

	CENTRAL HIGHLANDS REGIONAL COUNCIL POLICY	
	Councillor Strategic and Briefing Forums and Councillor Workshops	POLICY REF NO CHRCP: 00023

1.0 Policy Purpose

- 1.1 The purpose of this policy is to provide a framework for the orderly and proper conduct of non-decision-making councillors' forums, specifically strategic and briefing forums and workshops which create an opportunity for:
1. Councillors and officers to discuss matters, obtain and exchange information; and
 2. Councillors to receive information about:
 - (a) The implementation of previous decisions of council.
 - (b) The ongoing operations of council.
 - (c) Matters raised which may be the subject of consideration at a general council meeting.

2.0 Policy Statement

- 2.1 The policy applies to councillors and council employees and is applicable during and throughout councillor strategic and briefing forums and councillor workshops.
- 2.2 Transparent meeting procedures underpin representative democracy and ensure public confidence in council's decision-making process. Strategic and briefing forums and workshops are intended to enhance the decision-making process by providing an opportunity for councillors to ask questions and seek clarification of information prior to general council meetings or at early stages of projects, reviews or other work being undertaken by officers. The intention of strategic and briefing forums and workshops is:

Strategic and Briefing Forums

The strategic and briefing forum is a non-decision-making forum convened by the mayor or chief executive officer (CEO) that creates an opportunity for councillors and officers to be informed about and canvass matters of proposed policy or other strategic issues, as well as providing a forum for councillors to be made aware of, and informed about, issues of significance. Strategic and briefing forums are for the purpose of information sharing and understanding and not for the purpose of discharging council's deliberative and decision-making functions.

Workshops

Workshops are specific events organised and conducted by or on behalf of the mayor or CEO to which members of council, staff and third parties have been invited and involves information sharing, discussion of matters, and relationship building. Examples include discussions to determine strategic priorities, the process of development of the budget, initial input into the development or review of council policies, plans and the like. A workshop is not to discharge council's deliberative and decision-making process.

- 2.3 This policy provides direction and leadership to councillors and council officers on the conduct of strategic and briefing forums and councillor workshops.

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- 2.4 This policy is consistent with the local government principles identified in section 4 of the *Local Government Act 2009* (the Act).

3.0 Principles

- 3.1 The principal functions of strategic and briefing forums and workshops are to:
1. Share information (rather than for the purpose of debating issues or otherwise discharging council's deliberative and decision-making functions).
 2. Provide officers with the opportunity to advise councillors of their professional opinion on matters, including available options and recommendations.
 3. Provide councillors with the opportunity to seek clarification on matters.
 4. Provide updates on matters prior to a general council meeting.
 5. Provide an opportunity for the CEO and senior council officers to address any councillor questions and provide additional background.
 6. Receive deputations from members of the community if the deputation is for an information session or to brief councillors on a matter that does not require a decision to be made.
 7. Receive presentations from external parties assisting council.
- 3.2 Strategic and briefing forums and workshops provide the necessary background information to enable councillors to more effectively discuss and debate complex issues during subsequent council meetings.
- 3.3 A formal decision, or implied decision, must not be made at a strategic and briefing forum or workshop.
- 3.4 Debate or discussion between councillors which, directly or indirectly, results in consensus building must not be conducted at a strategic and briefing forum or workshop.
- 3.5 Councillors need to be aware of their responsibilities with regard to the Act and its associated regulations and must refrain from consensus building or participating in the formation of decisions at strategic and briefing forums.
- 3.6 Any matter requiring a council decision that is canvassed in a strategic and briefing forum or workshop must be reported by the responsible officer to a general council meeting for determination.
- 3.7 Strategic and briefing forums and workshops are not formal meetings of council and are not open to the public unless otherwise invited.

4.0 Roles and Responsibilities

- 4.0 Councillors are obliged to comply with the local government principles and the Code of Conduct for Councillors in Queensland (attached at Schedule 1). The Code of Conduct for Councillors in Queensland sets out the standards of behaviour applying to all councillors and the consequences of failing to comply with the code of conduct. Responsibilities under the Code of Conduct include attending and participating meaningfully in all council meetings, committee meetings, informal meetings, briefings, relevant workshops and training opportunities.
- 4.1 Officers are obliged to provide sound and impartial advice during strategic and briefing forums and workshops consistent with their responsibilities outlined in the Act and in accordance with council's Employee Code of Conduct.

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5.0 Confidentiality

- 5.1 Councillors will be in receipt of confidential information that may or may not be part of a formal council meeting. Councillors must use council information in a way that promotes and maintains the public trust and confidence in the integrity of the local government. The release of confidential information is prohibited by the Act.
- 5.2 Councillors and council officers have a responsibility to ensure that confidential 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, directly or indirectly a financial advantage.

6.0 Conflict of Interest

- 6.0 A councillor must inform the strategic and briefing forum or workshop:
1. If the councillor has a declarable conflict of interest in the matter—about the councillor’s conflict of interest in the matter; and
 2. If the councillor has a prescribed conflict of interest in the matter—about the councillor’s prescribed conflict of interest in the matter.

Paragraph 6.0 applies if:

1. A matter is to be considered or discussed at a strategic and briefing forum or workshop; and
 2. The matter is not an ordinary business matter; and
 3. A councillor at the strategic and briefing forum or workshop:
 - (a) has a declarable conflict of interest in the matter; or
 - (b) has a prescribed conflict of interest in the matter.
- 6.1 If paragraph 6.0 applies to a matter to be considered or discussed at a strategic and briefing forums or workshop, the following information must be recorded by the CEO in respect of the strategic and briefing forum or workshop:
1. The name of each councillor who had a declarable conflict of interest in the matter, including particulars of the conflict.
 2. The name of each councillor who had a prescribed conflict of interest in the matter, including particulars of the conflict.
- 6.2 A councillor who has a conflict of interest in a matter to be addressed in a strategic and briefing forum or workshop must declare the nature of the conflict at the meeting and the method of management of the conflict to be agreed by attendees during the meeting and recorded in meeting records.
- 6.3 A councillor who has a conflict of interest in a matter that is to be considered or discussed at a strategic briefing forum or workshop must not influence or attempt to influence another councillor to vote on the matter in a particular way at a general council meeting
- 6.4 A councillor who has a conflict of interest in a matter, must not influence, or attempt to influence a council employee or a contractor of council, who is authorised to decide or otherwise deal with the matter, to do so in a particular way.

7.0 Schedule

- 7.1 Strategic and briefing forums shall be held in accordance with the council meeting calendar.

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- 7.2 In the event of there being no business formally listed, the strategic and briefing forum will not convene, and the Office of the CEO shall advise councillors of the cancellation as soon as practicable.
- 7.3 The mayor or CEO may call strategic and briefing forums outside of the scheduled meeting calendar as necessary so that councillors may be informed about emergent matters.
- 7.4 Councillor workshops will be programmed as required.

8.0 Participants

- 8.1 Strategic and briefing forums or workshops are open for attendance by all councillors, the CEO (or a delegate of the CEO) and the executive leadership team, and no quorum is required. Managers or other officers who have an interest in an item on the agenda and any other relevant officers may also attend.
- 8.2 Requests to attend a strategic and briefing forum by audio link or audio-visual link must be submitted to the chairperson, along with reason for request, at least two business days prior to the forum, unless in extenuating circumstances. Requests will be allowed at the discretion of the chairperson. Extenuating circumstances may include a disaster or emerging disaster event, a councillor is unwell experiencing symptoms of an infectious illness or a councillor is required to attend to official council business in another location.
- 8.3 Virtual attendance by audio link or audio visual link at a workshop by councillors is permitted and the intention to attend virtually must be submitted in writing to the office of the CEO two business days prior to the workshop to enable presenters and the meeting room to be prepared for virtual format.
- 8.4 A councillor or council staff member who cannot attend a strategic and briefing forum or a workshop shall advise the CEO in writing two business days prior to the meeting in order to be recorded as an apology.
- 8.5 External persons may attend strategic and briefing forums or workshops upon invitation from the mayor or CEO. If an external person (for example a consultant, contractor or guest) is to be present at the strategic and briefing forum or workshop, the person’s name, title and company shall be included on the agenda.
- 8.6 An external person who will be attending a strategic and briefing forum or workshop shall only be present at the strategic and briefing forum or workshop during discussion of the agenda item for which their name appears next to on the agenda.

9.0 Chairperson

- 9.1 The mayor shall chair the strategic and briefing forums. In the event that the mayor is not present, the deputy mayor shall chair the strategic and briefing forums.
- 9.2 If both the mayor and the deputy mayor are absent or unavailable to chair, a councillor chosen by the councillors present at the strategic and briefing forum will chair the forum.
- 9.3 Workshops may be chaired by the mayor or CEO or another councillor or a member of the executive leadership team as required. The CEO (or delegate of the CEO) will nominate the chairperson at the start of each workshop. The relevant general manager shall introduce each session providing the purpose for the workshop and the presenter.
- 9.4 The chairperson shall assume responsibility for the good governance and order of the meeting.

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10.0 Administration

- 10.1 The CEO will determine the matters to be presented at a strategic and briefing forum or a workshop for preparation of an agenda.
- 10.2 For each strategic and briefing forum and workshop agenda item, the agenda shall state the title of the item, the name of the officer who will lead the discussion, the time allotted to each agenda item and whether a presentation is provided.
- 10.3 The agenda for a strategic and briefing forum or workshop documents will be distributed at least two (2) days prior to the forum or workshop unless paragraph 10.4 applies.
- 10.4 Where (due to urgency or timing of availability of information) no agenda or documents have been circulated prior to a strategic and briefing forum or workshop in accordance with 10.3, the responsible general manager or the CEO shall distribute the agenda through council's online portal (the Hub) for councillors and other participants prior to the commencement of the strategic and briefing forum or workshop.
- 10.5 A councillor wishing to place an item on the agenda for a future strategic and briefing forum or workshop may do so through:
1. raising a matter at a strategic and briefing forum or workshop, or
 2. applying in writing to the CEO providing information as to why the item has been requested and the expected timeframe.
- 10.5.1 Items raised through 10.5 (1 or 2) will be placed on the agenda for the next strategic and briefing forum where the item will be discussed and a way forward to progress the matter agreed upon by councillors and a timeframe established. Options to progress the matter include a future strategic and briefing forum, councillor workshop, general council meeting or a briefing note.
- 10.5.2 The item will be actioned in accordance with the agreed way forward as per 10.5.1.
- 10.5.3 Any reports relating to the requested agenda item (if determined to be included), will include the following:
1. The councillor who has requested the report.
 2. Details of the request from councillor.
 3. Recommendation from officer.
 4. Supporting documentation for recommendations.
- 10.6 Strategic and briefing forum report must have a clear statement identifying the aims of the briefing. Such as:

Option 1 – Operation Action

This report is for the briefing of councillors prior to the matter being dealt with operationally.

Option 2 – Council Resolution Required

This report is for the briefing of councillors prior to consideration of the matter at a future council meeting.

Option 3 – Seeking input from councillors

(a) *This report is seeking to canvass options on [_____] issue; or*

(b) *This report is seeking feedback with regard to [_____] issue; or*

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(c) *This report is seeking to identify any further clarification council may require with regard to [_____] issue.*

(d) *This report seeks councillors views on [_____] issue.*

10.7 Reports, papers and presentations for workshops will vary depending on the topic and objectives of the workshop. As a minimum a workshop is to consist of an agenda, participants, allocated time, and relevant papers, reports or presentations.

10.8 Minutes of matters canvassed at strategic and briefing forums and workshops will not be recorded, as forums are informal meetings and no decisions are taken. However, the CEO will ensure a record is prepared of the strategic and briefing forum or workshop, to include attendance, councillors' non-attendance, apologies and notes on matters discussed, any advice provided and any agreed actions for circulation to councillors, the executive leadership team and other attendees at the forum or workshop.

11.0 Dealing with Unsuitable Conduct by a councillor in a Councillor Strategic and Briefing Forum and Workshop

11.1 When dealing with an instance of unsuitable conduct by a councillor in a councillor strategic and briefing forum and workshop, the following procedures must be followed:-

- 1) the chairperson must decide whether or not unsuitable conduct has been displayed by a councillor
- 2) if the chairperson decides the unsuitable conduct has occurred, the chairperson must consider the severity of the conduct and whether the councillor has had any previous warnings for unsuitable conduct issued. If the chairperson decides the conduct is of a serious nature, refer below for the steps to be taken.
- 3) if the chairperson decides unsuitable conduct has occurred but is of a less serious nature, the chairperson may request the councillor take remedial actions such as:
 - i. ceasing the unsuitable conduct and refraining from exhibiting the conduct.
 - ii. apologising for their conduct.
 - iii. withdrawing their comments.
- 4) If the councillor complies with the chairperson's request for remedial action, no further action is required.
- 5) If the councillor fails to comply with the chairperson's request for remedial action, the chairperson may warn the councillor that failing to comply with the request may result in a complaint of inappropriate conduct being made against the councillor.
- 6) If the councillor complies with the chairperson's warning and request for remedial action, no further action is required.
- 7) If the councillor fails to comply with the chairperson's request for remedial actions, the chairperson may take the following actions during the meeting:
 - i. request the councillor to leave the place of the meeting and stay away from the place for the duration of the meeting
 - ii. adjourn or close the meeting.

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12.0 Definitions

To assist in interpretation, the following definitions apply:

Declarable Conflict of Interest	has the meaning given in the <i>Local Government Act 2009</i> , section 150EN and 150EO and includes a perceived conflict of interest and a real conflict of interest.
CEO	Chief Executive Officer is: A person who holds an appointment under section 194 of the <i>Local Government Act 2009</i> . This includes a person acting in this position.
Code of Conduct	For council employees means the Central Highlands Regional Council Employee Code of Conduct. For Councillors means the Code of Conduct for Councillors in Queensland made under section 150D of the Act.
Ordinary business matter	Has the meaning given in the <i>Local Government Act 2009</i> , section 150EF.
Prescribed conflict of interest	Has the meaning given in the <i>Local Government Act 2009</i> , section 150EG, 150EH or 150EI.
Strategic and briefing forum	The strategic and briefing forum is a non-decision making forum convened by the mayor or CEO that creates an opportunity for councillors and officers to be informed about and canvass matters of proposed policy or other strategic issues, as well as providing a forum for councillors to be made aware of, and informed about, issues of significance. Each strategic and briefing forum must be used solely for the purpose of information sharing and not for the purpose of debating issues, building consensus positions or otherwise discharging council's deliberative and decision-making functions.
Workshop	Workshops are specific events organised and conducted by or on behalf of the mayor or CEO to which members of council, staff and third parties have been invited and involves information sharing, discussion of matters, relationship building. Examples include discussions to determine strategic priorities, the development of the budget, initial input into the development or review of council policies, plans etc. A workshop is not to discharge council's deliberative and decision making process.

Strategic Link	section 4 , 150EF , 150EG , 150EH , 150EI , 150EN , 150EO <i>Local Government Act 2009</i> (Qld) CHRC Governance Framework
Category	Elected Members Organisational
Lead Business Unit	Office of the Chief Executive Officer
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Record Keeping	ECM, Vine and Council website
Related Documents	Code of Conduct for Councillors in Queensland Employee Code of Conduct

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