

STATEMENT OF EXPECTATIONS

Mayor and General Manager

Mayor and Councillors

General Manager and Councillors

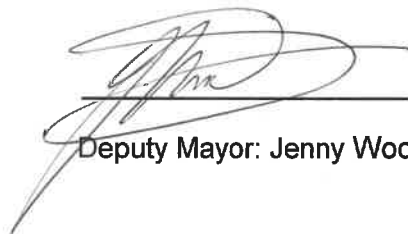
Between Councillors

Good Governance Across Council

We, the undersigned, endorse and agree with the principles and expectations set out in this Statement of Expectations (as far as they relate to each of our respective roles) and commit to abiding by them to the best of our ability:



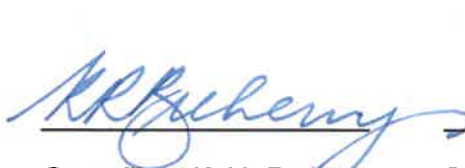
Mayor: Debbie Wisby



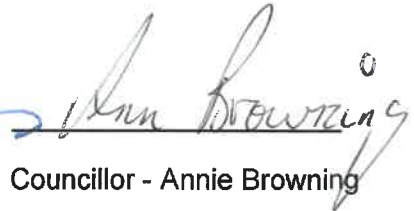
Deputy Mayor: Jenny Woods



Councillor - Cheryl Arnol



Councillor - Keith Breheny



Councillor - Annie Browning



Councillor - Rob Churchill



Councillor - Michael Symons



Councillor - Grant Robinson



General Manager -

INTRODUCTION

Preamble

In November 2019, the Director of Local Government recommended that Glamorgan Spring Bay Council develop a Statement of Expectations. The decision to establish a committee tasked with drawing up a Statement of Expectations was made at Council's 17 December 2019 council meeting. Formal endorsement of this committee as a Special Committee of Council was undertaken at the Council meeting of 28 January 2020.

The committee comprises the Mayor, Cr Debbie Wisby, Deputy Mayor, Cr Jenny Woods, Cr Rob Churchill, the General Manager and two independent consultants, being former Mayor, Lynn Mason and former General Manager, Greg Preece. Lynn Mason is the chairperson of the committee.

Council Functions, Vision, Mission and Values

Council's powers and functions are established under the *Local Government Act 1993 (the Act)*. Section 20 provides that the role of councils is to:

- provide for the health, safety and welfare of the community
- represent the interests of the community, and
- provide for the peace, order and good government of the municipal area.

Council's vision from the *Glamorgan Spring Bay Community Strategic Plan 2013* further supports this statutory role:

In 2020 Glamorgan Spring Bay will:

- Be proud of our inclusive community.
- Be responsible for our environment, health, education, heritage and the arts, with a diverse progressive and prosperous economy.
- Offer of an attractive lifestyle, in a beautiful place.

Values to guide future choices

In all that we do, across Glamorgan Spring Bay, we will:

- Work together and take a complete East Coast view
- Be honest and self-reliant

- Take the initiative and be creative
- Build community spirit and pride
- Move forward but retain what is good from the past.

Future directions

The directions we will follow to achieve our vision are:

- Build our community infrastructure
- Age well in our communities
- Grow our economy and employment opportunities
- Protect and promote our natural beauty, environment and heritage
- Be visitor friendly
- Foster health and wellbeing.

In this document, the term 'community' has been broadened from the Local Government Act definition¹ to mean:

- residents – landowners and tenants,
- ratepayers – owner-occupiers, investors and businesses, and
- people and bodies who conduct activities in the municipal area of Glamorgan Spring Bay (e.g., work, tourism, leisure or for other reasons).

Purpose

The Mayor, General Manager and Councillors accept that good governance relies on ethical and accountable behaviour as well as statutory compliance.

The purpose of this Statement of Expectations is to articulate the commitment of the Mayor, General Manager and Councillors to a shared mutual responsibility of adopting appropriate working relationships to maximise the good government of the Glamorgan Spring Bay Community.

¹Section 3 of the *Local Government Act 1993* defines 'community' as 'the community of a municipal area'.

1. Mayor and General Manager

Council accepts that the relationship between the Mayor and General Manager is critical to the efficient functioning of Council operations. A dysfunctional relationship between the Mayor and the General Manager can have a significant and long-lasting negative impact on the performance of Council.

As with good governance in general, a good relationship between the Mayor and General Manager relies partly on following the law, guidelines and protocols, and partly on the good judgement and common sense of the individuals concerned.

It is expected that the Mayor and General Manager will build a relationship based on trust, respect and acknowledgement of the need for collaborative engagement. This will ensure that they will have a solid foundation to lead an effective Council focused on the best interests of the community.

The following specific expectations are agreed, and apply in addition to the 'Statement of Expectations of Good Governance across Council':

Meetings between Mayor and General Manager

Under section 62 of the Act, the General Manager is required to *liaise with the Mayor on affairs of Council*. Similarly, under section 27 of the Local Government Act, the Mayor is required to *liaise with the General Manager on the activities of the Council and the performance and exercise of its functions and powers; and the activities of the General Manager and the performance and exercise of their functions and powers in supporting the Council*.

In accordance with this requirement, the Mayor may request such information from the General Manager as is needed to enable the Mayor's broad oversight of the activities of the Council, and the activities of the General Manager in the role of supporting the Council.

To complement these statutory requirements, it is expected that the Mayor and General Manager will have at least weekly one-on-one meetings to deliberate on the affairs, activities and the performance and exercise of Council's functions and powers. It is expected that the outcomes and decisions of those meetings will be appropriately recorded and acted on.

To enable the Deputy Mayor to undertake the role of Acting Mayor should the need arise, the Deputy Mayor is to attend at least one meeting between the Mayor and the General Manager each month.

Provision of Information between the Mayor and General Manager

Considering the qualifications under sections 28A – D of the Act, wherever practicable and in the spirit of openness and transparency, requested information will be provided within agreed timeframes through the General Manager (or delegate). Such timeframes are to be agreed between the parties at the time the request is made.

Taking of Leave by General Manager

The General Manager will, wherever practicable, ensure that enough notice is given to the Mayor of any intention to be absent from duty for any reason, including notice that the General Manager is otherwise unavailable or unable to perform the functions of that office.

Appointment of an Acting General Manager

In the absence of a Council appointment for a person to act in the Office of General Manager during every absence of the General Manager, the Mayor may appoint a person to act in the office of general manager, as per section 61B of the Act.

In this instance, the Mayor must liaise with the relevant Council officer to ensure that a duly formed instrument of appointment is drawn.

Agendas and Draft Minutes

The General Manager will prepare an agenda for each Council meeting and Council committee meeting as required under regulation 8 of the *Local Government (Meeting Procedures) Regulations 2015* (the Meeting Regulations). In doing so, the General Manager (or delegate) will meet with the Mayor to discuss the draft agenda prior to publication. Similarly, the General Manager (or delegate) will liaise with the Mayor in relation to the draft minutes prior to dispatch for comment to other Councillors, and inclusion with the next Council (or Council committee) meeting agenda for confirmation.

If an audio recording has been made of the closed section of a Council meeting, the General Manager (or delegate) will ensure where practicable that a copy will be downloaded to a secured shared environment (e.g. Google Drive) where all Councillors can access the confidential recording (but not copy it). This will be for the purposes of confirming the draft minutes of the closed section of that Council meeting. Following confirmation of the closed minutes, the General Manager (or delegate) will destroy the recording as soon as practicable after confirmation.

Conduct of Council and Council Committee Meetings

With respect to behaviour in the Council Chamber, the Mayor, Councillors and General Manager and Council officers will always model good constructive relationships and show personal respect for one another.

Council acknowledges that the combined behaviour of the Mayor, Councillors, General Manager, and Council officers reflects on the Council and on local government. If Council is seen to be acting fairly and ethically, Council decisions will be better respected and are much more likely to be accepted by the community.

The conduct of individuals affects the ability of Council to function properly. If individuals behave improperly, this can negatively affect the quality of their relationships with one another. This can lead to a lack of trust which will undermine the effectiveness of Council as a whole.

Wherever possible, the General Manager and Managers will attend (or be available to attend) Council meetings and Council workshops to provide qualified advice. Attendance of managers and other staff will be determined on an 'as required' basis, depending on the complexity of, and technical knowledge required to provide advice on agenda reports.

The Deputy Mayor is required to be familiar with the duties of the Mayor, to be able to act in that capacity if the need arises. This includes knowledge of the Meeting Procedures and relevant Council policies.

Media Releases and Responses to Media Requests

Section 27 of the Act provides that the Mayor is the official spokesperson of Council. This function is not co-shared with other Councillors or the General Manager, other than at the Mayor's discretion.

The Mayor may authorise the General Manager, other Councillors or Council officers to communicate on behalf of Council on certain technical or factual matters, as the Mayor considers appropriate, and on the understanding that all communications made on behalf of Council must deliver a consistent message. Notwithstanding, and in line with any Council media statements policy, the Mayor (or the appropriate officer as authorised) will be responsible for the final approval of any Council media statements.

Council's Communications Officer (or equivalent) will liaise regularly with the Mayor and General Manager to ensure that Council media releases are properly drafted and communicated.

The Communications Officer will also support the Mayor and General Manager in drafting responses to media requests.

Support for Ceremonial and Representational Roles of the Mayor

The General Manager will ensure that adequate support is made available to assist the Mayor in the ceremonial and representational roles for Council.

Disagreement Procedure

If a disagreement arises between the Mayor and General Manager, it is expected that the following process will be followed:

- the parties must initially try to resolve the dispute internally in good faith;
- if the dispute is unable to be resolved, it will be brought to the Council as a group to determine whether any actions can be taken to resolve the dispute or address issues which arise from it (including but not limited to referral to a mediator/conciliator as agreed between the parties); and
- if agreement cannot be reached, it is then open to the parties to seek advice from the Local Government Division on the process to be followed from that point. It is understood that this recourse is a last resort to be followed only if there is a serious risk of continuing dysfunction between the parties.

Without prejudice to either party, it is expected that the Mayor and General Manager will continue to work together professionally while the dispute is being resolved.

2. Mayor and Councillors

The relationship between the Mayor and Councillors is very important because good leadership and good relationships contribute to effective participation of Councillors and good governance.

As the leader of the Council and all Councillors, the Mayor's role is particularly important in facilitating good relationships. Under section 27 of the Act, the Mayor's functions include:

- promoting good governance by, and within, the Council, and
- acting as chairperson of the Council and chairing meetings of Council in a manner that supports decision-making processes.

The following specific expectations are agreed, and apply in addition to the 'Statement of Expectations of Good Governance across Council':

Commitment to Sharing Information

To assist open and transparent communication, and collegial working relationships, the Mayor will share information with all Councillors outside of the formal Council meetings and workshops, as appropriate. Such information may include (but not be limited to): invitations by community groups to attend functions, policy statements by political parties, and outcomes of meetings of external bodies

Commitment to Good Conduct at Council Meetings

Under the Meeting Regulations (section 10 – Chairperson), the Mayor (or in the Mayor's absence, the Deputy Mayor) is the chairperson of a Council meeting. Accordingly, the Mayor is expected to chair and manage the Council meeting.

However, it is the responsibility of each individual Councillor to exhibit good conduct in meetings. The Mayor should not have to spend time enforcing good behaviour.

Councillors should listen while others are speaking, avoid interrupting, use respectful and temperate language void of emotion in debates (no matter how contentious the topic may be), and remain focused on meeting business while avoiding unnecessary distractions.

Commitment to Leading Meetings with Skill and Impartiality

The Mayor will facilitate good decision-making through skillful chairing of Council meetings. The Mayor will have a comprehensive knowledge and understanding of the formal meeting procedures under the Meeting Regulations and other relevant Council meeting policies, so as to be confident in chairing meetings and making rulings where necessary.

In particular, the Mayor will recognise that it is important in making Councillors feel that they are part of the Council meeting process by ensuring they can get their viewpoints across.

If the Mayor has a strong position on a specific issue during debate, the Mayor will refrain from expressing a particular view until all the other Councillors have had their chance to state their opinion, and before the matter is put to the vote. If the Mayor wishes to play an active part in the debate, then the Mayor should consider vacating the chair for that item, as appropriate.

3. Between Councillors

3.1 Relationships between Councillors are to be founded on mutual respect and an acknowledgement that they are all doing complex and important work.

Because of the nature of a Councillor's role, it is understood that they all have individual agendas and issues which they would like to pursue during their term. Despite their differences of opinion, Councillors need to work together as members of the Council to achieve the best outcomes for the municipality. Councillor's decision making power comes from collective decisions and not the individual Councillors.

3.2 Good governance and the capacity for Councillors to get things done depend on the quality of the relationships between them. Relationship building is a shared responsibility.

As community leaders, Councillors recognise their positions as role models. Just like leaders at the state and federal levels of government and other prominent citizens, Councillors' conduct sets the standard for other people to follow.

The following specific expectations are agreed, and apply in addition to the 'Statement of Expectations of Good Governance across Council':

Commitment to Treat Officers' Advice with Respect

Apart from the information and advice received in Council workshops, Councillors are also provided with qualified advice at meetings through Council reports or presentations from officers who attend the meeting.

Councillors are not required to follow the advice and may state their disagreement with the recommendation or report contents. However, Councillors must consider the report with due respect and should not make disparaging statements about the report or the author.

With the permission of the General Manager, Councillors who have concerns or questions about agendas and reports should approach the relevant Manager prior to a Council meeting.

Commitment to Engagement in Council Meetings

Councillors are elected for the primary purpose of making decisions on behalf of the entire community.

Accordingly, all Councillors will make genuine efforts to actively participate in all aspects of Council meetings, including by:

- reading and constructively considering officer reports and related documentation;
- attending formal council meetings and other related meetings, such as Councillors' workshops and community forums;
- participating in debate and discussion of matters affecting the community;
- remaining focused on meeting business and avoiding unnecessary distractions; and
- voting on all Agenda items, except items in which they have declared an interest.

Although attendance at workshops is not mandatory, every effort should be made to attend. Matters of a sensitive nature discussed at workshops should not be discussed outside the workshop, except as agreed and necessary for the effective functioning of the council.

Commitment to Adhering to Council's Customer Service Charter

When dealing with representations from the community, Councillors must respect the appropriate process for dealing with service level issues and customer complaints.

Councillors are expected to initially direct the community member to contact Council's Customer Service Team, which will ensure that the issue is forwarded to the appropriate Council department for assessment.

Where a community member is dissatisfied with Council's administration of his or her issue, Councillors are expected to raise this with the Mayor, who will raise the matter with the General Manager.

Commitment not to Influence Council Employees

Councillors must not influence, or attempt to influence, any Council employee or delegate of the Council, in the exercise of the functions of the employee or delegate².

4. General Manager and Councillors

As the leader of the organisation and staff, the General Manager has a critical role in promoting a positive culture of good governance throughout Council administration. In particular, the General Manager is instrumental in ensuring that the roles of Councillors (being the democratically elected oversight body of Council) are viewed as being an integral part of (rather than an impediment to) the efficient discharge of the many functions of Council.

The following specific expectations are agreed, and apply in addition to the 'Statement of Expectations of Good Governance across Council':

² Refer to Council's Code of Conduct

Commitment to Supporting Good Decision Making by Councillors

The General Manager will ensure that Councillors are regularly provided with the information they need to fulfil their roles. In doing so, the General Manager will ensure that all Councillors have equal access to information and resources and are provided appropriate support for good decision-making processes.

The General Manager, in consultation with the Mayor, will ensure that there are appropriate Councillor workshops which will provide opportunities for Councillors to be better informed about strategic or key operational matters of Council.

The General Manager (or delegate) will respond to requests for relevant additional information from Councillors within a timeframe agreed between the parties at the time the request is made. The timeframe proposed must take into account the complexity of the request, the workload of the Manager to whom the request is made, and the urgency of the request in the light of the Councillor's need to perform his or her role. Such requests will be made in accordance with section 28A of the *Local Government Act 1993*.

Commitment to Supporting Good Relationships between Councillors and Staff

All councillor requests for information not otherwise provided are to be made to the General Manager. The General Manager may give permission to Councillors (either individually or as a body) to request information directly from a senior manager of the Council. Such permission is to be on terms decided by the General Manager.

In the event of a dispute between a Councillor and a member of staff, the General Manager is to conduct appropriate dispute resolution procedures, taking care to be fair to both parties to the dispute. The General Manager is to notify the Mayor if such a dispute occurs, or, if the Mayor is a party to the dispute, he or she is to notify the Deputy Mayor.

The General Manager may, at his or her discretion, request assistance from the Mayor in resolving a dispute between a staff member and a Councillor, or, if the Mayor is a party to the dispute, the Deputy Mayor.

5. Good Governance Across Council

To practice good governance, Council acknowledges and supports the principle that the Mayor, General Manager and Councillors need to lead by example and promote a culture of good governance within Council.

Accordingly, the Mayor, General Manager and Councillors commit to the following good governance practices:

Standard	Expectations
<p>Maintaining high ethical standards</p>	<p>The Mayor, General Manager and Councillors will (collectively):</p> <ul style="list-style-type: none"> • be familiar with, endorse and comply with relevant legislation, Council's Councillors Code of Conduct and Council policies • act in the best interests of the community • display integrity and impartiality in their decision making • lead by example • ensure that Council decisions and actions are transparent and accountable • review Council's Code of Conduct within three (3) months of an ordinary election (as required by the <i>Local Government Act 1993</i>), and • abide by the eight (8) principles of good governance, as established in the <i>Good Governance Guide</i>³.
<p>Understanding individual roles and the role of others</p>	<p>The Mayor, General Manager and Councillors, subject to leave of absence/apologies will (collectively):</p> <ul style="list-style-type: none"> • attend all Council meetings and relevant committee meetings, as appropriate, and • come to meetings well prepared, and participate effectively in debate and discussions. <p>The Mayor and Councillors will:</p> <ul style="list-style-type: none"> • not be drawn into operational management matters, except to address emerging risks, and • be effective in monitoring and evaluating the performance of the General Manager. <p>Individuals, to an appropriate level, will understand:</p> <ul style="list-style-type: none"> • their own personal role in Council • the role of Council • the role of Mayor • the role of Deputy Mayor • the role of General Manager

³ Good Governance is: accountable; transparent; law-abiding; responsive; equitable; participatory and inclusive; effective and efficient; and consensus oriented (*Good Governance Guide for Local Government in Tasmania* (Department of Premier and Cabinet, Local Government Division, May 2016, pp 8-9)

Standard	Expectations
	<ul style="list-style-type: none"> • the role of the Minister responsible for local government • the role of the Local Government Division • the role of Director of Local Government • the role of the Integrity Commission • the role of the Audit Office • the role of Local Government Association of Tasmania, and • the role of Council administration and operations.
<p>Building good relationships</p>	<p>The Mayor, General Manager and Councillors will (collectively):</p> <ul style="list-style-type: none"> • communicate effectively, responsively and respectfully with the community • ensure that the interrelationships are effective in enabling Council to fulfil its duties and responsibilities, and • ensure Council has a protocol in place to guide engagement between the Councillors and Council administration. <p>Individuals will:</p> <ul style="list-style-type: none"> • be respectful towards one another, members of the community and the Council administration • listen and give due consideration to the views of others, and • not engage in bullying and/or harassment.
<p>Effective strategic planning and monitoring performance</p>	<p>The Mayor, General Manager and Councillors will (collectively):</p> <ul style="list-style-type: none"> • actively participate in strategic planning • listen to the views of the community when engaged in strategic planning • understand the importance of integrated strategic and financial asset management plans • ensure Council is effective in setting the overall direction of the municipal area • ensure Council is effective in considering and determining all major policy issues • ensure Council monitors appropriate financial and non-financial performance indicators • ensure Council regularly inputs into strategy development and review, and • ensure Council meetings address the key issues facing the community.

Standard	Expectations
Robust risk management	<p>The Mayor, General Manager and Councillors will (collectively):</p> <ul style="list-style-type: none"> • ensure Council has a risk management policy • be familiar with Council's risk management policy • understand the importance of risk management and the risk management process • ensure Council has a clear understanding of business risk • ensure Council balances risk and opportunity as part of the policy development and decision making processes, and • ensure Council identifies, analyses, evaluates, treats, monitors and communicates risks in a way that will maximise the potential to achieve goals and objectives, and minimise the potential for harm or loss.
Fair and transparent decision making	<p>The Mayor, General Manager and Councillors will (collectively):</p> <ul style="list-style-type: none"> • ensure that there are clear expectations around setting the Council meeting agenda, circulating papers, and decision making protocols • ensure that Council gives due consideration to advice provided by the administration • be committed to the principles of natural justice • ensure that Council makes decisions that are in the best interests of the community • engage in robust, respectful and proper debate at Council meetings • ensure that Council uses closed meetings appropriately • ensure that wherever possible information is made available in the public arena • engage with the community to help inform decision making, as appropriate, and • follow the five (5) step decision making process (i.e., setting the agenda; gathering information, forming an opinion, making the decision, and implementing the decision). <p>Individuals will:</p> <ul style="list-style-type: none"> • be aware of and manage their personal conflicts of interest (including the requirements to declare interests contained in the Local Government Act).

Standard	Expectations
<p>Legislative compliance</p>	<p>The Mayor, General Manager and Councillors will (collectively):</p> <ul style="list-style-type: none"> • ensure that Council monitors compliance with legislative requirements • ensure that Council has a register of delegations, and • ensure that where instances of a breach of the <i>Local Government Act 1993</i> are detected (and other relevant Acts and statutory instruments), that these are proactively reported to the Director of Local Government, and • ensure that when such breaches are reported, that an undertaking to address or mitigate future noncompliance is communicated to the Director of Local Government. <p>Individuals will:</p> <ul style="list-style-type: none"> • be aware of their obligations under the <i>Local Government Act 1993</i> and other relevant Acts and statutory instruments.
<p>Continuous improvement</p>	<p>The Mayor, General Manager and Councillors will (collectively):</p> <ul style="list-style-type: none"> • ensure Council consciously manages its performance and pursues continuous improvement • ensure Council has a Councillor training and development policy, and • ensure that Council's Audit Panel plays a key role in ensuring that Council's activities meet statutory requirements. <p>Individuals will:</p> <ul style="list-style-type: none"> • be aware of gaps in their personal knowledge and understanding relevant to their role and seek opportunities to undertake learning, subject to resourcing and budget.
<p>Good Governance and land-use Planning</p>	<p>Individuals will understand:</p> <ul style="list-style-type: none"> • the role of Council as a planning authority • their roles as members of the Glamorgan Spring Bay Planning Authority, and • the importance of the links between strategic planning and land-use planning, and • the need to act impartially.

Standard	Expectations
<p>Governance practices unique to Mayor</p>	<p>The Mayor will:</p> <ul style="list-style-type: none"> • act as the leader of the community • be a fair, responsible spokesperson for Council • communicate effectively, transparently and fairly with all Councillors • understand the importance of the relationship with the General Manager • work hard to ensure a seamless link between the Councillor body and Council administration • understand the role as principal officer under section 32 of the <i>Integrity Commission Act 2009</i> • ensure all Councillors have the opportunity to be heard and speak without interruption at Council meetings • during Council meetings, ensure that debate stays focused and actively assist to clarify any misunderstandings • ensure that Council meetings are chaired, and matters are discussed and debated in a structured and effective way • effectively manage any poor behaviour that arises at Council meetings, including bullying and/or harassment • provide fair summaries of debate and encourage Councillors to come to a decision • make sure that the Council addresses all of the appropriate strategic issues, and • make sure there is sufficient time to discuss the issues on the Council meeting agenda.