

Council of the City of Cockburn

# **Response to the Governance Review Arising from the Inquiry into the City of Cockburn (May 2021)**

**City of Cockburn Governance Review Management Report**

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## Response to the Governance Review arising from the Inquiry into the City of Cockburn (May 2021)

### Contents

Introduction.....	3
Context.....	3
Process .....	3
Confidentiality.....	3
Theme 1: Council Meetings and Briefings .....	4
Theme 2: Committees .....	12
Theme 3: Policies .....	22
Theme 4: Elected Member Development .....	25
Theme 5: Succession Planning .....	36
Theme 6: Miscellaneous.....	38

# Introduction

## Context

This document provides Elected Members of the Governance Review Steering Committee (GRSC) a framework for the consideration and assessment of the City of Cockburn Independent Governance Review 2021 (Cole Group) recommendations.

The format includes:

1. The current situation
2. The Governance Review recommendations
3. Executive comment and recommendation, where appropriate.

## Process

The GRSC will consider each of the matters, by theme, over a series of meetings scheduled for the following dates (subject to review and amendment, by the GRSC):

1. Council Meetings and Briefings: 8 February 2022
2. Council Committees: 22 February 2022
3. Policies: 8 March 2022
4. Elected Member Development: 22 March 2022
5. Succession Planning: 12 April 2022
6. Miscellaneous: 26 April 2022

Current Status/Practice	Cole Recommendation	Comment & Executive Recommendations (Er)
<b>Theme 1: Council Meetings and Briefings</b>		
<p>The procedures for the asking of and responding to questions raised at OCMs are set by Local Government Act (LG Act) Regulations (Administration Regulation 7.)</p> <p>This provides for the Presiding Member to determine the procedures (or the members present at the meeting if there is majority dissent with the PM decision).</p> <p>This process is broadly reflected in Clause 4.4 of the Council's Standing Orders local law.</p>	<p><b><u>Recommendation 3</u></b> <b><u>[Public Question Time]</u></b></p> <p>(a) Council does not support the resolution at the Special Elections Meeting on 28 July 2021 to amend Standing Orders regarding Public Question Time (PQT) at OCMs.</p>	<p>The primary statutory purpose of Ordinary Council Meetings (OCM) is to deal with the matters requiring decisions of the Council.</p> <p>Many items recently presented for public question time (PQT), are either not on the agenda or relate to operational questions that can be more efficiently and properly dealt with through the normal customer service process, which already deals with approximately 70,000 queries or requests for action per annum</p> <p><b>ER 1. It is not recommended to consider any major deviation from the established process outlined in Clause 4.4 of the Standing Orders related to PQT at Council Meetings</b></p>

<p>Consistent with the LG Act and the Council's Standing Orders local law, the Mayor, as Presiding Member, has the authority to manage the PQT process in either a formal or more tolerant manner.</p> <p>The Mayor has provided a level of tolerance in OCMs, far more than recommended minimum times in DLGSC guidelines, for members of the public to ask questions.</p> <p>However, there are certain members of the public who clearly take advantage of this situation to ask questions unrelated to the agenda, or ask repeated, or similar questions previously asked on agenda items.</p>	<p>(a) Although continuing to exercise reasonable discretion and some flexibility concerning strict application of Standing Order requirements concerning PQT at OCMs, the Mayor as presiding member at OCMs brings greater order and discipline to PQT and the conduct of community members participating in PQT.</p>	<p><b>ER 2. It is recommended that Council amend the protocols for PQT to restrict the verbal asking of questions at OCMs to those matters which are included on the OCM Agenda, unless there is sufficient unallocated time to provide a response for verbal questions raised on items not directly related to the OCM Agenda.</b></p> <p>These questions can be responded to outside of the OCM process.</p> <p>These changes are considered an efficiency measure to enable more time to be provided for the business of the Council to be considered.</p>
<p>Accordingly, any changes proposed to the Standing Orders local laws, by Council, should consider restrictions to this element of PQT.</p>		

Current Status/Practice	Cole Recommendation	Comment & Executive Recommendations (Er)
<p>The CEO currently presides over the EM Briefing meetings, as the business of the agenda was not previously provided to EMs until after the Briefing.</p>	<p><b><u>Recommendation 4 [Council Briefings]</u></b></p> <p>(a) The Mayor act as presiding member of all Briefings, or the Deputy Mayor in the absence of the Mayor.</p>	<p>Recommended supported.</p> <p><b>ER 3. That the Mayor act as presiding member at all Council Briefings with the Deputy Mayor to preside in the absence of the Mayor. Should both the Mayor and Deputy Mayor be absent, this function will be fulfilled by the CEO.</b></p>
<p>No public attendance allowed (by Council resolution) at Agenda Briefing Sessions.</p> <p>This decision was made pre-COVID when Briefings were only held on an in-person basis.</p>	<p>(a) Subject to the availability of appropriate IT/communication means if Agenda Briefings are to remain “on-line”, public attendance by way of “observer status” only be allowed at Agenda Briefings.</p>	<p><u>OCM Agenda Briefing Sessions</u></p> <p>These sessions also afford the opportunity, in conjunction with the summary presentation provided 48 hours earlier, to prepare and be in a better position to respond to any public queries that may arise once the OCM Agenda is published publicly at 8:00pm on the Thursday.</p> <p>There is an opportunity to retain the flexibility of on-line OCM EM Briefing Sessions to enable greater flexibility and participation by EMs.</p> <p>It would be appropriate for Council to consider enabling public access, in terms of viewing, but not questions or direct engagement, at the OCM Agenda Briefing Sessions.</p> <p>Whilst the OCM EM Briefing Sessions do not permit debate, discussion or any form of deliberation or decision making, given they are dealing with matters before the Council</p>

		<p>for determination/decision, it is appropriate for Council to consider allowing public viewing.</p> <p>This could be achieved through on-line tools such as WebEx Events or Teams Events, whereby EMs and relevant staff are designated 'presenter' status, whilst enabling members of public to join and view the briefing without being able to directly participate.</p>
		<p><b>ER 4. That Council provides for members of the public to attend online Council Meeting Agenda Briefings in an "observer" capacity only, except for matters of confidential business, which will exclude access for members of the public.</b></p>

Current Status/Practice	Cole Recommendation	Comment & Executive Recommendations (Er)
<p>Public not allowed to attend Briefings in any format.</p>	<p>(b) Public attendance at Briefing other than Agenda Briefings are not allowed.</p>	<p><u>Elected Member Strategic Briefing Sessions</u></p> <p>These sessions form a critical part of enabling EMs to review detailed and complex information on a variety of matters – without the purpose of deciding or determination.</p> <p><b>ER 5. It is not recommended to make these sessions accessible by the public on the grounds that they are not deliberative and there is a need for open, frank, and extensive dialogue and questioning between EMs, the Executive and external presenters (where relevant).</b></p>



<p>1. The style and content of the Agenda Briefings has been modified to increase the quality of information provided to EMs</p> <p>2. The provision of “General Briefings” has been traditionally for those matters which are likely to be sensitive to EMs, or the public, as well as those considered to be of a strategic level of importance to the City.</p> <p>This has had the impact of effectively quarantining every Thursday evening (except OCM) for either an Agenda or General Briefing Session.</p>	<p>(c) The style and content of Agenda Briefings and other Briefings be reviewed in the context of the comments in Sections 7.1.1(b)(v)(C) and (E).</p>	<p><u>OCM Agenda Briefing Session</u></p> <p>It is noted the format and process of the OCM Agenda Briefing Sessions has changed since the commencement of the new CEO.</p> <p>The new process includes issuing the detailed summary PowerPoint presentation to EM’s no less than 48 hours prior to the OCM Agenda Briefing.</p> <p>This material, which is provided on a confidential basis, provides the opportunity to EMs to review matters on the agenda including the purpose, key issues, and recommendations.</p> <p>The matter of who chairs such sessions is for Council, or the relevant Committee, to determine.</p> <p><b>ER 6. That the style and content of the monthly Agenda Briefing presentations remains in its present form, with the Mayor (or Deputy Mayor in the absence of the Mayor) presiding at these sessions. The CEO will preside if both the Mayor and Deputy Mayor are not in attendance.</b></p>
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		<p><u>Elected Member Strategic Briefings</u></p> <p>It is noted the format and process of the Elected Member Strategic Briefings, post the Inquiry process, has also materially changed since the commencement of the new CEO.</p> <p>The new process includes issuing the detailed summary PowerPoint presentation to EM's no less than 48 hours prior to the Briefing. This material, which is provided on a confidential basis, provides the opportunity to EMs to review matters on the agenda including the purpose, key issues, and recommendations.</p> <p>The matter of who chairs such sessions is for Council to determine.</p> <p><b>ER 7. That the style and content of Strategic and other Briefings to EMs remains in its present form (confidential "in house" presentations only) and that the general public be excluded from attending such sessions. Attendance of persons other than EMs or staff at any specific briefing, will be determined by the CEO, in conjunction with the Mayor.</b></p>
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Current Status/Practice	Cole Recommendation	Comment & Executive Recommendations (Er)
<p>The City uses a software package (<i>InfoCouncil</i>) to prepare the Meeting Agenda Papers and Minutes.</p> <p>The various headings are prepared in a standard template and are each required to be prefilled by officers for consistency.</p> <p>Attachments generally provide most of the essential information for consideration by the meeting. This adds considerable bulk to the agendas.</p> <p>The Minutes are a carbon copy of the agendas, and the main changes are the inclusion of Public Question Time matters and the formalities associated with the decision-making process.</p> <p>The preparation of the agendas is time critical and is deliberately structured to ensure the maximum number of items can be included, rather than closing off the time for creating the agenda to an earlier date and time.</p> <p>This is primarily for the benefit of customers / stakeholders who may have associated business needs requiring the timely consideration of Council.</p>	<p><b><u>Recommendation 5 [Agenda Papers and Minutes]</u></b></p> <p>(a) The style and approach of the City to Council agenda papers and minutes be reviewed in the context of the comments in Section 7.1.1(b)(vi).</p>	<p>Consideration be given to minimising the essential attachments for each item on the agendas (and consequently the minutes) for all OCM matters.</p> <p>This process will require some extra diligence from officers responsible for the preparation and authorisation of Council Meeting reports.</p> <p><b>ER 8. It is recommended that OCM Agenda reports are materially streamlined to principally focus on:</b></p> <ul style="list-style-type: none"> <li>• <b>The purpose the Report is before Council;</b></li> <li>• <b>Alignment to Strategy and Risk issues;</b></li> <li>• <b>Key issues and influencing matters;</b></li> <li>• <b>Financial and resourcing considerations;</b></li> <li>• <b>Summary of community engagement, if any; and</b></li> <li>• <b>The recommendation.</b></li> </ul> <p>Further it is recommended that where a separate document is referenced, that rather than including the full document, to specifically include the text or diagrams that</p>

pertain to the matter before Council and provide a link to a public version of the full document should any EM or member of the public wish to read it in its entirety.

With respect to the OCM Agenda preparation and issuing timeframes, it is recommended to maintain the current time schedule for preparation of the agendas to ensure the primary focus of the Council business papers is the timely attention to matters which prioritise the City`s stakeholders.

Current Status/Practice	Cole Recommendation	Comment & Executive Recommendations (Er)
<p>The City officers responsible for the preparation of the Council Meeting business papers are well trained in the technical processes.</p> <p>However, officers responsible for drafting reports do not always adhere to a uniform format and this can sometimes lead to an inconsistency in the way that items are presented.</p>	<p>(b) The City’s administration personnel responsible for the preparation of agenda papers and minutes receive education and training to accommodate Recommendation 5(a).</p>	<p>An in-house training program be designed specifically for City officers tasked with responsibility for preparation of agenda items for Council Meetings, to ensure there is a consistent framework established for the meeting agendas.</p>
<p>The current software (Info Council) is well known to officers and does not present any technical difficulties in preparing items for Council consideration.</p> <p>The authorisation process requires a higher-level officer (usually at “Chief” or “Head” level) to check and agree to the content of each item prior to each report being approved for inclusion in the agenda for the Council meeting.</p> <p>An ExCo agenda settlement meeting then confirms the suitability of each item and often makes changes to some items as an outcome of the meeting.</p>	<p>(c) The revised style and approach be trialled for several months pending feedback and support by the Council before permanent adoption.</p>	<p>As an outcome of the in-house training mentioned above, it should be established that a greater level of uniformity in the presentation of reports to a Council Meeting will result.</p> <p>As noted, it is also expected that officers will be diligent in minimising the number of attachments associated with items to lessen the workload of elected members in preparing for the Council Meeting.</p>

Current Status/Practice	Cole Recommendation	Comment & Executive Recommendations (Er)
<b>Theme 2: Committees</b>		
<p>The current Standing Committees established by resolution of Council are as follows:</p> <ul style="list-style-type: none"> <li>• Audit and Strategic Finance Committee</li> <li>• CEO Performance and Key Projects Review Committee</li> <li>• Delegated Authorities and Policies Committee</li> <li>• Grants and Donations Committee</li> <li>• Community Events Committee</li> <li>• Local Emergency Management Committee</li> </ul>	<p><b><u>Recommendation 8 [Council Committees]</u></b></p> <p>Council reviews the structure, terms of reference and composition of each of its standing/core Council Committees having due regard to the comments and recommendations mentioned in Section 7.3(b)(i)-(vi).</p> <p>Consideration be given to changing the focus of the Standing Committees to the following, as suggested in the Cole Review</p> <ul style="list-style-type: none"> <li>• Audit, Risk and Compliance Committee (ARC)</li> <li>• Governance &amp; Policies (GAP) Committee</li> <li>• CEO Performance Review (CEOPR) Committee</li> <li>• New Standing Committee to monitor the following functions: <ul style="list-style-type: none"> <li>1.1. Major Project Delivery</li> <li>1.2. Major Planning Scheme Amendments</li> <li>1.3. Strategic Corporate Planning</li> </ul> </li> <li>• Local Emergency Management Committee (LEMC) - Statutory</li> </ul>	<p>EMs derive their statutory functional (both executive and quasi-judicial) powers and responsibilities through [majority] decisions of Council and in certain cases Delegated Authority to formal Committees.</p> <p>Additionally, such decision making can be informed through officer's reports, notices of motion and formal Committees of Council which can provide recommendations to Council to consider.</p> <p>The effective performance of each individual EM is best achieved when there is clear engagement, empowerment and participation in decision making processes at the appropriate level.</p> <p>That is opposed to any practices by EMs of [real or implied/perceived] operational directives or involvement in the administration of the local government, which is not permitted under the LG Act.</p> <p>It can be summarised that there are four key functions of Council, and by default for</p>

	<p>requirement under the Emergency Management</p>	<p>EMs in their role as part of the legislative and governing authority of the Local Government entity (as a body corporate) and by consequence, the directions and basis for the CEO to operate. These four key areas are:</p> <ol style="list-style-type: none"> <li>1. Determining the Local Laws (subject to endorsement by the WA Legislative Council) and Policies which inform all matters within the district under which the CEO (and organisation) must comply with and operate according to.</li> <li>2. Ensuring effective compliance of the local government's functions and operations through audit and risk management.</li> <li>3. Setting appropriations through the adoption of rates, fees and charges and associated expenditure authority (the Budget) within; and</li> <li>4. Overseeing the performance of the organisation (through the CEO)</li> </ol> <p>A key issue for EMs is that, whilst the statutory focus is intended to be on the strategic and directional functions defined, there can sometimes be a tendency to become involved in practices focusing on operational matters, especially in terms of responding to customer/ratepayer queries.</p> <p>However, a more effective approach for EMs to take is to ensure that they can</p>
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		<p>achieve greater legacy and change through adopting effective local laws, policy, strategy, appropriations and setting service levels which then guide how the CEO and organisation operates in response to that direction.</p> <p><b>ER 9. It is recommended Council takes an approach to establish broader and more influential Committees which enable more effective application of the required functions of an EM acting through Council decisions.</b></p> <p><b>In response to these key functions defined above, it is recommended that the following four Standing Committees be established by Council:</b></p> <ol style="list-style-type: none"> <li><b>1. <i>Audit, Risk &amp; Compliance Committee (ARC)</i></b> <ol style="list-style-type: none"> <li><b>a. Audit</b></li> <li><b>b. Risk</b></li> <li><b>c. Compliance</b></li> </ol> </li> <li><b>2. <i>Governance Committee (GovCo)</i></b> <ol style="list-style-type: none"> <li><b>a. Local Laws</b></li> <li><b>b. Policies (including Town Planning)</b></li> <li><b>c. Corporate Business Plan and Strategy</b></li> <li><b>d. Nomination of Council delegates</b></li> </ol> </li> <li><b>3. <i>Organisational Performance</i></b></li> </ol>
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		<p><b>Committee (OPCo)</b></p> <ul style="list-style-type: none"> <li>a. <b>CEO Performance</b></li> <li>b. <b>Succession Planning (CEO and Executive)</b></li> <li>c. <b>Organisational Performance (KPI's)</b></li> <li>d. <b>Delegations to the CEO and other officers, where permitted</b></li> <li>e. <b>Remuneration Policy (Executives, Senior Leadership Team and EBA principles)</b></li> </ul> <p><b>4. Expenditure Review Committee (ERC)</b></p> <ul style="list-style-type: none"> <li>a. <b>Review of Service Level Plans (need, standards, resourcing, and benchmarking)</b></li> <li>b. <b>Expenditure Proposals (capital and operational, which sit outside of Service Level Plans and/or the approved Budget)</b></li> <li>c. <b>Grants and Donations</b></li> </ul> <p>Consistent with the governance advice provided in the Cole Report, it is noted that best practice would see membership based on up to 5 members per committee (i.e., 50% of the total EM numbers).</p> <p>It is noted that if a Committee is too large in numbers, in effect it becomes a proxy of Council as a whole, thereby defeating the purpose of the Committee and the principle for sharing of workload amongst EMs.</p>
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		<p>It is also noted there is traditionally an expectation, much of which has been inherited over time, for several Committees to be formed, not necessarily to address an issue or achieve outcomes, but to meet because the group has existed for some time.</p> <p>It is understood Council will have the need to establish specific committees to address matters, such as is the case with the GRSC, which has a specific need, terms of reference and will be disbanded upon its completion.</p> <p>However as is the case with this Committee, such matters should be unique and warranting the creation of such an entity.</p> <p>The result of too many Committees can be to create an excessive workload for EMs through the number of meetings and attendances required.</p> <p>There is also the consideration that excessive numbers of Committees can also result in significant operational resourcing and cost, potentially without a commensurate return or outcomes.</p> <p>The City of Cockburn has for some time had an informal process in place to</p>
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		<p>manage EM's workloads and out of hours commitments.</p> <p>This has been to date achieved by focusing on holding meetings and briefings primarily on a Thursday evening.</p>
		<p>However, it is noted that some committees do meet outside of this timeframe.</p> <p><b>ER 10. It is recommended that the following monthly meeting framework be adopted by Council:</b></p> <ul style="list-style-type: none"> <li>• <b>Week 1 – OCM Agenda Briefing</b> (held at 6:00pm Thursday)</li> <li>• <b>Week 2 – Ordinary Council Meeting</b> (held at 7:00pm) preceded by pre-meeting briefing and dinner scheduled at 6:00pm</li> <li>• <b>Week 3 – Committee Meetings</b> (concurrently held at 5:00pm)</li> <li>• <b>Week 4 – EM Strategic Briefing Session</b> held at 5:00pm followed by dinner and fellowship (for Council, ExCo and participating staff) indicatively scheduled at 7:00pm (or at the briefing's conclusion)</li> </ul> <p>With the Week 3 Committee Meeting schedule it is recommended, that if the four (4) Committee model (detailed above) is accepted, that they are held on a bi-monthly alternating pattern</p>

		<ul style="list-style-type: none"> <li>• <b>Even months</b> (starting February but excluding December) would have <b>ARC</b> and <b>GovCo</b> meeting concurrently between 5:00pm – 7:00pm</li> <li>• <b>Odd months</b> (excluding January and starting March) would have <b>OPCo</b> and <b>ERC</b> meeting concurrently between 5.00pm - 7.00pm</li> </ul> <p><i>Dinner and fellowship for both groups together (Council, ExCo and participating staff would follow the meetings.</i></p> <p>The proposal provides a basis of Committees which can address all the principal functions of the Council and EMs whilst ensuring the relevant workload is distributed evenly and the effective management of time for both supporting staff and EMs.</p>
		<p>It is noted the Local Emergency Management Committee (LEMC) remains as a statutory committee which by nature of its function and appointments through DFES, meets on an as required basis.</p>

Current Status/Practice	Cole Recommendation	Comment & Executive Recommendations (Er)
<p>Only cursory reviews of Council established Reference Groups have been undertaken in the past following each biennial election cycle.</p> <p>Council has established the following Reference Groups which focus on specific issues and activities:</p> <ul style="list-style-type: none"> <li>• Aboriginal Reference Group</li> <li>• Age Friendly Reference Group</li> <li>• Bushfire Advisory Reference Group</li> <li>• Disability Reference Group</li> <li>• Road Safety and Travel Smart Reference Group</li> <li>• Sister Cities Reference Group</li> <li>• Inter-Agency Crime Prevention Reference Group</li> <li>• Neighbourhood Watch Reference Group</li> <li>• Youth Advisory Collective Reference Group</li> </ul>	<p><b><i>[Council Reference Groups - context]</i></b></p> <p>Council evaluate and review its continuing support for and Elected Member representation on the c.20+ other community-based groups, committees and associations within the City's current portfolio having regard to the comments in Section 7.3(b)(vii).</p>	<p>Advisory and Reference Groups have historically been implemented across local governments to address a specific issue or concern at a point in time.</p> <p>Commonly however, these Groups can become permanent features.</p> <p>Advisory and Reference Groups also tend, by their nature and membership, to stray into operational and project matters rather than focusing on the core functions of Council and EMs.</p> <p>The large numbers of these type of groups can lead to becoming administrative and resource intensive whilst delivering limited legacy outcomes. They can also absorb a large amount of time for EMs in addition to their core functions on Council.</p> <p><b>ER 11. It is recommended that there is a review of the need of each Reference Group in the context of a related Service Level Plan (or Plans) and where such groups are required, the relevant specialist staff members manage, support, and attend the meetings.</b></p>

Where an Advisory or Reference Group is determined by Council to be needed, it can be highlighted in the relevant Service Level Plan (with an expected outcome and associated resources and appropriation mandate).

Where required for a policy, strategy or appropriation purpose, the relevant staff member/s can refer matters to the related Committee and/or directly to Council for determination.

EMs, through the formal Standing Committee process, can call in relevant functional areas as part of audit, compliance or service level and expenditure review for endorsement.

Current Status/Practice	Cole Recommendation	Comment & Executive Recommendations (Er)
<p>Only cursory reviews of the purpose of these External Organisations have been undertaken in the past following each biennial election cycle.</p> <p>There are a considerable number of externally administered organisations which invite City representatives to attend their meetings as a stakeholder. These organisations typically deal with issues of local or regional significance and have membership at both elected and officer level, however in some cases (for statutory reasons in the most) they require an EM. The external groups requiring an Elected Member are:</p> <ul style="list-style-type: none"> <li>• Metropolitan Regional Road Group (Main Roads WA – State Government)</li> <li>• WA Local Government Association (WALGA) - (Local Government funded State-wide)</li> <li>• Joint Development Assessment Panel (JDAP) -(Department of Planning – State Government)</li> </ul> <p>The additional external groups that are non-</p>	<p><b><i>[Externally Managed Representative Groups - context]</i></b></p> <p>Council evaluate and review its continuing support for and Elected Member representation on the c.20+ other community-based groups, committees and associations within the City’s current portfolio having regard to the comments in Section 7.3(b)(vii).</p>	<p><b>ER 12. It is recommended that there is no change with the appointment of Council representatives to statutory groups as this is defined by the relevant authorities.</b></p> <p>With the other external groups, consistent with the recommendation on the Advisory or Reference groups, the City’s continued membership and participation is recommended to be defined within Council endorsed Service Level Plans.</p> <p>Where such endorsement is provided, any resources and representation are to be undertaken by the relevant specialist/technical staff (and not require EM attendance) who would refer matters to the relevant Committee, and/or Council, where there is a Policy, Resourcing or Appropriation impact needing approval/consideration.</p>

statutory or non-specific on needing City representation, or whether that representation is by EM's or staff include: -

- Alcoa Kwinana Environmental Improvement Plan Advisory Group (Kwinana Refinery - Private)
- Beeliar Regional Park Community Advisory Committee (Department of Biodiversity, Conservation and Attractions (DBCA) – State Government)
- Cockburn Central Youth Care Council (Private)
- Cockburn Coast Liaison Group and Cockburn Coast Steering Committee (Development WA – State Government)
- Cockburn Sound Management Council (Department of Water and Environment – State Government)
- Cockburn Wetlands Education Centre (Inc) (Private – with City Funding Contribution)
- Jandakot Airport Community Aviation Consultation Group (Jandakot Airport Holdings – Private)
- Jandakot Regional Park Community Advisory Committee (DBCA – State Government)
- Perth Airport Municipalities Group (Perth Airport – Private)
- South-West Corridor Foundation and Environmental Reference Group (South - West Group – Regional Local Government)



Current Status/Practice	Cole Recommendation	Comment & Executive Recommendations (Er)
<b>Theme 3: Policies</b>		
<p>The City does not have a specific Policy related to “Harassment and Bullying” and relies on the formal Complaint process encapsulated within the Model Code of Conduct Regulations (for Elected Members) and the Employee Code of Conduct (for City staff).</p> <p>These avenues, while backed by statutory effect, very often are unwieldy to initiate and often fall short of providing any notable change of behaviour by those most likely to be the cause of complaints lodged, both from internal and external (public) sources.</p> <p>A Memorandum of Understanding was signed in February 2019 by eight (8) of the current City EMs but has also been ineffective.</p>	<p><b><u>Recommendation 13 [Harassment, Bullying and Complaints]</u></b></p> <p>Given increasing societal pressures currently emerging, particular attention be applied to the City’s policy settings with respect to workplace bullying and harassment, non-consensual sexual dealings, complaints (internal workplace and external customer service) and whistle-blowing protection, as well as the procedural guidelines by which such matters are managed and dealt with by the City.</p>	<p>Following the conduct of an externally provided workshop attended by all EMs and senior staff (ExCo members) both Codes of Conduct be reviewed to ensure a level of enforceable compliance can be contained within the Codes.</p> <p>The City is drafting a new Code of Conduct for employees that is focused on purpose, values, behaviours, integrity and compliance with associated policies and procedures. Expected completion and roll out will be within 2022 Q1.</p> <p><b>ER 13. It is the GovCo Committee (GovCo), should it be implemented, or another relevant Committee’s responsibility for the development of the following Policies ;</b></p> <ol style="list-style-type: none"> <li><b>1. Workplace Bullying and Harassment,</b></li> <li><b>2. Non-Consensual Sexual Dealings &amp; Complaints (Internal Workplace and External Customer Service) and</b></li> <li><b>3. Public Interest Disclosure (whistleblowing).</b></li> </ol>

<p>There has not been any formal or sustained training on these topics for the EMs or senior staff, either in a combined setting or separately.</p>	<p>A continuing process of education and training for all City personnel be implemented with respect to the City's policies, procedures, and guidelines generally and especially in the context of: -</p> <ul style="list-style-type: none"> <li>• workplace bullying and harassment,</li> <li>• non-consensual sexual dealings,</li> <li>• complaint management, and</li> <li>• whistle-blowing protection.</li> </ul>	<p>Noting the fiduciary responsibility that rests with individual EMs and the Council as the organisational governing body, it is considered best practice that Council endorses the Workplace Health and Safety (WHS), Complaints and Public Interest Disclosure (whistleblowing) Policies, and have oversight on compliance.</p> <p><b>ER 14. It is recommended that an externally facilitated workshop be conducted and attended by all EMs and senior staff (ExCo) on the topics of organisational harassment and bullying.</b></p> <p><b>ER 15. It is recommended that binding amendments to the Codes of Conduct be adopted by Council to,</b></p> <ol style="list-style-type: none"> <li>1. provide further guidance for EMs and employees,</li> <li>2. clarify Complaint handling procedures for dealing with alleged indiscretions (where internal Complaints are lodged),</li> <li>3. increase awareness levels of these matters, and</li> </ol> <p><b>mitigate the regularity of such events in future.</b></p>
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Current Status/Practice	Cole Recommendation	Comment & Executive Recommendations (Er)
<p>The City`s HR policies and procedures are currently under review following the appointment of a senior ExCo level staff member and a more singularly focussed HR Manager.</p> <p>It is considered likely that these appointments will provide sufficient expertise to competently review the relevant documentation and provide more clarity and certainty across the organisation and improve awareness amongst staff of any changes to current practices</p>	<p><b>Recommendation 14 [City`s HR Function and Related Policies/Procedures]</b></p> <p>Priority attention be afforded to the review and development of a comprehensive and contemporary suite of policies, procedures, and management practices to support the City`s HR Function including focus on the anticipated near-term implementation of WHS legislation in WA.</p>	<p><b>Agree with recommendation.</b></p> <p>Notwithstanding that WHS matters are operational, given the fiduciary responsibility that rests with individual EMs and the Council as the organisational governing body, it is considered best practice that Council endorses the WHS Policies and have oversight on compliance.</p> <p><b>As per ER 13 it is recommended Council consider the development of an updated Workplace Health &amp; Safety Policy.</b></p>
<p>The City`s Learning and Development Unit is responsible for developing topic specific training for all employees and will be tasked with this responsibility within available resources during 2022</p>	<p>A continuing process of education and training for all City personnel be implemented incidentally to the adoption and implementation of such HR related policies, procedures, and practices.</p>	<p><b>Agree with recommendation.</b></p> <p>This would be reflected through the relevant Service Level Plan to be considered and adopted by Council.</p>

<p>The City's Policies were recently the subject of an external review (9 December 2021 OCM) where Council approved several (minor) changes to the City's current policy documentation.</p>	<p><b><u>Recommendation 18 [Benchmark Analysis of the City's Policies]</u></b></p> <p>The City consider the benchmark analysis in Sections 8 and 11.8, and therefrom to develop a program of Council Policy review, development, and augmentation (as appropriate) in support of enhanced systematic governance assurance for the City.</p> <p>Such review should commence with agreeing a "chart" of relevant policies and then developing the substantive policies based on that "chart" and the City's Policy Framework.</p>	<p><b>Agree with recommendation.</b></p> <p>It is suggested that the City seeks a comprehensive external review of its Policies during 2022, in conjunction with all EMs and senior staff (ExCo level), to ensure that all Policies (including Administrative Policies) are consistent with comparable national industry standards and reflective of the Council's view of the City's priorities and key directions.</p> <p><b>ER 16. It is recommended Council refer to the Governance Committee (GovCo), should it be adopted or another relevant Committee, the review of all current Policies.</b></p>
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Current Status/Practice	Cole Recommendation	Comment & Executive Recommendations (Er)
<b>Theme 4: Elected Member Development</b>		
<p>The behaviour of EMs at Council Meetings is formally governed by the <i>Local Government Act 1995</i>, relevant Regulations, and the Standing Orders Local Law.</p> <p>These provide adequate guidance to the Presiding Member (Mayor) to control any unruly behaviour at Meetings and is perceived as being satisfactorily administered.</p> <p>Unruly behaviour in the community is less apparent and is likely to result from negative media articles or social media posts, which are difficult to constrain and can only be addressed through a formal complaint process, which is often not forthcoming.</p>	<p><b><u>Recommendation 2 [EM conduct and behaviour]</u></b></p> <p>EMs consider their conduct and behaviours (both at Council meetings and in the community) in the context of their civic responsibilities and the impact of their conduct and behaviours upon the collective teamwork of the Council in furtherance of the best interests of the City.</p>	<p>Trust between EMs, as a peer group and with the Administration, is essential in a properly functioning local government (as would be expected in any organisation).</p> <p>It is noted the [new] Minister John Carey has made much of his expectations in this space and accordingly many of his statements and recently announced proposed reforms (post the release of the Inquiry Report) have focused on addressing issues around behaviour and the effectiveness of Councils.</p> <p>The findings from the Governance Review survey process found that EMs, whilst rating their own individual performance and compliance highly, conversely reflected a view that all other EMs were not so effective.</p>

Interactions between EMs and senior staff are cordial on most occasions but is subject to intervention being required at times.

The current controlling measures are unwieldy and time consuming to achieve any outcomes, and these are insufficient to change negative behaviours.

Such independent survey results indicate there is a prima-facie case to test the level of trust and collaboration between the EMs.

Within the EMs and the Employee Codes of Conduct, relevant behavioural standards should be reviewed and aligned with a “best practice” model for implementation and adherence across the organisation by all EMs and employees.

However, it is acknowledged that in themselves they will not lead to better behaviour, collaboration, or performance.

		<p><b>ER 17. It is recommended Council refer to the Governance Committee (GovCo), should it be adopted or another relevant Committee, the development of statements reflecting behaviour, collaboration, and trust expectations to be incorporated in the Code of Conduct.</b></p>
<p>There is currently no mandatory requirement for EMs to attend training, other than that contained with the LG Act and related Regulations.</p> <p>For a positive change to occur, EMs and senior staff (ExCo level) would need to participate in such training actively and willingly.</p> <p>This has proven to be difficult to achieve in the past, however, this should be revisited to realise a good outcome.</p>	<p>EMs constructively participate in the proposed professional development program contemplated in Section 11.9, including concerning Code of Conduct expectations, and conflicts of interest and confidentiality requirements specifically.</p>	<p><b>Agree with recommendation.</b></p> <p>These matters were highlighted within the Inquiry Report.</p> <p>It is clear, that within any organisation, failing to effectively manage conflicts and further breaches of confidentiality through sharing material outside of permitted circumstances (for whatever reason, or stated intent) have the impact of breaking down trust between the EM group.</p> <p>Feedback provided by EMs through the Governance Review process highlighted a belief that other members were not effectively managing conflicts and ensuring confidential material is not shared.</p>

This is a fundamental area that needs to be addressed to ensure an effectively functioning Council and local government, consistent with the directions and expectations of Minister Carey.

Relevant training and workshop program is to be provided by Steven Cole (as part of the submission accepted) to address these issues in a timely manner.

**ER 18. It is recommended Council refer to the Governance Committee (GovCo), should it be adopted or another relevant Committee, the development of statements reflecting the expectations, conflicts of interest and confidentiality within the EM Code of Conduct.**



<p>The current policy “Attendance at Conferences, Seminars, Events &amp; Training” provides for a common budget for conference attendance of Elected Members for activity relevant to Council business and within budget.</p> <p>Specified training for newly Elected Members is mandatory, following amendments to the <i>Local Government Act, 1995</i> in October 2019.</p> <p>Currently \$20,000 is allocated for training and \$77,000 for conferences per annum for these purposes.</p> <p>The allocation can be carried forward during the Election cycle, that is two years (October to October). So, if an Elected Member does not use their allocation in any one Municipal year, they can carry the amount forward to the second municipal year. It is cleared at the election. A register of events and costs is maintained.</p>	<p>Individual EMs can elect to participate in a personal development / coaching / mentoring program to be developed in consultation and with the agreement of the relevant EM.</p>	<p>Agree with recommendation.</p> <p>It is noted that EMs have a whole of organisation (the local government entity) oversight and governance obligation. In the case of the City of Cockburn, that means having oversight (not to be confused with administration) over an organisation with over \$1.6 billion in assets, a turnover of \$185 million and over 1,000 employees (~550 full time equivalents) which by any definition is a large and complex organisation.</p> <p>For an EM, no different to a non-executive director of an equivalent private (or government entity) organisation, there are many personal and professional skills that are required to ensure the effective undertaking of their duties and obligations.</p> <p><b>ER 19. It is recommended Council refer to the Governance Committee (GovCo), should it be adopted or another relevant Committee, to review and amend the Attendance at Conferences, Seminars, Events &amp; Training policy to broaden focus on the personal and professional development of EMs to specifically enable access to relevant:</b></p> <ul style="list-style-type: none"> <li>• training</li> </ul>
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		<ul style="list-style-type: none"> <li>• <b>courses</b></li> <li>• <b>accreditations</b></li> <li>• <b>conferences</b></li> <li>• <b>mentoring</b></li> <li>• <b>coaching</b></li> </ul>
		<p><b>Such an amendment would also provide capacity, for Budget consideration by Council, for a 4-year budget available to every EM.</b></p> <p>This funding would be sufficient to enable an EM to obtain and retain (as learning is an ongoing requirement) the level of personal and professional skills to be effective.</p> <p>Any travel and accommodation required for the defined activities would be included as part of the EM's total allocation.</p> <p>It would be expected that an appropriate allocation per member for a 4-year term would be between \$6,000-\$10,000, per annum.</p> <p>Any compulsory courses/training required under the LG Act would be funded outside of the individual EM budget allocation given these are not discretionary development matters.</p>

Current Status/Practice	Cole Recommendation	Comment & Executive Recommendations (Er)
<p>Without any guiding legislative mandate or other means of encouragement, this is not a recommendation that can be effectively administered, without the consent of the incumbent.</p> <p>The “leadership” question is a perception where it is seen differently by individuals and there is no set model which governs leadership qualities in local government.</p> <p>However, the position of Mayor is usually considered as the leader of the Council and the community, consistent with the practice in Corporations law with respect to the Chair of a Board, notwithstanding that in both cases however, apart from the few statutory functions applied to the role, there is no rule book which gives the mayor the capacity to “lead” individuals and the ownership of this principle is therefore shared by all EMs.</p> <p>For these recommendations to be effective will require the acceptance by all EMs that the mayoral role should be respected as the leader of the group and be able to set the behavioural standards to be observed by other councillors.</p>	<p><b><u>Recommendation 6 [Leadership]</u></b></p> <p>Mayor:</p> <ul style="list-style-type: none"> <li>• The Mayor be invited to heed the Improvement Opportunities mentioned in Section 7.2(a).</li> <li>• With the tacit approval of all EMs, to be conferred upon acceptance of this Recommendation, the EMs support the Mayor in so doing.</li> <li>• The Mayor accepts mentoring from a respected and suitably experienced personal development coach, well versed in chairing governing bodies, to assist the Mayor in taking up this Recommendation.</li> </ul>	<p><b>Agree with recommendation.</b></p> <p>This recommendation does not imply anything in relation to the person but focuses on the expectations of any person in an organisational governance role.</p> <p>This is already addressed as part of <b>Executive Recommendation (ER) 21</b> below.</p> <p>Noting the higher level of requirement which rests on Mayor, and to a lesser extent the Deputy Mayor, it would be expected that the funding recommended above is appropriately higher for those positions.</p>

Only by all EMs demonstrating a willingness to apply a consistent pattern of behaviour in their roles will there some expectation that the *Improvement Opportunities* mentioned in the Review will be effective.

Current Status/Practice	Cole Recommendation	Comment & Executive Recommendations (Er)
<p>The comments made above apply equally to the individual councillors as they do to the Mayor, and it will be contingent on a mutual agreement that the respective roles are recognised for a level of positive improvement to be evident in this area.</p>	<p>Councillors:</p> <ul style="list-style-type: none"> <li>Elected Members be invited to heed the comments mentioned in Section 7.2(b) to the extent to which they may apply.</li> </ul> <p>The recommended professional development programs in Recommendation 2 include “leadership” as a key subject matter.</p>	<p>Same as above, with a condition that all EMs agree on the principle that the role of Mayor is as the “leader” of the Council and accordingly has the mandate, granted willingly by their peers, to provide guidance on behavioural standards to be observed by all EMs.</p> <p>This is consistent with good corporate governance even though, similarly to the LG Act, there is no specific additional powers of ‘leadership’ defined in the Corporations Act for Board Chairs.</p> <p>Noting that lack of specific powers, the recognised principle should provide sufficient basis for adoption of this principle by Council.</p> <p>Notwithstanding the right and need for EMs to have the ability to progress their own, and their constituent's, view and aspirations, an additional consideration is the need for the Council group to operate in a collegiate and considered manner.</p> <p><b>ER 20. It is recommended the Governance Committee (GovCo), should it be adopted or another relevant</b></p>

**Committee;**

- 1. update the Governance Charter to reflect the relationship between the Mayor and councillors and**
- 2. amend the Code of Conduct to incorporate the Governance Charter as a binding requirement.**

There is also an opportunity for the Council and Executive to set aside a time for an annual strategy and development away day/s.

		<p>The focus of the annual strategy away day/s is a mix of relationship development, building collegiality and an opportunity to define the desired strategic priorities and directions for the years ahead.</p> <p>Annual strategic away days are a common feature within the private sector with Boards and are also undertaken by larger local governments (including Stirling and Joondalup as examples).</p> <p><b>ER 21.</b></p> <p><b>1. It is recommended that Council sets funds, resources, and a dedicated time (suggest a Thursday evening, aligned to the EM Strategic Briefing session week, through to Saturday evening) for an annual strategic away event at an offsite venue.</b></p> <p><b>2. This annual event would have the following focus areas and would be independently facilitated:</b></p> <ul style="list-style-type: none"> <li>• <b>Team development</b></li> <li>• <b>Strategy &amp; Alignment</b></li> <li>• <b>Priority Area Development</b></li> </ul>
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<p>This has not been undertaken in the past.</p>	<p><b><u>Recommendation 9 [Council Skills/Experience Base]</u></b></p> <p>(a) Council conducts a skills/experience matrix and “gap” analysis of its skills/experience base in the context of the perceived needs of the City.</p>	<p><b>Agree with recommendation.</b></p> <p>Subject to the analysis being undertaken externally by an appropriate industry subject expert.</p> <p>Such analysis would be used to guide and inform each EM of their training needs and priorities.</p>
<p>This has not been undertaken in the past.</p>	<p>(b) Council appropriately use the information gained under Recommendation 9(a) to:</p> <ul style="list-style-type: none"> <li>• assist in the structuring of personal professional development programs for Elected Members.</li> </ul>	<p><b>Agree with recommendation.</b></p> <p>Subject to the acceptance by all EMs to actively commit to the program individually designed for each EM.</p>



	<del>communication to the community at the time of Councillor elections to better inform it of the City's needs.</del>	Adequate funding should be made available for the programs to be undertaken by all EMs.
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Current Status/Practice	Cole Recommendation	Comment & Executive Recommendations (Er)
<p>The City does not have a specific policy centred on a program of governance / performance evaluation.</p> <p>For this to occur, it will be necessary for Council to agree on the principles and issues which require ongoing attention.</p>	<p><b><u>Recommendation 10</u></b>  <b><u>[Periodic Council governance/performance evaluation]</u></b></p> <p>(a) Council adopts a policy concerning its own periodic evaluation and review having regard to the comments in Section 7.4.2.</p>	<p><b>Agree in principle with the recommendation.</b></p> <p>A review process, together with topics and issues in addition to relevant benchmarking, needs to form the basis of the policy content which should be referred through the relevant Committee for consideration.</p> <p><b>ER 22. It is recommended that this be referred for detailed consideration by the Governance Committee (GovCo), should it be implemented, or another Committee as relevant.</b></p>
<p>The Council has never considered “succession planning” for its elected officials as this is a political process separate from the operational priorities of the City.</p>	<p>(b) Council submits to its evaluation and review in the terms of that policy adopted, which may also assist Council in considering its own succession planning needs as mentioned in Section 7.4.3.</p>	<p><b>Not supported due its inherent “political” focus which is not conducive to a community outcome based on local priorities.</b></p>

<p>A new Elected Member program is developed and provided to incoming or returned members immediately following the elections every two years.</p> <p>This is focussed on the initial priorities of the Council meetings process.</p> <p>The mandatory “essentials” training is also prioritised, due to it being required to be completed within the first 12 months.</p>	<p><b><u>Recommendation 11 [Professional Development and New Councillor Induction]</u></b></p> <p>The Council, with assistance from management and expert consultancy support, develop:</p> <p>(a) a professional development curriculum beyond the regulated “Essentials” course with flexibility to tailor the same to individual EM needs.</p>	<p><b>Agreed in principle.</b></p> <p>Subject to additional training and development being undertaken following the completion of mandated training in the initial 12 months and then continuing over the four-year term.</p>
<p>A facilities tour is being introduced for the first time in early 2022, with the intention of providing a greater level of awareness to all EMs and ExCo staff on the City’s key facilities, programs, and operations.</p>	<p>(b) an integrated, thorough, and continuing induction program for new Councillors, including physical attendance of City facilities and functional divisions, to better acquaint them, in a timely manner after their election, with the City, its assets, its finances, its functions and its needs so that the value of their contribution as a Councillor can be realised sooner, with strong encouragement for Councillors (and senior executive management personnel as appropriate) to participate, to enhance their capabilities to deliver civic performance outcomes for the City.</p>	<p><b>Agreed and planned for early 2022 as part of an ongoing annual program.</b></p>

Current Status/Practice	Cole Recommendation	Comment & Executive Recommendations (Er)
<p>The Code of Conduct for Elected Members was adopted in March 2021 and contains many of the principles associated with cultural issues and behavioural improvements.</p> <p>In addition, a Memorandum of Understanding between EMs was agreed to in February 2019 by nine (9) of the EMs in office at that time following a breakdown in relations between the CEO and councillor.</p> <p>This process was facilitated by an external consultant.</p>	<p><b><u>Recommendation 12 [Council Culture and Dynamics]</u></b></p> <p>The recommended professional development, counselling and mentoring of Councillors and Mayor, referred to in Recommendations 2 and 6, be extended to embrace “cultural” aspects of their dealings with one another with an array of support initiatives that might be availed of, and with periodic assessments of progress of the initiative to be reported against to the Council.</p>	<p>Many of the principles suggested in this recommendation are contained in the two documents prepared in March 2021 (EMs Code of Conduct) and February 2019 (Memorandum of Understanding). A review of both these documents should be undertaken through facilitation by an external consultant with expertise in team building and change management. These matters are also closely related to issues raised within Theme 4 (Elected Member Development) whereby it is recognised, and further recommended, that such [voluntary] personal and professional development, including mentoring where appropriate, is recommended and funded to enable all EMs to develop their skills.</p>

Current Status/Practice	Cole Recommendation	Comment & Executive Recommendations (Er)
<b>Theme 5: Succession Planning</b>		
<p>The Council had previously identified key personnel within the organisation with leadership potential to be given the opportunity to act in managerial roles during periods of absence by the incumbent.</p> <p>The organisational restructure which has occurred during 2021 has resulted in many of these previously identified personnel being elevated to positions within the newly created Senior Leadership Team.</p> <p>The City does not currently have a solid succession planning process/framework, with development plans only in place for identified high performers only. No succession planning framework/process currently exists for the Executive Committee Members or the Senior Leadership Team.</p>	<p><b><u>Recommendation 7 [CEO and Director Succession Planning]</u></b></p> <p>The Council and the CEO consider CEO and Director succession planning in the fulfilment of their respective responsibilities of office.</p>	<p>While it is clearly understood that the Council has the responsibility for the ongoing appraisal of only one employee (being the CEO), the Council is also responsible for ensuring “there is an appropriate structure for administering the local government” (LG Act s.5.2). This is reflected in a relevant Council adopted policy.</p> <p><b>ER 23. It is recommended that Council, through the Organisation Performance Committee (OpCo) should it be implemented, or another relevant Committee, review annually the structure of the organisation, including detailed CEO and Executive succession planning to ensure that appropriate measures are in place to cater for future leadership capacity.</b></p>

The City is currently reviewing a personal and professional development program for the Executive team through a highly experienced Executive Level Transformation Organisation (which is a leading national advisory group).

This program will identify performance, potential, readiness, and cultural fit of the Executive Members to enable identification of where to invest in professional development. This process will assist with succession planning to ensure ongoing administering of the Local Government.

The Executive review process is ideally situated, to inform Council through an engagement process, to identify and confirm those most likely to be identified and supported by Council for potential succession.

Succession planning does not in itself guarantee the identified officer will be granted the role if it becomes available.

It enables a development pathway and provides Council with an informed choice for a seriously progressed internal candidate in any open merit-based recruitment process, whilst also providing suitable emergency (or short term) replacement options.

Current Status/Practice	Cole Recommendation	Comment & Executive Recommendations (Er)
<b>Theme 6: Miscellaneous</b>		
<p>The record keeping responsibilities of local government in this state are guided by the State Records Act 2000.</p> <p>The associated guidelines are specific on what constitutes a formal record of the local government, and it is apparent that there is little understanding of these requirements and consequently compliance by EMs is very loose.</p>	<p><b><u>Recommendation 15 [Record Keeping and Delegated Authority]</u></b></p> <p>The City's Governance Directorate:</p> <ul style="list-style-type: none"> <li>• give support to Elected Members to clarify the requirements of the City's Record Keeping Plan with respect to EM's social media engagement relevant to City affairs.</li> </ul>	<p>For a reasonable level of record keeping compliance to be assured, it will be necessary for the City to increase its support to EMs to identify the EM records contained in their individual City provided email account addresses.</p> <p>However, as the City does not have access to EM private email accounts, it is not possible for City staff to monitor the level of City related records which may reside in those.</p> <p>This leaves both the individual EM and the City open to considerable legislative non-compliance risk and potential breaches.</p> <p>City staff provide some oversight of social media involving the City's activities, including comments made by EMs, to ensure compliance with the Code of Conduct.</p> <p>Any issues which may represent a record of the City are captured in the system.</p>

		<p><b>ER 24. It is recommended Council refer to the Governance Committee (GovCo) should it be implemented, or another relevant Committee, a review and assessment of the EM Code of Conduct to reflect the obligations of record keeping inclusive of all forms such as letters, emails, texts, meeting notes and messaging apps (as stipulated under the State Records Act).</b></p>
<p>The City has received legal advice that the function of delegations is performed in compliance with the statutory requirements, including where the “acting through” provisions are applied.</p> <p>The relevant section of the statute (LG Act s 5.45 (2) (a) and (b)) is not specific and provides little guidance to how it should be applied in practice.</p>	<ul style="list-style-type: none"> <li>by way of internal audit verification, review practices by City staff of “acting through” and to report to the Council on the outcome of that review by way of integrity assurance.</li> </ul>	<p><b>ER 25. It is recommended this matter be referred to the Audit &amp; Risk Committee (ARC) should it be implemented, or another relevant Committee, as an item for review in the ongoing Internal Audit Plan and reported to the Committee accordingly.</b></p>
<p>The City’s Risk Management Framework and related policy are reviewed regularly to ensure currency and integrity.</p> <p>The relevant strategic and operational risk registers are both updated annually and are reported through the Audit Committee as required, but at least every 2 years.</p>	<p><b><u>Recommendation 16 [Risk Management Awareness and Oversight at Council level]</u></b></p> <p>By way of ongoing professional development for Elected Members (and City officers as appropriate) the important principles of applied risk management in the context of a local authority be shared in a workshop training session.</p>	<p>It is appropriate for a presentation on the implications of the City’s Risk Management Framework and oversight of its risk appetite, to be provided to Council separately to the formal report prepared for the Audit Committee on a regular basis (below the 3-year regulatory threshold).</p>




<p>Council has chosen the annual meeting fee “in lieu” method of paying EMs Meeting Attendance Fees as prescribed by statute (LG Act s 5.99).</p> <p>This effectively provides for EMs to be paid the same annual sum for meeting attendance, regardless of whether they are in attendance or not at each meeting. This is in line with the Council adopted Policy.</p>	<p><b><u>Recommendation 17 [Elected Member Annual Entitlements Review]</u></b></p> <p>The Council, in conjunction with the CEO and the Directorate reflect upon and review the City’s current approach as to:</p> <p>(a) the adjustment of annually based EM meeting fees to accommodate circumstances where an EM’s meeting absence record is beyond justifiable expectations.</p>	<p>The relevant Policy “Elected Member Entitlements – Allowances and Reimbursements” Clause (1) 3. provides the basis for a “per meeting” fee in lieu of the currently the current annual “in lieu” fee.</p> <p><b>For the consideration of Council.</b></p>
<p>The Council does not have a policy which governs the provision of Council meeting agendas to EMs.</p> <p>The protocol of providing hard copy agendas for Council meetings was reviewed in 2016 with the introduction of iPad and more recently Surface Pro technology.</p> <p>Devices were provided to all EMs and staff required to attend Council meetings. The expectation was that this would lead to a phasing out of paper-based agendas as those members who retired from office were replaced.</p> <p>However, there has been a minority of Councillors who persist with wanting to be provided with hard copy agendas.</p>	<p>(b) the provision, by and at the direct cost and responsibility of the City, of “hard copy” meeting agenda papers to EMs requesting the same, having regard to the Consultant’s commentary in Section 7.12.2.</p>	<p><b>For the consideration of Council.</b></p>

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 This information is available in alternative formats upon request.