



Governance Framework



www.cockburn.wa.gov.au

Figure 1 City of Cockburn Draft Governance Framework cover photo - Photo of Bibra Lake

Table of Contents

1. Introduction.....	5
2. Definitions.....	8
3. Local Government.....	10
3.1 Role of Local Government	10
3.2 Good Governance in Local Government.....	11
4. Principle One: Vision and Culture.....	14
4.1 Vision	14
4.1.1 Vision, Purpose and Values	14
4.1.2 Integrated Planning and Reporting Framework	14
4.2 Culture.....	15
4.2.1 Support for frankness, honesty and questioning	15
4.2.2 Ethical behaviour.....	15
4.2.3 Fraud, misconduct and corruption.....	16
4.2.4 Confidentiality.....	17
4.2.5 Innovation.....	17
4.2.6 Effective management structures and practices	17
4.2.7 Communication	17
4.2.8 Learning and feedback.....	17
4.2.9 Induction.....	18
5. Principle Two: Roles and Responsibilities.....	19
5.1 Roles and Responsibilities	19
5.1.1 Role of Council	20
5.1.2 Role and Responsibilities of the Mayor.....	20
5.1.3 Role and Responsibilities of the Deputy Mayor	21
5.1.4 Roles and Responsibilities of Elected Members	22
5.1.5 Role and Responsibilities of Chief Executive Officer	23
5.1.6 Role and Responsibilities of Employees	25
5.2 Relationships Between Roles	25
5.2.1 Working relationships between Mayor and Councillors	26
5.2.2 Working relationships between Mayor and CEO	27
5.2.3 Working relationships amongst Elected Members	27
5.2.4 Working relationships between Elected Members, CEO and Employees.....	28
6. Principle Three: Decision Making and Management.....	29
6.1 Decision-making and Management.....	29
6.1.1 Decision Making Forums.....	29
6.1.2 Interests	31
6.1.3 Decisions on Land Use Planning and Development	33

6.1.4	Financial Management	33
6.1.5	Risk Management	34
6.1.6	Delegations	35
6.1.7	Authorisations	35
7.	Principle Four: Accountability	36
7.1	Accountability	36
7.1.1	Performance management.....	36
7.1.2	Compliance	37
7.1.3	Audit Risk and Compliance Committee.....	37
7.1.4	Community Consultation and Engagement.....	38
7.1.5	Customer Service and Complaints Management.....	40
7.1.6	Records Management.....	41
7.1.7	Legislative Obligations	41
Contact	43



Acknowledgement of Country

The Mayor, Councillors and staff of the City of Cockburn acknowledge the Whadjuk Nyungar people of Beeliar boodja as the traditional custodians of this land. We pay our respect to the Elders, past, present and emerging.

1. Introduction

A corporate governance framework ensures the City of Cockburn is able to provide services and facilities, by proper and democratic government, to the broad range of people who have a Stakeholder interest in the region, including residents, commercial and retail business, workers, and local, national and international visitors.

Governance is an important concept and impacts on all sectors of the Community.

The practice of good governance is increasingly seen as critical for ensuring that:

- the organisation meets legal and ethical compliance
- decisions are made in the interests of all Stakeholders
- the organisation behaves as a good corporate citizen should.

The City's Governance Framework:

- provides clear guidelines for the roles of the Council, Elected Members and the CEO, ensuring that all responsibilities are properly allocated and performance expectations are well understood
- preserves best practice in relation to 'board processes' (which are relevant to the elected Council)
- assists Council and the CEO in delivering good governance
- ensures legal and ethical compliance
- influences processes throughout the organisation by setting guidelines for strategic planning at all levels
- acts as a point of reference for disputes
- assists as an induction tool for new Elected Members and employees.

The principles and practices of good governance and guiding documents plot the specific processes of decision-making by which the City is directed, controlled and held to account. Good governance ensures that the City is able to manage its many complex responsibilities effectively in the best interests of the Community.

For an organisation to demonstrate good governance, there needs to be a clear understanding about responsibility and accountability. This Governance Framework has been produced to set out the roles of Elected Members and the organisation, and their relationships, along with financial, legal and ethical considerations.

The City's Framework consists of four key principles required to achieve excellence in governance, developed by CPA Australia, Excellence in Governance for Local Governments offers the four principles that provide a clear foundation for good governance and a means for assessing the extent to which good governance is occurring at the City. The City has based this Framework on these nationally recognised principles.

Each principle is divided into sub-categories where the theory of the principle is explained and how the theory is put into action at the City.

Principle One – Vision and Culture

There is a positive culture that promotes openness and honesty, in which constructive and respectful questioning is encouraged and accountability is clear.

There is a clear vision and Strategic Community Plan produced through a comprehensive and inclusive process, which is owned by all sectors of the Community.

Principle Two - Roles and Relationships

There is clarity about the roles within local government and there exists a sophisticated approach to defining and implementing these.

There are effective working relationships that are promoted and supported within and between the Mayor, Councillors, CEO and Administration.

Principle Three - Decision-Making and Management

There are effective decision-making processes in place that reflect the transparency and accountability which underpin excellence in local government.

There is robust and transparent financial management established and maintained to meet the City's accountability to its Stakeholders, particularly in terms of stewardship of Community assets, both now and into the future.

An effective approach to the identification, assessment, monitoring and management of risks is established and maintained.

Effective delegations are implemented and maintained to enable Council to focus on strategic issues.

Principle Four - Accountability

The City must account for its activities and have systems that support accountability.

The City has an active performance management system in place that enables Elected Members and employees to be openly accountable for their performance.

The City has internal structures that provide for independent review of processes and decision-making to assist Council meet its accountability to Stakeholders.

Consultation is undertaken that is appropriate to the scope and potential impact of the matter. It respects the position and opinion of all Stakeholders. The outcomes of the consultation are taken into account when the decision is made and feedback is provided to those who participated.

2. Definitions

Capitalised terms referred to in this Framework are defined below:

Term	Definitions
Act	<i>Local Government Act 1995.</i>
Administration	The operational arm of the City of Cockburn which includes the employees and is headed by the CEO.
ARC	Audit Risk and Compliance Committee established pursuant to section 7.1A of the Act.
CEO	Chief Executive Officer of the City of Cockburn.
City	The City of Cockburn, including the Council and the Administration.
Committee	A committee of Council established under Section 5.8 of the Act.
Community	The entire population in the local government area of the City of Cockburn, including persons who work in, or visit the local government area for recreational or similar reasons.
Corporate Business Plan	A four year plan (which is updated on an annual basis) that can be considered a contract with the Community detailing how the City will deliver on the commitments set out in the Strategic Community Plan.
Council	means the Council of the City of Cockburn
Council Meeting	A formal meeting of Council conducted in accordance with the Act and applicable local law.
Councillor	An individual Elected Member of a local government but does not include the Mayor.
Department, the	Department of Local Government Sport and Cultural Industries.
Divisional Chiefs and Divisional Executives	The executive positions in the Administration directly responsible to the CEO.
Elected Member	An elected representative of the local government.

Term	Definitions
Employee	An employee of the local government including casual or contract employees.
Executive Committee (Ex Co)	The CEO, Divisional Chiefs and Divisional Executives.
Framework	This document: <i>City of Cockburn Governance Framework</i> .
Mayor	A person elected by the community to hold the position as the elected leader of the local government for a term as specified by the Act.
Risk	The effect of uncertainty on objectives – as defined by Australian Standard <i>AS ISO 31000:2018 Risk Management -Guidelines</i> (AS ISO 31000).
Risk Management	<p>The coordinated activities to direct and control an organisation with regard to <i>risk</i> (AS ISO 31000).</p> <p>In consideration of governance, this means providing the necessary foundations and organisational arrangements for managing risk across the City, as outlined in the <i>City of Cockburn Risk Management Framework</i>. This framework outlines a standardised, consistent approach to risk management in accordance with current industry standards, whilst providing a best practice methodology that meets the requirements of the <i>City of Cockburn Risk Management Policy</i>.</p>
Senior Leadership Team (SLT)	City of Cockburn team comprising the Executive Committee and Business / Service Unit Heads.
Stakeholders	Individuals and organisations that have an impact on the strategic direction and decision-making processes of the City.
Strategic Community Plan	An overarching plan that provides the highest level of direction for all activities that guides the development and provision of the City's projects, services and programs over a ten year period.

3. Local Government

3.1 Role of Local Government

Local government is the third tier of government in Australia. Local government was established in Western Australia pursuant to the *Local Government Act 1995* (the Act) and has legislative responsibility for many functions and activities that are relevant to a local community. As the level of government often seen as closest to the population, local government activities relate to matters that are fundamental to people's lives and impact significantly on their quality of life.

Under the Act, each local government is an independent corporate body - a legal entity with power to do things for the local community, enter into legal agreements, and can also sue and be sued.

A local government consists of:

- Council - comprising a Mayor/President and Councillors, collectively known as Elected Members
- Administration - comprising a Chief Executive Officer (CEO) and Employees.

The following principles apply to the Council:

- Elected Members are able to exercise authority as a Council after they are formally sworn in and when they meet as Council.
- All lawful decisions are made at Council meetings or through delegated authority (to CEO or the Council's Committees) pursuant to s5.8 of the Act.

The CEO is the sole Employee appointed by Council, the CEO's role is detailed in section 5.41 of the Act, and includes, but is not limited, to:

- advising Council;
- implementing Council decisions;
- managing the services that the local government provides for its community; and
- being responsible for the day to day operations of the local government.

3.2 Good Governance in Local Government

At the City, governance is the term used to describe the complex collection of processes, systems, rules and relationships under which decisions are made and control is exercised. The practice of good governance is increasingly seen as critical for ensuring that:

- the governance of organisations has a legal and ethical basis
- decisions are taken in the interests of Stakeholders
- the organisation behaves as a good corporate citizen.

In order to act on behalf of the whole community and provide leadership and direction that affects the community that has elected them, democratic governments must meet specific governance demands.

This Framework provides the mechanism, principles and processes for the City, as a local government, to practice good governance during the course of operations and delivery of services to the Community, and be held accountable by its Stakeholders to ensure that the City is able to manage its many complex responsibilities effectively and in the best interests of the Community.

Governance encompasses:

- authority – for example, the independent review by the City’s Governance Service of Council agendas and meeting minutes and compliance review of officers’ and Elected Members’ Annual Returns and declarations of interest
- accountability – for example, officer’s annual performance reviews
- stewardship – for example, championing the area’s environmental and cultural heritage
- leadership – for example, reaching out to vulnerable community members through the *City of Cockburn Vulnerable Communities Plan (Covid-19)*
- culture, ethics and values – for example, the Employee of the Year Award, which recognises and rewards those Employees who display the values and ethics extolled by the City.

This provides the democratic basis, which is essential to an understanding of good governance in the local government sector.

Good governance involves a focus on:

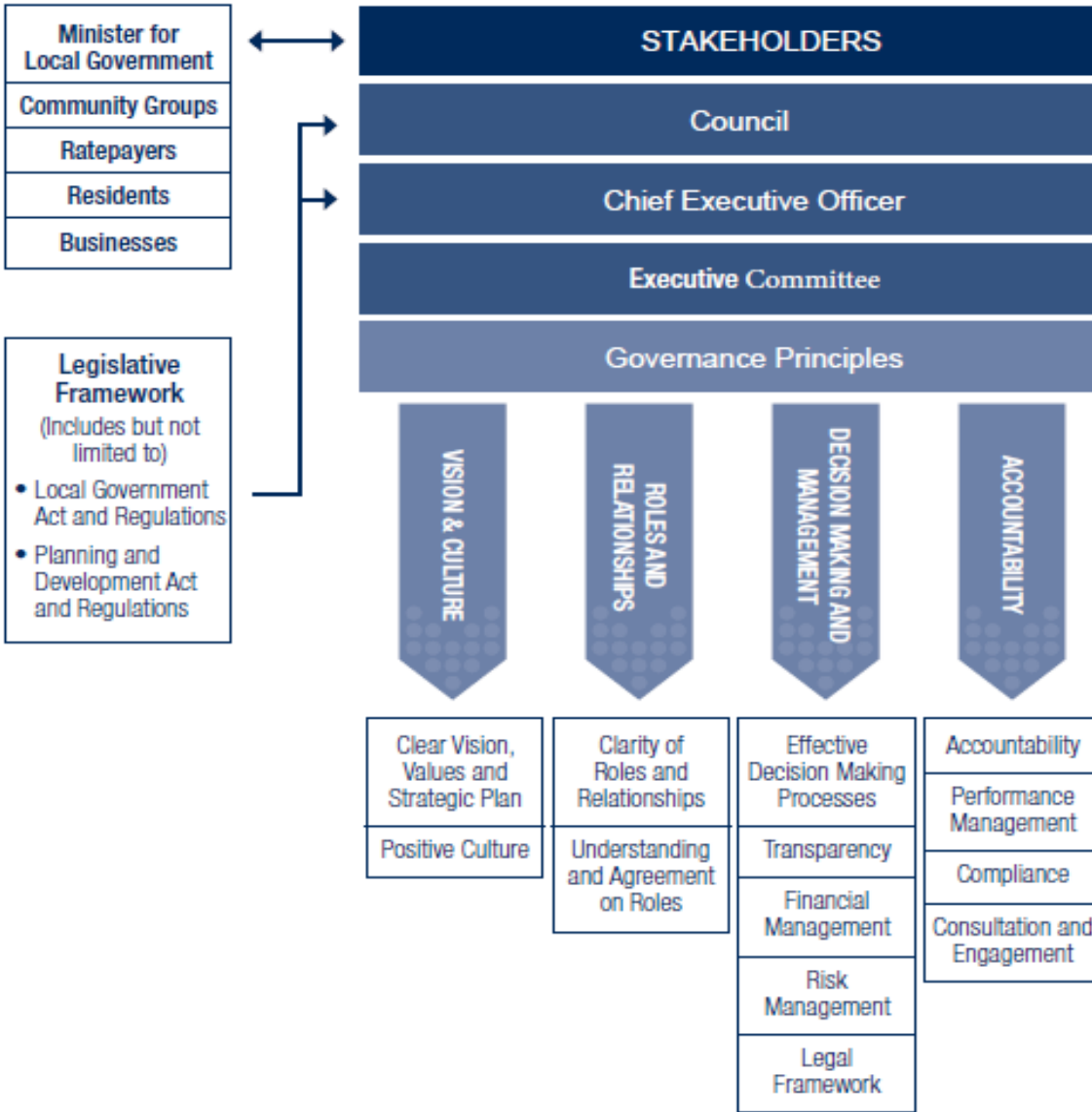
- clarity of roles and responsibilities
- robust systems which support both internal and external accountability
- public access to decision-making and information.

Good governance in local government combines the characteristics of good governance and the definitions and roles of local government and requires:

- Councils being elected by, representative of, and accountable to the Community
- Elected Members making decisions in the best interests of the residents of the City as a whole
- Policies and programs reflecting the mandate Councils have been given by their electors
- policy enactment arising from the Strategic Plan with appropriate performance management to assess the Council's progress
- Community participation in governance
- Mayor and Councillors providing leadership to the Community and reflecting the Community's collective aspirations
- a management structure which implements the Council's goals in accordance with Council's priorities and approved budget
- provision of services which meet the Community's needs (sometimes in partnership with other levels of government, business or community organisations)
- local government being well placed to facilitate coordination and integration at a local level
- cooperation between local governments.

The established local government governance structure in the City is illustrated below:

Governance Structure



4. Principle One: Vision and Culture

4.1 Vision

The City's vision, purpose and values guide the City's future direction, to make Cockburn the best place to be.

4.1.1 Vision, Purpose and Values

Council's vision is "Cockburn the best place to be". The purpose is to "support our communities to thrive by providing inclusive and sustainable services which reflect their aspirations.

The City has in place a strategic/corporate planning process that includes a Vision, Strategic Community Plan and Corporate Business Plan. All Stakeholders have the opportunity to participate in the development of the Long Term Financial Plan (LTFP) and other Informing plans and these documents inform the Corporate Business Plan and budget and underpin policy development and service delivery.

Everyone at the City is expected to have a good understanding of the Strategic Community Plan, Corporate Business Plan and the LTFP, as they relate to the direction in which Council is going.

4.1.2 Integrated Planning and Reporting Framework

The City has implemented the Integrated Planning and Reporting Framework (IPRF) to ensure integration of Community priorities into strategic planning for Council, as well as implementation of the objectives that have been set from these priorities.

The IPRF requires each Local Government to have three levels of integrated strategic planning, informed and supported by appropriate resourcing and asset management plans. The key components of the IPRF are:

- Strategic Community Plan
- Corporate Business Plan
- Informing and Specific Purpose Strategies.

LTFP is a summary of an integrated approach to resources and planning is outlined **Error! Reference source not found.** below, which depicts the components that make up the City's IPRF and illustrates how all of the elements of the IPRF fit together to deliver the Community aspirations:

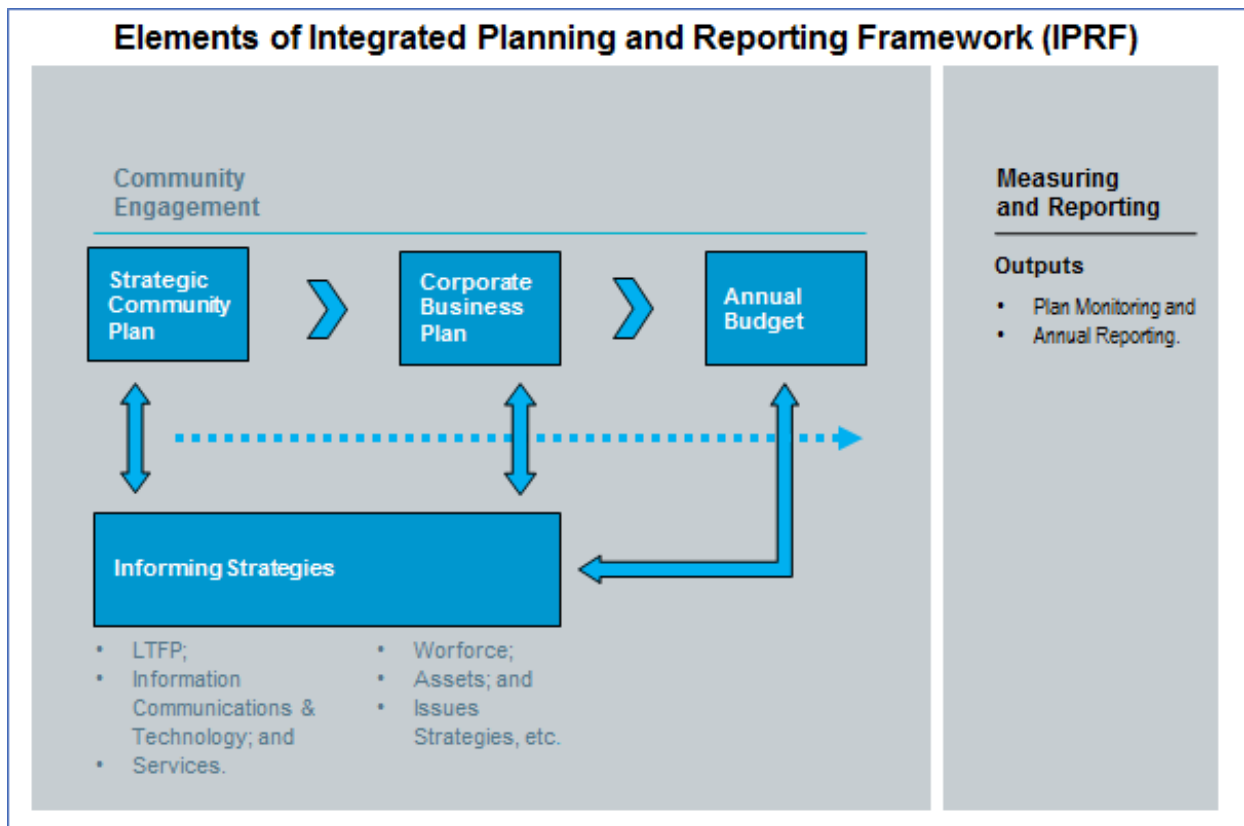


Figure 2: Elements of the City of Cockburn Integrated Planning and Reporting Framework (IPRF)

4.2 Culture

4.2.1 Support for frankness, honesty and questioning

Elected Members debate issues openly and honestly. Staff members provide frank and timely advice to the CEO and the Executive Committee, and the CEO and the Executive Committee provide sound and frank advice to Council.

4.2.2 Ethical behaviour

Good governance is characterised by honesty and integrity. Elected Members and Employees will behave in a way that generates community trust and confidence in them as individuals and enhances the role and image of both Council and local government generally.

The City has two Codes of Conduct, one for Elected Members (including committee members and candidates) and one for Employees, in accordance with the requirements of the Act.

The Council has adopted a *Code of Conduct for Council Members, Committee Members and Candidates* Elected Members are expected to conform to the requirements of the *Local Government (Model Code of Conduct) Regulations 2021* as well as owning and adhering to the City's core values. The City reviews the Code of Conduct following each election cycle.

The *Code of Conduct for Council Members, Committee Members and Candidates* is based on the Local Government (Model Code of Conduct) Regulations 2021 and includes:

- general principles to guide behaviour
- certain requirements relating to behaviour (which if breached are investigated by the City in accordance with the Code and the City's Compliments, Feedback and Complaints Policy)
- provisions specified to be rules of conduct (which if breached are investigated by the Department of Local Government, Sport and Cultural Industries' Local Government Standards Panel).

City officers are also expected to own and adhere to the City's core values as a condition of employment in accordance with *The Cockburn Way - Code of Conduct for Employees* which includes conduct provisions such as:

- the behaviours expected of Employees in relation, but not limited to:
 - the performance of an Employee's duties
 - dealings with other Employees and the broader community
 - the use and disclosure of information
 - the use of City resources and City finances
- how records are to be kept
- gifts and other disclosures
- reporting mechanisms and management of suspected breaches of the code and suspected unethical, fraudulent, dishonest, illegal or corrupt behaviour.

4.2.3 Fraud, misconduct and corruption

The City expects Elected Members, Committee Members and Employees act in accordance with their respective codes of conduct and behave ethically and honestly when performing their functions and during their interactions with each other, the Community and all Stakeholders of the City.

In support of the behavioural expectations, the City has also developed a Fraud, Misconduct and Resilience Framework which articulates the City's "zero tolerance" position on fraud and misconduct. It also details the internal controls in place and the expectations that are placed on Elected Members, Committee Members, Employees and the broader community, to prevent, identify and report such activity.

4.2.4 Confidentiality

Local government business involves significant amounts of confidential information being supplied or maintained. This information could be about commercial matters, individuals or businesses or legal issues. The Act, Regulations and the Codes of Conduct detail how general information and confidential information is to be treated, accessed and used by Elected Members and employees.

Elected Members, committee members and Employees must not make improper use of information in the performance of their duties to gain directly or indirectly an advantage for themselves or another person, or to cause detriment to the City. Confidential information, or information that is deemed confidential by the CEO must not be disclosed, unless authorised by law or the respective Code of Conduct.

4.2.5 Innovation

The City considers new and better ways of going about its business in the achievement of its goals. Innovation will be assessed critically through the development of an Innovation Framework and by using appropriate Risk Management and other analysis.

4.2.6 Effective management structures and practices

The organisation has a management structure that meets its goals and needs and the structure is characterised by efficient and effective use of human resources and clear accountability. This management structure is documented in the City's Policy Structure for Administering the City.

The City's Workforce Plan and management practices reinforce accountability and outcomes and incorporate Employee capacity building to meet the City's operational objectives.

4.2.7 Communication

The City has effective communication policies and practices, internally and externally and will be open to, and encourage, feedback from all Stakeholders.

In addition, the City has an adopted communication strategy which describes mechanisms by which community engagement is undertaken and reviewed.

4.2.8 Learning and feedback

The City invests in training both for Elected Members and Employees to improve performance and capacity.

In their first twelve month's from being elected, Elected Members are required to

undertake mandatory training around a number of core competencies important for an Elected Member to understand and to help them fulfill their role in public Office.

The Act also requires local governments to adopt a policy for continuing professional development for Elected Members which must be reviewed every two years after the biennial local government elections. For this purpose, the City's Elected Members Professional Development Policy contains the training and development provisions for Elected Members and the parameters and budget allocations made for training and development.

4.2.9 Induction

The City has in place effective induction programs to communicate the City's culture to Elected Members and Employees.

Induction and Training for Elected Members assist in understanding local government, governance in local government and how to operate effectively to produce good outcomes for their Community. The Induction Program focuses on:

- the differing but complementary roles of Elected Members and officers;
- working relationships
- decision making processes
- responsibility, accountability and delegations
- conduct and ethical standards of behaviour
- functions, services and activities of the City
- organisational values and culture.

5. Principle Two: Roles and Responsibilities

5.1 Roles and Responsibilities

Good governance at the City is underpinned by an understanding and acceptance of the different roles at the City, and cooperation between all parties. The relationships between Elected Members, and between Elected Members and the CEO, respects the diversity of opinion and the rights of all points of view to be heard with courtesy and respect.

The Mayor has a leadership role for Council and is the City's civic leader.

The Act recognises the role of the Mayor, as the spokesperson for the City, to carry out civic and ceremonial functions of the Mayoral office, and to chair the meetings of Council.

The City places great importance in the role of the Mayor as presiding member of the Council Meetings as well as to conduct meetings to facilitate good decision-making.

The Mayor's leadership role is very important when it comes to good governance. The Mayor will seek to ensure that all Councillors are a part of the decision-making process, and will help Councillors to balance their accountabilities to their constituents and their accountability to Council as a whole and therefore to the wider community.

Councillors focus on outcomes, policy and strategy and in so doing are expected to:

- represent and advocate on behalf of their constituents at the Council level
- facilitate communication between Council and the Community
- debate issues in an open, honest and informed manner to assist the decision making process
- keep the entire Community in mind when considering and addressing issues and focus on the 'big picture'
- inform and involve the Community in all local government activities and processes
- work together, cooperate and respect diversity
- provide model leadership and good governance.

Council recognises the CEO's role in managing the organisation to achieve the goals and strategies endorsed by Council, and the CEO is expected to fulfil these duties in a way that promotes an organisational culture of openness, accountability, fairness and good communication. The statutory functions of the CEO are prescribed in section 5.41 of the Act.

5.1.1 Role of Council

In accordance with section 2.7 of the Act, the Council is charged with the following responsibilities:

Governing the City's Affairs

This role encompasses strategic planning mechanisms to ensure the continued sustainability of the organisation, the setting of strategic goals for the organisation and the monitoring of the City's performance against these strategic goals.

Responsible for the Performance of the City's Functions

This role determines that Council has ultimate responsibility for the performance of the City's functions. Council can exercise this responsibility through the development of appropriate governance frameworks including delegations of authority, the determination of an appropriate organisational structure, the provision of services and facilities, and regular reporting against objectives. Council also appoints and undertakes the annual performance review of the CEO.

Overseeing the Allocation of the City's Finances and Resources

The Council exercises this role by overseeing and adopting the City's LTFP, Annual Budget. Council is advised by the CEO and Employees who are responsible for the professional development of appropriate financial controls and strategic documents.

Determining the City's Policies

The role of Council in setting policy is most effective when it is linked with a professional organisation that implements these policies through the development of appropriate management practices and work processes. The policies of the Council provide the direction for the ongoing management of Council activities.

The general function of local government is 'to provide for the good government of persons in its district'. This general function is the basis of the City of Cockburn's powers.

5.1.2 Role and Responsibilities of the Mayor

Section 2.8(1) of the Act defines the role of the Mayor as follows:

The Mayor:

- (a) *Presides at meetings in accordance with the Act.*
- (b) *Provides leadership and guidance to the community in the district.*
- (c) *Carries out civic and ceremonial duties on behalf of the local government.*
- (d) *Speaks on behalf of the local government.*

- (e) *Performs such other functions as are given to the Mayor or President by the Act or any other written law.*
- (f) *Liaises with the CEO on the local government's affairs and the performance of its functions.*

The Mayor also has the following role, which is similar to Councillors as outlined in section 2.10 of the Act:

- (a) *Represents the interests of electors, ratepayers and residents of the district.*
- (b) *Provides leadership and guidance to the community in the district.*
- (c) *Facilitates communication between the community and the Council.*
- (d) *Participates in the local government's decision making processes at Council and Committee meetings.*
- (e) *Performs such other functions as are given to a councillor by the Act or any other written law.*

The role of the Mayor can be categorised as:

- Governance
- Presiding Member of Council
- External relations
- Media liaison and public relations
- Supporting the community
- Civic and ceremonial.

The 'Governance' and 'Presiding Member of Council' functions of the Mayor are critical to good governance as they cover leadership of the City and the community, and ensure that the decision-making processes are fair, equitable and inclusive.

5.1.3 Role and Responsibilities of the Deputy Mayor

Section 5.34 of the Act states the Deputy Mayor may perform the functions of the Mayor if:

- (a) *The office of Mayor is vacant or*
- (b) *The Mayor is not available or is unable or unwilling to perform the functions of the Mayor.*

5.1.4 Roles and Responsibilities of Elected Members

The Act and relevant Regulations set out the legislative framework within which the Elected Members operate and from where they derive specific details of their roles and responsibilities.

Elected Members have a fiduciary relationship with the City. That is, they have a duty to act with fidelity, trust and in the interests of the City and the overall Community – not for themselves or other third parties.

An individual Elected Member has no authority to make decisions or to participate in the day-to-day management or operations of the City. This includes making any form of representation on behalf of the Council or the City, unless they are specifically authorised by Council to do so.

The *Code of Conduct for Council Members, Committee Members and Candidates* also prevents Elected Members from undertaking tasks that contribute to the administration. Elected Members have no direct authority over Employees with respect to the way in which they perform their duties.

Section 2.10 of the Act outlines the role of Councillors as follows:

A Councillor:

- (a) *Represents the interests of electors, ratepayers and residents of the district.*
- (b) *Provides leadership and guidance to the community in the district.*
- (c) *Facilitates communication between the community and the Council.*
- (d) *Participates in the local government's decision making processes at Council and Committee meetings, and*
- (e) *Performs such other functions as are given to a Councillor by the Act or any other written law.*

The Council and Elected Members have a number of roles to undertake. One of the challenges for good governance from an Elected Member viewpoint is to be provided with the opportunity to raise specific issues so as to be heard fairly. The Mayor and CEO all have an important role to play in this process as well as the fellow Elected Members.

Active involvement in the Administration is not permitted by the Act.

5.1.5 Role and Responsibilities of Chief Executive Officer

The functions of the CEO are outlined in section 5.41 of the Act. The CEO's range of functions are defined as follows:

- (a) *Advise the Council in relation to the functions of a local government under the Act and other written laws.*
- (b) *Ensure the advice and information is available to the Council so that informed decisions can be made.*
- (c) *Cause Council decisions to be implemented.*
- (d) *Manage day to day operations of the local government.*
- (e) *Liaise with the mayor or president on the local government's affairs and the performance of the local government's functions*
- (f) *Speak on behalf of the local government if the Mayor or President agrees.*
- (g) *Be responsible for the employment, management supervision, direction and dismissal of other employees (subject to section 5.37(2) in relation to senior employees).*
- (h) *Ensure that records and documents of the local government are properly kept for the purposes of the Act and any other written law.*
- (i) *Perform any other function specified or delegated by the local government or imposed under the Act or any other written law as a function to be performed by the CEO.*

The CEO has a statutory responsibility to manage the organisation through the implementation of goals and strategies that have been approved by Council. A significant role of the CEO in promoting good governance is through the development of a culture that sees the Council as the peak decision-making body and that the organisation exists to support Council in the delivery of good governance.

A key accountability of the CEO is financial management. While Council has overall accountability, the CEO has critical responsibilities for managing the organisation soundly from a financial perspective and reporting the results and performance to Council.

The Act enables Council to delegate in writing to the CEO, the capacity to exercise any of its powers or duties, with the following exceptions:

- (a) *Actions in which a decision of an absolute majority or a 75% majority of the Council is required.*
- (b) *Acceptance of a tender, which exceeds an amount as determined by the Council*
- (c) *Appointment of an auditor.*

- (d) *Acquisition or disposal of any property valued at an amount exceeding an amount determined by the Council.*
- (e) *Any of the Council's powers under Sections 5.98, 5.98A, 5.99 or 5.100 (determining fees, allowances and expenses of members and Committee members).*
- (f) *Borrowing money on behalf of the City.*
- (g) *Hearing or determining an objection of a kind referred to in Section 9.5.*
- (h) *Authorising a person to sign documents on behalf of the City. Carrying out any power or duty that requires the approval of the Minister or the Governor.*
- (i) *Such other powers or duties as may be prescribed.*

In summary the CEO is responsible for:

- putting in place appropriate systems to achieve accountability and integrity
- implementing and maintaining a management structure which can achieve Council's vision and the Strategic Community Plan objectives
- managing relationships between the various elements in the City
- ensuring that the City is staffed by suitably qualified and motivated Employees and that policies are in place that promote this
- ensuring that Employees understand the organisation is working for a democratically elected Council and that Council decisions form the basis for the organisation's activities.

The table below depicts the separation of roles between the Council (governing the affairs of the local government) and the CEO (managing day-to-day operations):

Council	CEO
Sets the corporate direction and strategy.	Maintains operational direction and standards.
Ultimate responsibility for the performance of the City's functions.	Provides professional and technical advice to Council.
Decides on matters of policy.	Liaises with Mayor.
Ensures that services and facilities are integrated with and do not unnecessarily duplicate other public services.	Manages the day-to-day operations and expenditure of funds.
Oversees the allocation of the City's finances and resources.	Responsible for the employment and management of employees.

Council	CEO
Monitors performance, through the CEO, to ensure efficiency and effectiveness in service provision.	Prepares reports to Council and makes recommendations based on expert advice.
Mayor to liaise with the CEO and preside at Council Meetings.	Provides administrative assistance for the efficient conduct of Council Meetings.

Table 1: Separation of roles between Council and the CEO

5.1.6 Role and Responsibilities of Employees

All Employees of the City take responsibility for good governance. Employees are required to think carefully about their decisions and actions, to be interested and to be active participants in the City’s management and outcomes.

In carrying out their duties, Employees achieve good governance when:

- they reflect the positive values and standards of behaviour the City expects
- their duties are performed and conducted in a professional way
- information is managed and maintained appropriately and records are kept of their duties, decisions and work related activities
- resources of the City, including information, is used efficiently and effectively; not misused; and waste is to be minimised
- conflicts of interest are identified and reported including disclosure of gifts and benefits obtained from certain parties.

5.2 Relationships Between Roles

Elected Members are members of a team, elected by their constituents to work collectively in the interests of the whole Community.

Good governance is dependent on a mature and constructive working relationship between Elected Members. Elected Members should behave in a manner that generates community trust and confidence in them as individual Elected Members and enhances the role and image of both the Council and the City.

Elected Members are expected to:

- conduct their ongoing relationship with other Elected Members, Employees and the Community with respect and courtesy
- act within the law at all times
- act in good faith and not for improper or ulterior motives

- act in a reasonable, just and non-discriminatory manner
- undertake their role with reasonable care and diligence.

As previously referred to, the Act requires Council to prepare and adopt a Code of Conduct to be observed by Elected Members, committee members and local government election candidates. That Code of Conduct is a public declaration of the principles of good conduct and standards of behaviour that the Council agrees individual Elected Members should conform to when carrying out their role. It also provides guidance to Elected Members about carrying out their duties and responsibilities.

5.2.1 Working relationships between Mayor and Councillors

An effective relationship between the Mayor and Councillors will help to promote the successful delivery of the strategic direction and credibility of the City. The relationship is based on mutual respect and understanding of the different roles and is based on:

- The Mayor having a leadership role and this role being respected by all Councillors
- The Mayor facilitating an inclusive approach to decision-making and involvement in Council activities in general.
- The Mayor assisting Councillors to have their issues considered by Council.
- The Mayor taking some responsibility for Elected Member training and development and working with the CEO to ensure that Elected Members receive necessary training opportunities.
- The Mayor is a source of assistance for Councillors and also has the responsibility for facilitating resolution of any disputes between Councillors.

The Mayor as the Presiding Member of Council needs to play an integral and influential role both within meetings and outside of the formal process, by facilitating and encouraging all points of view to be expressed and respected. This will enable Elected Members, who may not have their point of view supported by the majority, be satisfied that they have been given a fair hearing and the process is transparent. Through this facilitation role, the Mayor can manage conflict and differing opinions in a constructive manner.

The complexity and diversity of opinion in the Community, and therefore of Elected Members, can be made to work in the broader interest of the City as a whole, rather than be a source of division. The Mayor is also a first point of contact for Councillors who wish to achieve a particular goal and this is especially true for newly elected Councillors who may be unfamiliar with a local government setting. Among other things, the nature of any local government business involves the need to bring together many

diverse and sometimes conflicting goals. By advising, supporting and facilitating negotiations, the Mayor can assist this process considerably, and in so doing, assist Councillors to meet their accountabilities to their communities.

This advisory and support role of the Mayor for other Councillors is possibly the single most important contribution to good governance a Mayor can make. It requires great skill and experience and as such, is critical to the overall operation of Council.

5.2.2 Working relationships between Mayor and CEO

The Mayor and CEO work closely together and the relationship is characterised by openness and good communication, with each keeping the other informed about important and relevant issues.

Both the Mayor and the CEO have a role in liaising with each other on the City's affairs and the performance of the City's functions. However this liaison is qualified in that any liaison between the Mayor and the CEO is only relevant to those matters that enable each party to perform their statutory role.

Both parties have a crossover of responsibilities in speaking on behalf of the City. While this right rests with the Mayor there are occasions when it is considered prudent and more applicable for this function to be undertaken by the CEO. As such these matters involve the development of a clear relationship and an understanding of the limits of each other's authority.

To maintain an effective relationship between the CEO and the Mayor both must have a clear understanding and respect for each other's role, with regular meetings to ensure both are appropriately informed to perform their role.

5.2.3 Working relationships amongst Elected Members

Relationships between Elected Members with a foundation of respect and appreciation of constructive diversity supports good decision making. Elected Members are required to work together to achieve satisfactory outcomes.

While Elected Members may not always agree, the relationship should be characterised by mutual respect.

In Council meetings Elected Member should model constructive relationships and show personal respect for one another.

Features of an effective relationship include the following:

- While they may have different views, Elected Members should treat each other with respect and courtesy.
- Disagreements, if they must be aired, should be expressed in ways that are not personal attacks, and do not cause detriment to individual Elected Members or the Council as a whole.
- Elected Members should not undermine each other, either within the local government or in the public domain.
- Elected Members must have effective working relationships in order to succeed individually and collectively.

5.2.4 Working relationships between Elected Members, CEO and Employees

Individual Elected Members must not seek to foster special relationships with employees for the sole purpose of seeking information that may not otherwise be available to all Elected Members. Elected Members and employees are entitled to privacy and protection from inappropriate behaviour and this includes un-authorized access to the organisation's work area.

Some issues to consider in respect of this relationship include the following:

- Elected Members need to understand that accountable advice needs to go through an organisational process. Advice must be sought from the CEO or Executive Committee. Elected Members should not seek advice from other employees as the employee may have a particular interest or point of view in respect of the issue but may not be in command of the full facts.
- Employees are accountable to the CEO. They are not accountable to Elected Members and are not required to take direction from them.

6. Principle Three: Decision Making and Management

6.1 Decision-making and Management

Decision-making is the most important activity undertaken by Council. Effective decision making processes increase the likelihood that the decisions themselves will be in the best interests of the entire Community.

The City seeks to support effective decision making by supporting the following:

- Management of an effective and efficient strategic planning process to ensure that Council plans are properly implemented.
- The CEO ensures that Council receives quality and timely reports with all the necessary information, options and clear recommendations, including financial impacts and any associated Risks.
- Council and Standing Committee meeting processes are effectively managed through the City's Standing Orders Local Law.
- Alternate Motions - where a Councillor feels that an alternative decision should be made, there is an established process to assist Councillors to draft their own motions
- Procedural Fairness - the City has taken measures to ensure the quality and integrity of decisions made by Council and its officers is maintained. Due regard is given to statutory and policy requirements.
- Access to Information – Elected Members may seek specific information to enable them to gain sufficient knowledge or awareness of an item which is to be considered by Council. Access to such information can normally be provided, however, the process is formally governed by the Act and Council Policy.

6.1.1 Decision Making Forums

The City has various Decision Making Forums which includes Ordinary Council Meetings, Special Council Meetings and Committee meetings. Elected Members may also be representatives in working groups, reference groups (internal and external).

To facilitate these meetings Council has a Council Meeting Schedule.

6.1.1.1 Council Meeting Schedule

Council has endorsed a meeting schedule comprised of Agenda Briefings, Ordinary

Council Meetings, Elected Member Strategic Briefing Forums and Committee Meetings.

Week 1 – Agenda Briefing

Agenda Briefings are held one week prior to an Ordinary Council Meeting to inform Elected Members on the items of business to be presented and discussed at the forthcoming ordinary council meeting. No decisions are made at Agenda Briefings although Elected Members may request additional information and ask questions.

Week 2 – Ordinary Council Meetings

Ordinary Council Meetings are held in accordance with the requirements of the Act. These meetings are open to the public, except where a meeting may be closed, in part, to members of the public in accordance with the Act. Closure of meetings is only applied where required to promote transparency and accountability.

Elected Members, the CEO and the Executive Committee attend all Council Meetings.

Week 3 - Elected Member Strategic Briefing Forums

Strategic Briefing Forums are an opportunity for Council and the CEO to discuss strategic matters. These are attended by all Elected Members, the CEO, the Executive Committee and other staff as designated by the CEO. Strategic Briefing Forums are not open to the public.

Week 4 – Committee Meetings

The City has four committees which meet on a bi-monthly cycle.

Cycle One:

Governance Committee

Organisational Performance Committee

Cycle Two:

Audit, Risk and Compliance Committee

Expenditure Review Committee.

Committee members are appointed by Council each election cycle. The Audit Risk and Compliance Committee is the only Committee of Council with delegated authority, therefore it is the only Committee meeting open to the public.

There are no meetings in January, and no committee or strategic briefings in December.

6.1.2 Interests

The Act places specific obligations on both Elected Members and Employees who have financial, proximity or impartiality interest in an item before a meeting. These provisions support the principle that Elected Members and Employees must be open and above reproach.

In accordance with section 5.60 of the Act, a Elected Member will have an interest in a matter if they themselves or a person to whom they are closely associated has a direct financial, indirect financial interest or a proximity interest in the matter. The Act defines a closely associated person at section 5.62 and includes but is not limited to the following:

- the employer of the Elected Member; a body corporate whereby the Elected Member is a director, secretary or executive officer of that body corporate;
- the spouse, de facto partner or child of the Elected Member and is living with the Elected Member;
- a person who, within the previous 12 months, was a client or adviser of the Elected Member; and
- a person who has given a gift to the Elected Member under prescribed circumstances.

In accordance with section 5.65 of the Act, Elected Members must disclose such interests and in the event of a conflict of interest or where a potential conflict of interest may arise, involved Elected Members will, unless Council resolve otherwise pursuant to section 5.68 of the Act, withdraw from deliberations concerning the matter in accordance with the requirements of the Act.

It is prudent for Employees to also consider section 5.60 of the Act in relation to any interest they may have in respect of reports to Council and their role in drafting such reports, providing advice and making recommendations in respect of the Council decision making process, making decisions under delegated authority and undertaking their duties as a City Employee. Employees are required to disclose such interests and in the event of a conflict of interest or where a conflict of interest may arise, involved Employees will either remove themselves from the decision making process or agree with their respective leader to implement a conflict of interest management plan.

To assist Employees in determining if they have or where there is the potential for a conflict of interest in a matter, Employees should consult the policy and procedure and complete the check list. If such an interest exists, Employees must disclose such an interest using the appropriate form and seek approval from the relevant Leader. Policies and procedures are in place to facilitate this.

Employees involved in the recruitment process must consider circumstances where they have or where there is the potential for a conflict of interest in respect of the recruitment process and must disclose such interests so that an effective management plan may be implemented. Policies and procedures are in place to manage these disclosures.

There are penalties for failure to disclose.

6.1.2.1 Financial Interest – Direct and Indirect

A financial interest occurs if the Elected Member or Employee, or a person closely associated with the member or employee (such as a spouse or child living at home or the person's employer) has a matter before the City, which if dealt with in a particular way, will result in a financial gain or loss to the Elected Member, Employee or closely associated person.

The three key elements are:

- There must be a reasonable expectation of a financial gain or loss (it should not be too remote or speculative);
- The matter must be capable of being dealt with by the local government (such as by giving an approval or rejecting a recommendation); and
- The manner in which the matter is dealt with could result in financial gain or loss to the Elected Member, Employee or closely associated person.

Elected Members must disclose the nature of the financial interest, and on some occasions, the extent of the interest, before the relevant item is considered in a meeting. Employees are required to disclose before providing advice or a report to a meeting.

The Act exempts certain financial interests from the obligation of disclosure (such as the imposition of a rate) which enables Elected Members to participate in the decision making process on exempt issues.

The decision about whether there is a financial interest to be disclosed falls on the Elected Member or Employee. No one else can direct someone to disclose or can disclose on behalf of someone else.

6.1.2.2 Proximity Interest

A proximity interest exists if an Elected Member or a closely associated person has an interest in a matter that concerns:

- A proposed change to a planning scheme affecting land that adjoins the persons land;
- A proposed change to the zoning or use of land that adjoins the person's land; or
- A proposed development of land that adjoins the person's land (development refers to the development, maintenance or management of the land or of services or facilitates on the land).

The existence of a proximity interest is established purely by the location of the land. A financial interest does not have to be established.

6.1.2.3 Interest that May Affect Impartiality

Elected Members are required to disclose interests which would give rise to a reasonable belief that the impartiality of the member could be adversely affected when making a decision on an item.

Elected Members are required to disclose impartiality interests in writing to the CEO before the meeting, or verbally at the meeting immediately before the item which generates the interest is considered.

Once an impartiality interest is made, the Elected Member may continue to participate in the discussion and vote on the matter before Council.

6.1.3 Decisions on Land Use Planning and Development

Local government is responsible for planning their local Communities. They prepare and administer local planning schemes and strategies.

Development and land use proposals may be required to be assessed and approved via a Development Application pursuant to the City's Town Planning Scheme No. 3.

Depending on the type and scale of the development, the development determination will be made by Council or the Metropolitan South-West Joint Development Assessment Panel (JDAP).

6.1.4 Financial Management

Council is ultimately responsible for the financial management of the City. Good financial governance requires both Council and the Administration to play their roles.

Council has in place a LTFP that is consistent with the Strategic Community Plan, and all Risks are identified with mechanisms put in place to minimise such Risks. Community input is sought at an early stage so that such input can help to shape the Strategic Community Plan, and form part of the process of adopting the Corporate Business Plan.

Council will review its Corporate Business Plan every year, in accordance with regulation 19C(4) of the *Local Government (Administration) Regulations 1996*.

A six-month status report on the Corporate Business Plan will be provided each February as part of the reporting on budget adjustments.

Progressively, these plans move from the macro to the micro level. The relationship between each of them is shown diagrammatically in **Error! Reference source not found.** (See *Integrated Planning and Reporting Framework*).

Council ensures, through its IPRF, that it receives sufficient reports and other information to adequately monitor its performance, resource allocation, expenditure and activities, and the efficiency and effectiveness of its service delivery.

6.1.5 Risk Management

Council supports and is committed to a Risk Management program at a policy and strategy level through the establishment of the ARC, in accordance with section 7.1A of the Act.

The CEO, Executive Committee and the Senior Leadership Team ensure processes are in place for identifying and managing Risk and responding to and minimising such Risks.

Under the auspice of the ARC, Council will undertake regular Risk assessments of identified areas of the City's operations (e.g. Information Technology) which will provide conclusions and recommendations for mitigation strategies to be implemented.

Council will engage the services of an appropriate Risk manager/insurance broker (e.g., Local Government Insurance Services (LGIS)) to provide adequate support and services aimed at the reduction of claim frequencies and costs, the improvement of the health and wellbeing of the work force and the development of an organisation wide Risk Management capacity as well as specific hazard management initiatives. An in-house resource is employed by the City to oversee this function.

To support this process, the City has developed the City of Cockburn Risk Management Framework and utilises the Risk Management and Safety System (RMSS) for its on-line corporate Risk register, against which the City monitors and controls its Risk exposure.

Additionally, Council seeks other expert advice, including legal advice, from other practitioners qualified in areas of specific expertise. This advice is included in any recommendations for matters that come to Council for consideration.

6.1.6 Delegations

Delegating a decision making power to another means that the delegate has the power to make that decision, subject to any conditions or restrictions set out in the delegation.

Delegations are a part of the City's decision-making process. The Council may delegate powers to the CEO and the CEO may delegate powers to another employee, subject to the restrictions under the Act.

A delegate is able to use their own judgment to make the decision they believe is right in the circumstances. Decisions made under a delegation are binding on the local government.

All delegations are recorded in a Register of Delegated Authority and delegates are required to keep a record of any exercise of the delegation.

Council will review delegations at least once every financial year, in accordance with section 5.46 of the Act.

6.1.7 Authorisations

Legislation allows head of power to appoint '*Authorised Persons*' to perform particular functions. Pursuant to section 9.10 *Appointment of authorised persons* of the Act, authorised persons may be appointed in the City by the CEO, who has the power to appoint, in writing, authorised persons for the purposes of one or more of the following specified laws or specified provisions of these laws:

- the *Local Government Act 1995*
- the *Caravan Parks and Camping Grounds Act 1995*
- the *Cat Act 2011*
- the *Control of Vehicles (Off-road Areas) Act 1978*
- the *Dog Act 1976*
- *City of Cockburn (Local Government Act) Local Laws*
- any other legislation, as may be applicable.

City authorised persons are issued identity cards which carry the City logo, together with a recent photograph of the appointed person and name, and on the back of the card a list of the laws to which the person's appointment relates.

City authorised persons are required to always carry their identity card when performing functions under a specified law and must be ready to reproduce their card for inspection if requested.

7. Principle Four: Accountability

7.1 Accountability

The City has accountability systems that provide disclosure and review of decision making and processes. These systems record and support the City's accountability to its Stakeholders and its legal accountability to the State Government.

7.1.1 Performance management

Council is accountable for monitoring performance in the achievement of its strategic direction, goals and financial outcomes which are set through the Strategic Community Plan, LTFP, Corporate Business Plan and Annual Budget. A six monthly status report on the Annual Budget will be provided each February as part of the mid-year budget review

The City has a reporting system in place to provide Council with the necessary information to enable it to assess performance against the plans. The reporting system is a systematic and regular process that allows Council to take action to rectify any issues that arise and be accountable to the Community.

The City's annual report will provide a means of updating overall progress on achieving *City of Cockburn Strategic Community Plan*. The report includes the performance measures adopted in the *City of Cockburn Strategic Community Plan*, *City of Cockburn Corporate Business Plan* and annual budget.

CEO Performance

The City has developed a reporting system to provide Council with the necessary information to enable it to assess performance against the plans. The reporting system is a systematic and regular process that allows Council to take action to rectify any issues that arise and as such, be accountable to the Community. Council has adopted standards for the recruitment and selection, performance review and termination of the CEO, as required in accordance with the Act.

Employee Performance

In accordance with the Act, the performance of all Employees is to be reviewed at least once each year of their employment. The City has a mechanism for Employee performance to be assessed, as well as training and development opportunities to be identified.

7.1.2 Compliance

It is a requirement of the Act to conduct an annual audit of compliance with statutory requirements of the Act.

The Compliance Audit Return (CAR) is submitted to the Department each year after its adoption by the Council. The CAR seeks information and responses in relation to a local government's statutory obligations in several areas, such as local laws, tenders, meeting process, disclosure of financial interests and financial management.

7.1.3 Audit Risk and Compliance Committee

The Audit Risk and Compliance Committee (ARC), in accordance with the *Committee's Terms of Reference*, oversees and advises Council on matters of accountability and internal control.

Objectives of the ARC

As part of Council's governance obligations to its Community, Council has constituted the ARC to facilitate -

- the enhancement of the credibility and objectivity of internal and external financial reporting
- effective management of financial and other risks and the protection of Council assets
- compliance with laws and regulations as well as use of best practice guidelines
- the effectiveness of the internal audit function
- the provision of an effective means of communication between the external auditor, internal audit, management and the Council.

The role of the ARC is to report to Council and provide appropriate advice and recommendations on matters relevant to its terms of reference to facilitate decision making by Council in relation to the discharge of its responsibilities.

Reporting

The ARC shall after every meeting forward the minutes of that meeting to the next practicable ordinary meeting of the Council, including a report explaining any specific recommendations and key outcomes.

Duties and responsibilities

- The duties and responsibilities of the ARC are contained within the committee's Terms of Reference
- The ARC, following authorisation from Council and through the CEO, and within the scope of its responsibilities, may seek information or obtain expert advice in relation to matters of concern.

7.1.4 Community Consultation and Engagement

Council recognises that consultation is a two way interactive process that provides opportunities for the Council and Community to clarify information, raise issues and discuss ideas and options. Consultation is an important dimension that informs and enhances Council's decision-making process.

As a community leader, Council defines the City's directions and priorities for a sustainable future by:

- Promoting discussion and debate within the Community and with other Stakeholders about the priorities and needs of the City
- Using research to develop Council policies and in decision-making generally
- Actively canvassing, and considering the needs and opinions of the Community when making decisions
- Translating the Community's aspirations for a sustainable future through appropriate partnerships, initiatives, programs and services.

Council will also consult with other Stakeholders, including members and officials of state and commonwealth governments, in seeking the best outcomes for the Community.

Community Consultation

The Council has adopted a Community Engagement Framework which sets out the City's commitment to engage with the Community and Stakeholders on decisions which impact on them.

It provides a structure and process for initiation, development, adoption and review of the City's Community engagement practice based on:

- Placing value on the insight provided by Stakeholders
- Council as the ultimate decision maker
- Making better decisions which take into account the interests and concerns of potentially affected people and organisations.
-

This Framework applies to all Employees and consultants engaged by the City. It is based on the International Association of Public Participation (IAP2) model, which is the peak body for Community engagement worldwide. It should be read in conjunction with the City's Community Engagement Policy.

Community engagement is a planned process with the specific purpose of working across organisations, Stakeholders and communities to help the City shape decisions or actions related to a problem, opportunity or outcome.

During a formal consultation process initiated by the City, Elected Members and Employees are encouraged to support members of the Community to make their views heard through the established channels of making a public consultation submission.

Elected Members and Employees responsible for a consultation process should not make their personal views known on any matter during a formal consultation process as this may taint decision-making when Council is required to make a formal decision on the matter.

Social Media

The City utilises social media platforms such as Facebook, YouTube and LinkedIn as a way of promoting corporate messages and public notices, interacting with the Community, an sourcing valuable insight into Community issues. Other electronic information and feedback systems and consultation mechanisms are used from time to time.

The City has Social Media Guidelines which describe how the City interacts with its audience and the governance around its social media channels, including Facebook, Instagram, LinkedIn and Twitter.

Stakeholder Management

Strong Stakeholder relationships are critical to the successful delivery of a number of key City projects and activities, which require careful and ongoing management. In view of this the City has developed a Stakeholder and Advocacy Framework to guide the City

in managing key relationships with primary Stakeholders in line with agreed and endorsed strategic priorities and major projects.

The Stakeholder and Advocacy Framework aims to facilitate, through partnerships, engagements and advocacy, the timely and cost-effective delivery of the outcomes and objectives outlined in the Strategic Community Plan and the Corporate Business Plan, as well as enhance the overall brand and reputation of the City with our Community key Stakeholders, industry and government.

7.1.5 Customer Service and Complaints Management

The City is committed to providing external stakeholders and members of the public with the best possible customer service.

The Customer Service Charter outlines the standards which can be expected when engaging with the City.

The City commits to:

- Meeting the needs of its customers
- Respecting the diversity and individuality of people
- The professionalism of Employees
- Effective two-way communication
- Open and accountable processes.

The City values:

- Taking personal ownership for customer satisfaction
- Listening to customers
- Ensuring that everyone receives the same quality of service
- Providing a helpful, polite and prompt service
- Treating customers with respect and fairness
- Delivering on the City's commitments.

The City is committed to giving the best possible customer service and abiding by the *City of Cockburn Customer Service Charter* and practicing the values of the City.

The City has a formal complaint handling procedure, and all complaints are managed in accordance with that procedure. The City commits to a resolution or an interim response within five working days, unless otherwise discussed with the complainant.

7.1.6 Records Management

The City's corporate records are to be managed in accordance with the City's Record Keeping Plan and Records Management Policy.

All Elected Members, Employees and contractors are responsible for maintaining complete, accurate and reliable evidence of all business transactions and ensuring all corporate documents are retained within the City's official recordkeeping system at the point of creation regardless of the format, in accordance with:

State Records Act 2000.

Freedom of Information Act 1992.

Local Government Act 1995.

7.1.7 Legislative Obligations

The City, as a local government, is obligated to comply with various state legislative requirements and obligations to external authorities in addition to the Local Government Act and the Department. The City has implemented systems and processes to ensure it meets its legislative obligations and reports accordingly to any external agencies or authorities.

Relevant legislation that sets out legislative requirements and obligations for the City includes but is not limited to:

Public Interest Disclosure Act 2003.

Corruption, Crime and Misconduct Act 2003.

Equal Opportunity Act 1984.

Parliamentary Commissioner Act 1971.

Freedom of Information Act 1992.

Relevant external agencies or authorities that the City may have a reporting obligation to include but is not limited to:

- Public Sector Commission.
- Corruption and Crime Commission.
- Equal Opportunity Commission.
- Ombudsman Western Australia.
- Office of the Information Commissioner.
- Office of the Auditor General.

Document Control

Document Record			
Document title	Governance Framework		
ECM document name	City of Cockburn – Governance Framework		
ECM document set ID	10281746		
ECM Subject Code	021/011		
Review and approval			
Maintained by	Legal and Compliance		
Version number	1	Version date	
Reviewed by	Governance & Strategy	Date reviewed	
	Executive Committee	Date approved	
Approved by	Chief Executive Officer	Date approved	
	Council	Date approved	
Frequency of review	Every three years	Next review date	
NOTE: The City of Cockburn will review this Framework on a triennial basis, but will also make incremental changes, modifications, and adjustments as conditions warrant. This Framework document goes through continuous changes based on the risk maturity level of the City of Cockburn.			
Record of changes / issues			
Version	Date	Comments / reasons for change	Made by

Contact

9 Coleville Crescent, Spearwood WA 6163
PO Box 1215, Bibra Lake DC WA 6965

Telephone: 08 9411 3444

Email: customer@cockburn.wa.gov.au

City of Cockburn website: www.cockburn.wa.gov.au

This information is available in alternative formats upon request.