

<b>Title</b>	<b>Elected Members Communication</b>
<b>Policy Number</b> (Governance Purpose)	



## Policy Type

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Council

## Policy Purpose

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This objective of the policy is to:

- (1) Establishes protocols for communication between Elected Members and the administration.
- (2) Ensures the quality and consistency of information provided to the community and Elected Members.

## Policy Statement

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- (1) Communication between Elected Members and Staff
  1. Elected Members and staff interact in the following ways:
    - (a) At information briefings to Elected Members on matters of importance, including Council Meeting Agenda Briefings
    - (b) Via email
    - (c) Face-to-face meetings, by appointment
    - (d) Via telephone
    - (e) Via the Elected Member portal (LG Hub)
    - (f) At events conducted on behalf of the City of Cockburn
  2. The following staff positions are available for Elected Members to directly contact in relation to matters which impact their responsibilities:
    - (a) The Executive (CEO and Directors / Executive Manager)
    - (b) Media officers (Mayor only)
    - (c) Executive Assistants
    - (d) Manager Corporate Communications
    - (e) Senior Managers (as authorised by the Executive)
  3. Staff contact with elected members will be via the PA to the Mayor and Councillors, as agreed with their Director or the CEO.
  4. Such contact must not seek to be directive or influential in nature and will only result in outcomes which are mutually acceptable, or otherwise agreed upon by both parties

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(2) Authority to speak on behalf of the City/Council

1. Media Relations

- a) In accordance with the Local Government Act 1995, only the Mayor may speak on behalf of the City, or the CEO, if authorised by the Mayor and other officers delegated by the Chief Executive Officer.
- b) When speaking to the media as spokesperson for the City, the Mayor may only represent the official view of the City, having regard to the City's *Code of Conduct*, the *Local Government Act 1995* and the *Local Government (Rules of Conduct) Regulations 2007*.
- c) When speaking to the media or commenting on social media, elected members must avoid any perception that they are expressing the view of Council, unless it is to confirm a decision of Council.
- d) Elected Members when speaking to the media or commenting on social media against a Council decision, need to be cognisant of comments which could be construed as being in breach of the Local Government (Rules of Conduct) Regulations.

2. Representing the City at Functions and Events

- (a) The Mayor or, when unavailable, the Deputy Mayor, is the City's official representative at civic functions and events. In the event that neither is available for a specific event, the Mayor will nominate one of the following in order of preference.
  - I. Relevant Ward Councillor
  - II. Councillor with a specific interest
  - III. CEO (or delegate).

(3) Access to Information

1. Customer Requests for Service

- (a) Elected Members should direct all requests for service to [emrequests@cockburn.wa.gov.au](mailto:emrequests@cockburn.wa.gov.au)
- (b) Requests for service from the public via Elected Members should not be operational in nature.
- (c) Elected Members are to direct requests / complaints for operational service to the administration at [customer@cockburn.wa.gov.au](mailto:customer@cockburn.wa.gov.au)
- (d) Operational requests that are raised by Elected Members on behalf of a community member will be entered in [customer@cockburn.wa.gov.au](mailto:customer@cockburn.wa.gov.au) with the response being directly communicated back to the resident.

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## 2. Requests for information

- (a) Requests for information should be made via the CEO or relevant Director.
- (b) Requests for information in this regard are to be relevant to current Council business.
- (c) 'Current Council business' is usually a matter currently before the Council, or a Committee, or likely to come before the Council or a Committee in the future.
- (d) A request for information relating to non-current matters may be fulfilled if it does not cause an unreasonable workload for officers, thereby deflecting them from current Council business.
- (e) The CEO may impose conditions as to the use of information supplied, or as to access to or custody of documents provided, in response to a request.
- (f) Access to information will not usually be given to a Council or Committee member who appears to have a financial interest in a matter, beyond the information that would ordinarily be made available to a person under s 5.94 of the Act.
- (g) Information provided to one or more Elected Members will be offered to or provided to all other Elected Members, at the discretion of the relevant officer. Information not provided directly to members (in either hard or electronic copy) will be located in the Elected Members "Hub", as will all other documents proactively provided by the Administration.

## 3. Information Briefings

- (a) The CEO (or representative) will provide information briefings on Council Meeting Agendas and other strategic matters of interest to Elected Members. These information sessions will provide a high level overview of agenda items before Elected Members read the agenda in detail. Questions may be asked on the evening and further detailed questions relating to the agenda should be asked of Executive, after fully reading the agenda, in the time leading up to the Council Meeting.
- (b) Large and/or complex documents to be presented at the Council Meeting will be provided wherever possible, at least 10 days prior to the Council Meeting to give Elected Members sufficient time to read them.

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(4) Events and Meetings

City conducted events and meetings will be notified in Elected Members calendars as the City becomes aware of them, regardless of the format they are received in. This is limited to City run or hosted events.

(5) Maintaining Confidentiality/Embargoed information

1. Elected Members must not promote City information to the community that has not already been released or published, or until such time as the Mayor, as spokesperson for the City, has had an opportunity to speak.
2. The CEO, or representative, will advise verbally, or in writing if appropriate, where information is deemed to be confidential in nature. Such documents will be clearly marked 'confidential'.

(6) Related Statutory Requirements

The main statutory requirements relevant to Elected Member communications are referred to as follows:

1. *State Records Act 2000* requires that all correspondence, including email, relating to the business of the City and the Council, must be retained in the official records of the City.
2. Sections 2.8(1)(d) and 5.41(f) of the *Local Government Act 1995*, provides that only the Mayor may speak on behalf of the City (or the CEO, if authorised by the Mayor to do so).
3. Section 5.92 of the *Local Government Act 1995* gives the right of access to Council and Committee Members to any information held by the local government that is relevant to the performance of their functions.
4. *Freedom of Information Act 1992* requires the preservation of correspondence and its availability. This Policy does not affect any right of access to information under the *Freedom of Information Act*.
5. Section 5.93 of the *Local Government Act 1995* provides that an Elected Member (and employees) must not make improper use of any information acquired
6. Regulation 6 of the *Local Government (Rules of Conduct) Regulations 2007* provides for Elected Members to maintain confidentiality.
7. Regulation 7 of the *Local Government (Rules of Conduct) Regulations 2007* provides for Elected Members being required to refrain from using their position to secure advantage or seek to disadvantage others.

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