

Central Coast Council

Councillor Briefings and Workshops Policy

Date Adopted: 23/07/2024
Revision: 1

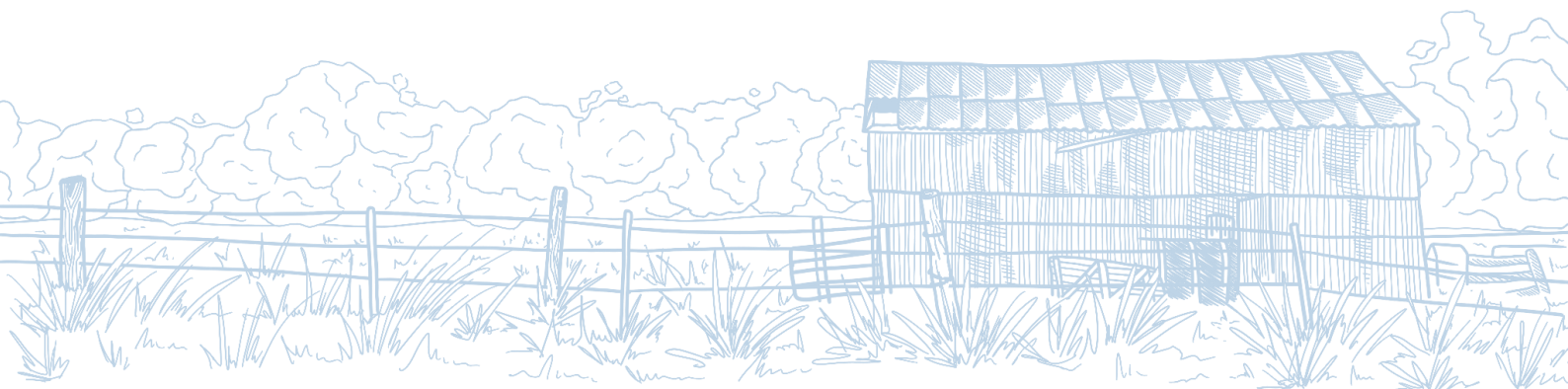


Table of Contents

1. Policy Objectives.....	3
2. Policy Scope	3
3. Policy Statement.....	3
4. Briefing Sessions	3
5. Workshops.....	4
6. Schedule.....	4
7. Participants.....	4
8. Coordination	5
9. Administration	5
10. Confidentiality.....	6
11. Conflicts of Interest.....	7
12. Responsibilities	8
13. Policy Definitions	8
14. Policy Administration	9
15. Policy History.....	10

1. Policy Objectives

- 1.1. This Policy provides a framework for the orderly and proper conduct of Councillor briefings and workshops and provides clear direction and leadership to Councillors and Council officers on the purpose and structure of briefing sessions and workshops.
 - 1.2. Council has an obligation to report, explain and be answerable for the consequences of decisions it makes on behalf of the community it represents. This policy aims to increase transparency around the Council decision-making process in line with the principles of good governance.
-

2. Policy Scope

- 2.1. This Policy applies to all Councillors and Council employees that attend and participate in briefing sessions and workshops, including staff that contribute towards the decision-making process.
-

3. Policy Statement

- 3.1. Council is committed to upholding the principles of local government throughout the decision-making process. This policy establishes clear guidelines for the conduct of Councillor briefings and workshops.
-

4. Briefing Sessions

- 4.1. Briefing sessions provide a valuable opportunity to enhance the decision-making process and are a forum for the Chief Executive Officer and senior Council officers to address any Councillor questions and provide additional background on matters coming before the council for decision.
- 4.2. No decision-making or voting takes place at these meetings.
- 4.3. Briefing sessions provide a forum for:
 - 4.3.1. Councillors to be fully informed on complex matters that will allow for more effective discussion and debate during subsequent formal meetings,
 - 4.3.2. Councillors to share their views with each other, and for Councillors to seek further information, clarification and background details from Council officers or any guest presenters,
 - 4.3.3. Officers to advise Councillors of their professional opinions and reasoning behind their intended recommendations,
 - 4.3.4. Receive deputations from members of the community where the deputation is for an information session or brief Councillors on a matter where a decision is not required, and

5. Workshops

- 5.1.** Workshops are a process for Councillors, staff and (where required) external parties can collaborate to develop or advance proposals such as masterplans with the organisation on topics of strategic importance and collectively develop proposals prior to the formal decision-making process commencing.
- 5.2.** Examples of workshops include:
- 5.2.1. Discussions to determine strategic positions,
 - 5.2.2. The development of the budget for the coming financial year,
 - 5.2.3. The initial development of a new Local Environmental Plan (LEP), and
 - 5.2.4. Initial input into the development or review of a Council Policy.
- 5.3.** While workshops are not formal decision-making forums, they may be used as the basis for officers to develop a firmer proposal which will be considered formally by Council in the future.
- 5.4.** Where a report is presented to Council that has been in part developed by collaborating in a workshop, it will be requirement to note this in the 'Consultation' section of the report template.
-

6. Schedule

- 6.1.** Councillor briefings and workshops shall be held in accordance with Council's adopted meeting schedule. A notice of meeting for each briefing and workshop will be provided to Councillors as part of the Agenda, stating:
- 6.1.1. The day, time and location of the meeting,
 - 6.1.2. The purpose of the meeting, and
 - 6.1.3. List of officers or external parties presenting at the meeting.
- 6.2.** The Mayor or Chief Executive Officer may call a briefing or workshop session as necessary for the discussion of emergent matters.
- 6.3.** If a member of the Executive Leadership Team believes it is necessary to schedule a briefing or workshop with Councillors outside of the scheduled sessions, the Director shall liaise with the Chief Executive Officer who shall decide whether to call an additional briefing or workshop.
-

7. Participants

- 7.1.** Briefing sessions and workshops are not formal meetings of Council and are generally not open to the public unless otherwise invited. There is no livestreaming of these meetings.

- 7.2.** While no quorum is required, briefings and workshops are open for attendance by all Councillors.
- 7.3.** To make the best use of time, resources and people, the Chief Executive Officer shall determine what Council officers are required to attend any given meeting. A register of attendance will be recorded and made publicly available to support transparent and accountable processes.
- 7.4.** External persons may attend a briefing or workshop on upon invitation from the Mayor or the Chief Executive Officer. If an external person (i.e. a consultant, contractor or guest) is to be present at a briefing or workshop, the person's name, title and company shall be included on the Agenda. The external person shall only be present at the briefing or workshop during discussion for the item for which their name appears next to on the Agenda.
-

8. Coordination

- 8.1.** The Chief Executive Officer shall coordinate the briefing or workshop. In the event that the Chief Executive Officer is not present, another member of the Executive Leadership Team shall coordinate the session. Workshops may be facilitated by Council staff, Councillor or external parties.
- 8.2.** The Coordinator shall assume responsibility for the good governance and order of the meeting and is responsible for determining the order of business of the agenda.
- 8.3.** The relevant Director shall introduce each session, introducing the purpose for the briefing or workshop and the presenter/facilitator.
-

9. Administration

- 9.1.** The Chief Executive Officer, in consultation with the Mayor and Councillors, will determine the matters to be presented at a briefing session or workshop.
- 9.2.** The types of matters deemed appropriate for consideration include matters that are:
- 9.2.1. Of particular strategic significance for Council,
 - 9.2.2. Involve notable community engagement, impact or concern,
 - 9.2.3. Involve complex procedural, legal or factual consideration, or
 - 9.2.4. The Chief Executive Officer considers appropriate for a Councillor briefing.
- 9.3.** A copy of the Agenda and any briefing notes/attachments shall be circulated to Councillors electronically a minimum of five (5) full calendar days (must include a Saturday and Sunday) prior to the meeting. In exceptional circumstances, where a meeting is convened at short notice outside of the regular schedule, briefing material is to be provided at the earliest opportunity. Where external

responsibilities are providing materials, best efforts are made to have briefing material in advance in line with the above provisions.

- 9.4.** For each Agenda item, the Agenda shall state the title of the item, the name of the person who will lead the discussion, the time allotted to each agenda and whether the item is a Briefing Session or Workshop.
- 9.5.** In planning and conducting the briefing session or workshop, presenters are able to take the material circulated to Councillors with the Agenda as read. Presenters are to clearly present the purpose, key points and summary of next steps and to ensure that at least half of the allotted time is set aside for discussion and questions from the Councillors.
- 9.6.** Presentations and background material presented as part of the briefing or workshop that is confidential in nature shall be clearly marked '**CONFIDENTIAL**' by the officer preparing the material.
- 9.7.** Matters arising from briefings or workshops will be recorded with a response regarding the outcome provided to Councillors if required. Where the matter arising relates to the business of an upcoming Council meeting, the response will be provided prior to the commencement of the Council meeting.
- 9.8.** To demonstrate and support a transparent decision-making process, records from briefing sessions and workshops are published online no later than thirty (30) days following the completion of the related Council Meeting.
- 9.9.** Records are required to include:
 - 9.9.1. The name of each Councillor who attended the briefing session or workshop,
 - 9.9.2. The matters discussed at the briefing session or workshop, and
 - 9.9.3. Any conflicts of interest declared.

10. Confidentiality

- 10.1.** Councillors must use Council information in a way that promotes and maintains the public's trust and confidence in the integrity of local government. Councillors and Council Officers have a responsibility to ensure that such information is treated confidentially, so as not to harm, prejudice or compromise the interests of Council or any individual or organisation or enable any individual or organisation to gain a financial advantage.
- 10.2.** It is accepted that Councillors will be in receipt of confidential information that may or may not be part of a formal Council meeting. Matters discussed in briefing sessions and workshops are generally confidential in that they contain information that could provide an unfair or false representation of Council's position on a particular matter.

- 10.3.** Information provided as part of a briefing session or workshop that is marked '**CONFIDENTIAL**' should be treated the same as matters held in a confidential Agenda of a Council Meeting.
- 10.4.** Photos or videos of presentations are not permitted.
- 10.5.** Confidential information distributed to an external party or media would be considered a breach of section 644 of the Local Government Act 1993 in that Councillor must not, at any time, disclose materials classified as confidential in reports.
- 10.6.** Confidential items for the purpose of this policy relate to the same as per the Council Code of Meeting Practice:
- 10.6.1. Information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business
- 10.6.2. Commercial information of a confidential nature that would, if disclosed:
- a) Prejudice the commercial position of the person who supplied it, or
 - b) Confer a commercial advantage on a competitor of the council, or
 - c) Reveal a trade secret
- 10.6.3. Information that would, if disclosed, prejudice the maintenance of law
- 10.6.4. Matters affecting the security of the council, Councillors, council staff or council property
- 10.6.5. Advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.
- 10.6.6. Alleged contraventions of any code of conduct requirements applicable under section 440.

11. Conflicts of Interest

- 11.1.** It is acknowledged that discussion at briefings and workshops may influence Councillors when deciding a matter at a Council meeting.
- 11.2.** Councillors and staff are responsible for the identification, declaration and management of any conflicts of interest, which are to be managed in accordance with the Code of Conduct.
- 11.3.** During a briefing session or workshop, Councillors must declare conflicts of interests of any matters being discussed. Resources will be made available at briefings and workshops to assist with the declaration of any interests.
- 11.4.** These declarations will be recorded in the minutes to ensure that a transparent and effective process is maintained, and the ethical and legal behaviour of Councillors and local government employees is upheld.

12. Responsibilities

Compliance, monitoring and review

12.1. The following staff have identified roles under this Policy:

Chief Executive Officer

12.1.1. Determine the matters to be presented at a briefing session or workshop and determine the order of business of the agenda,

12.1.2. Coordinate the briefing or workshop.

12.2. The effectiveness of this policy will be reviewed on each occasion where there is a significant change to the structure of Committee and Council meetings to ensure Councillor briefings and workshops remain as the most effective forum.

Reporting

12.3. A register of attendance will be recorded and made publicly available in Council's Annual Report and on its website.

Records management

12.4. Staff must maintain all records relevant to administering this protocol in accordance with Council's [Information and Records Management Policy](#).

13. Policy Definitions

Act	means the <i>Local Government Act 1993</i> (NSW)
Council	means Central Coast Council

14. Policy Administration

Business Group	Corporate Services
Responsible Officer	Unit Manager Governance Risk and Legal
Associated Procedure (if any, reference document(s) number(s))	Nil
Protocol Review Date	Four years from date of adoption unless legislated.
File Number / Document Number	D16137707
Relevant Legislation (reference specific sections)	<p>This Policy supports Council's compliance with the following legislation:</p> <ul style="list-style-type: none"> ▪ Local Government Act 1993 ▪ Local Government (General) Regulation 2021
Link to Community Strategic Plan	<p>Theme 4: Responsible</p> <p>Goal G: Good governance and great partnerships</p> <p>R-G2: Engage and communicate openly and honestly with the community to build a relationship based on trust, transparency, respect and use community participation and feedback to inform decision making.</p>
Related Policies / Protocols / Procedures / Documents (reference document numbers)	<ul style="list-style-type: none"> ▪ Information and Records Management Policy ▪ Code of Conduct ▪ Delegations Register ▪ Code of Meeting Practice

15. Policy History

Revision	Date Approved / Authority	Description Of Changes
1	23 July 2024 Minute Number 275/24	Policy created.