

Council Policy

Council Policy Name: Meetings, Information Sessions and Decision Making Processes

Responsible Directorate: Finance and Corporate Services

Version ADOPTED

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1. PURPOSE

- 1.1. A key role of a Councillor is to participate in the Local Government’s decision-making processes at Council and Committee meetings. A key function of the CEO is to ensure that advice and information is available to the Council so that informed decisions can be made.
- 1.2. The purpose of this Policy is to set out guidelines for the provision of information to Councillors at Council and Committee meetings and Information Sessions, as well as how Information Sessions will be managed.

2. SCOPE

- 2.1 This Policy is applicable to all Council and Committee meetings and Information Sessions.

3. DEFINITIONS

Term	Meaning
Information Session	Councillor workshops, agenda briefing sessions, briefing sessions, community access sessions and working groups involving Councillors
Policy	this City of Busselton Council policy titled “Meetings, Information Sessions and Decision Making Processes”

4. STRATEGIC CONTEXT

- 4.1 This Policy links to Key Theme 4: LEADERSHIP - A Council that connects with the community and is accountable in its decision making, of the City’s Strategic Community Plan June 2021 and specifically the following Strategic Priorities:
 - a. 4.2: Deliver governance systems that facilitate open, ethical and transparent decision making; and
 - b. 4.4: Govern a professional organisation that is healthy, capable and engaged.

5. POLICY STATEMENT

- 5.1. The City utilises a range of mechanisms to ensure Councillors can make informed decisions, including workshops, briefing sessions, community access sessions and working groups.

Council and Committee Meetings

- 5.2. Council and Committee Meetings are conducted in accordance with the *Local Government Act 1995* (the Act), the *Local Government (Administration) Regulations 1996* (the Regulations), *Local Government (Administration) Amendment Regulations 2022* and the *City of Busselton Standing Orders Local Law 2018* (the Standing Orders).
- 5.3. Formal decisions of the Council are made at Council and Committee meetings.

Public Question Time

- 5.4. Public question time allows members of the public to participate in local government by asking questions of the Council in relation to issues affecting the City. It also assists the City in identifying issues of importance to the community and assists the public to be better informed about how the City is governed.
- 5.5. The requirements for public question time are dealt with in the Act, the Regulations, the Standing Orders, and this Policy.
- 5.6. The City will allocate a minimum of 15 minutes and a maximum of 30 minutes per Council meeting for public question time.
- 5.7. Members of the public should register their intent to ask a question at a Council meeting by completing and submitting the Public Question Time form before 4pm the day prior to the relevant meeting.
- 5.8. Subject to paragraph 5.9, members of the public will be invited to ask their question in order of registration. Where time permits, members of the public who have not submitted a question will then be invited to ask a question.
- 5.9. The Presiding Member may group together questions that deal with a particular item.
- 5.10. Questions will be limited to three per person, to ensure that each person who is registered to ask a question has an opportunity to do so within the time allocated. Additional questions may be permitted by the Presiding Member where time permits.
- 5.11. Where a person is not present to ask their submitted question it will be responded to administratively as general correspondence. Councillors will be provided a copy of the response.
- 5.12. Questions may be taken on notice, to be responded to at a later time by the CEO in accordance with clause 6.7 of the Standing Orders.
- 5.13. Public question time is for the tabling of questions, not for members of the community to make statements. For context, the Presiding Member may allow a short preamble only.
- 5.14. Questions containing defamatory remarks or offensive language, or that question the competency or personal affairs of Elected Members or employees may be ruled inappropriate by the Presiding Member subject to the Presiding Member taking reasonable steps to assist the member of the public to rephrase the question.
- 5.15. There will be no debate or discussion on the response provided.

Public Agenda Presentations

- 5.16. Public Agenda Presentations (PAP) provide the opportunity for members of the community to give a presentations on items relating to the current Council agenda.
- 5.17. PAP will be run in the same order as the current Council agenda. Items may be brought forward at the discretion of the Presiding Member.
- 5.18. The Presiding Member will generally allow between 4 and 6 presenters on each item, with a maximum of 5 minutes per presentation.
- 5.19. Bookings are encouraged prior to commencement of the PAP.

- 5.20 The CEO will keep a record of matters raised at Public Agenda Presentations, including who they were raised by and the agenda item to which they relate.

Community Access Sessions

- 5.21. Community Access Sessions provide community members with the opportunity to ask questions of Councillors on any matters of local government business. While Community Access Sessions are not formal meetings of Council, it is important that they are conducted in a way that is consistent with the principles and objectives of the Act, the Regulations and the Standing Orders in relation to the conduct of business.
- 5.22. The CEO will keep a record of matters raised at Community Access Sessions, including who they were raised by.

Agenda Briefing Sessions

- 5.23. Agenda briefing sessions provide Elected Members with the opportunity to ask questions of officers and other Elected Members on current Council agenda items.
- 5.24. Agenda briefing sessions shall be conducted in an open, accountable manner, subject to confidentiality provisions.

Briefing Sessions and Workshops

- 5.25. Outside of agenda briefing sessions it is usual for workshops and briefing sessions on a range of matters to be convened by the CEO for the purpose of providing relevant information to Councillors.
- 5.26. Briefing sessions and workshops are convened to offer Councillors the opportunity to:
- a. explore options and discuss ideas;
 - b. discuss future agenda items and strategic direction;
 - c. to be briefed on key ongoing projects and have input prior to the allocation of resources in taking forward reports to the Council;
 - d. provide feedback and input in relation to decisions being made, or which may be made, by officers (under delegation, authorisation or similar, or 'acting through');
 - e. discuss and resolve where possible grievances and concerns.
- 5.27. Briefing sessions are relatively informal and are not open to the general public (unless invited) due to the preliminary and exploratory nature of the discussions.
- 5.28. Formal decisions of the Council are only made during a formal Council meeting and therefore collective or implied agreement on any issue during any briefing, information session or workshop cannot bind the Local Government.

Behaviour Protocols

- 5.29. In addition to the protocols already outlined in this Policy, the following will apply to public attendance:
- a. a public address will be limited to a period of 5 minutes unless the person is granted an extension by the presiding member;
 - b. respect will be shown to Councillors, employees and other members of the public;
 - c. a person must not create a disturbance by interrupting or interfering with the proceedings;
 - d. participation is in good faith. The presiding member may decide that a question or address is not to be responded to where the same or similar question or matter was raised by the same individual or group as a previous CAS or PAP;

- e. no person is to use any electronic, visual or audio recording device or instrument to record the proceedings without the permission of the Presiding Member, unless it is at the discretion of the CEO for the purposes of recordkeeping.

5.30 If the Presiding Member considers a member of the public has engaged in conduct contrary to the requirements of 5.28, they may request the person to refrain from the inappropriate behaviour and / or to withdraw inappropriate comments.

5.31 Where a member of the public fails to comply with the Presiding Members request, the Presiding Member may immediately require the person to stop speaking and / or may require the person to leave the meeting or session.

Information Provision

5.32. Requests by Councillors’ for information should be directed to the CEO or relevant Director and circulated to all Councillors for information. The officer’s response should be circulated to all Councillors.

5.33. Councillors can ask for personal information of a private nature to be provided on a “Private and Confidential” basis. The CEO will consider the appropriateness of the request and determine whether such information is to be provided.

5.34. Where a question cannot be sufficiently answered at an Information Session or Council or Committee meeting, any further information is to be circulated to all Councillors.

5.35. In addition to disclosure requirements that apply at formal meetings, the Department of Local Government guidelines promote disclosure of interests at agenda forums, as participation without disclosing an interest is ethically unacceptable. Interests shall therefore be disclosed at Information Sessions.

6. RELATED DOCUMENTATION / LEGISLATION

- 6.1. *Local Government Act 1995*
- 6.2. *Local Government (Administration) Regulations 1996*
- 6.3. *Local Government (Administration) Amendment Regulations 2022*
- 6.4. *City of Busselton Standing Orders Local Law 2018*
- 6.5. Department of Local Government Operational Guideline No. 3 – Managing Public Question Time
- 6.6. Department of Local Government Operational Guideline No. 5 - Council Forums

7. REVIEW DETAILS

Review Frequency		3 yearly		
Council Adoption	DATE	15 February 2023	Resolution #	C2302/001
Previous Adoption	DATE	23 March 2022	Resolution #	C2203/060