

GOVERNING WYNDHAM FRAMEWORK 2014

*This Governing Wyndham Framework complies with the
Charter of Human Rights and Responsibilities Act 2006*

Date of Council Resolution: 14 June 2016

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1. What is the Governing Wyndham Framework 2014?

Along with the *Councillor Code of Conduct 2014*¹, the *Governance Local Law 2013* including the *Meeting Procedure Protocol 2014*, this *Governing Wyndham Framework 2014* (the Framework) is a key governance policy document at Wyndham. This Framework forms an ‘umbrella’ of underlying set of ideas, principles, agreements and rules that outline how Wyndham has conducted its governance historically.

This Framework does not seek to duplicate policies such as the *Councillor Code Of Conduct 2014*, or the *Governance Local Law 2013*, or the *Meeting Procedure Protocol 2013* that Council is required to adopt and review under the *Local Government Act 1989* (the Act). These statutory policies summarise legislative and other requirements for how Council’s elected representatives – Councillors – interact with each other, as well as with Council staff and the community, inside and outside of formal Council Meetings.

This Framework is different yet complementary to these statutory policies. It incorporates other more detailed principles, agreements and rules that will ensure that Councillors, Council staff and other stakeholders are able to work effectively and in the interests of the entire Wyndham community.

The inter-relationship of these policies and practices is shown below.

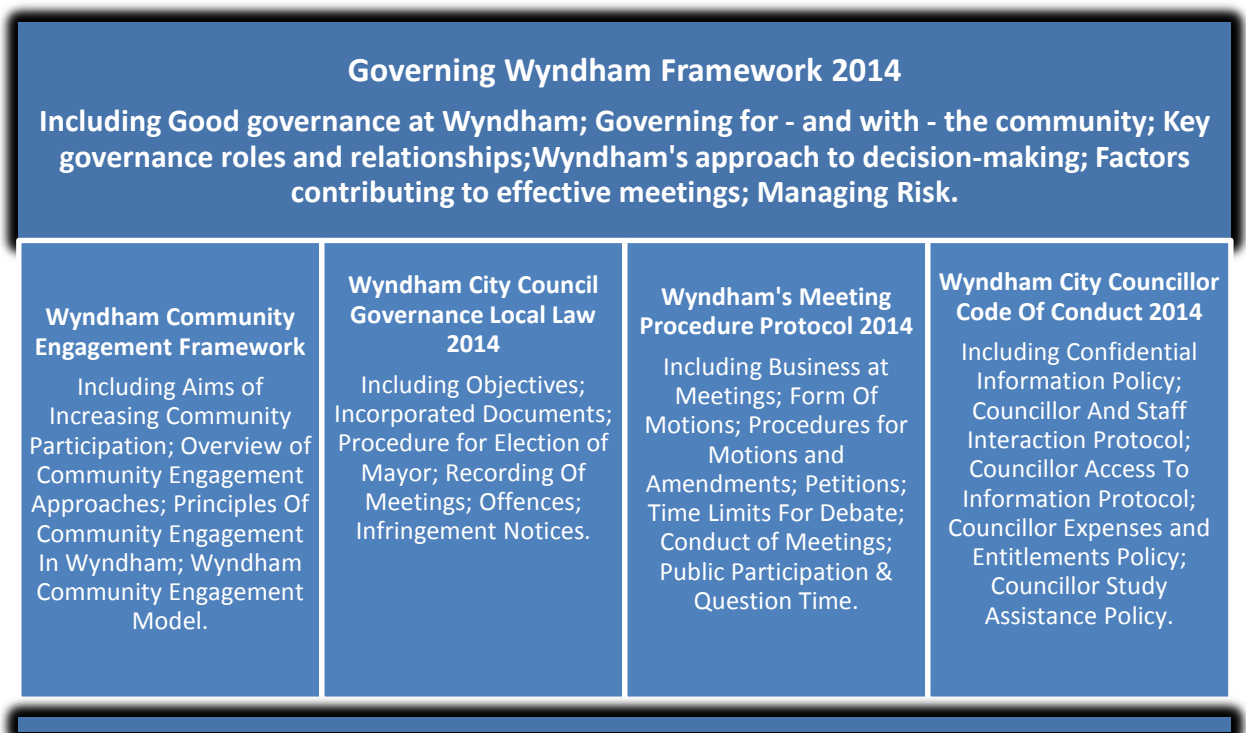


Figure 1: Inter-relationship of Wyndham’s good governance policies

¹ As adopted in October 2013, and as subsequently amended by Council on 22 September 2014.

At Wyndham, Council has placed a high priority on more effective engagement within and between Councillors, Council Staff and the community. Consistent with this priority, Council considered and then adopted a Community Engagement Framework and Model early in its term. The current Council expects the attached Community Engagement Framework and Model 2013-2017 to drive significant improvements in Wyndham's engagement practices with the goal of building community capacity, and the level of knowledge and ownership of Council's overall governance, and its key policies and strategies.

Other changes in governance policies and practices arising from these and other more detailed findings and governance workshops, include:

- Wyndham Exchange and listening posts
- A new Advisory Committee Framework including the creation of new high-level Portfolio Committees chaired by Councillor Portfolio Holders
- Restructured Organisational Briefings to ensure that information is shared earlier in the decision-making process, more discussion occurs on important issues and the nature and style of Council Staff presentations is improved; and
- Use of an electronic Information Portal.

2. Legislative framework

Councillors are provided with a working knowledge of key pieces of legislation including *the Local Government Act 1989*, the *Planning and Environment Act 1987*, the *Privacy and Data Protection Act 2014*, the *Protected Disclosures Act 2012*, the *Charter of Human Rights and Responsibilities Act 2006* and the *Equal Opportunity Act 2010*.

While the *Local Government Act 1989* is the principle piece of legislation covering Councils, Councillors and Council Staff, there are other relevant pieces of legislation that also include governance requirements that must be met.

These pieces of legislation are summarised below.

- **Planning and Environment Act 1987:** is the main piece of legislation governing land use planning in Victoria. It describes what Councils must and can do as Planning Authorities (in relation to planning schemes) and as Responsible Authorities (in relation to its role as deciding on planning permit applications)
- **Privacy and Data Protection Act 2000:** sets out Council's obligations (which apply to Councillors as well as Council staff) in relation to an individual's personal information. **Protected Disclosures Act 2012:** enables anyone to make allegations (or a disclosure) about a Councillor or a member of Council Staff. It should be noted that for transparency reasons, such disclosures are not determined internally by Council, as outlined in the *Councillor Code of Conduct 2014*
- **Equal Opportunity Act 2010:** Councillors and officers are subject to this Act. This means that Councillors and officers can also be the subject of complaints and discrimination, harassment and the like, and the
- **Charter of Human Rights and Responsibilities Act 2006:** applies to Councils that are required to act compatibly with human rights prescribed by the Charter.

3. Good Governance at Wyndham

Good governance at Wyndham is focussed on ensuring decision-making processes - supported by good governance policies and practices - are as transparent, responsive, effective, equitable, inclusive and participatory as possible. Council's good governance policies and practices range across a wide variety of themes, including:

- Community Participation: see in particular the Council's *Community Engagement Framework*
- Councillor and Officer Conduct: see in particular the *Councillor Code Of Conduct 2014*
- Meeting Procedures: see in particular the *Governance Local Law 2013* and the *Meeting Procedure Protocol 2013*
- Role Clarity: see in particular the *Councillor Code Of Conduct 2014*, and
- Good Working Relationships see in particular this Framework; as well as the *Councillor Code Of Conduct 2014*.

Benefits of practicing good governance

Council accepts that due to its unique leadership position in the Wyndham community, it is incumbent on Councillors and Council Staff to set high governance standards.

Another key benefit of practicing good governance at Wyndham is that this enables Council to gauge, and better meet, increased community expectations and the pressures of constant change and growth.

Council also accrues other benefits of practicing good governance, including:

- The ability to focus on being a values-driven organisation and Council, by observing and owning our Vision, Mission and Values
- Being responsive and responsible in representing the myriad of community views
- Demonstrating leadership for the governance of the municipality
- Focussing upon the clear Vision, Mission and Values as set down in the Council Plan
- Planning strategically so that decision-making is conducted in the best interests of the whole Wyndham community
- Taking responsibility for implementation and outcomes
- Being transparent, accountable and fiscally responsible
- Advocating the interests of the Wyndham community to other stakeholders, including governments
- Ensuring community needs are met through positive and constructive relationships, teamwork and communications between Councillors and Council Staff
- Respecting confidentiality

- Accepting the majority decision of Council, after fair opportunities have been provided to represent different community and Councillor views, and
- Improving community engagement processes to increase public participation on issues affecting the wide diversity of stakeholders.

4. Governing for and with the community

A key area of focus has been a desire to significantly improve the levels and nature of community engagement and satisfaction in Council's customer services. This has shifted focus firmly towards a commitment to community-centred governance approaches at Wyndham.

Another area of focus for Council is the increasing importance it places on the need to work with the diverse range of residents and other stakeholders in Wyndham, so they are engaged with Council's governance and decision making processes. Hence the current Council's priority is to govern for and with the community.

The importance of effective community engagement was also highlighted in recent reforms arising from the *Local Government Amendment (Improved Governance) Act 2015*.

Focus on community engagement

Community engagement arises out of many processes and interactions that occur between Council and the community. This is why the development and implementation of a Community Engagement Framework and Model was a key commitment of the *Wyndham City Plan 2013-2017*. The development of this new Framework and Model for Wyndham reinforces the importance Council places on community engagement and consultation in making informed decisions that impact on the communities of Wyndham. Key parts of this Framework and Model are summarised here, and the more complete Framework and Model are contained on pages 40-49.

By implementing a new Framework and Model, Council aims to:

- Increase opportunities for community members, organisations and service providers to participate in planning and policy development, service delivery improvements, and advocacy, in accordance with community priorities
- Implement community consultation and engagement to inform Council's decision making
- Engage with communities and individuals who are currently 'disengaged' through deliberative engagement strategies, and
- Develop a sustainable model of community engagement that builds local capacity and leadership.

Council's Community Engagement Framework is underpinned by a set of important principles, including:

- Purposeful engagement
- Availability and affordability
- Accessibility and equity

- Transparency and independence
- Valuing and respecting diversity
- Timely engagement
- Build community capacity
- Valuing community contributions
- Partnering, and
- Feedback and continuous improvement.

How Council approaches community engagement

Council will follow a ‘four directional’ approach that develops critical people and networks, builds connections within communities (social capital) and leverages the growth of capacity in communities.

This model (shown in Figure 2 below) utilises the IAP2² Spectrum of Public participation as a central concept. The IAP2 model commits Council to be clear about the purpose of the engagement, the process of decision making and what the community can expect from participating.



Figure 2: Wyndham Community Engagement Model

² The International Association for Public Participation (IAP2) has developed the Public Participation Spectrum to demonstrate the possible types of engagement with stakeholders and communities. The spectrum includes a promise to the public which is a commitment to be clear about the purpose of the engagement and what the community can expect. <http://www.iap2.org.au/about>

The above Community Engagement Model recognises that, at different times, communities need different levels of information, support and participation and diverse approaches to working with the community. This means, at times, 'outside experts' may be invited to talk to communities and at other times local leaders are identified as having a crucial role.

The model is holistic, allowing for a combination of strategies and techniques. For example, deliberative polling, household surveys, blogs, and listening posts might all be used to explore broad community sentiment about a key issue. This combination of methods and multiple data sources (triangulation) helps make results more valid. That is, themes may emerge from a variety of sources, giving increased credibility and confidence in the findings.

Developing community engagement capacity and leadership

Council supports the development of a comprehensive approach to identifying and developing local community leaders to build ongoing capacity in communities. Sometimes Council leads, facilitates and brokers solutions, and sometimes the community drives and initiates these solutions.

Council has also identified ten groups within the Wyndham community that experience potential disadvantage and social exclusion and, as a result, require particular attention to ensure their participation in Council's engagement processes. These groups include:

- Young people
- Children
- Women
- Older people
- Indigenous people
- People with a disability
- Gay, Lesbian, Bisexual, Transgender and Intersex communities (GLBTI)
- Culturally and Linguistically Diverse (CALD) and newly emerging communities
- Sole parent families, and
- Unemployed people.

5. Key governance roles, responsibilities and relationships

Introduction

Good governance at Wyndham relies heavily on Councillors, Council staff, the Wyndham community and other stakeholders being clear about their role and responsibilities, and supporting positive and constructive relationships with each other.

Role and relationship clarity facilitates the efficient and effective use of Council resources which are then applied to meeting community needs.

The Wyndham approach to good governance between all these parties allows easy and productive interaction.

There are key non-statutory governance policies and protocols included in this Framework (in subsequent sections), as well as in the *Councillor Code Of Conduct 2013* that outline the best way to regulate and maximise these interactions including but not limited to:

- (1) *Confidential Information Policy 2013*
- (2) *Councillor Events, Invitations and Administrative Support Policy 2014*
- (3) *Councillor-Staff Interaction and Email Policy 2014*
- (4) *Councillor Access To Information Protocol 2013*
- (5) *Councillors Signing Correspondence Protocol 2014*
- (6) *Election Period Policy 2016*
- (7) *Media Relations Policy 2013*
- (8) *Privacy Policy 2013*, and
- (9) 2014.

What is unique about governance in local government?

Other levels of government benefit from very formal and strict structures to govern and manage the roles, relationships, behaviours and processes between elected representatives of the 'government and the opposition'.

Governance in the local government setting - and also in the Wyndham context - is very different. The interaction of opposing views or 'government and opposition' is practiced on a regular basis without such strict structures and rules applying.

This unique governance context places enormous importance on the need at all times to be clear about different roles and responsibilities, and to promote and contribute to positive relationships and genuine teamwork, even when different views are held. Another key difference at Wyndham is the heavy and dynamic partnership with, and reliance on, Council staff to implement decisions of Council. As distinct from other levels of government, there are no directly employed administrative supports and services available to individual

Councillors at Wyndham (other than the Chief Executive Officer (CEO) who is responsible under the Act for all staff directions).

At times this can lead to disagreements between Councillors and Council Staff about their legislated and other roles, and this sometimes places pressure on this key governance relationship. Pressures may also arise if there is no clarity about how and whether new and emerging priorities outside the Council Plan and other Strategic Planning processes can be met.

All of these factors place even greater importance on the observance, maintenance and ongoing and frank review of key governance relationships between and among Councillors, Council Staff and the community.

In summary then, the highest level of teamwork at Wyndham occurs as a result of Councillors and Council Staff demonstrating mutual respect and co-operating with each other to achieve Council's goals and implement Council's strategies. This teamwork is also supported at Wyndham through a sophisticated understanding of the strengths and limits of each other's roles and responsibilities. Council Staff are accountable through the CEO to the Council. Councillors provide the vision for the community and the policy framework for the organisation to implement.

Regular and ongoing review of governance performance

Successful governance at Wyndham relies upon honest and respectful interactions between Councillors, Council Staff and the community. It is critical Council regularly reviews its governance performance. This is especially valuable when there is a lack of clarity about roles and relationships, and the need arises to mediate between competing demands.

Conversations where Council and Council Staff jointly and separately review their governance performance can be both complex and challenging, but the results have been very strong. Further detail concerning Council's commitment to these discussions is contained in Section 15 of the *Councillor Code of Conduct 2014*.

High-level commitments regarding Councillor and Council staff roles and relationships

Before exploring the range of key governance relationships between and among Councillors and Council Staff in more detail, it is useful to first outline a set of higher-level commitments that Councillors and Council Staff will follow to promote effective relationships.

To promote role clarity and support of effective relationships, Council Staff commit to:

- Accept that decision making occurs at Council and through formal instruments of delegation
- Respect the right and responsibility of Council to question recommendations and reports from Council Officers, and to disagree with them if they wish

- Understand the information requirements for good decision-making as directed by the CEO, and provide information to Council accordingly
- Understand that Councillors operate in a political environment, and therefore bring their own perspectives to issues
- Understand that they are accountable for implementing decisions made by Council, and
- Implement decisions of the whole Council and not the directions of individual Councillors.

In order to promote role clarity and support effective relationships, Councillors commit to:

- Accept that their role is a leadership one, and that this role is fundamentally different from other roles such as managerial and administrative roles
- Acknowledge that the CEO is responsible for all staffing matters (including directions) and discussions on these are best had in private with the CEO
- Acknowledge that they have no individual authority to commit Council to any expenditure
- Refrain from using their position to improperly influence members of staff in their duties or functions or to gain an advantage for themselves or others
- Refrain from publicly criticising staff, and
- Treat Council Staff in ways that engender mutual respect at all times.

Relationships between Councillors

At Wyndham, each Councillor is required to play an active and supportive part in ensuring that good governance relationships exist in the Councillor team.

Councillors have a responsibility to express their views and opinions, while striving for constructive relationships within the Council team. Councillors will work to resolve differences wherever possible, while respecting the right of Councillors to hold and express differing views, especially in the decision-making process. Notwithstanding our legislative obligations as Councillors, as well as the range of expectations outlined in the *Councillor Code Of Conduct 2013*, Councillors also commit to:

- Model and practice trust and respect of other Councillors
- Attend all Council Meetings and voting, except where they are prohibited from doing so under the Act
- Attend as many Organisational Briefings and other Assemblies of Councillors to remain informed and briefed by the Council staff and others
- Comply with all laws and regulations
- Act in concert with the agreed wishes and intentions of Council after decisions are taken, and alternate views are heard, and
- Encourage fair and reasonable practices and processes and sensible behaviour.

Relationship between the Mayor and Councillors

The Mayor and Councillors at Wyndham work together as a professional and constructive team.

Both the Mayor and Councillors share responsibility for ensuring good decision-making occurs through leadership, support and the early resolution of any conflicts. These obligations are covered in greater detail in the *Councillor Code Of Conduct 2013*, especially Section 16: Internal management of Councillor conduct..

Councillors at Wyndham also respect the role of the Mayor by accepting their leadership and cooperating with the Mayor and other Councillors for the benefit of the community.

Relationship between Ward Councillors

At Wyndham, Councillors are democratically elected in 3 Multi-Councillor Wards (currently the Chaffey, Iramoo and Harrison Wards). While individual and/or Ward Councillors are not able to direct Council Staff, and decision-making is undertaken on a whole of community basis, there are a range of commitments Ward Councillors make at Wyndham to support effective relationships with a focus on meeting more local needs. Councillors will:

- Regularly attend and positively contribute to local Reserve Working Group Meetings, and following the agreed Terms Of Reference for these meetings
- Make media statements on issues which affect their wards consistent with Council's agreed Media Relations Policy and other relevant protocols
- Advocate responsibly to Council on behalf of local constituents, within the framework of good governance, and use appropriate forums and focussing on issues rather than personalities
- Recognise and support the legitimacy of Ward Councillors getting publicity on local issues, and balancing this with requirements of their *Councillor Code of Conduct 2014* and the *Media Relations Policy 2013*, and
- Keep other fellow Ward Councillors informed of mutual issues of interest including diary invitations and community developments.

While the voting and representative structures inherent in the Multi-Councillor Ward structure promotes competition, Councillors accept that this competition must be conducted within the rules of engagement laid down by the Act, this Framework and other statutory and non-statutory policies and protocols.

Finally, it is noted that at Wyndham Ward Councillors (or individual Councillors) do not have any role in allocating or nominating Council funds to any person, organisation or fund.

Relationship between the Mayor and the CEO

A productive relationship between the Mayor and the CEO promotes understanding, positive relationships and continuous communication between Councillors and Council Staff. This relationship is critically important to meeting the community's needs and the Council's goals.

The Mayor and the CEO have a responsibility to communicate regularly and effectively. Information privy to each office is often important for the other, enabling both leaders to develop well-rounded, efficient and effective strategies for Council to consider.

Mutual trust is a vital ingredient in the Mayor/CEO relationship. Wyndham has always promoted the 'no surprises' principle as a keystone in the relationship, ensuring an open environment. Neither role should be caught off guard in any forum by a decision or stance adopted by the other.

Role clarification is perhaps more vital in this relationship than in any other. The Mayor should support the authority of the CEO established in the Act, which is vital to the proper functioning of the organisation. In turn, the CEO should acknowledge and reinforce the leadership and status of the Mayor as the first among Councillors.

Relationship between Council and the CEO

The CEO is formally accountable to the whole Council as its employee. Councillors, sitting as Council, are therefore responsible for both employing the CEO and managing their performance, with the assistance and advice of the CEO Performance Matters Committee.

A sub-committee of Council is established at Wyndham to formally and regularly review the performance of the CEO. Clear performance criteria are established in the contract between Council and the CEO and the performance review is used to establish adherence to these criteria.

While this formal relationship is very important, it is equally important for councillors and the CEO to individually and collectively promote positive working relationships. More than any other Council staff member, the CEO is likely to have the most contact with Councillors. Therefore there needs to be a very high level of trust between them.

6. Natural justice

At Wyndham, Council is always mindful of making decisions in an ethical manner, guided by our Vision, Mission and Values and the *Councillor Code Of Conduct 2014*.

Council also strives to follow two rules of natural justice, including:

- All sides of an argument should be given a fair opportunity to be heard before a decision is made, and
- The decision maker must not have predetermined the matter or be perceived as having predetermined the matter.

At Wyndham, Councillors therefore commit to:

- Ensure they consider all the available arguments and information before finally making a decision on an issue
- Demonstrate they are 'capable of being persuaded' by the advice they receive, and
- Adhere to conflict of interest and other relevant decision-making policies and requirements as prescribed in the Act.

This doesn't mean they must follow the advice. They must, at the very least, be able to demonstrate that they have considered it. Just as importantly, natural justice does not prevent Councillors at Wyndham from having opinions on upcoming matters and stating their views during election campaigns.

Having a view on something doesn't mean that a Councillor is incapable of delivering on natural justice doctrines and obligations.

Councillors at Wyndham will ensure they will impartially consider the evidence and advice that may, or may not, support their view, during the formal decision-making process.

Further detailed guidance on principles of unbiased decision-making that support the practice of natural justice at Wyndham are included in a Guide provided to Councillors and produced in April 2013 by Local Government Victoria - *Ensuring Unbiased Democratic Council Decision Making*.

7. Wyndham's approach to decision-making

Introduction

Council decisions are taken in several ways, and the main decision-making process happens in formal Council Meetings – particularly the monthly Ordinary Council Meetings or Special Council Meetings.

The Wyndham community is invited to these public meetings, unless one of the following reasons applies and matters need to be heard privately and in confidential business:

- Personnel matters
- The personal hardship of any resident or ratepayer
- Industrial matters
- Contractual matters
- Proposed developments
- Legal advice
- Matters affecting the security of Council property, or
- Any other matter which Council or a special committee considers would prejudice Council or any person.

A major exception to decisions being made at formal Council Meetings is when Council delegates decision-making powers through the CEO or others to Council Staff, particularly for operational matters. These delegations are necessary as it is impractical for every issue or operational implication to be considered at the monthly Ordinary Council Meetings. Wyndham complies with its obligation to review its Instrument Of Delegation within 12 months of each election. There are several operational policies and procedures that guide the discretion of Council Staff to make operational decisions from day to day. These delegations from Council, through the CEO to Council Staff, are open to public scrutiny, and the reasonable balance between Council's ultimate decision-making powers and Council Staff's role to implement these decisions, is transparent.

The 'no surprises' governance rule supports Wyndham's decision-making

The no surprises governance rule is commonly followed in government, non-government and corporate organisations and boards for a number of reasons. Two primary reasons include:

- It improves the efficiency and effectiveness of a governing team or group, and
- It minimises dispersed energy or 'wheel spin' which wastes time and money of all involved in governing and making decisions.

Given the closer working relationships between Councillors and the Executive Management Team, this in-principle agreement has developed into a valuable and solid convention.

At Wyndham, all parties agree that the no surprises governance rule is also essential to give the community confidence in Council's decision-making. This arises from the community's legitimate expectation that Councillors and Council Staff will follow a set of sound governance practices that ensure they work effectively together to meet community needs. Residents and other stakeholders have shown little patience for dispersed energy and destructive game playing.

The no surprises governance rule has underpinned and supported Council's more formal governance practices in Council Meetings such as Petitions, Notices Of Motion and other governance practices of the *Governance Local Law 2013* and *Meeting Procedure Protocol 2013*. However, until now, a set of commitments that support this rule have not been documented for other interactions outside of formal Council Meetings. Some examples of these less formal yet critically important interactions include Assemblies of Councillors such as Organisational Briefings.

Before outlining these contemporary commitments, it is important to first state that Wyndham's interpretation and practice of the no surprises governance rule is not meant to stifle debate or alternative views. These debates and alternative views have always held a legitimate place in Wyndham's constructive governance, and this Framework and associated policies and protocols support the important democratic principle of hearing alternative views.

A range of commitments have emerged and will continue to support the application and interpretation of the no surprises governance rule between. Councillors and Council Staff commit to supporting the no surprises governance rule as it is practiced at Wyndham, and will:

- Act in the best interests of the Council and the Wyndham community
- Proactively seek and acknowledge each other's views
- Balance different points of view with open-mindedness and flexibility
- Build and support close, robust and professional but independent relationships
- Ensure all parties are aware of issues that they wish to raise
- Communicate with each other openly, proactively and transparently
- Take all reasonable measures to ensure that at an early stage, they are aware of any issues across Wyndham that are likely to affect them or have any potential to be controversial
- Ensure that important decisions are to come to the full Council, as early and with as much information as possible
- Facilitate full and regular reporting to Council on important projects, from scoping to implementation, so Council is aware of emerging risks
- Respectfully support robust enquiry

- Respect the independence required for the CEO to do their job and for the Council to maintain objectivity in reviewing the Council Staff's recommendations and performance
- Establish precise and distinct expectations for each other, including clear objectives, and the need for all to keep their promises
- Establish and regularly communicate distinct roles and responsibilities
- Demonstrate humility, self-awareness and a low-ego approach
- Bring a genuine level of intellectual and professional humility to each interaction with each other
- Be self-aware of their strengths, weaknesses and limitations
- Be comfortable with having their different points of view rigorously, yet respectfully challenged, and
- Demonstrate honesty, trust and transparency, including disclosure concerning their underlying concerns and motivations.

Balancing different needs with whole-of-community interests

At Wyndham we focus on balancing the needs and interests of specific groups with the needs and interests of the whole community. While the requirement in the Act for Councillors to "...impartially exercise his or her responsibilities in the interests of the local community," may sound straightforward, it is often far more complex. When playing their legitimate representative role, Councillors will sometime be representing the different views of some in their local community, regardless of whether these vary from their own personal views.

Community and/or Councillor views can also clash with whole-of-Wyndham interests. A transparent and healthy airing of these views prior to making decisions gives the Wyndham community confidence that their views have been considered.

Key strategic decision-making approach supports Wyndham's governance

One important way Wyndham makes decisions in a planned, sustainable and orderly manner is by using a set of steps and processes before it adopts key documents such as the City Plan, Council Budget, and the Strategic Resource Plan. This can also be referred to as a strategic decision-making approach. By following a strategic decision-making approach at Wyndham, we are able to be clear about which of the 4 decision-making stages we are in during Council's decision-making processes:

1. Setting the agenda and clarifying Council's role
2. Information gathering and advice
3. Forming opinions, and
4. Making decisions.

At Wyndham, the previous and current Councils have placed an increasing priority on more effective engagement within and between Councillors, Council staff, and the community. Consistent with this increased priority, the new Council also adopted a Community Engagement Framework and Model early in its term, as it expects this to drive improved community engagement and ownership of key documents.

Strategic planning processes also ensure a maximum amount of logical and considered advice and information is brought to the table to assist Council to make decisions.

Setting the agenda and clarifying Council’s role

Council realises that it cannot deliver on the Wyndham community’s vision on its own. Depending on the matter at hand, a key component of planning strategically is to first clarify what role (or mix of roles) Council can, or should be playing.

Council often has to discuss whether to perform one or more of the following key roles in any particular policy or service area, before it can move into considering whether it is able to perform these roles within the resources it has available to it:

Council’s role	Council will	Example
Leader	Lead by example	Demonstrate local leadership in water and energy efficiencies
Service Provider	Deliver services to meet community needs	Home and Community Care services to the aged and those with a disability
Partner	Contribute staff time or funds	Work with Government and other organisations to deliver major capital works projects
Facilitator/Broker	Promote City, area, service gap to market to fill need; and bring together those who have a stake in an issue	Meet with mental health service providers to establish a youth counselling service
Advocate	Proactively make representation to State and Federal Governments on key issues for Wyndham	Advocate for more public transport services (buses, trains)
Regulator	Take direct legal responsibility	Conduct inspections of local food premises and issue

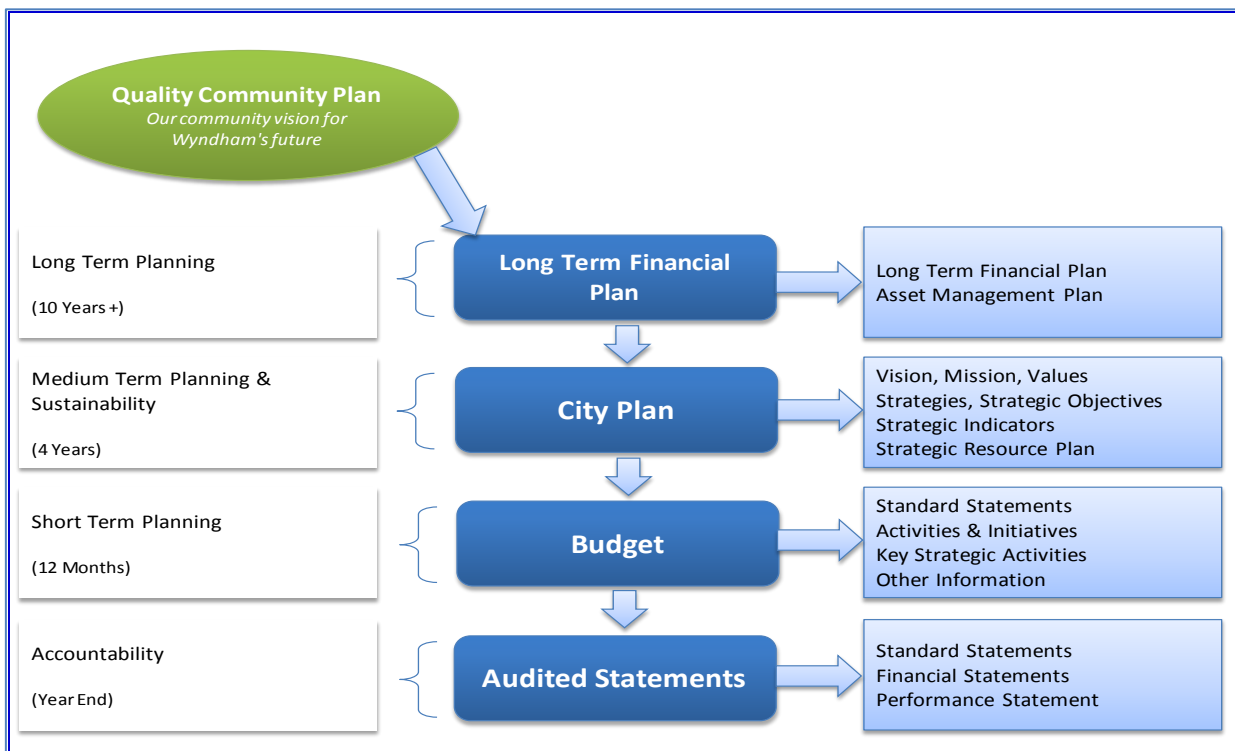
By adopting another new priority early in its term– the Wyndham Community Engagement Framework and Model - the current Council expects to drive even greater community engagement and participation in these processes and ownership of these key documents.

Financial governance policies

This Policy outlines particular arrangements and obligations that are in place at Wyndham for the effective governance of financial matters by Council and Council staff.

Inter-relationship of key financial reports

There are a number of key financial reports which enable Council to manage its finances and the inter-relationship of these reports is outlined in the diagram on the next page.



Related policies

As well as legislative guidance in the Local Government Act 1989, there are other general governance policies that relate to and guide the roles and interaction of Councillors and Council staff on financial matters, such as:

Councillor Code of Conduct

- Staff-Councillor Interaction and Email Policy
- Section 3 – Ethical behaviour and Wyndham’s Vision, Mission and Values

- Section 4 – Role of Council, Councillors and the Mayor
- Section 5 – Legislation re: Councillor Conduct and Interests, and
- Section 6 – Additional principles for Councillor behaviours and obligations

Governing Wyndham Framework

- Section 6 (d) – High-level commitments regarding Councillor and Council Staff roles and relationships
- Section 8 (d) – Key strategic decision-making approach supports Wyndham’s governance, and
- Section 9 – Managing Risk.

Role of Council

One of Council’s key roles is the overall accountability for the Council’s finances as per section 3D(2)(c) of the Local Government Act 1989:

“... maintaining the viability of the Council by ensuring that resources are managed in a responsible and accountable manner.”

At the highest level, Councillors (sitting as the Council) are accountable to ensure that:

- Modern and robust computer-based financial systems are in place
- Suitably qualified and experienced staff are available to manage the finances, and
- There is a suitably qualified and appropriately independent internal Audit and Risk Management Committee in place.

As per its legislative obligations, Council is also accountable to ensure the consideration, passage and periodic review of key financial reports including a Strategic Resource Plan (SRP) and an Annual Council Budget in accordance with sections 126-130 of the Act, inclusive

Following the development and adoption of these key financial reports, Council also needs to satisfy itself that there are opportunities for:

- Regular financial reporting by Council staff, and
- To ask questions that will provide it with the information it requires to meet its financial responsibilities.

Therefore, Council’s most important obligation is to focus on the important strategic and policy issues relating to the SRP and the Annual Council Budget. The Council does not, however, micro-manage the finances. At Wyndham, Council receives, discusses and adopts the following timely financial reports to ensure that Council’s finances are on-track:

- A Financial Management Report on a quarterly basis that compares actual and budget revenues and expenses, and
- A Mid-Year Budget Review including a reforecasting of the budget based on the known performance over the first six months of the financial year of general operational as well as Capital Works expenditure.

Role of the CEO and Director City Transformation

A key accountability of the Chief Executive Officer (CEO) and the Director City Transformation is financial management. While Council has the overall accountability, the CEO, and Director City Transformation as well as other key Council staff have responsibilities for financial planning and management, and for providing regular reports to Council to enable them to make informed financial decisions.

Councillors' Role in developing the Strategic Resource Plan

Because Councillors (sitting as Council) are responsible for the SRP, they will:

1. Ensure there is a good process for developing the SRP, including their involvement at an early stage to ensure their visions and views are taken into account prior to being endorsed
2. Understand the assumptions and strategies underpinning the SRP, as well as the key factors contributing to costs and income
3. Ensure the community is invited to participate in the development and adoption of the SRP, and
4. Ensure that the SRP is reviewed annually.

Councillors at Wyndham will focus on the important strategic and policy issues encompassed by the SRP, which may include ensuring it has satisfactory answers to the following strategic questions:

- Is the council financially viable into the future?
- Is Council's Rating Strategy encompassed in the SRP?
- Is Council's Rating Strategy (e.g. levels, mix and differential rates) acceptable and appropriate for Wyndham and does it reflect how our community is developing?
- Are we meeting our and financial reporting requirements?
- Do we have appropriate user fees and charges?
- Are we recovering costs appropriately?
- Are we complying with government policies?
- Have we exhausted all avenues of grant and other non-rate funding?
- Should we borrow for Capital Works and/or fund them from revenue? What are the implications of our decision for the level of Capital Works and infrastructure maintenance?

- Can the current level of debt management be sustained?

Councillors’ Role in developing the Annual Budget

Councillors have endorsed a highly iterative Annual Budget preparation process to ensure that they have the appropriate high-level input into budget development. This annual process is outlined below:

Annual Budget process	Indicative Timing
1. Pre-budget submissions received from the community	January-February
2. Review of pre-budget submissions from the community and Councillors	February
3. Officers update Council's long term financial projections	February
5. Officers prepare draft operating and capital budgets	February-March
6. Council considers drafts at organisational briefings	April
7. Proposed budget submitted to Council for approval and further community engagement processes undertaken	May
8. Budget available for public inspection and comment	May
9. Public notice advising intention to adopt budget	May
10. Submissions period closes	June
11. Hearing of submissions	June
12. Budget and submissions presented to Council for adoption	June
13. Copy of adopted budget submitted to the Minister	August

This process ensures that the Annual Budget for the next financial year is adopted by the end of the current financial year.

Because the Annual Budget links with the Council Plan and the SRP, Councillors are made aware when there are significant differences and understand how this will affect both plans.

Council is also made aware of the assumptions around issues such as debt management, its Rating Strategy, Fees and Charges Strategy, Capital Works and other key developments that are likely to affect Council’s finances.

While a Councillors’ role is to primarily focus on the strategic and policy elements of the budget, they will also naturally be interested in some specific projects and issues. Any tensions that may arise will be recognised and, subject to the CEO’s role to direct Council staff, Councillors will be

provided with the information and time to address their concerns so long as this relates to their decision-making roles. Other related governance policies and processes can be followed in these instances, and include:

- *Councillor-Staff Interaction and Email Policy 2014*
- *Councillor Access To Information Protocol 2013*, and
- *Confidential Information Policy 2013*.

Councillors at Wyndham will focus on the important strategic and policy issues encompassed by the budget:

- Has the Annual Budget been prepared within the framework provided by the SRP? If not, what are the consequences for the SRP? Will it be reworked to incorporate the long-term impact of current decisions?
- How can information be presented to enable us to make the appropriate informed decisions?
- Is the proposed level of debt management appropriate?
- What opportunities will we have to work through the key issues?
- Will the community have opportunities to provide input into the budget early in the process?
- Is the income from Council Rates envisaged in the SRP still acceptable?
- Is Council's Rating Strategy reflected in the proposed Budget?
- If differential rates are proposed, do they meet statutory requirements?
- Does the Annual Budget deliver the Council Plan outcomes envisaged?

Financial reporting – why it is important

Councillors need to be confident that the financial information presented to them by Council staff is robust and accurate. It should be presented to them in a way that is simple and easy to understand. It should also be supported by appropriate independent advice and evidence, as required.

At Wyndham, the Audit and Risk Management Committee also provides validity and assurance to Council's financial monitoring processes. It also ensures there are no significant surprises for either Council or the administration.

Councillors' responsibility for financial reporting

Councillors are collectively responsible for the overall financial viability of the council. They exercise this accountability through careful review of any significant variances in the Annual Budget.

Council's accountability is for the big picture and this should be its focus.

Councillors cannot simply rely on the assurance from the administration that all is well. As they are ultimately accountable, they must ensure they understand what 'all is well' means. If it turns out that all is not well, then Councillors will be under scrutiny.

Monitoring performance against budget

Reporting should have a whole-of-council focus. In other words, council should be getting the big picture.

Favourable and unfavourable variances need to be highlighted in a way which helps Councillors understand the impact of the variances on the budget and what remedial action can be taken. Therefore, the Financial Management Report will include analysis and insightful commentary on the key variances, as well as a statement about their impact on the full-year's figures.

The Council also needs to ensure that the budget has been properly adjusted to take into account regular patterns in expenditure and income. Councillors need to check that the actual figures are reconciled and prepared on an accrual basis. While these are accounting concepts, Councillors need to satisfy themselves that the information they are given reflects the real situation. A handy prompt is cash in the bank. If this is fluctuating wildly or reducing over time without proper explanation, Councillors are entitled to be concerned.

A financial report should not be reviewed in isolation. It should be seen in the context of other KPIs, which relate to achievement of the Council Plan and other Council goals.

Annual Financial Statement

The Annual Financial Statement is an important reflection of Council's stewardship of financial resources over the past year.

It is one of a series of important components of the annual report that measure Council's performance.

Councillors need to be certain that the Annual Financial Statement and accompanying report will help them understand what is happening by asking the following questions:

- Is it based on reliable data? Are there lots of end-of-year adjustments? Are the explanations for these acceptable?
- Are appropriate strategies being put forward for addressing significant end-of-year variances when future budgets are prepared?
- Are councillors confident in the audit process?
- Are the auditors raising lots of important issues?
- Is a consistent reporting framework being used?

Gathering information to inform Council's decision-making

Once Council has decided on its role, and the financial and other implications of this role, the next critical step in the decision-making process involves gathering of information.

This is where Council Reports come into play. A Council Report is the means by which Council is provided with information and advice. These reports are prepared by Council Staff and will generally contain pertinent data, issues, options and implications and these assist Council to consider the matter more fully.

At Wyndham, the governance practices followed ensure that there are key features in these Council Reports, including that they should:

- Not be biased or deliberately oriented to a particular political view of Council Staff
- Clearly articulate when other levels of government or stakeholders share responsibility for, or are impacted by the issues raised
- Clearly outline the financial and resource implications
- Clearly outline the internal and external consultation undertaken, or required in the future
- Clearly outline the options and recommendations of Council Staff for consideration by Council
- Contain fearless and frank advice, and
- Genuinely and impartially evaluate the effectiveness of the proposed recommendations.

Councillors will not attempt to influence recommendations in Council Reports in order to further their individual aims. Councillors will seek to persuade a majority of their colleagues to support their ideas and aims, as opposed to influencing Council Staff to make recommendations that accord with their own views, which may be in breach of the requirements in the Act not to improperly influence or direct Council Staff.

Forming opinions and the role of Organisational Briefings

Organisational Briefings at Wyndham are held regularly (every week) and are the core Assembly of Councillors as defined in the Act. They involve all Councillors, the Executive Management Team and relevant Council Staff.

These Organisational Briefings ensure that Council is well informed and in a position to consider and debate the issues once they are presented to a formal Council Meeting.

Other features of these Organisational Briefings at Wyndham include that they:

- Occur at various stages in the decision-making process leading up to the formal Council Meetings
- Assist Councillors to determine whether they have sufficient information and advice to help them form an opinion about the matters at hand

- Are generally held in private so Councillors and Council Staff (as well as any invited guests) are able to openly question Council Staff about the information they have been given, seek further information and float ideas
- Consider which stakeholders are likely to be affected by Council's decision and the views of these stakeholders, and
- Do not include final decisions that pre-empt consideration at the formal Council Meetings.

If Organisational Briefings are conducted well, they support the decision-making stage to be more efficient. Councillors are then likely to have sufficient information and knowledge of the consultation processes to enable their decision-making at a Council Meeting.

In addition to addressing specific policy issues and options before Council, at Wyndham these Organisational Briefings are also used to discuss:

- Other matters such as governance issues, and
- When it is appropriate to receive representations by community members or other presenters about Council-related activities.

Requesting information outside of Organisational Briefings

Councillors will receive the majority of information they require through the processes outlined in this Framework. At Wyndham there are other key policies and protocols that guide how they can receive other information and advice to make decisions, including those incorporated in the *Councillor Code Of Conduct 2014*, including:

- *Councillor-Staff Interaction and Email Policy 2014*
- *Councillor Access to Information Protocol 2014*, and
- *Confidential Information Policy 2013*.

When requests for information outside of Organisational Briefings are made at Wyndham, Councillors will request information in an appropriate manner via 'Councillor Support'. It is equally important that Council Staff are responsive as Councillors largely rely on them for information and other kinds of support. In these circumstances:

- Councillors will ensure their requests for information or reports are legitimate, lawful, and related to their role, and
- Requests which appear to be trawling Council files and information or 'fishing expeditions' are neither appropriate nor generally legal.

Once requests are made through the CEO, Directors or Managers and these requests can be viewed as legitimate and assessed by answering the following questions:

- How much work will be involved in meeting the request?
- What kind of information is required?

If a request can be easily met without a considerable amount of extra resourcing, then the request should be met. On the other hand, if it is resource-intensive, and as the CEO is the only person authorised under the Act to direct Council Staff, it should first be considered by the full Council and if agreed by the full Council. A request for a Council Report will be pursued.

This can become a governance challenge when an individual Councillor makes continual requests for information claiming that it is essential for his or her role. This is often seen as troublemaking and is overruled by the majority of Councillors, which can also have a negative impact on relationships. In these situations, the CEO and the Mayor's roles are critical, as is the need to balance relationships between Councillors and Council Staff.

At Wyndham, a central register will be kept of all individual Councillor requests for information, in the interests of transparency and sharing of information. Any information made available to an individual Councillor is available to all Councillors.

Making decisions through effective meetings

The meeting rules set down for all formal Council Meetings are based on legislative requirements and are included in Council's *Governance Local Law 2013* and *Meeting Procedure Protocol 2013* which were reviewed and amended in September 2014. These rules are important because they provide clarity for Councillors and the community, and because, if followed, they ensure decisions comply with Council's statutory requirements and are therefore legal.

Rules contribute to effective Council Meetings. However, there are also a number of high-order principles Wyndham applies to Council Meetings that are worthy of specific mention here. These principles stand out because Council believes they underpin good governance and provide the community with confidence that they can follow and understand our decision-making, and that these decisions can stand up to scrutiny.

These principles include:

- The no surprises governance rule is critical to the successful conduct of Council Meetings
- New matters should not be introduced as items of Urgent Business, General Business or Notices Of Motion unless Councillors and the CEO have had the opportunity to consider them first
- An Officer's Report should be requested and provided for all items listed in General Business
- Urgent Business items must genuinely be urgent in nature
- Notice of Motion that have the effect of reversing a policy, resource or budget decision already taken by Council are not valid

- There are generally better ways to achieve goals than to over rely on Notices Of Motion as this does not allow for the second (gathering information) and the third (forming an opinion) stages of Council's decision-making processes to work effectively,
- Only abstaining from voting sparingly, and
- If a Councillor uses a Notice Of Motion for a significant matter, it is best that the motion request a Council Report from Council Staff to be considered at a subsequent Council Meeting.

Key factors that contribute to effective meetings

Good decision-making is enhanced when meetings are well run and all present are committed to working constructively.

There are also many other contributing factors. Most important of these factors is a commitment from all present to the highest possible standards in behaviour, including:

- Understanding, honesty and respect will be maintained at all times
- A willingness to be open, to listen, to learn and to modify or change views in the light of debate, discussions or others' opinions
- Reaching the best decision for Wyndham and its community and acknowledging that this transcends any obligation to any person, party, group or faction, and
- A willingness to respect and welcome differences and constructive debate.

In relation to abstaining from voting, this practice is discouraged at Wyndham. This is consistent with advice from Local Government Victoria who state that:

*"While no penalties apply where a Councillor chooses to abstain from voting, the decision to do so should not be taken lightly. Not participating in decisions taken by Council is an abrogation of a Councillor's responsibility to represent the community. Abstentions also serve to undermine the role of Councils in providing governance and leadership through effective decision making."*³

How the Chairperson contributes to effective meetings at Wyndham?

The Chairperson is the most influential person at a meeting, either ensuring control to produce effective meetings or allowing the meeting to be distracted by irrelevant discussion, which obscures and delays the decision making process. The Chairperson therefore sets the tone for the meeting through his or her behaviour.

Useful qualities of a Chairperson include impartiality, firmness, common sense, courtesy, patience and tolerance. A Chairperson's reputation for impartiality can be speedily undermined if he or she does from the Chair any of the things that should be done from the

³ Circular # 13: Voting By Councillors At Council Meetings, Local Government Victoria, 2013.

floor. This includes speaking to issues or motions being considered by the meeting. The Chairperson's role is essentially facilitative. If the Chairperson feels strongly about a matter and wants to actively debate the matter, the Chair should be vacated temporarily before debate starts.

The Mayor, other Councillors or Council Staff who Chair meetings will therefore:

- Be familiar with Wyndham's *Governance Local Law 2013* and *Meeting Procedure Protocol 2013* (in the case of Ordinary and Special Council Meetings)
- Be adequately prepared for the meeting at hand
- Commence the meeting on time
- Make a commitment with participants to finish the meeting on time
- Chair the meeting with dignity and respect at all times
- Make sure that all participants (including guests) are introduced to each other
- As the meeting proceeds discuss with participants if items at the meeting are not going to meet the allotted timeframe
- Be able to focus primarily on the meeting process ahead of the meeting's content
- Be familiar with these meeting procedures and willing to clarify issues which arise during the meeting with the CEO (or delegate) if necessary
- Discussing the meeting agenda before the meeting commences with the CEO or the delegated Council Staff member and to highlight any concerns that may arise in the meeting
- Ensure due process is observed at all times, and bring any Duty Of Care concerns to the attention of participants if there is inappropriate behaviour
- Be sensitive to the mood of the meeting and be a calming influence if required
- Be aware of, and acknowledge, strong feelings wherever necessary. Clarify:
 - the purpose of agenda items; and
 - expressed views to assist understanding
- Enable all views to be canvassed
- Clarify the outcome/way forward on each agenda item at the conclusion of the item and, if required, refer to the CEO (or delegate) for clarification
- Ensure appropriate record keeping and reporting systems and agreements are in place and all meeting participants understand and contribute to these
- Play a role in gatekeeping i.e. move respectfully between speakers, and
- Use a log to record issues that are not related to the agenda but are to be discussed at another point in the meeting agenda, or listed for discussion at a subsequent meeting.

How participants contribute to effective meetings and events at Wyndham?

Meeting participants will contribute to effective meetings and share responsibility for the success or failure of these meetings, and will:

1. Show respect and courtesy to fellow participants at meetings through:

- Active listening
- Encouraging other members to participate
- Not interrupting but hearing each other out
- Focussing on the issues not the personalities
- Not use phones to make calls, text or check emails during a meeting (unless previously agreed) and step out of the meeting for urgent calls
- Speaking through the Chair in formal processes
- At Ordinary Council Meetings leaving comments to the gallery to the chair, and
- Taking advice from or deferring to the chair on procedures.

2. Support effective time management through:

- Being punctual to meetings
- Presenting viewpoints clearly and concisely
- Keeping to the topic
- Reading all emails, support documentation, invitations and other information relevant to meetings and events prior to these meetings and events
- Seeking advice if unclear on any of the documentation or process (preferably before the meeting)
- Raising the need to change times allotted for agenda items prior to the meeting, and
- Limited public input (when permissible) to concise statements, but treating speakers with respect and courtesy.

3. Promote effective teamwork by:

- Handling disagreements constructively
- Accepting a majority decision after everyone has represented their viewpoints
- Respecting final decisions as in the best interest of the community
- Not making divisive public statements after the meetings
- Highlighting breaches of meeting rules or protocols

- Providing requests as soon as possible (and prior to the meeting commences) to the CEO or their delegate if the time allocated for agenda items is thought to need to be altered
- Receiving reports and presentations from Council Staff with respect and holding questions until after Council Staff have provided their verbal report (other than points of clarification)
- Ensuring questions do not reflect a failure to read important emails, reports or invitations adequately before meetings or functions
- Seeking advice from Council Staff where policy, procedures or information is not clear
- Recognising that Council Staff are not always in a position to respond to inappropriate public comments and, therefore, protecting them, and
- Consistently keeping in mind the purpose and objective of the agenda and the individual agenda items.

How Council formally monitors performance

Progress on the implementation and performance of the City Plan actions and the Annual Budget is undertaken in a number of ways.

At Wyndham, while we meet our legislated obligations through the preparation of an Annual Report, Financial Resource Plan, Audited Financial Statements, and Annual Performance Statements we also take further steps to ensure that performance is closely and effectively monitored. These further steps are discussed below.

In relation to the progress of City Plan actions, this is reported to Council on a quarterly basis through the formal Council Meetings. These quarterly report includes a ranking (from Green, Amber to Red) of achievements, as well as all relevant highlights.

In relation to the Annual Budget, and prior to the finalisation and publication of the Annual Report and Audited Statements, Council is provided with a Financial Management Report on a quarterly basis.

This Financial Management Report is publicly presented at a formal Council Meeting and at an initial level, it provides a comparison between actual versus budgeted figures, thus highlighting any significant variances either on a quarterly or on a projected annual basis. The Report also contains a number of important components to provide Council and the community with confidence concerning the financial performance of Council, including:

- Year To Date Results
- End Of Year Forecast
- Operating Statement Variance Analysis

- Capital Works Statement and Commentary
- Capital Grants and Funding Sources
- Statement of Consolidated Position, and
- Statement of Cash Flows.

How Council informally monitors performance

As well as the usual budget and performance monitoring systems used by Council Staff, the Executive receive and consider even more regular Financial Management Reports and this allows them to track the performance of the Budget closely.

In addition to the more formal opportunities to review and consider performance (including but not limited to Best Value processes as outlined in sections 208A-G of the Act) and those outlined above, Councillors have significant access to opportunities to clarify information and monitor performance. These opportunities include the ability to ask detailed questions of Council staff at weekly Organisational Briefings, other Special Committees, Assembly of Councillor Meetings and at other meetings. Less formal opportunities also exist via direct contact from Councillors with Council Staff (Manager and above) via email and telephone.

Given competition for the meeting time at formal Council Meetings, these less formal opportunities are not only encouraged but critical to the effective functioning of the Council and Council staff. This is also in keeping with an overriding governance principle at Wyndham – the no surprises governance rule outlined in this Framework.

8. Managing Risk

Introduction

Risk is inherent in all of Wyndham's operations and activities and Council acknowledges that we have a moral and legal responsibility to ensure that our culture, processes and structures are appropriately directed towards effective risk management.

Wyndham City's Risk Management Policy and Framework will enable Council to maximise its ability to achieve objectives in the most proactive, efficient, effective and sustainable manner possible.

Audit and Risk Management Committee

The Audit and Risk Management Committee (ARMC) is an advisory committee that provides independent assurance and advice to Council on all matters pertaining to Councils reporting responsibilities. The ARMC also provides independent assurance and advice to Council on its internal controls and their effectiveness, its risk management framework including business continuity planning and their effectiveness, the audit work of both the internal and external auditors and Councils compliance with legislation and regulations.

The Committee has the responsibility to:

- Seek resolution on any disagreements between management and the external auditors
- Review all audit reports
- Seek any information it requires from Councillors, Council staff or external agencies via the CEO to fulfil its responsibilities
- Formally meet with Council staff, internal auditors and external auditors as it deems necessary, and
- Request external legal or other professional advice, as considered necessary to meet its responsibilities, at Council's expense.

The ARMC is comprised of the Mayor, two Councillors and three independent members. The CEO and the Internal Auditor attend all Committee meetings. Other members of Council Staff such as the Director of City Transformation and the Manager Risk and Compliance may be invited to attend at the discretion of the Committee to advise and provide information when required. The Chairperson of the Audit and Risk Committee is an independent external person, and must not be either a Councillor, or a member of Council staff.

In addition to the regular reports to Council and the involvement of Councillor representatives, the Chair of the ARMC will also meet with the whole Council at least annually to provide an overview of progress. This ensures transparency, fosters good corporate governance and supports effective strategic planning for Council. The chairperson

may also require any report prepared by the Committee to be tabled at the next ordinary meeting of the Council.

The Wyndham City Risk and Compliance Department has been established to create a 'risk aware, risk ready and resilient organisation' by fostering a positive risk culture that embraces and values the enterprise risk management. The Department oversees the risk portfolio which includes:

- Enterprise Risk Management (ERM)
- Audit
- Compliance and Assurance
- Insurance
- Business Continuity Management (BCM), and
- Fraud Prevention.

Council maintains strategic, corporate and operational registers of all identified risks as part of the enterprise risk management process. These registers are reviewed on a periodic basis to ensure new risks and existing risks are recorded, assessed, treated, communicated and monitored in an effective and transparent manner to positive outcomes for the Wyndham community.

To integrate risk management into Council's everyday activities, it is essential to define responsibilities and accountabilities in relation to risk management. Councillors have a responsibility to understand the risks that the organisation faces and to consider these risks when making decisions. The risk management process is therefore overviewed by the Audit and Risk Management Committee.

9. Councillor professional development

Induction

At Wyndham great emphasis is placed on the Councillors' first year in the new Council term.

Regardless of whether a Councillor is new to local government or has been a Councillor before, there is a lot to learn about the role and expectations of a Councillor. As a result, Councillor Induction is neither a one-off event, a few days or a few weeks in a Council Term. Council Staff tailor a Councillor Induction Program with the Mayor and Councillors that is a mix of social activities, team-building and a focus on the key strategic planning documents that Council must immediately consider (e.g. City Plan and the Council Budget).

Councillors acknowledge that at the time of adopting this Policy, the State Government had tabled legislation to ensure that an initial Councillor Induction Program will be conducted before Councillors are sworn into office. If passed, Council supports the provisions and any initial focus on Councillor and Council staff roles and relationships as well as Councillor Conduct Principles.

An ongoing Councillors' Induction Program is designed to assist a smooth transition between Councils, with information to thoroughly familiarise Councillors with the policies and practices that will assist them to achieve their goals. Throughout the ongoing Councillors' Induction Program, the philosophies of open communication and constructive teamwork are emphasised to create an environment where the Councillors and Council Staff (especially the CEO and Directors) work together to achieve these community needs in an effective and efficient manner.

Key outcomes from this program include an understanding of:

- How Council makes decisions
- Meeting Procedures/chairing of meetings
- Support for Councillors/housekeeping
- The corporate planning, strategic planning and town planning processes – what are the key drivers & how they are linked
- Key external influences
- Key priorities/ for Councillors
- How Councillors can achieve their objectives
- What processes and support is available for Councillors to get their ideas heard by Council
- Directors to highlight key challenges for the organisation

- Councillors to provide some initial thoughts to what success means to the new Council
- The challenges of the new Council
- Awareness of the importance of teamwork
- Sharing the workload, power, pain and glory
- How to resolve differences effectively
- Roles and relationships
- Codes of Conduct, policies and governance practices, and
- Media awareness.

At Wyndham many of these tasks have also been conducted off-site so the new Council can focus thoroughly on its priorities to meet community needs.

Professional development

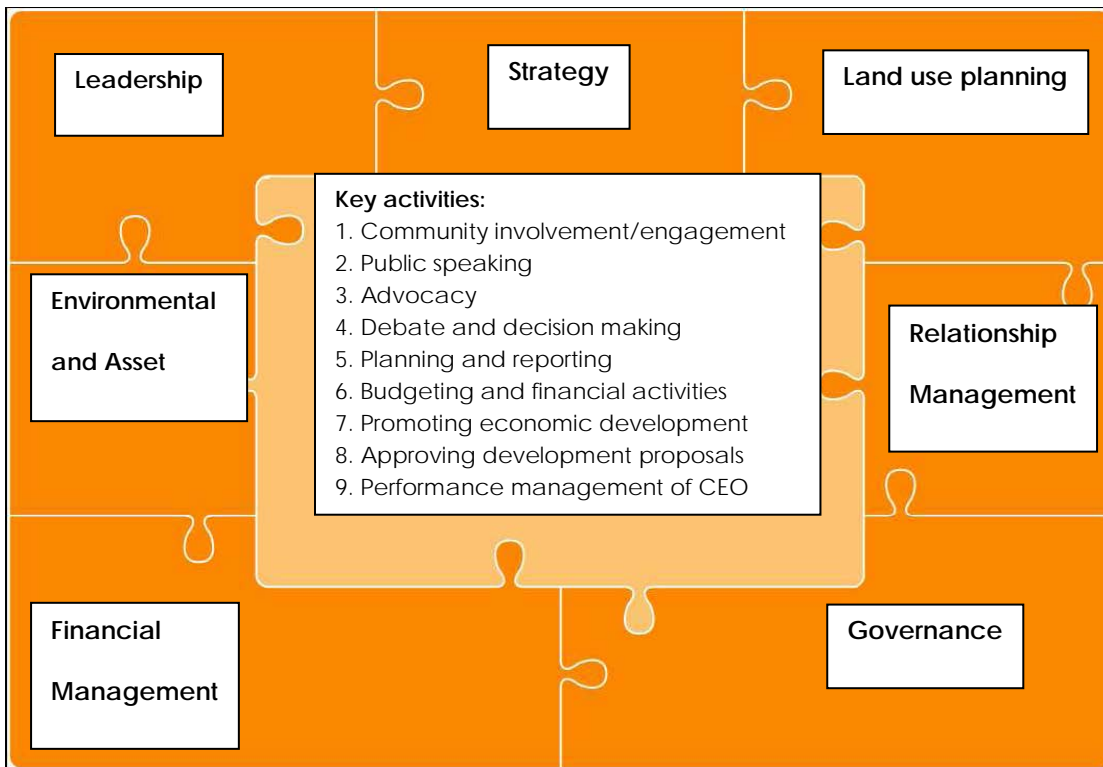
Council strongly supports the development and enhancement of skills required by Councillors to assist in fulfilling their responsibilities as elected representatives. These Professional Development opportunities are undertaken to improve the skills of Councillors which in turn means that they will be more effective in their roles and deliver better outcomes to the community. As such, Councillors are encouraged to consider professional development as broader than just attendance at conferences and seminars.

There are detailed policies and protocols concerning Professional Development for Councillors in the *Councillor Expenses and Entitlements Policy 2014* which is incorporated in the *Councillor Code of Conduct 2013*. Some important components of this Policy include the following.

- The number of Councillors attending any one conference is usually limited to three Councillors or more at the discretion of the Mayor and CEO
- Where Councillors so desire, personal development programs can be developed
- Participation in professional development activities is strongly encouraged, although it is noted that participation is on a voluntary basis
- The current funding limit for discretionary professional development is set at \$7,500 for each Councillor during the four year term in office. Councillors may exceed the \$7,500 limit if the professional development is deemed appropriate and has been approved by the Mayor and/or the CEO
- Where a Councillor nominates to attend a conference, workshop or professional development to improve skills relevant to their role as a Councillor, the Manager City Governance will review the relevance of this professional development

- As the needs of individual Councillors will vary, each Councillor is invited to enlist the help of the CEO and/or Manager City Governance in analysing his or her particular requirements and in identifying available courses, seminars and professional development materials to meet these needs
- If a Councillor is undertaking a tertiary certificate, diploma or degree course relevant to their duties as Councillor, the Council has a Study Assistance Policy which allows for a financial contribution to be made to the cost of the course
- It is, on occasion, appropriate for Councillors to attend conferences on matters of relevance to Wyndham's strategic directions. Attendance at such conferences is subject to the approval of the Mayor and CEO in response to a submission from the Councillor concerned. This submission should outline full details of the conference including:
 - Details of course topic, content, location, date and duration.
 - Relevance of conference to Council's business and Councillor's personal development requirements
 - Analysis of costs covering course, course material, travel
 - Accommodation for the Councillor, and
 - Benefits expected to flow from attendance
- The costs of attending approved conferences are met from a set Council budget. Reasonable out of pocket expenses are also paid on the production of related receipts, and these reasonable expenses are outlined in the Councillor Expenses and Entitlements Policy which is incorporated in the *Councillor Code of Conduct 2014*
- For interstate and overseas meetings, conferences, seminars, professional development or engagements, a report including all relevant material must be prepared and tabled at a Council meeting within two months following attendance.

Councillors perform a broad range of duties which require a variety of competencies and acumen. Professional development needs will vary from Councillor to Councillor and Wyndham is flexible in recognising this. Guidance from the two key peak bodies – the Municipal Association of Victoria (MAV) and the Victorian Local Governance Association - concerning Councillor professional development is valuable. Of particular note is the MAV's Councillor Competency Framework which is adapted and summarised on the next page.



Each of the above competencies can be further summarised as follows:

Leadership	Understanding personal and team leadership.
Strategy	Setting the goals and objectives for the council, with a balanced and long-term view.
Land use planning	Understanding the purpose of land use planning for the municipality, and how it relates to both the council's strategic direction and the State's planning policies.
Relationship Management	Engaging with and being an advocate for the community, the municipality, fellow councillors, council administration staff and other government representatives.
Environmental and asset management	Demonstrating stewardship of council assets through strategic decision making on resource management.
Financial Management	Deliberating on strategic resource plans and adopting budgets with a long-term perspective.
Governance	Strengthening community confidence in the Council's community leadership, delivering services, setting directions, priorities and resources, and in its ability to manage its public sector accountability obligations.
Communication	Ensuring that the community is consulted and has opportunities to participate in the decision-making process.

10. Incorporated policies

There are a range of policies, protocols and guidance that are incorporated by reference. All of these policies, protocols and guidance are shared and discussed with Councillors. Both the choice and some of the content of these associated policies, protocols and guidance will change from time to time.

These include:

- *Assembly of Councillors Guidelines 2013*
- *CEO Guidelines: Recording Wyndham City Council Meetings 2014*
- *Council Prayer and Koori Statement Protocols 2013*
- *Councillor Events, Invitations and Administrative Support Policy 2014*
- *Guidelines for introductions to some Council Reports 2014*
- *Reserve Working Groups Terms of Reference 2013*
- *Strategy and Policy Development Committee (Community Wellbeing) Terms of Reference 2013*
- *Councillor Guide To Conflict Of Interest*
(http://www.dpcd.vic.gov.au/data/assets/pdf_file/0006/124971/2012-Conflict-of-Interest-Guide-Councillors-Oct-2012-.pdf accessed on the web on 7 October 2013 in Werribee)
- *Ensuring Unbiased Democratic Council Decision Making*
(http://www.dpcd.vic.gov.au/data/assets/pdf_file/0003/37929/2013-Ensuring-Unbiased-Democratic-Council-Decision-Making-April-2013.pdf accessed on the web on 7 October 2013 in Werribee)

Certain types of meetings involving Councillors are defined to be assemblies of Councillors. Councillors must disclose conflicts of interest at Assemblies of Councillors. Records of assemblies must be reported to Council meetings and recorded in the Council minutes.

Introduction

Definition of "assembly of councillors"

An "Assembly of Councillors" (however titled) is defined in section 3 of the Act as meaning: *a meeting of an advisory committee of the Council, if at least one Councillor is present, or a planned or scheduled meeting of at least half of the Councillors and one member of Council staff which considers matters that are intended or likely to be—*

- a) the subject of a decision of the Council; or*
- b) subject to the exercise of a function, duty or power of the Council that has been delegated to a person or committee*

Under this same definition in the Act, an Assembly of Councillors does not include: *a meeting of the Council, a special committee of the Council, an audit committee established under section 139, a club, association, peak body, political party or other organisation.*

Why is this required?

The Act makes specific provision for assemblies of Councillors for two main reasons. These relate to potential conflicts of interest and public transparency. Councillors must disclose conflicts of interest in Council and special committee meetings, because they have significant decision making roles in these meetings. To avoid both the reality and the perception that Councillors might improperly influence decisions in other forums, conflicts of interest must also be disclosed in assemblies of Councillors. Reporting on matters that are discussed in assemblies of Councillors provides increased transparency about matters that are considered in meetings generally closed to the public.

Assemblies in detail

Not all meetings involving Councillors are assemblies of Councillors. There are two types:

- Advisory committees, and
- Other meetings with Councillors.

Advisory committees

Section 3(1) of the Act defines an advisory committee to be any committee established by the Council that provides advice to:

- The Council,
- A special committee, or
- A member of staff with a delegated duty, function or power of the Council under section 98.

An advisory committee meeting is an assembly of Councillors if both of the following occur:

- One or more Councillors are in attendance, and
- The meeting considers any matter that is intended or likely to be the subject of a Council decision (either by the Council or under delegation by a committee or member of staff)

Advisory committees that include Councillors are usually established by a formal resolution of the Council. However, this is not necessarily the case. An advisory committee could be established by a special committee, if allowed under its delegation, or by the CEO under his or her delegation. A committee established by another organisation is not an advisory committee of Council and cannot be an assembly of Councillors.

Other meetings

In addition to advisory committees, any meeting involving at least half the Councillors and Council staff will be an assembly of Councillors if it considers matters for a Council decision or delegated action. However, a meeting is not an assembly of Councillors if it is unplanned. A casual meeting in a corridor, for example, would not constitute an assembly. A meeting set up by another organisation cannot be an assembly of Councillors.

A common type of assembly of Councillors is the type of regular meeting of Councillors and management that is referred to as a “Councillor Briefing”, or similar.

Limits of Assemblies

An assembly of Councillors cannot make decisions on behalf of the Council and cannot direct Council staff.

If a committee is delegated any Council powers it automatically ceases to be an assembly of Councillors and becomes a special committee under section 86 of the Act. It is then subject to all the legislative requirements applying to a special committees.

Section 76E of the Act forbids a Councillor from improperly directing Council staff. It especially forbids directing a member of staff in the exercise of a delegated power. This prohibition applies equally to an assembly of Councillors. Council staff will not implement significant Council decisions purported to be made in assemblies of Councillors.

Conflict of Interest

While more expansive guidance is available on all aspects of Conflict Of Interest in Local Government Victoria’s Councillors Guide To Conflict Of Interest which has been provided to Councillors at Wyndham, there are specific Conflict Of Interest requirements relating to Assemblies Of Councillors, including that a Councillor who has a conflict of interest in a matter at an assembly of Councillors must:

- Disclose to the meeting that he or she has a conflict of interest, and
- Leave the meeting while the matter is being discussed.

Disclosure

The disclosure should be made immediately before the matter is considered. As assemblies are not always subject to tight agendas, like Council meetings, a matter may arise during discussion that involves a conflict of interest. If this happens, the affected Councillor must disclose the conflict as soon as he or she becomes aware of it.

Leave the meeting

Unlike Council meetings, it is not necessary for a Councillor to disclose any details of the conflict of interest. It is sufficient to just disclose that the conflict exists.

To leave the meeting, a Councillor should move to a location outside the room where he or she cannot see or hear the meeting. Arrangements should be made to notify the Councillor when the relevant matter is concluded.

Non-Councillors in assemblies

People who are not Councillors are not required to disclose conflicts of interest in assemblies of Councillors. However, it is recommended that CEOs (CEOs) require Council staff and Council contractors to disclose any conflicts of interests in such meetings.

Assembly records

Under section 80A, the CEO is required to ensure that a written record is kept of every assembly of Councillors. (This will require a member of staff to attend each meeting). The written record only needs to be a simple document that records the following information:

- The names of all Councillors and Council staff in the meeting
- A list of the matters considered
- Any conflicts of interests disclosed by Councillors
- Whether a Councillor left the room after disclosing a conflict of interest.

A record of an assembly does not need to be detailed like Council minutes, although the Council can record more details of the discussion at its own discretion. Normal practice is to list the name of each matter discussed. It should be noted that the name of each matter should be listed. It is not sufficient to just refer to another list of matters, such as the Council agenda. Many Councils use a standard form for recording assemblies. A sample form is included as Attachment A.

Matters

An assembly record only needs to record the matters considered. "Matter" is a defined term in section 76AA of the Act. Matters are issues that will require a power to be exercised, a duty or function to be performed or a decision to be made by:

- The Council,
- A special committee, or
- A member of Council staff.

An assembly record does not need to list issues discussed if they are unlikely to become "matters".

Recording conflicts of interest

A record of an assembly must only record the fact that a conflict of interest was disclosed and whether the Councillor left the room. It must not include the details of a conflict of interest disclosure, even if the Councillor mentions these in the meeting. The reason for this is privacy. In a Council or special committee meeting, a Councillor has the option of disclosing the details of any conflict of interest in writing to the CEO, which allows him or her to protect privacy. This option does not exist for assemblies of Councillors.

Reporting to Council meeting

The record of each assembly of Councillors meeting must be reported to the next practical ordinary meeting of the Council and included in the minutes. This involves more than just tabling the record. It requires a Council decision to accept the record. Many Councils list assemblies of Councillors as a standard item on their agenda and include one-page completed records in the agenda papers for approval. This arrangement provides a level of public transparency about meetings held by the Council and ensures that the records are retained. It also allows a Councillor to move the record be amended if it is not accurate, such as when a conflict of interest disclosure has been incorrectly recorded.

Confidential information

Sometimes it is necessary for the CEO to designate information provided to an assembly as “confidential” in accordance with section 77 of the Act. Section 77 does not provide for an entire meeting to be designated confidential. Only information provided to the meeting may be designated confidential. If required, this must be done for each matter separately and each matter must satisfy the criteria in section 89(2) of the Act.

Reporting confidential items

As an assembly record only needs to record the name of each matter discussed, the record will normally be able to be reported to an open meeting without disclosing any confidential information. If a situation does arise where the name of the matter itself is confidential, the following process is recommended.

- Report the assembly record to the next open Council meeting.
- Instead of naming the confidential matter, insert the words “Confidential item for closed meeting” (or similar).
- Submit an addendum report to the next closed meeting of Council regarding the confidential matter.

If the only matter considered in the assembly was a confidential matter and it cannot be named without breaching confidentiality, the entire record may be reported to the next closed Council meeting.

Further detailed guidance concerning the designation and other related matters pertaining to confidential information is include in the *Councillor Code of Conduct 2014*.

These Assemblies of Councillors Guidelines have been issued by Local Government Victoria. While this document provides general guidance, the definitive statement of legal obligations is the law itself – particularly the relevant provisions of the Local Government Act 1989.



CEO Guidelines Recording Wyndham City Council Meetings 2014

These CEO Guidelines are separate to the *Corporate Recording Of Council Meetings Policy 2014* which relates to the CEO (or their delegate) recording, storing, using, disclosing, providing access to and disposing of recordings of Ordinary and Special Council Meetings. The *Corporate Recording Of Council Meetings Policy 2014* is incorporated as a document in Wyndham's *Governance Local Law 2013*.

These CEO Guidelines apply to media representatives and other persons who are granted permission by the CEO to record one or more Council Meetings are

Attending the Council Meeting

- Prior to Noon on the day of the Council Meeting advise Council's Governance Unit (9742 0818) that you will be attending and specify if you are proposing to record (audio or visual) the Council Meeting
- There will be no adjustments to lighting, seating or any other modifications to the room where the Council Meeting is being held to facilitate recording
- The Local Media Representatives Table is prioritised for media representatives who focus on providing news to the local community and will be allocated as notifications of attendance are received by the Governance Unit. If more seats are required designated spots in the public gallery will be allocated, in a position which does not obstruct the view of other people sitting in the public gallery
- All media representatives attending a Council Meeting must make themselves known to Council staff and sign the Media Representatives Register which is located next the Public Question Box in the Council Chamber prior to the commencement of the Council Meeting

Location of recording equipment

- Recording devices (audio or visual) must not be used in a manner which disrupts the sight or ability of anyone present to hear the proceedings of the Council Meeting
- All visual recording equipment must be set up and used from behind the rope (or equivalent point across the meeting room) which is placed between the meeting table and the first row of the public gallery

Notes:

1. Wyndham City Council's Governance Local Law 2013 makes it an offence for a person not to obtain consent to record a Council Meeting or Assembly of Councillors
2. Any disruption of the meeting due to audio or visual recording will be dealt with by the Chairperson and the responsible person(s) may, as determined by the Chairperson of the Meeting, be asked to leave the meeting room.
3. Under clause 10(5) of the Council's Local Law 2013 the Chairperson may withdraw consent given under subclauses (2) and (4) at any time during the meeting
4. The form and details of how to apply to record a Council Meeting is available on Council's website at www.wyndham.vic.gov.au

For further information contact Council's Governance Unit on 9742 0818.

Introduction

Quality Community Plan and City Plan

In June 2013, soon after the election of a new Council, Wyndham City adopted its Community Engagement Framework and Community Engagement Model.

This Community Engagement Framework and Model 2013-2017 is consistent with the community's long-term vision to promote 'a sense of community' in Wyndham as outlined in some of the Guiding Principles in its Quality Community Plan, including:

- That the foundations for building community strength of neighbourhoods will be available for all of Wyndham
- That each resident has a right to equitable access to services and resources, but also has a responsibility to contribute to the community
- That diversity enriches the sense of community, rather than detracting from it, and
- That the community will achieve many of its goals through members' contribution of time and skills.

Both are also consistent with and support the following Theme and Objectives in Council's 2013-2017 City Plan, including:

1.2 Community engagement and building

- To actively engage with the community to capture diverse perspectives and opportunities to improve the quality of Council decisions on policies, services and programs.
- To strengthen the capacity of citizens and community groups to participate in community life by providing opportunities for individuals to acquire knowledge, confidence, skills and experience.

Governing Wyndham Framework

This Framework and Model and all implementation actions also form a key component of Council's Governing Wyndham Framework.

The development of this Community Engagement Framework and Model for Wyndham reinforces the importance Council places on community engagement and consultation in making informed decisions that impact on the communities of Wyndham. Both will be reviewed as required.

As well as implementing policies, practices and activities consistent with this Framework and Model more broadly, Wyndham City Council will fulfil its statutory and legal obligations to the community. This will ensure that we manage the municipality in a financially sustainable manner to meet the current needs of our community and those of future generations.

Community engagement – what is it?

Introduction

Community engagement is a two way process, by which:

- The aspirations, concerns, needs and values of citizens and communities are incorporated at all levels and in all sectors in policy development, planning, decision making, service delivery and assessment, and

- Governments and other businesses and civil society organisations involve citizens, clients, and other stakeholders in these processes.⁴

In implementing this Framework and Model, Council aims to:

- Increase opportunities for community members, organisations and service providers to participate in planning and policy development, service delivery improvements, and advocacy, in accordance with community priorities
- Implement community consultation and engagement to inform Council's decision making.
- Engage with communities and individuals who are currently 'disengaged' through deliberative engagement strategies, and
- Develop a sustainable model of community engagement that builds local capacity and leadership.

Community Engagement is fundamentally about involving the community, through a continuum of engagement practices, to participate in decision making processes. Council engages with its community on a wide range of projects, such as:

- Service planning & delivery;
- Formal community consultation processes;
- Council Meetings; and
- Land use and planning applications.

Overview of community engagement approaches

A deliberative approach, often called deliberative or participative democracy, is characterised by representation and inclusion, deliberation and influence (Carson & Hartz-Karp 2005⁵). It is often described as an approach to actively and meaningfully engage the 'disinterested', that is people who would not normally participate in engagement or consultation events, thereby strengthening and broadening engagement.

An excellent example of a local government taking a deliberative approach to citizen engagement is the City of Geraldton-Greenough in Western Australia. The Geraldton 2029 and beyond⁶ project utilises innovative technologies in civic deliberation and social media to engage with citizens and, through focussed recruitment strategies and random sampling, a truly representative range of local citizens have been participating in a series of deliberations on the future of Geraldton. Through these deliberations they have opportunities to engage with scientific data and differing viewpoints, and work with the decision making process to ensure their deliberations are influential.

Some of the key features of this project involved the setting up of broad alliances, including with the local media, and using the following range of deliberative processes to get local citizens involved in the project, world café, deliberative poll/survey, online deliberation, social media, scenario planning and citizen choice work and 21st century town hall meeting.⁷

⁴ United Nations. (2005). "The Brisbane Declaration on Community Engagement." from <http://www.iap2.org.au/sitebuilder/resources/knowledge/asset/files/37/unbrisbanedeclarationcommunityengagement.pdf>.

⁵ Carson, L & Hartz-Karp, J 2005, 'Adapting and Combining Deliberative Designs: Jures, Polls, and Forums', in J Gastil & P Levine (eds), *The Deliberative Democracy Handbook: Strategies for Effective Engagement in the Twenty-First Century*, Jossey-Bass, San Francisco, pp. 120-38.

⁶ www.vitalizing-democracy.org

⁷ <http://www.peopleandparticipation.net/display/Methods/21st+Century+Town+Meeting>.

Best Value

Best Value Victoria is a policy that aims to enhance councils' capacities to deliver better services to the community. This is to be achieved by councils applying the six Best Value Principles to all their services and the way in which they govern. The application of the principles of quality and cost standards, accessibility, responsiveness, continuous improvement, community consultation and reporting, will ensure that Council services meet the needs of the community.

In order to meet the needs of the Wyndham community, and to give effect to the community consultation principles within Best Value mentioned above, Council needs to determine how and when to consult.

The Best Value legislation states that Councils:

- Must take into account community expectations and values when establishing quality and cost standards, and
- Develop a program of regular consultation with its community in relation to the services it provides.

Over time, it is proposed that the Community Engagement Framework include a section on Council's approach to consultation in relation to meeting Best Value standards, and therefore will outline a standard approach to guide the organisation in undertaking consultation activities.

Why does Wyndham need a community engagement framework?

All areas of Council consult with the community in relation to day-to-day issues, and to plan for the longer term. Through working within a common Framework, it is anticipated that:

- There will be a consistent approach across Council departments as to how Council engages with the community
- There will be increased coordination across Council departments, to prevent duplication in consultation processes and to ensure that information from the community is shared across the organisation
- There will be increased knowledge about services, facilities, activities and events in the community, and within the organisation
- Community members, organisations and service providers will have increased opportunities to be actively involved in planning and policy development, service delivery improvements and advocacy, in line with community priorities
- Council will make more informed decisions
- Communities and individuals who are currently 'disengaged' or do not participate in public decision-making processes will feel more welcome to participate, through processes that actively seek to engage all members of the community, and
- Local capacity and leadership will increase.

Building community capacity

Wyndham's Community Engagement Framework and Community Engagement Model are focused on increasing community capacity to engage in consultation processes and community decision-making.

The Model recognises that there is variation in skills and capacity across the community. Some people feel comfortable in expressing their views and engaging with Council; others are unfamiliar with local governance arrangements and lack confidence in participating in consultations and decision-making.

Council is committed to working with communities and individuals to increase participation, and to empower individuals and communities to make meaningful and constructive contributions to their local communities and Council decision-making.

In building community capacity, it is important to view community engagement as multi-dimensional and including:

- Council-generated engagement - examples include legislated consultation, e.g., planning permits, advocacy issues, deliberative engagement in relation to particular concerns
- Expert advice - outside experts provide information and/or advice to communities in relation to particular issues
- Community-driven ideas - communities themselves identify and generate consultation with council and others, and
- Intra-community engagement - engagement generated between diverse communities in the municipality.

Community engagement therefore generates:

- The development of community leadership – developing the skills of individuals
- The development and strengthening of partnerships between Council and community, and between communities
- The development of social capital – building connections within communities, and
- The development of community tolerance – bridging connections between different communities.

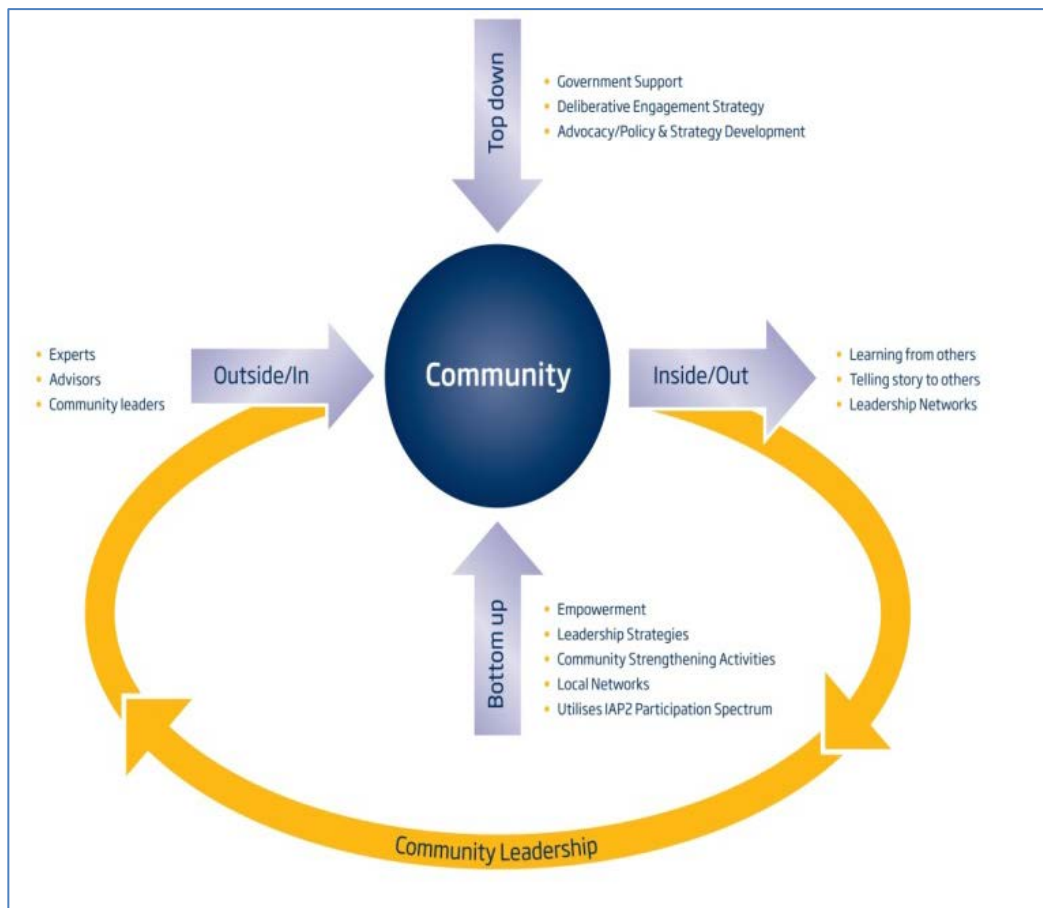
Community Engagement Model

Introduction

Wyndham's Community Engagement Model depicted on the next page is a 'four directional approach' that develops critical people and networks – builds connections within communities (social capital), and bridges capital between communities.

This model utilizes the IAP2⁸ Spectrum of Public participation as a central concept. The IAP2 model commits Council to be clear about the purpose of the engagement, the process of decision making and what the community can expect from participating.

⁸ ⁸ The International Association for Public Participation (IAP2) has developed the Public Participation Spectrum to demonstrate the possible types of engagement with stakeholders and communities. The spectrum includes a **promise to the public** which is a commitment to be clear about the purpose of the engagement and what the community can expect. <http://www.iap2.org.au/about>



The above Model of participation recognises that, at different times, communities need different levels of information, support and participation, and this is best delivered through diverse approaches to working with the community. This means, at times, that ‘outside experts’ may be invited to talk to communities and at other times local leaders are identified as having a crucial role.

It is also considered necessary for Council to develop a comprehensive approach to identifying and training local community leaders to build ongoing capacity in communities. Sometimes Council leads, facilitates and brokers solutions, and sometimes community drives and initiates.

The Model is holistic, allowing for a combination of strategies and techniques. For example, deliberative polling, household surveys, Blogs, and listening posts might all be utilised to explore broad community sentiment about a key issue. This combination of methods and multiple data sources (triangulation) assists to increase the validity of results. That is, themes may emerge from a variety of sources, giving increased credibility and confidence in the findings.

The Model is also underpinned by a commitment to a process of deliberative engagement. Deliberative strategies ensure representative community engagement. ‘Representativeness’ enables Council to engage the ‘disinterested citizens’ (Hartz-karp⁹). So through processes like ‘stratified random sampling’, a representative group of citizens comes together to deliberate on an issue.

⁹ Hartz-Karp, J 2007, ‘Climate Change The whole community approach’, *New Matilda*.

Principles of community engagement

The following principles will underpin community engagement in Wyndham.

Purposeful engagement

- All engagement and consultation processes will have a purpose. This will be clear to the community.

Availability and affordability

- Consultation will be tailored to the specific needs and requirements of local communities of interests. This includes conducting consultations in each of the neighbourhoods / local areas defined by Council regularly, and
- No one will be financially disadvantaged by participating in consultation with Council.

Accessibility and equity

- Wherever possible, all communication will be in simple, easy-to-understand English and community languages. If technical terms are required to be used, simple explanations will be provided
- Communication will take account of people with disabilities, using available technology to assist, and
- All communications, whether face-to-face, on the telephone or in writing, will be carried out with respect for human rights.

Transparency and independence

- Council is committed to implementing processes which are inclusive, representative and transparent to allow participants to freely contribute their opinions
- Participants will be made aware of the extent of, and limitations to, their input, and
- Outcomes of the process will be made publicly available except for those instances when confidentiality has been requested.

Valuing and respecting diversity

- Council is committed to ensuring that all people in the community are able to participate in consultation processes, being respectful of gender, age, culture, and religious differences, and
- Where face-to-face consultations occur, safe and inviting places will be chosen, taking particular care when targeting 'hard-to-reach' groups (see below) in the community.

Timely engagement

- Council is committed to engaging communities early in decision-making processes, to facilitate genuine influence. Importantly, Council is committed to allowing stakeholders to have sufficient time to consider all issues and submit their views.

Build community capacity

- Council is committed to building the skills and knowledge of the community to move to the ultimate goal of empowering local communities to address and solve their own issues.

Valuing community contributions

- The contribution of community members and community groups is valued and respected, and
- Engagement is two-way – Council respects and is keen to learn from the community. To achieve this, Council is committed to creating engagement processes where all parties can learn, take on new ideas and have the opportunity to really listen to each other.

Partnering

- Council is committed to developing genuine collaboration with the community and other stakeholders. To facilitate this, Council will build relationships over time through ongoing dialogue and engagement, and by providing opportunities for community members to develop their leadership skills and understanding of community governance.

Feedback and continuous improvement

- Council undertakes to keep the community informed of the outcomes of the engagement processes.
- Council's decision-making processes will be evaluated after final decisions have been made, and will seek participants' views as to how the processes could be improved in the future.

Hard to reach groups

Ten (10) population groups have been identified that experience potential disadvantage and social exclusion and, as a result, require particular attention to ensure their participation in engagement processes. Community engagement templates and approaches will be developed for each of these population groups to support meaningful engagement of what can commonly be called 'hard to reach groups.' These groups include:

- Young People
- Children
- Women
- Older People
- Indigenous People
- People with a Disability
- Gay, Lesbian, Bisexual, Transgender and Intersex communities (GLBTI)
- Culturally and Linguistically Diverse(CALD) and newly emerging communities
- Sole Parent Families, and
- Unemployed People.

Neighbourhood or local area community Engagement plans

Council will develop Draft Neighbourhood or Local Area Engagement Plans. These plans would articulate how Council will work in each Neighbourhood / Local Area. The Plan documents the proposed engagement commitment and approach required for that Neighbourhood / Local Area over the coming 12 months.

As this Model is not prescriptive, it enables Neighbourhoods / Local Areas to have an Engagement Plan developed that best reflects the needs of that community. This will be informed by the development of comprehensive neighbourhood profiles, community and service mapping and ongoing evaluation.

Each Neighbourhood / Local Area will be resourced by a Community Development / Engagement Officer. Whilst the community will continue to be engaged in 'one off' consultations the underlying purpose is to build the ongoing capacity of an interested, informed and empowered community. It is proposed that each Neighbourhood / Local Area Plan could include some of the following key actions:

- Two local Neighbourhood Forums per annum, with participation of Councillors and Senior Officers
- A Local Leadership Training Program
- Neighbourhood Open Day
- Two deliberative engagement events or activities per annum, such as a survey or community deliberation / direct polling / community forums / panels
- An Interactive Website and social networking tools
- Local engagement activities, such as additional listening posts, community meetings to address specific or emerging local issues, and
- Where appropriate, support for development of local networks/resident/ neighbourhood/actions groups.

Background

The movement for acknowledging Australia's heritage has had a strong impetus over the years at Federal, State and particularly local level. Australians have come to recognise and acknowledge the traditional inhabitants of the land.

This is being done in various ways such as a short statement being used at the beginning of an official function where acknowledgment is made of the traditional owners of the land.

The Towards Reconciliation Group has requested all councils consider adopting a protocol where an acknowledgment of the municipality's traditional inhabitants would be made before any significant event or meeting.

Koori Protocol Statement

The following statement to be used at functions such as Council Meetings, Citizenship ceremonies and at other occasions deemed appropriate:

"In the spirit of reconciliation, before we begin this meeting, I acknowledge the peoples of the Kulin Nation as the Traditional Owners of the land on which Wyndham is being built. We pay our respects to their elders, past and present."

Council Prayer

The following prayer to be used at the Opening of Council Meetings

We pray for guidance in the Council's decision making to achieve the best outcome for the people of Wyndham.



Introduction

This Policy aims to provide transparency and consistency for Councillors, Council staff and the community concerning the range of supports and processes required to enable the Mayor and Councillors to perform their civic, ceremonial and representative roles during events and functions.

The Policy is supported by the principles and processes outlined in the *Councillor Code of Conduct 2013*, other parts of this Governing Wyndham Framework, and is divided into three main sections:

- Support for Mayoral and Councillor Events
- Mayor and Councillor Invitations, and
- Administrative Support.

The overriding principles of this Policy are to:

- Maximise the efforts of Councillors and Council staff to put Council's 'best foot forward' at events and functions, and
- Leverage the most value from events and functions to meet the goals and needs of Council and the community.

Support for mayoral and Councillor events

Challenges and opportunities

A number of challenges make the provision of consistent, quality and timely support by Council staff for Mayoral and Councillor Events a critically important focus for Councillors and Council staff.

Some of these challenges include:

- Hundreds of internal and external events and functions are held each year
- The Mayor and Councillors have competing demands for their time
- Many requests for events or functions occur at very short notice
- Some community, business and other government organisations have different systems in place for organising events or functions, and
- Some events or functions are tied to State or Federal Government funding and even if Council is the majority funding partner, protocol dictates a limited role for the Mayor and/or Councillors.

Despite these challenges, there are also a number of opportunities for the Mayor, Councillors and Council staff to work effectively together to ensure that these events and functions deliver the best outcomes for Council and the community. Some of these opportunities include:

- Strong support for including Ward Councillors and Councillor Portfolio Holders in the planning and delivery of some events and functions
- Consistent processes, understanding and commitment across the organisation and among Councillors of the roles, expectations, focus and nature of events and functions, and

- Earlier and more effective internal planning to leverage a more strategic approach to events and functions
- More effective engagement and planning with the Mayor and Councillors in their complementary roles (e.g. Mayor, Councillors, Ward Councillors and Councillor Portfolio Holders)

Hierarchy of support needs

Councillors and Council staff acknowledge that the most effective way to manage competing demands for their time as well as for resources is to apply a hierarchy of importance to internal and external events.

As stated previously, while all support provided by Council staff will be of high quality and timely, this hierarchy does have implications for the related levels of support expected and delivered to the Mayor and Councillors.

Councillors involved in major events (versus minor events) would therefore be provided with a greater level of support, more timely advice and detailed communication.

While the size and importance of events and functions are useful indications of the level and nature of support to be provided to the Mayor and Councillors, there is no single formula to be followed.

This is because there will be other factors driving level and nature of support including:

- The level of control that Council has over an event (e.g. internal versus an externally organised and sponsored events)
- Urgency and short turn-around time for important events and functions
- Important implications for maintaining and building relationships with stakeholders
- Needs for logistical and background information for more important internal (e.g. Ordinary Council Meetings) or external (e.g. visiting delegation from another government body or a funding announcement), and
- Whether the event or function contains any serious reputational risk for Council.

The level of support to be provided relies upon clear and frank communication between Councillors (e.g. between the Mayor, Council, individual Councillors, Ward Councillors and Councillor Portfolio Holders) and Council staff. Therefore, early notice is required of all logistical and other expectations and the context so that this information can be taken into account when planning events and functions.

While the delivery of more simple documentation such as running sheets can be guaranteed in a more timely manner, requests for more complex support such as full speeches (for major events or functions), or even briefer speech notes (for minor events or functions); as well as detailed background briefing information will require reasonable lead time.

Council staff and Councillors will commit to more effective planning of events and functions by ensuring that their expectations and needs are communicated in a timely manner. They also agree to clearly communicate roles and timelines for delivery of support.

Council staff will also ensure that key parts of the organisation are liaising on important events and functions, particularly the Executive, the Governance Unit and Media and Communications Unit.

Councillors and Council staff acknowledge that there may be disagreements from time to time between them concerning where an event may sit on this hierarchy of 'major to minor' events and functions. In these instances, Councillors and Council staff will observe their respective legislative roles, with the CEO and relevant Director making the final call as to the allocation of staff time and resources.

Nature of support to be provided

After applying the above hierarchy to events and functions involving the Mayor and Councillors, Council staff will provide a range of supports including:

- Logistical support
- Advice on protocols (e.g. when dignitaries are present)
- Running-sheets and background information
- Suggestions on how to include Ward Councillors and Councillor Portfolio Holders in events and functions
- Full speeches (for major events or functions), or brief speech notes (for minor events or functions), and
- Pre-event briefing (where possible and for major events).

Evaluation and continuous improvement

Councillors and Council staff acknowledge the complex environment in which we work, and commit to meeting the challenges and opportunities outlined in this Policy associated with planning, participating in and delivering successful events and functions.

Councillors and Council staff also commit to providing constructive feedback that informs an ongoing process of evaluation and continuous improvement.

Mayoral and Councillor Invitations

Introduction

Councillors will utilise the support of the Mayor and Councillor PAs to facilitate the effective and timely attendance of the Mayor and Councillors at events and functions. There are a number of processes that will be followed in the exercise of this support, and these processes are outlined below.

Referral of all invitations and requests

If requests to attend events in an official capacity are made directly to the Mayor or Councillors in person or via email by internal Council staff or external community organisations, businesses or government bodies, the Mayor and Councillors will refer these to the Mayor and Councillors Office who will facilitate all invitations and related requests by liaising with the appropriate Council staff and external parties.

Who attends and participates in mayoral and Councillor events?

Invitations from external community organisations, businesses and government bodies usually invite the Mayor and/or specific Councillors to attend or participate in their events.

Sometimes these external parties are not aware that they can invite other Councillors. Councillors and Council staff acknowledge that while they are not able to dictate the involvement of some or all the Councillors in these external events, Council staff can provide advice where appropriate.

If an invitation has been forwarded to the Mayor then the Mayor will discuss the attendance and/or involvement of other Councillors with Council staff in the early stages of the planning of these events and

functions. The Mayor and Councillors office will always try to ensure Council is appropriately represented at events and functions. If unsure about appropriate representation, this will be determined in consultation with the Mayor, the Manager Council and Community Relations and/or the CEO.

If the Mayor is unable to attend an event or function, then the following can be delegated with this role:

- Deputy or Acting Mayor (if applicable)
- Councillor Portfolio Holder
- Ward Councillor

At events and functions where the Mayor presides, roles for other Councillors involved with the subject matter should be found if possible. Councillors and Council staff acknowledge that this is more possible with internal events than it is for events and functions organised by others.

Opportunities for this broader involvement should not undermine the role of the Mayor as the leader of the Council, or at key Civic and Ceremonial events and functions where the Mayor presides (as outlined in section 4d of the *Councillor Code of Conduct 2013*).

Management of Councillor diaries

Councillors will assist staff to effectively manage their dairies and calendars by blocking out any personal or work-related commitments as 'Unavailable' slots in their Calendar. The Mayor and Councillors Office can diarise personal commitments for Councillors, within reason. It is assumed that Councillors may be available to consider appointments at other times that appear available in their diaries.

Other processes and tips that assist with the timely and effective management of Councillor diaries include:

1. Checking email daily for meeting invitations
2. Respond by the RSVP date which will be noted in a prominent area of the meeting invitation
3. If you are unsure of your availability, choose the 'Tentative' option, making a note to revisit (prior to the RSVP date where possible) to 'Accept' or 'Decline'
4. If by the close of RSVPs your status is still showing as 'Tentative' you will be note as a 'Decline' to the invitation
5. Provide any useful background or needs with 'a comment' in your reply to meeting invitations
6. When an invitation includes partners, please respond advising your partner's attendance or not.
7. If you can only attend for part of a meeting or event please advise your anticipated arrival and departure times
8. Apologies to events are a courtesy to external organisations or internal meeting or event organisers. These are expected to be provided within in a timely manner (that is no less than 7 days before the event)
9. If a late apology occurs after business hours, Councillors should inform the Mayor and at least 1 other attending Councillor of their apology no less than 2 hours before the event commences, and
10. If advising a late apology that you wish to be acknowledge at an event, this needs to be advised telephone to the Mayor and Councillor PAs no less than 6 hours before an event, or via email if prior to this time.

Administrative Support

As the Mayor and Councillors juggle numerous roles and duties, the CEO works with Directors and the Governance Unit to ensure appropriate levels of administrative support are in place. As well as the above policies and processes to support the Mayor and Councillors perform their civic, ceremonial and representative roles, the following more generic administrative support processes are documented to provide transparency and certainty to Councillors, Council staff and the community.

Mayor and Councillors Office

The Mayor and Councillors Office is responsible for the timely and accurate provision and processing of all information relevant and pertaining to the daily requirements of the Mayor and Councillors.

Accordingly, contact will be made as follows:

- Between 9.00am– 5.00pm from Monday to Friday
- Outside of office hours phones will be diverted to voicemail. The Office phones will be diverted to voicemail for lunch breaks and important meetings. In these instances and if Councillors need more urgent support, they should email crsupport@wyndham.vic.gov.au or call the Governance Unit on 9742 0887.

The Mayor and Councillor office meets a range of Mayor and Councillor needs including but not limited to the following:

- Correspondence
- Diary appointments (includes all invitations and related requests for support)
- Preparation for meetings and events (organising provision of speaking notes)
- Training requirements/requests
- Conferences & Seminars (Attendance advice, registrations etc)
- Stationery Requirements (Business Cards, Name Badges etc)
- Computer/Laptop Issues (i.e. emails, calendars)
- iPad queries (also see Manager Information Technology)
- Mobile Phones
- Mobile Telephone Declarations
- Allowances and Reimbursements (Child care, Mileage, Car Parking etc.)
- Recording of Councillor Expenses
- Gift Disclosure Forms (for gifts received in the course of official Councillor Duties)
- Leave of Absence Application Forms
- Cabcharge Dockets request
- Security Swipe Card (replacement Cards and assistance with use of office after hours), and
- Councillors' Lounge Mailbox Keys

Councillor Emails and Enquiries

Councillor emails and enquiries are dealt with under the Councillor-Staff Interaction and Email Policy 2014 which sits in the code.



Policy statements

- The main aims of Council Meetings are to demonstrate:
 - Council is acting in the community's overall interests through its decision-making, and
 - Key Councillor' role as decision-makers and Officer' role as advisers. and
- These aims are complemented by the following Guidelines to guide how and why some reports to Council may be introduced by a Director.

Guidelines

Factors to consider when deciding items to be introduced

- Only strategically important reports would be introduced
- Introductions would be made by the CEO or Directors
- Introductions should be the exception rather than the rule, and must be brief
- Introductions should not be seen as a replacement for Councillor debate, and
- Introductions will be a fair and balanced outline of the options and reasons for recommendations presented in the report.

Implementing these decisions and supporting Councillors

- As the Draft Agenda is being finalised, the CEO and Executive will consider their recommendations regarding reports to introduced
- The CEO will subsequently discuss these recommendations with the Mayor and Councillors
- Final decisions as to the reports be introduced and who will do the introduction/s rests with the CEO
- Councillors will be advised of the final list of the reports to be introduced, no later than 9.00am on the day of the relevant meeting
- Where requested, the Executive will support Councillors to ensure that there is adequate discussion on these important items, and all Councillors will be kept in the loop as to the assistance requested and provided
- No new information will be included in introductions, unless authorised by the CEO and flagged with Councillors prior to the relevant meeting
- Introductions will be verbal, and there will be a time limit of 2 minutes
- Questions from Councillors may follow the introduction, but be limited to the introduction only. Councillors have an opportunity to clarify other matters covered in the report later - see Clause 5(4) of the Meeting Procedure Protocol, and

There will be a review of these new procedures prior to the end of the Council Term.

Special and other Council Meetings

Other circumstances will arise where it is desirable for the CEO, a Director, the Mayor or a Councillor to introduce a Report (e.g. Special Budget Workshop). In these instances, the above aims of Council Meetings and Guidelines would apply.