

ACCEPTABLE REQUESTS GUIDELINES

Requests by Councillors for Assistance or Information

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SCOPE

These Guidelines apply to the Mayor and all Councillors and employees and relate specifically to requests by Councillors for assistance or information in accordance with the *Local Government Act 2009*.

PURPOSE

The Mayor and Councillors of Isaac Regional Council will all from time to time require assistance or information from the employees of the Council to enable them to effectively carry out their duties and represent the interests of the community.

Section 170A (6) of the *Local Government Act 2009* (the Act) Council is required to adopt acceptable requests guidelines about;

- (a) The way in which a Councillor may ask a local government employee for advice to help the Councillor carry out his or her responsibilities under this Act; and
- (b) Reasonable limits on requests that a Councillor may make.

Accordingly, these Guidelines outline the standards for the provision of assistance or information to Councillors and are to be followed by the Mayor, all Councillors and all employees.

The underpinning principles and Councillors' responsibilities under the Act are set out in Sections 4 and 12 respectively. The provisions of these Sections require Councillors to act in the interests of the residents of the local government area, to ensure effective service delivery and to be accountable to the community for the performance of the local government.

Section 13 of the Act sets out the responsibilities of local government employees including efficient and effective management of public resources, excellence in service delivery and provision of sound and impartial advice.

Through these provisions, the Act recognises that Councillors need to have access to current and relevant information about the local government to enable them to carry out their responsibilities.

Employees recognise this need and understand that the provision of prompt, accurate information to Councillors will enhance Council's reputation in the community as an efficient, customer focused organisation.

It is also recognised that all Councillors and employees live and work in relatively close communities where social interaction can be frequent and unavoidable. These Guidelines are not intended to constrain normal community interaction between Councillors and employees, but where such interaction is clearly work-related, these Guidelines are intended to establish structure and discipline to ensure that social interaction does not compromise corporate obligations and objectives.

Therefore, the purpose of these Guidelines is to support good corporate governance in accordance with the local government principles by providing clear guidance for Councillors and employees to assist them in complying with the Act and serving the needs of our community.

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DEFINITIONS

TERM

MEANING

The Act

Local Government Act 2009

ROLES & RESPONSIBILITIES

Councillor's Responsibilities

- Communications by Councillors with employees must be conducted in a respectful, reasonable and professional manner.
- Communications must be conducted in accordance with the Code of Conduct for Councillors in Queensland; conducted in a respectful, reasonable and professional manner
- Councillors be cognisant of the conflict of interest provisions in the relevant legislation when seeking information
- Communications by Councillors with employees must:
 - be conducted in accordance with the principles prescribed in Section 4(2) of the *Act*,
 - comply with the law, Council Policies, Guidelines and Procedures;
 - be relevant to the employees' position, expertise and Department responsibilities; and
 - be conducted in good faith.
- Councillors may request, from any employee, assistance or information of a similar nature and in similar manner to that which the employee would ordinarily give to the public (e.g. with a Customer Service Officer at a Customer Service Centre).
- When referring requests for action from constituents and/or interest groups, Councillors shall use the Councillors Help Desk System rather than directly referring requests to any employee individually.
- Councillors may request, from any employee, assistance or information relating to minor or routine matters. Such requests may be either oral or in writing at the discretion of the Councillor. A minor/routine matter includes procedural type issues, e.g. "When will those minutes be distributed?", or following up on an issue previously raised, e.g. "You told me that information would be put on our website yesterday. Has that occurred now?", or any other matter that the Chief Executive Officer or a Director has specifically referred to another employee for attention and a Councillor wishes to enquire on the status of the matter.
- For anything other than minor/routine matters, wherever reasonably possible, Councillors shall direct requests for assistance or information to the Chief Executive Officer, or the relevant Director, whichever is the most appropriate given the nature of the request.
- Where it is appropriate to do so, for example on a significant policy matter or a matter of high importance, Councillors' requests for assistance or information shall be made in writing.

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- Wherever possible, Councillors' requests for assistance or information outside of normal business hours shall be made only to the Chief Executive Officer or the relevant Director. Councillors are encouraged to only seek assistance or information out of hours for matters of significant concern that should not be left to the next business day to resolve, e.g. imminent risk to community safety; an operational issue that immediately and significantly impacts residents' amenity or capacity to access services; or significant immediate risk to Council's reputation, etc. Where out of hours matters involve service issues, such as dog complaints, water supply problems or nuisance complaints, Councillors are to use the afterhours service to report such matters and/or deal with the appropriate on-call officer.
- Councillors shall consider the likely cost implications in making requests for assistance or information, and shall not make requests where costs cannot be justified.
- Councillors' may request the attendance of an employee at a meeting with a member(s) of the public where technical input, relevant background knowledge of the matter etc. is necessary. Such requests shall be submitted to the CEO or relevant Director, with reasonable lead time and adequate supporting information so that the employee can attend the meeting with a solid understanding of the issue at hand and where appropriate a meeting of minds can be established between the Councillor and employee.
- Councillors shall be mindful of operational workloads and priorities and will work collaboratively with employees to ensure that assistance and information requests do not significantly impact on such workloads and priorities. For example, where possible, Councillors will allow employees sufficient time to respond, generally in keeping with the response times for employees set out in these Guidelines.
- Other than in accordance with these Guidelines, Councillors shall not direct, or attempt to direct any employee to do anything. The only exception to this is for the Mayor, who is entitled to direct the Chief Executive Officer or senior contract employees (i.e. Directors) in accordance with Section 170 of the *Act*.
- If a Councillor is approached by an employee during a social interaction with a work-related matter, the Councillor is entitled to carry the conversation to a respectful stage but should guide the employee to the appropriate corporate communication process. In such cases at the discretion of the Councillor, matters raised should also be referred by the Councillor to the Chief Executive Officer or relevant Director.

Employees' Responsibilities

- Communications by employees with Councillors must be conducted in a respectful, reasonable and professional manner.
- Communications by employees with Councillors must;
 - be conducted in accordance with the principles prescribed in Section 4(2) of the *Act*
 - be conducted in accordance with the Employee Code of Conduct; Communications by Councillors with employees must be conducted in a respectful, reasonable and professional
 - comply with the law, Council Policies, Guidelines and Procedures
 - be relevant to the employee's position, expertise and Department responsibilities; and

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- be conducted in good faith.
- If an employee is not competent to respond with adequate knowledge and experience, and/or without functional responsibility for the matter, the employee shall refer the request to his/her supervisor and shall refrain from responding other than to advise that the request has been referred.
- Employees shall consider the likely resource implications in responding to Councillors' requests for assistance or information, and where the employee has concerns relating to the costs or other use of resources, he/she shall refer the request to the relevant Director or Chief Executive Officer.
- The Chief Executive Officer or Director may authorise provision of the requested assistance or information to all other Councillors if it is considered that such provision would be in the best interests of the Council and/or the community or if the request relates to a matter currently under consideration by Council. In doing so the Chief Executive Officer or Director will advise the relevant Councillor of their intention to provide the information to all Councillors.
- Employees shall make every effort to assist Councillors where a request is received to attend a meeting with the Councillor and a member(s) of the public. Wherever practical to do so, the employee will ensure they have been provided with adequate background information on the matter so they have a solid understanding of the issue at hand, and where appropriate, have discussed the matter with the Councillor before attending the meeting. If the employee feels they are unqualified to attend the meeting, they will advise their Director who shall consider the matter, liaise with the relevant Councillor and ensure appropriate alternative arrangements are made to support the Councillor.
- If an employee is approached by a Councillor during a social interaction with a work-related matter, the employee is entitled to carry the conversation to a respectful stage but should guide the Councillor to the appropriate corporate communication process. In such cases, matters raised should also be referred by the employee to the Chief Executive Officer or relevant Director.

RESPONSE TIMES TO REQUESTS FOR ASSISTANCE

- Wherever possible, for routine requests where the information the Councillor is seeking is known to an employee or is readily available from a Council business system, the response will be provided immediately, e.g. over the phone or directly by email on the day.
- All other requests will be responded to within three business days unless the matter is of a complex nature.
- Where the matter is complex, e.g. it requires research and analysis or it requires input from several areas (e.g. multiple Council Departments and/or State agencies etc.) the employee concerned will provide an estimate of how long the request is likely to take and if that period of time elapses and the information still isn't available the employee will contact the Councillor, or Mayor and Mayors' Office as appropriate, and advise of the delay and the revised timeframe for provision of the information.
- Wherever possible, complex matters should be responded to within ten business days with an interim response provided within five business days. Where an employee feels they need more than ten days to respond they should advise their Director so proper consideration can be given to operational and

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resourcing issues. The Group Manager will ensure the Mayor and Mayors' Office is kept up to date with progress and anticipated date of finalisation.

- The Mayor's Office, at the sole discretion of the Mayor, may from time to time determine that a matter is urgent. Where the Mayor's Office classifies a matter as urgent, every endeavour will be made to provide the assistance or information to the Mayor in the shortest timeframe possible. For urgent matters that cannot be resolved inside two business days, the employee will ensure that the relevant Director is made aware of the reasons for delay so they can be communicated to the Mayor and Mayors' Office.
- Where a Councillor requires an urgent response on a matter, he/she shall go through the Mayor's Office with the request. If the Mayor agrees that the matter is urgent, the Mayor's Office can make a request for urgent assistance or information on behalf of the Councillor and the request will be dealt with as if it was an urgent request from the Mayor.
- Employees will always place a level of priority on requests for assistance or information from Councillors. Where it is practical to do so and will not result in service delivery issues for the community, employees will endeavour to meet or exceed these timeframes at all times. Where there are genuine operational or resourcing reasons for delays employees will always be open and communicative with Councillors, and/or the Mayor and Mayors' Office, and will provide alternative estimated timeframes so that expectations can properly be managed.

REFERENCES AND RELATED DOCUMENTS

- *Local Government Act 2009*
- *Code of Conduct for Councillors in Queensland*

DOCUMENT ID/NAME

ID	NAME
CORP-POL-079	Code of Conduct
CEO-PRO-088	Councillor Helpdesk Procedure