

1.6: ADOPTION OF COUNCIL POLICIES

- Proponent** : City of Albany
- Attachments** :
 - Draft Code of Conduct for Members of Council
 - Draft Mayoral Vehicle Allowance Policy
 - Draft Elected Members Communications Policy
 - Draft Elected Member Induction Manual
 - Draft Handling of Complaints By or Against Elected Members Policy
 - Draft Handling Complaints By or Against the Chief Executive Officer Policy
- Responsible Officer** : Chief Executive Officer, Faileen James

IN BRIEF

- Rescind old Council Policies and Adopt new Council Policies.

RECOMMENDATION**ITEM 1.6: RESOLUTION****VOTING REQUIREMENT: SIMPLE MAJORITY****MOVED: MAYOR EVANS****SECONDED: COUNCILLOR WOLFE**

THAT Council RESCIND any previous policies and associated procedures and guidelines relating to the below matters and ADOPT the following Council Policies:

- 1. Code of Conduct for Members of Council**

CARRIED 6-3**Record of Vote**

Against the Motion: Councillors D Bostock, J Bostock and M Leavesley

ITEM 1.6: RESOLUTION**VOTING REQUIREMENT: SIMPLE MAJORITY****MOVED: COUNCILLOR MATLA****SECONDED: COUNCILLOR DUFTY**

THAT Council RESCIND any previous policies and associated procedures and guidelines relating to the below matters and ADOPT the following Council Policies:

1. Mayoral Vehicle Allowance

CARRIED 9-0**ITEM 1.6: RESOLUTION****VOTING REQUIREMENT: SIMPLE MAJORITY****MOVED: COUNCILLOR MATLA****SECONDED: COUNCILLOR WOLFE**

THAT Council RESCIND any previous policies and associated procedures and guidelines relating to the below matters and ADOPT the following Council Policies:

1. Elected Members Communications Policy

CARRIED 7-2**Record of Vote**

Against the Motion: Councillors J Bostock and Leavesley

ITEM 1.6: RESOLUTION**VOTING REQUIREMENT: SIMPLE MAJORITY****MOVED: COUNCILLOR MATLA****SECONDED: COUNCILLOR WOLFE**

THAT Council RESCIND any previous policies and associated procedures and guidelines relating to the below matters and ADOPT the following Council Policies:

1. Elected Member Induction Manual

CARRIED 6-3**Record of Vote**

Against the Motion: Councillors D Bostock, J Bostock and Leavesley

ITEM 1.6: MOTION BY COUNCILLOR D BOSTOCK
VOTING REQUIREMENT: SIMPLE MAJORITY**MOVED: COUNCILLOR D BOSTOCK**
SECONDED: COUNCILLOR J BOSTOCK**THAT the Handling of Complaints by or Against Elected Members Policy be laid on the table for further consideration by Council.****LOST 3-6****Record of Vote**

For the Motion: Councillors D Bostock, J Bostock and Leavesley

ITEM 1.6: RESOLUTION
VOTING REQUIREMENT: SIMPLE MAJORITY**MOVED: COUNCILLOR MATLA**
SECONDED: COUNCILLOR WELLINGTON**THAT Council RESCIND any previous policies and associated procedures and guidelines relating to the below matters and ADOPT the following Council Policies:**

- 1. Handling of Complaints By or Against Elected Members Policy**

CARRIED 6-3**Record of Vote**

Against the Motion: Councillors D Bostock, J Bostock and Leavesley

ITEM 1.6: RESOLUTION
VOTING REQUIREMENT: SIMPLE MAJORITY**MOVED: COUNCILLOR MATLA**
SECONDED: COUNCILLOR DUFTY**THAT Council RESCIND any previous policies and associated procedures and guidelines relating to the below matters and ADOPT the following Council Policies:**

- 1. Handling Complaints By or Against the Chief Executive Officer Policy**

CARRIED 7-2**Record of Vote**

Against the Motion: Councillors J Bostock and D Bostock

BACKGROUND

1. A number of deficiencies have been identified in the listed policies or in some cases no Council Policy position existed.
2. The following Council policies are new:
 - Mayoral Vehicle Allowance Policy;
 - Elected Member Induction Manual (previous versions not endorsed by Council);
 - Handling of Complaints By or Against Elected Members Policy; and
 - Handling Complaints By or Against the Chief Executive Officer Policy.
3. The following Policies have been revised:
 - Code of Conduct for Members of Council (previous version endorsed by Council 20 August 2008); and
 - Elected Members Communications Policy (previous version endorsed by Council 20 July 2010).

DISCUSSION

4. Council members requested revision and or development of new Council policies.
5. A series of workshops have been conducted to allow elected member discussion on some of the policies, with the final workshop being conducted on 27 September 2011.

GOVERNMENT CONSULTATION

Nil

PUBLIC CONSULTATION / ENGAGEMENT

Nil

STATUTORY IMPLICATIONS

6. In accordance with section 2.7 of the *Local Government Act 1995*, Council is responsible for determining the local government's policies.

STRATEGIC IMPLICATIONS

7. The introduction of a new policy directly links to the City's Vision and Values (2011-2021), being: Results: Strive for business excellence and continuous improvement.
8. This report directly links to the City of Albany Strategic Plan 2011-2021, being: Values: Results – Strive for business excellence and continuous improvement.

Key Focus Areas

- **Community Priorities:** Policy and procedures
- **Proposed Strategies:** Regularly review all policies in consultation with community and key stakeholders.

POLICY IMPLICATIONS

9. The listed new policies will come into effect and the old policies and associated guidelines and procedures will be rescinded.

RISK IDENTIFICATION & MITIGATION

10. The risk identification and categorisation relies on the City's Risk Management Framework.

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<i>Council fails to adopt the proposed draft policies</i>	<i>Unlikely</i>	<i>Medium</i>	<i>Medium</i>	<i>Policies will be further reviewed and resubmitted to a future Council meeting.</i>

FINANCIAL IMPLICATIONS

11. The cost of reviewing and administering the proposed draft policies was undertaken by the Office of the CEO using staff resources within existing budget lines.

LEGAL IMPLICATIONS

12. Adoption of the new Elected Member Code of Conduct Policy means a code of conduct prepared or adopted under section 5.103(1) of the Act, being: *Every local government is to prepare or adopt a code of conduct to be observed by council members, committee members and employees.*
13. In accordance with section 5.104(6) of the Act, the Rules of Conduct do not limit what a Code of Conduct under section 5.103 may contain.
14. A Council member commits a minor breach if he or she contravenes a Rule of Conduct under section 5.104(1) of the Act.

ALTERNATE OPTIONS

15. Council can chose to adopt or revise the new policies or continue to use the current policies.

Consulted References	Local Government Act 1995
File Number (Name of Ward)	CM.STD.7 (All Wards)
Previous Reference	<ul style="list-style-type: none"> Elected Members Communications Policy (OCM 20/07/10 Item 16.4.2) Code of Conduct for Members of Council (OCM 21/10/08 Item 14.5.1)