



Policy Type

Council

Policy Purpose

This objective of the policy is to:

- (1) define protocols established by the Chief Executive Officer for communication between Elected Members and the administration. This policy prescribes the way Elected Members are to interact with employees to ensure duplication and loss of productive time is minimised; and
- (2) ensures the quality and consistency of information provided to the community and Elected Members.

Policy Statement

1. Communication between Elected Members and Staff

- 1.1 Elected Members and staff interact in the following ways:
 - 1.1.1 At information briefings and workshops for Elected Members on matters of importance, including Council Meeting Agenda Briefings
 - 1.1.2 Via email
 - 1.1.3 Face-to-face meetings, by appointment
 - 1.1.4 Via telephone
 - 1.1.5 Via the Elected Member portal (LG Hub)
 - 1.1.6 At events conducted on behalf of the City of Cockburn

- 1.2 The following staff positions are available for Elected Members to directly contact in relation to matters which impact their responsibilities:

- 1.2.1 The Executive (CEO and Executive Committee)
- 1.2.2 Media officers (Mayor only)
- 1.2.3 Executive Officer/Assistants
- 1.2.4 Minute Clerk

Any other direct contact must only be where approved in writing by the CEO or Executive Committee.

- 1.3 Staff contact with Elected Members must be via the Executive Officer to the Mayor and Councillors, or as authorised by the Executive Committee.

- 1.4 Such contact must not seek to be directive or influential in nature and will only result in outcomes which are mutually acceptable, or otherwise agreed upon by both parties



2. Speaking on behalf of the City/Council
 - 2.1 Media Relations
 - 2.1.1 In accordance with the *Local Government Act 1995*, only the Mayor may speak on behalf of the City, or the CEO, if authorised by the Mayor and other officers delegated by the Chief Executive Officer.
 - 2.1.2 When speaking to the media as spokesperson for the City, the Mayor may only represent the official view of the City, having regard to the City's *Code of Conduct*, the *Local Government Act 1995* and the *Local Government (Rules of Conduct) Regulations 2007*.
 - 2.1.3 When speaking to the media or commenting on social media, Elected Members must make it clear that the opinion 'is their personal view' in order to avoid any perception that they are expressing the view of Council, unless it is to confirm a decision of Council.
 - 2.1.4 Elected Members when speaking to the media or commenting on social media against a Council decision, need to be cognisant of comments which could be construed as being in breach of the *Local Government (Rules of Conduct) Regulations 2007*.
3. Representing the City at Functions and Events
 - 3.1 The Mayor or, when unavailable, the Deputy Mayor, is the City's official representative at civic functions and events. In the event that neither is available for a specific event, the Mayor will nominate one of the following in order of preference.
 - 3.1.1 Relevant Ward Councillor
 - 3.1.2 Councillor with a specific interest
 - 3.1.3 CEO (or delegate).
4. Customer and EM Requests
 - 4.1 Customer Requests for Service where Elected Members are supporting a customer in engaging with the administration.
 - 4.1.1 In the first instance, Elected Members should encourage customers to directly contact the City by email to customer@cockburn.wa.gov.au;
or
 - 4.1.2 Elected Members to email requests for service on behalf of a customer to emCustRequests@cockburn.wa.gov.au
 - 4.2 Elected Member requests are to be emailed to EMRequests@cockburn.wa.gov.au.



4.2.1 Where an EM Request is received by officers as per clause 1.2, officer may raise an EM Request on behalf of the Elected Member through the EM Request channel.

5. Requests for information

5.1 Requests for information should be sent by email to EMRequests@cockburn.wa.gov.au

5.2 Information provided to one or more Elected Members will be offered to or provided to all other Elected Members, at the discretion of the relevant officer. Information not provided directly to members (in either hard or electronic copy) will be located in the Elected Members “Hub”, as will all other documents proactively provided by the Administration.

5.3 The CEO is authorised to release corporate images of events taken by the City to Elected Members at the request of an Elected Member via the elected Member Request process, should this request be socially and culturally appropriate.

5.4 Requests for information in this regard are to be relevant to Council business.

5.5 Current Council business is usually a matter currently before the Council or a Committee or likely to come before the Council or a Committee in the future.

5.6 A request for information relating to non-current matters may be fulfilled if it does not cause an unreasonable workload for officers, thereby deflecting them from current Council business.

5.7 The CEO may impose conditions as to the use of information supplied, or as to access to or custody of documents provided in response to a request.

5.8 Access to information will not usually be given to a Council or Committee member who appears to have a financial interest in a matter, beyond the information that would ordinarily be made available to a person under s5.94 of the Act.

6. Maintaining Confidentiality/Embargoed information

6.1 Elected Members must not promote City information to the community that has not already been released or published, or until such time as the Mayor, as spokesperson for the City, has had an opportunity to speak.

6.2 The CEO, or representative, will advise verbally, or in writing if appropriate, where information is deemed to be confidential in nature or embargoed. Such documents will be clearly marked ‘confidential’ or embargoed.



7. Related Statutory Requirements

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

- 7.1.1 *State Records Act 2000* requires that all correspondence, including email, relating to the business of the City and the Council, must be retained in the official records of the City.
- 7.1.2 Sections 2.8(1)(d) and 5.41(f) of the *Local Government Act 1995*, provides that only the Mayor may speak on behalf of the City (or the CEO, if authorised by the Mayor to do so).
- 7.1.3 Section 5.92 of the *Local Government Act 1995* gives the right of access to Council and Committee Members to any information held by the local government that is relevant to the performance of their functions.
- 7.1.4 *Freedom of Information Act 1992* requires the preservation of correspondence and its availability. This Policy does not affect any right of access to information under the *Freedom of Information Act*.
- 7.1.5 Section 5.93 of the *Local Government Act 1995* provides that an Elected Member (and employees) must not make improper use of any information acquired
- 7.1.6 Regulation 6 of the *Local Government (Rules of Conduct) Regulations 2007* provides for Elected Members to maintain confidentiality.
- 7.1.7 Regulation 7 of the *Local Government (Rules of Conduct) Regulations 2007* provides for Elected Members being required to refrain from using their position to secure advantage or seek to disadvantage others.
- 7.1.8 Section 5.34 of the *Local Government Act 1995*, provides that the Deputy Mayor may perform the functions of the Mayor as the case requires, if the office of the Mayor is vacant or the Mayor is not available, or unable, or unwilling to perform the functions of the Mayor.

Title	Elected Members Communication
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