

TITLE: **FORUMS OF COUNCIL – CONCEPT FORUMS, AGENDA FORUMS AND WORKSHOPS**

ADOPTED: OMC 17 May 2012 – Pages 98 – 99

REVIEWED: OMC 21 November 2013 – Pages 66 – 70

OMC 27 March 2014 – Pages 94 – 99

OMC 22 May 2014 – Pages 122 – 127

OMC 17 December 2015 – Pages 110 – 121

OMC 14 December 2017- Pages 1030 - 1043

**ASSOCIATED
LEGISLATION:**

**ASSOCIATED
DOCUMENTS:**

**REVIEW
RESPONSIBILITY:** Chief Executive Officer

DELEGATION:

Previous Policy Number – 1.2.13

Objective:

Local government forums range from a once-only event to discuss and explore a particular issue, to a number of sessions to address matters such as a specific project or the compilation of a report for internal or external use, through to forums held at regular intervals with a consistent structure and objectives.

Definitions:

N/A

Policy:

Forums of Council:

Concept Forums

Background

Concept forums involve Council members and employees meeting to propose, discuss and formulate philosophies, ideas, strategies and concepts for the development of the local government and the district. Such forums often involve projects that are in the early planning stage and are some time away from being presented to council for decision. In discussing such issues, employees are looking for

general guidance from the Council members as they research the matter and draft the report. Council members and employees are also looking to present ideas and concepts for future consideration. If the response is favourable employees can proceed with their research and eventual report on the matter.

Examples of the type of issues concept forums may cover include –

- current matters of a local or regional significance;
- matters relating to the future development of the local government;
- significant revenue-raising requirements or expenditure needs;
- the development of internal strategic, planning, management and financial documents; and
- development of the selection criteria and performance
- objectives for the Chief Executive Officer (CEO).
- Reports from Working Groups, Consultation Forums or other non-formal activities involving Councillors or employees.

Behind Closed Doors:

Behind closed doors and in a relatively informal manner are the two notable characteristics of concept forums. Holding such meetings behind closed doors is justified in that many of the ideas and concepts are preliminary and while looking for that creative gem some may be extreme, expensive or impractical and never adopted.

Managing Concept Forums:

Unless otherwise determined by the Chief Executive Officer in consultation with the Shire President, Concept Forums will be held monthly on a day to be determined annually by Council.

The Shire President shall Chair these meetings or if the Shire President is not available then the Deputy Shire President. If either is not available the Council members present shall choose a person who shall preside over the Concept Forum so as to ensure the guidelines as addressed in this policy are adhered to.

A general record should be kept of the Concept Forum noting attendance, requests for further information and interests declared. No minutes as such will be taken, nor will specific discussions, actions or outcomes be recorded, received or adopted at a later date.

Conduct at Concept Forums

Councillors and employees shall adhere to the provisions of the *Local Government (Rules of Conduct) Regulations 2007* and the Shire of Broome Code of Conduct for Council Members, Committee & Working Group Members and Employees, in relation to their conduct at Concept Forums.

The forums shall run in a formal manner with all questions being directed through the Chairman.

Quorum (Non-Technical):

To ensure integrity of information flow/guidance and to avoid repetition, there shall be a requirement that a minimum of four Council members are to be in attendance for a Concept Forum to proceed. If a non-technical quorum is unable to be achieved the forum is to lapse and reconvene again at the next months cycle, or sooner if required.

Project Updates:

The Chief Executive Officer shall cause presentations to be made in relation to the following;

a) Presentations on Achieving Major Projects

A Power Point Presentation that lists the Major Projects shall be prepared that indicates status and progress of the projects and their reference to the Strategic Plan.

b) New Ideas

Concept Forums are a place for which new ideas and projects are to be discussed.

For a new concept to be put forward it must meet the following criterion;

- Have reference to the Strategic Plan or forward vision of the Council.
- Indicate what is the resourcing requirement for the project to proceed, indicative costs in relation to cash, workforce planning, asset management and generational cost indications.

Councillor Reports

At every Concept Forum each Councillor shall present a report to the Forum on issues that have arisen over the previous period. These may include discussions that have come from ratepayers/electors or third parties that require further information clarification on employee's actions to date or general information.

As a guideline Councillors may take the opportunity to present a report to Council members present in a written format that can be kept for record keeping purposes.

Managing Conflicts of Interest

No Council member or staff member shall raise any matter at a Concept Forum for which they have or may perceive to have a Financial or Proximity Interest.

As a matter of probity and integrity, members and employees are required to make disclosures of interest in accordance with sections 5.59 – 5.90 of the *Local Government Act 1995* (Financial and Proximity Interests) and regulation 11(1) of the *Local Government (Rules of Conduct) Regulations 2007* and regulation 34(C)(1) of the *Local Government (Administration) Regulations 1996* (Impartiality Interests).

It is noted that this is above and beyond the scope of the legislation, however is required to ensure a high level of governance and transparency.

Members shall make written disclosures of interest to the Chair at Concept Forums.

Where the declaration is Financial or a Proximity Interest the Councillor or employee shall leave the room for the duration of the enquiries regarding the item so as not to add to the discussion in any manner and ensure appropriate independence for those members remaining.

Agenda Forums

Background

For proper decision-making, Council members must have the opportunity to gain maximum knowledge and understanding of any issue presented to the council on which they must vote. It is reasonable for Council members to expect that they will be provided with all the relevant information they need to understand issues listed on the agenda for the next or following ordinary council meetings. The complexity of many items means that Council members may need to be given information additional to that in a employees report and/or they may need an opportunity to ask questions of relevant employees. Many local governments have determined that this can be achieved by the Council members convening as a body to become better informed on issues listed for council decision. Such assemblies have been termed agenda forums. It is considered they are much more efficient and effective than council members meeting employees on an individual basis for such a purpose with the added benefit that all council members hear the same questions and answers. To protect the integrity of the decision-making process it is essential that agenda forums are run with strict procedures.

Managing Agenda Forums

Agenda Forums will be held on the Monday or Tuesday preceding the Ordinary Council meeting (day to be determined annually by Council), or within 2 working days of an OMC where the OMC falls on a day other than Thursday.

The Shire President shall Chair these meetings or if the Shire President is not available then the Deputy Shire President. If either is not available the Council members present shall choose a person who shall preside over the Agenda Forum so as to ensure the guidelines as addressed in this policy are adhered to.

Agenda Forums shall not be open to the public and therefore no debate on the items shall be entered into during the Agenda Forum there shall be no opportunity for a collective Council decision or implied decision that binds the local government. Fundamental to this decision is that any debate shall be held at Council meetings so as to ensure the public in attendance at a Council meeting can see and hear the decisions and debate around Council decisions.

The purpose of the Agenda Forum is to allow questions in relation to the item or to request further information from the Chief Executive Officer (employee) in relation to the item in a collective environment. Where questions are Taken on Notice, answers will be distributed to all Councillors and Directors prior to the OMC.

A Councillor may still choose to raise issues associated with the Agenda independently through the Chief Executive Officer or another Senior Officer as defined in the Shire of Broome's Code of Conduct.

A general record should be kept of the Agenda Forum noting attendance, requests for further information and interests declared. No minutes as such will be taken, nor will specific discussions, actions or outcomes be recorded, received or adopted at a later date.

Conduct at Agenda Forums

Councillors and employees shall adhere to the provisions of the *Local Government (Rules of Conduct) Regulations 2007* and the Shire of Broome Code of Conduct for Council Members, Committee & Working Group Members and Employees, in relation to their conduct at Agenda Forums.

The forums shall run in a formal manner with all questions being directed through the Chairman.

Quorum (Non-Technical):

A quorum will not apply to the Agenda Forum, however if deemed necessary, the Chief Executive Officer in consultation with the Shire President may reschedule an Agenda Forum.

Managing Conflicts of Interest

As a matter of probity and integrity, members and employees are required to make disclosures of interest in accordance with sections 5.59 – 5.90 of the *Local Government Act 1995* (Financial and Proximity Interests) and regulation 11(1) of the *Local Government (Rules of Conduct) Regulations 2007* and regulation 34(C)(1) of the *Local Government (Administration) Regulations 1996* (Impartiality Interests).

It is noted that this is above and beyond the scope of the legislation, however is required to ensure a high level of governance and transparency.

Members shall make written disclosures of Interest to the Chair at Agenda Forums.

Where the declaration is Financial or a Proximity Interest the Councillor or employee shall leave the room for the duration of the enquiries regarding the item so as not to add to the discussion in any manner and ensure appropriate independence for those members remaining.

Workshops

Background

Council Workshops are held to 'workshop' matters prior to presentation to Council. They are not to be confused with Concept or Agenda Forums.

Council Workshops may be convened on an occasional basis as a forum for information exchange and discussion between Council Members and Council employees and if appropriate, other relevant stakeholders. A Workshop provides an opportunity for employees or engaged consultants to provide a detailed presentation on specific matters/projects.

Workshops can be called by a resolution of Council, or at the request of the Chief Executive Officer and conducted as required.

Managing Workshops

The preferred scheduling of Workshops is between 12.00 – 4.00pm on the day of a pre-scheduled Agenda or Concept Forum. Debating, collective decision making or revelation of one's intention on how they will vote at a future Council or Committee Meeting is not permitted. Expressing an opinion or seeking clarification on matters under discussion generally however, is appropriate and welcome.

The Shire President shall Chair these meetings or if the Shire President is not available then the Deputy Shire President. If either is not available the Council members present shall choose a person who shall preside over the Workshop so as to ensure the guidelines as addressed in this policy are adhered to.

Discussion is limited to the subject on the Workshop Agenda.

A general record should be kept of the workshop noting attendance, requests for further information and interests declared. No minutes as such will be taken, nor will specific discussions, actions or outcomes be recorded, received or adopted at a later date.

Conduct at Workshops

Councillors and employees shall adhere to the provisions of the *Local Government (Rules of Conduct) Regulations 2007* and the Shire of Broome Code of Conduct for Council Members, Committee & Working Group Members and Employees, in relation to their conduct at Workshops.

The Workshops shall run in a formal manner with all questions being directed through the Chairman.

Managing Conflicts of Interest

As a matter of probity and integrity, members and employees are required to make disclosures of interest in accordance with sections 5.59 – 5.90 of the *Local Government Act 1995* (Financial and Proximity Interests) and regulation 11(1) of the *Local Government (Rules of Conduct) Regulations 2007* and regulation 34(C)(1) of the *Local Government (Administration) Regulations 1996* (Impartiality Interests).

It is noted that this is above and beyond the scope of the legislation, however is required to ensure a high level of governance and transparency.

Members shall make written disclosures of Interest to the Chair at the Workshops.

Where the declaration is Financial or a Proximity Interest the Councillor or employee shall leave the room for the duration of the enquiries regarding the item so as not to add to the discussion in any manner and ensure appropriate independence for those members remaining.