

Keywords: *Committee, Organisation, Representative, Observer*

Corporate Plan:	N/A
Classification:	<i>Executive Services – Elected Members – “Council Representations and Delegations”</i>
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Review Frequency:	<u>Legislation:</u> <i>Within 12 months of a General</i>
Last Reviewed:	October 2023
Next Review Due:	<i>(Regs: Within 12 months of the General Elections)</i>
Responsible Officer(s):	Chief Executive Officer
Council File Reference:	Council Policies (P)
Applicable Legislation:	<p>Re: <u>MEDIA:</u> <i>Pursuant to Part 3 – Role of Members as defined in the Local Government Act 1999 the following applies:</i></p> <p>LGA Section 58 – Specific roles of principal member (1) <i>The role of the principal member of a council is-</i> (g) <i>to act as the principal spokesperson of the council;</i></p>
Relevant Policies:	<i>Statutory Code of Conduct for Elected Members and Committee Members; Confidentiality Provisions - Code of Practice; Electronic Communications Policy; Elected Member Electronic Communication and iPad Policy; Media and Communication Policy</i>
Related Procedures:	<i>This Policy is not subject to Public Consultation</i>
Delegations:	<i>As detailed in the BBC Delegations Register</i>

1. Purpose

A key function of the Berri Barmera Council is to raise its profile by participating and/or representing Council as an observer on committees, providing presentations at conferences, participating in other public forums, liaising with other government and non-government organisations, providing media comment, and providing written material for publication.

2. Definitions

CEO	means Chief Executive Officer of Berri Barmera Council
Council	means Berri Barmera Council
Elected Member	elected Members are required to present the views and interests of residents and ratepayers to Council and, in turn, explain Council policy and decisions to residents. The role of an Elected Member is to serve as a bridge between residents and the Council.

3. Principles

The aim of the Policy is to formalise procedures that cover situations where the Mayor, Deputy Mayor or other Elected Members, the CEO, or other staff members represent the Berri Barmera Council in any of these ways.

These procedures apply only to representation and participation (including capacity as an observer on community groups) on Berri Barmera Council's behalf, and do not apply to situations where the Berri Barmera Council Mayor, Deputy Mayor or other Elected Members represent other organisations (including Berri Barmera Council member organisations). Elected Members should always make it clear when participating in public forums or media activities, which organisation they are representing (e.g. Berri Barmera Council or another organisation as an observer only, or themselves as an individual), and follow the appropriate procedures in each case.

4. Policy Statement

4.1. Framework for Policy

Berri Barmera Council will normally be represented publicly by the Mayor and Deputy Mayor however there may be times that the representation will be by another Elected Member, Council's CEO or another staff member.

This level of representation should promote good communication between the representative and the Berri Barmera Council, thereby ensuring that Berri Barmera Council positions are appropriately represented and communicated.

Berri Barmera Council seeks to appoint representatives who have a high level of knowledge and expertise in the given field, and the capacity to communicate this knowledge, and the Council's position, effectively.

Where the Berri Barmera Council Mayor, Deputy Mayor, Elected Members, or the CEO or other staff members, represent Berri Barmera Council on committees or Boards, at conferences, or at other forums, or where they liaise with other government and non-government organisations on Berri Barmera Council's behalf, or where they make media comment or provide material for publication:

- all statements made and positions taken should reflect Berri Barmera Council policy; a broad approach should be taken reflecting the views and interests of all Berri Barmera Council member organisations; when applicable, ensure the committee, Board, organisation or group are aware of the status of the representative (i.e. is the representative present as observer only?); and conduct should be appropriate.

5. Procedure

5.1. Representation on Committees (Appointment as an "observer" only and committees not initiated by Council, i.e. community organisations/groups)

It is acknowledged that Council, by having representatives to outside bodies, can in fact place Elected Members in a position of having an interest in a matter that is discussed by Council of relevance to the organisation to which they are a representative. Depending on the matter being discussed, it can be determined that the member also has a conflict of interest and therefore would need to either declare an interest, or in extreme cases vacate the chamber and not be involved in discussion.

The unfortunate situation of this approach is that elected members are appointed to the Council to make decisions on behalf of the community within the constitution and powers inferred on the Council under the Local Government Act and other Acts. By being represented on outside bodies and facing the difficulty of

members inadvertently having an interest, can then mean that elected members cannot exercise their primary role and that is to participate in deliberations and vote on matters before Council.

To resolve this situation, ***Council has resolved*** to advise the community organisations on which it is represented that Council will not be appointing a formal representative to the committee, and in doing so advise the organisation ***that a Councillor or Officer may attend a meeting in an informal or information capacity***, i.e. attends ***as an “observer”***. That is, the Elected Member or Officer does not participate in deliberations or vote on any matters before the organisation.

5.2. Conferences and public forums

The CEO will ensure that the Mayor / Elected Members are made aware of relevant conferences, and that opportunities for Berri Barmera Council participation, particularly through presentations, are maximised. Such presentations may be made either by Elected Members or appropriate staff.

The CEO in consultation with relevant Departmental Managers will make all decisions on staff attendance and presentations at conferences and other public forums.

Berri Barmera Council will fund the expenses incurred of all authorised persons (including travel, accommodation and meals, registration costs, and sitting fees) at Seminars, Conferences etc. that have been authorised for attendance.

5.3. Meetings and liaison with government and non-government stakeholders

The CEO is primarily responsible for ongoing meetings and liaison with government and non- government organisations.

Where new programs or funding initiatives are announced, and briefing meetings are held by government (e.g. Federal Budget briefings), the Berri Barmera Council CEO or a delegated staff member will attend these meetings and, if appropriate and depending on relevance, provide a written briefing to the Council.

Regular meetings and liaison are also expected to occur with non-government stakeholder organisations, including but not limited to Berri Barmera Council member organisations. The Berri Barmera Council CEO is primarily responsible for this liaison.

5.4. Media comment

The Mayor and the CEO have standing authority to make media comment on Berri Barmera Council's behalf. Other Departmental Managers or staff members may also be delegated by the Chief Executive Officer to make media comment on Berri Barmera Council's behalf, on a case-by-case basis.

Where the Mayor, CEO, or other Berri Barmera Council Managers or staff members make media comment on Berri Barmera Council's behalf:

- all statements made and positions taken should reflect Berri Barmera Council policy;
- a broad approach should be taken reflecting the views and interests of all Berri Barmera Council member organisations; and
- conduct should be appropriate.

5.5. Written material for publication

Berri Barmera Council staff and Elected Members may also work to raise the profile of the Council by preparing written material for publication.

Where the authorship of such articles will be attributed to Berri Barmera Council staff or Elected Members in their capacity as such, (rather than, for example, as individuals or as representatives of other organisations), draft material will be provided to the Chief Executive Officer for comment (and/or Council if time permits). The Chief Executive Officer has responsibility for the final clearance of such material. Any opinions expressed in written material, where they are not business related, should be specifically noted as personal opinion and not those of the Council.

5.6. Corporate intellectual property

All intellectual property developed and or enhanced through relationship with the Council either in the capacity of an elected member or through the use of resources will remain the property of the Berri Barmera Council.

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