

S0008: INFORMAL GATHERINGS POLICY

Policy Type:	Statutory Policy
Responsible Department:	Office of the CEO
Responsible Officer:	Executive Manager Office of the CEO
Community Plan Link	<i>Civic Leadership</i> 4.1 We have strong leadership and governance
Date Adopted	29 March 2016: C411/19
Last review date	25 November 2019: C0132/19
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1. PREAMBLE

- 1.1. Open and transparent Council meetings underpin representative democracy and ensure public confidence in Council's decision-making processes. Informal gatherings, where appropriate, provide opportunities for Elected Members to become better informed on issues and seek further clarification prior to engaging in the formal decision making process, which contributes to enhanced decision making.

2. SCOPE

- 2.1. Section 90(8a) of the *Local Government Act 1999* requires that a designated information gathering or discussion may only be held if the council has adopted a policy in the holding of designated informal gatherings or discussions and that the designated informal gathering or discussion complies with the policy. Section 90(8b) further provides that any policy adopted must comply with the requirements prescribed by the Regulations.
- 2.2. With effect from 24 November 2016, the Minister prescribed certain matters for the purposes of a Council's Informal Gathering Policy (Regulation 8AB—Informal gatherings and discussions).
- 2.3. This Policy applies to designated information gatherings or discussions arranged by the Council, either by the Chief Executive Officer or the Elected Members as defined under Regulation 8AB *Local Government (General) Regulations 2013*.
- 2.4. Both the Chief Executive Officer and the Council are responsible for ensuring designated informal gatherings or discussions are conducted in accordance with the *Local Government Act 1999*.

3. POLICY PURPOSE/OBJECTIVES

- 3.1. This Policy provides for the conduct of designated informal gatherings or discussions without prejudicing the requirements for openness and transparency as required by the *Local Government Act 1999*.
- 3.2. Section 90(8) of the *Local Government Act 1999* allows designated informal gatherings or discussions to be held provided that the discussion does not lead to a decision, or effectively obtain a decision, on a matter that would ordinarily be dealt with at a Council meeting.
- 3.3. This Policy reflects the intention of the legislation for designated informal gatherings or discussions to be used for briefing, planning and information sharing sessions and is aimed at avoiding any perception that informal gatherings will be used to build consensus for Council agenda items.

4. DEFINITIONS

Council means the Corporation of the City of Unley

Designated Informal gatherings or discussions mean an event organised and conducted by or on behalf of the council or chief executive officer to which members of the council or council committee (as the case may be) have been invited and that involves discussion of a matter that is, or is intended to be, part of the agenda for a formal meeting of the council or council committee.

Elected Members means the Mayor and Councillors of the City of Unley.

Training and Development Activity means any activity with the objective of increasing Elected Members' knowledge, skills and competencies in relation to the performance of their roles and responsibilities as Elected Members at the City of Unley.

5. POLICY STATEMENT

5.1. General Business of the Council

- 5.1.1. Informal gatherings or discussions will be used solely for the purpose of information sharing and not for the purpose of debating issues, building consensus positions or otherwise discharging Council's deliberative and decision making functions, which must only be undertaken at formal Council meetings.
- 5.1.2. Informal gatherings or discussions may be used to discuss issues that involve strategy or policy or other matters of Council administration and to brief Elected Members on issues relating to their decision making function.

5.2. Timing of, and access to, informal gatherings or discussions

- 5.2.1. Informal gatherings or discussions involving elected members or elected members and council staff are, by their nature, a non-compulsory meeting of the Council, however, all Elected Members are encouraged to attend these sessions, particularly those designed to provide history, context or additional information to assist Elected Members to carry out their role.

- 5.2.2. Informal gatherings or discussions scheduled regularly to coincide with Council's meeting cycle, and ad hoc informal gatherings or discussions, convened to consider matters that will form part of Council's meeting agenda will be advertised on the City of Unley website.
- 5.2.3. At the time an informal gathering or discussion is scheduled, the Chief Executive Officer will consider the content planned for discussion and make a determination as to whether the informal gathering or discussion will be open to the public.
- 5.2.4. A decision to close an informal gathering or discussion will consider the nature of information to be discussed including:
- (a) Whether the content to be discussed falls within the confidentiality provisions of s.90(3) of the *Local Government Act 1999*.
 - (b) Whether the information to be presented constitutes a Training and Development Activity.
 - (c) A request from an external party involve din the presentation of information that the Informal Gathering not be open to the public.

Where the Chief Executive Officer determines the need for private consideration of information to be discussed at the informal gathering or discussion outweighs the need to provide access to members of the public, the informal gathering or discussion will be closed. The reason for this decision will be briefly stated on any notice relating to the informal gathering or discussion.

- 5.2.5. If an informal gathering or discussion is closed to the public, it will be placed last on the order of proceedings and the gathering will be closed when that item is reached.

5.3. Agenda and Minute Taking

- 5.3.1. Consistent with the status of an informal gathering or discussion no formal minutes will be taken at these activities. A list of the topics to be discussed at an informal gathering or discussion will be placed on display at the Civic Centre and may also be published on the Council's website in conjunction with details of the time and place of the informal gathering or discussion.

6. LEGISLATION

- *Local Government Act 1999*
- *Local Government (General Regulations) 2013*

7. AVAILABILITY OF POLICY

- 7.1. The Policy is available for public inspection during normal office hours at:

The Civic Centre,
181 Unley Road, Unley SA 5061.

A copy may be purchased for a fee as determined annually by Council.

It is also available for viewing, download and printing free of charge from the Council's website www.unley.sa.gov.au.

8. DOCUMENT HISTORY

Date	Ref/Version No.	Comment
29 March 2016	C411/16 (V1)	New Policy
23 January 2017	C735/17 (V2)	Revised policy including definition of 'designated informal gathering or discussion'.
25 November 2019	C0132/19 (V3)	