

DETAILS

Council Admin

Effective from:	1 April 2022	
Contact officer:	Manager Office of the Chief Executive Officer	
Next review date:	April 2024	
File reference:	LG211/171/03	
File #	This policy	A76347750
	Value Proposition	A34816299

OBJECTIVES AND MEASURES

Objectives	<ul style="list-style-type: none"> Councillor and Councillor Advisor requests are effectively and efficiently managed. Councillor and Councillor Advisor requests for advice or information that are made to the CEO or the appropriate responsible employee, are actioned within the statutory timeframes. Councillors and Councillor Advisors have access to advice or information to assist them carry out their responsibilities under the LGA and within relevant statutory timeframes.
Performance measures	<ul style="list-style-type: none"> All requests for advice or information made to the CEO or the appropriate responsible employee (for advice or information) are either completed, or notice is given to the Councillor or Councillor Advisor, within 10 business days from when the request is received. All requests for advice or information made to the CEO or the appropriate responsible employee (for advice or information), where notice has been given to a Councillor or Councillor Advisor about the request, are completed within 20 business days from when the request is received.
Risk assessment	Medium.

STATEMENT

This Policy establishes the Acceptable Requests Guidelines (**the Guidelines**), which are required by section 170A of the Local Government Act 2009 (**the Act**) and designed to ensure that Councillors have appropriate access to advice and information to carry out their responsibilities under the Act.

SCOPE

The Policy and Guidelines are mandatory and apply to:

- all Councillors
- all Councillor Advisors
- all local government employees.

Generally, a request by a Councillor or Councillor Advisor for advice or information is of no effect if the request does not comply with these Guidelines. However, a request does not need to strictly comply with the Guidelines if it is made by:

- the Mayor,
- Deputy Mayor (if the request relates to the role of Deputy Mayor, including undertaking Mayoral duties to support the Mayor),
- a Chairperson of a local government committee (if the request relates to the role of the Chairperson).

Contractors are not permitted to provide advice or information to Councillors or Councillor Advisors under this Policy and Guidelines, unless they are included on the *Responsible Employee Contact List* or expressly authorised by the CEO, COO or a Director to respond to a request.

The Policy and Guidelines do not apply to the following advice and information Councillors and Councillor Advisors may reasonably access:

- information provided to the Councillors in briefing sessions or workshops coordinated by the local government to support Councillors to fulfil their duties
- interactions between local government employees and Councillors during Council meetings
- information that is publicly and readily available.

Where a Council or CEO approved policy or program exists with alternative documented processes for Councillor requests, those request processes will take precedence over this policy unless Councillors are otherwise advised by the CEO. An example of this is the Local Area Works (LAW) Policy which outlines processes for Councillors to make all LAW related requests. Requests for advice and information relating to Local Area Works should follow the Council approved LAW Policy process.

Exemptions

Councillors and Councillor Advisors may request information that the local government has access to, relating to the local government, however some information may be unable to be provided.

The Act provides that requests for information and advice do not apply to the following documents and information (**exempt advice and information**):

- records of the Councillor Conduct Tribunal
- records of a former conduct review body
- information, where the disclosure of that information would be contrary to an order of a court or tribunal
- information or advice that would be privileged from production in a legal proceeding on the ground of legal professional privilege.

DEFINITIONS

Acceptable requests: a request made in accordance with section 170A of the Act and this Policy and Guideline to assist a Councillor to undertake their responsibilities. An acceptable request includes:

- requests for advice
- information requests.

Acceptable requests – Responsible employee contact list: the list maintained by the Office of the CEO which identifies:

- the employees authorised by the CEO to provide advice to Councillors and Councillor Advisors
- the employees authorised by the CEO to provide information to Councillors and Councillor Advisors.

Act: The *Local Government Act 2009*.

Advice: the provision of knowledge, or a professional opinion held by the appropriate responsible employee (advice or information), including the CEO.

Examples of advice include:

- seeking the status of applications (e.g. development applications, concession applications)
- advice on internal processes
- budget information relating to a Councillor's division
- advice on a Council asset or activity.

After-hours incident:	<p>an incident that occurs outside standard business hours that is not an emergency, but is a matter that a Councillor or Councillor Advisor believes requires prompt action by Council.</p> <p>For example:</p> <ul style="list-style-type: none">• public safety incidents (localised road flooding, unlawful and unsafe parking of vehicles)
CEO:	<p>the Chief Executive Officer of the Council of the City of Gold Coast.</p>
Chairperson:	<p>(also referred to as the Chair) of a local government meeting, or a committee meeting, means the person presiding at a meeting of the local government or committee.</p>
Complaint:	<p>an expression of dissatisfaction by a person who is directly affected by an administrative action of Council or a Council employee.</p>
Contractor:	<p>a person or entity who is contracted to perform work or provide services to Council pursuant to a contract for service.</p>
Council:	<p>Council of the City of Gold Coast.</p>
Councillor:	<p>an elected representative of a Division of the Council of the City of the Gold Coast.</p>
Councillor administrative support staff:	<p>an officer appointed for the purpose of assisting a Councillor or Councillors with administrative duties pursuant to the Expenses Reimbursement and Resources for Councillors Policy (Attachment B – Standards for Councillor administrative support staff).</p>
Councillor Advisor:	<p>an officer appointed at the discretion of a Councillor to perform any duties, excluding electioneering, at the direction of the Councillor.</p> <p>Note: Councillor Advisor’s duties are outlined in the Expenses Reimbursement and Resources for Councillors Policy (Attachment A – Standards for Councillor Advisors).</p>
Emergency:	<p>an incident that requires management by the Disaster Management Team, Incident Management Team, Security Services, Emergency Services, or where Council is required to provide action in response to a public safety incident.</p> <p>Emergencies include:</p> <ul style="list-style-type: none">• any threat to public safety, including natural disasters (e.g. storm, floods, landslides)• man-made disaster (e.g. high-risk pollution or water contamination)• fallen power lines or trees• operational issues that immediately, significantly impact residents’ amenity or represent a significant or immediate risk to Council’s reputation.
Independent Assessor:	<p>the Independent Assessor who is appointed under section 150CV of the Act.</p>
Information:	<p>information the local government has access to, including reports, data, records, historical documents, statistics etc. in any medium (in electronic, print, audio, video, image or graphical form) that is not publicly available.</p> <p>Examples of information include:</p> <ul style="list-style-type: none">• confidential information to the local government• reports or data generated through the local government’s internal systems.
Local Government Employee:	<p>a person holding an appointment with the local government, within its organisational structure, for the performance of the local government’s responsibilities.</p>

Local Government:	Council of the City of Gold Coast (Council).
Mayor:	Mayor of the Council of the City of Gold Coast.
Minor administrative requests:	<p>a matter that the appropriate responsible employee can provide advice on at the point of contact (e.g. verbally), such as:</p> <ul style="list-style-type: none">• dates and times of meetings• the status of a previously made request <p>clarification on a simple matter related to an adopted Council policy.</p>
Responsible Employee:	<p><i>for advice:</i> an employee authorised by the CEO to provide advice to Councillors and Councillor Advisors, as identified in the Acceptable requests – Responsible employee contact list.</p> <p>Note: Responsible employees (for information), senior executive employees and the CEO are also deemed to be responsible employees.</p> <p><i>for information:</i> an employee authorised by the CEO to provide information to Councillors and Councillor Advisors, as identified in the Acceptable requests – Responsible employee contact list.</p> <p>Note: Senior executive employees and the CEO are also deemed to be responsible employees.</p>
Senior Executive Employee:	an employee of the local government who reports directly to the CEO and whose position ordinarily would be considered to be a senior position in the local government's corporate structure.
Service:	a service is a group of activities provided to the city e.g. waste collection which manages a range of different waste collection types.
Service request:	a request for a Council service to be provided (includes 'customer requests' and 'maintenance requests').
Standard Business Hours:	Mondays to Fridays, excluding public holidays between the hours of 8:00am to 5:00pm.
Urgent Request:	<p>a request that the Councillor reasonably believes requires prompt response because any delay in receiving advice or information may hamper the Councillor from carrying out his or her responsibilities under the Act.</p> <p>Examples include:</p> <ul style="list-style-type: none">• media enquiries• time sensitive external requests.

RELATED POLICIES

Code of Conduct for Employees
Complaints (Administrative Actions) Policy and Procedure
Conflicts of Interests for Employees Policy
Expenses Reimbursement and Resources for Councillors Policy
Fraud and Corruption Control Policy
Good Working Relationships Policy
ICT Resources Usage Policy
Information Management Policy
Information Privacy Policy
Information Security Policy
Investigation (Inappropriate Conduct of Councillors) Policy
Right to Information and Information Provision Policy
Whistleblowers (Public Interest Disclosures) Policy

LEGISLATION

Code of Conduct for Councillors in Queensland
Code of Conduct for Councillor Advisors in Queensland
Crime and Corruption Act 2001
Industrial Relations Act 2016
Information Privacy Act 2009
Local Government Act 2009
Local Government Regulation 2012
Public Interest Disclosures Act 2010
Public Sector Ethics Act 1994
Right to Information Act 2009

RELATED DOCUMENTS

Acceptable requests – Responsible employee contact list (A32036330)

SUPPORTING DOCUMENTS

Attachment A – Acceptable Requests Guidelines
Attachment B – Acceptable Requests Matrix

RESPONSIBILITIES

Sponsor	Chief Executive Officer
Owner	Manager Office of the CEO

VERSION CONTROL

Document	Date	Approved	Amendment
A76347750 v2	01.04.2022	Approved GAF22.0330.007/G22.0401.051	New Policy
43553192.v3	11.03.2014	Council resolution number G14.0311.016	New procedure

1.0 RESPONSIBILITIES

1.1 Councillors

Councillors are to ensure that communications with local government employees are conducted in a manner that is consistent with the values and standards of behaviour set out in the Act and Code of Conduct for Councillors in Queensland. This includes the following specific requirements:

- Comply with the relevant legislation, policies, procedures and other documents when making requests.
- Ensure requests are only made to assist Councillors carry out their responsibilities under the Act and the information or advice is only to be used for the purpose it was obtained.
- Clearly detail the nature of the request and manage any related conflicts of interest.
- Comply with any reasonable request of a local government employee, including the Chief Executive Officer, to assist in processing the Councillor's request (e.g. to clarify the purpose of a request).

1.2 Councillor Advisors

Councillor Advisors must only lodge requests to assist in fulfilling the responsibilities of the respective Councillor or Mayor. In lodging requests, Councillor Advisors are to ensure that communications with local government employees are conducted in a manner consistent with the Act, Code of Conduct for Councillor Advisors in Queensland and the responsibilities for Councillors (outlined above at section 1.1).

1.3 Local Government Employees

All local government employees are to ensure that communications with Councillors and Councillor Advisors, when receiving or responding to a request, are conducted in a manner that is consistent with the responsibilities outlined in the Act, the Good Working Relationships Policy and Code of Conduct for Employees Policy.

2.0 REQUEST TYPES

2.1 Requests under these Guidelines

The following request types are considered to be 'acceptable requests' which may be made under these Guidelines to assist a Councillor to undertake their responsibilities under the Act:

- minor administrative requests
- requests for advice
- requests for information
- requests for advice and information
- urgent requests for advice or information
- urgent requests for advice or information made after-hours.

These requests must be made and managed in accordance with the processes outlined in Attachment B.

2.2 Other interactions

Councillors and Councillor Advisors may have other interactions with local government employees to assist a Councillor to undertake their duties that do not form part of these Guidelines, including:

- after-hours incidents
- emergencies
- service requests
- access to Council sites
- complaints.

These request types are to be actioned in accordance with other relevant policies, procedures or business unit standards.

3.0 ACTIONING REQUESTS

3.1 Process

Requests are to be consistent with the reasonable limits set out in these Guidelines and must pertain to the Councillor's responsibilities.

Requests under these Guidelines are to be processed in accordance with the requirements outlined in Attachment B.

Generally, requests are required to be:

- submitted to the appropriate responsible employee (for advice or information), the relevant senior executive employee or the CEO, and
- acknowledged, and
- accepted, or
- referred, or
- declined.

3.2 Referring and declining requests

Request referrals

A responsible employee (for advice or information) may refer a request to another appropriately qualified responsible employee (for advice or information) where:

- referral is to the subject matter expert, or
- the responsible employee (for advice) is referring the component of a request that is a request for information to the appropriate responsible employee (for information), senior executive employee or CEO.

Declining a request

Responsible employees (for advice or information), including senior executive employees and the CEO, must, as soon as practicable, advise the Councillor or Councillor Advisor of their intention to decline a request where it is considered that complying with the request is an unreasonable diversion of Council resources.

If advised of an intention to decline, the Councillor or Councillor Advisor will be provided an opportunity to revise the scope of the request. The matter will subsequently be declined where the Councillor or Councillor Advisor fails to provide a revised scope, or the revised scope remains unreasonable.

Where a request is considered to be an unreasonable diversion of resources, but the request is to assist a Councillor in fulfilling their responsibilities, the responsible employee will work with the Councillor or Councillor Advisor to produce the advice or information in an appropriate timeframe (outside of these Guidelines).

Requests may also be declined in the following instances:

- The information is publicly available
Note: responsible employee to decline the request under this Guidelines and provide information, or advise how to access the information.

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- The information is not under the control of Council.
 - The matter is considered reasonably outside of the duties of a responsible employee (for advice or information).
 - For urgent requests, the matter is not considered by the responsible employee (for advice or information) to be urgent, or otherwise requiring prompt response by Council
Note: the Councillor or Councillor Advisor is to be advised, and the matter is to be processed in accordance with standard timeframe requests.

Review of decision

A Councillor or Councillor Advisor may request the CEO review a decision to decline request.

3.3 Access and use of information

Information or advice provided to a Councillor or Councillor Advisor must only be used for the purpose it was obtained. Councillor or Councillor Advisor must not release any information that they know, or should reasonably know, is confidential information.

To avoid misunderstanding, local government employees are to provide non confidential responses (unless confidential information is specifically requested). Should confidential information be available on the requested matter, the Councillor or Councillor Advisor will be advised prior to, or at the time of the response.

4.0 DISCLOSURE OF INFORMATION REQUESTS

Information or advice provided to a Councillor or Councillor Advisor as a result of a request, may be disclosed in the following ways:

- To another Councillor where the information relates to their division, at the discretion of the CEO or relevant senior executive employee.
- To all Councillors, where the CEO or relevant senior executive employee considers the disclosure appropriate.

5.0 SAVING REQUESTS AND REPORTING

The Office of the CEO will maintain a register of requests for each Division / Councillor / Councillor Advisor. Each register will be accessible by nominated officers in each Directorate for updating and available to the Councillor and Councillor's office for review.

For reporting purposes, the spreadsheet will be able to identify:

- Requests where a notice of extension has been issued.
- Requests that have been declined.
- Requests where the timeframes have not been achieved.

This information will also be used to assess the use and impact of the Policy and Guidelines.

6.0 POLICY AND GUIDELINE MANAGEMENT

The Policy owner is responsible for the development and maintenance of training and advice to support the implementation and ongoing application of the Policy.

Acceptable Requests Policy and Guidelines
Attachment B: Acceptable Requests Matrix

REQUEST TYPE	FORMAT OF REQUEST	REQUEST MADE TO	TIMEFRAMES	ADMINISTRATIVE MATTERS
	Councillors, Councillor Advisors, Councillor administrative support staff		Administration	
Requests for advice (minor administrative requests)	Informally, at the point of contact (e.g. verbally, text message, Microsoft Teams)	Appropriate responsible employee	At the point of contact	
Request for advice	Email <u>Recommended subject heading</u> Request for advice	<u>Single issue</u> The responsible employee (for advice), senior executive employee or CEO <u>Multiple issues</u> Responsible senior executive employee or CEO	Within 10 business days Or Acknowledgement and notice of extension – within 10 business days, and Response – within 20 business days of receipt of request	Employee responding to request to: <ul style="list-style-type: none">• Copy relevant Director or CEO into the response, and• Save copy of the response to file LG211/898/19 > Division#• Update request spreadsheet via nominated directorate representative. Divisional spreadsheets available at LG211/898/19
Request for information	Email <u>Recommended subject heading</u> Request for information	Responsible employee (for information), responsible senior executive employee or CEO	Within 10 business days Or Acknowledgement and notice of extension – within 10 business days, and Response – within 20 business days of receipt of request	Employee responding to request to: <ul style="list-style-type: none">• Copy relevant Director or CEO into the response, and• Save copy of the response to file LG211/898/19 > Division#• Update request spreadsheet via nominated directorate representative. Divisional spreadsheets available at LG211/898/19

Acceptable Requests Policy and Guidelines
Attachment B: Acceptable Requests Matrix

REQUEST TYPE	FORMAT OF REQUEST	REQUEST MADE TO	TIMEFRAMES	ADMINISTRATIVE MATTERS
Request for advice and information	Email <u>Recommended subject heading</u> Request for advice and information	Responsible employee (for information), responsible senior executive employee or CEO	Within 10 business days Or Acknowledgement and notice of extension – within 10 business days, and Response – within 20 business days of receipt of request	Administration Employee responding to request to: <ul style="list-style-type: none"> • Copy relevant Director or CEO into the response, and • Save copy of the response to file LG211/898/19 > Division# • Update request spreadsheet via nominated directorate representative. Divisional spreadsheets available at LG211/898/19
	Urgent requests for advice or information	Point of contact (minor administrative requests) Or Via the most convenient channel (including verbal) where the responsible senior executive or CEO deems the request to be urgent Request to be documented in the spreadsheet by responsible senior executive employee or CEO within 5 business days after being actioned.	Responsible senior executive employee or CEO	Where it is agreed that the request is urgent, the matter will be responded to within an agreed timeframe.

Acceptable Requests Policy and Guidelines
Attachment B: Acceptable Requests Matrix

REQUEST TYPE	FORMAT OF REQUEST	REQUEST MADE TO	TIMEFRAMES	ADMINISTRATIVE MATTERS
	Councillors, Councillor Advisors, Councillor administrative support staff		Administration	
Urgent requests made after-hours	<p>Point of contact (minor administrative requests)</p> <p>Or</p> <p>Via most convenient channel (including verbal) where the responsible senior executive or CEO deems the request to be urgent.</p> <p>Request to be documented in the spreadsheet by responsible senior executive employee or CEO within 5 business days once actioned.</p>	Responsible senior executive employee or CEO	Where it is agreed that the request is urgent, the matter will be responded to within an agreed timeframe.	<ul style="list-style-type: none"> • Save copy of the response (and file note of request if required) to file LG211/898/19 >Division# • Update request spreadsheet via nominated directorate representative. Divisional spreadsheets available at LG211/898/19