

### ***Title of meeting***

Councillor briefings for policies and other strategic matters ('briefings')

### ***What is a policy?***

Policies, once developed:

- detail the elected Council's instructions to the whole of the organisation, providing a consistent approach for ratepayers and residents of the region;
- identify which decisions are to be made at a Council meeting and which can be made by employees.

### ***What are other strategic matters?***

Consistent with the *Councillor Induction Workshop 2020 (Department of Local Government, Racing and Multicultural Affairs)*, Councillors are responsible for planning for the future of communities and developing strategies and policies to achieve those plans. This requires information about matters such as:

- National, state and regional influences on Council's directions
- Planning scheme
- Long term asset management plans
- Local laws
- Plan development
- Long term financial forecasts
- Organisational structure
- Other documents that set the strategic direction (e.g. more than 1 year).

### ***How will the briefings help Councillors to undertake their legislative role?***

Briefings aim to provide a forum:

- to assist all Councillors in being able to make informed decisions at a future meeting for the benefit of the broader community;
- to help Councillors consider the current and future interests of the residents of the Maranoa region;
- for Councillors to ask questions relevant to all Councillors and to hear information and advice directly from employees or advisors with specialist / technical knowledge.

Additional benefits include:

- the opportunity for Councillors to share with all other Councillors information pertaining to current or emerging sensitive community issues and matters of significance to the community and/organisation;
- ensuring all Councillors (with equal decision making responsibility) receive the same information, at the same time, from the same people;
- providing Councillors with access to timely advice that is only available during business hours;
- ensuring that relevant personnel are informed of all relevant information. Further that Councillors, prior to making a decision, are committing to exercising proper diligence, care and attention (consistent with the "Code of Conduct for Councillors in Queensland");
- providing training opportunities for Councillors on local government matters.

### ***Content of briefings***

Briefings will include information about:

- the background to current policies, plans and other strategic matters;
- what legislation says about the types of matters that Council is considering (what Council 'must do');
- where there is a need or opportunity for new policies or plans to be developed or where updates are required (to shape the future of Council and the region);
- potential implications of policy changes and the longer term consequences of decision making;
- constraints and risks associated with Council's decision making (e.g. local government jurisdiction, contract terms and conditions, agreements with funding bodies);
- what types of legislative powers that Council can delegate to the Chief Executive Officer (CEO) and any limitations and conditions established by the elected Council (including any limits on subsequent delegations to other employees);

Briefings will also provide:

- employees with insight into Councillors' priorities and community feedback received by Councillors;
- a forum for councillors' questions and answers.

### ***What briefings are not intended for***

Briefings will **not** be used for the following purposes:

- removing the need for Council debate and decisions at a Council meeting;
- progressing individual or personal requests;
- directing what an employee ultimately recommends to a Council meeting through an agenda report;
- influencing the subsequent actions of employees without a formal decision of Council or seeking to contravene employees' professional standards or quality, safety or environmental responsibilities.

### ***Frequency***

Briefings will occur on the first and third Wednesday of each month as time permits around other meetings.

- Briefing arrangements will be discussed while Councillors are together on the day of the Ordinary meeting, the week prior to the Briefing.
- Councillors ordinarily set aside the 1<sup>st</sup> and 3<sup>rd</sup> Wednesday of each month for briefings, if required.
- The decision to have a Briefing will be made with the majority view of Councillors.

### **Location**

Briefings will occur, where possible, in the Ernest Brock Room, Roma Cultural Centre (providing a more informal setting) or Council Chambers depending on availability.

### **Attendance**

In accordance with the “Code of Conduct for Councillors in Queensland” Councillors will attend and participate meaningfully in all informal meetings, briefings, relevant workshops and training opportunities to assist them in fulfilling their roles other than in exceptional circumstances and/or where prior leave is given.

Council will include attendance records at briefings (both whole and part) through its Annual Report each year.

### **Teleconferencing**

Where practical or necessary, Councillors’ or employees’ participation in a briefing may be via the use of a telephone, video conferencing equipment or other means of instant communication that allows a person to take part in discussions as they happen.

Those participating in a briefing via teleconference must ensure they are in a place that maintains the confidentiality of the briefing’s discussions, without others present.

### **Conflicts of Interest & Material Personal Interests**

Sections 175A to 175J (inclusive) of the *Local Government Act 2009* apply with respect to Councillors’ obligations at formal meetings of Council.

Whilst most of the sections referred to above do not apply to briefings, specific reference is made to section 175I which relevantly states:

- (1) This section applies to a councillor who has a material personal interest, real conflict of interest or perceived conflict of interest in a matter, other than an ordinary business matter.*
- (2) The councillor must not influence, or attempt to influence, another councillor to vote on the matter in a particular way at a meeting of the local government or any of its committees.*

*Maximum penalty—200 penalty units or 2 years imprisonment.*

- (3) The councillor must not influence, or attempt to influence, a local government employee or a contractor of the local government who is authorised to decide or otherwise deal with the matter to do so in a particular way.*

*Maximum penalty—200 penalty units or 2 years imprisonment.*

To avoid being in breach of either subsection (2) or (3) of section 175I, if a Councillor is aware that they have a conflict of interest or material personal interest in an item to be discussed at a briefing, that Councillor will declare that interest to all persons present and then deal with the interest by leaving the briefing whilst that particular item is discussed.

### ***Modification of Terms of Reference***

The Terms of Reference may be amended from time to time by resolution at a Council meeting.

### ***Related documents***

Confidentiality Procedure – Template adopted by Maranoa Regional Council – 22 April 2020 (**OM/04.2020/06**)

#### **Definitions:**

- 'councillor briefing sessions' are non-decision-making forums convened by councillors, the CEO and, as directed by the CEO, other Council officers that create an opportunity for councillors and officers to discuss matters of proposed policy or other strategic or community sensitive issues, as well as providing a forum for councillors to be made aware of issues of significance to the organisation and/or to the community.
- 'Information' comes in any number of forms including letters, reports/documents, facsimiles, attachments, tapes, emails, electronic media, and/or other forms of information including discussions during meetings.

#### **Confidential information**

- Includes information examined or discussed at councillor briefing sessions, unless the CEO declares that such information (or part thereof) is not confidential.