

# Councillor and Staff Interaction Policy

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## 1. Purpose and Intent of the Policy

The purpose of this Policy is to guide and support the management of interactions between Councillors and Council staff.

## 2. Policy Objective

The objectives of this Policy are to assist in:

- a) providing a clear and consistent framework for all interactions between Councillors and Council staff
- b) maintaining transparent decision making and good governance arrangements
- c) ensure Councillors have access to advice and information to help them to perform and discharge their functions and duties
- d) supporting compliance with the relevant provisions of the Local Government Act 2020
- e) recognising Council's responsibilities, to protect employees and other persons from risks to their health and safety including harassment, bullying, violence and discrimination.

## 3. Who this Policy Applies to

This Policy applies to all Moyné Shire Council Councillors, staff and contractors.

## 4. Definitions of Key Terms and Acronyms Used Within this Policy

**CEO** – Chief Executive Officer

**Council Management and Staff (Officers)** – Includes full-time, part-time, and casual employees, trainees, temporary and contract employees, and volunteers employed or engaged by Council through an agency (or similar), and contractors.

**Interactions/Communications/Contact** – Includes Council work related contact in writing, by phone, in person, via email, or online and through social media platforms.

**Council Worksites** – Includes any area where Council works are taking place or services are being delivered by Council staff and contractors.

## 5. Policy Details

### Guiding Principles

To achieve good governance, clear and effective communication protocols between Councillors and Council staff are important. In accordance with Section 46 of the Act, the CEO is responsible for:

1. supporting the Mayor and the Councillors in the performance of their roles; and

2. ensuring the effective management of the day-to-day operations of the Council.

The CEO is therefore the primary staff contact for Councillors. This Policy outlines the approach for Councillors in their dealings with other Council staff.

The principles for Councillors to engage with Council staff are:

- a) Contact between Councillors and Council staff outside of this Policy with respect to Council related matters are generally not to occur.
- b) Councillors seeking information or wishing to make comment on a specific matter should raise the matter at a Councillor briefing or directly with the CEO, a Council Director or a member of the Mayor and Councillor Support Team.
- c) In addition, in order to facilitate efficient communication between Councillors and the organisation there will also be occasions where the Councillors may make contact with the relevant Council Manager. The detail of this is reflected in Clause 5.2 below,
- d) Operational service/customer requests from ratepayers, residents and constituents received by Councillors should be reported through Council's Customer Request Management System (CRMS).
- e) Councillors are not to make contact with Council staff other than those listed under Clause 5.3, and Council staff (including Managers) are required to inform their Manager, Director or the CEO of any contact made directly to them by Councillors.
- f) Access by Councillors to operational staffing areas of the Council offices or other Council buildings shall be by invitation by the CEO or a Director, or as arranged on an as needed basis. The exception is in relation to the Mayor's access to the Mayor's Office.
- g) All communications between Councillors and Council staff must be courteous and respectful and in accordance with the Staff and Councillors Codes of Conduct.
- h) Conduct of a Councillor and or Council staff member not in accordance with this Policy or the respective Staff and Councillors Codes of Conduct should be reported to the CEO.

### Requests from residents and constituents received by Councillors

It is important that customer enquiries, complaints and operational service requests are reported and recorded through Council's Service Request Process so that there is an official record and mechanism for monitoring actions and response times.

Where a Councillor comes across a matter that requires action by the organisation or has been approached by a person, the request should be lodged in Council's Service Request Process in one of the following ways:

- a) Encourage the person to report their request directly via Council's website: <https://www.moyne.vic.gov.au/Contact-Us/Request-a-Service> or telephone Customer Services on 1300 656 564

- b) Lodge the request on behalf of the person directly via Council’s website:  
<https://www.moyne.vic.gov.au/Contact-Us/Request-a-Service> or telephone Customer Services on 1300 656 564

Request a member of the Mayor and Councillor Support Office to process the service request.

Table reflecting summary of Councillor and Staff interaction

Councillor Matter	Responsible Officer / Staff Contact							
	Executive Assistant to the CEO (first contact point)	Chief Executive Officer	Relevant Director	Manager Governance & Corporate Planning	Executive Assistant to Mayor and Councillors	Relevant Manager	Relevant Coordinator	I.T. Helpdesk Officer
Council Plan, Policy directions and gaps		X	X					
Service development and review		X	X					
Operational issues, Service Delivery and Projects		X	X		X	X		
Operational Service / Customer Requests (CRMS reporting)					X			
Enforcement matters		X	X		X	X		
Planning matters		X	X			X		
Arrangements for Council meetings, Councillor briefings, civic events and ceremonial activities	X				X			
Councillor support, reimbursements and professional development					X			
Media & Communications		X	X				X	
Governance issues		X	X	X				
Councillor Code of Conduct matters		X		X				
Council administration/staff conduct matters		X						
Information systems day to day equipment/service matters			X		X			X
Administration of a Council advisory committee or forum	X		X		X	X	X	
Matters of Concern	X		X					
Complaints	X							

## Explanatory Notes

### Council Plan, Policy Direction and Gaps

Issues involving Council policy directions, gaps or contradictions in policy, consideration of alternatives, impact analysis, forward scheduling, budget proposals or timelines etc.

### Service Development and Review Issues

Issues where Councillors are seeking clarification on service development and review, i.e. perceived service failures, require further information on matters sent to Councillors by the administration, assistance with interpretation, clarification on service levels, seeking management's response to emerging trends, or information on priority of services or works within a project plan.

### Operational, Service Delivery and Projects

Where Councillors are seeking information on day-to-day service and project matters to assist members of the community i.e. service breakdowns, information on service levels, and information on scheduling of work.

### Operational Service/Customer Requests

Where Councillors receive requests from members of the public or where Councillors wish to alert the organisation to an operational service matter e.g. damaged infrastructure.

### Enforcement Issues

The Council makes delegations and authorisations to various staff who must, without fear or favour, investigate and enforce various legislation. Delegated and authorised officers must be able to perform investigation, determination of response, management of infringements and prosecutions in a manner that is free of improper direction or improper influence.

Where members of the community seek support from a Councillor in relation to an enforcement matter, e.g. infringement notice, they should be referred to the documentation already provided, including relevant staff contacts. Councillors should advise the CEO or relevant Director of any requests regarding such matters. Any information provided to a Councillor in regard to such matter must comply with Privacy legislation.

### Planning and Environment Act Issues

The Council has significant responsibilities under the *Planning and Environment Act 1987*. It is important that Councillors are not excluded from participation and that the decision making of the Council is not tarnished by perceptions of bias, predetermination, inappropriate direction or inappropriate influence by Councillors and officers. Unless otherwise advised, Councillors should direct their enquiries on planning matters to the CEO and relevant Director or Planning Manager only.

### Personal Interaction Between Councillors and Staff

While this Policy governs the interactions between Councillors and Council Staff in relation to Council work, it does not prevent Councillors and Council Staff from communicating generally about non-Council related matters. From time to time, Councillors and Council Staff may be present at social and community events. In such situations, both parties must refrain from discussing matters relating to council business.

It is also recognised that Councillors and staff often live in the same community and may form friendships, therefore the following applies:

- Social media friendships are not the appropriate channel for Council-related interactions and should not be used for this purpose
- Social events are not the appropriate place for Council-related interactions • Councillors should not engage with staff with whom they have friendships in any discussion about operational or personnel matters
- If Council-related matters are discussed in these situations then the staff member should treat the matter as if it is a verbal request for information and document the request and direct through the correct channels.

## 6. Relevant Legislation / References

*Local Government Act 2020* (Vic)

*Occupational Health and Safety Act 2004* (Vic)

*Equal Opportunity Act 2010* (Vic)

*Planning and Environment Act 1987* (Vic)

### **Moyne Shire related documents**

- Model Councillor Code of Conduct
- Staff Code of Conduct
- Local Laws

## 7. Gender Impact Assessment

It is considered that this Policy does not impact negatively on any rights identified in the *Gender Equality Act 2020*.

## 8. Human Rights Commitment

It is considered that this Policy does not impact negatively on any rights identified In the Charter of Human Rights and Responsibilities Act (2006).

Moyne Shire Council is committed to consultation and cooperation between management and employees. The Council will formally involve elected employee health and safety representatives in any workplace change that may affect the health and safety of any of its employees

## 9. Policy Owner

Manager Governance and Corporate Planning:

- is responsible for monitoring the currency and viability of this Policy and updating it when required.
- will review the Policy for any necessary amendments no later than three years after its formulation or after the last review.

## 10. Document History

**Version 001**

**Date Endorsed XX**

**Reason for Change: Policy Initiated**

*\*It is recognised that, from time to time, circumstances may change leading to the need for minor administrative changes to this document. Where an update does not materially alter this document, such a change may be made administratively. Examples include a change to the name of a Council department, a change to the name of a Federal or State Government department, and a minor update to legislation which does not have a material impact. **However, any change or update which materially alters this document must be by resolution of Council.***