



Council Representation Policy

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Purpose

To provide a framework for the consistent management and administration of appointment, review, reporting and support arrangements in relation to **Council** representation on external organisations and internal committees and other entities.

Scope

This policy applies to all East Gippsland Shire **Councillors** and internal and external entities and organisations on which Council agrees to be represented. These include:

- External Committees, Consultative Forums, Working Parties, etc.
- Special Committees of Council;
- Statutory Committees;
- Advisory Committees and Consultative Committees; and
- Other strategic committees.

Policy Context

Ensuring that Council has properly appointed, effective representation on relevant external and internal organisations and entities is a critical element of Council's advocacy program. Through its membership of and representation on a diverse range of relevant entities, Council is well placed to represent and advocate for the interests of East Gippslanders through a range of different local, regional and state forums.

Policy Statement

By ensuring Council has a 'voice at the table' through its representation arrangements, this Policy commits Councillor representatives to working proactively with other members of these organisations to achieve the best possible outcomes for Council and the East Gippsland community.

In doing so, Councillor representatives will advocate the adopted policy of Council on issues. Through Council meetings and other forums where appropriate, representatives will inform all Councillors and other stakeholders about emerging issues or other matters that are likely to impact on Council's many areas of responsibility.

Application process

Requests or invitations received by Council or individual Councillors for Council to be represented on an external organisation by the **Mayor** or a Councillor/s must be directed to the **Chief Executive Officer** (CEO) in the first instance.

The CEO will advise the Mayor and Councillors that the request/invitation has been received and arrange for an officer report to be prepared for Council's consideration.

The officer report will advise the details of the opportunity and analyse the merit of the representation proposed. As a minimum, the analysis will address the nature, charter/terms of reference and objectives of the organisation, strategic justification for representation, the anticipated benefits to Council and other stakeholders, and the anticipated cost to Council.

Council will consider the officer's report, determine whether it should be represented on the requesting organisation and if so, resolve to appoint one or more representatives (as required) from among Councillors who have expressed interest.

Opportunities for appointment to internal committees will also be the subject of an officer report, for Council's formal consideration and subsequent appointment of representatives.

In determining the appointment of Councillors to internal committees and external organisations, Council will consider:

- Councillor capacity, particularly in the case of the Mayor and Deputy Mayor;
- the skills, attributes and experience required to carry out the functions of the representative role; and
- equity and accessibility, with a focus on creating opportunities for all Councillors to represent Council on a range of different entities and organisations.

Term of appointment

The term of appointment for Councillor representatives will be 12 months from the date of appointment, unless Council specifically resolves otherwise.

Deputy / alternate representatives

If a Councillor representative is unable to attend a meeting and a deputy/alternate representative has been appointed, the deputy/alternate representative will make every effort to attend in the place of the representative Councillor.

Role and responsibilities of Councillor representatives

Representing Council on internal entities or external organisations is a significant responsibility. When representing Council, representatives will:

- make every effort to attend scheduled meetings;
- represent the position of Council and advocate proactively for outcomes that will help to progress the objectives set out in Council's four-year plan and deliver good outcomes for the region;
- actively participate in open and respectful sharing of opinion;
- make every effort to ensure that matters are considered fairly and consistently;
- make decisions based on the best available information;
- keep confidential any matters and/or documents declared to be confidential;
- declare any conflicts of interest at the beginning of meetings and immediately before the matter in which they have a conflict is considered (*see Conflict of Interest clause in this Policy for further information*); and
- submit written reports to the Councillor Support Officer promptly for inclusion in the agenda for the next practicable Council meeting.

Reporting requirements

From the first Council meeting in 2020, the agenda for Ordinary Council meetings will include a segment titled, *Councillor and Delegate Reports*.

As soon as possible after attending a seminar, conference, meeting, forum or other relevant event convened by an external organisation to which they have been formally appointed as Council's delegate/representative, the Councillor representative will:

- submit a written report to the Councillor Support Officer for inclusion in the agenda for the next Council meeting; and
- circulate minutes of the meeting or other event to all other Councillors.

As a minimum, written reports will include the following information:

- name of the organisation on which the Councillor represents Council;
- description of the event (e.g. ordinary meeting; annual conference; special meeting, sub-committee meeting, etc.)
- date, time and location of the event; and
- any issues that Council needs to be aware of in relation to the activities of the organisation.

Written reporting on Councillor representation on internal Boards/Committees is not required under this Policy, as different reporting arrangements apply.

Support for Councillor representatives

All Councillor representatives will be supported by a member of the **Executive Leadership Team**, who on request, will be available to provide information, advice and context in respect of matters being considered by the relevant organisation.

Payment or reimbursement of costs and expenses associated with Councillor representation will be managed in accordance with the Councillor Support and Expenses Policy.

Councillor Representation Register

Council's Manager Governance will maintain a Councillor Representation Register, which will record all Councillor representative appointments and be reviewed annually. As a minimum, the Register will detail:

- name of representative appointee and deputy/alternate (if appropriate);
- date appointed;
- representative position (e.g. representative, Committee member);
- name of organisation/entity;
- purpose / objective of the organisation / entity; and
- title of Executive Leadership Team member supporting the appointee Councillor/s.

Annual Review

At the Ordinary Council meeting in December each year, the Councillor Representation Register will be presented to Council for review of the following:

- whether any changes to representative appointments are required; and
- whether Council representation on each of the external organisations listed should continue, having regard for any changes in Council's policy, direction and objectives and the value being derived for Council and its community.

Conflict of Interest

The *Local Government Act 2020* (the Act) requires Councillors to disclose any conflicts of interest that may arise when undertaking their role with Council.

In accordance with sections 130 and 131 of the Act (Disclosure of Conflict of Interest), when attending meetings and other relevant events on behalf of Council, Councillor representatives are required to make a full disclosure of all conflicts of interest prior to discussion of the matter for which the conflict of interest has arisen. Further, having declared such a conflict, the Councillor must leave the room and remain outside the room and any other area within view or hearing of the room until the matter has been concluded.

Councillors are required to proactively assess their individual circumstances and are personally responsible for determining if they have a conflict of interest and declaring this in an honest, timely and transparent manner. Where necessary, additional information and advice can be provided by Council's CEO, or by reference to the Councillor Code of Conduct for details of Councillors' obligations in managing Conflicts of Interest.

Section 123 of the Act prescribes that Councillors must not misuse their position to gain or attempt to gain, directly or indirectly, an advantage for themselves or for any other person; or cause, or attempt to cause, detriment to Council or any person.

Roles and Responsibilities

These management positions are responsible for the implementation, communication and compliance monitoring of the policy in their work areas:

Party / Parties	Roles and Responsibilities
Chief Executive Officer	Receive requests for Council to be represented (at Councillor level) on external organisations and internal entities; advise the Mayor and Councillors of receipt of the requests and arrange for an officer report on the merits of Councillor representation to be prepared for Council's consideration.
Councillor Support Officer	Receive written Councillor representation reports and arrange for them to be included in the agenda for the next practicable Ordinary Council meeting.
General Manager Business Excellence	Responsible for the implementation of the Council Representation Policy and ensuring appropriate training in its application and use is provided to Councillors and applicable staff.
Manager Governance	Ensure requests for Councillor representation to internal or external organisations / entities are handled in accordance with the provisions of this Policy. Monitor compliance with the requirements of the Policy. Maintain the Councillor Representation Register and ensure it is submitted to Council for review annually.

References and Supporting Documents

Applicable Legislation:

The Local Government Act 2020 is the principal legislation governing the Local Government sector in Victoria. It provides Local Government councils with authority to manage public resources and identifies the primary principle of councils is to achieve the best outcomes for their local community.

Applicable Policy and Procedure:

Councillors Support and Expenses Policy - recognises and supports Councillor attendance at meetings, seminars and conferences that relate directly to performing their duties as a Councillor; are organised by a Local Government peak body/association; and/or have a demonstrable benefit for the East Gippsland Shire community.

Supporting Documents:

Councillor Representation Register

Privacy and Human Rights Consideration

The Council Representation Policy has been assessed as compliant with the obligations and objectives of the Victorian *Charter of Human Rights and Responsibilities Act 2006*.

Definitions

Term	Meaning
Chief Executive Officer	Person appointed by Council to the position of Chief Executive Officer.
Community	People who live in East Gippsland; People and organisations who are ratepayers or conduct activities in East Gippsland.
Council	East Gippsland Shire Council
Council Representation Register	Register listing internal and external organisations and entities on which Council is represented; the name of representative appointee and deputy/alternate (if appropriate); date of appointment; representative position (e.g. representative, Committee member); purpose/objective of the organisation/ entity; and title of Executive Leadership Team member supporting the appointee Councillor/s.
Councillor	Person who has been elected to the office of Councillor of East Gippsland Shire Council.
Councillor Representative	Councillor appointed by Council to represent it on an external organisation or internal board/committee or other entity.
Executive Leadership Team	Senior leadership team comprising the CEO and General Managers.

Term	Meaning
Mayor	Councillor elected by Councillors to the position of Mayor for a one or two-year term.
Staff	All staff engaged by East Gippsland Shire Council, including all full-time, part-time and casual employees, labour hire agency staff, contractors and volunteers.

Revision History and Review

Version Control	Approved Amended Rescinded	Date Effective	Approved By	ECM Document Reference	Summary of Changes
1	Approved	12/11/19	Council	8249757	Original policy
2	Approved	16/12/21	Council		<p>Removal of reference to Boards</p> <p>Removal of reference to Councillor Code of Conduct, as it related to the former Code of Conduct.</p> <p>Updated Local Government Act to 2020, previously 1989.</p>