

Councillor and Staff Interaction Policy

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Strategic Pillar	Office of the General Manager
Responsible Branch	Governance, Legal & Risk

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1 OUTCOMES

- 1.1 Interactions between Councillors and staff are necessary to enable well-informed decision- making and provide a high standard of Council services to the QPRC community.
- 1.2 This Policy sets out the obligations of Councillors in exercising their civic duties by specifically addressing their ability to interact and receive advice from authorised staff.

2 POLICY

- 2.1 In accordance with Council's Code of Conduct, Councillors, Administrators and staff are expected to conduct their interactions with each other respectfully, professionally, objectively, honestly and ethically.
- 2.2 All access to staff other than the General Manager (GM) by Councillors is to be authorised by the GM.
- 2.3 Only those staff nominated by the GM can provide information and advice to Councillors.
- 2.4 Contact by Councillors with staff other than authorised staff should be through the GM in the first instance and with the approval of the relevant Director.

3 SCOPE OF THE POLICY

- 3.1 This Policy applies to the Mayor or Administrator, Councillors and Council employees, including contract and casual employees engaged by Council.

4 DEFINITIONS

Authorised staff – Staff authorised by the GM to interact with or provide advice to Councillors, namely the Executive staff (Directors), Manager Governance, Legal and Risk, Communications staff and Executive Assistant to Mayor and General Manager.

5 LEGISLATIVE OBLIGATIONS AND/OR RELEVANT STANDARDS

- NSW Local Government Act 1993 (sections 226 and 232)
- NSW Local Government (General) Regulation 2021
- NSW Government Information (Public Access) Act 2009
- NSW Privacy and Personal Information Protection Act 1998
- Code of Conduct
- Code of Meeting Practice

6 CONTENT

6.1 Obligations of Councillors

6.1.1 Councillors or administrators must not:

- (a) Direct Council staff other than by giving appropriate direction to the GM in the performance of Council's functions by way of Council resolution, or by the Mayor or Administrator exercising their power under section 226 of the Local Government Act 1993.
- (b) In any public or private forum, direct or influence or attempt to direct or influence, any other member of the staff or a delegate of the Council in the exercise of the functions of the member or delegate.

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- (c) Contact a member of the staff of the Council on Council-related business unless in accordance with the policy and procedures governing the interaction of Councillors and Council staff that have been authorised by the Council and GM.
- (d) Contact of issue instructions to any of Council's contractors or tenderers, including Council's legal advisors, unless by the Mayor or Administrator exercising their power under section 226 of the Act. This does not apply to the Chair of Council's Audit, Risk and Improvement Committee who may be provided with any information by individual Councillors reasonably necessary for the Committee to effectively perform its functions.
- (e) Councillors must not take advantage of their official position to improperly influence other Councillors or members of Council staff in the performance of their civic or professional duties for the purpose of securing private benefit for themselves or for another person.

6.2 Obligations of Staff

6.2.1 Members of staff of Council must:

- (a) Carry out lawful directions given by any person having authority to give such directions.
- (b) Give effect to the lawful decisions, policies, and procedures of the Council, whether or not the staff member agrees with or approves of them.

6.2.2 In circumstances where staff are unsure whether or not they should provide information to, or respond to a request from a Councillor, they should refer the matter to their relevant Director or to the GM, or request that the Councillor make the request through the GM.

6.2.3 Information provided by authorised staff to any Councillor must be provided to all Councillors.

7 REVIEW

- 7.1 This policy will be reviewed every four years or earlier as necessary if:
- a) Legislation requires it, or
 - b) Council's functions, structure or activities change