

OFFICIAL

Strathbogie Shire Council

**Policy Management
Policy**

February 2024



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Policy Management Policy

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PART 1 POLICY

1. PURPOSE

The purpose of this policy is to provide the framework for the development of Strathbogie Shire Council Policies consistent with the principles of good governance and the *Local Government Act 2020*.

Firstly, the Policy Management Policy defines and characterises all level of policy documents within Council. Secondly, the Policy Management Policy ensures a clear and consistent approach in the development of Council and Management endorsed policy through:

- the application of principles that underpin good policy
- a consistent process for approval, review and rescission of policy
- a consistent process for documenting and recording policy
- a consistent process for dissemination of policy
- provide flexibility in establishing municipal specific, sector generic and operational policies.

2. POLICY STATEMENT

Under the *Local Government Act 2020* (the Act) Council must give effect to the following overarching governance principles:

- Council decisions are to be made and actions taken in accordance with the relevant law
- priority is to be given to achieving the best outcomes for the municipal community, including future generations
- the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted
- the municipal making community is to be engaged in strategic planning and strategic decision
- innovation and continuous improvement is to be pursued
- collaboration with other Councils and Governments and statutory bodies is to be sought
- the ongoing financial viability of the Council is to be ensured
- the transparency of Council decisions, actions and information is to be ensured.

3. APPLICATION OF THIS POLICY

The scope of this policy applies to all Council policies. These policies incorporate:

- Mandatory policies required under legislation or regulation
- Policies required to articulate a matter of public policy, statement or strategic direction of Council for decision making purposes in matters affecting the wider community. These may include establishing Council policies in response to policy or strategy directions established by others
- Policies that establish the required behaviours, conduct, safety and well-being of Councillors and staff; and
- Policies required to give direction to the operational areas of Council in the delivery of services and corporate administration

It excludes the review of external, regional or policies of other government entities that are not Council or Chief Executive Officer adopted policies.

4. DEFINITIONS

Term	Meaning
The Act	<i>Local Government Act 2020</i>
CEO Directive	Policy documents that are not strategic in nature and do not require consultation with Councillors or adoption by Council. This will typically include operational policy, guidelines, protocols and procedures.
Council	means the Strathbogie Shire Council
Council Endorsed Policy	Policy documents that are strategic in nature that must follow the procedures identified in the Act, including consultation with the Councillors and adoption by Council. This will typically include legislative policy, strategies and plans (other than business plans and work plans).
Officer	An employee of Strathbogie Shire Council.
Councillor	Means a Councillor of Strathbogie Shire Council
Framework	A policy or collection of policy documents detailing supporting systems, structures, skills and processes needed to achieve a strategic outcome or objective.
Guideline	Provides information and advice on a subject and assists with the development or implementation of a policy.
Legislative Plan	means documents such as the Council Plan, Financial Plan, Asset Plan and Revenue and Rating Plan.
Legislative Policy	A policy that is required under a legislative provision.
Plan	A strategic document that outlines the method, actions and timeframes to achieve a strategy or outcome.
Policy	An overarching term that includes all documents that detail Council's official position on a particular issue and includes principles and rules to guide decision making.
Policy Hierarchy	A hierarchy that identifies the relationship between different policy documents.
Policy Sponsor	The relevant Manager or Director who is responsible for reviewing the policy, ensuring its implementation and undertaking review.
Procedure	A detailed description of the steps required to accomplish a task.
Strategy	A long-term vision that outlines a particular set of strategic outcomes or objectives Council want to achieve

5. ACCOUNTABILITY AND RESPONSIBILITIES

Role	Responsibilities
Chief Executive Officer	Authorisation and approval of operational policy (CEO Directives)
Director People and Governance	Responsible for overseeing the application and review of the Policy Management Policy.
Governance and Records Management (team)	<ul style="list-style-type: none"> • will hold the administrative control of the development of all policy within Council • The development of all policy within Council should not be commenced without first seeking the approval of Governance. Approval will ensure that the policy is necessary and in the appropriate form, will inform which Policy Hierarchy it will be contained and will identify other policy documents which are relevant. Policies will not be listed on a Council or Executive Agenda without Governance approval. • Governance will be responsible for managing the Controlled Document Register, identifying to Policy Sponsors when relevant policies are due for review and ensuring that all adopted and endorsed policies are accessible to Shire Officers, Councillors and the community as appropriate. • Governance will be responsible for all template documents, amendment and review of this Policy Management Policy and are authorised to make changes to the Attachments to this document.

6. POLICY PRINCIPLES

Policy holds a key role in the good governance of the Council and supports the objectives and functions of Council as described in the Act.

Council develops and reviews documents and records policies through consistent processes that ensure all policies are necessary, current, consistent, document recorded and effectively disseminated.

Council policy is governed by the following principles of good policy:

- maintain a distinction between Council Policy (public policy) adopted by Council and Operational Policy (CEO Directives/internal applications) authorised by the Chief Executive Officer
- policy serves to ensure uniform direction, understanding and administration, identifies accountability and underpins transparency.

- policy is developed in response to regulatory or legislative requirements, identified operational needs and/or to establish strategic positions based on issues raised by the community, the Local, State or Federal Governments.
- policy aligns with regulatory and legislative requirements and reflects established codes, standards and the Council's adopted organisational values and Council Plan.
- policy is based on accurate, quality research and data, recognised best practice, and guidelines and recommendations issued by governing and peak bodies.
- policy is informed by inclusive consultation with relevant stakeholders and with reference to Strategic Policy, Legislative Policy, Strategy and decisions of the Council.
- policy considers risk, legal and financial implications broadly across Council.
- policy is reviewed, amended or rescinded in a timely manner and in accordance with established timeframes. These timeframes should be informed by legislative requirements, best practice, changes to regulatory frameworks, Council direction and community expectations.
- Formally revoke stand-alone Council and Operational Policies that have been reviewed and are no longer deemed relevant or have been incorporated into key strategies or other policies adopted by Council (Council Policy) or the Chief Executive Officer (CEO Directive). As far as is practicable the revocation of stand-alone policy(s) would be sought in the same report that seeks the adoption of a key strategy or replacing policy.
- policy documentation is recorded consistently and listed in a policy register that is managed centrally.
- adopted policy is effectively disseminated to Council officers, Councillors and the community, and is publicly available on Council's website.

6.1 The Policy Hierarchy

The Policy Hierarchy establishes which policy documents are endorsed by Council and which are approved by the Chief Executive Officer. Council endorsed policies are owned by Council.

Strathbogie Shire Council maintains two categories of policy as follows:

Council Policy

Council adopted policies include two sub categories:

- Municipality specific – those which relate to specific matters affecting Strathbogie Shire Council, and
- Sector generic – those which would generally apply to all Victorian municipalities.

The Act recognises that Councillors are responsible for the good governance of its municipal district for the benefit and wellbeing of the municipal community. The Act also recognises that the role of every Councillor is to *'contribute to the strategic direction of the Council through the development and review of key strategic documents of the Council, including the Council Plan'* (section 28(1)(c)).

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The Act further requires that the Council must take into account community engagement, public transparency, strategic planning, financial management and service performance principles.

Council must ensure that its policy development takes into account the community engagement principles and the Community Engagement Policy. The development of the Community Vision, Council Plan, Financial Plan and Asset Plan must be undertaken with deliberative engagement practices as identified in the Community Engagement Policy.

All Council endorsed policy must be undertaken in accordance with the strategic planning principles as outlined in section 89 of the Act.

Council adopted policies are rescinded by the subsequent adoption of the revised policy provided there are no significant changes to the intent of the policy. The newly adopted policy position of Council is assumed and there is no requirement to formally rescind the old or replaced policy.

Minor administrative changes that do not alter the intent of the policy such as changes to department names, typographical errors and minor changes to wording can be made. Any change or update that materially changes the intent of the policy must be made by resolution of Council. Version control is maintained via editing in the workflow within the Business Classification Scheme.

Operational Policy (CEO Directives)

- Chief Executive Officer authorised directives which apply to the general governance and management of the organisation's administration.

Under the *Local Government Act 2020*, the Chief Executive Officer is responsible for ensuring the effective and efficient management of the day to day operations of the Council (section 46(1)(b)). In order to undertake this role, the Chief Executive Officer will be required to ensure the development of effective and efficient policy to execute the strategic direction of the Shire and to manage the day to day operations of the Shire.

Additionally, guidelines and procedures may be endorsed by the Executive Leadership Team or if considered appropriate by the relevant Manager or Director and approved by that Manager or Director. In making such determination, the Manager or Director should consider the impact of the guideline and procedures across the Council.

While not every policy position will require all documents in the hierarchy, it is accepted that a policy Framework will include one or more of the policy documents from the hierarchy. For example, a policy Framework may include a Strategy, Plan and Procedure or a Plan and a Procedure or a Legislative Policy and a Protocol.

Notwithstanding that a policy document falls within an operational policy in the policy hierarchy, it does not mean that Council endorsement may not be appropriate. For those policy documents that have significant community impact or are contentious or topical, the Officer must present the policy to Council.

6.2 Risk Assessment

In order to comply with its obligations under the *Local Government Act 2020* and maintain the trust and confidence of the community, it is critical that Council demonstrates, through its Councillors and staff, the highest possible standards of good governance, integrity, ethical behaviour and conduct by applying policy requirements in decision making and provision of services.

This policy mitigates Council's risks of:

- Inconsistent and non-transparent decisions being made outside of a determined framework
- Non-compliance with legislation and poor governance practices
- Lack of clarity in respect of key strategic and operational matters affecting Council
- Out of date and irrelevant policies that add no value to Council and/or being retained when they no longer serve a useful purpose.

6.3 Policy Administration

- Governance and Records Management will hold the administrative control of the development of all policy within Council.
- The development of all Council policy should not be commenced without first seeking the approval of the Director People and Governance. Approval will ensure that the policy is necessary and in the appropriate form, will inform which Policy Hierarchy it will be contained and will identify other policy documents which are relevant. Policies will not be listed on a Council or Executive Agenda without Governance approval.
- The Governance and Records Management team will be responsible for managing the Controlled Document Register, identifying Policy Sponsors when relevant policies are due for review and ensuring that all adopted and endorsed policies are accessible to Council Officers, Councillors and the community as appropriate.
- The Governance and Records Management team will be responsible for all template documents, amendment and review of this Policy Management Policy and are authorised to make changes the policies as required.

6.4 Policies for Review

Policies will have different review dates/timeframes based on legislation or the obligations and requirements defined in the individual policies.

As set out in Section (1) of the Audit and Risk Committee Charter, the role of the Committee is to:

“Monitor compliance of Council policies and procedures with the overarching governance principles the Act, its regulations and any Ministerial directions, other relevant laws and regulations”.

In accordance with the role of the Audit and Risk Committee a suite of policies focusing on strengthening Council's governance and risk management framework and monitoring the organisation's financial management require annual review. These include, but are not limited to:

- Fraud, Corruption Policy and Control Systems Procedure
- Gift, Benefits and Hospitality Policy
- CEO Remuneration Policy
- Councillor Expenses Policy
- Investment and Cash Management Policy
- Risk Management Policy

Most policies will be reviewed every two years. Some new policies will be reviewed annually in the Policy Management Policy Document 895333

first instance following Council endorsement and then revert to two yearly reviews.

All policies can be updated at any time based on legislative changes or amendments, or if substantive changes are required to improve the application or robustness of the policy.

A register of policies is maintained and summarises the renewal dates of approved policies. The register is to be reported to the Audit and Risk Committee quarterly.

6.5 Non-Compliance With This Policy

Non-compliance with this Policy may result in policies being developed, or relied upon, that do not align with Council's strategic directions or are not current.

Policy owners are responsible for monitoring any changes to legislation or practice that may trigger an interim policy review, while also scheduling the periodic scheduled review.

Policy owners are also required to consider if a policy has reached its effective end-of-life and manage the steps to formally terminate it.

7. RELATED POLICIES AND LEGISLATION

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

- *Local Government Act 2020*
- *Charter of Human Rights and Responsibilities Act 2006*
- Local Government (General) Regulations 2004
- Strathbogie Shire Council Audit and Risk Committee Charter
- 2021-2025 Council Plan
- Community Engagement 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 (eg 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*.