

POLICY NUMBER	- 1.18
POLICY SUBJECT	- 1.18 Council Workshop Procedures Policy
DATE ADOPTED	- 21 March 2023 (CMRef 0756)
RESPONSIBLE OFFICER	- <u>Manager of Governance and Community Services</u> Governance Coordinator
REVIEWED	- 16 July 2024 (CMRef:0985) <u>27 March 2025 (CMRef:XXX)</u>

Objective

The objective of this Policy is to provide guidance with respect to the manner in which Council Workshops will be conducted.

Policy

Workshops are intended to provide Councillors and staff with the opportunity to propose, discuss and formulate philosophies, ideas, strategies, and concepts for the development of the local government and the district that may be presented to Council for consideration in the future. Such discussions often involve projects that are in the early planning stage and some time away from being presented to Council for decision.

Workshops provide staff with an opportunity to seek guidance and input from Councillors when researching and formulating proposals for ~~possible future~~ probable future Council consideration.

Council Workshops are not recognised in the *Local Government Act 1995*, and therefore the Act and its supporting regulations do not provide any guidance with respect to how such forums will be conducted. Neither are Workshops recognised by the Shire of Dowerin Standing Orders Local Law.

The following guidelines shall apply to Workshops:

1. The Shire President shall preside at all Workshops. In the Shire President's absence, the Deputy Shire President shall preside.
2. In the absence of both the Shire President and Deputy Shire President, Councillors shall appoint a Councillor to preside.
3. All questions and discussions are to be directed through the Presiding Member and there will be no debate style discussion.
4. Being outside the statutory decision-making framework, elected members at a Council Workshop or Briefing Session must not vote, indicate their voting intentions, make, or imply any collective or collaborative decision is to be made, other than the CEO may agree to take an action that is of an administrative nature.
5. Items listed on the current Council Meeting Agenda may be clarified on matters of procedure or fact but are not to be debated or resolved/agreed in any way.
6. DLGC Operational Guidelines No.5 – Council Forum Guideline is not mandatory but close adherence is recommended.

~~In order to~~To assist Workshop discussions an agenda will be produced for each Workshop. The CEO is responsible for the preparation and distribution of the Workshop Agenda; ~~however~~however, issues can be presented verbally if deemed appropriate.

To ensure both Councillors and the Administration can contribute to the strategic work undertaken at Workshops, Councillors are able to advise the CEO of items they wish to be included on a future Workshop Agenda. Matters which Councillors wish to have included should be advised to the CEO no later than five working days prior to the distribution of the agenda. This will ensure appropriate time for the CEO to consider and collate advice on information that may assist Council in considering the matter at a Workshop. If the matter is complex further time may be required and, if this is the case, the matter will be presented to the next following Workshop.

Workshops are ~~generally closed~~closed to the public. However, Council may decide to open a particular Workshop, or a portion of a particular Workshop, to the public when an issue is being discussed that Council believes would benefit from public awareness and debate.

Where a Workshop or a portion of a Workshop is opened to the public, including relevant community, advisory, project or reference groups of the Shire and other such stakeholders, they shall be personally invited by either the President or the CEO.

It is preferable that any supplementary information provided by members of the public at Workshops (i.e. reports, brochures, PowerPoint presentations etc) is made available and distributed to Councillors at the same time as the distribution of the Workshop agenda to enable enough time for Councillors to appropriately consider the information.

Workshops provide an opportunity for informal discussions by Councillors and the Administration. Workshops are NOT decision-making forums but instead provide the opportunity for Council to form a consensus view as to whether an idea or project is worthy of further development, or feedback to staff to assist in progressing a specific matter which assists the Administration in preparing reports for Council's future consideration.

Matters and proposals raised by individual Councillors will not be further investigated unless consensus support of Council is evidenced.

Additionally, a portion of the Workshops may be used for presentations by external consultants or organisations to assist in providing information to Council and to raise or increase its awareness or a particular topic or issue.

Councillors and staff shall adhere to the provisions of the *Local Government (Model Code of Conduct) Regulations 2021* and the Shire of Dowerin Model Code of Conduct - Council, Committee Members and Candidates in relation to their conduct at all Workshops.

Workshops will be subject to the disclosure rules applying to Council meetings constituted under Sections 5.59 - 5.90 of the *Local Government Act 1995* and Regulation 22 of the *Local Government (Model Code of Conduct) Regulations 2021*.

Councillors, staff, consultants, and other participants must disclose any financial, proximity or impartiality interests that relate to a matter discussed at a Workshop. Interests are to be disclosed in accordance with the provisions of the Act and associated regulations at the time information is provided or discussion commences on an issue. Any person who has disclosed a financial or proximity interest will leave the Workshop for the duration of discussions in relation to that matter.

Given the flexible nature of Workshop discussions, it is possible that discussions may occur with respect to an issue or issues not specifically included on the agenda. This means that participants may not necessarily be aware prior to the discussion taking place that they will need to disclose an interest on that matter. Under these circumstances, a person with an interest in a matter raised "ad hoc" during a Workshop must disclose that interest at the time discussion commences on that issue and follow the necessary protocols in relation to attendance during discussion of the matter.

Notes will be kept of information exchanged at a Workshop, including any presentations and disclosures of interest with appropriate departures/returns being recorded. These notes will be distributed to all Councillors following each Workshop. The Workshop notes will not be publicly available.

In the interests of supporting open and honest discussion, all information presented to a Workshop and the discussions relating to that information are confidential in nature, unless advised otherwise.

Unless otherwise determined between the President and CEO, Workshops will commence at 12:00 pm on the fourth Tuesday of each month and will be followed by the Ordinary Council Meeting. The usual venue will be Council Chambers; however, Workshops may be held in other locations as required.

~~Unless otherwise determined between the President and CEO, Workshops will generally be held following the Ordinary Council Meeting, held on the third Tuesday of the month. The usual venue will be Council Chambers; however Workshops may be held in other locations as required.~~

The Workshop Agenda will be issued at least three working days prior to the Workshop date unless prevented by unforeseen circumstances. Where a Workshop is required for an urgent matter, the agenda and scheduling will be provided as soon as is practicable in the circumstance.

Roles & Responsibilities

Councillors

Councillors have the responsibility of ensuring they understand and comply with the requirements of this policy.

Councillors recognise that attending and contributing to Workshops is an important part of the Councillor's role in providing strategic leadership to the local government and the community.

Chief Executive Officer

The Chief Executive Officer has responsibility to ensure this policy is implemented and the preparing and distribution of the Workshop agendas and associated documentation.

~~Governance Coordinator~~ Manager of Governance and Community Services

The Manager of Governance and Community Services ~~Governance Coordinator~~ has responsibility to ensure this policy is reviewed and presented to Council for consideration.

Related Documentation

Department of Local Government, Sport, and Cultural Industries – Guideline No. 5 – Council Forums

Related Legislation/Local Law/Policy/Procedure

Local Government Act 1995

Local Government (Model Code of Conduct) Regulations 2007

Shire of Dowerin Model Code of Conduct – Council, Committee Members and Candidates

Related Delegation

Nil

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Next Review Due	This policy will be reviewed annually or more often where circumstances require.