

## 1. Heads of Power

*Local Government Act 2009 (Qld)*, section 170 and 170A  
*Independent Assessor Regulation 2018 (Qld)*

## 2. Purpose

To provide clear guidelines for Aurukun Shire Council Councillors when requesting information or advice from Aurukun Shire Council (**Council**) employees, ensuring compliance with the *Local Government Act 2009 (Qld)* and promoting effective governance within the unique context of a small community.

## 3. Scope

This policy applies to all Councillors and Council employees of Aurukun Shire Council in relation to requests for information or advice made by Councillors.

## 4. Definitions

**Advice:** The provision of knowledge or opinion by a Council employee to assist a Councillor in performing their duties under the Act.

**Information:** Documents or data that the Council possesses or can access, relevant to Council operations.

**Council Employee:** Any person employed by Aurukun Shire Council, including permanent, temporary, full-time, part-time staff, and contractors.

**Executive Leadership Team (ELT):** Comprises the Chief Executive Officer (CEO) and Senior Leadership responsible for key operational areas within the Council.

**Designated Officer:** Council employees authorised to provide advice or information to Councillors under this policy.

**Office of the Independent Assessor (OIA):** An independent statutory body responsible for receiving and assessing complaints about the conduct of councillors under the *Local Government Act 2009 (Qld)*.

## 5. Policy Statement

Council is committed to facilitating effective communication between Councillors and Council employees while maintaining appropriate governance standards. This policy ensures that requests for advice or information are managed transparently and efficiently, considering the close-knit nature of a small community.

## 6. Acceptable Requests Guidelines

### 6.1. General Requirements

- Councillors must submit requests for advice or information in writing to the Chief Executive Officer (**CEO**) or a Designated Officer.
- Requests should be clear and specific, detailing the information or advice sought and its intended use.
- Councillors must not direct or attempt to direct Council employees in their duties, except through proper channels as outlined in this policy.

## 6.2. Designated Officers

Councillors may request advice or information from the following Designated Officers:

- Chief Executive Officer (CEO)
- Directors of Departments

## 6.3. Submission of Requests

- Requests should be submitted via official Council communication channels, such as Council email.
- In urgent situations, verbal requests may be made but must be confirmed in writing as soon as practicable.

## 6.4. Response Timeframes

- Designated Officers will acknowledge receipt of requests within two business days.
- A comprehensive response should be provided within ten business days, unless the request involves extensive research or consultation. In such cases, an interim response outlining the expected timeframe will be provided.
- Any response provided will be provided to all Councillors and Mayor to ensure clarity and equitable sharing of information.

## 6.5. Reasonable Limits on Requests

- Councillors should be mindful of the resource implications of their requests and avoid placing unreasonable demands on Council employees.
- If a request is considered unreasonable or outside the scope of a Councillor's responsibilities, the CEO will discuss the matter with the Councillor to reach a suitable resolution.

## 6.6. Confidentiality and Use of Information

- Councillors must use the information provided solely for Council purposes and maintain confidentiality where applicable.
- Any breaches of confidentiality may result in disciplinary action in accordance with the *Local Government Act 2009* (Qld).

## 6.7. Involvement of the Executive Leadership Team (ELT)

- Requests that have broader implications or require strategic input should be referred to the ELT for consideration.
- The ELT will assess such requests and determine the appropriate course of action, ensuring alignment with Council's strategic objectives.

## 7. Practical Examples

### Example 1: Requesting Information on a Community Project

A Councillor seeks details about the progress of a local infrastructure project. They submit a written request to the Director of Technical Services outlining the specific information required. The Director acknowledges the request within two business days and provides a detailed update within ten business days.

### **Example 2: Seeking Advice on Policy Implementation**

A Councillor requires clarification on the implementation of a new Council policy. They contact the CEO via email, explaining the context and the specific advice needed. The CEO responds with the necessary information within the stipulated timeframe.

### **Example 3: Managing Unreasonable Requests**

A Councillor requests extensive historical data that requires significant staff resources to compile. The CEO assesses the request and determines it to be unreasonable in its current form. The CEO meets with the Councillor to discuss the request's purpose and scope, agreeing on a more targeted request that balances the Councillor's needs with staff capacity.

### **Example 4: Referral to the Executive Leadership Team (ELT)**

A Councillor submits a request for information on a proposed policy change that impacts multiple departments. Recognising the strategic nature of the request, the CEO refers it to the ELT. The ELT reviews the request, considers the broader implications, and provides a coordinated response to the Councillor.

## **8. Responsibilities**

- **Councillors:** Ensure requests comply with this policy and do not place undue demands on Council resources.
- **Chief Executive Officer:** Oversee the implementation of this policy and address any issues arising from Councillor requests.
- **Designated Officers:** Provide timely and accurate responses to Councillor requests in line with this policy.
- **Executive Leadership Team:** Evaluate requests with strategic implications and ensure alignment with Council objectives.

## **9. Breaches of Policy**

Non-compliance with this policy by Councillors or Council employees may result in disciplinary action in accordance with the *Local Government Act 2009* (Qld) and Council's disciplinary procedures.

## **10. Conduct Obligations and Referral**

Councillors must adhere to the acceptable request guidelines in accordance with section 170A of the *Local Government Act 2009* (Qld). Breaches of this policy may constitute inappropriate conduct. Any concerns or complaints regarding a councillor's failure to comply with these guidelines may be referred to the OIA for investigation.

## **11. Related Documents**

- Code of Conduct for Councillors
- Employee Code of Conduct
- *Local Government Act 2009* (Qld)

## **12. Document Controls**

This policy will be reviewed every two years or as required by law or best practice.

### **13. Policy Owner**

Legal and Governance.