Induction and Ongoing Professional Development for Mayors and Councillors

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Contents

1. Purpose

The purpose of this policy is to demonstrate Council's commitment to ensuring that the mayor and councillors have access to induction and ongoing professional development which will assist them to develop and maintain the skills and knowledge required to effectively perform their civic role and responsibilities under the *Local Government Act 1993* (the Act).

This policy has been established giving consideration to the NSW Office of Local Government's *Councillor Induction and Professional Development Guidelines 2018* (the Guidelines) issued under section 23A of the Act and to meet the induction training and professional development obligations for the mayor and councillors outlined in the Local Government (General) Regulation 2005 (the Regulation).

2. Statement

Shoalhaven City Council is committed to developing an induction and ongoing professional development program for the mayor and councillors to ensure they can fulfil their statutory roles and responsibilities. As part of this program, the mayor and each councillor will have a professional development plan that identifies specific gaps in their capabilities (i.e. their knowledge, skills and attributes) and identify professional development activities to build these capabilities.

3. Induction Program

An induction program is a mandatory requirement under the Regulation. The mayor and all councillors (including re-elected councillors) must attend all induction sessions. The induction program:

> a. must occur within 6 months of appointment.

> b. should avoid mayor and councillors being overloaded with information, particularly if this is at the expense of team building.

> c. must be completed by councillors appointed following a by-election

> d. will include an evaluation process.

Appendix B provides a checklist of induction matters that are required to be considered under the Guidelines.

The induction program will include a manual for the mayor and councillors, to contain information as set out in Appendix C.

There will be two core components of the induction program:

- A knowledge-based component that ensure the mayor and councillors have the information they need to undertake their roles (this includes a supplementary component for the mayor), and
- A team-building component designed to bring councillors together to form a collaborative, positive and united governing body.

Knowledge component

The induction program will cover the following:

- An orientation to council facilities and the local government area

- An overview of the key issues and tasks for the new council, including council's community strategic plan, delivery program, operational plan, resourcing strategy and community engagement plan
- The legislation, rules, principles and political context under which councils operate
- The roles and responsibilities of councillors and the mayor
- Council's organisational structure, workforce management strategy and the roles and responsibilities of the Chief Executive Officer and council staff
- What Council does and how it operates, including an overview of integrated planning and reporting, land-use planning, natural resources management and asset management by Council
- Key Council policies and procedures councillors must comply with, including the Code of Conduct
- The role of Council meetings and how to participate effectively in them
- The support available to the mayor and councillors and where they can go to get more information or assistance
- Information on the process for taking the oath of office

In the case of the mayor, the program will also cover:

- How to be an effective leader of the governing body and the council
- The role of the Chair and how to chair council meetings
- The mayor's role in integrated planning and reporting
- The mayor's role and responsibilities under the Code of Conduct
- The mayor's role and responsibilities in relation to the Chief Executive Officer's employment
- The mayor's role at regional and other representative bodies
- The mayor's civic and ceremonial role

<u>The mayor and councillors must have a working knowledge and understanding of these areas by the end of the induction program.</u>

Team building component

The induction program will include team building activities which will aim to ensure mayors and councillors:

- Identify how they would like to work together as a team and identify a common vision for the governing body
- Build relationships with each other based on trust and mutual respect that facilitate collaboration
- Contribute to a positive and ethical culture within the governing body
- Work towards consensus as members of the governing body for the benefit of the community
- Develop respectful negotiation skills and manage alternative views within the governing body without damaging relationships
- Understand what supports or undermines the effective functioning of the governing body
- Respect the diversity of skills and experiences on the governing body
- Communicate and uphold the decision of Council in a respectful way, even if their own position was not adopted

Activities should also help the mayor, and the leader of the governing body, to:

- Act as a stabilising influence and show leadership
- Promote a culture of integrity and accountability within Council and when representing Council in the community and elsewhere

The mayor and councillors, including those re-elected to office, must attend all induction sessions.

3.1.   Ongoing Professional Development Program

An individual ongoing professional development plan will be developed for the mayor and each councillor to address any gaps in the capabilities (i.e. knowledge, skills and attributes) needed to effectively fulfil their roles.

The professional development plan will span the full council term and identify each professional development activities that the mayor and councillors will participate in. Professional development activities will be prioritised according to need and approved by the Chief Executive Officer where council funds are required and in accordance with Council's Council Members – Payment of Expenses and Provision of Facilities policy. The mayor and councillors are expected to complete all the activities included in their professional development plan.

Professional development activities will, wherever possible, follow the 70/20/10 principle which states that:

- 70% of learning activities are provided via learning and developing from experience; for example, on-the-job training, self-directed learning, developmental roles, problem solving, exposure and practice

- 20% of learning activities are provided via learning and training through others; for example, personal or professional networks, coaching, mentoring, feedback, memberships and professional associations, and

- 10% of learning activities are provided via learning and developing through structured programs; for example, training courses, external or in-house workshops, seminars, webinars and other e-learning and briefing sessions conducted by the council, external training providers or industry bodies.

The timing of professional development activities for the mayor and councillors will be designed in such a way so as to not overload councillors with learning activities in the early part of council's term. The timing will reflect what knowledge and skills councillors and the mayor need at various points in council's term to undertake their roles.

The Professional Development Program for councillors will include:

- Assistance with identification of knowledge and skills councillors bring to their role and self-identify gaps that require professional development
- Assistance with creating a development plan and implementing councillors goals
- Assisting councillors identify and demonstrate the core skills and knowledge areas listed in Councils needs analysis
- Ongoing assistance to meet the development needs of councillors
- Evaluation of councillors progress and additional assistance to meet goals if required

The mayor and councillors must make all reasonable endeavours to attend and participate in the induction sessions and professional development activities arranged for them during the

term of the council. The mayor and councillors will be provided with as much notice as possible for upcoming induction and professional development activities.

The Office of the Chief Executive Officer, supported by Council's Business Assurance and Risk Unit and Human Resources Unit is responsible for planning, scheduling and facilitating induction and professional development activities for the mayor and councillors in consultation with the Chief Executive Officer.

The Chief Executive Officer has overall responsibility for Shoalhaven City Council's induction and professional development program.

Budget

An annual budget allocation will be provided to support the induction and professional development activities undertaken by the mayor and councillors. Expenditure will be monitored and reported quarterly.

Approval of training and/or expenses

Professional development activities that require council funds are to be approved by the Chief Executive Officer in accordance with Shoalhaven City Council's Council Members – Payment of Expenses and Provision of Facilities policy.

Evaluation

Council will evaluate the professional development program at the end of each council term to assess whether it was effective in assisting the mayor and councillors to develop the capabilities required to fulfil their civic roles.

Reporting

The Chief Executive Officer will publicly report each year in Council's annual report:

- The name of the mayor and councillor that completed council's induction program (where an induction program has been delivered during the relevant year)
- The name of the mayor and councillor that had a professional development plan
- Without naming individual councillors, the percentage of professional development activities offered to the mayor and councillors during the relevant year that were completed, and
- The total cost of induction and professional development activities provided to the mayor and councillors during the relevant year.

Non-participation will be managed by the Chief Executive Officer and the governing body.

4.   Implementation

The councillors' induction will be conducted by Council. Ongoing professional development will include:

- On-the-job training, self-directed learning, developmental roles, problem solving, exposure and practice
- Learning and developing through others – for example, personal or professional networks, coaching, mentoring, feedback, memberships and professional associations

- Learning and developing through structured programs – for example, training courses, external or in-house workshops, seminars, webinars and other e-learning and briefing sessions conducted by the council, external training providers or industry bodies.

5.   Review

This Policy will be reviewed once each Council term or earlier as required in the event of legislative change, and/or the publication of new or revised guidelines relevant to the policy provisions.

6.   Application of ESD Principles

This policy is to be available electronically on Council's Internet and Councillor Portal.

Appendix

Appendix A – Candidate Information Session Content Checklist

Role of Council

- The role and responsibilities of local government
- The guiding principles under the Act that govern council's functions
- The purpose of council and committee meetings

Roles and Responsibilities of Councillors and Staff under the Act

- The roles and responsibilities of the governing body and individual councillors under the Act, including in relation to integrated planning and reporting
- The roles and responsibilities of the mayor as leader of the governing body, including oversight of the Chief Executive Officer
- The strategic nature of the roles of elected members compared to the operational roles of the Chief Executive Officer and council staff
- The regional and other bodies the council is a member of and the roles of those bodies

Legal and Ethical Responsibilities

- Requirement to take an oath of office
- Requirement to meet the ethical standards prescribed under the Act and councils Code of Conduct, including managing pecuniary and non-pecuniary interests
- Outline of the legal responsibilities of councillors under the Act and their personal responsibilities under other legislation, for example in relation to:
  - Work health and safety
  - Anti-discrimination
  - Privacy
  - Public access to information
  - Record keeping and records management
- Outline of any council policies that councillors will be expected to comply with, for example:
  - Councillor and staff interaction policy
  - Councillor Record Keeping Policy
  - Council Members – Payment of Expenses and Provision of Facilities policy
  - Code of meeting practice
  - Code of conduct
  - Councillor Access to Information Policy
  - Councillor induction and professional development policy

Skills and Knowledge

- Outline of the knowledge, skills and personal attributes needed to perform the roles of a councillor or mayor
- Outline of the additional knowledge, skills and personal attributes required by the mayor

Time Commitment

- Participation in council's councillor induction program
- Participation in the mayor's supplementary induction program
- Expected attendance at council meetings, including meeting days, times, frequency and possible duration
- Preparation required for council meetings, for example:
    - Attending pre-meeting briefings
    - Reading business papers
    - Ensuring councillors have a full understanding of issues requiring decisions
- Potential participation in other meetings, for example extraordinary council meetings, regional bodies, external bodies
- Potential attendance at community events, ceremonies and other functions
- Responding to media requires and inquiries
- Potential participation in formal community consultation processes
- Answering letters, emails and phone calls from residents and ratepayers as well as participating in regular information conversations
- Participation in any other activities that are likely to arise and require the mayor or councillor's time

Support available to assist Councillors in the role

- The annual fees paid to councillors and the mayor
- Council Members – Payment of Expenses and Provision of Facilities policy
- Council's induction and professional development program for councillors and the mayor
- The responsibility of the Chief Executive Officer and staff to provide timely information and advice and the administrative and professional support necessary for councillors to effectively discharge their functions

Ways to gain further understanding

- Attendance at a council meeting/s or council committee meeting/s to observe council decision making and meeting practice
- NSW Electoral Commission website and other educational materials

Appendix B – Induction Program Content Checklist

Establishment of a well-functioning governing body

Team building activities to help councillors and the mayor:

- Identify how they would like to work together as a team
- Understand why each councillor is in office and help identify a common purpose and bond between councillors
- Identify a common vision for the governing body
- Identify what a successful term in office will look like for council and the community and what is needed from individual councillors and the mayor to achieve this
- Identify accepted values and behaviours
- Build relationships with each other based on trust and mutual respect
- Contribute to a positive and ethical culture within the governing body
- Value and develop teamwork and collaboration skills
- Work towards consensus as members of the governing body for the benefit of the community
- Manage alternative views within the governing body without damaging relationships
- Develop respectful negotiation and conflict resolution skills
- Champion and communicate the council's vision and strategic plans as a cohesive team
- Respect the diversity of skills and experience of the other members of the governing body
- Communicate and uphold the decisions of council in a respectful way, even if their own position was not adopted
- Understand what supports or undermines the effective functioning of the governing body
- Identify appropriate council meeting practice and behaviours
- Understand their opportunities for influence

Orientation to council facilities and local government area

- Guided tour of the council facilities available to councillors, for example, chambers, offices, utilities
- Guided tour of the local government area including council facilities, significant sites and projects
- Introduction to council staff to help build a positive team culture between the governing body and administration (whilst respecting the legislated separation between the two)

Overview of the key issues and tasks for the new council

- The demographic profile of the local government area
- Council's current social and economic health and performance
- The key social, environmental and economic concerns facing the community
- The key issues and tasks the new council will need to address
- Any issues faced by previous councils or useful historical information that may impact or assist the new council
- The current community strategic plan and the process that led to its development, including its role in informing the new council's activities
- Council's current delivery program, operational plan, resourcing strategy and community engagement strategy
- Regional and other bodies council is a member of and the roles of those bodies

- Overview of council's assets

Legal and political context of local government

- The relationship of state and commonwealth governments to local government
- The statutory framework that applies to local government
- Each of the guiding principles under the Act that govern council's functions
- The key accountabilities of the council to the community, the NSW Government and oversight agencies
- The roles and responsibilities of oversight agencies such as the:
  – Office of Local Government
  – Department of Planning and Environment
  – Environment Protection Authority
  – NSW Audit Office
  – Independent Commission Against Corruption, and
  – NSW Ombudsman
- The role and responsibilities of the Minister for Local Government

Roles and responsibilities of councillors and staff

- The roles and responsibilities of the governing body and individual councillors under the Act including:
  – The strategic nature of their role compared to the operational roles and responsibilities of the Chief Executive Officer and council staff and the limits on councillors role or direction in operational matters
  – The different roles of the governing body and the Chief Executive Officer in determining council's organisational structure
  – Councillors obligations under council's Code of Conduct and the Work Health and Safety Act 2011 in their dealing and behaviour towards the Chief Executive Officer and staff
- The role and responsibilities of the mayor under the Act including:
  – The mayor's civic and ceremonial role and functions they exercise under this
  – The mayor's responsibility for exercising day to day oversight, monitoring ongoing performance and leading annual performance reviews of the Chief Executive Officer
- The roles and responsibilities of the Chief Executive Officer and council staff under the Act including:
  – The responsibility of the Chief Executive Officer and staff to provide timely information and advice to the mayor and councillors and the administrative and professional support necessary to discharge their functions
  – Council's protocol or policy on councillor and staff interaction and how councillors can request assistance or information from staff or forward constituent requests to staff
- The regional and other bodies the council is a member of and the roles of those bodies
- How to speak to the media appropriately and effectively
- Financial and other delegations
- Integrated planning and reporting responsibilities

Overview of the key functional areas of council operations and staffing

- Council's organisational structure
- The role and responsibilities of each business unit or functional area within council, for example:
  - Planning and other regulatory functions
  - Assets and infrastructure
  - Financial management
  - Community services
  - Governance
  - Internal audit
  - Teams responsible for implementing key council policies, strategies or programs
- Council's workforce management strategy
- An overview of the requirements of the *Guidelines for the Appointment and Oversight of Chief Executive Officers* released by the Office of Local Government
- An overview of the Chief Executive Officer's contract of employment, performance agreement and key performance indicators

Legal and ethical responsibilities and risk management

- Preparation for taking the oath or affirmation of office
- All legislation that councillors are expected to comply with, for example in relation to:
  - Local government
  - Work health and safety
  - Anti-discrimination
  - Privacy
  - Public access to information
  - Record keeping and records management
  - Tendering and procurement
- All council policies and protocols that councillors will be expected to comply with for example:
  - Councillor and Staff Interaction Policy
  - Code of Meeting Practice
  - Code of Conduct
  - Council Members – Payment of Expenses and Provision of Facilities policy
  - Risk Management policy
  - Councillor Record Keeping Policy
- In relation to council's code of conduct:
  - How to identify, disclose and manage pecuniary and non-pecuniary interests
  - The process for making and managing code of conduct complaints under the *Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW*
  - the consequences of a breach of council's code of conduct
  - the definition of "corrupt conduct" under the *Independent Commission Against Corruption Act 1988* and the potential consequences of engaging in corrupt conduct
- Participation in the councillor induction and professional development program
- How the council manages risk, including:
  - Council's risk management framework
  - The role of the Audit, Risk and Improvement Committee

- Council's internal audit function
- External audit

Decision-making

- The purpose of council meetings
- Prescribed meeting rules and council's code of meeting practice
- The role of the chair
- How to use closed meetings appropriately
- What an orderly, effective and efficient council meeting looks like and how it is conducted
- How councillors should prepare for a council meeting, including pre-meeting briefings
- The role of business papers and meeting minutes and how to understand and interpret them
- The role of committees, the committee structure adopted by the council and the functions of each of council's committees

Strategic planning

- The statutory requirements for integrated planning and reporting, including its conceptual basis, guiding principles and reporting requirements
- How integrated planning and reporting is conducted by council including:
    - Council's integrated planning and reporting framework, timelines and processes
    - The mayor's and councillor's roles
    - Community consultation and participation
    - Change management processes
    - Reporting mechanism

Land use planning

- Overview of the land use planning system, including:
    - Relevant legislation
    - The role of council in land use and development approvals
    - The development assessment and approval process under the *Environmental Planning and Assessment Act 1979*
    - The role of independent panels, including Joint Regional Hearing Panels and Independent Hearing and Assessment Panels, in relation to development approvals
    - The delegations made with respect to development assessments and approvals
    - The role of environmental planning instruments and how to interpret them
    - The environmental planning instruments that apply to council's area and the development control plans adopted by council
    - Delegations
    - The role of oversight agencies, for example, the Department of Planning and Environment and the Greater Sydney Commission
    - The role of the Minister for Planning

Natural resources management

- Council's public land management responsibilities and the statutory requirements that apply to public land management
- Council's natural resource management responsibilities and the regulatory frameworks under which it exercises its functions

Financial processes and financial management

- The responsibility of councillors for the financial management and sustainability of the council under the Act
- Council's long-term financial plan and other components of council's resourcing strategy, including revenue sources
- How to interpret and understand the financial information contained in financial reports prepared by council

Asset management

- Asset management planning requirements
- Council's asset management strategy

Customer services and complaints handling

- Council's complaints handling process and how councillors should handle constituent's concerns

Support available to assist councillors in their role

- The annual fees paid to councillors and the mayor
- Council Members – Payment of Expenses and Provision of Facilities policy
- Ongoing professional development for the mayor and councillors
- The responsibility of the Chief Executive Officer and staff to provide timely information and advice and the administrative and professional support necessary for councillors to effectively discharge their functions

Supplementary topics for mayor

- How to be an effective leader of the governing body and the council
- The role of the chair and how to chair council meetings
- They mayor's role and responsibilities under the code of conduct
- The mayor's role in integrated planning and reporting
- The mayor's role and responsibilities in relation to the Chief Executive Officer's employment
    - The requirements of the mayor under the *Guidelines for the Appointment and Oversight of Chief Executive Officer* released by the Office of Local Government
    - How to conduct day-to-day oversight of the Chief Executive Officer, and
    - How to lead recruitment and performance reviews of the Chief Executive Officer
- The mayors role on the regional and other bodies they attend on behalf of the council and council's position on the key issues under consideration by these bodies
- The mayor's civic and ceremonial role and the community functions the mayor will be expected to attend.

Appendix C – Councillor Induction Manual Content Checklist

<u>Governing body</u>

- Summary of the share purpose, goals, vision and success markers identified by the governing body during the induction process
- Summary of the values and behaviours identified by the governing body during the induction process that will characterise the council term

<u>Basic information</u>

- Organisational chart and outline of key function and service areas, including those of senior staff
- Information and/or chart showing the relationships between councillors and council staff and decision-making processes
- List of council facilities and map of the local government area
- How to use council's IT system/s
- How to raise work, health and safety issues
- List of regional bodies and committee's council is a member of

<u>Profile of the local government area</u>

- Information about council wards
- Population statistics
- Useful information about the local government area
- Useful information about key issues or tasks for the new council

<u>Information about council meetings</u>

- Council's code of meeting practice
- Agenda and minutes of recent meetings
- Meeting times and venues
- Deadlines related to meetings, business papers and minutes
- List of council committees and their composition

<u>Key planning and policy documents and information</u>

- Integrated planning and reporting documents, for example, the current community strategic plan, delivery program, operational plan, community engagement strategy and resourcing strategy, workforce management strategy etc
- List of financial and other delegations
- Most recent annual report
- End-of-term report of last council term
- Council policy documents, including council's:
  - Policy register/list of policies
  - Code of Conduct
  - Council Members – Payment of Expenses and Provision of Facilities policy
  - Councillor Access to Information Policy
  - Councillor and Staff Interaction Policy
  - Media policy

- – Council's risk management framework and relevant internal audit, external audit and risk management related documents
- Any other relevant plans, policies and procedures

Key legislation

- Copy of key legislation or relevant excerpts from legislation
- Information about the key legislation and regulation under which council exercises its functions, for example:
  - – *Local government Act 1993*
  - – *Local Government (General) Regulation 2005*
  - – *Environmental Planning and Assessment Act 1979*
  - – *Protection of the Environment Operations Act 1997*
  - – *Work Health and Safety Act 2011*
  - – *State Records Act 1998*
  - – How to access up-to-date versions of the legislation online (www.legislation.nsw.gov.au)

Information about support for councillors

- How to make a request or claim under council's Council Members – Payment of Expenses and Provision of Facilities policy
- Information about the induction and professional development program
- Contact details of council officer/s that councillors may contact for information

Other useful resources and/or details about where they may be accessed

- Induction program presentations and materials
- Contact details for key organisations such as the Office of Local Government and Local Government NSW
- The *Councillor Handbook* released by the Office of Local Government
- Bluett's Local Government Handbook NSW
- A copy of useful publications and guidance material produced by NSW Government agencies and other bodies (where relevant) in relation to:
  - – Capital expenditure, tendering and procurement (Office of Local Government, Department of Finance, Services and Innovation)
  - – The *Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW* (Office of Local Government)
  - – The *Internal Audit Guidelines* (Office of Local Government)
  - – Land-use planning and development approvals processes (Department of Planning and Environment)
  - – Public interest disclosures (NSW Ombudsman)
  - – Access to information and privacy (Information and Privacy Commission)
  - – Fraud and corruption (Independent Commission Against Corruption, Audit Office)
  - – External audit (NSW Audit Office)
  - – Annual reviews and performance audits of local government (Audit Office)
  - – Anti-discrimination (Anti-Discrimination Board of NSW)
  - – Council rating determinations (Independent Pricing and Regulatory Tribunal)
  - – Councillor and mayoral remuneration (Local Government Remuneration Tribunal)