

INFORMAL GATHERINGS POLICY



COUNCIL POLICY – Informal Gatherings Policy	
Reference Number	830108
Responsible Business Unit	Office of Chief Executive Officer
Responsible Officer	Chief Executive Officer
Legislation	Local Government Act 1999
Relevant Delegations	Chief Executive Officer
Related Policies Management Guidelines Frameworks	Code of Practice – Access to Council meetings and associated documents - 676270 Elected Member Behavioural Framework Elected Member Behavioural Management Policy (LGA Model Policy)
Link to Strategic Plan	Our Performance
Council resolution	13.5
Date Adopted	21 November 2022
Review Date	After periodic election
Previous Revisions	14 June 2022, item 108.7 11 October 2021, item 1662. 9 June 2020, item 100.7 14 April 2020, item S64.1 19 November 2018, item 200.6 14 November 2016, 212.3 9 May 2016, item 85.4 – Code of Practice – Access to Council and Committee meetings & associated documents

POLICY STATEMENT

Informal gatherings provide a valuable opportunity to enhance Council decision-making processes by providing opportunities for Council Members to become better informed on issues and seek further clarification. Informal gatherings, however, should not be used, or be seen to be used, as a replacement for full debate and decision making at Council meetings or Council Committee meetings. Open and transparent Council meetings and Council committee meetings underpin representative democracy and ensure public confidence in Council's decision-making processes.

OBJECTIVES

This policy aims to ensure that the statutory requirements for openness and transparency in Council decision making are observed, while providing an opportunity for confidential discussions among Council members where this is warranted by the nature of the gathering or the matter to be discussed.

SCOPE

This policy applies to informal gatherings of the Council or a Council Committee as defined by S90A of the Local Government Act 1999.

PURPOSE OF INFORMAL GATHERINGS OR DISCUSSIONS

Section 90(A) of the Local Government Act 1999 allows informal gatherings or discussions to be held provided that the gathering or discussion does not obtain, or effectively obtain, a decision on a matter outside a formally constituted meeting of the Council or Council Committee.

The Local Government Act 1999 sets out the following examples of informal gatherings or discussions:

- Planning sessions associated with the development of policies or strategies

The electronic version accessible on Council's website and Council's electronic record system is the controlled version. Printed copies are considered uncontrolled – before using a printed copy verify that is the current version.

- Briefing or training sessions
- Workshops
- Social gatherings to encourage informal communication between members or between members and staff

Informal gatherings of Council Members or Council Committee Members (either with or without Council staff) are, by their nature, non-compulsory. However, all Council Members and Council Committee Members are encouraged to attend relevant informal gatherings (either in person or virtually), particularly where the informal gathering or discussion is intended to provide history, context or additional information to Council Members or Council Committee Members.

INFORMATION OR BRIEFING SESSIONS TO BE OPEN TO THE PUBLIC, EXCEPT IN SPECIAL CIRCUMSTANCES

Informal gatherings or discussions will be held at a place open to the public, except where the informal gathering or discussion has been declared by the Council or Chief Executive Officer to be a confidential information discussion'.

The Council or Chief Executive Officer may, on a case by case basis, declare an informal gathering or discussion to be a confidential informal discussion' where the informal gathering or discussions is either;

- (1) A planning session of a general strategic nature; or
- (2) Is a briefing session relating to information or a matter of a confidential nature within the ambit of section 90(3) of the Local Government Act 1999.

PROCEDURES APPLYING TO INFORMAL GATHERINGS OR DISCUSSIONS

Both the Chief Executive Officer and the Council are responsible for ensuring informal gatherings or discussions are conducted in accordance with the Local Government Act 1999.

Informal gatherings or discussions are not subject to the procedural meeting requirements of the Local Government Act 1999 and *Local Government (Proceedings at Meetings) Regulations 2013*.

Informal gatherings or discussions will be chaired by the Chief Executive Officer or another senior Council officer. The Chair is responsible for ensuring that the purpose, intent and outcomes of the informal gatherings or discussions are consistent with section 90A of the Local Government Act 1999.

Formal minutes will not be recorded of an informal gatherings or discussion. Notes of an informal gathering or discussion may be tabled at the Council meeting following the informal gathering or discussion.

If an informal gathering or discussion has been declared to be a 'confidential informal discussion', then the informal gathering or discussion may be attended by Council members, the Chief Executive Officer and any other person invited to attend by the Council or the Chief Executive Officer

PUBLICATION OF INFORMATION RELATING TO DESIGNATED INFORMAL GATHERINGS OR DISCUSSIONS

For all designated informal gatherings or discussions, the following information will be published on Council's website:

1. The place, date and time at which the designated informal gathering or discussion will be held
2. The matter that is to be discussed at the designated informal gathering or discussion
3. Whether or not the designated informal gathering or discussion is to be held at a place open to the public.

Where a confidential informal discussion declaration applies to a designated informal gathering or discussion, the reason for the designated informal gathering or discussion being held entirely or partially in confidence must be published on the Council's website.