

## GUIDELINE ON INTERACTION BETWEEN ELECTED MEMBERS AND EMPLOYEES

Type	Governance
Category	Corporate & Community
Responsible Officer	Director Corporate & Community
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Applicable Legislation	Local Government Act 1999
Related Documents	Code of Conduct for Council Employees Code of Conduct for Council Members Fraud & Corruption Prevention Policy
Public Consultation Required	No
File Reference	9.63.1.4
Purpose	<p>To strengthen the working relationship between Elected Members and Council's Executive Management Team.</p> <p>To ensure that Elected Members receive advice to assist them in the performance of their civic duty in an orderly, courteous and regulated manner.</p> <p>To ensure Elected Members have clarity on which employees they can communicate with and the processes for contacting employees.</p> <p>To ensure employees understand their obligations with regard to providing information to Elected Members and the set service standards.</p>

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## 1. SCOPE

Port Pirie Regional Council acknowledges that Elected Members require access to Council information and employees in order to exercise their civic duties under the *Local Government Act, 1999* (The Act). Interactions between Elected Members and employees are necessary to facilitate well-formed policies and decisions and to provide optimum service delivery.

This Guideline applies to Elected Member requests for information from employees. It governs the interaction of Elected Members and Council employees, and as such is an enforceable part of the Code of Conduct.

Personal information regarding employees will not be provided to Elected Members. However, Elected Members have the ability to apply to the Chief Executive Officer to inspect an employees Register of Interest (Section 118 of the Act).

## 2. INTRODUCTION

Good governance and effective service delivery are dependent on a good working relationship between the Elected Members and employees. Working as a team to achieve the community's aspirations for the region is critical to the success of the organisation. This requires mutual respect of both employees and Elected Members of each others roles and responsibilities.

Good open and respectful communication is seen as critical to building strong working relationships between Elected Members and Council employees.

Good governance requires clear and effective communication protocols for Elected Members and senior employees which provide for courteous and respectful communication.

This Guideline outlines how effective communication and flow of information can be achieved between Elected Members and employees; it provides a table of service standards with regard to Councillor and employees interactions; and it provides a dispute resolution mechanism.

Interactions that are not conducted in accordance with these Guidelines may be inappropriate and contrary to the Council's Code of Conduct.

## 3. APPROPRIATE EMPLOYEES CONTACTS

The Chief Executive Officer authorises the following employees' interaction:

- Contact between Elected Members and Directors is appropriate for matters specific to that Director's area of individual responsibility.
- Contact with Council's Infrastructure Administration Assistant is appropriate for all Elected Member service requests and enquiries.
- Contact with other specific employees is appropriate as part of an Elected Member's role on a Committee, at Council events or meetings, and similar situations.
- Employees contact between Portfolio Councillors and Directors is appropriate for matters related to a specific portfolio.

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### **3. APPROPRIATE EMPLOYEES CONTACTS (cont'd)**

Apart from the instances above, all communication with Elected Members is to be made via the Chief Executive Officer or relevant Director.

### **4. PERSONAL INTERACTION BETWEEN ELECTED MEMBERS AND EMPLOYEES**

While this Guideline, and the Code of Conduct, governs the interactions between Elected Members and employees, it does not prevent Elected Members and employees from communicating generally. From time to time, Elected Members and employees may be present at social and community events. In such situations, both parties must refrain from discussing matters relating to Council business.

### **5. REQUESTS FOR SERVICE**

Elected Members are strongly encouraged to promote residents to report issues or requests for services direct to Council as per its *Request for Service Policy* in order for their issues to be accurately reported and promptly attended to.

Elected Members should make requests for service or report issues through the Council's service request system to ensure that Council has a record of the request, to allow this request to be monitored and to ensure that it is attended to within Council's service standards. Service requests can be made by:

- The *My Local Services* App
- Emailing ([techadmin02@pirie.sa.gov.au](mailto:techadmin02@pirie.sa.gov.au)) or telephoning (8633 9666) Council's Infrastructure Administration Assistant.

All customer service requests are logged and then sent to the relevant Council officer for a response. All Elected Member requests to the Service Request System will be acknowledged by email (with a reference number provided).

Where an Elected Member request requires the allocation of non-budgeted resources or expenditure of non budgeted funds, the Elected Member will be requested to consider putting forward a Notice of Motion.

If an Elected Member would like employees to contact and update a resident directly, they should indicate this in their request. When sending a service request, Elected Members should include sufficient information to enable employees to respond, for example, the name and contact details of a resident if employees are required to contact them.

### **6. REQUESTS FOR INFORMATION**

An Elected Member will be provided access to all documents held by Council that are relevant to the performance of the Member's functions or duties.

All Elected Member requests for Council information or documents must be directed to the Chief Executive Officer or relevant Director and will be recorded in the Register of Member's Requests. The request may be made in person, by phone or by e-mail.

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**6. REQUESTS FOR INFORMATION (Cont'd)**

Members are required where practical to make any requests for information/documents in a timely and considerate manner to minimise the impact on employees/public resources.

The request should:

- Identify the document/s or information being sought with enough detail for the document/s or information to be identified and retrieved.
- State the reason(s) for the request.
- Form of access preferred by the Member eg read only, copies provided, and electronic pdf.

Unless there is a clear and valid reason to the contrary, an Elected Member will be provided access to information or document/s if they are held by Council. Where access to a document is not provided, the reason for denial of such access should be given to the Elected Member in writing.

The 'form of access' to the document/s will be negotiated with the Elected Member to take into consideration the particular needs of the Member, administrative efficiency and the degree of sensitivity in relation to the document. Access to information will be in accordance with statutory requirements and best practice from a probity and process perspective. In some cases, access may be limited to 'view only' at a mutually convenient time at the Council office.

Where access is granted to a document or other information of a sensitive nature, a copy of the e-mail advice will also be sent to other Elected Members. A general principle is that advice or information to one Member should be available to all.

The Chief Executive Officer should indicate to Elected Members, if information contained in the document is, or should be considered as confidential. Elected Members must not use confidential information to gain advantage for themselves or for any other person or body, in ways which are inconsistent with their obligation to act impartially, or to improperly cause harm or detriment to any person or organisation.

Where an Elected Member requires an update on a project or issue that is not part of the customer request system they should contact the relevant Director or the Chief Executive Officer during business hours. The relevant officer will provide the Elected Member with the information requested (if the information is known to the officer and the request is in accordance with any relevant policy) within 24 hours. If the requested information is not known or not readily available, the officer will indicate to the Elected Member when it will be available.

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## **7. COUNCIL AGENDA AND REPORT ENQUIRIES**

Council reports are the formal means for providing advice to Elected Members and provides relevant data, issues, options and advice to enable Members to consider the matter and make a decision at the Council meeting.

It is expected and encouraged that Elected Members may wish to ask questions or seek clarification on a report prior to the Council meeting. Report authors will make themselves available prior to a Council meeting to assist Members with enquiries.

This practice will facilitate the smooth running of the Council meeting and improve the efficiency of the decision making process.

Information that is requested by an Elected Member that is relevant for an item to be debated by Council or is deemed relevant to all Elected Members, will be provided each Elected Member.

## **8. PERSONAL ENQUIRIES**

Elected Members and employees must follow the same process as all other members of the public if they require information, action or advice in relation to a personal or private matter.

Elected Members and employees should be mindful of the public perception of their request and direct all general enquiries to the Customer Request Service system as appropriate.

If an employee receives a request from an Elected Member which is not considered relevant to the Elected Member's civic duties, the Chief Executive Officer is entitled to require the Elected Member to demonstrate how the request relates to their civic duties.

If the Chief Executive Officer is not satisfied that the request relates to the Elected Member's civic duties, the Chief Executive Officer is entitled to refuse to action the request or advise the Elected Member of the normal process for members of the public to make such requests.

## **9. CONFIDENTIALITY**

The information provided for Elected Members is generally intended for their information only and emails should not be copied to residents without the authors consent. Council employees provide support to Elected Members with the responses provided for the information of Elected Members only, in accordance with the provisions of the Local Government Act.

Employees will endeavour to indicate to Elected Members if a response contains confidential information and it is not in the public interest to circulate to residents.

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## 10. SERVICE STANDARDS

Service Standards Item	Standard
Elected Member Service Request requests: Acknowledged	Within 1 business day
Elected Member Service Request: Response	Within 5 business days
Elected Member requests: Not through Service Request System	No service standard will apply
Elected Member request for information: Acknowledged	Within 1 business day
Elected Member request for information: Response	Within 5 business days
Phone calls to Directors during office hours	Office phone will be attended by either the Director or their assistant. Messages will be returned by an employee within 1 business day.
Phone Calls to the HelpDesk during office hours	HelpDesk phone will be attended by Customer Service employees. Messages left during office hours will be returned within a business day.
Phone Calls to the HelpDesk outside Office hours	Messages left will be returned within 1 business day

## 11. GRIEVANCE PROCEDURE

Should Elected Members be dissatisfied with the response provided in relation to their request or the time taken to respond they should, in the first instant, raise the issue with the relevant Director. If after this approach they are still dissatisfied with the outcome, the issue should be raised with the Chief Executive Officer. If the Elected Member is still dissatisfied with the outcome the issue should formally be raised via a Notice of Motion at a Council meeting.

Elected Members are encouraged to advise the Chief Executive Officer where an interaction is inappropriate.

Employees are empowered to advise Elected Members where an interaction is inappropriate and to refer them to these Guidelines. Alternatively, employees should inform their Manager or Director of any inappropriate actions.

## 13. FURTHER INFORMATION

This policy will be available for inspection at the Council offices listed below during ordinary business hours and available to be downloaded, free of charge, from Council's internet site: [www.pirie.sa.gov.au](http://www.pirie.sa.gov.au)

- Port Pirie Council Administration Centre, 115 Ellen Street, Port Pirie
- Crystal Brook Rural Office, Bowman Street, Crystal Brook

Copies will be provided to interested parties upon request, and upon payment of a fee in accordance with Council's Schedule of Fees and Charges.

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