

**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.

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