

POL	PROCEDURAL FAIRNESS	SC13
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POLICY CODE:	SC13
DIRECTORATE:	Executive Services
BUSINESS UNIT:	Executive Support
SERVICE UNIT:	Executive Support
RESPONSIBLE OFFICER:	Director, Governance & Community Services
FILE NO.:	182/001
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ATTACHMENTS:	N/A
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VERSION NO.	4

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DAPPS Meeting:	22 March 2012 28 November 2013 24 August 2017
OCM:	17 September 2002 12 April 2012 12 December 2013

BACKGROUND:

Measures need to be made to ensure the quality and integrity, including the impartiality and fairness, of the City's decision-making processes and to protect legitimate expectations as well as legal rights.

PURPOSE:

To describe the criteria of procedural fairness applicable to decisions that negatively affect an existing interest of a person or corporation, made by Council and its officers acting under Delegated Authority.

POLICY:

- (1) Council and its officers exercising Delegated Authority shall endeavour to ensure that decisions are based on relevant considerations and processes which are lawful and fair to all affected persons.
- (2) To this end, decision-making procedures shall conform to the following criteria, as are appropriate to the particular circumstances:

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1. Any discretionary decision that may adversely affect the rights of a person, shall only be made after that person has been provided with an opportunity to be heard;
2. Due regard shall be given to statutory and policy requirements, together with any other relevant considerations contained in public submissions or other material;
3. Irrelevant considerations shall be disregarded;
4. Decisions are to be impartial and made independently of, and without getting involved in or affected by, private disputes;
5. Affected persons shall, as far as is reasonably possible, and where appropriate, be advised of the basis on which, and the process by which, decisions are to be made.
6. All persons who make submissions shall be advised of the Council's or the Delegated Officer's decision including, in summary form, the reasons for the decision.