

SUBJECT: <i>COMMUNICATION BETWEEN COUNCILLORS AND THE GENERAL MANAGER</i>	FILE NO:	PER/0300
ADOPTED BY COUNCIL ON: 14 June 1994	MINUTE NO:	126.06.94
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Introduction

It is the policy of the Flinders Council to encourage open and clear communication processes.

Objective

To outline the principles and protocols for communications between the General Manager and Councillors, and between Councillors, in the carrying out of Council business.

Day to Day

The Mayor liaises with the General Manager regarding the activities and decisions of the Council and the performance of its functions and exercise of its powers. The Mayor is the conduit for information flow between the General Manager and Councillors.

Significant Events

The General Manager will alert the Council through the Mayor regarding any:

- out of the ordinary events that occur that may have effect on the community or the perception of the community regarding the reputation, functions and responsibilities of the Council;
- potential safety issues that may have impact on the community or section of the community;
- significant or material impact on the budget or progress toward achieving the objectives of the Annual Plan;
- factor that arises that is likely to put Council assets at risk or impact on any risk management plan;
- potential legislative or regulatory disputes, including but not limited to unfair dismissal claims, discrimination applications, or alleged Workplace Health and Safety breaches;
- events that could be reasonably determined as having prospective consequence on the activities, functions, performance, or powers of the Council.

The General Manager will need to exercise judgment on the timing on contact with the Mayor regarding many of the events or situations relating to the above criteria; having regard for the accuracy and reliability of information to be provided, balanced against the primacy of informing the Council in a reasonably practical time.

Councillors who become aware of a “significant event” of which they have not previously been informed by the General Manager should inform the Mayor immediately and maintain a level of discretion until such time as the Mayor liaises with the General Manager to ascertain the facts of the matter. The Mayor will report back on the matter at the earliest convenience.

Disputes regarding such judgments are to be dealt with between the General Manager and the Mayor, acting on behalf of the Council collective.

Meeting Agendas

The General Manager is required to provide all relevant documentation and information relating to agenda items in a timely manner as per the requirements of the *Local Government Act 1993*.

- Early distribution of large documents relating to upcoming agenda items is appreciated by Councillors.
- Early lodgement of Notices of Motion is appreciated by the General Manager and staff to allow sufficient time for information to be obtained for the Officers Reports

Any dispute or concern over timing of the delivery of the agenda should be directed through the Mayor.

Information

An individual Councillor may request in writing for the General Manager to provide any document or information that may be required to perform the Councillor’s functions or that relates to agenda items, except personnel files. The written request should outline the relevance of the request to the Councillor’s functions and identify any document by name, title or specific subject matter. If the General Manager were to refuse any such request, the decision and associated reason must be given via a written reply to the Councillor. Process regarding pecuniary interest and confidentiality outlined under Section 28 of the *Local Government Act 1993* must be complied with.

General Communication Principles

- Communication is professional, respectful and courteous;
- Communication is to be calm, no raised voices;
- One person speaks at a time - we cannot talk and listen;
- Actively Listen, make sure that what you hear is the same as what the speaker is saying. If in doubt query the speaker to clarify their meaning.
- Disrespectful behaviour, bullying and harassment are not to be tolerated and are to be addressed and corrected as per Council’s Antidiscrimination, Harassment & Bullying Policy or via Code of Conduct complaints.

Related Legislation, Regulations and Policies

Local Government Act 1993

Section 27. Functions of Mayors and Deputy Mayors
(ba) to liaise with the general manager on the activities of the council and the performance of its functions and exercise of its powers;

Section 28. Functions of Councillors

Section 28A. Information and documents relating to functions

Section 28B. Requirement to make information and documents available

Section 28C. Confidentiality undertaking

Section 62. Functions and powers of general manager

This policy interacts with the principles of the Flinders Council's Code of Conduct for Elected Members, specifically Principle 4.

Responsibilities

The responsibility of this policy rests with the General Manager and the Mayor

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