests for information which, in the Chief Executive Officer's opinion, result in a significant and unreasonable diversion of staff time and resources the Council may, on the advice of the Chief Executive Officer, resolve to limit the number of requests the Councillor may make.
- 5.18 Councillor requests are state records and must be managed in accordance with the *State Records Act 1998*.
- 5.19 A report will be provided to Council on a monthly basis regarding the performance and efficiency of the Councillor requests system against established key performance indicators.
- 5.20 While it is acknowledged that the procedures relating to the conduct of the Councillor requests system are an operational matter to be determined by the Chief Executive Officer, Councillors will be consulted regarding any proposed changes.

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PART 6 – Access to Council Staff

- 6.1 Councillors may directly contact members of staff that are listed in Schedule 1 of this Policy. The Chief Executive Officer may amend this list at any time and will advise Councillors promptly of any changes.
- 6.2 Councillors can contact staff listed in Schedule 1 about matters that relate to the staff member's area of responsibility.
- 6.3 Councillors should as far as practicable, only contact staff during normal business hours (*Monday to Friday: 8.30am to 5.00pm*).
- 6.4 If Councillors would like to contact a member of staff not listed in Schedule 1, they must receive permission from the Chief Executive Officer.
- 6.5 If a Councillor is unsure which authorised staff member can help with their enquiry, they can contact the Chief Executive Officer or the Councillor HelpDesk who will provide advice about which authorised staff member to contact.
- 6.6 The Chief Executive Officer or a member of the Council's Executive Leadership Team may direct any staff member to contact Councillors to provide specific information or clarification relating to a specific matter.
- 6.7 A Councillor or member of staff must not take advantage of their official position to improperly influence other Councillors or members of staff in the performance of their civic or professional duties for the purposes of securing a private benefit for themselves or for another person. Such conduct should be immediately reported to the Chief Executive Officer or Mayor in the first instance, or alternatively to the Office of Local Government, NSW Ombudsman, or the NSW Independent Commission Against Corruption.

PART 7 – Councillor Access to Council Buildings

- 7.1 Councillors are entitled to have access to the Council Chamber, Committee Room, Mayor's Office (subject to availability), Councillors' Rooms and public areas of Council's buildings during normal business hours for meetings. Councillors needing access to these facilities at other times must obtain approval from the Chief Executive Officer.
- 7.2 Councillors must not enter staff-only areas of Council buildings without the approval of the Chief Executive Officer.

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PART 8 – Appropriate and Inappropriate Interactions

- 8.1 Examples of appropriate interactions between Councillors and staff include, but are not limited to the following:-
- (a) Councillors and Council staff are courteous and display a positive and professional attitude towards one another.
 - (b) Council staff ensure that information necessary for Councillors to exercise their civic functions is made equally available to all Councillors, in accordance with this Policy and any other relevant Council policies.
 - (c) Council staff record the advice they give to Councillors in the same way they would if it was provided to members of the public.
 - (d) Council staff, including Council's Executive Team members, document Councillor requests via the Councillor requests system.
 - (e) Council meetings and Councillor Briefings are used to establish positive working relationships and help Councillors to gain an understanding of the complex issues related to their civic duties.
 - (f) Councillors and Council staff feel supported when seeking and providing clarification about Council related business.
 - (g) Councillors forward requests through the Councillor requests system and staff respond in accordance with the timeframes stipulated in this Policy.
- 8.2 Examples of inappropriate interactions between Councillors and staff include, but are not limited to the following:-
- (a) Councillors and Council staff conducting themselves in a manner which:-
 - i. is contrary to their duties under the *Work Health and Safety Act 2011* and their responsibilities under any policies or procedures adopted by the Council to ensure workplace health and safety.
 - ii. constitutes harassment and/or bullying within the meaning of the Code of Conduct, or is unlawfully discriminatory.
 - (b) Councillors approaching staff and staff organisations to discuss individual or operational staff matters (other than matters relating to broader workforce policy such as, but not limited to, organisational restructures or outsourcing decisions), grievances, workplace investigations and disciplinary matters.

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- (c) staff approaching Councillors to discuss individual or operational staff matters (other than matters relating to broader workforce policy such as, but not limited to, organisational restructures or outsourcing decisions), grievances, workplace investigations and disciplinary matters.
 - (d) subject to Clause 5.13, staff refusing to give information that is available to other Councillors to a particular Councillor.
 - (e) Councillors who have lodged an application with the Council, discussing the matter with staff in staff-only areas of the Council.
 - (f) Councillors being overbearing or threatening to staff.
 - (g) staff being overbearing or threatening to Councillors.
 - (h) Councillors making personal attacks on staff or engaging in conduct towards staff that would be contrary to the general conduct provisions in Part 3 of the Code of Conduct in public forums including social media.
 - (i) Councillors directing or pressuring staff in the performance of their work, or recommendations they should make.
 - (j) staff providing ad hoc advice to Councillors without recording or documenting the interaction as they would if the advice was provided to a member of the community.
- 8.3 Where a Councillor engages in conduct that, in the opinion of the Chief Executive Officer, puts the health, safety or welfare of staff at risk, the Chief Executive Officer may restrict the Councillor's access to staff.
- 8.4 Any concerns relating to the conduct of staff under this Policy should be raised with the Chief Executive Officer.

PART 9 – Complaints

- 9.1 Complaints about a breach of this Policy should be made to the Chief Executive Officer (if the complaint is about a Councillor or member of Council staff), or the Mayor (if the complaint is about the Chief Executive Officer).
- 9.2 Clause 9.1 does not operate to prevent matters being reported to OLG, the NSW Ombudsman, the NSW Independent Commission Against Corruption or any other external agency.

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SCHEDULE 1 – Authorised Staff Contacts for Councillors

1. Clause 6.1 of this Policy provides that Councillors may directly contact members of staff that are listed below. The Chief Executive Officer may amend this list at any time.
2. Councillors can contact staff listed below about matters that relate to the staff member's area of responsibility.
3. Councillors should as far as practicable, only contact staff during normal business hours.
4. If Councillors would like to contact a member of staff not listed below, they must receive permission from the Chief Executive Officer or their delegate.
5. If a Councillor is unsure which authorised staff member can help with their enquiry, they can contact the Chief Executive Officer or the Councillor HelpDesk who will provide advice about which authorised staff member to contact.
6. In some instances, the Chief Executive Officer or a member of the Council's Executive Leadership Team may direct a Council staff member to contact Councillors to provide specific information or clarification relating to a specific matter.

Position
Chief Executive Officer
General Manager – Business and Operations
General Manager – City Shaping
Director – City Shaping
General Counsel
Chief Financial Officer
Executive Manager – People and Business
Executive Manager – City Development
Executive Manager – City Infrastructure
Executive Manager – City Life
Manager – Corporate Governance
Civic Services Manager
Councillor HelpDesk

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