

## Councillor Workshops Policy

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### 1. Scope

- 1.1 This Policy applies to all City of Parramatta Council (**Council**) Councillor Workshops; to Councillors and Council Staff; and any invited external presenters and/or consultants of a Councillor Workshop. Councillor Workshops are to be held in the absence of the public.
- 1.2 This Policy does not apply to Pre-Meeting Briefings that are arranged by the Chief Executive Officer (CEO) to brief Councillors on business to be considered at Ordinary or Extraordinary Meetings of Council (refer to Council's Code of Meeting Practice).

### 2. Purpose

- 2.1 This Policy establishes the management of Councillor Workshops.

### 3. Policy

- 3.1 Councillor Workshops provide an avenue for Council Staff outside of the formal Council meetings (i.e. Ordinary or Committee Meetings) to provide Councillors with background information or context to any proposed item by the CEO and/or Lord Mayor. These may include, but are not limited to:
  - (a) clarifying issues, exchanging information (including confidential information), and seeking feedback/general direction on proposals;

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- (b) providing a forum for discussion on initiatives and discussing options in determining Council's strategic corporate direction;
- (c) ensuring effective communication and information flow between Staff and Councillors; or
- (d) providing a team building forum to develop trust and understanding between those attending the Workshops.

~~3.2 Where a meeting Councillor Workshop is organised between a Councillor and an authorised or otherwise approved Staff member, and the Staff member is in a role below an Executive Team position, a minimum of two Staff must be in attendance.~~

#### **4. Delegations**

4.1 There are no Administrative and/or Legislative Delegations applicable to this Policy.

#### **5. Procedure**

5.1 Councillor Workshops may be organised:

- ~~(a)~~ as a result of a resolution of Council; ~~or~~
- ~~(a)~~(b) as requested by a minimum of three Councillors, and as approved by the CEO; or
- ~~(b)~~(c) as approved by the CEO, Executive Team, or in consultation with the Lord Mayor.

5.2 Councillor Workshops may be attended by external participants and Council Staff, including a range of Staff who are not listed under Council's Councillor and Staff Interaction Policy.

~~5.2.1 Where external participants are invited to a Councillor Workshop, this will be stated in the calendar invite.~~

~~5.3 Councillor Workshops are held generally on weekdays, or as advised by the CEO and/or Lord Mayor.~~

~~5.4 Remote attendance is permitted for Councillor Workshops for all attendees.~~

~~5.5 Feedback obtained from Councillors at a Councillor Workshop will help guide and inform actions and outcomes for matters discussed.~~

~~5.6 Action items and outcomes records are to be made available to Councillors within 28~~

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days after the Councillor Workshop was held.

[5.65.1 Council will maintain a register for tracking action items and outcomes from Councillor Workshops, which will be made available to Councillors via the Councillor Portal.](#)

### Chairperson

[5.25.7](#) The CEO or a member of Staff nominated by the CEO is to preside at Councillor Workshops.

### Quorum

[5.35.8](#) A quorum for the purposes of whether a Councillor Workshop will proceed will be at least **fourfive** Councillors.

### Conduct obligations

[5.45.9](#) Councillors and Staff are to observe their general conduct obligations as set out by Council's Code of Conduct, and are to remain courteous, professional, and respectful towards all attendees.

[5.4.15.9.1](#) The Chairperson is to call to order any attendee who behaves in a manner contrary to the general conduct obligations of Council's Code of Conduct, including, but not limited to, the use of offensive behaviour or language.

### Confidentiality

[5.55.10](#) All attendees must maintain the integrity and security of Confidential Information disclosed during Councillor Workshops.

[5.5.15.10.1](#) All attendees refer to Schedule 1 for an indicative list of matters that are regarded as confidential or may be subject to other restrictions on public release.

[5.5.25.10.2](#) The recording of Workshops by attendees using any device, audio or video, is not permitted.

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5.5.35.10.3 Confidential Information distributed to an external party or media would be considered a breach of section 664 of the *LG Act (Disclosure and Misuse of Information)* in that, attendees must not, at any time, disclose materials classified as confidential in reports and or presentations presented to Councillor Workshops.

### Conflicts of Interest declarations

5.65.11 Conflicts of interests at Councillor Workshops are to be managed in accordance with Council's Code of Conduct. Councillors and Staff are responsible for the identification, declaration, and management of any conflicts of interests. Forms will be provided at Councillor Workshops to assist in declaring interests.

### Record Management

5.75.12 Formal minutes of the meeting are not required. However, the following records must be created:

- (a) The date, subject, and purpose of the Councillor Workshop.
- (b) Attendance by Councillors and presenters or facilitators and staff.
- (c) Any documents distributed or presentation slides presented.
- (d) Any conflicts of interests declared at the Councillor Workshop, including a record of how the conflict of interest was managed.
- (e) Register of action items and outcomes.
- (f) Audio and/or video recording of the Councillor Workshop, which will be confidential and compliant with the *Workplace Surveillance Act 2005* (NSW).

5.85.13 The following table outlines the steps and responsibilities for organising Councillor Workshops:

Detail	Responsibility
Request sent to Governance for a Councillor Workshop	Staff/Facilitator
Date tentatively booked in the Councillor Workshop schedule	Governance
Confirmation of Councillor Workshop and provision of presentation material from presenters to Governance	Executive Team
Presentation material provided to Councillors 48 hours prior to the Councillor Workshop (if possible)	Facilitator

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Coordinate Councillor RSVPs	Governance
If confirmed number of Councillors is less than quorum, <b>consider</b> cancelling session	Lord Mayor/CEO
Complete Attendance and Outcomes Summary and send to Governance staff	Facilitator
Upload Attendance and Outcomes Summary and any presentations/handouts to Councillor Portal	Governance
Register Councillor Workshops presentation/handouts (and any other presentation materials) and Attendance and Outcomes Summary in Council's record management system	Governance

## 6. Definitions

Confidential Information	Any information that is, by its nature, confidential, and includes, but is not limited to, information relating to the policies, strategies, practices, and procedures of Council.
Councillor	A person elected or appointed to civic office as a member of the governing body of Council, including the Lord Mayor.
Staff	A person who is directly employed by Council on a full time, part time, temporary, or casual basis.
Councillor Workshop	Sessions at which Councillors and Staff meet to discuss and/or provide input into Council strategies.
Facilitator	A person or company who will guide participants towards the desired outcomes on what is on the agenda.

<b>References</b>	<i>Local Government Act 1993 (NSW)</i> <i>Local Government (General) Regulation 2021 (NSW)</i> <a href="#">Workplace Surveillance Act 2005 (NSW)</a>
<b>Associated Policies</b>	Code of Conduct Code of Meeting Practice Councillor and Staff Interaction Policy

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	Councillor Expenses and Facilities Policy
Attachments	Schedule 1 – Identifying Confidential Information

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## Schedule 1 – Identifying Confidential Information

~~Confidential information is defined in the Local Government Act 1993 (NSW) (LG Act).~~

~~Confidential information distributed to an external party or media would be considered a breach of section 664 of the LG Act in that, Councillors must not, at any time, disclose materials classified as confidential in reports presented to our discussions held at Council.~~

### Categories of confidential information

There are some categories of information held by Council that may be available within Council but not for public release initially or at all.

As a public body, Council is subject to a range of legal requirements and obligations concerning the management and disclosure of confidential information. What may be confidential initially, may be later available to release.

While the specific categories of confidential information will depend on Council's functions and activities, ~~the following is a list of general categories, and includes the matters listed in the Government Information (Public Access) Act 2009 (NSW) and section 10A of the LG Act for the purposes of Councillor Workshops, the following categories of information will be considered confidential:~~

1. **Personal information** about individuals, such as names, addresses, and contact details, as well as sensitive information such as health or financial information.
2. **Commercial information**, such as details of contracts or tender processes, financial information, or intellectual property. If disclosed, this information could confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.
3. **Legal advice or documents**, such as legal opinions or advice received by the council or its employees, as well as documents subject to legal professional privilege. It is important not to provide a summary of the legal advice without authority, as this will waive legal professional privilege over the whole of the document which means the whole of the advice would be available to the public.

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4. **Internal council documents or information**, such as minutes of confidential meetings or discussions, correspondence between Councillors or Staff, or documents subject to copyright or other intellectual property rights.

This includes the details of discussions held during workshops or briefing sessions. Making this information available may inhibit the free flow of discussion and the amount of information provided at the workshop. Public availability may hinder the decision-making process – remember the workshops and briefing are for a purpose of providing Councillors with information and for them to ask questions, to enable their understanding for the Council meeting when their decision will be made. It is at ~~that time~~ **the time the Agenda is published to the public that** the information may be made available (unless subject to other confidential constraints).

5. **Operational information**, such as details of Council operations, plans, or strategies, and technical information that could be used to compromise the security or integrity of council systems or infrastructure.

It is important to recognise that the disclosure of security systems information could affect the security of the Council, Councillors, Staff (including their families); or, Council property.

6. **Information provided in confidence by third parties**, such as information obtained from community groups, businesses, or other government agencies.

Council officers are sometimes asked to sign confidentiality agreements with a government agency, such as Planning, to enable the agency to factor into its decision, facts only known to Council. The issues about which the officers provide information, may concern future confidential planning or development matters of the State Government.

7. **Aboriginal significance on community land**, such information includes the nature and location of a place or an item of Aboriginal significance.
8. **Information concerning the conduct** of Council Officials and third-parties, including alleged contraventions of any code of conduct requirements applicable under section 440 of the LG Act; matters reported to ICAC, or other investigatory agency.

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