

## Appendix 3: Governance Charter

## Governance Principles

### Overview

This Governance Charter gives the elected members and the Council staff of the Central Desert Shire, information to help them understand and use best governance practices in their management of Central Desert Shire's daily business.

Central Desert Shire Council is responsible to the people in the Shire to look after and manage its resources and affairs. Good governance means that the Shire Council looks after the Council's resources and business matters properly, using the best ideas and ways of doing things that are available, to achieve the best outcomes for all of the people of Central Desert Shire. The people who live in Central Desert Shire come from many different cultural groups. Indigenous Australians are the largest group of people living in the Shire. The Council will work for all of the people in the Shire in a way that is respectful and inclusive of all cultures.

Central Desert Shire Council will use a set of good governance principles to guide and help it in the work it does on behalf of the Shire residents. These principles come from ideas and ways of behaving that work for other councils and local government organisations in Australia and overseas.

By following these good governance principles Central Desert Shire Council will:

- make sure that the Council works for excellence in all areas of business;
- deliver good performance financially and socially;
- be answerable to all of the people of the Shire for the actions it takes on their behalf;
- keep to the rules and regulations that govern their work and that are written down in the *Northern Territory Local Government Act*.

### Good Governance principles

By using good governance principles to guide its work Central Desert Shire Council will:

#### Be democratic

- promote local democracy and participation in the Council,
  - directly as an elected member, through open, local elections that allow for all eligible members of the Shire to nominate for election;
  - indirectly as an interested member of the Shire through open, inclusive nomination onto Local Boards and through meeting and talking with the people of the Shire;

#### Follow the law

- keep to the laws and regulations set down in the *NT Local Government Act* and other related Acts and apply them fairly without favouring one person or group over another;

**Be open and tell the Shire what it is doing**

- be open and clear to the people in the Shire in the way the Council makes decisions, and give information to the public using different media and ways of communicating, including the use of interpreters, to make sure that the information reaches everyone;

**Answer to the Shire and the Territory Government**

- be answerable to the people of the Shire and to the Northern Territory government for the decisions that the Council makes and the services it provides, by following the rules that the residents, through the Council makes, and the laws the Territory government makes to check and report on how Council uses its resources;

**Be honest and treat everyone equally**

- work equally for all members of the Shire by making sure that the decisions made by the Council are ethical and honest and are based on the needs and concerns of the different groups within the Shire, and by responding to the needs of the residents within a reasonable timeline;

**Work with everyone to make the best decisions**

- work with all the different groups in the Shire, following correct cultural protocols (rules about the way to do something), to work out decisions and how they can be carried out, making sure that they are in the best interest of the whole Shire, not just one interested group;

**Be fair to everyone and look after the environment**

- fairly deliver services and minimise risk through the best use of resources that are available to meet the needs of the different groups within the Shire, in a way that can be carried on into the future without damage to the environment;

**Check everything openly**

- promote open scrutiny of the policies developed by the management staff of the Shire Council through strong elected member (Councillor) and community checking of the way policies are developed;

**Make plans that come from the people of the Shire and that look to the future**

- make sure that plans and services are based on a clear long-term vision that includes the ideas and hopes of all members of the Shire and that works for the ongoing development of democratic local government.

**Building Governance Capacity**

The job of the Central Desert Shire Council is to govern well for the whole of the Central Desert Shire. To do this the Council needs to manage the Council resources and business in a way that lets people know exactly what it is doing on their behalf; answers to the public and other levels of government for its actions; works equally for all of the people who live in the Shire; and meets their needs and expectations. The people of the Central Desert Shire will judge the Council by the way it carries out its governance responsibilities.

To make sure that the Council operates through a good governance framework and develops its capacity to best practice level, the Council will need to continue to train and develop both the elected members and the staff it employs. Councillors need to continuously check that their governance practices allow them to be flexible and respond rapidly in the way they work, to fit

in with changing community, business and government expectations. Developing the governance skills of youth in the Shire and planning for succession will be important features of Central Desert Shire's governance framework.

The capacity of Councillors and staff to work successfully in a cross-cultural environment and often in remote locations needs an on-going training and development program that gives Councillors and staff the necessary tools, skills and understanding to meet the challenges of servicing the different groups in the Shire.

A strong induction program for new Central Desert Shire Councillors makes sure that they have the skills to start to carry out their work confidently and with some success and to understand their governance responsibilities.

An on-going training and development program for Councillors gives Councillors the chance to build on their skills and to become strong leaders and role models in the Shire. Local Boards will be an important tool for developing governance capacity within the Shire.

Leadership is a key feature of a successful Council. Central Desert Shire Councillors will show leadership by matching their role with the culture and traditions of the Shire and working with the people in the Shire and other outside agencies to build an environment that welcomes new ideas and focuses on improving the quality of life of its citizens, while looking after the environment and cultural heritage of the region. For Central Desert Shire Council this means a special focus on critical needs in the Shire including improving environmental health, developing local infrastructure and creating training and employment opportunities.

Leadership is also about a respect for high standards and a willingness to check performance so that poor outcomes can be recognised and changed and new ideas can be added. A respect for high standards and on-going monitoring and accountability will be a major focus of the Central Desert Shire Council. In the end Central Desert Shire Councillors are answerable to their funding bodies and to their electorate for what they do and how they do it.

## Role, Functions and Objectives of Central Desert Shire Council

### Overview

*The NT Local Government Act* describes the Role, Functions and Objectives of all councils in the Northern Territory.

Central Desert Shire Council must follow the Role, Functions and Objectives for councils described in the Act in the way it manages Shire business.

- The Role of the Council describes what a Shire Council does and how it should behave;
- The Functions of the Council describe the Shire Council's areas of responsibility and services it can provide to make a difference;

- The Objectives of the Council describe the outcomes the Shire Council can achieve for the Shire residents from its responsible behaviour.

The most important job that the elected members (Councillors) of Central Desert Shire have to do is to get the best outcomes for everyone who lives in the Shire. It is the job of the elected members of each ward to show leadership in speaking out on behalf of their local ward on the issues that are important to the people in the ward, as well as to show leadership in the good management of the Shire.

Councillors together are responsible for showing leadership in developing the Central Desert Shire vision, strategic direction and policy direction and to use the resources that the Council has for the well being of the whole Shire. The values the Council will use to govern for the Shire are set down by the elected members. Councillors also have an important job to do in working with other levels of government and other agencies such as private business and non-government organisations to get the best outcomes for the people of the Central Desert Shire.

Councillors work with the management staff to match the services that the Central Desert Shire Council delivers to the needs of the Shire residents and to make sure that they are delivered to a high standard. They work out how the finances of the Council will be managed and decide how the budget will be spent to get the best outcomes for the Council. The Councillors must check their own performance as Councillors as well as that of other Councillors to make sure that they are working well for the good of the whole Shire.

Finally it is the job of the Councillors to work out the best way to choose, appoint and check the performance of the Council Chief Executive Officer (CEO). It is not the job of the elected members to choose, appoint and check the performance of other Council staff. It is not the job of the Councillors to tell the Council staff how to do their jobs. This is the job of the Chief Executive Officer.

#### **Legislation and separation of powers**

The Central Desert Shire Council gets the power to control and manage the business of the Shire from the *NT Local Government Act*. The people living in the four wards in the Central Desert Shire elect the people to become Councillors for their ward. The four wards are Northern Tanami (2 Councillors); Southern Tanami (4 Councillors); Anmatjere (4 Councillors); Akityarre Ward (2 Councillors). The number of Councillors for each ward depends on how many people live in the ward and is based on one vote for each person who has the right to vote. These 12 Councillors make up the Central Desert Shire Council.

It is very important for the good governance of the Shire that Councillors and staff understand their different roles.

The Council governs for the people of the Central Desert Shire through the work of the Chief Executive Officer, senior management staff and general staff of the Shire Council.

## Business Plan

The Council members decide what has to be done to manage the business of the Central Desert Shire. Through their leadership the Council delivers good governance for the benefit of all of the Shire residents.

The Chief Executive Officer and the Council staff act on or carry out the decisions of the Council. The Councillors do not get involved in carrying out Council decisions. This is called separation of powers.

### Role of the Council

- a) to govern on behalf of the best interests of all members of the Shire by making good decisions based on correct information;
- b) to work closely with the people in the Shire to build a strong Shire that works well together, accepts and respects differences in the groups of people living in the Shire and takes a strong interest in the life of the people of the Shire;
- c) to give resources to the various groups in the Shire on a fair basis making sure that they are used in a way that is good for the Shire's environment, are delivered to a high standard, and that fit within the Council budget;
- d) to build and maintain Public buildings and facilities and deliver services that make life better for the people of the Shire;
- e) to help the local people to think and work in new ways that will make life better for the people living in the Shire;
- f) to speak up for the people of the Shire when working with other Shires, Municipalities and tiers of government, and to share ideas and work with the people in these Shires, Municipalities and governments to make the best decisions for all of the people;
- g) to use the powers and the functions given to the Shire Council by the *NT Local Government Act* and other relevant Acts to govern properly for the people of the Shire.

### Functions of the Council

- a) to plan for local government services that the people of the Central Desert Shire will need in the future;
- b) to make sure that there are services and facilities in the Shire that meet the needs of the people living in the Shire as well as visitors and tourists;
- c) to protect the Shire from dangers of bushfires and other natural hazards by taking actions to stop hazards from happening, and properly managing the dangers when they do happen;
- d) to manage and develop the Shire Council facilities and services in a way that keeps to the budget that has been given for the facilities and services;
- 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 as a tourist;
- 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 all the resources that the Council has for the good of all the people in the Shire;

- h) to carry out other functions given to Central Desert Shire Council under this Act or any other Act.

### **Objectives of the Council**

- a) to act on the requests and questions of Central Desert Shire residents, to be open with them and tell them about the decisions it takes on their behalf, and answer to them about the decisions that it makes;
- b) to listen to and act on the needs, interests and hopes of individuals and groups within the Shire;
- c) to work with the Northern Territory and Australian governments to deliver services that are the best for the people of the Shire;
- d) to make sure that developments in the Shire are balanced across economic, social, cultural and environmental development and can be continued into the future;
- e) to make service to the residents the most important thing that it does for the people of the Shire;
- f) to make sure that the Shire Council uses its resources in a way that is fair, does the job needed and are delivered at the best price;
- g) to make sure that all of the services, facilities and programs that the Council organises for the Shire meet the needs of the residents, give the best value and give equal access for all of the people in the Shire;
- h) to act at all times for the best outcomes for all of the people in the Shire.

### **Operations outside the Central Desert Shire Council area**

1. Central Desert Shire Council can provide services in another Shire but needs to have permission from that Shire Council to apply its rules and regulations.
2. Central Desert Shire can use its rules and regulations in another Shire without the Shire agreeing if something happens in Central Desert Shire but then moves back to the other Shire.

For example if a dog from a Shire next door to Central Desert Shire attacks a child and then goes back to the other Shire, Central Desert Shire officers can go into the other Shire and catch the dog and kill it without the other Shire's permission.

## **Fulfilling Your Role as a Councillor**

### **Role of Shire Councillors**

The Central Desert Shire Councillors have many things to do both as an elected member for their ward and as a member of the governing body which is the Council. The role of a Shire Councillor is:

- a) to speak up for all of the people living in the Shire;
- b) to show leadership and give help and advice to members of the Shire;

## Business Plan

- c) to make sure that they tell the people that elected them in the local ward about the ideas, plans and decisions of the Shire Council and take ideas, requests and information from the ward back to the Council;
- d) to work with the Local Board/s in the wards to give Board members information about the work of the Shire Council and to work with Local Board members to pass on ideas to the Shire Council;
- e) to work with other Council members to decide what is best for the whole of the Shire and to take part in activities in the Shire that are good for the Shire;
- f) to make sure, as far as possible, that the Shire Council is honest, uses its resources wisely and uses its legal powers properly;
- g) to understand that Shire Councillors have no power to direct or control Central Desert Shire Council staff, or to interfere with the management of staff.

### Specifically Councillors will

- a) show strong leadership through setting standards and encouraging good quality resource and service delivery to the Shire;
- b) work with other Councillors, the CEO and the people of the Shire, including Local Boards, to develop the Shire Council vision, Strategic Plan and Business Plan and then check through the CEO, that the things in the plans are actually done and check what needs to change in the plans for the future;
- c) work with other Councillors, the CEO and the people of the Shire to develop and check the policies that the Shire Council needs to help the Council do its work properly;
- d) work with other Councillors to choose the members of the Shire Council to work on Council committees in the Shire and on committees outside of the Shire, for example Local Business committees;
- e) work with other Councillors and local residents, using a consultative community development process, to choose Shire members to work on Local Boards;
- f) manage the finances of the Shire including budgeting and good management of the Council's resources and assets by:
  - i. -understanding and joining the budget planning process
  - ii. -understanding and thinking about where the Council gets its money and how the Council can access more money
  - iii. -understanding and commenting on financial reports
  - iv. -understanding and keeping to the legal rules about financial management of the Council's budget;
- g) understand and think about how decisions of the Council might change the local environment and make sure that any changes to the environment are in the best interest of the people of the Shire and future generations;
- h) encourage new businesses and enterprises in the Shire;
- i) follow the rules written down in the Shire Council Code of Conduct and work with other Councillors to make any changes that might be needed;



- j) show respect to other Shire Councillors in working through problems and decisions and recognise the knowledge and understanding that they bring to the decision-making process;
- k) show respect to the Shire Council administrative staff in their management of Council business;
- l) make sure that all groups in the Shire get information about the work of the Shire Council and get the chance to give their ideas about future activities of the Council in a way that they can understand, including through the use of interpreters and plain English communication strategies;
- m) make sure that Council decisions are fair for all groups in the Shire including people from different cultural backgrounds, youth, women, the aged and people with disabilities;
- n) regularly attend and actively join in Shire Council meetings to work with other members to make decisions and develop policies about Council business, and attend and join in Local Board meetings in the Councillor's ward to pass on information to Board members and to get new ideas from the Board to pass on to the Council;
- o) attend training and development activities, including cross-cultural training, that will help them to better perform their role as Councillors;
- p) organise, with other Councillors, how to choose the Chief Executive Officer (CEO) using the information in the *Local Government Act Guidelines* and plan how to check the CEO's on-going performance.

#### **Election or appointment of the President**

Central Desert Shire Council will call the leader of the Council a President. The Shire Council will choose the President by electing or appointing a member of the Shire Council to the office of Shire Council President. Finally the elected Councillors have to choose whether the President, as the Chairperson of the Council, has an extra vote when there are equal votes for both sides on a topic that the Council is voting on. (See the *NT Local Government Act* for further information)

#### **Role of the President**

The principal member of the Council is called the President. The role of the President is to lead the Council. The President is also seen as a leading person in the Shire.

The role of the President is:

- a) to manage the running of the Council meetings through acting as the Chair and by following correct meeting procedures and keeping to the Central Desert Shire Council Code of Conduct;
- b) to speak for the Council and talk about the Council's work at public meetings and other places where people are interested in the work of the Council;

- c) to represent the Council at ceremonies and public functions that are part of the Council's responsibilities or are part of the Shire's activities such as community festivals.

**Specifically the President will:**

- a) show leadership by looking for and developing opportunities for the people of the Shire;
- b) make sure that Council meetings run properly by keeping the Councillors working together to go through the agenda and follow the right way of doing things, including following correct meeting procedures and keeping to the Councillors' Code of Conduct;
- c) make decisions or give the power to others to make decisions when the Council gives him/her the power to do so;
- d) talk to people, including Local Boards, the Territory and Australian governments and other interested people about the policies and activities of the Council;
- e) speak to the media about the work of the Council and represent the Council at public functions;
- f) act as the chief representative of the Council at official Council ceremonies, for example at citizenship ceremonies;
- g) work closely with the Chief Executive Officer and other Councillors to build a good working relationship and to make sure that Council achieves the outcomes of the Council Strategic Plan and Business Plan;
- h) work with the Councillors to appoint the Chief Executive Officer according to the *Local Government Act Guidelines* and to check the CEO's on-going performance.

**Role of the Deputy President**

From time to time the President will be away and cannot carry out his or her role. The Councillors choose a Deputy President to act when the President is away. The role of the Deputy President is:

- a) to work closely with the President and the Chief Executive Officer to make sure the Council's business is properly managed;
- b) to take over the role of the President when the President is away and cannot perform his/her role.

**Absence of both the President and the Deputy President**

When the Principal member of the Council and the Deputy Principal member are both away from the Council, Councillors can vote to appoint one of the Councillors to act as the Principal member until the Principal member comes back.

### Role of the Chief Executive Officer (CEO)

The role of the Chief Executive Officer is important for the good governance of Central Desert Shire. The CEO gives information to the Council to help them make their decisions and to make sure that their decisions are lawful. He or she tells the Councillors about different ideas and different ways of doing things so that they can talk about them and then choose the ones that they think are the best for the people of the Shire.

The CEO then works with the staff of the Council to carry out the decisions that the Councillors make. The Councillors and the CEO need to trust and respect each other so that they can work together to get the best outcomes for the Shire. The role of the CEO is:

- a) to organise the Council staff into good, working teams that make up the Council's administrative organisational structure, to deliver the plans and services decided on by the Council, within the limits of the budget;
- b) to use proper Human Resource management ideas and practices in managing the staff of the Council;
- c) to make sure that the Council staff carry out the lawful decisions that the Shire Council makes on policy and plans as soon as possible;
- d) to manage the work of the Council staff as it carries out Council's day-to-day business in line with the Council plans, including answering questions or requests from the residents as soon as possible;
- e) to collect and give information and advice to Council members that they might need to do their job properly in a way that all Councillors can access and understand;
- f) to tell the people of the Shire about the Council's decisions, policies and programs in a way that they can understand, including through the use of interpreters and multilingual messages;
- g) to talk about the Council's policies, plans, programs and decisions with interested government and non-government agencies and private enterprises, including at times the media;
- h) to make sure that Council staff look after the Council resources and assets by checking that they are used and work properly;
- i) to check that the Council staff keep to the correct standards for managing the Council finances and to make sure that there is good control of the money spent by the Council;
- j) to make sure that Council staff keep good records of the Council's finances and other Council business such as minutes of meetings;
- k) to carry out any other functions that the Council gives to the CEO or that the *NT Local Government Act* gives to the CEO;
- l) to give a power or a function that he or she holds to other members of the Council staff or a committee in order to get the job done;
- m) to choose, appoint, check and, if needed, sack Council staff.

### Role of staff

The staff of the Central Desert Shire Council carries out the work of the Council for the elected members under the direction of the CEO.

The role of the Council staff is:

- a) to follow the directions of the CEO and to do their job carefully, honestly and to a high standard;
- b) to work with the CEO in preparing information and advice for the elected members;
- c) to know about the different groups that live in the Central Desert Shire and to use cross-cultural practices in working with them to meet their needs;
- d) to act appropriately in response to questions and requests from the Shire residents;
- e) to work with the CEO to support his or her work with elected members in developing plans and policies and then to follow the CEO's instructions to carry them out;
- f) to tell the CEO of any conflict of interest that might come up as part of their work;
- g) to make sure that they do not tell other people about information that the Council decides is confidential, or to use the information for their own personal advantage;
- h) to continue to learn how to do their job better through taking part in training and development programs, including cross-cultural training;
- i) to keep to the Council's Code of Conduct that lays down the rules about the behaviour of Council staff;
- j) to understand and follow the *NT Local Government Act* and other Acts that set down the rules for the work of the Council and the Council staff.

### Relationships between elected members and staff

The working relationship between the elected members and the Council staff is very important for the good governance of Central Desert Shire. The elected members have their own roles to carry out. The CEO and the Council staff also have their own roles. But the job of the two groups is to deliver excellent governance for the Central Desert Shire.

To do this well they must work together. They must do this by respecting and understanding the different jobs that each of them have to do to get the best outcomes for the Shire.

Councillors and Council staff need to:

- a) trust each other that they are doing their job to the best of their ability;
- b) talk to each other openly, through the CEO, to sort out any problems when they come up that might harm their ability to do their job;
- c) be honest in any work they do for the Shire.

The Strategic Plan and the Business Plan tell the Councillors and the Council staff what they have to do to get the best outcomes for the Shire. They all need to understand that these are the Council documents that direct their work.

To work successfully together, elected members and staff need to:

- a) trust each other while carrying out their separate roles for the good of the Shire;
- b) work out a good way of passing on information through the CEO including, at times, using interpreters to pass on information that a Councillor might need to make a decision for the people of the Shire;
- c) agree on a set of protocols (rules about the way to do something) so that everyone knows that elected members have a right to see and get information from Council staff, through the CEO, about things to do with the business of the Council;
- d) understand that elected members have a job to do in speaking up for their ward as well as the whole of the Shire through setting the direction of the Strategic Plan and the Business Plan;
- e) respect the ideas and beliefs of elected members and Council staff by making sure that there is no public criticism of anyone that might make the Shire residents question their ability to do their job;
- f) make sure that elected members and Council staff do not use their position with the Council to influence anyone in order to get something for themselves, a family member or others.

#### Use of information

Central Desert Shire Council members represent the people of the Shire so their job is to act in the best interest of the people by responding to their ideas and issues. But they also have the job of telling the people about the ideas and decisions that the Shire Council takes. To do both of these jobs well, Councillors should accept and let people know that:

- a) as a member of the Central Desert Shire Council they respect that the way the Council makes decisions is based on the majority of the Councillors voting for the decision;
- b) confidential information should not be told to anyone until the Council agrees, through a vote at a Council meeting, that it is no longer confidential;
- c) decisions that the Council makes about approvals or permits should only be passed on to the people who asked for the approval or permit by the Council staff member who has the job to pass on the information;
- d) information given to Shire members about policies, procedures and decisions of the Council should be correct;
- e) when they speak to the public, or when they have permission to speak to the media, they make it clear whether they are speaking on behalf of the Council or as an individual;
- f) when giving a personal view on an issue they should be careful not show disrespect for the Shire Council, the decisions the Council makes and the way it makes decisions, and should not show disrespect for other elected members or Shire staff.

### Confidential information

As members of the Central Desert Shire Council, Councillors and staff often get information that needs to be treated carefully and to be kept confidential.

It is against the law for Councillors and Shire staff to use information that they get through their job with the Shire, for personal or financial gain or for the gain of family or friends or business associate. There are strict penalties, including going to jail, written into the *NT Local Government Act* for people who break the law. When carrying out their duties Central Desert Shire Councillors and staff are expected to:

- a) follow the law and follow any policies that the Shire has made on how to use Shire information;
- b) not use confidential information for personal benefit or the benefit of family or friends or business associate;
- c) think carefully about how they collect and use confidential or sensitive information;
- d) keep a balance between the rights of the Shire residents to know what Council is doing with the need to think about the serious damage that could be made to the Council if confidential Council information is given to other people;
- e) make sure that they do 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;
- f) follow any order that the Shire or a Shire committee makes that says that a document or information should remain confidential until the time when the Council decides that the information is no longer confidential.

### Conflict of interest

A Central Desert Shire Councillor has a conflict of interest if the Shire Council is going to vote on something that the Councillor or a family member or friend or business associate has a personal or financial interest in the outcome. If a decision that the Council makes helps the Councillor or his/her family or a friend or business associate to make money or to get a benefit, for example getting a contract to fix the local roads, this is a conflict of interest.

The *NT Local Government Act* describes the penalties, including going to jail, for Councillors who do not tell the Shire Council that they have a conflict of interest in a matter that the Council or a Committee of the Council may be discussing.

Councillors and staff need to:

- a) make sure that there is no conflict of interest between their personal interests and the work they do for the Council;
- b) tell the CEO about work that they do with someone outside of their Council work who has a contract or might get a contract of work from the Council;
- c) not take part in any recruitment or other jobs for the Council that involves a close family or friend or business associate.

**Disclosure of interest**

- a) Councillors and staff must tell the CEO if they think that they have a conflict of interest as soon as they know;
- b) when a Councillor sees that he/she has a conflict of interest at a Council meeting, Local Board or Committee meeting, the Councillor must tell the Chairperson or the CEO;
- c) the Councillor should then leave the room where the meeting is being held until the Council, Committee or Local Board has finished with that particular item;
- d) the CEO has to write down the Councillor's conflict of interest in the Council "Register of Interest".

**Personal benefit**

- a) Central Desert Shire Councillors and staff must not use their position to persuade other Councillors or members of staff to do things in their jobs that will give them or a family member or friend or business associate 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 as part of their Council duties 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 Mayor or President or the CEO immediately.

**Residents' expectations**

The Central Desert Shire Council is the closest level of government to the people who live in the Shire. The Council offices are close to the people and the Councillors live in the towns or areas that make up the wards. This means that people living in the Shire see and hear about how Councillors and staff behave and how Councillors and staff work for the Shire.

The residents of the Central Desert Shire expect Councillors and staff to:

- a) be personally honest and to act professionally at all times;
- b) be honest and fair when working with members of the Shire and make sure that they do not offend or embarrass anyone that they work with;
- c) make sure that they don't discriminate against anyone because of their race, sex, sexuality, marital status, pregnancy, physical impairment, intellectual impairment or age;
- d) think about their position with the Council when they are in a situation where they see a conflict between their Council role and their private role;
- e) make sure that the Shire Council has good processes to respond to complaints and concerns from Shire residents.

### **Allowances for elected members**

Central Desert Shire Councillors usually get a small amount of money to help them with the cost of working for the Council as well as doing their job in their wards. Mayors or Presidents and Deputy Mayors or Deputy Presidents are usually paid an extra amount of money because they do extra work in their roles. The money is called an allowance and the Council votes on how much will be paid each year as part of the Shire budget. The Guidelines in the *NT Local Government Act* tell the Council the biggest amount of money that Councillors can be paid for this allowance as well as for an electoral allowance. Councils can choose to pay their Councillors less if they want to.

Councillors can also get a small amount of money called an electoral allowance to help them do work in their wards. This money is called an electoral allowance because the people who vote for them in their Ward make up their electorate.

Council can also agree to pay for a Councillor, who asks for help with payment, to go to training and development sessions that are organised by people outside of the Council. The Council has to agree to pay for the Councillor to go to the training and development meeting before the Councillor can go. Usually the Mayor or President has to approve payment for this sort of training and development.

The CEO has to agree to pay for any Council staff member, who asks for help with payment, to attend any training and development sessions that are organised outside of the Council.

### **Expenses for elected members**

Expenses are the amount of money paid to Councillors when they have to travel to go to a Council meeting, a Local Board meeting or a Committee meeting or anywhere on Council business. Central Desert Shire Council will vote on how much Councillors will get paid for their travel and meal expenses. This will be part of the Council budget and so will be voted on each year.

### **Travel and Meal costs**

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

## **Communication and Public Relations**

Good communication and clear communication pathways between Central Desert Shire Council staff and the Councillors builds good governance.

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

A good working relationship between the President and the CEO is very important in building good communication throughout the Council. Good communication is built through the



President meeting with the CEO to talk about matters that are important for the good management of the Shire.

Regular meetings between the President and the CEO will help them to:

- a) understand each other's role and so do their jobs better;
- b) work out solutions to any problems that might come up between Council meetings;
- c) not be surprised by unexpected things that happen with Council business or Shire issues;
- 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**

Councillors should get all of the information that they need to do their job at Council meetings from the CEO. Sometimes they might need to check on some information or get more information before the next Council meeting so that they can help their ward understand what the Council is doing. When this happens Councillors must go through the correct Council rules for talking to Council staff. This can include asking for the information from:

- a) the CEO;
- b) the senior Council officer, approved by the CEO to give out information, who is responsible for the area that they are interested in.

Councillors should make sure that they know who the correct person is to contact if they need information, and if they are unsure, ask the CEO first.

#### **Communication to Council members outside of normal meetings**

Communication outside of the Council meetings between the CEO and the elected members on matters of Council business can be done in many different ways. Here are some common ways the CEO might use to communicate with Councillors outside of Council meetings:

- fax;
- emails;
- telephone conversations;
- videoconferencing;
- teleconferencing;
- one-on-one visits;
- DVD distribution;
- web-based chat rooms;
- podcast downloads.

Communication protocols (rules about the way to do something) for Council members who do not speak English fluently and/or who find it difficult to read some written texts in English should be used to make sure that the Council member has all of the information that they need to make decisions. This might include:

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- a) the use of an Interpreter one-on-one;
- b) small group information sessions where topics can be discussed in language, supported by an interpreter;
- c) small group or one-on-one sessions with diagrams, pictures, graphs, and charts supported by plain English spoken texts;
- d) information presented appropriately for non-English speakers copied onto DVD and distributed;
- e) information that can be downloaded onto an iPod;
- f) The use of text to speech computer software.

All of the above strategies can be delivered via electronic media, where there is the right infrastructure and where Councillors can get the technical support to download and/or play back the information that has been sent. The CEO is responsible for making sure that every Council member gets the information that they need in an easily understandable and accessible way.

Protocols for using interpreters appropriately and respectfully should be carefully followed. Information about these protocols 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) media releases from the President or the CEO on topics of special importance to the Council;
- b) media releases about Local Government issues from other people, for example the Territory or Federal Government;
- c) information about Council business that is so important that it cannot wait for a Council meeting;
- d) meeting papers and documents that need to be understood before the next Council meeting.

### Public relations

It is very important that the people of the Central Desert Shire are happy with the image of the Shire Council. They need to feel happy and confident that the Shire Council is working for their best interest and is doing this professionally and honestly. Council members and Shire staff should talk positively about the work of the Council through all the different forms of communication they use. Forms of communication are the different ways that the Councillors and Council staff can use to pass on information to the Shire residents.

Forms of communication might include:

- telephone responses to public enquiries;
- telephone hotlines;

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- web site information;
- newsletters;
- advertisements;
- public notices;
- media releases;
- fact sheets;
- brochures;
- letters;
- public consultations;
- displays at significant community events;
- promotional DVDs;
- public broadcasts through community radio or television

All forms of communication should be accurate, professional and easy to access by Shire members and other interested people so that the Council is seen as a confident, professional organisation working for its residents.

### **Talking to the media**

The President of Central Desert Shire will be the main person in the Council that talks to people from the media including television, radio and newspapers about Council business. The Deputy President can talk to the media when the President is away.

The CEO will write any information for the President that the Council wants to send out to the media, and will check it with the President before it is sent out. The CEO will then send the information to all Councillors.

### **Consultation and Communication**

Central Desert Shire Council will demonstrate leadership through engaging with the various groups in the Shire so that as Councillors for their ward, they can be called directly to account for their actions.

A key function of Local Boards is to provide a place where Councillors can talk with Ward residents and where Ward residents can talk to the Councillors about local government issues in their part of the Shire.

In this setting Councillors can have a conversation about the level of service that the Ward needs and Ward residents can ask questions and give information about matters that are important to them. Through this conversation members of the Local Board can give their ideas about the Shire Strategic and Business plan and the Regional Management Plan, which the Council develops with NT Government agents and the other Councils in the Central Australian Region.

This level of engagement should allow for a good relationship to grow between the Council and the residents of the Council Wards.

Consultation with other important groups within the Wards is equally important if they are not members of Local Boards. In Central Desert Shire these groups include pastoralists, small businesses, tourism resorts, mining companies and other industries. Shire Councillors will work with these groups to make sure that their ideas are also part of the Shire planning but also to make sure that they get information from their Ward Councillor about the work of the Council. Councillors will make opportunities for these interested groups to ask questions and give their opinions about services and issues that are important to them as well as to comment on the services that the Council provides to support their interests.

Communication with all of the groups within the Shire in a two way flow of information between Councillors and Shire residents is the foundation for good Governance.

## **Central Desert Shire Council Code of Conduct**

### **Code of Conduct for Councillors and staff**

The *NT Local Government Act* says that all Councils must write down and agree to a Code of Conduct for elected members and then post it on the Council web site. A Code of Conduct tells Councillors how the Shire wants them to behave when they do their work and tells the Shire residents how they can expect a Council member to behave in doing their work. A Code of Conduct should be written by the people who have to follow the rules so that they all agree about the rules that are written down. The people of the Central Desert Shire should also be asked about the behaviour that they expect from their Council.

Central Desert Shire Council will agree to a Code of Conduct at the first meeting after the General Election. When staff get a job with the Central Desert Shire Council they must agree to keep to the Council Code of Conduct.

The following is an example of a Code of Conduct that is based on the information in the *NT Local Government Act* and other best practice. The Shire Council might want to use this as a starting point for their Code of Conduct. When the Council accepts a Code of Conduct a copy should be put on the Council website and put up in Council buildings and other public places where Shire members can see it.

### **Central Desert Shire Council Code of Conduct**

Central Desert Shire Councillors and staff of the Central Desert Shire will:

- a) act properly by following the law, be seen by the Shire residents to be following the law and keep to the Shire Council Code of Conduct;
- b) act as carefully as possible and be fair, open and honest when doing their Council work on behalf of the Shire;
- c) work at all times in the best interest of the Shire;

- d) behave with courtesy towards other elected members, Council staff and members of the public;
- e) Shire Councillors will not tell Council staff to do work for them or interfere with the work of Council staff or reprimand or bully Council staff;
- f) respect the rights of all people from all cultural backgrounds and not discriminate against others for their opinions because of their cultural background;
- g) make sure that they have no conflict of interest between their private lives and their public lives as members of the Council. When they know of a conflict they must follow the law and tell others of the conflict;
- h) keep all confidential information, gained through their position as Councillor, confidential and not use confidential information to gain a benefit for themselves or others or to hurt others;
- i) not ask for or accept gifts or benefits from anyone who might possibly gain from a Council decision;
- j) be prepared for people to check on their performance as a Shire Councillor or staff member, as well as to check on their use of Council resources;
- k) accept and act on the lawful policies of the Shire that have been agreed to by the Council even if they don't personally agree with them;
- l) not accuse other people of wrong behaviour or say things about others that may be harmful to them unless they are sure that what they say is true;
- m) make sure that the Council follows proper administrative practices and behaviours as well as good management practices;
- n) Work with all Council members to work out problems in a positive manner.

### **Conduct at meetings**

Councillors and staff will not:

- a) stop or interrupt the meeting through behaving unprofessionally;
- b) use bad language including swearing or any other language that upsets other members;
- c) talk about the Central Desert Shire Council, a Committee of the Shire or a Local Board in a way that makes people think badly of the Shire, Committee or Local Board and damages its reputation;
- d) say things about other Councillors or staff members that suggest that the Councillor or staff member has acted wrongly or is of poor character;
- e) refuse or fail to follow a direction that the Chairperson gives at the meeting.

### **Use of Shire property**

Central Desert Shire Councillors and staff will:

- a) be honest about the way they use Shire property such as vehicles, office equipment, buildings, telephones etc, that they have access to as part of their role, and make sure that they use the property properly and not let others use it;

- b) use the property that they are allowed to use in the best way possible that keeps the costs down for the Shire Council;
- c) use Shire property only for Shire work unless they are allowed to use it for private business as part of their conditions or unless they have special permission from the Council.

### **Appointment to other Bodies**

As part of their role as a Council member, Central Desert Shire Councillors and staff may be asked to represent the Central Desert Shire Council on Committees or with organisations outside of the Council such as Business organisations, Health Boards or other Government and Community based organisations.

When they agree to join these outside organisations as representatives of the Central Desert Shire, Councillors and staff need to:

- a) understand that they are working with the organisation as a member of the Shire Council and must keep to the laws that govern the Council as well as the Council's Code of Conduct;
- b) make sure that they know all of the Shire policies that the organisation might want to talk about;
- c) speak up for the Shire and its people;
- d) make sure that they keep the Council's business as the most important thing when they work with the outside organisation and not try to help the organisation get special favours from the Council;
- e) tell the Shire Council about their work with the outside organisation each time they do some work with the organisation;
- f) tell the Shire if they agree to do something for the organisation that might cause a problem with their role as a Council member.

### **Keeping to the Code of Conduct**

All Councillors need to make sure that Councillors keep to the Central Desert Shire Council Code of Conduct. When a Councillor does not keep to the Code of Conduct the Council should use the rules written in the *NT Local Government Act* to work out what they need to do about the Councillor's behaviour.

Any Councillor that breaks the rules of the Council Code of Conduct that are written by the Council and are not rules that are written in schedule 2 of the Act, should be dealt with by the Shire's own processes. The CEO of the Council will need to write a report for the Council when a Councillor breaks the Code of Conduct so the Council can decide what to do.

The CEO must manage any problems with Shire staff that break the Code of Conduct.

## Council Functions and Business

### Key Council Functions

#### Elections including voting systems

The *NT Local Government Act* and the Regulations that are part of the Act, tell Councils how elections have to be managed in the Northern Territory for Local Government Shires. Every four years elections must be held in the Central Desert Shire so people can choose their Ward Councillors for the Shire Council. These elections are called General Elections.

When a Councillor leaves the Council for personal reasons and there is at least 12 months to go before the next General Election, there is an election just for that Councillor's position so that there is the full number of Ward Councillors to speak for Shire residents. This is called a By-election.

#### Training for newly elected Councillors

After the General Election, the CEO of the Central Desert Shire will bring the new Councillors together to talk to them about how the Council works and how the new Councillors can work best for the Central Desert Shire. This meeting will happen before the first ordinary Shire Council meeting after the General Election so that Councillors have information that they need to do their job. The first ordinary meeting will be held within 14 days of the General Election.

Even though new Central Desert Shire Councillors bring with them lots of ideas and ways of doing things that will help them to do a good job as Shire Councillors, new Councillors often do not have experience of working in Local Government. This first meeting is to give them information about their new job.

This meeting is called an induction meeting and is meant to help new Councillors understand the work of the Central Desert Shire Council and their role in the Central Desert Shire Council. At this meeting the CEO can also find out about any special needs of the Councillors so that the correct support can be given to make sure that the Councillor can do their job properly. This will be done privately by the CEO or by a member of the Council staff meeting with each Councillor or by the Councillor doing a self assessment activity.

Councillors may ask for support because they need:

- a) wheelchair access or assistance with access because of a physical disability;
- b) hearing assistance because of a hearing impairment;
- c) interpreter support, translations or spoken text support because English is not their first language or because they have a visual impairment.

The Shire Council must give a Councillor, who has any of these special needs, the support that they need to help them to do their job properly for the people who voted for them.

The induction session is only the beginning of the training for Central Desert Shire Councillors and really only talks about the most important information that Councillors need to know to start their work. The CEO will organise training meetings throughout the year to give Councillors all of the information that they need to do their job properly. The CEO will talk to the Councillors each year to find out about the things that Councillors want to learn. These things will be written down in the Central Desert Shire Council Training and Development Policy.

The training meetings for Councillors might be at a different time to the ordinary Council meetings or they might be added after the general Council business has finished.

Things that a new Central Desert Shire Councillor needs to know to get started in their work are:

- a) the *NT Local Government Act* and other laws that tell Shire Councillors what they must do;
- b) the role, functions and objectives of the Shire Council;
- c) the Shire Council Strategic and Business Plans;
- d) the different positions in the Shire Council administration and the jobs that each person does (shown in an organisation chart);
- e) information about how the Shire Council works and the way the elected Shire Councillors and the Council workers and staff work together;
- f) a list of the dates for all Shire Council meetings with the time and place where they will meet;
- g) a chart showing how the Shire Council makes decisions in meetings;
- h) the services and facilities that the Shire Council provides for the Shire and what it doesn't provide;
- i) the budget and charts that show how much the Shire Council has spent and how much is left;
- j) the role and responsibilities of a Shire Councillor;
- k) the Shire Council Code of Conduct;
- l) the role of Committees and Local Boards and the work that Shire Councillors have to do with the Committees and Boards;
- m) the Councillor training and development program;
- n) who to ask or where to go to get more information.

#### **Induction for a New President**

A new President will need to have a special induction program to tell them about their role as a leader, their role as Chair of the Council meetings and their role as President in working for the whole of the Central Desert Shire.

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

The Central Desert Shire Council appoints the CEO. The Council must check that the CEO is doing his/her job properly each year before the end of the financial year on 30 June. This checking is called a performance review. The President should work with the Shire Councillors



to decide how they are going to fairly check the CEO's performance and then to make sure it is done properly. An outside Human Resource Management company can help the President and the Councillors work out how to do the review and how to get the information that they need so that the review is done fairly.

### **Monitoring and Review**

Central Desert Shire Councillors have to check that the Council is completing all of the things that the *NT Local Government Act* asks it to do. This is what we mean by monitoring and reviewing. To monitor is to check that things are being done properly and to review is to think about what might be working well and what needs to be done better and then writing any changes into the Council plans and policies.

The CEO tells the Council what the Council staff is doing to make sure that the Council complies with or follows correctly the *NT Local Government Act, Regulations and Guidelines*.

The Minister can appoint inspectors of local government who have the power to check that the Central Desert Shire Council follows all of the laws that govern the work of the Council.

### **Delegations**

The Central Desert Shire Council can delegate some of its powers and functions to a Committee or Local Board or to the CEO. This means that the Council can ask a Committee, a Local Board or the CEO to do some of its work.

The Council cannot:

- a) delegate its power to collect rates;
- b) delegate powers that are part of the CEO's job, for example to employ Council staff.

If the Council delegates any financial powers to a person that might mean that the Council has to pay a debt then the Council must set a limit on the amount of money that the person can spend.

### **Committees**

Committees can do work for the Council that the Council delegates to it. For example, a budget Committee made up of nominated Councillors, the CEO and the Director of Corporate Services can work out the budget plans and then tell the Council about the plans so that the whole Council can make the decisions about how to spend the Council's money.

Committees can also advise the Council about work that the Council might like to do, for example to think about the best ideas for getting tourists and businesses to come to the Shire, or to work out how the Council can work with local youth groups to find out what facilities they might need for their activities. The Committee then tells the full Council about its ideas through a report and the Council decides what to do.

Committees can ask people from outside of the Council to be on the Committee to help work out the best things for the Shire.

The Committee can only work under the direction of the Council.

### Local Boards

Central Desert Shire Council can also form Local Boards to help Councillors to work closely with their Wards. The *NT Local Government Act* explains the role and function of Local Boards in the Central Desert Shire. Please refer to Part 5.1 of the *NT Local Government Act*. The Central Desert Shire Councillors will make sure that Local Boards have people on them that have the support of the Ward or area residents.

The Shire Council will pay out-of-pocket expenses to members of Local Boards, but no sitting fees. Out-of-pocket expenses are reimbursed. Travel, accommodation and meal arrangements are made before meetings so that everyone knows the details in advance and can make their plans.

Things that the Shire might want to think about when starting up a Local Board:

1. Membership
  - How will the community have a say in choosing who should be on the Local Board?
  - Should there be the same number of men and women on the Local Board?
  - Should older and younger residents be represented on the Local Board?
  - Should family groups be represented on the Local Board?
  - Should community organisations and businesses be represented on the Local Board?
  - How many people will be on a Local Board?
  - How will ward Councillors work with the Local Board?
  - What skills do residents need to have to work on a Local Board?
  - How long should a resident be allowed to stay as a member of a Local Board?
2. Support
  - What support should the Council give to members of Local Boards to help the Local Board to do its job properly?
  - Does the Council have the money and other resources available to be able to help the Local Board to do its job properly?
3. Roles and Functions

Within the functions written down in the *NT Local Government Act*,

  - Should there be Local Boards with different roles to meet the needs of different communities?
  - Should the Council think about writing down the roles of individual Local Boards?
4. Communication
  - How should the ideas of the Local Board be passed on to Council?

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- How will the Shire Council tell Local Boards that it agrees or doesn't agree with its ideas?
  - How will other residents learn about what the Local Board is doing on their behalf?
5. Meetings
- How often will Local Boards meet?
  - How long should meetings take?
6. Review
- Should the Shire Council have a way of checking the work of Local Boards to see if they are working properly after a period of time?

### Strategic Plan, Business Plan and Budget

Good planning turns the hopes and ideas of the people of the Central Desert Shire into Council services that give the people the things that make their Shire work well for them.

A Strategic Plan is the way Central Desert Shire Council can put the ideas of the Shire residents into action. Councillors and Shire residents must help to decide what goes into the Strategic Plan so that the Shire Council is sure that it is delivering services and providing facilities that the people of the Central Desert Shire want and are happy with. The Councillors must work with their wards through Local Boards and other ways to be sure that they know what the people need.

Written into the strategic plan are the Council's vision and strategic direction for the Shire Council. The vision and strategic direction tell the Central Desert Shire residents the way the Shire Council will govern and the services and facilities it will provide for all of the people in the Shire. This must be in a way that:

- the Council can continue into the future;
- the Council can afford;
- is best for the social well-being of the Shire residents.

The Strategic Plan gives the direction or shows the way for the Shire Council Business Plan. The Shire Business Plan has the actions that the Council must take to be able to do the things that it has agreed to in the Shire Strategic Plan. The Council must look at the Shire Business Plan every year to agree on the budget and to check that the services and facilities and the strategies that the Council will use to deliver them still match the needs of the people of the Central Desert Shire.

The budget is worked out from the amount of money the Council gets from different sources such as Government grants, collecting rates and taxes and from money in the bank that the Council has in investments. The CEO then works with a finance or budget Committee to work out how much money the Council can spend on providing the services and facilities that the Council has agreed that it wants to provide for the different sections of the Shire. The full Council decides on the final budget.

### Financial Management

As well as putting together and keeping a check on the budget, the Council must work out proper financial management and accounting processes that meet the needs of the *Local Government Accounting Regulations*, the *NT Local Government Act*, the *Australian Accounting Standards* and any Federal Government Acts that ask for things like BAS reports, ABS reports and the management and acquittal of any Australian Government grants. Good financial management is one of the most important parts of the Council's work, so Councillors must make sure that the Council finances are properly managed and reported on. This is why financial reports that everyone can understand have to be part of every ordinary Council meeting.

The CEO puts together the Strategic Plan, the Business Plan, the Budget and the Financial Management plan for the Shire Councillors to talk about and agree to. But the Councillors must be part of the consultation and discussions before agreeing to these plans.

### Risk Management

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

- a) find out what the risks might be for the Council in carrying out its business;
- b) work out how to manage these risks;
- c) tell the Council about things that can be done to manage these risks.

Risks can be internal or external to the Council's business. For example an internal risk might be that too many staff leave the Council too often and to get good staff is very hard. This makes everyone else's job hard because there are not enough people to do the Council work. The risk for the Council is that it can fall behind in delivering quality services to the people of the Central Desert Shire.

An example of an external risk might be that the Federal Government decides to close down some of the services that it has been responsible for delivering in the Shire that are not part of the Council's core service delivery plan. The Shire residents might then think that the Council should deliver that service. The risk for the Council is the pressure from the Shire residents to do something which puts pressure on the Council budget.

### Record keeping

The CEO must make sure that there is a good record keeping system working in the Shire Council that keeps track of all Council business and documents.

### Policy Development

Another part of the work of the Central Desert Shire Council is to agree to policies that help the Shire Council to do its job well and to help Councillors and staff to make good decisions. Policies tell people what the Council expects them to do. They also make sure that things that people do are to a good standard and are followed by everyone in the same way. Policies

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usually have procedures which tell people how they should do something. Central Desert Shire Council will have a number of policies such as:

- records management policy;
- breaches and complaints policy;
- training and development policy;
- internal reporting policy;
- communication policy;
- Human Resources Management policy; and so on.

Some policies might only be needed for Shire Council staff. The CEO has to keep a good record of the Central Desert Shire Council policies and make sure that they are up-to-date and checked by the Council from time to time.

### Annual report

In November of each year the Council must tell the Minister for Local Government about the work the Council has done in the financial year ending June 30 of that year. A financial year is from July 1 to June 30 of the following year. This report to the Minister must include the Council's audited financial statement which shows how the Council has spent its money and what the Council has left to spend, and a report about what the Council has done to meet the performance indicators written down in the Shire plan. The performance indicators are the list of things that the Councillors have agreed that the Council will do in delivering services and providing facilities to the people of the Central Desert Shire.

After the Minister has got the report from the Council, the CEO must post the Annual report onto the Council website and have copies for people to see 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 talk about and decide on business that is important for the management of the Shire.

The first ordinary meeting for the Central Desert Shire Council after a General Election must be held within 14 days after the end of the elections.

#### Special meetings

A meeting called a "special meeting" can be held at any time when the Shire Council needs to talk about one important matter that cannot wait for an ordinary meeting.

### Calling (Convening) a meeting

The CEO is in charge of calling and organising ordinary Central Desert Shire Council meetings. Calling a meeting means telling Councillors where and when the meeting is going to be and what the meeting is about. The information to call a Council meeting must be in writing. Ordinary meetings are usually held every month on the same day and at the same time so that all Councillors, and Shire residents who want to come to the meeting, know when the meeting will be. Central Desert Shire Council will also hold its ordinary Council meetings in different parts of the Shire so that local communities can see the Council at work. The place for these community based meetings will be listed on the Council website.

- The President or 3 or more Shire Councillors can ask the CEO to call a special meeting to talk about and decide on a specific matter that might need to be talked about before the next ordinary meeting.
- The Council members can also vote to have a special meeting.

If for any reason, the CEO does not call an ordinary meeting or a special meeting, as described in the *NT Local Government Act*, then any Council member can call the meeting.

When a meeting is called, the CEO must put the information in writing and give it to the Councillors. The *NT Local Government Act* says that for an ordinary meeting the information must be sent at least 3 working days before the day of the meeting. The Central Desert Shire CEO will give information to the Councillors one week before the meeting. For special meetings the information must be sent at least 4 hours before the time of the meeting.

The information for a meeting may be given to a Shire Councillor:

- personally;
- by post;
- by email;
- by fax;
- or any other way that the Councillor and the CEO have agreed to.

The most important thing is that the Shire Councillor can understand the information. This means that the CEO must make sure that:

- the material is translated or interpreted or presented in chart or picture form for those Councillors who do not speak or read English to the level needed to easily understand Council papers;
- or is made available in a way that Councillors with sight or hearing impairment can easily access it.

Plain English should be used in all Council material.

The information for the meeting will:

- give the date of the meeting;
- give the time of the meeting;
- say where the meeting will be held;
- say what the meeting will be about in the agenda;
- be posted on the Council's website well before the meeting time;
- be posted on a notice board in the Council's main office and other local offices where it can be seen by the Shire residents.

### **Business to be talked about at a Council meeting**

At an ordinary meeting any business that the Shire Councillors want to talk about can be asked to be put on the agenda.

At a special meeting only the one piece of business that the meeting was called for can be talked about unless all of the Councillors are at the meeting and agree that other things can be talked about as well.

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

Councillors can ask the CEO to put topics that are important to their ward onto the agenda for an ordinary Council meeting so that all Councillors can decide what to do. At an ordinary Council meeting, Council staff will give information to the Councillors about the work that they are doing in the Shire. Council staff can also give Councillors information about topics that the Councillors asked the Council staff to get ready for them at the last meeting.

A meeting agenda and the papers that come with it will usually have some or all of the following things:

1. Notice of meeting – information about the meeting, where and when it will be held.
2. Names of Councillors, staff and visitors who are at the meeting (this also means anyone who might be attending the meeting through teleconference or videoconference).
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.
4. Conflict of Interest statements.
5. Questions and statements from the Public present at the meeting.
6. Agreement that the minutes from the previous meeting are correct.
7. Time for Petitions, Deputations and Presentations to be made to the Council.
8. Agreement that Councillors are happy to talk about the items on the 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 accepted or not.

## Business Plan

12. Questions with notice – questions that have been written down and seen by the Councillors before the meeting.
13. Questions without notice – questions that a Councillor asks at the meeting without other Councillors seeing them first.
14. Business from a previous meeting that is not yet finished.
15. General Business – things that are new ideas or topics that Councillors want to talk about at the meeting that they haven't talked about before.
16. Completed business – things that the Council has made a decision about.
17. Reports from the CEO, Directors of Infrastructure, Corporate Services and others.
18. Financial and Budget matters.
19. Motions that Councillors know are going to be put.
20. Notice of Motions for the next meeting.
21. Confidential matters
22. Next meeting time.
23. Time the meeting closed or finished.

All information for the meeting needs to be made ready in a way that people can easily understand it.

At each Council meeting the Councillors must decide on two things:

- a) the Council budget and;
- b) decisions that need the Council to make a policy. A policy is a paper that tells Councillors, staff and the Shire residents what the Councillors say should be done about things that are important for the work of the Council. For example a Council policy on Training and Development tells Councillors what the Council CEO will organise for their training and for the staff training.

At each meeting the Council staff have to give the Councillors a Business paper that tells the Councillors if the Shire budget has been overspent or not and if the accounting that keeps a check on the budget is up to date.

Usually the Business paper includes:

- a) a budget comparison report to tell Councillors how much money has been spent in the month which they can compare with the month before;
- b) a balance sheet to show Councillors how much money has been spent in the budget and how much is left to spend;
- c) bank reconciliations that are papers from the bank that show how much money is left in the bank;
- d) investments – these show where the Council has put some of its budget money that it hasn't yet spent so that it can make some interest for the Shire before it needs to use the money for the programs that it has agreed to for the Shire;
- e) debtors - this is a list of people and businesses that owe money to the Council.



## Meeting procedures – the way the Council manages meetings

### Chairing the meeting

The President of the Central Desert Shire Council is the Chair of the ordinary Council meetings. If the President is away then the Deputy President chairs the meeting. If both the President and the Deputy President are away then the Councillors who are present at the meeting choose who will Chair the meeting.

The Chair makes sure that the Councillors follow the agenda and keeps the meeting working properly on the business of the Council.

### Quorum

For a Council meeting to go ahead there must be a quorum. A quorum is the number of people that have to be present at a meeting so that there are enough people to make a decision. The *NT Local Government Act* says that a quorum at a Council meeting must be made up of a majority of Councillors. For Central Desert Shire Council the lowest number this can be is 7 because there are 12 elected members.

If there are not 7 Councillors present at a meeting after 30 minutes from when the meeting was supposed to start, then the meeting cannot start and the CEO has to organise another meeting and tell the Councillors when it will be.

### Teleconference or videoconference link

If a Councillor is working in their ward on urgent Council business, or is out of the Shire on Council or urgent personal business and is not able to attend the Council meeting the Central Desert Shire Council can agree at a meeting and through writing a policy that the Councillor might join in through a teleconference or videoconference link. A Councillor who joins the meeting in this way is counted as present but must be able to join in fully to all of the meeting. The CEO must work with the Councillor to make sure that they can join in before the meeting time.

### Meetings open to the public

Any member of the Shire can come to a Council, Local Board or Committee meeting to watch and listen to the Councillors and/or members talking about the things on the Agenda. Shire members cannot join into the discussions at the meeting.

When the Council has to talk about a confidential matter that cannot be made public, for example a business idea that cannot be shared with the people of the Shire until it has been agreed to, the people will be asked to leave the meeting until that item has been talked about.

### Decision-making procedures

Central Desert Shire Councillors make decisions at Council meetings through a majority vote. This means that Councillors talk about a topic and then decide to support or not support the decision. Each Councillor gets one vote. When the majority of Councillors vote for a decision,

which is often called a resolution, then this means the decision is carried and all Councillors must keep to the decision whether they agree with it or not. Decisions can be made on one thing, for example to write a letter to a Minister in the Government, or be on a number of things which are written into the one decision, for example agreeing to the Annual Business plan of the Shire.

Councillors show how they want to vote by raising their hand for the side of the resolution that they want to support. The Councillors can decide that they want to have a secret vote where the Councillors write down their vote on a piece of paper. All 12 of the Councillors must agree to this way of voting before it is allowed.

### **Casting vote**

At the first meeting of a new Council the Councillors have to decide what to do if there is 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 taken.

Once the Councillors agree to give the President a casting vote they cannot change that decision until after the next General Election.

### **Actions on Council decisions**

The Central Desert Shire CEO will make sure that Council staff follow through with the action/s of a Council decision and then report back to the Councillors on what has been done.

### **Minutes of the meeting**

The Central Desert Shire CEO must make sure that minutes of meetings of the Council, Local Boards and Committees are taken so that everyone can know what the Councillors talked about and agreed to. The CEO must put a copy of the minutes on the Council website and on noticeboards in Council offices within 10 days of the meeting so that the people of the Shire can see what the Councillors talked about and agreed to.

The CEO must make sure that minutes can be understood by people who cannot read English. One way to manage this is to post the minutes with a text to speech facility. Another way is to present the minutes as a podcast download.

Until the minutes are agreed to at the next meeting the minutes on the website and the noticeboards must warn people that they have not been agreed to as correct until the next meeting.

At the next meeting the Council, Local Board or Committee members must agree that the minutes are correct.

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