

OFFICIAL

**Strathbogie Shire Council**

**Councillor Briefing  
Policy**

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**February 2024**



## Contents

Councillor Briefing Policy .....	2
PART 1 POLICY .....	3
1. PURPOSE .....	3
2. POLICY STATEMENT.....	3
3. APPLICATION OF THIS POLICY .....	3
4. ACCOUNTABILITY AND RESPONSIBILITIES.....	4
5. POLICY .....	4
6. DEFINITIONS.....	5
7. RELATED POLICIES AND LEGISLATION .....	5
8. POLICY REVIEW .....	5
9. CHARTER OF HUMAN RIGHTS AND RESPONSIBILITIES ACT 2006 AND THE EQUAL OPPORTUNITY ACT 2010 .....	6

## Councillor Briefing Policy

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Responsible Officer:	Director People and Governance

## **PART 1 POLICY**

### **1. PURPOSE**

The purpose of this policy is to provide a clear process for the operation of councillor briefings.

### **2. POLICY STATEMENT**

2.1 As a type of meeting, councillor briefings are addressed in the *Local Government Act 2020* (the Act), the Local Government (Governance and Integrity) Regulations 2020 (the Regs), and the Governance Rules.

2.1.1 Section 131(1) of the Act recognises meetings that are conducted “under the auspices of Council”, of which a councillor briefing can be so defined.

2.1.2 The Standards of Conduct (schedule one of the Regs) include the requirement that:

*A Councillor must, in performing the role of a Councillor, do everything reasonably necessary to ensure that the Councillor performs the role of a Councillor effectively and responsibly, including by ensuring that the Councillor—*

*b) diligently uses Council processes to become informed about matters which are subject to Council decisions*

Councillor briefings are a council process that enables Councillors to be informed about matters which are subject to council decisions.

2.1.3 Chapter 3 Rule 114.1.1 (Informal Meetings of Councillors) of the Governance Rules provides for meetings of councillors that are “scheduled or planned for the purpose of discussing the business of Council or briefing Councillors”.

### **2.2 Conflicts Of Interest And Confidential Information**

At a councillor briefing Councillors must:

2.2.1 Disclose any conflict of interest in a matter before the councillor briefing and leave the councillor briefing, in accordance with section 131(2) of the Act and rule 105.4 of the Governance Rules; and

2.2.2 Respect and maintain the confidentiality of any confidential information before and after a councillor briefing, noting that:

a) Confidential information is defined at section 3 of the Act

b) Information must not intentionally or recklessly be disclosed that the person knows, or should reasonably know, is confidential information (section 125 of the Act)

c) Chapter 3 Rule 115 (Confidential Information) of the Governance Rules provides for the CEO to designate information as confidential information.

### **3. APPLICATION OF THIS POLICY**

3.1 The policy applies to:

3.1.1 All councillors, and operates in conjunction with Council's Councillor Code of Conduct; and

3.1.2 Council staff who attend a councillor briefing operates in conjunction with Council's Staff Code of Conduct CEO Directive. The policy is to be applied during all councillor briefings.

**4. ACCOUNTABILITY AND RESPONSIBILITIES**

Role	Responsibilities
Director People and Governance	Responsible for implementation and regular review of the policy

**5. POLICY**

**5.1 Purpose**

The purpose of councillor briefings is to provide councillors with:

- Information on complex matters coming to Council for resolution, and to allow them to request further information or additional research.
- Information about complex or controversial issues that will be dealt with by officers under the powers delegated by the Council.
- A forum in which to explore strategic issues, including political advocacy, business development, long term infrastructure projects, community development, and environmental sustainability.
- An opportunity to raise community issues, where it is not appropriate for these to be dealt with through the Council's customer request system.

There are no formal decisions made at councillor briefings nor are they to be used to endorse the actions of staff.

Matters are listed on the agenda for discussion only and not for the purpose of debating or building consensus. It is important to note that councillors should never direct staff as to what is included in a report – ultimately staff retain the discretion as to what goes into a council report.

Any matter requiring a Council decision (i.e. those that are not to be dealt with by a member of Council staff with the appropriate delegated authority) will be presented to a meeting of the Council.

**5.2 Conduct**

Councillors will:

- Treat other Councillors, members of Council staff and external persons invited to attend a councillor briefing with courtesy and respect at all times; and
- Adhere to the Councillor Code of Conduct, to the extent that its terms are relevant, and can be applied to councillor briefings.

Council staff will:

- Treat Councillors, other members of Council staff and external persons invited to attend a councillor briefing with courtesy and respect at all times; and

- Adhere to the Staff Code of Conduct CEO Directive

### 5.3 Meeting Procedure

While councillor briefings are not subject to the Meeting Procedure Rules (chapter one of the Governance Rules) it is important that they are conducted in an orderly and timely fashion.

Councillor briefings will be chaired by the Mayor, or in the absence of the Mayor, the Deputy Mayor or other councillor by agreement.

## 6. DEFINITIONS

Term	Meaning
Act	means the <i>Local Government Act 2020</i>
Council	means the Strathbogie Shire Council
Councillor	means elected representative(s) of local community responsible for setting strategic directions and policy framework of Council
Council Officer	means a person with responsibility to deliver Councils policies and day to day operation of the organisation
Regs	means Local Government (Governance and Integrity) Regulations 2020

## 7. RELATED POLICIES AND LEGISLATION

The following Council, State, regional and national plans and policies are relevant to this policy under each subtitle.

### Legislation

- *Local Government Act 2020*
- *Freedom of Information Act 1982*
- *Privacy and Data Protection Act 2014*
- *Public Records Act 1973*

### Related Council Documents

- Councillor Code of Conduct
- Staff Code of Conduct CEO Directive
- Governance Rules
- Councillor/Staff Interaction Policy

## 8. POLICY REVIEW

Council may review this policy at any time and at least two years from the date of adoption.

Minor amendments to the policy may be authorised by the CEO at any time where such changes do not alter the substance of the policy (e.g. a change to the name of a related document, or a change in legislation).

**9. CHARTER OF HUMAN RIGHTS AND RESPONSIBILITIES ACT 2006 AND THE EQUAL OPPORTUNITY ACT 2010**

The Council acknowledges the legal responsibility to comply with the *Charter of Human Rights and Responsibilities Act 2006* and the *Equal Opportunity Act 2010*. The *Charter of Human Rights and Responsibilities Act 2006* is designed to protect the fundamental rights and freedoms of citizens. The Charter gives legal protection to 20 fundamental human rights under four key values that include freedom, respect, equality and dignity.