

5.16. COUNCILLORS ADMINISTRATIVE SUPPORT POLICY

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DEPARTMENT Governance

RECOMMENDATION

That Council adopt the Councillor Administrative Support Policy as presented.

EXECUTIVE SUMMARY

This is a new policy and part of the Queensland Government's Belcarra rolling reform agenda in the local government sector, which includes new legislation for Administrative Support Staff and Councillor Advisors.

Pursuant to section 170AA of the *Local Government Act 2009*, the Chief Executive Officer of a local government may make guidelines about the provision of administrative support by local government employees to a councillor. This guideline must include, when a councillor may be provided with administrative support, how and when a councillor may give a direction to an employee in relation to the provision of administrative support and as a requirement that a councillor may give a direction to an employee only if the direction relates directly to administrative support to be provided by the employee to the councillor under the guidelines.

A direction purportedly given by a councillor to a local government employee is of no effect if the direction does not comply with the guidelines.

The guidelines provided by Department of Local Government, Racing and Multicultural Affairs have been used in developing this policy.

BACKGROUND

To ensure accountability and transparency, legislation which commenced on 12 October 2020 introduced requirements for councils that wish to employ councillor administrative support staff to help councillors complete their duties.

COMMENT

Councillors have access to support staff to help with administrative tasks such as managing their calendar and appointments, answering phone calls and emails, filing, or helping prepare for council meetings or events. The type of activities undertaken by administrative support staff is broad and is a matter for each council.

Councillors can only direct administration support staff strictly in accordance with guidelines developed by Council as required by the new legislation. This generally means that administrative support staff cannot help with the councillor's re-election or other 'campaigning' tasks.

PROPOSAL

That council adopt the Councillors Administrative Support Policy as presented.

FINANCIAL/RESOURCE IMPLICATIONS

The implementation of this policy will not require any additional resources beyond those currently budgeted.

RISK MANAGEMENT IMPLICATIONS

There are no risk management implications identified regarding this policy.

SUSTAINABILITY IMPLICATIONS

Economic: Nil

Environmental: Nil

Social: Nil

CORPORATE/OPERATIONAL PLAN, POLICY REFERENCE

This report has been prepared in accordance with the following:

Corporate Plan 2019-2024 Initiatives:

Theme 5 - Robust Governance and Efficient Service Delivery

Strong governance and financial management are the foundations of the way in which Council will conduct its business and implement the initiatives of the Corporate Plan.

Goal 1 - *We will conduct Council business in an open and transparent manner with strong oversight and open reporting.*

COUNCIL'S ROLE

Council can play a number of different roles in certain circumstances and it is important to be clear about which role is appropriate for a specific purpose or circumstance. The implementation of actions will be a collective effort and Council's involvement will vary from information only through to full responsibility for delivery.

The following areas outline where Council has a clear responsibility to act:

Regulator Council has a number of statutory obligations detailed in numerous regulations and legislative Acts. Council also makes local laws to ensure that the Shire is well governed. In fulfilling its role as regulator, Council will utilise an outcomes based approach that balances the needs of the community with social and natural justice.

CONSULTATION

Internal: Mayor, CEO and Council Officers

External: Department Local Government, Racing and Multicultural Affairs

COMMUNITY ENGAGEMENT

Nil

ATTACHMENTS

1. Councillor Administrative Support Policy [**5.16.1** - 3 pages]

79. Councillor Administrative Support Policy - Council

Purpose

This policy will ensure accountability in respect to the assistance provided to Councillors in carrying out their responsibilities as elected representatives in an open and transparent manner.

Scope

This policy applies to the elected Mayor, Deputy Mayor, Councillors and Administrative Support Staff of Douglas Shire Council (DSC).

Policy Content

Part of the Queensland Government's rolling reform agenda in the local government sector includes new legislation for administrative support staff.

Councillors directing Administrative Support Staff

In relation to administrative support staff, a new section of the Act includes:

170AA Guidelines about the provision of administrative support to Councillors

1. The Chief Executive Officer of a local government may make guidelines about the provision of administrative support by local government employees to a councillor.
2. The Guidelines must include –
 - a. When a council may be provided with administrative support by a local government employee; and
 - b. How and when a councillor may give direction to a local government employee in relation to the provision of administrative support; and
 - c. A requirement that a councillor may give a direction to a local government employee only if the direction relates directly to administrative support to be provided by the local government employee to the councillor under guidelines.
3. A direction purportedly given by a councillor to a local government employee is of no effect if the direction does not comply with the guidelines.

Providing Support Staff for Councillors

The following DSC employees Support Staff positions and resources are specifically provided in direct support of Councillors and their functions.

- Mayor and Councillor Support Officer – Provision for the Mayor and Councillors of a Part time Council staffed Support Officer with the Office of the Mayor
- Executive Assistant – Provision for Councillors for access to the services of a Council Executive Support Officer position with the Office of the CEO
- Records Management Officer – Provision for Councillors for access to the services of records management
- Senior Media and Communications Officer – Provision for the Mayor for communications services from the People and Community Services Department

As well as the above, ad hoc support staff may include but not be limited to the below as assistance to Councillors:

- Co-ordination of committees or groups that Councillors Chair or are members of as part of their Council appointed roles.
- Co-ordination of community consultation sessions or community meeting sessions attended by Councillors.
- Other Council appointed or directed task allocated to Councillors and for which ad hoc support is needed

The following tasks may be directed by a Councillor to Support Staff, and include but are not limited to:

- Answering telephone calls
- Managing appointments calendar
- Photocopying, printing, and ordering stationery
- Liaising with Council about office maintenance or health and safety issues on behalf of the Councillor
- Room or travel bookings e.g., booking Council vehicle or meeting rooms
- Logging CRM for services from the community e.g., request for street or park maintenance
- Locating information for Councillors such as legislation, information from Council's website or other sources
- Assisting the Mayor with communication to the community through emails, e-newsletters, informational advice flyers or other similar mediums, if the communication is objective, factual, informational, business as usual and an efficient use of funds.

Except in exceptional circumstances, and if approved and arranged in advance, any Support Staff services will be –

- Within standard working hours
- Shared between multiple Councillors

For any urgent out of standard hours services or requests contact should be made via the CEO and or applicable Manager and not initially directly with the Support Officer.

When a request for advice or information is received that is considered to be outside the scope of a Councillor's official duties or a request for advice or information is received which, upon consideration, will take a significant amount of resources to satisfy or cause an undue impact on the Support Staff, as per the Acceptable Request Guidelines Policy, the matter is to be escalated to the CEO to make a decision as to whether it is considered that the fulfilment of the request is required to allow the Councillor to perform their duties.

Councillor Support Staff cannot assist with the Councillor's re-election or other 'campaigning' tasks.

Should a Councillor have concerns or dissatisfied with their Support Staff they must submit their concerns directly to the CEO who are responsible for managing support staff.

Complaints

A Councillor's failure to follow any Council Policy regarding Support contravenes the behaviour standards set out under the Code of Conduct for Councillors in Queensland and is considered inappropriate conduct. DSC Employees including support staff, other Councillors or members of the community may lodge complaints about suspected inappropriate conduct to the Office of the Independent Assessor.

Telephone: 13 620 722

Via Email: OIAcomplaints@oia.qld.gov.au

Human Right Complaints

When an individual feels that they are subject to Douglas Shire Councils failure to act compatibly with human rights, they can make a complaint directly to Douglas Shire Council. These complaints will be assessed against the *Human Rights Act 2019*.

Definitions

TERM	DEFINITION
Act	Shall mean the <i>Local Government Act 2009</i> .
Councillors	Mayor, Deputy Mayor and Councillors.
Councillor Administrative Support Staff (Support Staff)	An employee of Douglas Shire Council who assists the Mayor and Councillors in meeting the responsibilities of their roles.
Douglas Shire Council Employee	All persons employed by Douglas Shire Council on a permanent, temporary, or casual basis and includes persons engaged under a contract of service and volunteers.
DSC	Douglas Shire Council

Related Legislation

Local Government Act 2009

Local Government Regulations 2012

Electoral and other Legislation (Accountability, Integrity, and other Matters) Act 2020

Information Privacy Act 2009

Public Sector Ethics Act 2004

Human Rights Act 2019

Related Documents

The Code of Conduct for Councillors in Queensland

Employee Code of Conduct

Acceptable Request Guidelines Policy

Expense Reimbursement – Councillors Policy

Investigation Policy

Caretaker Period Policy

Policy Review

This policy is to be reviewed whenever legislation changes, or every 2 years if no changes have been required to be enacted, at the direction of the Chief Executive Officer.

Policy Details

Policy Name	Councillor Administrative Support Policy
Policy Number	79
Policy Version	1
Document Number	908581
Endorsed by	Chief Executive Officer
Policy Type	Council
Approval Authority	Council
Date Adopted	Date adopted at Council
Time Period	2 Years
Review Date	Approx. 3 months prior to next adoption
Policy Department	Governance
Link to Corporate Plan	Robust Governance and Efficient Service Delivery
Revoked/Superseded	N/A

This policy is to remain in force until otherwise determined by Council.