

Working Together

Promoting effective interaction between Councillors and staff

1. Background

Effective interactions between Councillors and staff are vital to good governance at Monash. Such interactions are to be consistent with the Monash Values. These are **Accountability, Respect** and **Teamwork**.

Whilst Councillors can approach staff directly there has been an understanding at Monash that it is preferable for Councillors to approach Managers or ELT with requests for information. Senior staff are more likely to have a full picture of what is going on and are able to advise Councillors accordingly.

The new *Local Government Act 2020* requires a more formal approach. Specifically, section 46(3)(c) of the *Local Government Act 2020* makes the CEO responsible for:

“managing interactions between members of Council staff and Councillors and ensuring that policies, practices and protocols that support arrangements for interaction between members of Council staff and Councillors are developed and implemented”

This requirement is effective from 1 July 2021 and is the reason why the CEO has developed this document, *Working Together: Promoting effective interaction between Councillors and staff*, which is to be read in conjunction with Council’s *Governance Rules*, the *Councillor Code of Conduct*, the *Staff Code of Conduct* and relevant legislation. More information and advice is available from the Chief Operating Officer.

2. Expectations

Effective interactions between Councillors and staff are assisted by an understanding of expectations. The following mutual expectations have been agreed upon in discussions between Councillors and ELT.

2.1 Councillor Expectations

Councillors rely on the CEO and staff to:

- provide timely and reliable advice concerning the *Local Government Act 2020* and all other acts relating to Council’s operations, and to act lawfully at all times;
- always provide frank and fearless advice, along with high quality information and documentation;
- advise where information is confidential or covered by privacy;
- implement Council decisions without delay; and
- to the extent possible, protect Councillors from Occupational Health & Safety risks when fulfilling their role as Councillors.

2.2 Staff Expectations

The CEO and staff rely on each individual Councillor to:

- bring the concerns of residents and other stakeholders to the attention of appropriate staff so that customer issues can be responded to in a timely manner;
- actively consider advice received from staff;
- seek advice in a manner which allows staff to provide timely, reliable and meaningful advice by making requests which:
 - clearly specify the information sought;
 - identify the required timeframe; and
 - are directed through the appropriate channel, such as the Councillor Action Request System (CARS);
- clearly identify when the contact with staff is made in a personal capacity, as opposed to in the capacity as a Councillor; and
- to the extent possible, ensure that the interactions between Councillors and staff do not lead to Occupational Health & Safety risks.

3. Policy, Practices and Protocols

3.1 Contact between Councillors and staff

- 3.1.1 Councillors and staff are part of the broad Monash Council Team but in many cases they are also part of our shared local community. Therefore, incidental contact between staff and Councillors can occur in a number of settings. In any setting some discussion of Council business is acceptable, as long as confidential information or information covered by privacy is not involved.
- 3.1.2 Councillors also sometimes seek general information from the staff member responsible for directly managing a situation whilst at community events, onsite meetings and the like. This incidental contact is acceptable, as long as there is no discussion of confidential information or information to which privacy applies.
- 3.1.3 Most importantly, where a Councillor wants definitive information as part of their consideration of a matter before Council or to advocate on behalf of a resident, they should consult an authoritative source. Depending on the specific situation, this will be the CEO, a member of ELT, or the responsible Manager. Advice about the authoritative source is available from Governance.
- 3.1.4 Where a staff member feels that they are not the appropriate person to respond to an enquiry from a Councillor, or if they feel uncomfortable responding, they will escalate the enquiry to their manager and advise the Councillor that they have done so.

3.2 Dissatisfaction with response

- 3.2.1 Occasionally, there may be a disagreement arising from an interaction between Councillors and staff. Examples include:
- timeliness or adequacy of response;
 - an alleged breach of either the *Councillor Code of Conduct* or *Staff Code of Conduct*;
 - whether responding will place an unreasonable burden on Council resources;
 - whether the request relates to Council business; and
 - whether the request relates to matters beyond the scope of the functions of Councillors, such as staffing matters.
- 3.2.2 Expressions of dissatisfaction shall be directed to the Chief Operating Officer.

4. Breaches

Breaches will be addressed via the *Councillor Code of Conduct*, *Staff Code of Conduct*, or other relevant policies and legislative obligations.

This document was developed by Dr Andi Diamond, as required by section 46(3)(c) of the Local Government Act 2020, in consultation with Councillors.