



AGENDA

FOR GOVERNANCE AND COMPLIANCE COMMITTEE MEETING TO BE HELD ON

**13 DECEMBER 2021 AT CONCLUSION OF FINANCE AND CORPORATE
SERVICES COMMITTEE**

**IN WITTBER & DR RUBY DAVY ROOMS, SALISBURY COMMUNITY HUB,
34 CHURCH STREET, SALISBURY**

MEMBERS

Cr J Woodman (Chairman)
Mayor G Aldridge (ex officio)
Cr B Brug
Cr A Duncan
Cr K Grenfell
Cr D Proleta
Cr S Reardon (Deputy Chairman)
Cr G Reynolds

REQUIRED STAFF

Chief Executive Officer, Mr J Harry
General Manager Business Excellence, Mr C Mansueto
Manager Governance, Mr R Deco
Team Leader Corporate Governance, Mr B Kahland

APOLOGIES

LEAVE OF ABSENCE

PRESENTATION OF MINUTES

Presentation of the Minutes of the Governance and Compliance Committee Meeting held on 15 November 2021.

REPORTS

Administration

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For Decision

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OTHER BUSINESS

QUESTIONS WITHOUT NOTICE

MOTIONS WITHOUT NOTICE

CLOSE



**MINUTES OF GOVERNANCE AND COMPLIANCE COMMITTEE MEETING HELD IN
WITTBER & DR RUBY DAVY ROOMS, SALISBURY COMMUNITY HUB,
34 CHURCH STREET, SALISBURY ON**

15 NOVEMBER 2021

MEMBERS PRESENT

Cr J Woodman (Chairman)
Mayor G Aldridge (ex officio)
Cr B Brug (*via Teams VC*)
Cr A Duncan
Cr K Grenfell
Cr D Proleta
Cr G Reynolds

OBSERVERS

Nil

STAFF

Chief Executive Officer, Mr J Harry
General Manager Business Excellence, Mr C Mansueto
Manager Governance, Mr R Deco
Team Leader Corporate Governance, Mr B Kahland

The meeting commenced at 6:55pm

The Chairman welcomed the members, staff and the gallery to the meeting.

APOLOGIES

Apologies were received from Cr S Reardon

LEAVE OF ABSENCE

Nil

PRESENTATION OF MINUTES

Moved Cr K Grenfell
Seconded Mayor G Aldridge

The Minutes of the Governance and Compliance Committee Meeting
held on 18 October 2021, be taken as read and confirmed.

CARRIED

REPORTS

Administration

3.0.1 Future Reports for the Governance and Compliance Committee

Moved Cr K Grenfell
Seconded Mayor G Aldridge

That Council:

1. Notes the report.

CARRIED

For Decision

3.1.1 Formal Meeting Schedule for 2022

Moved Cr A Duncan
Seconded Cr K Grenfell

That Council:

1. Adopts the Formal Meeting Schedule as set out in Attachment 1 to this report (Item 3.1.1, Governance and Compliance Committee, 15 November 2021).
2. Authorises the Chief Executive Officer to amend the attached Formal Meeting Schedule should the need arise.

With leave of the meeting and consent of the seconder, Cr A Duncan VARIED the MOTION as follows:

That Council:

1. Adopts the Formal Meeting Schedule as set out in Attachment 1 to this report (Item 3.1.1, Governance and Compliance Committee, 15 November 2021).
2. Authorises the Chief Executive Officer to amend the attached Formal Meeting Schedule should the need arise.
3. Approves the switch of the Community Wellbeing and Sport Committee (to be first) with the Innovation and Business Development Committee (to be second).

CARRIED

3.1.2 By- Laws Review 2022

Moved Cr D Proleta
Seconded Cr A Duncan

That Council:

1. Approves that this item be deferred to a CEO Briefing or Workshop Session to discuss in more detail with Elected Members and staff.

CARRIED

3.1.3 Temporary Road Closures Policy Review

Moved Mayor G Aldridge
Seconded Cr A Duncan

That Council:

1. Adopts the newly formatted Temporary Road Closure Policy as found in Attachment 1 to this report (Governance and Compliance 15/11/2021, Item No. 3.1.3), noting that there are no changes to the policy content.

CARRIED

3.1.4 Audit Committee In-Camera Session with the Auditor and Local Government Reform

Moved Cr A Duncan
Seconded Mayor G Aldridge

That Council:

1. Notes that the Local Government Association is currently seeking feedback on the proposed draft wording of new Regulation 17B of the *Local Government (Financial Management) Regulations 2011* on the requirement of the Council's Audit and Risk Committee to liaise with the Council Auditor in confidence on at least one occasion each year.
2. Approves to submit Council's feedback on the draft proposed wording of new Regulation 17B of the *Local Government (Financial Management) Regulations 2011* to the Local Government Association as included in Attachment 1 to this report (Governance and Compliance Committee 15/11/2021, Item 3.1.4).
3. Notes that the LGA advised that the intended application of proposed Regulation 17B of the *Local Government (Financial Management) Regulations 2011* is limited to the external auditor for the purposes of section 128 of the *Local Government Act 1999*.
4. Approves the Terms of Reference of the Audit Committee to be updated to include in-camera sessions with the external auditor, with no staff to be present, specifically noting the intent of the regulation that the in-camera session is not applicable to internal audit.
5. Approves that the minuting during in-camera sessions with the external auditor will be undertaken by the Chairman of the Audit Committee and that those minutes are to be issued to the Manager Governance or delegate after the meeting, for compliance with Regulation 25 of the *Local Government (Procedures at Meetings) Regulations 2013*.

6. Notes that pursuant to section 129 (4) and (5a) of the *Local Government Act 1999*, the Auditor will provide advice on particular matters arising from an audit to the principal member of the Council who will ensure that copies are provided to the Chief Executive Officer (CEO), which allows the CEO to take relevant action if required.
7. Notes that a further report will be presented to the Governance and Compliance Committee with further proposed amendments to the Audit Committee Terms of Reference, in context of the Local Government Reform.
8. Notes a further report be considered by Council on the 22 November 2021 which will enable the inclusion of material from the review group to be considered by Council at its meeting.

CARRIED

Due to technical issues with the videoconferencing equipment, Cr B Brug left the meeting at 7:09pm.

3.1.5 Review of Elected Member Allowances, Facilities and Support Policy

Moved Mayor G Aldridge
Seconded Cr D Proleta

That Council:

1. Adopts the reviewed Elected Member Allowances, Facilities and Support Policy as contained in Attachment 2 to this report (Governance and Compliance, 15/11/2021, Item No. 3.1.5), with the following amendment to Schedule 3:
allocation of 1,000 Business Cards for all Elected Members.

CARRIED

3.1.6 Review of Code of Practice for Meeting Procedures

Moved Cr D Proleta
Seconded Cr A Duncan

That Council:

1. Adopts the reviewed City of Salisbury Code of Practice for Meeting Procedures as contained in Attachment 1 to this report (Governance and Compliance 15/11/2021, Item No. 3.1.6)

CARRIED

3.1.7 Review of Code of Practice for Access to Meetings and Associated Documents

Moved Cr A Duncan
Seconded Cr D Proleta

That Council:

1. Adopts the Reviewed Code of Practice for Access to Meetings and Associated Documents as contained in Attachment 1 to this report (Governance and Compliance 15/11/2021, Item No. 3.1.7).

CARRIED

3.1.8 Nominations Sought for the Dog and Cat Management Board

Moved Cr A Duncan
Seconded Cr D Proleta

That Council:

1. Approves the nomination of Mayor G Aldridge as a Local Government Member on the Dog and Cat Management Board.

Mayor G Aldridge declared a material conflict of interest on the basis of being nominated for the position. Mayor Aldridge left the meeting at 7:19 pm.

CARRIED

Mayor G Aldridge returned to the meeting at 7:20 pm.

OTHER BUSINESS

Nil

The meeting closed at 7:21pm.

CHAIRMAN.....

DATE.....

ITEM	3.0.1
	GOVERNANCE AND COMPLIANCE COMMITTEE
DATE	13 December 2021
HEADING	Future Reports for the Governance and Compliance Committee
AUTHOR	Michelle Woods, Projects Officer Governance, CEO and Governance
CITY PLAN LINKS	4.2 We deliver quality outcomes that meet the needs of our community
SUMMARY	This item details reports to be presented to the Governance and Compliance Committee as a result of a previous Council resolution. If reports have been deferred to a subsequent month, this will be indicated, along with a reason for the deferral.

RECOMMENDATIONThat Council:

1. Notes the report.

ATTACHMENTS

There are no attachments to this report.

1. BACKGROUND

- 1.1 Historically, a list of resolutions requiring a future report to Council has been presented to each committee for noting.

2. CONSULTATION / COMMUNICATION**2.1 Internal**

- 2.1.1 Report authors and General Managers.

2.2 External

- 2.2.1 Nil.

3. REPORT

- 3.1 The following table outlines the reports to be presented to the Governance and Compliance Committee as a result of a Council resolution:

Meeting Item	- Heading and Resolution	Officer
22/11/2021 3.1.2	By- Laws Review 2022 Approves that this item be deferred to a CEO Briefing or Workshop Session to discuss in more detail with Elected Members and staff.	John Darzanos
Due:	February 2022	

4. CONCLUSION / PROPOSAL

- 4.1 Future reports for the Governance and Compliance Committee have been reviewed and are presented to Council for noting.

ITEM	3.1.1
	GOVERNANCE AND COMPLIANCE COMMITTEE
DATE	13 December 2021
HEADING	Improving Audio Visual Capability in the Little Para Conference Rooms
AUTHOR	Lee Kightley, Emergency Management Project Coordinator, CEO and Governance
CITY PLAN LINKS	4.1 Members of our community receive an exceptional experience when interacting with Council 4.5 We engage meaningfully and our community is aware of Council initiatives
SUMMARY	Council resolved at its meeting on 26 July 2021 that <i>staff bring back a report on options and costs by no later than December on improving video capability in Chambers for the purpose of online meeting participation with the intent to make the speaker clearly visible via the video camera.</i> Council subsequently also resolved at its meeting on 27 September 2021 <i>that the administration commences necessary preparations to implement quality audio recording of all public meetings, and publish the recording of the public Council meeting on the Council website within 48 hours after the Council meeting and retain on the website for a period of 3 months, after which it will be removed from the website.</i> This report presents options and recommendations in execution of these Council decisions, for Council's consideration.

RECOMMENDATIONThat Council:

1. Approves the installation of a suitable audio/visual system to allow improved audio/video experience and audio recording in the Council Chamber to the value of approximately \$130k as per consultant estimate, subject to approval of an associated 2022/23 new initiative budget bid for Council consideration.

ATTACHMENTS

There are no attachments to this report.

1. BACKGROUND

- 1.1 The COVID-19 pandemic has changed the way Council operates, including holding Council Meetings.
- 1.2 There have been occasions where Elected Members have been required to attend Council Meetings online due to SA Government restrictions, including lockdown orders, social distancing requirements and working from home recommendations.

- 1.3 The initial design of the Council Chambers and the associated audio-visual capability was setup to be operated with the Elected Members seated in a 'V' Shape facing the presiding member and executive. The system was designed to be either in person meetings using desktop microphones or video conferencing with MS Teams; it was not designed for these two functions (online and in person) to be used concurrently, which is a current functional need.
- 1.4 Changes have also been made to the V shape room layout to facilitate social distancing guidelines, which has impacted both the audio and video quality and capability, including:
 - 1.4.1 The desktop microphones are not configured to be used in a wider U shape room layout.
 - 1.4.2 Audio feedback occurs if MS Teams and the desktop microphones are in use at the same time.
 - 1.4.3 The camera in the Council Chamber is not adequately capturing individuals while speaking, due to the change in desk layout and there being no camera tracking technology present.
 - 1.4.4 Inability for members of the public to properly hear the discussion from the gallery due to the microphone system not being used.
 - 1.4.5 Background noise and interference, with the AV system auto echo cancellation (AEC) dropping the microphone to reduce feedback, reducing audio quality.
 - 1.4.6 The position of the online TV monitor on a side wall and the MS Teams layout on screen results in online participants not easily being able to be seen by the Presiding Member and other Members in the room.
 - 1.4.7 The system currently records in both audio and video; however, it requires a significant amount of administration work by the Governance team to make the recording available within 48 hours on the Council website (manual file conversion).

2. CITY PLAN CRITICAL ACTION

- 2.1 Members of our community receive an exceptional experience when interacting with Council.
- 2.2 We engage meaningfully and our community is aware of Council initiatives.

3. CONSULTATION / COMMUNICATION

- 3.1 Internal
 - 3.1.1 Consultation has occurred between the Governance Division, for meeting protocols, and the Business Systems and Solutions Division, as the division responsible for the IT and audio-visual systems of Council.
- 3.2 External
 - 3.2.1 External AV experts have been consulted on the best technical solution in context of Council's expectations as per resolutions.

4. REPORT

- 4.1 At its meeting on 26 July 2021, Council resolved that staff *bring back a report on options and costs by no later than December on improving video capability in Chambers for the purpose of online meeting participation with the intent to make the speaker clearly visible via the video camera.*
- 4.2 At its meeting on 27 September 2021 Council resolved *that the administration commences necessary preparations to implement quality audio recording of all public meetings, and publish the recording of the public Council meeting on the Council website within 48 hours after the Council meeting and retain on the website for a period of 3 months, after which it will be removed from the website.*
- 4.3 The Governance Division and Business Systems and Solutions Division have worked with an external consultant to review the current AV system and develop solutions to execute these Council Decisions.
- 4.4 There are several options available to improve the AV quality within the Council Chamber, depending on the level of functionality required.
- 4.5 Option 1 presented by the consultant is an upgrade to some of the AV hardware and software currently installed in the Council Chamber and using the existing delegate microphone system.
 - 4.5.1 This option includes installation of Beyond1 camera tracking solution, a dedicated audio only recorder system with USB remote extenders to allow Governance access to the meeting recordings, and installation of four mobile foldback confidence monitors to facilitate better display of online meeting participants.
 - 4.5.2 This option is intended to be operated in one of two ‘modes’, one involving the current delegate in room microphone system, and one mode using the in-ceiling microphone, depending on the meeting setup and online participants.
 - 4.5.3 The cost of implementing option 1 is estimated to be \$88,000.
- 4.6 Option 2 involves the installation of a Televic Camera tracking and recording system, includes the purchase and installation of new microphone system for in room meeting attendees, USB extension for Governance team access and four mobile foldback confidence monitors to facilitate better display of online meeting participants.
- 4.7 The Option 2 Televic solution provides for enhanced camera tracking that will allow the pre-positioning of designated speaking positions and will automatically track to the relevant camera position on activation of a desktop microphone within the room. This functionality will ensure online meeting attendees can clearly see the speaker during meetings.
- 4.8 This option 2 is an all in one meeting management solution and provides a number of AV system and meeting functionality solutions to allow better meeting management, including an interactive display showing meeting information such as agenda topic, who is speaking, position in request list, speech timers, voting and language selection and automatically muted loudspeaker when the microphone is active to prevent audio feedback problems.

- 4.9 The Option 2 Televic solution uses the Confero meeting platform to enable hybrid meeting functionality for remote or online participants.
- 4.10 This solution also provides Council with a future-proof AV meeting solution that can be unlocked for further functionality as the future needs of Council changes, without the requirement to purchase additional hardware equipment.
- 4.11 The cost for option 2 is estimated to be \$130,000.
- 4.12 The Governance Division gives due consideration to the future requirements of Council and recommends Council approve option 2 to be selected as the preferred option to meet the current Council resolutions and any possible future requirements for high quality audio and video recording of Council meetings.
- 4.13 The contractor will provide training and inductions to relevant users on the new AV system once installed.

5. CONCLUSION / PROPOSAL

- 5.1 The proposed upgrade of the AV system will enable Council to:
 - 5.1.1 Provide the community with high quality video capability and audio recordings of public council meetings within 48 hours of the meetings being held.
 - 5.1.2 Provide high quality AV system to enable better user experience for online and in person meeting attendees
 - 5.1.3 Council is asked to approve the installation of a suitable audio/visual system to allow improved audio/video experience and audio recording in the Council Chamber to the value of approximately \$130k as per consultant estimate, subject to approval of an associated 2022/23 new initiative budget bid for Council consideration.

ITEM	3.1.2
	GOVERNANCE AND COMPLIANCE COMMITTEE
DATE	13 December 2021
HEADING	Review of the Internal Review of Council Decisions Policy and Procedure
AUTHOR	Brett Kahland, Team Leader Corporate Governance, CEO and Governance
CITY PLAN LINKS	4.2 We deliver quality outcomes that meet the needs of our community
SUMMARY	This report provides information on the new legislative provisions regarding internal review of Council decisions pursuant to Section 270 of the <i>Local Government Act 1999</i> and presents the reviewed Internal Review of Council Decisions Policy and Procedure for Council adoption.

RECOMMENDATIONThat Council:

1. Adopts the revised Internal Review of Council Decisions Policy and Procedure as contained in Attachment 1 to this report (Governance and Compliance 13/12/2021, Item No. 3.1.2).
2. Authorises the Chief Executive Officer to, where deemed appropriate, reduce, waive or refund the new prescribed statutory application fee of \$20 for a review of a Council decision in accordance with the new section 270(3a) of the *Local Government Act 1999*.
3. Authorises the Chief Executive Officer to, where deemed appropriate choose to permit applications made after 6 months of the making of the relevant Council decision in accordance with the new section 270(2a) of the *Local Government Act 1999*.

ATTACHMENTS

This document should be read in conjunction with the following attachments:

1. Internal Review of Council Decisions Policy and Procedure

1. BACKGROUND

- 1.1 The *Statutes Amendment (Local Government Review) Act (Commencement) Proclamation 2021* (Proclamation) was made on 16 September 2021.
- 1.2 The Proclamation has commenced the *Statutes Amendment (Local Government Review) Act 2021* (the Review Act) on 20 September 2021, and has set the commencement of certain specified sections to 10 November 2021, including section 135 of the Review Act.
- 1.3 Commencement of section 135(1) to (4) of the Review Act, amends section 270(2a) to (4a) of the *Local Government Act 1999* (the LG Act) that deals with internal review of Council decisions.

- 1.4 As a result, it is necessary for Council to update its Internal Review of Council Decisions Policy to reflect the amendments.

2. CONSULTATION / COMMUNICATION

- 2.1 Internal
- 2.1.1 CEO and Manager Governance
- 2.2 External
- 2.2.1 Local Government Association

3. REPORT

- 3.1 Councils have existing obligations to develop and maintain policies, practices and procedures for dealing with requests for council services and handling complaints. These obligations have been amended by the Review Act as set out below.
- 3.2 New section 270(2a), provides that Council's procedures:
- 3.2.1 must require applications for review to occur within 6 months of the making of the relevant council decision. Councils (through its procedure) can choose to permit applications made after 6 months in "appropriate cases". It's recommended for this operational assessment to be delegated to the Chief Executive Officer.
- 3.3 In addition, new section 270(4a) provides that the policies, practices and procedures established must not provide for a review of a decision of a council:
- 3.3.1 to refuse to deal with, or to take no further action in relation to, complaints about council members made pursuant to sections 262A to 262E of the LG Act; and
- 3.3.2 relating to a recommendation of the Ombudsman.
- 3.4 New section (4a)(b) provides that policies, practices and procedures must be consistent with the regulations. Note that the information set out in section 270(8) is required to be included in the annual report of the Council.
- 3.5 A new prescribed fee of \$20, set in the Local Government (Application for Review Fee) Notice 2021, applies to all section 270 applications for review of a council decision (*South Australian Government Gazette, No.62, 16 September 2021, p. 3597*). Councils do not need to adopt this new fee as it is imposed by operation of section 270(3). However, for transparency Council's Internal Review of Council Decisions Policy has been updated, to recognise that the new prescribed fee is part of the process.
- 3.6 Section 270(3a) provides that councils are entitled to waive a section 270(3) fee. The Local Government Association has advised that a council may delegate the capacity to reduce, waive or refund the fee. On the understanding that various scenarios may arise where there may be merit in particular circumstances to reduce, waive or refund the prescribed fee, rather than seek to set out a list of policy exceptions where the prescribed fee will be waived, it is recommended that the Chief Executive Officer be delegated to reduce, waive or refund the prescribed fee where deemed appropriate in the specific circumstances.

- 3.7 Councils are now entitled to decide not to review a matter if the application has already been the subject of a review by the council or “*an investigation inquiry or review by another authority*” (section 270(4)). The decision maker in these circumstances is the Council officer assigned to consider the application. A member of the public who is dissatisfied with this decision remains entitled to make a complaint to the Ombudsman.

4. CONCLUSION / PROPOSAL

- 4.1 Following the commencement of some provisions of the Review Act impacting on legislative requirements for the internal review of Council decisions under the LG Act, Council’s Internal Review of Council Decisions Policy and Procedure has been reviewed and is presented to Council for adoption.
- 4.2 As part of this review, it is recommended that Council provide delegation of authority to the Chief Executive Officer to, where deemed appropriate, reduce, waive or refund the new prescribed statutory fee in accordance with the new section 270(3a) of the LG Act, and allow where deemed appropriate to permit applications made after 6 months of the making of the relevant Council decision in accordance with the new section 270(2a) of the LG Act.



City of Salisbury Values: Respectful, Accountable, Collaborative, Helpful

Internal Review of Council Decisions Policy and Procedure

Adopted by:	Council
Responsible Division:	CEO and Governance
First Issued/Adopted:	
Last Reviewed:	November 2021
Next Review Date:	November 2023

1. Introduction ~~Purpose~~

- 1.1 The Council will review certain types of decisions in accordance with this procedure. This document sets out:
 - a) the decisions which are subject to review;
 - b) the method of applying for a review;
 - c) the review process; and
 - d) record keeping requirements.
- 1.2 Council, its committees, staff and persons acting on behalf of Council make decisions every day which impact on members of the community. It is imperative that these decisions are fair, objective and subject to review.
- 1.3 Council is committed to open, responsive and accountable government. This includes providing processes by which citizens adversely affected by a decision of Council can have their grievances considered.
- 1.4 This procedure will be widely accessible to ensure that customers are fully aware of their right to request the review of a decision and the process that

will be followed. Everyone will be treated equally, in accordance with good administrative practice.

1.5 Council's procedures are designed to ensure that:

- e) Every person has the opportunity to make an application for review of a decision covered by this procedure
- f) An unbiased review is undertaken
- g) Outcomes of a review are based on sound evidence
- h) Applicants receive information about the outcome of the review.

~~The City of Salisbury is committed to transparency in decision making, and to providing access to a fair and objective procedure for the internal review of decisions.~~

~~1.2 Grievances may arise as a result of dissatisfaction with a decision made by Council, or its employees, on a wide range of issues including policy, procedure, service, fee, etc. All attempts will be made to resolve grievances quickly and efficiently, without the need for a formal request for review.~~

~~1.3 This policy/procedure provides information on formal requests for internal review of decisions of Council, its employees, and other people acting on behalf of Council.~~

~~1.4 Dealing with grievances at the local level is the most effective way of resolving matters quickly. Applicants for review of decisions will be encouraged to participate in the review handling process cooperatively. However, nothing in these procedures negates a citizen's rights to seek external review through the State Ombudsman, other legal appeal processes, or the Courts at any time during the internal review process.~~

~~1.5 The purpose of the Internal Review of Council Decisions Policy and Procedure is to provide open, responsive and accountable government and access to a fair, consistent and structure process for any party dissatisfied with a decision which has been made by Council or its agents with confidence that these matters will be dealt with objectively, fairly and in a timely manner.~~

~~1.6 Section 270 of the Local Government Act 1999 requires Council to maintain "policies, practices and procedures" for dealing with request for service and complaints including a procedure about the "review of decisions" of-~~

- ~~a. The Council;~~
- ~~b. Employees of the Council;~~
- ~~c. Other persons acting on behalf of the Council.~~

~~1.7 An internal review of a Council decision enables Council to reconsider all the evidence relied on to make a decision, including new evidence if relevant.~~

2. Scope

The Local Government Act 1999

- 2.1 ~~This policy and procedure is required by section 270(1) of the *Local Government Act 1999* (the Act) and forms part of the council's processes for dealing with complaints. The City of Salisbury's Internal Review of Council Decisions Policy and Procedure has been adopted in accordance with Section 270 of the *Local Government Act 1999* (the Act).~~ This pPolicy and pProcedure is one aspect of Council's customer focussed approach to service delivery. It provides a further opportunity to review the way Council provides services to the community, and to identify areas for improvement.
- 2.2 The Internal Review of Council Decisions Policy and Procedure applies when reviewing decisions of Council as outlined below and applies to all Council staff who may be involved in receiving and dealing with an application for review of a Council decision.

Relationship with other Council Policies and Procedures

- 2.3 Council also has a Customer Compliments, Comments and Complaints Procedure for dealing with complaints and requests for service. As a general rule, Council will promote that Procedure in the first instance as it offers the potential for immediate resolution.
- 2.4 An Internal Review of a Council Decision is the third tier in Council's complaints handling procedure and will commence at the point where:
- A request for the review of a Council decision is received; or
 - A complaint escalates to Tier 3 under Council's Customer Compliments, Comments and Complaints Procedure

and on Council's receipt of the Prescribed Application Fee of \$20.

Matters outside the scope of the Policy

- 2.5 Other provisions in the Act prescribe appeal arrangements in certain circumstances. For example, objections to valuations made by a Council and appeals against orders made pursuant 254 of the Act (Power to make orders).
- 2.6 In addition, the Internal Review of Council Decisions Policy and Procedure will not apply when an alternative statutory process for a review or appeal exists in other legislation. Examples of other legislation containing unique statutory processes include:
- *Development Act 1993* and appeals to the Environment, Resources and Development Court;
 - *Freedom of Information Act 1991*;
 - *Ombudsman Act 1972*;
 - The Act in respect to Section 255 Order to the Environment, Resources and Development Court;
 - *Expiation of Offences Act 1996*. Although there is no external procedure, a review of a decision relating to the issue of an expiation notice must be undertaken in accordance with this Act by a properly delegated Office;
 - Control Order under the *Dog and Cat Management Act 1995*;
 - A section 92 notice under the *South Australian Public Health Act 2011*.
 - *Environmental Protection Act 1993*;
 - *Food Act 2001*;
 - *Electoral Act 1985*;
 - *Expiation of Offences Act 1996*;
 - *Fair Work Act 1994*;
 - *Road Traffic Act 1961* & Australian Road Rules;
 - *Fire and Emergency Services Act 2005*;
 - Matters relating to [Home and Community Care](#) services, where specific complaint/review mechanisms are identified.
- 2.7 While Council prefers to work with its customers to resolve requests for review quickly and effectively, an applicant will always retain the right to seek other forms of resolution, such as contacting the Ombudsman, or taking legal action at any time. Note that as a general rule, the Ombudsman prefers that matters be addressed by Council in the first instance, unless that is not appropriate in the circumstances.
- 2.8 Full cooperation with any such authority will be afforded as necessary, in order to resolve the matter as quickly as possible.
- 2.9 [This Policy/Procedure does not provide for a review of a decision of Council:](#)
- [To refuse to deal with, or determine to take no further action in relation to, a complaint under Part A1 Division 1 of the *Local Government Act*](#)

[1999 –\(Member Behaviour\) by a person who is dissatisfied with the decision; or](#)

- [Relating to a recommendation of the Ombudsman under part 1 “Conduct of Members”, Review of local government acts, decisions and operation - Chapter 13 of the Local Government Act 1999.](#)

3. Legislative Requirements and Corporate Policy Context

- 3.1 *Local Government Act 1999*
- 3.2 *Freedom of Information Act 1991*
- 3.3 *Independent Commissioner Against Corruption Act 2012*
- 3.4 *Ombudsman Act 1972*
- 3.5 *State Records Act 1997*

4. Interpretation/Definitions

Alternative Dispute Resolution includes mediation, conciliation or neutral evaluation as set out in section 271 of the *Local Government Act 1999*.

Applicant is any party lodging the request for review of a decision and could be an individual or a group, including residents, ratepayers, business owners, users of Council facilities and visitors to the area.

Business Day means a day when the Council is normally open for business, i.e. Monday to Friday, excluding public holidays.

CEO is the Chief Executive Officer of City of Salisbury.

Council refers to City of Salisbury

Council Decision is a formal decision of the Elected Council or a section 41 [Local Government Act 1999](#) Council Committee, a decision made under delegation by an employee of Council, or a decision by other persons acting on behalf of Council.

Decision-maker refers to the individual or entity responsible for the decision under review.

Employee includes a person employed directly by the Council in a full time, part time or casual capacity (whether a that position is permanent or contractual) and persons providing services to, or on behalf of, the Council even though they may be employed by another party.

Prescribed Application Fee means the prescribed fee of \$20, [as](#) set in the *Local Government (Application for Review Fee) Notice 2021*, [and](#) applies to all section 270 applications for review of a council decision.

[Reviewable decision refers to the decision of which the review is sought.](#)

Reviewer refers to the individual or entity responsible for resolution of a request for review of a decision.

Vexatious request is any request from an applicant who has consistently, over a period of time, complained about minor matters or the same matter, which have previously been dealt with and no new information has been provided by the applicant and/or is considered by the reviewing officer to be mischievous, without sufficient grounds or serving only to cause annoyance.

5. Policy Statements

~~5.1 Council is committed to open, responsive and accountable government. This includes providing processes by which citizens, who feel they have been adversely affected by a decision of Council, can have their grievances considered.~~

~~Equity of Treatment~~

~~5.2 The Internal Review of Council Decisions Policy and Procedure is based on five principles, which are fundamental in the way Council approaches applications for review of Council decisions. They are:~~

- ~~• Fair treatment: which requires impartiality, confidentiality and transparency at all stages of the process;~~
- ~~• Accessibility: to be accessible there must be broad public awareness about Council's policies and procedures and a range of contact options;~~
- ~~• Responsiveness: this will be achieved by providing sufficient resources, well trained staff and ongoing review and improvement of the systems;~~
- ~~• Efficiency: requests and complaints will be resolved as quickly as possible, while ensuring that they are dealt with at a level that reflects their level of complexity;~~
- ~~• Integrated approach to issues under review which have overlapping functional responsibilities.~~

5. Applications for Review of a Decision

Making an application

5.3 An application for a review of a Council decision provides Council with an opportunity to revisit a decision which has aggrieved an interested party, which may include an individual or group, ratepayer, resident or business owner. Depending on the particular circumstances, it may also include a person who is not the direct subject of the decision. (For example, where Council issues a permit for a person to keep more than the maximum number of dogs permitted under a by-law, a neighbour may seek an internal review of the decision.) Council will determine whether a person has a sufficient interest to apply for an internal review of a decision, on a case-by-case basis.

- 5.4 An application must be made in writing and received by Council within 6 months of the original-making of the original decision, of which the review is sought (the reviewable decision) -preferably using the Application Form found in Attachment 1, including:
- Name and residential address of the applicant
 - Postal address if different from above
 - Daytime telephone number
 - The reasons for applying for the review (that is, why the applicant believes that the decision is wrong).
- and the payment of the prescribed application fee.
- 5.5 There is a \$20 application fee that must be paid to the Council at the time an applicant lodges an application. An application will not be considered 'officially received' until payment has also been received or the Fee has been waived by Council.
- 5.6 Council may, in its absolute discretion, reduce, waive or refund (in whole or part) the prescribed fee under clause 5.5.
- 5.7 Council may allow an application to be made more than 6 months after the making of the reviewable decision in appropriate cases.
- 5.8 An application must be addressed to the Chief Executive Officer or the Mayor depending on the following circumstances:
- If the request for a review of a decision made by Council as the elected body, or a decision made by an employee of Council, or other person acting on behalf of Council, the application should be addressed to the Chief Executive Officer of the City of Salisbury; or
 - If the request is for a review of a decision made by the Chief Executive Officer, the application should be addressed to the Mayor.
- By post or hand-delivered:
- Internal Review Request
Chief Executive Officer *or* Mayor
City of Salisbury
34 Church~~12 James~~ Street
SALISBURY SA 5108
- or
- By email:
- Internal Review Request
Chief Executive Officer *or* Mayor
city@salisbury.sa.gov.au
- 5.9 An application can be emailed directly to the above email address, however the application will not be considered 'officially received' until payment has also been received. If you choose to take this option please put a note with the payment advising of the application it relates to and address the payment to:

Internal Review Request
Chief Executive Officer or Mayor
City of Salisbury
12 James Street
SALISBURY SA 5108

- 5.10 Although Council can be expected to have information and material relevant to the matter under review, an application for review may also include new, relevant information or evidence to support the application.
- 5.11 The process for applying and participating in a review of a Council decision is to be made as accessible as possible, with assistance provided if considered necessary. Assistance may include interpreter and/or translation services, assisting with writing the application, or ensuring ease of physical access to meeting rooms etc. If a person refuses assistance, that does not negate their right to proceed with the application.
- 5.12 The CEO or delegate (or Mayor where appropriate) will assess the application and determine the appropriate action. This may include direct referral of the matter to Council, or to an external person or panel independent of the Council to conduct the review, or to SAPOL if a criminal matter or to the Office of Public Integrity.
- 5.13 The CEO may appoint another Council Officer (the “reviewing officer”) such as a member of the Executive Group or senior officer, who was independent of the original decision, or set up a panel for the express purpose (i.e. it does not have permanent status) to conduct the review.
- 5.14 Where the CEO or delegate, or Mayor, or reviewing officer has reasonable suspicion that the complaint involves corruption in public administration; ~~serious or systemic misconduct in public administration, or serious or systemic maladministration~~ then the matter must be reported to the Office of Public Integrity (OPI) in accordance with the *Independent Commissioner Against Corruption Act 2012*.
- 5.15 Where the CEO or delegate, or Mayor, or reviewing officer has information that the complaint involves maladministration or misconduct, then the CEO or delegate, or Mayor, or reviewing officer may refer the complaint to the Ombudsman or seek guidance from the Ombudsman in accordance with the Ombudsman Act 1972.
- 5.16 The role of the reviewing officer is to:
- i. Explain the procedure to the applicant and explore what options are available to resolve the matter, such as alternative dispute resolution, before a formal application is lodged (where possible and appropriate);
 - ii. Maintain a register of all applications for internal review lodged and the outcome;
 - iii. Acknowledge receipt of the application;

- iv. Outline the timeframes involved and the action to be taken in the first instance;
 - v. Undertake a preliminary investigation to determine what (if any) actions have already been taken to try to resolve the matter;
 - vi. Keep the applicant informed of progress;
 - vii. Ensure that adequate records of the review process and findings are produced and maintained;
 - viii. Where matters are referred to the Council itself for consideration, provide a report(s) to Council at intervals through the review process and a final report at the conclusion of the process.
- 5.17 In undertaking the internal review, the CEO, or Council, or delegated party will review the decision in question to ensure that the original decision-making process has regard to the following:
- i. The decision maker had the power to make the decision;
 - ii. All matters relevant to the decision were considered and were not influenced by extraneous factors;
 - iii. The process was free from bias;
 - iv. The decision maker did not exercise a discretion or power in bad faith or for improper purpose;
 - v. The decision was made on facts and evidence;
 - vi. The decision was reasonable;
 - vii. Any relevant legislation, policies or procedures were considered;
 - viii. The decision maker did not exercise a discretionary power at the direction of another person.
- 5.18 Where the request for review is referred to Council, the CEO or delegate (or Mayor) will prepare a report to Council which will include all relevant information about the decision being reviewed.

Council Review

- 5.19 Matters that will be referred to the Council itself for consideration, or further consideration are:
- i. Requests for review of a decision formally made by Council or for alteration to a Council Policy;
 - ii. Requests for review of a decision made by the CEO which is not supported by Council policy or clear procedural guidelines;
 - iii. Requests for review of a decision made by an officer of the Council which is not supported by Council Policy or clear procedural guidelines.
- 5.20 Council may refuse to consider an application for review if:
- i. An application is made by an employee of Council and relates to an issue concerning their employment;
 - ii. It appears that an application is frivolous or vexatious;

- iii. An applicant does not have sufficient interest in a matter;
- iv. Council or the reviewer (as the case requires) is satisfied that the subject matter of the application has been or is already the subject of a review by Council or an investigation, inquiry or review by another authority.

5.21 Pursuant to Section 270(2)(ca) of the *Local Government Act 1999*, where the application for review relates to the impact a declaration of rates or service charges may have on an applicant, the review will be dealt with promptly and if appropriate be addressed through the provision of relief or concessions under the *Local Government Act 1999*. It is important to note that section 270(9) of the Act provides as follows:

~~It is important to note that section 270(9) of the Act provides as follows:~~

“The right of Council to recover rates is not suspended by an application for the provision of some form of relief or concession with respect to the payment of those rates (but a council may then, if appropriate in view of the outcome of the application, refund the whole or a part of any amount that has been paid).”

5.22 Where a request for review has been referred to Council, the applicant will be advised of the date that the matter will be presented and will be given the opportunity to provide a written or verbal submission (i.e. deputation) in relation to the report for Council’s consideration

Process Timescale

5.23 Applications for a review of a Council decision are to be formally acknowledged within 5 working days or receipt, including advice to the applicant about the anticipated review process and time line.

5.24 In most cases requests for review will be considered and determined within 28 days. However, in some circumstances the review process may take longer.

5.25 The applicant will be encouraged to participate cooperatively in the review process.

5.26 The applicant will be kept informed about the progress of the review either by email, letter or telephone.

5.27 Opportunity to provide additional information:

- i. After initially assessing an application for an internal review of council decision, the reviewing officer may (if deemed appropriate) invite the applicant to provide further information to assist in understanding the applicant’s concerns, the issue to be investigated and the outcome or remedy sought.
- ii. Applicants are able to supply information relevant to the initial application at any time during the review process. However, if the additional information is determined to be of a different nature the applicant will be advised of the need to submit a separate application for an internal review of a council decision.

5.28 The applicant will be informed in writing of the outcome of the review within 5 business days of the determination being made.

5.29 While there is no statutory requirement to give reasons for a decision, Council may provide reasons for the decision of the reviewing officer where practicable. Council will aim to give reasons to explain the outcome where:

- i. A decision is not in accordance with the adopted policy;
- ii. A decision is likely to detrimentally affect rights or interests of individuals (or organisations) in a material way;
- iii. Conditions are attached to any approval, consent, permit, licence or other authorisation.

Procedural Fairness

5.30 Council will observe the principles of procedural fairness (also called “natural justice”) when exercising its statutory powers which could affect the rights and interests of individuals.

5.31 “Procedural fairness” involves:

- i. giving an individual:
 - a. a right to put their case forward; and
 - b. an opportunity to provide all documentary evidence, rather than an oral hearing.
- ii. ensuring that the reviewer is not biased and does not have a personal interest in the outcome, and
- iii. acting only on proper evidence

Remedies

5.32 Where the review of a decision upholds the applicant’s grievance and appropriate remedy or response will be determined which is consistent and fair for both Council and the applicant. The remedy will be proportionate and appropriate to the matter. The range of outcomes includes:

- i. An explanation;
- ii. Mediation, conciliation, or neutral evaluation;
- iii. A change of policy, procedure or practice;
- iv. A correction of misleading records;
- v. Disciplinary action;
- vi. Referral of a matter to an external agency for further investigation or prosecution.

Confidentiality

5.33 The details of any request for internal review will be kept confidential as far as practicable. When no longer practicable, the applicant will be advised.

5.34 The applicant will be encouraged to observe confidentiality as this is likely to achieve the fairest result for all concerned.

5.35 The applicant’s personal information will be used by the reviewing officer in relation to investigating and reviewing the application.

5.36 Only relevant parties will be involved in the internal review process.

- 5.37 Where a request for review is referred to the Elected Council for determination, the Council may consider the matter in confidence only where it is lawful and appropriate to do so, subject to there being grounds under section 90(3) of the *Local Government Act 1999*.
- 5.38 If the application is referred to the Ombudsman, Council will share any relevant information relating to the application with the Ombudsman's office in accordance with the *Ombudsman Act 1972*.
- 5.39 Information contained within the application may be accessible under the *Freedom of Information Act 1991*.

Record Keeping

- 5.40 The reviewing officer must keep written records of interviews and the process undertaken.
- 5.41 Records must be factual and objective.
- 5.42 Records must be securely stored and registered in Council's records management system and in compliance with the *State Records Act 1997*.
- 5.43 Only those persons with a genuine need to view the material will be allowed access to the records.

Annual Reporting

- 5.44 In accordance with section 270(8) of the Act, the Council will, on an annual basis, provide information in its Annual Report that relates to:
- i. The number of applications for review made under this section, and
 - ii. The kinds of matters to which the applications relate; and
 - iii. The outcome of the applications made under this section; and
 - iv. Such other matters as may be prescribed by the Regulations Under the Act.

Dispute Resolution

- 5.45 At its absolute discretion, and in accordance with section 271 of the Act, the Council may use alternate dispute resolution methods such as mediation, conciliation or neutral evaluation to resolve an application in circumstances where the CEO or his/her delegate deems such a course of action appropriate and the applicant is amenable to that process.
- 5.46 Costs and expenses associated with mediation and/or conciliation and neutral evaluation will be shared equally between the Council and the other party in accordance with section 271(7) of the Act.

6. Related Policies and Procedures

- 6.1 City of Salisbury Customer Compliments, Comments and Complaints Procedure

7. Approval and Change History

Version	Approval Date	Approval By	Change
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ITEM	3.1.3
	GOVERNANCE AND COMPLIANCE COMMITTEE
DATE	13 December 2021
HEADING	Review of Elected Members Training and Development Policy
AUTHOR	Joy Rowett, Team Leader Council Governance, CEO and Governance
CITY PLAN LINKS	4.2 We deliver quality outcomes that meet the needs of our community

SUMMARY This report sets out details related to training and development for Elected Members under the *Local Government Act 1999* and provides a revised draft Elected Members Training and Development Policy for consideration and adoption by Council.

RECOMMENDATION

That Council:

1. Adopts the reviewed Elected Members Training and Development Policy as contained in Attachment 1 to this report (Governance and Compliance, 13/12/2021, Item No. 3.1.3)

ATTACHMENTS

This document should be read in conjunction with the following attachments:

1. Reviewed Elected Members Training and Development Policy

1. BACKGROUND

- 1.1 Part 6 of the *Local Government Act 1999* (the Act) deals with the provision of training and development for members of a Council.
- 1.2 Section 80A (1) of the Act states that a council must prepare and adopt a training and development policy for its members.
- 1.3 As the Elected Members Training and Development Policy was last reviewed by Council at its meeting in March 2019, it has now been reviewed and updated in line with the newly adopted CEO Briefing/Workshop Sessions Procedure and information provided by the Local Government Association concerning changes to the training programs available for council members.

2. CONSULTATION / COMMUNICATION

- 2.1 Internal
 - 2.1.1 Manager Governance
- 2.2 External
 - 2.2.1 Local Government Association

3. REPORT

- 3.1 The Elected Members Training and Development Policy was last reviewed by Council at its meeting in March 2019.
- 3.2 No changes of substance are required in the content of the Policy to ensure its continuing relevance with the exception of changes reflecting the newly introduced CEO Briefing/Workshop Sessions Procedure and amended training programs offered by the Local Government Association.
- 3.3 The *Statutes Amendment (Local Government Review) Act 2021* provides for changes to the provisions concerning training and development for council members, including the suspension and disqualification of members for failure to undertake mandatory training requirements. However, commencement dates for these provisions are yet to be decided and are likely to commence when the provisions concerning behavioural standards commence following the local government elections in November 2022.
- 3.4 Following these changes the Elected Members Training and Development Policy will again be reviewed and presented to Council for consideration and adoption.

4. CONCLUSION / PROPOSAL

- 4.1 Elected Members are asked to consider the attached draft Elected Members Training and Development Policy presented for adoption.



City of Salisbury Values: Respectful, Accountable, Collaborative, Helpful

Elected Members Training and Development Policy

Adopted by:	Council
Responsible Division:	CEO and Governance
First Issued/Adopted:	2009
Last Reviewed:	December 2021
Next Review Date:	December 2022

1. Introduction/Purpose

- 1.1 The City of Salisbury is committed to training and development activities for its Elected Members, including the mandatory training requirements under the *LGA Training Standards*, and recognises its responsibility to develop and adopt a policy for this purpose under section 80A of the *Local Government Act 1999*.
- 1.2 ~~Following the amendment to the Local Government Act 1999 and the Local Government (General) Regulations 2013 in November 2014, this~~ This policy incorporates the ~~new~~ requirements for Council Members to undertake mandatory training within the first year of election to office, which complies with the *LGA Training Standards* as defined in regulation 8AA of the *Local Government (General) Regulations 2013*.
- 1.3 This policy states the City of Salisbury's commitment to developing Elected Members' professional skills. It provides for a consistent and equitable approach to access to development opportunities by Elected Members, including opportunities to undertake the required training in accordance with the *LGA Training Standards* and any other appropriate training and development activities relevant to their roles and functions.

2. Scope

This policy applies to Elected Members of the City of Salisbury.

3. Legislative Requirements and Corporate Policy Context

- 3.1 *Local Government Act 1999* – section 78: Provision of facilities and support – section 79: Register of Allowances and Benefits – section 80A: Training and Development
- 3.2 *Local Government (Members Allowances and Benefits) Regulations 1999* – Regulation 6: Expenses requiring council approval – Regulation 8AA: Training and Development
- 3.3 *Local Government Act 1999* – Schedule 4: Material to be included in the annual report of a council.

4. Interpretation/Definitions

- 4.1 **Conferences and seminars** (directly related to the role of an Elected Member) – includes workshops and forums, local or interstate, specific to, and directly related to, Local Government.
- 4.2 **Council Delegate** – an Elected Member who has been nominated by Council to vote, or otherwise conduct business, on behalf of the City of Salisbury at specific forums and functions.
- 4.3 **Elected Members** – shall mean the duly elected representatives of the community, including the Mayor and all Councillors.
- 4.4 **Training and Development Activity** – shall mean any activity with the objective of increasing a Council Members knowledge, skills and competencies in relation to the performance of their roles and responsibilities as Elected Members at the City of Salisbury.

5. Policy Statements

Training and Development Plan

- 5.1 Council will develop and adopt a Training and Development Plan so as to ensure that activities available to all Council Members comply with the Regulations and contribute to the personal development of the individual and the achievement of the strategic and good governance objectives of Council.
- 5.2 Particular emphasis will be given in the Training and Development Plan to the participation of all Council Members in the development of a new team following a general election as well as the orientation of first time Council Members.
- 5.3 In preparing its Training and Development Plan, a range of strategies will be utilised to identify the needs of Council and match these needs against its strategic and good governance objectives.
- 5.4 Training needs will be identified by assessment of committee performance, questionnaires and/or workshops.
- 5.5 Council recognises that in order to carry out their roles and responsibilities to the community Council members will need specific training and refresher courses about their legislative and governance roles and functions. The *LGA Training Standards* consist of the following modules:

- Module 1 – Introduction to Local Government – Role and function of Council members
 - Module 2 – Legal Responsibilities
 - Module 3 – Council and Committee meetings
 - Module 4 – Financial Management and Reporting
- 5.6 Elected Members who are new to Council will be required to undertake all four modules.
- 5.7 Returning Elected Members will undertake the appropriate modules identified through a gap analysis/self-assessment of their skills and training needs.
- 5.8 Other training issues will emerge that are directly related to specific service areas and other community issues and address environmental, social and economic challenges facing the community.
- 5.9 It is recognised that a range of delivery methods will be required to support the training needs of Elected Members, including:
- ~~Informal (briefing) sessions~~ CEO Briefing/Workshop Sessions conducted by Council with appropriate guest speakers and presenters;
 - Attendance at workshops, seminars and conferences offered by training providers such as the Local Government Association of SA, Australian Local Government Association, and other private providers that provide an opportunity for Elected Members to gain new skills and network with other Elected Members;
 - Printed material, including training booklets and discussion papers, that may be distributed for information;
 - On-line self-paced learning; ~~and~~
 - ~~CD Rom/DVD information~~
- 5.10 Council's Training and Development Plan will include the agreed delivery method to respond to the needs of Elected Members identified during the development of the training plan.

Annual Budget Allocation

- 5.11 Council will approve an allocation in the budget each financial year for Elected Members to attend training and development activities, Council delegate activities and conferences and seminars. The budget allocation will provide for associated travel and accommodation. Progress against expenditure of the budget allocation will be reported on a six-month and annual basis.
- 5.12 The budget allocation will comprise:
- a) **Elected Members Training and Development:** An amount to be utilised for the purpose of Training and Development activities for the whole of Council and will include training in accordance with the *LGA Training Standards*. Funds from this allocation that are not spent do not accumulate and will return to the City of Salisbury budget at the end of each financial year.
 - b) **Council Delegate Activities:** An amount to be utilised for the purpose of costs associated with Council Delegate activities, where Elected Members

are required to vote, or otherwise conduct business, on behalf of the City of Salisbury. Funds from this allocation that are not spent do not accumulate and will return to the City of Salisbury budget at the end of each financial year.

- c) **Individual Elected Member Development:** An amount for each Elected Member for the purpose of attending Training and Development activities and Conferences and Seminars (including associated travel and accommodation costs), including any additional training in accordance with the LGA Training Standards undertaken separate to that already provided inhouse by Council. Unspent allocations (up to the amount provided by this clause) may be carried forward for one year.

5.13 Any additional funding required for Training and Development activities, Council Delegate activities or attendance at Conferences and Seminars must be approved by Council.

5.14 The budget allocation will become available on 1 July of each year. In the event that it is an election year a pro-rata allocation (equivalent to four months) will be made to each Elected Member on 1 July. The balance of the allocation will be made to Elected Members after the conclusion of the election.

5.15 In the event of a mid term ~~by-election~~^{supplementary election}, a new Elected Member will receive a pro-rata allocation for the period commencing on the date of their appointment and concluding on 30 June.

Approval of expenditure

The following approvals for expenditure will be required:

5.16 **Elected Members Training and Development:**

- approval required by the Chief Executive Officer prior to incurring the expense.

5.17 **Council Delegate Activities:**

- for activities where costs do not exceed \$1,000, approval required by the Chief Executive Officer prior to incurring the expense.
- for activities where costs exceed \$1,000, approval required by Council prior to incurring the expense.

5.18 **Individual Elected Member Development:**

- for activities where costs are less than or equal to the individual allocation (as provided for in ~~F12.c~~^{clause 5.12.c}) approval required by the Chief Executive Officer prior to incurring the expense;
- for activities where costs exceed the individual allocation (as provided for in ~~clause 5~~^{clause 5}~~12.c~~) approval required by Council.

5.19 The Training and Development Plan will determine the nature of training to be made available, however access to training programs not directly conducted by the Council will require approval upon application and must link to the training plan unless otherwise agreed by the Council.

5.20 For all interstate activities, regardless of total costs, approval is required by Council, having regard to:

- Alignment with the Strategic Plan;

- Anticipated benefits to the Elected Member attending; and
- Anticipated benefits to the City of Salisbury.

5.21 Where approval has been granted for an Elected Member to attend a training and development activity, the Elected Member may seek the reimbursement of approved expenses in accordance with the relevant provisions of the *Local Government Act 1999* and *Regulations* and Council's Elected Members Allowances and Benefits Policy.

5.22 Costs for attendance and travel by family members will not be met by Council.

Attendance at Training Programs and Record Keeping

5.23 Elected Members are encouraged to attend at least one professional development activity each year.

5.24 The CEO will keep a record of all training attended, but particularly the mandatory training requirements. Failure to complete the mandatory training requirements in the relevant time frame amounts to a breach of the Council Members Code of Conduct.

5.25 Following attendance at a conference Elected Members must prepare and submit to Council a written report in relation to their attendance at the conference. Written reports should be submitted to the Project Officer, Governance who will arrange for it to be presented to Council at the earliest opportunity.

5.26 Following attendance at a training and development activity Elected Members may give a verbal report in relation to their attendance at the training and development activity at the next Council meeting following attendance where appropriate.

5.27 All written reports as required in clause ~~22-5.25~~ above are to be provided within 3 months of attending the relevant activity. Should a written report not be provided within 3 months, funds for attendance at activities covered by this policy will be withheld until such time as overdue reports are presented.

5.28 Staff will prepare on an annual basis, a report that sets out any outstanding Elected Member Development Activity Report.

5.29 In accordance with Section 79 of the *Local Government Act 1999*, details of attendance at professional development activities by Elected Members will be recorded in the Elected Members' Allowances and Benefits Register.

5.30 Council's annual report will include a segment regarding the operation of this Policy, the nature of matters raised in the Training and Development Plan, attendances by Elected Members and expenditure allocated and used for training of Elected Members.

6. Related Policies and Procedures

1. Local Government Association of SA: Training and Development Policy and Plan for Council Members – Model Policy – ~~December 2014~~ September 2017
2. LGA Training Standards - accessed on the LGA website at <https://training.lga.sa.gov.au/lg-equip-training/>
<http://www.training.lga.sa.gov.au/index.cfm/council-member-training/lga-training-standard>

7. Approval and Change History

Version	Approval Date	Approval By	Change
<u>8</u>	<u>December 2021</u>	<u>Council</u>	<u>Minor editorial changes and changes to training provided by the LGA</u>

8. Availability

- 8.1 The Policy is available to be downloaded, free of charge, from Council's website www.salisbury.sa.gov.au
- 8.2 The Policy will be available for inspection without charge at the Civic Centre during ordinary business hours and a copy may be purchased at a fee as set annually by Council.

City of Salisbury Community Hub
34 Church Street, Salisbury SA 5108
Telephone: 84068222
Email: city@salisbury.sa.gov.au

9. Review

This Policy will be reviewed:

- Within 12 months of a Council election and thereafter as necessary; or
- Earlier in the event of changes to legislation or related Policies and Procedures; or
- If deemed necessary by Council.

Further Information

For further information on this Policy please contact:

Responsible Officer: ~~Position Title~~ [Manager Governance](#)
Address: 34 Church Street, Salisbury SA 5108
Telephone: 8406 8222
Email: city@salisbury.sa.gov.au

CITY OF SALISBURY

DRAFT COUNCIL MEMBERS TRAINING AND DEVELOPMENT PLAN

The following table provides mandatory training in accordance with the LGA Training.

Details	Available to	Provider
LGA Training Standards		
Module 1 - Introduction to Local Government	All new Elected Members	In house
Module 2 - Legal Responsibilities	All Elected Members	In house
Module 3 - Council and committee meetings	All new Elected Members	In house
Module 4 - Financial Management and Reporting	All Elected Members	In house / External

The following table provides Council/ Committee specific training

Details	Available to	Provider
Council and Committee Procedures and Chairing Skills	All Elected Members	In house / Lawyers <u>Consultant</u>
Media and social media Skills for Elected members	All Elected Members	In house / Lawyers <u>Consultant</u>
Public Speaking	All Elected Members	In house / Consultant
Risk Management	All Elected Members	In house / Consultant
Council Assessment Panel Member Training	CAP Members	Consultant / Lawyers <u>Consultant</u>
Council Assessment Panel Workshops for relevant P&D issues eg Code of Conduct	CAP Members	In house / Lawyers <u>Consultant</u>

Other Committee specific training sessions	As appropriate	
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The following table outlines additional courses, seminars and conferences that may be available to Elected Members. Details on dates are available on the LGA website.

Details	Available to	Provider
LGA Education and Training Services		
<u>Audit Committees: General Overview and Mock Meeting</u>	<u>Audit Committee Members</u>	<u>LGA</u>
<u>Caretaker Policy Information Session</u>	<u>All Council Members</u>	<u>LGA</u>
<u>Code of Conduct for Elected Members</u>	<u>All Council Members</u>	<u>LGA</u>
<u>Community Engagement for Elected Members</u>	<u>All Council Members</u>	<u>LGA</u>
<u>Dispute Resolution for Elected Members</u>	<u>All Council Members</u>	<u>LGA</u>
<u>Effective Council Meetings</u>	<u>All Council Members</u>	<u>LGA</u>
<u>Effective Decision Making for Elected Members</u>	<u>All Council Members</u>	<u>LGA</u>
<u>Effective Financial Management and Reporting</u>	<u>All Council Members</u>	<u>LGA</u>
<u>Effective Leadership in Local Government</u>	<u>All Council Members</u>	<u>LGA</u>
<u>Electronic Council meetings – Everything you need to know</u>	<u>All Council Members</u>	<u>LGA</u>
<u>Emotional Intelligence 101 for Elected Members</u>	<u>All Council Members</u>	<u>LGA</u>
<u>Meeting Procedures for Mayors and Chairs</u>	<u>Mayor and Chairmen of Committees and Sub Committees</u>	<u>LGA</u>

<u>Mindfulness Based Emotional Intelligence</u>	<u>All Council Members</u>	<u>LGA</u>
<u>Mock Council Meeting</u>	<u>All Council Members</u>	<u>LGA</u>
<u>Negotiating and Influencing Skills</u>	<u>All Council Members</u>	<u>LGA</u>
<u>Outrage Management Basics</u>	<u>All Council Members</u>	<u>LGA</u>
<u>Outrage Management in Public Participation</u>	<u>All Council Members</u>	<u>LGA</u>
<u>Psychological First Aid</u>	<u>All Council Members</u>	<u>LGA</u>
<u>Register of Interests – Elected Members</u>	<u>All Council Members</u>	<u>LGA</u>
<u>Public Speaking Skills for Council members</u> <u>Enhanced Public Speaking and Presenting for Elected Members</u>	All Council Members	LGA*
<u>Chairing Council Meetings and Chamber Etiquette</u>	All Council Members	LGA*
<u>Reputation and Media Skills for Mayors and Chairpersons</u>	Mayor, Deputy Mayor and Chairpersons <u>Chairmen</u>	LGA*
<u>Information Management for Elected Members</u> <u>Part 1 – Securing the Digital Highway</u> <u>Part 2 – Social Media Etiquette and Branding</u>	All Council Members	LGA*
<u>CEO Performance Review and Contractual Obligations</u>	All Council Members	LGA*
<u>Conflict of Interest, Governance Roles and Responsibilities for Elected Members</u>	All Council Members	LGA*
<u>Fraud and Corruption ICAC Overview –</u>	All Council Members	LGA*

<u>Misconduct, Corruption for Elected Members</u>		
<u>CAP Fundamentals</u>	<u>CDAP Members</u>	<u>LGA*</u>
<u>Strategic Financial Sustainability for Good Governance Decision Making Strategy and Risk Management</u>	All Council Members	LGA*
Other relevant training programs provided by LGA		
<u>Local Conferences and Seminars Elected Members and Mayor's Forums</u>		
<u>Residential Programs as scheduled from time to time by the LGA</u>	<u>All Council Members</u>	<u>LGA</u>
<u>Mayors & Chairpersons Residential Seminar</u>	<u>Mayor/Chairperson</u>	<u>LGA</u>
LGA Annual Conference and/or Showcase	All Council Members	LGA
<u>LGA LG Professionals (SA) Annual Conference</u>	All Council Members	<u>LGA LG Professionals</u>
Other relevant local conferences that may be identified throughout the year Other relevant short seminars and special interest sessions throughout the year		
Interstate Conferences and Seminars [#]		
Local Government Managers Australia (<u>LGA LG Professionals</u>)	All Council Members	<u>LGA LG Professionals</u>

National Congress [location]		
ALGA National General Assembly of Local Government [location]	All Council Members	ALGA
Other interstate conferences that may be identified throughout the year	As appropriate	

Note: All interstate conferences or seminars require an individual Council approval by resolution

ITEM 3.1.4

GOVERNANCE AND COMPLIANCE COMMITTEE

DATE 13 December 2021

HEADING Nominations Sought for the SA Power Networks Community Advisory Board

AUTHOR Joy Rowett, Team Leader Council Governance, CEO and Governance

CITY PLAN LINKS 4.2 We deliver quality outcomes that meet the needs of our community

SUMMARY SA Power Networks has contacted the LGA requesting nominations for two positions (one metro and one regional) on the SA Power Networks Community Advisory Board (CAB).

RECOMMENDATION

That Council:

1. Approves the nomination of _____ as a Local Government Member on the SA Power Networks Community Advisory Board.

ATTACHMENTS

This document should be read in conjunction with the following attachments:

1. Draft Terms of Reference - SA Power Networks Community Advisory Board
2. Call for Nominations - SA Power Networks Community Advisory Board - Selection Criteria

1. BACKGROUND

1.1 SA Power Networks has contacted the LGA requesting nominations for two positions (one metro and one regional) on the SA Power Networks Community Advisory Board (CAB).

1.2 Nominations must be forwarded to the LGA by 5 January 2022.

2. CONSULTATION / COMMUNICATION

2.1 Internal

2.1.1 LGA News dated 18 November 2021 from the LGA was circulated to Elected Members, the Executive Group and Divisional Managers on 18 November 2021.

2.1.2 At the time of writing this report, no Elected Member registrations of interest have been received.

2.2 External

2.2.1 Nil

3. REPORT

- 3.1 The purpose of the SAPN Community Advisory Board (CAB) is to provide a forum where SA Power Networks can engage with various customer groups, customer representatives and external stakeholders, to ensure customer views shape their service delivery and decision-making. Please see the attached draft Terms of Reference for further detailed information on the CAB.
- 3.2 The key objectives of the CAB are to:
- Provide a forum that enables representative groups of the South Australian community and consumers to engage with SA Power Networks on priority issues and topics
 - Ensure the interests of customers are considered in decision-making
 - Provide a forum for listening, discussion and collaborative engagement with customers and stakeholders
 - Advocate for the needs and priorities of customers
 - Drive co-design with customers of services, products and processes
 - Ensure alignment with customer priorities in a rapidly changing environment
 - Build understanding and trust between stakeholders and SA Power Networks.
- 3.3 Expertise and knowledge in one or more of the following areas is considered highly desirable:
- innovation and the future of energy
 - social inclusion
 - basic understanding or interest of the energy distribution and regulatory environment in which SA Power Networks operates
 - understanding of network capacity, network reliability, impacts on natural environment.
- 3.4 Membership to the CAB is for a two-year term, with members being able to sit for more than one term should this meet the CAB's requirements.
- 3.5 Remuneration for the position is up to \$3,500 per member per annum. This is based on attendance at quarterly face-to-face meetings (@\$500 per meeting), attendance at two online meetings (@\$250 per meeting) and participation in four optional meetings (@\$250 per meeting). This fee also covers work outside of meetings, such as pre-meeting preparation/ reading.
- 3.6 In accordance with the LGA Appointments and Nominations to Outside Bodies Policy, the Nominations Committee of the LGA Board of Directors may undertake preliminary consideration of nominees and make recommendations to the LGA Board of Directors; this may include the Nominations Committee undertaking interviews and/or requesting details of referees. Only nominations submitted following a resolution of council will be considered.
- 3.7 The Policy also enables the LGA Secretariat to maintain a Nominees Database, which will record the details of nominees who agree to be considered for other vacancies for a period of 12 months based on the nominee's preferences. The Nomination Form (Part B below) asks nominees whether they want to be listed on the database.

- 3.8 The Call for Nominations Information Sheet (Part A) (attached) provides further information regarding the role, as well as any selection criteria to be addressed by the nominee.
- 3.9 The nominee and council are required to complete the Nominations Form and forward, together with a current Curriculum Vitae, to the Local Government Association by 5 January 2022.
- 3.10 This Board position is a remunerated position. If an Elected Member is nominated, then this particular Elected Member will have to consider declaring a conflict of interest in context of the pecuniary benefit associated with the position.

4. CONCLUSION / PROPOSAL

- 4.1 Council is asked to determine if a nomination is to be made.
- 4.2 Council should note it is not obliged to make a nomination.



SA Power Networks Community Advisory Board Terms of Reference – November 2021

1. Purpose

The purpose of our Community Advisory Board (CAB) is to provide a forum where SA Power Networks can engage with our various customer groups, customer representatives and external stakeholders, to ensure customer views shape our service delivery and decision-making.

The CAB provides an opportunity to build and evolve effective, collaborative and two-way relationships between SA Power Networks and its customers.

2. Membership

The CAB will ideally comprise between 12-14 members who are selected based on interests, skills, organisational affiliation, geography and demographics. This will include:

- Research/ thought leaders
- Government/ Policy
- Information Technology
- Customer engagement/ customer experience/ communications
- Youth/ young people
- Business – large, medium and small business customers
- Residential – metropolitan, rural and regional customers
- Renewable sector and emerging energy technologies
- Community and not for profit sector
- Customer advocacy groups and multicultural communities
- Future planning/ development/ infrastructure
- Environmental – vegetation management, special interest groups

Several members of our existing panel will continue as members of our new Board for a further two-year term, which will provide consistency and expertise for new members.

SA Power Networks employees will be invited to attend meetings to present papers and proposals, to discuss issues or obtain customer feedback as required. Other interest groups will also be invited as required depending on specific topics or issues.

3. Term

Membership to the CAB is for a two- or three-year term, with members being able to sit for more than one term should this meet the CAB's requirements.

The new term of the CAB will commence in January 2022 and end in December 2023/24 (depending on two- or three-year terms). An induction process will be undertaken with the CAB in early 2022.

The role, structure and membership of the group will be reviewed in mid/late 2023. In addition, the CAB will review its effectiveness and gaps in membership as required.

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4. Role and objectives

The key objectives of the CAB are to:

- Provide a forum that enables representative groups of the South Australian community and consumers to engage with SA Power Networks on priority issues and topics
- Ensure the interests of customers are considered in decision-making
- Provide a forum for listening, discussion and collaborative engagement with customers and stakeholders
- Advocate for the needs and priorities of customers
- Drive co-design with customers of services, products and processes
- Ensure alignment with customer priorities in a rapidly changing environment
- Build understanding and trust between stakeholders and SA Power Networks.

This will be underpinned by:

- Mutual respect and trust
- A commitment to collaboration

It is expected that the CAB will:

- Develop and refine the principles to guide how they will work as a group
- Develop a list of priority topics and issues for engagement
- Focus on strategic issues and be future thinking
- Identify areas for additional customer engagement activities
- Operate in a similar way to a traditional Board governance arrangement, where Board members make decisions and support positions that are in the best overall interests of South Australian customers and community, while still advocating the views of the stakeholders they represent.

5. Responsibilities

Role of individual members

CAB members are required to:

- Attend and participate in meetings, including the review of meeting minutes prior to them being finalised
- Collaborate in agenda setting
- Share information and contribute to problem solving
- Represent the interests of the groups and organisations they represent and ensure information from meetings is fed back to these groups and organisations
- Identify areas for additional customer engagement activities or co-design with customers
- Identifying priority topics for discussion by the CAB
- Identify measures of success.

Role of CAB

Regular reporting to our Executive Leadership Team will be undertaken by the Chair and members of the CAB to ensure the customer voice is heard at the senior level of the business and build the relationship between our CAB and executive group.

The CAB has a central role to support a number of sub-groups and working parties which allow more focussed conversations on topics of interest and of importance. The CAB also plays a crucial role in supporting the development of SA Power Networks' Regulatory Proposal for 2025-30 and our organisation's goal to accelerate the transformation of our state's energy system to one in which energy is affordable, reliable and zero carbon.



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CAB members must not engage with any form of media, unless approved to do so by SA Power Networks.

Role of SA Power Networks

SA Power Networks will:

- Provide secretariat support – agendas, minutes. This will be done through the Executive Assistant to the General Manager of Customer & Community.
- Distribute Minutes to CAB members within one week of the meeting for review.
- Provide agendas, pre-reading and presentations to members one week prior to the scheduled meeting date.
- Recruit an external chair to conduct and oversee meetings. The chair will serve as a spokesperson for the CAB and build consensus amongst different points of view.
- Actively use the CAB in decision-making, as appropriate.

The CAB will meet as follows.

- Four (quarterly) half-day meetings (F2F) in metropolitan Adelaide – schedule to be developed.
- Two online meetings (via Teams – 1.5-2 hours in duration).
- Four optional meetings (via Teams) for special interest purposes (1-1.5 hours in duration).
- Other meetings on special topics (eg. those requested by regulatory bodies or other external groups) may be required from time-to-time.

6. Priority topics and sub-groups

During their 2020-21 term the Customer Consultative Panel (former name) identified the following priority topics for engagement and focus during their term.

These were:

- Customer Experience
- Future Networks and energy transition
- Remote and regional customers
- Ageing Assets
- Vulnerable customer and the business response to COVID-19 response

NB: The priority topics and issues for engagement will be reviewed by the CAB in early 2022.

Regional and remote customer sub-group

A regional and remote customers sub-group has been established to look at opportunities to improve the inequity for worst served customers in the State in terms of reliability and electricity supply.

CAB members participating will be remunerated for a total of up to 6 meetings per annum.

Asset condition and risk sub-group (ageing assets)

A sub-group has been established to work with SA Power Networks to understand the risk and provide customer feedback on future investment, long-term sustainability and balancing current and future needs.

CAB members participating will be remunerated for a total of up to 6 meetings per annum.



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Regulatory Reset sub-group

As we commence engagement on the Regulatory Proposal engagement process for 2025-30, a 'reset' sub-group is being established, to work with SA Power Networks on the detail and content of the engagement strategy.

CAB members participating will be remunerated.

7. Remuneration

SA Power Networks acknowledges and is grateful for the time invested from members participating on the CAB.

SA Power Networks is pleased to offer remuneration up to \$3,500 per member per annum. This is based on attendance at quarterly F2F meetings (@\$500 per meeting), attendance at two online meetings (@\$250 per meeting) and participation in four optional meetings (@\$250 per meeting). This fee also covers work outside of meetings, such as pre-meeting preparation/ reading.

The Chair will be offered remuneration up to \$20,000 per annum. The Chair will serve as a spokesperson for the CAB and work to build consensus amongst different points of view. A collaborative mindset will be a crucial skill to ensure success in the role. The Chair plays a vital role in being the face of the CAB externally, however, will be supported internally from key SA Power Networks staff.

A Deputy Chair position will be offered remuneration of \$7,500 per annum. The Deputy will step in for the Chair when the Chair is unavailable and provide other strategic support and attendance as required.

If significant work outside of meetings is required, for example, reset or other targeted engagement, additional remuneration may be provided to members.

Members travelling from interstate will receive reimbursement of their flight costs or for any intrastate travel and accommodation associated with CAB activities members will be reimbursed.

Nominations to Outside Bodies - Part A

South Australia Power Networks Community Advisory Board (CAB)	
Legal Status of Body	The CAB is established by SAPN and is not a statutory authority
Summary Statement	<p>The purpose of the Community Advisory Board (CAB) is to provide a forum where SA Power Networks can engage with various customer groups, customer representatives and external stakeholders, to ensure customer views shape their service delivery and decision-making.</p> <p>The CAB provides an opportunity to build and evolve effective, collaborative and two-way relationships between SA Power Networks and its customers.</p>
Selection criteria	
<i>The following selection criteria based on the Panel Information Pack must be addressed when completing Part B</i>	
Qualifications <i>(formal qualifications relevant to the appointment)</i>	<ul style="list-style-type: none"> Local government experience as a council member or staff member Other relevant qualifications
Industry Experience	<ul style="list-style-type: none"> Basic understanding of and interest in the electricity industry
Key Expertise	<p>Expertise and knowledge in:</p> <ul style="list-style-type: none"> Innovation and the future of energy Social inclusion Basic understanding or interest of the energy distribution and regulatory environment in which SA Power Networks operates
Liability and indemnity cover	
<i>The LGA requires that persons appointed to outside bodies be appropriately insured throughout the period of their appointment and seeks to collect details of the insurances provided by the outside body (on an annual basis)</i>	
Insurance information (Certificates of Currencies or equivalent) supplied by the Outside Body	Yes
Insurance Policies are valid & current	Yes