



Council Policy

Elected Member Communication Protocols Policy

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VERSION CONTROL

Version	Resolution Number	Meeting Date	Remarks
1	14.2.1	16/04/2009	Adopted
2			
3			

Objective

1. This policy seeks to clarify and establish communication protocols related to the functions of elected members and staff.

Scope

2. This policy applies to elected members and all staff at the City of Albany. The policy has been prepared to clearly define the role and function of the Mayor and Councillors and to help members perform their duties.
3. The content of this policy is not unique to the City of Albany; in fact these protocols exist in most municipalities, across Australia.

Definitions

4. Terms and acronyms used in the policy:

Act	The Local Government Act 1995
FOI	Freedom of Information Act 2000

Policy Statement

5. This policy works in conjunction with the Communication strategy to development better communication between the City of Albany and it external and internal stakeholders so that the City's overall strategic objectives can be achieved efficiently.

Legislative and Strategic Context

6. The role of the Mayor as defined in the Act is to:
 - a. chair all meetings of the Council
 - b. act as the spokesperson for the Council
 - c. perform other functions as determined by the Council from time to time
 - d. carry out the civic and ceremonial functions of the Office of Mayor
 - e. liaise with the CEO on the local government's affairs

7. In addition the Act provides that the role of the Mayor and the other elected members is to:
 - a. Direct and control the affairs of the Council;
 - b. Be responsible for the local government functions;
 - c. Oversee the allocation of the local government's finances and resources; and
 - d. Determine the local government policies.
8. The Act provides that the Mayor and other elected members have no direct authority over an officer or employee of the Council in relation to the way in which the officer or employee performs his or her duties.
9. The following protocols and procedures have been developed:
 - Elected member correspondence and records handling procedures
 - Relations with the public and media
 - Committing the Council or its resources before getting Council approval
 - Functions
 - Communicating with staff

Elected member correspondence and record handling procedures

10. The following procedures have been developed for the handling of elected member and staff correspondence, including emails.
 - a. **Opening Mail.** All letters addressed to elected members and staff (except those marked private or confidential) will be opened and recorded by Records.
 - b. **Emails.** Emails to staff are archived automatically and staff are responsible for Records registration of emails with significant content. All external emails to the Mayor or Councillors about Council business will be recorded by the Records management team/Mayor's P/A. If the records management team does not have direct access to the elected members' emails then the Mayor or Councillor is responsible for forwarding emails to the Records management team for registration.

Processing Mail and Emails

11. The processing of mails and emails will be determined by the following classifications:

Category One

Correspondence from Government Ministers and other members of Parliament:

- copy to Mayor for information
- copy to CEO or relevant Executive Director to draft response from Mayor
- reply to Mayor for signature (Mayor's P/A)

Category Two

Correspondence that is 'personal' in nature e.g. invitations, external interest of the Mayor or Councillor, requests for donations:

- to Mayor for action (Mayor's P/A)
- to Councillor for action (Mayor's P/A)

Category Three

Correspondence from the general public in relation to Council business:

- copy to Mayor for information
- copy to Councillor for information
- copy to CEO or relevant Director for action
- reply to include words to the effect that 'the Mayor has asked me to respond to your letter'

Customer Service Standards

12. The standards require a response within 5 working days. In most cases this will require the Mayor's P/A to acknowledge receipt of the letter.

Responses

13. Where drafting a response for the Mayor (Cat 1) judgement should be exercised so as to avoid bureaucratic language whilst still outlining the Council's policy position. For example a simple reply advising that the Council cannot assist with a grant is not sufficient.
14. The Mayor will deal with draft responses within 3 working days.
15. If the Mayor seeks a variation to the reply the letter should be returned to the CEO with comments so the matter can be reviewed.
16. If the Mayor has neither signed and sent the draft response or sought to have the draft varied within 48 hours the draft may be withdrawn and redrafted for signature by the CEO.

Use of letterhead

17. Mayoral letterhead is used by the Mayor in his or her capacity as the elected leader of the community.
18. Formal correspondence on behalf of the Council – whether in response to a resident's request or as an outcome of a Council resolution – should be on the corporate letterhead.

Legislation

19. Correspondence to the Mayor in his or her formal capacity is a 'record of Council'. As such the correspondence and any response to it are part of the Council's records and form part of its property.
20. Part of the CEO's responsibility under the Act is to maintain a register of correspondence and to ensure the correspondence is preserved.
21. Other legislation requires the preservation of correspondence and its availability for Freedom of Information (FOI) purposes.

Relations with the public and the media

Media

22. The Council and the Act recognise the role of the Mayor as the principal spokesperson of the Council. The Mayor can request staff assistance in media relations.
23. This policy provides that:
 - a. Council staff, including those in the media liaison section, shall not engage in any media activity which is deemed by the CEO to be specifically for the personal advantage of any elected member.
 - b. While representing the Council in a media interview, elected members shall not express a personal point of view for the purposes of gaining personal or election advantage.
 - c. When dealing with the media, elected members and staff are not to use or disclose information gained in the ordinary course of the business of the Council in a way that may cause significant damage or distress to a person, damage the interests of the Council, or confer an unfair commercial or financial advantage on a person or business.
 - d. When speaking to the media, elected members other than the Mayor must clearly state that they are presenting a personal viewpoint and they are not speaking for the Council.
24. Care needs to be taken by the Mayor or others when responding to media enquiries about matters which have yet to go to the Council. In such circumstances it may be more appropriate to offer a personal opinion however such an opinion should be clearly identified as such.

Public

25. All aspects of communication by staff (including verbal, written or personal), involving the Council's activities should reflect the status and objectives of that Council. Communications should be accurate and professional.
26. As a representative of the community, elected members need to be not only responsive to community views, but to adequately communicate the attitudes and decisions of the Council.

27. In all public statements, including media contact, elected members should:
- a. Communicate respect for the decision making processes of the Council which are based on a decision of the majority of the Council;
 - b. Withhold information of a confidential nature until it is no longer treated as confidential;
 - c. Ensure information relating to decisions of the Council on approvals or permits is only communicated in an official capacity by a designated officer of the Council;
 - d. Accurately convey information concerning adopted policies, procedures and decisions of the Council;
 - e. Clarify whether or not they are representing Council in accordance with an adopted Council position, policy or procedure, or if they are presenting a personal viewpoint as an individual;
 - f. Take care when expressing personal views not to show disrespect for the Council, its decisions, decision making process or other elected members and staff.
28. The Mayor has a number of roles some of which can, at times, be in conflict. For example part of the Mayor's role is to advocate on behalf of his or her constituents however the Mayor is also the Council's principal spokesperson so statements made by the Mayor may be seen as committing the Council to a course of action.
29. In dealing with the public the Mayor should:
- a. Reflect the Council's position as well as his or her own personal view
 - b. Portray the Council in a positive light
 - c. Avoid committing the Council to any particular course of action (or committing the Council's resources)
 - d. Avoid any admission of legal liability.
30. Avoidance of public criticism of individuals in a way that reflects on their competence or integrity is encouraged.
31. Two approaches are recommended for handling meetings with constituents depending upon the circumstances:
- a. Mayor meets with constituent. Listens to problems and commits to making enquiries. The matter can then be investigated and the Mayor can then write to the constituent or arrange a follow up meeting (with or without the relevant Director).
 - b. Mayor makes time for constituent to meet with the Mayor and relevant Director.

Committing the Council or resources before getting Council approval

32. As the Mayor or Councillor has no direct authority to either commit the Council to a course of action or to commit Council resources, including staff time, the following procedures will apply to initiatives, requests and functions.

Developing ideas, projects or proposals

33. Mayor asks the CEO to list the item on the Agenda at a forthcoming meeting for consideration by Council. The Council determines appropriate action which could include calling for a report.

Responding to constituent (or other) requests

34. Mayor refers the matter to CEO, or designated officer for action. The actioning officer will advise the Mayor of the outcome.

The Mayor should keep a short record of meetings held to be forwarded to records as a file note.

Civic functions

35. The guest list for civic receptions and other official functions will be at the discretion of the Mayor.

Communicating with staff

36. All staff are answerable to the CEO who is answerable to the Council. The Mayor's primary channel for communication with the administration will be through the CEO or designated actioning officer.
37. At the CEO's discretion the Mayor may deal directly with the Directors.

Review Position and Date

Chief Executive Officer to review on or before 01/12/2011

Associated Documents

- City of Albany Communication Strategy 2005
- IT System Security and Information Management Policy
- Communication Guide
- State Records Act 2000 (WA)
- Privacy Act 1988