

Policy number	Policy 023
Policy title	Provision of information and services – elected members
Strategic outcomes supported	CL1 – Effectively managing resources and performance. CL3 – Accountability and good governance. Streamlined, modern governance. Integrated, fit-for-purpose systems.

Policy objective:

This policy is to identify the process and expectations for the provision of information and services to elected members when performing their roles, outlined in Sections 2.7, 2.8, 2.9 and 2.10 in the *Local Government Act 1995*.

Policy scope:

This policy applies to all elected members and officers of the Town. This does not apply to Council meetings or informal forums.

Policy definitions:

requests require a response or actioning and include asking for further information, asking a question or seeking clarity on an issue.

Policy statement:

1. To preserve the integrity of the decision-making process, the Town is committed to consistency and equity in the provision of information and services to its elected members.
2. To ensure that all elected members are equally informed regarding queries, issues or any concerns raised, particularly on matters requiring a Council decision, this policy sets the direction regarding appropriate etiquette and methods of information provision to all elected members.
3. While elected members are only to direct the Chief Executive Officer, certain services, mostly administrative in nature, are provided to elected members to support the performance of their roles. This policy sets out such administrative services, and the way they are provided.

Requests for information from elected members

4. Section 5.92 of the *Local Government Act 1995* states that an elected member can access information held by the Town that is relevant to the performance of their functions under the Act, or any other relevant legislation.
5. To ensure consistency and integrity in the way requests from elected members are dealt with, requests for information are limited to information that is relevant to the performance of elected members' functions under Sections 2.8, 2.9 and 2.10 of the *Local Government Act 1995*.

6. Elected members will make every endeavor to obtain information that is already publicly available before making a request.
7. Elected members are to make their requests for information by email to the Chief Executive Officer, copied to the Governance email address.
8. The Chief Executive Officer shall determine who is to respond to the request.
9. Except for requests made in confidence to the Chief Executive Officer, all final responses provided to requests will be sent to all elected members.
10. The Town is to endeavour to respond to requests within three working days, unless further time is required, in which case within two working days requests will be acknowledged, and an estimated time of final response provided.
11. To assist with maintaining a shared understanding, elected members shall report any breaches of this policy to the Chief Executive Officer to be addressed.

Communication between Mayor and Chief Executive Officer

12. As stated in Section 2.8 (f) of the *Local Government Act 1995*, the Mayor has a role to liaise with the CEO on the local government's affairs and the performance of its functions.
13. Requests made by the Mayor to the Chief Executive Officer without copying the governance email address will be responded to directly by the Chief Executive Officer.
14. Responses will not be sent to all elected members.
15. Requests from the Mayor to the Chief Executive Officer will be responded to within three working days, unless further time is required, in which case within two working days the request will be acknowledged, and an estimated time of final response provided.
16. In the case of the Mayor being on an approved leave of absence, provisions of this policy related to communication between the Mayor and Chief Executive Officer will extend to the Deputy Mayor.

Public submissions

17. Complete copies of all public submissions received in relation to any matter for Council decision are to be provided to all elected members if requested by an elected member.
18. Any dispute about whether an elected member is entitled to complete copies of all public submissions received in relation to any matter for Council's decision is to be referred to Council.

Limitations on requests for information

19. Elected members shall not request information relating to operational matters in accordance with this policy.
20. In line with Section 2.10 of the *Local Government Act 1995*, the role of elected members is to represent and facilitate communication with the community as a whole.

Right to refuse requests for information

21. The Chief Executive Officer may reject a request of information if the request:

- a. is not considered relevant to the performance of elected members' functions under the Act
- b. is considered to be of a nature outlined in clauses 19 and 20 of this policy
- c. is considered to be frivolous or vexatious
- d. is considered by the Chief Executive Officer to require significant resources to respond and that it will impose an unfair and excessive burden on the administration.

22. If an elected members' request for information is rejected in accordance with clause 21, the Chief Executive Officer shall provide written reasons for the rejection within two working days. These reasons are to be communicated to all elected members to provide transparency and maintain a shared understanding.

Register of elected member requests for information

23. A register of elected member requests for information shall be maintained by the Chief Executive Officer recording the details of all requests for information made by an elected member, including:

- a) the date of the request
- b) the name of the requesting elected member
- c) a description of the information requested
- d) the number of questions that make up the request
- e) the date of the response to the request
- f) any communicated extension to the timeframe response
- g) the name of the officer responsible for responding to the request
- h) whether the response was within the timeframe outlined in clause 10.

Maintaining confidentiality in requests for information

24. Elected members must send confidential requests to the Chief Executive Officer and indicate that a request is being made in confidence. Responses to confidential requests will not be sent to all elected members.

Permitted verbal requests and provision of information

25. Verbal requests and provision of information, in person or by phone, is not to occur without approval from the Chief Executive Officer, except in the following circumstances:

- a. preparing for a concept forum presentation
- b. gaining support or information to assist in representing the Town on an external body or committee
- c. an event briefing when representing the Town in an official capacity
- d. a media briefing when representing the Town in an official capacity
- e. requesting a service outlined in the Town's Customer Service Charter through customer service channels
- f. seeking clarification on a request made in writing.

26. Any requests for information or services as a result of verbal communication, that fall outside of the exemptions in clause 19, must be put in writing, as outlined in clause 7 of this policy.

Methods of providing information to elected members

27. The accepted methods for the provision of information from the administration to elected members, as well as exemptions, are as follows:

Method	Criteria
Email	Emergency or urgent situations within the Town. Matters that are considered to be high risk and imminent, are deemed to be out of the ordinary or are irregular in nature. Enquiries about availability to attend meetings or events, responses to media enquiries and proactively published media releases, and, responses to requests from elected members, and administrative matters dealt with by the Governance area.
Councillor portal	<p>Items of a routine nature that are purely for noting by elected members where no feedback is expected, such as updates on usual business, progress of key projects and progress towards advocacy priorities.</p> <p>Matters in which feedback is sought from elected members. This could include draft documents that will require a Council decision such as policies, strategies and plans. Elected members are to be given at least one week to provide their feedback. Elected members may request that an item be presented at a concept forum if deemed to be complex or require further discussion.</p>
Concept forum	<p>Complex matters in which feedback or input is sought from elected members to help guide an officer report that will be presented for an eventual Council decision.</p> <p>Information only' or 'update' items to be provided when requested by an elected member or approved by the Chief Executive Officer. These should only be on topics that are contentious, high risk or have significant community impact.</p>

Requests for services from elected members

28. Pursuant to Clause 20 of the Code of Conduct for Council Members, Committee members and Candidates, elected members must not direct or attempt to direct a local government employee to do or not to do anything in their capacity as a local government employee. It is the Chief Executive Officer's responsibility to direct the administration in ensuring that the needs of elected members are being met. That being said, it is acknowledged that elected members require some provision of administrative services to support the performance of their roles.

29. Such provision of services, and/or administrative requests, from elected members are to be sent and resolved through the Governance email. These requests include, but are not limited to:

- a. general governance advice including declarations of interest
- b. declaration of gifts received
- c. reimbursement claims
- d. management of event invitations (to elected members)
- e. training and conference requests
- f. support in relation to Council meetings
- h. support in the attendance of external meetings relevant to their role.

30. Email in response to provision of services will not be sent to all elected members.

31. Where an electronic form exists for administrative purposes, elected members should endeavor to use it to limit administrative burden, for example, IT support should be requested by completing the IT Helpdesk form on the Councillor Portal.
32. Other types of administrative support may be provided as determined by the Chief Executive Officer. Administrative requests are to be acknowledged within one working day with a proposed time of resolution.

Scheduling of meetings, training and events

33. The Chief Executive Officer shall endeavor to consult all elected members by email or telephone prior to any decision being made to cancel or reschedule the date or time of any committee meeting, concept forum, workshop, training or other event scheduled for the purpose of elected member involvement, that elected members have been invited to attend.

Related documents

[Local Government Act 1995](#)

[Customer Service Charter](#)

[Code of Conduct for Council Members, Committee Members and Candidates](#)

Responsible officers	Chief Executive Officer
Policy manager	Manager Governance and Strategy
Approval authority	Council
Next evaluation date	

Revision history

Version	Action	Date	Authority	Resolution number	Report number
1	Approved	21/05/2021	Council	84/2019	Item 10.1
2	Amended	17/09/2019	Council	171/2019	Item 10.3
3	Reviewed and amended	21/04/2020	Council	384/2020	Item 15.7
4	Reviewed and amended	18/08/2020	Council	490/2020	Item 15.2
5	Reviewed and amended	20/04/2021	Council	78/2021	Item 15.4
6	Reviewed and amended	12/04/2022	Council	73/2022	Item 15.5