



Council Guideline

Elected Member Induction Manual

City of Albany 2015

102 North Road, Yakamia WA 6330 | PO Box 484, ALBANY WA 6331

Tel: (08) 9841 9333 | Fax: (08) 9841 4099 | Email: staff@albany.wa.gov.au | Website: www.albany.wa.gov.au

Document Approval			
Document Development Officer:		Document Owner: <i>(Member of EMT)</i>	
Manager Governance and Risk Management		Chief Executive Officer	
Document Control			
File Number - Document Type:	CM.STD.4 – Guideline		
Synergy Reference Number:	NG1548885		
Meta Data: Key Search Terms	Elected Member Induction Manual		
Status of Document:	Administrative decision: Approved.		
Document file details:	Location of Document: Intranet, Extranet N:\Corporate Services\Governance and Risk\Corporate Documents		
Quality Assurance:	Chief Executive Officer		
Distribution:	Public Document		
Document Revision History			
Version	Author	Version Description	Date Completed
1.0	Council Liaison	Original manual (NG1013577_6) fully revised, including minor administrative and formatting amendments.	24/09/2015
1.1	Manager Governance & Risk Management	Minor amendments, inclusion of reference to Councillor professional development training and minor editing.	25/09/2015
1.2	Manager Governance & Risk Management	Approved by CEO.	16/10/2015

TABLE OF CONTENTS

Purpose	5
Scope	5
Primary Point of Contact	5
Declaration of Office.....	5
Induction/Training Courses Available	5
Councillor Professional Development Program.....	5
Importance of Honesty & Integrity	5
Code of Conduct.....	5
Gifts	6
Access to Council Offices and Council Chambers.....	6
Elected Members access the North Road Administration Office	6
Security Access:	6
Parking:.....	6
How to arrange meetings with members of the Executive Management Team	6
Use of Council Property and Equipment.....	6
iPad:	6
Email:	6
Business Cards:.....	7
Dress Standards	7
Seating Arrangements in the Council Chamber.....	7
House Rules.....	7
Smoking:	7
Refreshments:.....	7
Media Comment.....	7
Access to Information.....	7
Elected Member Fees and Expenses	8
Contact Details	8
Insurance.....	8
Defamation and Limited Privilege Protection	8
Record Keeping	9
Publications	9
Council Organisation.....	9
Main Functions of Local Government	10
Corporate Services:.....	10
Community Services:.....	10
Works and Services:.....	10
Planning and Development:	10
Roles & Responsibilities.....	10
The Council:	10
Administration of local governments:	10
Functions of the CEO:	10
Council Meetings.....	11
Council Meeting Calendar:	11
Committee Terms of Reference:.....	11
Nominating to be on a Committee:	11
New Committee Member Information Sheet:.....	11
Effective Committee Chairing and Support Information Sheet:	11
Annual General Meeting of Electors:	11
Standing Orders Local Law (Meeting Procedures):.....	11
Drafting Councillor Alternate Motion and Amendments:.....	11
Committee Agenda Papers:.....	11
Leave of Absence	11
Council Operations.....	11
Community Strategic Plan:	11
Corporate Business Plan:	11
Council Policies.....	12
Annual Report	12
Role of Council.....	12
Role of Chief Executive Officer	12
Review Position and Date	12
Associated Documents	12

Attachments:

1. Council Policy: Corporate: Code of Conduct (Council Members, Committee Members, Staff and Volunteers)
2. Primary Return Form & Instruction Sheet
3. Gift Disclosure Form & Instruction Sheet
4. City of Albany Guideline: Mobile Devices Supplied to Staff and Elected Members
5. Travel Expenses Claim Form and Councillor Quarterly Mileage Claim Form
6. Elected Member Communications Policy
7. Councillor Profile Form
8. Ward Maps
9. Names and contact details of all elected members and the Mayor
10. Council Meeting Calendar for 2015 to 2016
11. Governance & Meeting Framework (*Terms of Reference for Council Committees*)
12. Effective Committee Chairing and Support Information Sheet & New Committee Member Information Sheet
13. Standing Orders (Amended) Local Law 2014
14. City's Corporate Business Plan 2014 - 2018
15. 2013 to 2014 City of Albany Annual Report
16. Asset Management Plans
17. Insurance Certificates of Currency
18. Economic Development Strategy 2013 – 2017
19. Financial Interests Handbook
20. Community Strategic Plan 2013
21. Guide to Local Government
22. Handling of Complaints by or against Elected Members
23. Handling of Complaints by or against the Chief Executive Officer
24. Council Policy: Mayoral Vehicle
25. Council Policy: Enterprise Risk Management
26. Annual Budget 2015 to 2016
27. Local Government Elected Members' Records: Which records to capture? – Information Sheet

Purpose

This guideline has been prepared to assist newly Elected Members in fulfilling their role and responsibilities.

Scope

This guideline is applicable to both current serving and newly Elected Members.

Primary Point of Contact

Should you have any questions regarding your induction, please contact the Council Liaison Officer on 9841 9323.

Declaration of Office

As a Councillor Elect, you will be required to make your Declaration following your election.

This will be held at 6pm, Tuesday 27 October 2015 in the Council Chambers, 102 North Road, Albany.

Please note: An offence will be committed should a Councillor Elect act as an elected member prior to making the necessary Declaration of Office.

Induction/Training Courses Available

An initial administrative induction will be held on Tuesday 20 October 2015 with individuals in the Council Lounge with the Council Liaison Officer.

Attendance on training course and briefings assists in building a strong Council team, both as a governance body and as a "social" team.

Professional development training courses will also be made available throughout the year.

The Western Australian Local Government Association ([WALGA](#)) runs a series of training programs specifically designed for elected members.

The following WALGA training sessions have been arranged for all elected members in Albany in February and March 2016:

- Serving on Council;
- Meeting Procedures (Standing Orders) and Debating;
- Land Use Planning; and
- Strategy & Managing Risk

Whilst attendance at organised training sessions is not mandatory, it is strongly encouraged.

In addition, Local Government Week provides an opportunity for further training and personal development.

A budget line exists for the provision of training to elected members, which may cover course costs, accommodation and travel, and reimbursement for meals.

Please contact the Personal Assistant to the Mayor and Councillors on 9841 9348 for training.

Councillor Professional Development Program

A councillor professional development program is currently being scoped, which will include a workshop run by the Australian Institute of Company Directors (AICD) and other specialist presentations on relevant subjects.

This program will run over twelve months and we are hoping to involve other Councils in the Great Southern. Further information will be provided in the near future.

Importance of Honesty & Integrity

It is essential that at all times elected members act with the utmost integrity, honesty, transparency and accountability, for their own benefit, their local government and that of the municipality.

Code of Conduct

The Code of Conduct for elected members, as required by section 5.103 of the *Local Government Act 1995*, provides guidance to elected members of the acceptable standard of professional conduct required.

A copy of the Code of Conduct is contained within this Induction Manual at **Attachment 1**.

Disclosure of Financial Interest in Returns

Under law Elected Members are required to submit Primary and Annual Financial Interest Returns. (*LG Operational Guideline – Number 21*)

Your Primary Return must be lodged within three months of the start date to the Chief Executive Officer.

This means that your Primary Return must be lodged with the City **no later than 17 January 2016**.

Written acknowledgement of the receipt of your return will be provided and your return will be placed on the Financial Interests Register.

A Primary Return Form and Instruction Sheet can be found at **Attachment 2**, which also details the significant penalties for failing to complete returns, providing false information and how to update information.

Gifts

Notifiable Gifts and Prohibited Gifts are to be disclosed in accordance with the *Local Government (Rules of Conduct) Regulations 2007*.

Under regulation 12 of the *Local Government (Rules of Conduct) Regulations 2007*, when a council member or staff member is given or offered a gift by anyone who is undertaking, or may be intending to undertake, certain dealings with the member's local government, the member is required to:

- Notify the local government's CEO within 10 days of any gift accepted with a value between \$50 and \$300; and
- Refuse to accept any gift valued at \$300 or more. When a council member is given more than one gift by the same person in a six-month period, all those gifts become 'notifiable' at any point that their total value is between \$50 and \$300, and further gifts from that person become 'prohibited' at the point that the total value of gifts accepted will be \$300 or more.

A notifiable gift means a gift worth between \$50 and \$300. A gift that is one of two or more gifts given by the same person within six months with a total worth of between \$50 and \$300.

A prohibited gift means a gift worth \$300 or more.

If, during your election campaign, you received assistance in excess of \$200 in value, whether cash or services, it must also be declared by you.

A Gift Disclosure Form and Instruction Sheet can be found at **Attachment 3**.

Access to Council Offices and Council Chambers

Normal office hours at the City of Albany Administration building are 8.00am to 5.00pm.

Elected Members access the North Road Administration Office

Security Access:

You will be provided with a security swipe tag which will enable access to the Councillor Lounge and Council Chambers.

Training in the use of this swipe tag will be provided at your induction.

The tag gives you 24 hour access to the Councillor Lounge and Council Chambers.

Should you wish to access the Councillor Lounge outside normal hours and the sensor is RED when you enter the building, you will need to re arm the building when you leave. Scan your disc over the sensor three times when leaving and this will re arm the building.

Parking:

Parking is provided at the front of the Council Chambers. Please use this parking when attending Council or Committee meetings.

When attending Civic functions held in the Civic Rooms, parking may be limited if large numbers of guests are attending. In this case, you may utilise the parking at the rear of the administration building, which can be accessed by turning left at the entrance to the car park.

If utilising the rear car park after hours, you will require to use your swipe tag to enter and exit the rear car park.

How to arrange meetings with members of the Executive Management Team

Should you wish to book a meeting with any of the Executive Management Team (excluding the Chief Executive Officer) please contact the Council Liaison Officer on 9841 9323 to make an appointment.

Should you wish to book a meeting with the Chief Executive Officer, please contact the Executive Assistant to the CEO on 9841 9302.

Use of and access to the Mayor's office is at the discretion of the Mayor.

Use of Council Property and Equipment

For administrative support such as photocopying, please contact the PA to Mayor and Councillors on 9841 9348.

iPad:

All elected members are provided with an iPad for use in their role as an elected member. A limit of 4 GB download per month is included at no cost to elected members. This iPad remains the property of the City and must be returned at the end of an elected member's term in office.

Assistance with your iPad can be provided, please contact the **Council Liaison Officer on 9841 9323**.

Wireless internet service and a telephone for your use are available in the Councillor Lounge.

Email:

A City email address will be provided to you for use in your role as an elected member. This email account is accessed via your issued iPad.

Use of mobile devices supplied by the City is covered by the City of Albany Guideline: Mobile Devices Supplied to Staff and Elected Members detailed at **Attachment 4**.

Business Cards:

Business cards will be provided with your preferred name, and contact details i.e. telephone numbers and email address. These business cards are provided for use in your role as an elected member only, and are not for use for electioneering or private business.

Please refer to section 8 of the [Local Government \(Rules of Conduct\) Regulations 2007](#) for your responsibilities under the Act with regards to direct or indirect use of local government resources.

Dress Standards

For Council meetings and functions men should wear smart business attire i.e. trousers, jacket and tie for men, and equivalent for women.

Other civic engagements and functions may require different standards of attire. Official invitations will specify dress standards, but if you are unsure the PA to Mayor and Councillors will be happy to provide assistance in this matter.

Seating Arrangements in the Council Chamber

The seating position of Elected Members in the Council Chamber is defined under Clause 6.1 of the City of Albany Standing Orders Local Law.

Clause 6.1 Seating Position of Members

(1) *At the first meeting held after each Election Day, the CEO is to allot a position at the Council table to each member.*

(2) Each Member is to occupy their allotted position at each Council Meeting.

House Rules

Smoking:

As a general rule Smoking is prohibited in all City of Albany buildings and grounds, however, there is a designated smoking area, outside, provided at the rear of the Council Chamber.

Refreshments:

Refreshments are provided in the Councillor Lounge. A meal will be provided following Council and Committee meetings.

The PA to Mayor and Councillors will provide assistance with training and travel arrangements, and also reimbursement claims. Elected members can be reimbursed for travel costs associated meeting attendance such as travel, child care and meal expenses. Receipts for this expenditure must be provided at the time of making the claim.

The Travel Expenses Claim Form and Councillor Quarterly Mileage Claim Form can be found at **Attachment 5**, and additional copies are available upon request.

A small supply of gifts and memorabilia bearing the City of Albany logo can be obtained from the Personal Assistant to the Mayor and Councillors.

Approval should be sought from the Mayor or Chief Executive Officer.

The Mayor will entertain Council guests in the Mayor's office. Should elected members wish to entertain guests, arrangements should be made on each occasion with the Personal Assistant to the Mayor and Councillors. The Councillor Lounge is available for any informal meetings.

Media Comment

Under the provisions of the *Local Government Act 1995*, the Mayor is the spokesperson to the media on Council matters.

The Mayor may, at his discretion, authorise an elected member to speak on his behalf.

The Elected Member Communications Policy can be found at **Attachment 6**.

Access to Information

Elected members may access certain documents beyond that which the general public can access; including the right to inspect any Council document dealing with Council business, providing it is relevant to a matter being discussed by Council.

The member who obtains such information is not to use the information for their own interests, unconnected with Council activities, or to detriment of Council. In deciding what is proper and reasonable access, a legal opinion on this issue states:

"The Council has a right to determine for itself what documents and correspondence a Councillor is entitled to inspect. In the absence however of such a decision, whether such a right exists, is properly determined by the Councillor's need to know the information contained in the correspondence or document.

Whilst there are no Australian court decisions directly on this point, the position in England is quite clear. The appropriate test has been dubbed the "need to know" test, which was examined by the House of Lords in *R v Birmingham City District Council* 1983 1 All ER 497 where it was held that:

- *A Councillor was entitled to have access to documents that were relevant to a particular committee of which he was a member provided that he had a good reason for such access; and*
- *A Councillor has no automatic right of access to documents of a committee of which he is not a member but could gain access to that information if he established that the information sought was needed by him to enable him to properly discharge his duties as a Councillor.*

The Chief Executive Officer must ensure that in granting the Mayor and elected members access to information there is compliance with the law, including State and Federal Privacy laws. This requires the Chief Executive Officer to ascertain why the elected member is seeking access, the precise nature of the request and the particular papers sought, together with any required consents from individuals the subject of the information, which is being requested.

If the request establishes motivation outside the general guideline of assisting the member in the proper discharge of their responsibilities, or is otherwise unlawful, the Chief Executive Officer is entitled to refuse such a request.

Elected Member Fees and Expenses

Under law, elected members receive fees for attendance at Council and Committee meetings, and reimbursement for the cost of travel and meals where applicable.

The Mayor and Deputy Mayor receive additional allowances with the Deputy Mayor receiving a payment equivalent to 25% of the Mayoral allowance.

Elected members receive an annual IT allowance of \$3,500. This is to pay for any IT requirements such as computer, printer, internet access or telephone.

Elected members allowances are paid directly into their bank accounts on a quarterly basis in arrears.

Your bank account details should be provided by you on the Councillor Profile Form which can be found at **Attachment 7**.

Elected Member allowances are prescribed by the Salaries and Allowances Tribunal. Further information can be sourced from the Salaries and Allowances Tribunal website: www.sat.wa.gov.au

Fee	Mayor	Deputy Mayor	Councillor
Mayoral Sitting Fee	\$29,500	0	0
Mayoral Allowance	\$27,000	0	0
Deputy Mayoral Allowance	0	\$15,000	0
Council Sitting Fee	0	\$22,000	\$22,000
IT Allowance	\$3,500	\$3,500	\$3,500
Per Annum	\$60,000	\$40,500	\$25,500

Contact Details

Please ensure that you complete the Councillor Profile Form contained (**Attachment 7**) in this Induction Manual and return to the PA to Mayor and Councillors as soon as possible.

Insurance

The Mayor and elected members and their spouse/partner are covered by personal accident

insurance whilst engaged in any engagement directly or indirectly connected with or on behalf of Council, including while travelling directly to and from the engagement.

Elected members are also generally covered by insurance against liability to pay civil damages, claimant's legal costs and the costs incurred in defending a claim.

To ensure they have the benefit of insurance cover, elected members have a duty to act prudently while performing duties connected with or on behalf of the Council.

Defamation and Limited Privilege Protection

Elected members should be aware that no Parliamentary Privilege exists in local government.

As an elected member you have both legislative and general obligations at law. An unfounded allegation made by an elected member which damages the reputation of another person may be defamatory. Most defamation actions are conducted as civil proceedings in which an award of damages is sought as compensation.

Section 345(1) of the Criminal Code of Western Australia establishes an offence of criminal defamation, specifically:

(1) A person who, without lawful excuse, publishes matter defamatory of another living person (the **victim**) —

- a. knowing the matter to be false or without having regard to whether the matter is true or false; and
- b. intending to cause serious harm to the victim or any other person or without having regard to whether such harm is caused, is guilty of a crime and is liable to imprisonment for 3 years.

Summary conviction penalty: imprisonment for 12 months and a fine of \$12 000.

(For defamation purposes, "publishes" simply means to communicate to another person.)

It is necessary to understand that an allegation made by an elected member because they believe it to be true and in the public interest may not protect the member from legal action. An allegation is a very serious matter and will only be considered true when the proper investigating authority, or a court, makes a finding to that effect.

If an elected member has evidence of improper conduct by another person (such as dishonesty or corruption) their responsibility is to report the matter to the Corruption and Crime Commission, not to make any allegation about the matter in the absence of investigative findings by the appropriate authority.

Other actions which may be unlawful may also be investigated by the Corruption and Crime Commission. Under the *Corruption and Crime Control Act* misconduct occurs where a public officer whilst acting or purporting to act in his or her official capacity commits an offence punishable by two or more years' imprisonment.

Record Keeping

Mail addressed to the Mayor and elected members will be opened by the City's Records staff and registered on the City's record management system. The only exception to this is mail marked "Personal", "Private" or "Confidential".

The following Frequently Asked Questions may provide clarification on what is a record, and when should it be retained:

What is the State Records Act? The *State Records Act 2000* outlines the requirements of government for the keeping of State records by government. Further details on the State Records Act can be found here: [Legislative Requirements](#)

What are State records? State records are any record of information (in any form) created, received or maintained by a government agency or parliamentary department in the course of conducting its business activities.

What is an electronic record? An electronic record is any information that is input onto a computer system or other electronic device, and processed, modified, stored and accessed via that system or device. Electronic records include word processing files, electronic spreadsheets, data bases, electronic mail, network drives, or external storage media such as CDs or thumb drives. The information within electronic records must be appraised the same way as paper based records.

Are text messages, sent and received on mobile devices, records? Yes, just as email and voice mail messages are considered State records, so too are text messages **if they related to the business of government**-specifically those containing information which:

- Is of evidential and/or historical value and is not recorded elsewhere on the corporate record;
- Forms part of formal communications and/or transactions between offices (for example a report or submission) or between an officer and another party; or
- Documents the rationale behind organisation policy, decisions or directives.

The **Council Liaison Officer** is available to formally record any emails or other correspondence which should be retained under the State Records Act.

Publications

The following publications are available from the Council Liaison drop box:

- *Local Government Act 1995* and applicable Regulations
- Council Policies
- Local Laws
- Delegations Register
- 2013-14 Annual Report
- Council and Committee Agenda and Minutes

Council Organisation

In accordance with the *Local Government Act 1995*, each local government is to have an elected council as its governing body. The offices of the council of a city are those of a mayor, the deputy mayor and the councillors.

The City of Albany currently has six wards-Breaksea, Frederickstown, Kalgan, Vancouver, West and Yakamia. Ward Maps can be found at **Attachment 8**.

Each ward has two elected members, giving a total of 12 elected members, plus a popularly elected Mayor.

Councillors are elected for a four year term by eligible electors in their ward.

The role of the mayor is to preside at meetings in accordance with the *Local Government Act 1995*, provide leadership and guidance to the community, and carry out civic and ceremonial duties on behalf of the local government.

The Mayor also speaks on behalf of the local government and liaises with the Chief Executive Officer on the affairs of the local government and the performance of its functions.

The deputy mayor performs the functions of the mayor when authorised to do so under section 5.34 of the Act.

Elected members are to represent the district as a whole, not only their individual ward.

Names and contact details of all elected members and the Mayor can be found at **Attachment 9**.

Main Functions of Local Government

The City of Albany currently has four directorates.

These are:

- Corporate Services
- Community Services
- Works and Services
- Planning and Development

This is complimented by the Officer of CEO (Executive Support Team), which is comprised of the following functions:

- Communications & Stakeholder Relations
- Strategy and Improvement Facilitator
- Strategic Project Team

Directorates provide the following functions:

Corporate Services:

- Financial Services
- Governance and Risk Management
- Human Resources
- Information and Technology

Community Services:

- Economic Development:
 - Tourism Development and Services
 - National Anzac Centre
 - Albany Leisure and Aquatic Centre
 - Albany Visitor Centre
 - Albany Regional Airport
- Recreation Services
- Cultural and Community Development
- Library Services
- Day Care Services

Works and Services:

- City Engineering
- City Reserves
- City Operations (including waste management)

Planning and Development:

- Building
- Planning
- Ranger and Emergency Services

Roles & Responsibilities

In accordance with the *Local Government Act 1995*, section 2.7 the role of council is:

The Council:

- (1) Governs the local government's affairs; and
- Is responsible of the performance of the local government's functions.

Without limiting subsection (1), the council is to:

- Oversee the allocation of the local government's finances and resources; and
- Determine the local government's policies.

Administration of local governments:

The council of a local government is to ensure that there is an appropriate structure for administering the local government.

Functions of the CEO:

The CEO's functions are to:

- Advise the council in relation to the functions of a local government under this Act and other written laws; and
- Ensure that advice and information is available to the council so that informed decisions can be made; and
- Cause council decisions to be implemented; and
- Manage the day to day operations of the local government; and
- Liaise with the mayor or president of the local government's affairs and the performance of the local government's functions; and
- Speak on behalf of the local government if the mayor or president agrees; and
- Be responsible for the employment, management, supervision, direction and dismissal of other employees (subject to section 5.37(2) in relation to senior employees; and
- Ensure that records and documents of the local government are properly kept for the purposes of this Act and other written law; and
- Perform any other function specified or delegated by the local government or imposed under this Act or any other written law as a function to be performed by the CEO.

Council Meetings

Ordinary Council Meetings are held on the fourth Tuesday of each month, except January which has no meeting.

Ordinary Council Meetings commence at 6.00pm in the Council Chambers, 102 North Road, Yakamia.

Council Committee meetings are held on the following days:

First week of the month:

- Tuesday – Community Services Committee (5.30pm)
- Tuesday – Economic Development Committee (6.15pm)
- Wednesday – Planning and Development Committee (5.30pm)

Second week of the month:

- Tuesday: Corporate Services & Finance Committee (5.30pm)
- Wednesday: Works & Services Committee (5.30pm)

Third week of the month

- Tuesday: Economic Development Committee (5.30pm)

Council Meeting Calendar:

The Council Meeting Calendar for 2015-16 can be found at **Attachment 10**.

Committee Terms of Reference:

Terms of Reference for Council Committees can be found at **Attachment 11**.

Nominating to be on a Committee:

Nominations to each Council Committee will be called for at the first Ordinary Council Meeting held after each ordinary local government election.

New Committee Member Information Sheet:

An Information Sheet for induction of new committee members can be found at **Attachment 12**.

Effective Committee Chairing and Support Information Sheet:

An Effective Committee Chairing and Support Information Sheet can be found at **Attachment 12** for those elected members who are considering nominating for Chair of a Council Committee.

Annual General Meeting of Electors:

The Annual General Meeting of Electors is held annually, for acceptance of the Annual Report.

Standing Orders Local Law (Meeting Procedures):

Standing Orders Local Law 2014 governs the conduct of all Council meetings, including Committee meetings. A copy of the Standing Orders Local Law 2014 can be found at **Attachment 13** or sourced from the City's [website](#).

Drafting Councillor Alternate Motion and Amendments:

Assistance with drafting motions and amendments may be requested from the CEO.

Committee Agenda Papers:

The Agenda for the Ordinary Council Meeting will be provided electronically, available for download from the Workspace app on your iPad, or from the City of Albany website.

Agendas for Council Committee meetings are also made available electronically through the same medium.

Leave of Absence

If the Mayor or an elected member is to be absent from an Ordinary Council Meeting, he/she should apply for leave of absence at an Ordinary Council Meeting prior to the one for which leave of absence is sought.

Council Operations

Community Strategic Plan:

The City adopted its Community Strategic Plan "Albany 2023" in June 2013. This document provides the direction and framework to inform the Corporate Business Plan which details what will be delivered by the City in the next 4 years.

Corporate Business Plan:

The City's Corporate Business Plan 2014-2018 was adopted by Council in June 2013, and aligns the services, programs and projects to be delivered in conjunction with the Community Strategic Plan.

The Corporate Business plan (**Attachment 14**) also aligns with the 10 year Financial Plan, Asset Management Plan and Work Force Development Plan. These documents can be found in the attachments.

The *Local Government Act 1995* is the legislation which guides elected members and staff conduct and performance in their roles as officers of a local government. The following legislation is applicable:

- [Local Government Act 1995](#)
- [Local Government \(Administration\) Regulations 1996](#)
- [Local Government \(Audit\) Regulations 1996](#)
- [Local Government \(Constitution\) Regulations 1998](#)

- [Local Government \(Elections\) Regulations 1997](#)
- [Local Government \(Financial Management\) Regulations 1996](#)
- [Local Government \(Functions and General\) Regulations 1996](#)
- [Local Government \(Rules of Conduct\) Regulations 2007](#)

The Department of Local Government and Communities and the Western Australia Local Government Association (WALGA) provide guidelines and publications to assist elected members in the performance of their duties. You are encouraged to regularly review the Department's and WALGA websites for the most up to date publications.

- Department of LG & Communities
<http://dlg.wa.gov.au/Content/Publications/Listing.aspx>
- WALGA
<http://www.walga.asn.au/NewsPublications/Publications.aspx>

Council Policies

Council policies are reviewed every four years or earlier if required.

Council policies can be sourced from the City of Albany website:

- <http://www.albany.wa.gov.au/a-z-quickfind/policies-database/>

Annual Report

The City of Albany is required to produce an annual report each year, and this must contain the audited accounts. The City's financial statements are audited in the first quarter of each financial year, and the annual report is presented to Council as soon as practicable after the conclusion of the audit.

A copy of the 2013 to 2014 City of Albany Annual Report is contained within this Induction Manual at **Attachment 15**. Further annual reports can be found here: <http://www.albany.wa.gov.au/a-z-quickfind/publications-database/>

Role of Council

Under the *Local Government Act 1995* the role of Council is focused on decision making. Implementing the decisions of Council, service delivery and general administration is the role of the Chief Executive Officer. In its decision making role, Council is responsible for setting Council policy and strategic direction, actively shaping the community and ensuring the Chief Executive Officer is effectively running the City through good stewardship of assets, transparent arrangements and in line with legislative obligations.

The role of Mayor or Councillor involves a commitment to constituents to achieve effective local government which improves the City of Albany community.

The *Local Government Act 1995*, Section 2.8 explains the role and the Mayor and Section 2.10 that of Councillors.

Under the provisions of the *Local Government Act 1995*, the Mayor is the spokesperson to the media on Council matters. Individual elected members are not permitted to speak about or on behalf of Council unless authorised by the Mayor.

Role of Chief Executive Officer

The Chief Executive Officer is responsible for making recommendations to Council and implementing Council decisions, providing they are legal. The Chief Executive Officer has delegated powers and responsibilities to do this. The specific delegations are detailed in the Delegations Register. The role and functions of the Chief Executive Officer are set out in the Act.

Review Position and Date

This guideline was approved on 16 October 2015 by the Chief Executive Officer.

This guideline is to be reviewed by the document owner prior to an ordinary local government election.

Associated Documents

- [Local Government Operational Guidelines Number 04 - Elected Member Induction](#)

Supplementary Information

- Asset Management Plans: **Attachment 16**.
- Insurance Certificates of Currency: **Attachment 17**.
 - *Hardcopy only.*
- Economic Development Strategy 2013 – 2017: **Attachment 18**.
- Financial Interests Handbook: **Attachment 19**.
 - *Hardcopy & Webinar.*
- Community Strategic Plan 2013: **Attachment 20**.
- LGIS Publication: Your Guide to Local Government Local Government Liability: **Attachment 21**.
 - *Hardcopy only.*
- Council Policy: Handling of Complaints by or against Elected Members: **Attachment 22**.
- Council Policy: Handling of Complaints by or against the Chief Executive Officer: **Attachment 23**.
- Council Policy: Mayoral Vehicle: **Attachment 24**.
- Council Policy: Enterprise Risk Management: **Attachment 25**.
- Annual Budget 2015 to 2016: **Attachment 26**.
- Local Government Elected Members' Records: Which records to capture? – Information Sheet: **Attachment 27**.