

## Appendix 4: Governance Charter

### Overview

Governance is the way we organise ourselves to *get things done*.

This Governance Charter guides and informs the Councillors and the staff of the Central Desert Shire about the best ways to get things done.

Central Desert Shire Council is responsible for looking after and managing its resources (people, assets, money) and business. Good governance means Council looking after them properly, using the best ideas and ways of getting things done to the best of its ability for all shire residents. Shire people come from many different cultural groups but Aboriginal Australians are by far the largest. Council works for all people in the shire and respects their cultures.

Good governance principles will guide its work. These principles work for many other councils and organisations in Australia and overseas. They can be balanced with local Aboriginal governance principles.

### Building Governance Capacity

Governing well for all shire people takes a constant effort by Councillors, Local Board members and Council staff, to become better at their jobs. For all of them to work together effectively in a challenging and diverse intercultural environment and remote settlements they need an ongoing training and professional development program.

It also takes a strong commitment from other levels of government (who rely heavily on Council to deliver their services) to resource this properly because building governance capacity costs money.

Council is developing a Governance Professional Development Strategy to guide governance capacity development throughout the organisation and the shire region.

Councillors, Local Board members and staff need this professional development to continuously check whether their governance practices are flexible and responsive and fit in with changing community, business and government expectations. Developing leadership skills of young shire residents and succession planning are also important priorities for the Council.

Building on a strong induction program for the new Councillors, ongoing professional development will give them a chance to develop a positive understanding of their governance responsibilities, build on their collective experience and local knowledge and develop the new knowledge and skills they need to do their jobs confidently and successfully. A training and development program that supports them throughout their term is essential to realising this aim. Government Professional Development Strategy developed.

## **Leadership**

Councillors show leadership by balancing their statutory role with the cultures and traditions of their region. They will work with organisations inside and outside the shire, welcoming new ideas for improving the quality of life of residents while looking after the environment and diverse cultural heritage of the region. They will bring a new sense of urgency to improving environmental health, developing local infrastructure and creating training and employment opportunities.

Leadership is also about setting high standards, having high expectations and checking performance so that bad results can be recognised and corrected. Council will be judged by what it gets done and how well it does it.

## **Role, Functions and Objectives of Council**

The job of Councillors is to:

- get things done for residents in the best possible way
- work with other governments, business and non-government organisations on this
- speak out on behalf of their local wards
- make sure the shire is well managed
- agree on the values that will guide Council
- develop Council's vision, strategic and policy direction and
- Use Council resources for the well being of the whole shire. Work with shire management to make sure residents get high standard services.
- work out how the finances of the Council will be managed
- decide how the budget will be spent
- check their own performance as Councillors as well as that of other Councillors
- choose, appoint and check the performance of the Chief Executive Officer (CEO)

It is not the job of Councillors to choose, appoint and check the performance of other Council staff or to tell them how to do their work. That is the job of the CEO.

## ***NT Local Government Act and Separation of Powers***

Council gets the power to control and manage the business of the shire from a law called the *NT Local Government Act* and from the people of the shire.

The people of the shire elect the Councillors for their wards. The 4 wards of the shire are Northern Tanami (2 Councillors); Southern Tanami (4 Councillors); Anmatjere (4 Councillors); Akityarre Ward (2 Councillors). These 12 Councillors make up the Central Desert Shire Council. The number of Councillors for each ward depends on how many people live in the ward. There is only one vote for each voter.

Councillors and Council staff have different roles. Council governs for the people of the shire through the CEO. Together, Councillors employ the CEO and set the direction the CEO must follow. The CEO employs the staff and makes sure they get things done according to the direction from Council.

Councillors do not get involved in carrying out Council decisions. This is called separation of powers.

*The NT Local Government Act* describes the role, functions and objectives of all councils in the Northern Territory.

**Role of the Council** (what it does and how it should behave):

- a) to govern in the best interest of shire residents by making good decisions based on the best possible information;
- b) to build a shire where people work well together and respect their differences
- c) to fairly distribute resources to the groups in the shire in a way that is good for the environment and that fits within the budget;
- d) to build and maintain public buildings and facilities and deliver the best possible services
- e) to help residents work together in new ways to improve their lives
- f) to speak up for shire people to other shires, towns and levels of government
- g) to share ideas and work with them to make the best possible decisions
- h) to use the powers and the functions given to Council by the *NT Local Government Act* and other laws to govern properly and well for shire residents.

**Functions of the Council** (its areas of responsibility and services):

- a) to plan for local government services that the people of the shire will need in the future;
- b) to make sure that the services and facilities in the shire meet the needs of the shire people, as well as visitors and tourists;
- c) to protect the shire from dangers of bushfires and other natural hazards
- d) to manage and develop the Shire Council facilities and services in a way that fits within the budget;
- e) to tell people from other places that the shire is a good place to set up their industries and businesses, as well as to visit;
- f) to set up or help organisations or programs in the shire that will be good for all the people in the shire;
- g) to look after and develop Council's resources for the good of all residents;
- h) to carry out other functions given to Council under the *NT Local Government Act* or other laws.

**Objectives of the Council** (what it must get done for shire residents):

- a) to act on the requests and questions of residents, to be open with them and answer to them about the decisions that it makes on their behalf;
- b) to listen to and act on the needs, interests and hopes of shire people;
- c) to work with the Northern Territory and Australian governments to deliver the best possible services to residents;
- d) to make such services the most important thing to get done
- e) to balance economic, social, cultural and environmental developments in the shire and make sure developments last into the future;
- f) to use Council resources fairly, effectively and at the best price;

- g) to make sure that all Council services, facilities and programs meet the needs of the residents, give them good value for money and can be used by all;
- h) to always seek the best outcomes for residents.

### **Operations outside the Council area**

Council can provide services in another shire if it has permission from that Shire Council. It can provide services in another shire without this permission if something starts out in Central Desert Shire and continues in the other shire. For example, if a dog from a shire next to Central Desert Shire attacks a child and then goes back to the other shire, Central Desert Shire workers can go into the other shire and catch the dog without asking the other shire.

### **Councillors**

Councillors are an elected member for their ward on the Council. Their role is to:

- a) speak up for all people in the shire;
- b) to show leadership, help and advise them;
- c) tell people in their ward about the plans and decisions of Council and take ideas, requests and information from the people back to Council;
- d) give Local Board members in their ward information about the work of Council and pass on their ideas to Council;
- e) decide with other Councillors what is best for the whole of the shire and take part in activities that are good for the shire;
- f) make sure that the shire is honest, uses its resources well and legal powers properly;
- g) to not direct or control Council staff, or to interfere with staff management.

### **How Councillors will do this:**

- a) Set high standards and encourage good resource and service delivery;
- b) Develop the Council vision, Strategic and Business Plan, check through the CEO that the things in the plans get done and decide how the plan needs to change ;
- c) Develop and check the policies Council needs to help it to do its work properly;
- d) Choose Councillors to work on Council committees and committees outside the shire;
- e) Appoint residents to Local Boards;
- f) manage shire finances, resources and assets by:
  - i. - taking part in budget planning
  - ii. -understanding where Council gets its money from and thinking about how the Council can get more money
  - iii. -checking and asking questions about financial reports
  - iv. -knowing and following the rules about financial management;
- g) think about how Council decisions may change the environment and whether such changes are in the best interest of the people of the shire now and in the future;
- h) encourage new businesses in the shire;

- i) follow Council's Code of Conduct and change it if needed
- j) work through problems and decisions with the other Councillors and respect their knowledge and experience;
- k) respect Council staff in their work;
- l) make sure that all people in the shire can get information about the work of Council and can give their ideas and that staff use interpreters and plain English;
- m) make fair Council decisions for all groups in the shire, for example people from different cultural backgrounds, youth, women, old people and people with disabilities;
- n) come to all Council meetings to help make decisions and develop policies. Go to all Local Board meetings in the ward to report back from Council and ask Local Board members for their ideas and advice to Council;
- o) take part in training for Councillors to become better at the job;
- p) choose the CEO and check the CEO's ongoing performance.

## **President**

The leader of the Central Desert Shire Council is called President. Council chooses the President by electing a Councillor. Councillors also choose whether the President has an extra vote when there are equal votes for both sides of a debate that the Council is voting on – a so-called casting vote. The President's role is to:

- a) chair Council meetings
- b) speak for Council to the media, at public meetings and with people who are interested in its work;
- c) represent Council at ceremonies and public functions.

### **How the President will do this:**

- a) look for and help to develop opportunities for the people of the shire;
- b) make sure that Council meetings run well by following proper meeting procedures and the Code of Conduct;
- c) keep Councillors working together and make sure they can all have a say
- d) make decisions (or give the power to make decisions to others) when the Council has agreed to this;
- e) talk to Local Boards, other levels of government, the media and other interested people about the decisions, policies and activities of Council;
- f) speak up for the Council at ceremonies and public functions and ceremonies
- g) build a good relationship with other Councillors and the CEO and make sure Council does what is in its Strategic and Business Plan;
- h) work with Council to choose the CEO and to check the CEO's ongoing performance.

## **Deputy President**

Council chooses the Deputy President by electing a Councillor. While the President is away or cannot perform her/his role the Deputy President takes over. The role of the Deputy President is to:

- a) work closely with the President and the CEO to make sure Council's business is properly managed;
- b) be ready to take over the role of the President while the President is away or cannot perform his/her role.

While the President and the Deputy Principal member are both away, Councillors can vote to appoint one of the Councillors to act as the President.

## **Chief Executive Officer (CEO)**

The CEO gives the best possible information to Council to help it make good and lawful decisions. He or she informs Council about different options so that they can make decisions that are in the best interest of the people of the shire.

The CEO employs and works with Council staff to carry out Council decisions. Councillors and the CEO need to trust and respect each other so that they can work well together and get things done for the shire. The role of the CEO is to:

- a) put together good staff teams (Council's organisational structure) who get things done;
- b) use the best possible staff (human resource) management practices
- c) make sure Council staff quickly carry out Council's decisions, policies and plans;
- d) manage Council's day-to-day business, including quickly responding to questions or requests from residents;
- e) inform and advise Council members so they can do their job properly
- f) tell shire people about the Council's decisions, policies and programs
- g) talk with government and non-government agencies, businesses and the media about Council's policies, plans and decisions;
- h) make sure that Council staff look after the Council resources and assets;
- i) check whether Council staff manage the Council finances correctly and to make sure there are good controls of the Council money they spent;
- j) make sure Council staff keep good records of the Council's finances and minutes of meetings;
- k) carry out any other functions Council or the law give to the CEO;
- l) give a power or a function that the CEO holds to another staff member or a committee in order to get the job done;
- m) choose, check and, if needed, sack Council staff.

## **Staff**

Council staff carries out the decisions, plans and policies of Council under the direction of the CEO. Their role is to:

- a) follow the directions of the CEO and to do their job carefully, honestly and well;
- b) work with the CEO in preparing information and advice for Councillors;
- c) know about the different groups in the shire and treat all residents with respect;

- d) help the CEO to develop plans and policies with Council and carry them out;
- e) tell the CEO of any conflict of interest that may come up during their work;
- f) not reveal confidential Council information or use it for their own advantage;
- g) continue to learn how to do their job better through training and development;
- h) follow Council's Code of Conduct for staff;
- i) follow the *NT Local Government Act* and other relevant laws.

### **Relationships between Councillors and staff**

Councillors, the CEO and other staff all have their own jobs to do but they need to work together well to deliver the best possible governance for the shire. They must understand and respect what each of them brings to getting things done for the shire Councillors and staff need to:

- a) trust each other that they are doing their job to the best of their ability;
- b) tell each other openly, through the CEO, about any problems that may stop them from doing their job as well as they can;
- c) be honest in any work they do for the shire.

The Strategic and Business Plan directs what they have to do to get the best results for the shire.

### **How Councillors and staff will do this:**

- a) trust each other when doing their different jobs ;
- b) make sure everyone knows that Councillors have a right to get information about Council business from Council staff through the CEO, and develop rules about how best to do this;
- c) understand that when they set the direction of the Strategic and Business Plan, individual Councillors must represent their ward while as a group (Council) they must make the best possible decisions for all residents ;
- d) respect each other's ideas and beliefs and not publicly criticise each other;
- e) not use their position with the Council to get something for themselves, a family member or a business partner.

### **Use of Council Information**

Councillors represent all people of the shire. They act in the best interest of the people, respond to their ideas and issues and help them solve problems. They also tell people about Council decisions and plans.

### **How Councillors will do this:**

- a) let residents know they make decisions by majority vote at Council meetings;
- b) not tell confidential information to anyone until Council votes that it is no longer confidential;
- c) through the CEO make sure staff pass Council decisions about approvals or permits only to the people who asked for the approval or permit;

- d) make sure the information staff give about policies, procedures and decisions of the Council is correct;
- e) make it clear whether they are speaking only for themselves or on behalf of Council when they speaking to members of the public or when they have permission to speak to the media. Speaking on behalf of Council is the President's job but can be delegated.
- f) be careful and show respect for Council, Council decisions and other Councillors or staff when giving a personal view.

### **Confidential and sensitive information**

It is against the law for Councillors and staff to tell anyone about confidential council information or to use Council information to get something for themselves, their family, friends or business partners. There are heavy penalties, even jail, for this in the *NT Local Government Act*. Councillors and staff must:

- a) follow the law and any Council policies on how to use Council information;
- b) not use confidential information to get something for themselves, their family, friends or business partners;
- c) think carefully about how they collect information and keep confidential council information secret;
- d) not use or give information in a way that may:
  - i. -damage or distress a person,
  - ii. -damage the interests of the shire,
  - iii. -give a person unfair commercial or financial advantage;
- e) follow any order that Council or a Council committee makes that says that a document or information should stay confidential.

### **Conflict of interest**

A Councillor has a conflict of interest if Council is going to vote on something in which the Councillor or their family member, friend or business partner has a personal or financial interest. If a Council decision helps the Councillor or their family, friend or business partner to make money or to get a benefit, for example a contract to fix a road, this is a conflict of interest.

There are heavy penalties, including jail, for Councillors who do not tell Council that they have a conflict of interest in something Council or a Council Committee may talk about.

Councillors must:

- a) tell the President or the CEO as soon as possible when they think there may be a conflict between their personal interests and their role on the Council, a Council committee or a Local Board;
- b) leave the meeting room until Council, a Council committee or Local Board has finished talking about the matter that caused the conflict of interest
- c) tell the CEO if they work with someone outside Council who has a contract or may get a contract with Council;
- d) not take part in any recruitment or other jobs for the Council that involve their family, friends or business partners



- e) make sure the CEO writes down the Councillor's conflict of interest in Council's "Register of Interest".

Staff must:

- a) tell the CEO or their manager as soon as possible when they think there may be a conflict between their personal interests and their work at the Council;
- b) tell the CEO if they work with someone outside Council who has a contract or may get a contract with Council;
- c) not take part in any recruitment or other jobs for the Council that involve their family, friends or business partners

### **Gifts and personal benefits**

- a) Councillors and staff must not use their position to ask other Councillors or staff members to do things in their work that will give them or their family, friends or business partners a personal benefit;
- b) Councillors and staff must not ask for or accept any gifts, rewards or benefits from a person or group of people for the work they do for Council or because of the position they hold in the Council;
- c) If someone offers a gift, reward or benefit the Councillor or staff member must tell the President or the CEO immediately.

### **Residents' expectations**

The Central Desert Shire Council is part of Local Government, the level of government that is closest to shire residents. Councillors and most Council staff live in the wards of the shire. This means that residents know how Councillors and staff behave and work for the shire. They expect Councillors and staff to:

- a) be honest and to act professional;
- b) be fair when working with members of the shire and not offend or embarrass anyone
- c) not discriminate against anyone because of their race, gender, sexuality, marital status, pregnancy, disability or age;
- d) put Council first when they have a conflict between their Council and their private role;
- e) follow good processes to respond to deal with complaints from residents.

### **Councillor allowances**

Councillors get a small amount of money every fortnight to help them with the cost of working for the Council. Presidents and Deputy Presidents get an extra amount of money for the extra work they do. Council votes on how much Councillors will be paid each year as part of the shire budget. The *NT Local Government Act* sets the maximum amount of money Councillors can get. Councils can choose to pay Councillors less. Part of the fortnightly payment is an electoral allowance to help them do work with residents in their wards.

Council can also agree to pay professional development allowance for a Councillor to take part in training activities organised by people outside Council if Council agrees. Usually the President has to approve payment for this.

### **Councillors Expenses and travel allowance**

Expenses are what Councillors spend when they travel to a Council meeting, a Local Board or a Committee meeting or anywhere on agreed Council business. Council decides on how much Councillors and staff get for their travel and meal expenses as part of the shire budget. Councillors and staff must follow Council policies about travel expenses.

### **Travel and Meal costs**

Councillors and staff must only claim or accept money for travel and meals when they actually travel as part of their agreed Council duties, and where Council policies and the *NT Local Government Act* say that there will be payment for this travel.

### **Communication and Community Engagement**

Good communication between Council staff and the Councillors and meaningful engagement between Councillors, staff and residents is essential for good governance. Council will develop and implement a Communication and Engagement Strategy.

### **Communication between the President and the CEO**

Good communication between the President and the CEO sets an example of good working relationships throughout the Council. The President meets regularly with the CEO to talk about anything important to the good management of the shire. This will help them to:

- a) understand each other's role and views and do their jobs better;
- b) find solutions to any problems that might come up between Council meetings;
- c) respond well to the unexpected things that happen in the shire;
- d) build a trusting relationship that leads the way for good working relationships between elected members and Council staff.

### **Communication between Councillors and Council staff**

At Council meetings Councillors should get all of the information they need to do their job well from the CEO and senior managers. When they need information between Council meetings Councillors must follow proper rules for talking to Council staff. They can ask the CEO for the information or a senior manager, approved by the CEO to give out information, who is responsible for the area that they are interested in. Councillors must be told who these senior managers are and if they are unsure, should ask the CEO.

### **Communication between Councillors and the CEO outside of normal meetings**

Outside of the Council meetings Councillors and the CEO talk about council business through phones, fax, email, community or head office visits. Other means of communication, such as video conferencing; DVD distribution; web-based chat rooms and podcast downloads may be used in the future if access to and use of information and communication technology in the shire improves significantly.

Procedures (rules) for communication between Councillors, Local Board and staff members who do not speak local Aboriginal languages fluently and Councillors, Local Board and staff members who do not speak English fluently and/or who find it difficult to read some written texts in English must be developed. They must be followed so Councillors and Local Board members can understand the information they need to make good decisions or give good advice that staff can understand. Communication protocols may cover:

- a) using interpreters, including one-on-one;
- b) small group information sessions where topics can be discussed in local Aboriginal languages, supported by an interpreter;
- c) small group or one-on-one sessions with diagrams, pictures, graphs, and charts supported by plain English presentations and discussions;
- d) information presented in local Aboriginal languages or plain English on DVD or iPods;
- e) using text to speech computer software where available and appropriate.

Electronic media can help with communication where there is the right infrastructure and where Councillors can get the technical and other support to download and/or play back the information that has been sent. The CEO is responsible for making sure that every Councillor gets the information they need in an easily understandable and accessible way.

Protocols for using interpreters appropriately and respectfully can be found at the Aboriginal Interpreter Service web site [www.nt.gov.au/ais](http://www.nt.gov.au/ais) or through the Interpreting and Translating Service NT - Email: [itsnt@nt.gov.au](mailto:itsnt@nt.gov.au)

Information sent out to Councillors outside of a meeting can include:

- a) Council meeting business papers and other documents that need to be understood before the next Council meeting
- b) shire media releases or releases from others about issues affecting residents;
- c) media releases about Local Government issues from other people, for example the Territory or Federal Government;
- d) information about urgent business that cannot wait for a Council meeting;

### **Public relations**

It is very important that the shire residents are happy with the Council and its reputation. They want to be confident that Council is working professionally, honestly and in their best interest. Councillors and staff should always speak or write positively about Council's work.

If all communication about or by Council is accurate, professional and easy to understand by residents and other interested people Council will gain a reputation as a confident, professional organisation working for its residents.

### **Talking to the media**

All Councillors and staff must follow Council's media policy. It says that the President is the only person at Council to speak to the media about Council

business. The President can delegate responsibility for this to someone else, for example the CEO, the Deputy President or another Councillor.

The CEO discusses media releases with the President. They must be approved by the President before they are sent out to the media. The CEO will also distribute them to all Councillors and staff.

Council will build a good relationship with community controlled media organisations in the shire and work with them to get its messages across to residents.

### **Consultation and Communication**

Councillors engage directly with the many groups in the shire so they can answer for their actions to the people in their wards.

The by-monthly Local Board meetings are an important opportunity for Councillors and representatives of the communities in their ward to talk about issues and local solutions in their part of the shire. These meetings are also a chance for members of the public to talk to Ward Councillors. For example about services in their community, local ideas for the shire plan and other matters that are important to residents. They are also a way to collect local ideas for the Regional Management Plan all the Councils in the Central Australian Region will develop with the NT Government.

These meetings are vital for a good relationship between the Council and residents. Local Board members and other residents will come to these meetings if they are supported to run the meetings themselves, their advice and decisions are valued by Council and they see that things get done as a result.

Times and dates for these meetings are published on the Council web site, [www.centraldesert.nt.gov.au](http://www.centraldesert.nt.gov.au). Members of the public are welcome and do not need a permit.

Consultation with other important groups in the shire who are not members of Local Boards is equally important. In Central Desert Shire these groups may include pastoralists, small businesses, tourism resorts, mining companies and other industries, as well as workers of government and non-government organisations. Councillors will consult with these groups to make sure that their ideas are also part of the shire planning. Council will also make sure that these residents receive information from their ward Councillor about Council's work. Councillors will make time and find opportunities for these residents to ask questions and give their views about services and issues that are important to them. These residents will also be encouraged to nominate for Council's Economic Development Advisory Board.

### **Code of Conduct**

Council has developed a Code of Conduct for Councillors and staff and posted it on the Council web site. It is an agreement between Councillors about how they expect each other and Council staff to behave when they do their work. Anybody who wants to work for Council must agree to follow the Code of Conduct.

### **Code of Conduct for Councillors:**

1. Provide sensible leadership, speak up for residents and let them know what the shire Council is doing.
2. Act with integrity – be honest, accountable for your actions, make fair decisions for all residents and respect country.
3. Act in the best interest of the whole shire, not just your family, skin group etc., community or ward.
4. Tell the Council when you have or may have a conflict of interest (using your position on the Shire Council to benefit yourself or your relations).
5. Do not ask for or accept gifts from anyone who may benefit from a Shire Council decision.
6. All Shire Council property (buildings, equipment, computers and vehicles) can only be for agreed Shire Council business.
7. Keep confidential Shire Council business confidential and don't use the information for your own benefit or to harm others.
8. Be a good representative of the Shire Council and do not damage its good reputation.
9. Listen with respect at meetings, help each other and behave, act and talk in a courteous manner while on Shire Council and community business.
10. Do not be under the influence of alcohol or drugs when on Shire Council business.
11. Do not make personal demands on staff, interfere with their work or reprimand them.
12. Follow all Australian and Northern Territory laws and Shire Council by-laws and policies
13. Do not discriminate against anyone because of their cultural background, gender, age or disability

The Code of Conduct mirrors the Code of Conduct for staff that is displayed at all Council meetings and has been printed on posters for all Council offices. Council has developed a policy that all Local Boards are to either adopt or adapt the Code of Conduct for Councillors to their needs.

The *NT Local Government Act* sets out what the Minister can do if Councillors do not follow their Code of Conduct. In addition, Council has developed a Good Governance Policy to guide it in dealing with breaches of the Code of Conduct. Code of Conduct Matters has become a standing item of Council's meeting agenda. If it is alleged that a Councillor has breached the Code of Conduct the CEO will write a report for this agenda item. Council can then decide if and how to apply their policy. The CEO manages any problems with staff that are alleged to have breached the Code of Conduct for staff.

## **Council Functions and Business**

### **Elections**

The *NT Local Government Act* says how shire elections have to be managed in the NT. Every four years general elections are held so residents can choose their ward Councillors. When someone stops to be a Councillor and there are at least 12 months to go before the next general election, an election will take place only in that Councillor's ward. This is called a by-election.

## **Induction for new Councillors**

Councillors bring with them lots of experience, ideas and skills that will help them to do a good job on Council. But because regional local government is new to the NT new Councillors and staff will have a lot to learn about it.

Straight after a general election or by-election, the CEO of the Central Desert Shire brings the new Councillors together to talk about how the Council works, the information they need to do their job properly and how they can work best for all residents.

This meeting is called an induction. It will help new Councillors understand the work of the Council, their own role and that of staff.

The CEO will ask Councillors privately if they have any special needs so they can get the help they need to do their job properly. Councillors should ask for support if they need wheelchair access or other help such as hearing assistance, someone to read to them or interpreters. The CEO must make sure this help is organised as soon as possible.

The induction happens before the first Council meeting after the general election or by-election. The first Council meeting will be held within 14 days of the general election.

A new President will be offered a special induction program to learn about their role as Council leader and spokesperson, chairperson of Council meetings and a leader for the whole shire.

## **Ongoing Professional Development**

Council's Professional Development Policy for Councillors and Local Board members says that the induction session is only the beginning of an ongoing professional development program.

Councillors will be asked about their training needs and, based on their answers a strategic plan for ongoing professional development will be developed. This training will be offered throughout the year to help councillors become better at their job. It will become a fixed part of the preparation and information day prior to each Council meeting. Council will review their professional development plan every year and change it if needed. Council is also developing a plain English governance manual with posters, pictures and organisational charts for Councillors and Local Boards.

## **Evaluation of the CEO's performance**

Council employs the CEO and must check throughout the year whether the CEO is doing their job properly. Every year there is also a formal interview between councillors and the CEO about the CEO's performance. The President will work with the Councillors to decide how they are going to check the CEO's performance. Independent advisers can help Council to work out how to do this performance review and give them the information they need to do this review well.

## **Monitoring and Review**

Council must check (monitor) that everything the *NT Local Government Act* and funding bodies ask Council to do is done properly. It must review how Council does its work; this means to think about what is working well and what needs to be done better. If Council decides on changes they must be written into the Council plans and policies.

The CEO tells the Council what staff is doing to make sure that the Council follows the *NT Local Government Act, Regulations and Guidelines* properly. The Local Government Minister can appoint local government inspectors who have the power to check up on this.

## **Delegations**

Council can delegate (give) some of its powers and functions to a Committee or Local Board or to the CEO. This means that the Council gives them the power and the responsibility to do some of its work. If the Council delegates any financial (spending) powers to a person it must set a limit on the amount of money that person can spend.

It cannot delegate its power to collect rates or powers that are part of the CEO's job, for example to employ and manage Council staff.

## **Committees**

Committees do work the Council delegates to them. For example, the Finance Committee (President, nominated Councillors, the CEO, the Director of Corporate and Community Services and the Finance Manager) checks if the shire is spending its money in line with its budget. It can also prepare the budget plans and then tell the Council about them. Council then decides how to spend the Council's money.

Committees also advise the Council about new opportunities and how to make the most of them. For example the Economic Development Advisory Committee (President, CEO and experienced business people from outside Council) makes plans for getting tourists and businesses to come to the shire and create jobs for residents. The Committee then reports to Council and Council decides what to do. Committees can only work under the direction of the Council.

## **Local Advisory Boards**

Council has appointed nine local boards to help it to work closely with communities. The *NT Local Government Act* explains their role and function. Council makes sure that Local Board members have the support of residents and has developed a Local Advisory Board Policy. More information about local boards is in Appendix 4: Community Engagement.

## **Strategic Plan, Business Plan and Budget**

Good planning is about getting the things done that residents need and that Council can afford. It helps to deliver the services and build and maintain the infrastructure in the shire on budget and on time.

The strategic plan is Council's road map for putting the ideas of residents into action. It shows Council's direction for three years. Council reviews the plan every year and changes the direction if needed.

Local Board members and other residents must have a say about what goes into this plan so Council can be sure it is delivering services and building facilities that residents want and are happy with. Councillors must talk with the people in their wards and on their Local Boards to find out residents views before they approve the plan.

The strategic plan talks about Council's vision and strategic direction. This tells residents how Council plans to govern and what services and facilities it has planned for them. Council must make sure that the plan allows it to continue into the future, is affordable and good for the well being of residents.

The strategic plan shows the way for Council's business plan. The business plan lists the actions Council must take to do the things that it has put in the strategic plan. Council must look at the business plan every year to agree on the budget and to check if the services, facilities and actions still fit in with the needs of the residents and if Council can still afford them.

The budget is worked out from the money Council gets from NT or Australian Government grants, rates and investments. The Finance Committee works out how much money Council can spend on the services and facilities Council has agreed to provide. Council then decides on the budget.

### **Financial Management**

Good financial management is one of the most important parts of the Council's work. Councillors are legally responsible for Council finances and must make sure that these are properly managed and reported on. This is why financial reports that elected members can understand have to be part of every Council meeting.

Council does not only decide about the budget and keeps a regular check on it. With the help of the Finance Manager it must also develop proper financial management and accounting processes that follow the *Local Government Accounting Regulations*, the *NT Local Government Act*, the *Australian Accounting Standards*, other laws and lots of funding body rules.

The CEO is responsible for putting together drafts of the strategic plan, the business plan, the budget and the financial management plan for Councillors to talk and ask questions about. Only when the plans have been properly explained and discussed at Council and when Councillors believe those plans are ok should they agree to them.

### **Risk Management**

Risks can come from inside and outside Council. For example, an inside (internal) risk might be that too many staff leave the Council too often. Finding good staff is very hard. When they leave too often it makes everyone else's job harder because there are not enough people to do the Council work. The risk for the Council is that it can fall behind in delivering good services to



residents, its reputation suffers and it becomes even harder to keep good staff.

An example of an outside (external) risk is if the Australian Government decided to close down the child care services that it has paid the shire to deliver. Residents might then think that the Council should keep deliver that service even though it no longer has money to do so. The risk for the Council is that residents organise a protest which puts pressure on Councillors to change the budget in a way that takes money away from other important Council services.

As part of the planning process the CEO must also work out a plan for managing risk. The risk management plan will:

- a) find out what are the main risks that could stop Council from carrying out its business;
- b) work out how to manage these risks;
- c) tell the Council about what actions will be taken on part of the Shire Plan to manage these risks.

Council must discuss the risk management plan and approve it when they are happy with it.

### **Record keeping**

The CEO must make sure that Council keeps good records and has a good system to keep track of all Council business and documents.

### **Policy Development**

Policies are rules about what Council does that are followed by everyone in the same way. Council's job is to put in place policies that help it to do its job well. Policies tell staff and Councillors what Council expects them to do and help them to make good decisions and to do their work properly.

Policies are short documents that usually have longer procedures attached to them which tell people in more detail how to do the things in the policy. For example, Council's vehicle policy has a rule about looking after cars. Council's vehicle check procedure explains how to do a vehicle check before and after a long trip and when to give it a full service.

Some policies are only for Council staff, for example a uniform policy. Councillors approve these operational policies if they agree with them but do not need to be involved in developing them. Policies about the good governance of Council are very important and Councillors should take proper time to discuss these policies with management and local boards and approve them only when they are sure they will work well for the organisation.

The CEO must make sure staff keep a good record of all policies and that the policies are up to date. Council must check the policies from time to time to make sure they still fit in with the needs of Council and residents. All policies are on the Council web site.

## **Annual report**

In November of each year Council must tell the Minister for Local Government about the work it has done in the financial year ending June 30 of that year (a financial year lasts from July 1 of one year to June 30 of the following year). This report to the Minister is called an Annual Report.

It must include the Council's audited independently checked financial statement which shows how the Council has spent its money, what the Council has left to spend, and a report about what the Council has done to meet the performance indicators in the shire plan. The performance indicators are a list of results in the plan that show ("indicate") whether Council has really achieved what it agreed to do.

The CEO must have the Annual report posted on the Council website and have copies for people read in the Council offices.

## **Council meetings**

### **Ordinary meetings**

The *NT Local Government Act* says that a Council must hold a meeting called an ordinary meeting at least once every two months to make decisions about business that is important for the management of the shire.

The first ordinary meeting must be held within 14 days after a General Election.

### **Special meetings**

A special meeting can be held at any time when Council needs to talk about an urgent matter that cannot wait until the next ordinary meeting.

### **Calling a meeting**

The CEO is in charge of calling and organising ordinary Council meetings. Calling ("convening") a meeting means giving a written invitation to Councillors about where and when the meeting is going to be and what the meeting is about (the agenda). Council meets every second month and all ordinary Council meeting dates and places are on the shire web site. Every second ordinary Council meeting is in a community of the shire, every other meeting is held in Alice Springs. The President or 3 or more Shire Councillors can ask the CEO in writing to call a special meeting to talk about an urgent matter that needs to be decided before the next ordinary meeting. The Council as a whole can also vote to have a special meeting.

If for any reason, the CEO does not call an ordinary meeting or a special meeting then any Council member can call the meeting.

The NT Local Government Act says the invitation for an ordinary meeting must be sent at least 3 working days before the day of the meeting but the CEO will send it to the Councillors one week before the meeting so Councillors have time to organise their travel. For special meetings the invitation must be sent at least 4 hours before the meeting but the CEO will do their best to send it much earlier than that.

Staff may give Councillors the written information for a meeting in person, by fax, by email or by any other way the CEO and the Councillor have agreed to.

To make sure that the Councillors understand the information the CEO must make sure that the material is

- written in plain English
- supported by charts or pictures where appropriate
- explained to the Councillor by shire staff in their community prior to the meeting
- interpreted in local Aboriginal languages and presented in plain English at the meeting preparing the Council meeting, as well as at the Council meeting itself;
- is made available to Councillors with sight or hearing impairment in ways they can easily understand.

The meeting invitation will:

- give the date and time of the meeting;
- say where the meeting will be held;
- list the agenda (what the meeting will be about);
- be posted on the Council web site a week before the meeting;
- be posted on a notice board in the Council's main office and community offices.
- be broadcasted on community radio if there is money
- an ad about the meeting will appear in the region's main newspaper

### **Council meeting business**

At an ordinary meeting Councillors can ask to put any business they want to talk about on the agenda.

At a special meeting only the one business item that the meeting was called for can be talked about. If all of the Councillors are at the meeting they can decide to talk about other things as well.

### **Meeting agenda and papers for an ordinary meeting**

Councillors can ask the CEO to put topics that are important to their ward on the agenda for an ordinary Council meeting. Senior Council staff normally give information to the Councillors about the work that they are doing. They also give Councillors answers to questions and information the Councillors asked the Council staff to get ready for them at the last meeting.

A meeting agenda usually has some or all of the following information:

1. Where and when the meeting will be held.
2. Names of Councillors, staff and visitors who are addressing at the meeting (this includes anyone attending the meeting through teleconference).
3. Apologies/approved leave - the names of the people who should be at the meeting but who could not come or who are on leave and gave apologies.

4. Conflict of Interest declarations.
5. Questions and statements from the public present at the meeting.
6. Agreement that the minutes from the previous meeting are correct or need to be changed.
7. Petitions, deputations and presentations to be made to the Council.
8. Agreement that Councillors are happy to talk about the items on the draft agenda and information for Councillors about any items of general business.
9. Decisions that the Council has to make at the meeting.
10. Business that the Council has only been asked to read or hear about and then write down or note that the Council has done this.
11. Council policies to be adopted, changed or not adopted.
12. Questions with notice – questions that have been written down and seen by all Councillors before the meeting.
13. Questions without notice – questions that a Councillor asks at the meeting without other Councillors seeing them first.
14. Reports from Local Advisory Boards
15. Business from a previous meeting that is not yet finished.
16. General Business – things that are new ideas or topics that Councillors want to talk about at the meeting that they haven't talked about at a previous meeting.
17. Completed business – things that the Council has made a decision about.
18. Reports from officers, usually the CEO, Directors of Infrastructure, Corporate and Community Services and other staff.
19. Financial reports and budget matters.
20. Motions that Councillors know are going to be put.
21. Notice of Motions for the next meeting.
22. Confidential matters
23. Next meeting time.

All information for the meeting that goes with the agenda (the business papers) needs to be prepared in a way that people can easily understand.

At each meeting staff give Councillors a report (business paper) about the shire budget. It should clearly show if the budget has been overspent or not and if the accounting that keeps a check on the budget is up to date. Usually this report includes:

- a) a budget comparison that shows how much money has been spent in the month of the meeting so it can be compared with the spending of the months before;
- b) a balance sheet to show Councillors how much money has been spent in the budget and how much is left;
- c) bank reconciliations - papers from the bank that show how much money is left in the bank accounts;
- d) investment reports – these show where the Council has put some of its unspent money so it earns some interest
- e) a list of debtors - people and businesses that owe money to the Council.

## **Managing Council meetings**

### **Chair**

The President chairs Council meetings, makes sure that the Councillors follow the agenda and keeps the meeting stays on track.

### **Quorum**

The *NT Local Government Act* says there must be majority of Councillors - at least 7 of the 12 members - at the meeting before it can go ahead. If there are not 7 Councillors at a meeting 30 minutes after the advertised meeting start, the CEO has to organise another meeting and tell the Councillors when it will be.

### **Teleconference or videoconference link**

If a Councillor is away on urgent Council or personal business but can be on the phone Council can agree that the Councillor can join in through a teleconference link (phone hook up).

### **Meetings open to the public**

Any member of the public can come to a Council, Local Board or Committee meeting to watch and listen, they cannot join the discussions at the meeting, except for when it is time for questions from the public.

When the Council has to talk about a confidential matter, such as a commercial contract or a business idea, members of the public will be asked to leave the meeting until that item has been decided.

### **Decision making**

Councillors make decisions at Council meetings through a majority vote. They talk about a topic and then vote to support or not to support a decision. Each Councillor gets one vote. When the majority of Councillors vote for a decision (also called making a resolution) the decision is carried and all Councillors must go along with the decision whether they agree with it or not.

Councillors show how they want to vote by raising their hand either when the Chair asks if they are in favour or not in favour. The Councillors can agree to have a secret vote where they write down their vote on a piece of paper. This is called a secret ballot. All of the Councillors must agree to this way of voting before it is allowed.

### **Casting vote**

At the first meeting after a general election, the Councillors decide what to do, if there are an equal number of votes for each side of a decision. This is called a tied vote. The Councillors can agree that the President has an extra vote, called a casting vote, so that a decision can be made. Once the Councillors agree to give the President a casting vote they cannot change that decision until after the next general election.

**Acting on decisions**

The CEO must make sure that staff carries out Council decision and then reports back to the Councillors on what has been done.

**Minutes of the meeting**

The CEO must make sure that proper minutes of meetings of the Council, Local Boards and Committees are taken so that everyone can know what was talked about and decided. The CEO must have a copy of the minutes on the Council website and on noticeboards in Council offices within 10 days of the meeting.

The CEO must make sure that minutes can be understood by people who cannot read English. If possible they can be posted with a text to speech facility or as a podcast download. Until more shire residents are able to use this technology summaries of the Council minutes will be presented at Local Board meetings by ward Councillors or by Council staff in plain English or Aboriginal languages. Local Advisory Board minutes should be short enough to be read out at the meeting.

Until the minutes are agreed to at the next meeting the minutes will be marked "unconfirmed".

At the next meeting the Council, Local Board or Committee members must decide whether the minutes are correct and then confirm (agree to) them or agree on changes to correct them.