


## ORGANISATIONAL POLICY

Councillor / Staff Interaction Policy	Approved By MT:	11/11/2024	
	Accepted By SCC:	11/11/2024	
	Date/s Revised:		
	Next Review Date:	Oct 2026	
	Document No:	OP001	
	Directorate:	CEO	
	Responsible Officer	CEO	

### PURPOSE

The purpose of this policy is to provide clarity for Councillors and officers (staff) about dealings with each other, so they are clear about interactions not addressed in their respective Codes of Conduct (ie the Councillor Code of Conduct and the Staff Code of Conduct), as well as their respective obligations and duties under the *Local Government Act 2020* (the Act).

### SCOPE

This policy relates to all elected Councillors while holding the office of Councillor and to all officers while remaining employees of the Borough of Queenscliffe. This policy is also applicable to volunteers and contractors in delivering Council services. The CEO must abide by and ensure adherence to this policy.

The policy covers interaction through all forms of communication, including meetings (both planned and unplanned), personal visits, telephone calls, emails and interactions through digital and social media platforms between Councillors and Council staff.

### POLICY CONTEXT

Good governance and effective service delivery are dependent on how well the relationship between the elected members and the organisation works, as well as an understanding and adherence to the roles and responsibilities of both Council staff and Councillors.

Mutual respect and understanding between Councillors and staff is essential and the foundation of working together.

The Act provides for separation between the governance functions of Councillors and the administrative and operational functions of the organisation.

The Act mandates that the Chief Executive Officer is responsible for managing the interactions between Council officers and Councillors and ensuring that policies, practices and protocols that support arrangements for these interactions are in place.

Administrative management of Council is the responsibility of the Chief Executive Officer. This means that the Chief Executive Officer is responsible for implementing Council decisions and directing Council officers.

The Chief Executive Officer is responsible for responding to Councillors concerns about administration matters or implementation of Council decisions.

In accordance with the Act, a Councillor **must not** direct or influence a member of Council staff in the exercise of their duties.

## **PROCEDURE**

Outside of the formal opportunities provided in a Council Meeting or at a Council briefing, there should be no direct contact between officers and Councillors other than provided for in this policy.

All requests for information or a request to contact an officer directly, including Council contractors, must be made via the CEO. The CEO may, at their discretion, determine that on a particular matter a Councillor may, to assist with efficiency, directly contact one (or more) officers to discuss that particular matter over an appropriate period of time.

Both the Councillor and the officer(s) must take care to ensure that if the officer is to exercise a statutory decision-making function in respect of the matter, that it constitutes an offence under the Act to improperly make, influence or seek to improperly make or influence a statutory decision.

Councillors will generally need to contact officers for the following reasons:

1. Requests for service (on behalf of community members);
2. Requests for service (for themselves);
3. Requests for information and general discussion about Council matters.

Requests can be written or verbal and can occur at Councillor Briefings (Assemblies), formal Council meetings or other formal meetings (eg reference groups).

Councillors can engage with staff at community functions, workshops/training and informal or chance meetings but these interactions should not result in a direct request for information or discussion about operational matters.

### **1. Requests for service, including notifying Council about perceived service issues, (on behalf of community members)**

Councillors may be approached by members of the community to assist with a service issue (for example, an uncollected bin, pothole, planning permit information etc) or to inform Council about an issue with a service.

Councillors are urged in the first instance to encourage the community member to contact Council Customer Services Officers directly either by ringing 5258 1377 directly or by emailing [info@queenscliffe.vic.gov.au](mailto:info@queenscliffe.vic.gov.au)

If the community member needs assistance with contacting Council, the Councillor may contact Customer Services Officers directly via the above contact methods to make the request on behalf of the community member.

Council officers will treat any service request in accordance with Council Policy CP006 Customer Service Charter and preferential treatment will not be given merely because a Councillor is involved in making the request.

### **2. Requests for service (Councillors requesting for themselves)**

As Councillors usually live in the municipality, there may be occasions where officers will be required to deal with a Councillor in their private capacity. Councillors should declare in writing to the CEO they are approaching the Council in a private capacity, and then use their private email address/private mobile number and go through normal Council channels and processes.

Officers under these circumstances must deal with the Councillor's issues without fear or favour, treating them equally to any other member of the community.

Officers needing to initiate contact with Councillors in the Councillors' private capacity may do so as they would for any other member of the community. If the matter is a potentially sensitive issue (for example an enforcement issue or overdue rates), the officer must inform the CEO prior to making contact. In these instances the officer will address the Councillor by their name and not as 'Councillor'.

### 3. Requests for information / General discussion about Council matters

There are some exceptions to the general rule that there should be no direct contact between officers and Councillors on any operational matter. These exceptions are summarised below.

	Type of request / nature of communication	Who
1.	Administrative support including business expense reimbursements, organising meetings on a Councillor's behalf, conference and travel arrangements (inc Council vehicles), training requirements, help with navigating Council systems (eg Docs on Tap), room bookings and the like	EA to the CEO, Mayor and Councillors
2.	IT support with Council equipment	EA to the CEO, Mayor and Councillors (the EA may refer the Councillor to an IT officer or Council's IT service contractor)
3.	Access to previous Council reports, briefing papers, Council resolutions and the like	EA to the CEO, Mayor and Councillors
4.	Requests for service on behalf of themselves (as a private citizen) or a community member	Customer Service Officers (Learmonth St)
5.	Administrative Media and Communication matters (such as liaising about a speech for an event)	Communications Coordinator
6.	Councillor Code of Conduct matters	HR & Governance Officer
7.	Support for the CEO Employment and Remuneration Advisory Committee and/or the CEO Recruitment Committee	HR & Governance Officer
8.	Every other matter	CEO

### 4. Officer responsibilities

Council officers are employed due to their particular skills and expertise and are responsible for providing Councillors with impartial, frank and fearless advice to best assist Councillors in their decision making.

Officers are responsible and accountable through the CEO for implementing Council's decisions, efficiently and effectively, to deliver beneficial outcomes for the whole community.

Officer contact with Councillors should adhere to these standards at all times:

- Treat Councillors with respect due to their office as elected representatives of the community. This includes, when the officer is acting in their capacity as an officer, addressing Councillors as 'Councillor (last name)' and the Mayor as 'Mayor';
- Officers should not use any personal relationship they may have with a Councillor(s) to advance their personal interests to influence decisions improperly; and
- Officers must have an awareness of and sensitivity to the political environment and must not make any public comment or criticism regarding Councillors and Council decisions.

## **5. Councillor responsibilities**

The core role of a Councillor is to participate in the decision-making of the Council, represent the local community in that decision-making and contribute to the strategic direction of the Council through the development and review of key strategic documents of the Council, including the Council Plan.

Collectively Councillors exercise leadership in providing good governance of the organisation and the local community to which they are ultimately accountable.

Councillor interaction with officers should adhere to these standards at all times:

- Councillors must not criticise or belittle officers including making negative comments or allegations about members of Council staff or Contractors in a public forum (including at Council meetings and on social media platforms);
- Any concerns held by a Councillor about an officer must be raised privately with the CEO, consistent with the legislative requirements of the *Local Government Act 2020*;
- If a Councillor has a concern regarding the CEO this should be raised with the CEO Employment and Remuneration Advisory Committee which is responsible for monitoring the CEO's performance; and
- Councillors must not direct or influence a member of Council staff in the exercise of their duties, nor seek information for their own political or personal benefit.

A Councillor may request that a staff member attend to provide advice and support in a meeting with a member (or members) of the public. Such a request must be made through the CEO.

## **6. Joint responsibilities**

All Councillors and officers are responsible for ensuring that all interactions between Councillors and officers are positive and constructive.

## **7. Social and other contact between Councillors and officers**

It is also recognised that Councillors and officers might have private relationships. This, in some instances, is unavoidable. It is imperative that both parties manage a clear separation between the private aspects of their relationships and their professional responsibilities. Contact between Councillors and officers that is not in accordance with this protocol may result in a breach of the Act, the Councillor Code of Conduct and/or the staff Code of Conduct.

## **8. Complaints and Breach of this Policy**

The CEO in accordance with Section 48 (3C) of the *Local Government Act 2020* will monitor compliance with this policy and oversee the management of any complaint or concern raised in relation to compliance with this policy.

If a Councillor believes that there may have been non-compliance with this policy, the matter should first be raised in writing in accordance with the Councillor Code of Conduct.

If an officer believes that there may have been non-compliance with this policy (including improper direction), the matter should be raised in writing with the CEO.

With respect to a written complaint concerning a breach of this policy, the CEO will investigate and determine the appropriate course of action as the person responsible for this policy.

A breach of this policy by Councillors or officers is considered to be, and will be treated as, a breach of the respective Codes of Conduct. Any suspected or reported breach will be addressed in line with the relevant provisions of the particular Code of Conduct.

## **CONTINUOUS IMPROVEMENT**

This policy will be reviewed on a continuous basis, but as a minimum every three years from the date of adoption.

## **OTHER REFERENCES**

*Local Government Act 2020*

Councillor Code of Conduct

Staff Code of Conduct

CP006 Customer Service Charter

CP053 Chief Executive Officer (CEO) Employment and Remuneration

END

Approved:

A handwritten signature in blue ink, appearing to read 'MG', with a long horizontal stroke extending to the right.

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Martin Gill  
Chief Executive Officer  
Date: