



Councillor Protocol

February 2020

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SECTION 1: SCOPE AND ROLES	
1.1 Purpose The Councillor Protocol (Protocol) further defines roles and responsibilities of Councillors and Council officers in areas relating to decision-making structures and city representation roles. The Protocol provides greater clarity and guidance on areas such as the role and support provided to the Mayor as civic leader, Portfolio Councillors, media, spokesperson and other city representation roles. It also provides enhanced guidance on preparation of reports for Council, and the separation of a Councillor's individual communication activity and the expression of Council's official position. 1.2 Scope The Protocol supports, and is incorporated by reference in, the Councillor Code of Conduct (Code). This Protocol applies to a Councillor of Brimbank City Council. For the purposes of this Protocol, the term 'Councillor' includes the Mayor, the Deputy Mayor and all other Councillors of Council.	Section 1.1 and 1.2 not substantive content

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1.3 Roles and Responsibilities 1.3.1 Mayor The Mayor’s role is to lead the Council in its culture and decision-making, act as key spokesperson to represent the views of Council and its community; and act as ceremonial head at events and other civic engagements.	Role of the Mayor is captured in para 2.4 of the Councillor Code of Conduct: <u>2.43 Role of the Mayor</u> Section 18 of the Act provides that the role of the Mayor is to: • Chair Council meetings. • Be the principal spokesperson for Council. • Lead engagement with the municipal community on the development of the Council Plan. • Report to the municipal community, at least once each year, on the implementation of the Council Plan. • Promote behaviour among Councillors that meets the Standards of Conduct set out in the Councillor Code of Conduct. • Assist Councillors to understand their role. • Take a leadership role in ensuring the regular review of the performance of the CEO. • Provide advice to the CEO when the CEO is setting the agenda for Council meetings. • Perform civic and ceremonial duties on behalf of Council.
1.3.2 Deputy Mayor The Deputy Mayor has a leadership and representational role in conjunction with the Mayor. Due to the large number of Mayoral engagements and commitments, the Deputy Mayor is expected to assist in representing the Mayor at various functions and meetings. In line with Council resolution, the Deputy Mayor will assume the role of Acting Mayor during periods of absence of the Mayor, or at the request of the Mayor.	Role of the Deputy Mayor has been added as new paragraph 2.3 in the Councillor Code of Conduct: <u>2.3 Role of the Deputy Mayor</u> <u>The Deputy Mayor has a leadership and representational role in conjunction with the Mayor. Due to the large number of Mayoral engagements and commitments, the Deputy Mayor is expected to assist in representing the Mayor at various functions and meetings.</u> <u>In line with Council resolution, the Deputy Mayor will assume the role of Acting Mayor during periods of absence of the Mayor, or at the request of the Mayor.</u>

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1.3.3 Councillors – 1.3.3.1 General In fulfil the legislative role of Council, all Councillors shall be guided by the principles in the Code. In carrying out their role, Councillors shall: • Provide civic leadership and contribute effectively to the interests and advancement of Brimbank City Council and its community • Contribute to the strategic vision for the City • Participate in deliberations of Council.	Role of the Councillors is captured in para 2.2 of the Councillor Code of Conduct. The role of Councillors is also captured in the Roles and Responsibilities section of the Councillor and Council Officer Interaction Protocol. 2.2 Role of Councillors Section 28 of the Act provides that the role of a Councillor is: • To participate in the decision-making of Council. • To represent the interests of the municipal community in that decision-making. • To contribute to the strategic direction of Council through the development and review of key strategic documents of the Council, including the Council Plan. In performing the role of a Councillor, a Councillor must: • Consider the diversity of interests and needs of the municipal community. • Support the role of Council. • Acknowledge and support the role of the Mayor. • Act lawfully and in accordance with the oath or affirmation of office. • Act in accordance with the Standards of Conduct. • Comply with Council procedures required for good governance. The role of a Councillor expressly excludes the performance of any responsibilities or functions of the Chief Executive Officer (CEO).
1.3.3.2 Councillor - Representing the Mayor Councillors may represent the Mayor at functions and meetings where the Mayor and Deputy Mayor are unavailable. Allocation of representation roles will be made by the Mayor based on representative tiers hierarchy at Table 2 (see section 4.1 for protocol).	Para 1.3.3.2 regarding Councillors representing the Mayor in certain circumstances has been added in section 2.2 of the Councillor Code of Conduct. Councillors may represent the Mayor at functions and meetings where the Mayor and Deputy Mayor are unavailable. Allocation of representation roles will be made by the Mayor
1.3.4 Portfolio Champions 1.3.4.1 Overview Council will determine the creation of Committees of Council to reflect the	Portfolio responsibilities are captured in the Portfolio Policy and Terms of Reference document. These two documents (PP and Tor) are proposed to be merged into one single document.

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policy and strategic direction of the City. Portfolio Champions and Councillor representatives will be appointed to these Committees. A Portfolio Champion shall play a key role in the representation of Council in areas covered under the terms of reference of their Portfolio, and in accordance with the Councillor Portfolio Policy. The representational role of a Portfolio Champion is carried out in line with spokesperson and representational protocols outlined in section 4.1. 1.3.4.2 Portfolio Champion In line with the Councillor Portfolio Policy and Terms of Reference, and protocols outlined in section 4.1 that acknowledge the precedence of the role of the Mayor and Deputy Mayor, a Portfolio Champion will also play a key role in representing Brimbank City Council. A Portfolio Champion has an integral role in communicating an agreed Council position and sharing of information and insight leading to that position. If a Portfolio Champion has a individual view which differs from an agreed Council position, they will ensure that clarity between the two is provided when making comment. When commenting or engaging on matters of upcoming, but yet to be determined, Council business, a Portfolio Champion will play a facilitation role by providing information about the process and encouraging input without prejudging an outcome. Community Leadership and Engagement: Leadership in liaison and consultation is an important part of a Portfolio Champion's role. As such, a Portfolio Champion shall: • Advocate on community views on issues relating to the portfolio and provide recommendations on ways to better inform and engage the community on issues related to the Portfolio • Be engaged by Council officers when significant meetings – including with stakeholders - are planned in order to better judge whether Councillor involvement is desirable. Media Spokesperson Roles: A Portfolio Champion will be the authorised	

Councillor Protocol content

spokesperson in line with the Portfolios Terms of Reference and media protocols outlined in section 4.

Events, Functions and Delegations: A Portfolio Champion will, in line with representation protocol outlined in section 4.1, be given the opportunity of representing Council at a range of cultural, community, business and sporting events, in accordance with the Councillor Support Major Policy. These will involve those organised or sponsored by the Brimbank City Council and those being staged by external groups or organisations. Some of these may involve speaking opportunities.

A Portfolio Champion may also be required to represent Council at forums, meetings or conferences on key issues relating to portfolio responsibilities. Such representation will be in accordance with the Councillor Support Major Policy.

Advisory Committees and External Committees: The Councillor representing Council on an advisory committee or external committee shall generally be the Portfolio Champion who has portfolio responsibility for the issue or subject matter.

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SECTION 2: PROTOCOLS - COMMUNITY FIRST 2.1 Councillor And Council Officer Interaction Protocol The purpose of this protocol is to provide a transparent and consistent process for respectful and clear communication between Councillors and Council officers, to enable everyone to fulfil their duties and maintain good governance. Brimbank City Council consists of two parts: the representative arm is the Council (formed by the Councillors); and the operational arm is the organisation (formed by the Chief Executive Officer and the Council officers they appoint). Good governance is dependent on effective, trusting relationships between the Councillors and the organisation, and an understanding of the distinction between the roles and responsibilities of Council and the organisation. Council employs the Chief Executive Officer. The Chief Executive Officer is responsible for the organisation. A Councillor's primary points of contact will be with the Chief Executive Officer and Directors. Contact with other Council officers will be in accordance with this protocol. Councillors seeking information, or wishing to comment on or raise an issue, can contact the relevant Director. Councillors can also contact Council officer/s in accordance with Table 1. In accordance with the Code, Councillors and Council officers will aim to be respectful and courteous in their interactions, including form of address. Council officers will maintain a service approach when referring a matter raised by a Councillor. A Council officer will inform their Manager and Director of any direct contact by a Councillor, including if the Council officer believes the contact may be outside protocol. The Director will refer any relevant matters to the Chief Executive Officer.	Communication between Councillors and Council Officers is covered in detail in the Roles and Responsibilities section of the Councillor and Council Officer Interaction Protocol. 4. Roles and Responsibilities Section 2 of the Councillor Code of Conduct sets out the roles and responsibilities of Council and the organisation. Brimbank City Council consists of two parts: the representative arm is the Council (formed by the Councillors); and the operational arm is the organisation (formed by the Chief Executive Officer and the Council officers appointed by the Chief Executive Officer). Good governance is dependent on effective, trusting relationships between the Councillors and the organisation, and a clear understanding of the distinction between the roles and responsibilities of Council and the organisation. Council employs the Chief Executive Officer. The Chief Executive Officer is responsible for the administrative management of the organisation and managing interactions between Councillors and Council staff. A Councillor's primary points of contact will be with the Chief Executive Officer and Directors. Contact with other Council officers will be in accordance with this protocol or by authorisation of the Chief Executive Officer or relevant Director. Councillors In their capacity as elected representatives of the community, Councillor will have a need to request action, advice and/or information on matters pertaining to the day-to-day running of Council business. When interacting with members of Council staff, Councillors will adhere to the provisions under the <i>Local Government Act 2020</i>, the Councillor Code of Conduct, and other relevant Council policies. Councillors will avoid behaving in a way that might contribute to a perception of improper direction. Compliance with this prohibition includes: • Behaving courteously and respecting the professional opinion, skill or expertise of staff; • Following the formal processes when seeking information. • Accepting that staff are required to adhere to formal processes when making decisions and providing information, services and assistance. • Respecting the normal business timeframes associated with the making of a decision, or the taking of action; and allowing staff to make decisions under delegated authority within the formal reporting and decision making processes.

Councillor Protocol content						Where will this content be captured if this document is revoked?
Matter	Chief Executive Officer	Relevant Director (EA)	Relevant Manager (with Director approval)	Governance Manager	Media & Comms Manager (*team)	This Table is included in the Councillor and Council Officer Interaction Protocol.
Policy and strategy direction, and advocacy issues	X	X	X			
Service and project information (Information Request)		X(App)				
Service request		X(App)				
Routine media and communications		X			X *	
Complex or strategic media and communications	X	X			X	
Council and community events		X			X	
Councillor support services				X		
Phone/ICT support				X		
Portfolios and Committees administration		X		X		

Councillor Protocol content

Governanceadvice	X	X		X	
Enforcement matters		X			
Planning (<i>Planning and Environment Act 1987</i>) matters		X	X		

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5. Protocol

Councillors seeking information, or wishing to comment on or raise an issue, can contact the Chief Executive Officer or relevant Director. Refer to the Councillor Request for Service Protocol.

Councillors can also contact Council officer/s in accordance with Table 1.

Table 1: Councillor and Council Officer Contact/Response on Issues

Matter	Chief Executive Officer	Relevant Director	Relevant Manager	Governance & Risk Manager/ Coord Legal Gov & Integrity	Media & Comms Manager (*Co-ordinator)	Customer Support Manager	CEO's Office & Council Business
Policy direction and gaps, advocacy issues – including Council committees	X	X					
Service and project information	X	X	X				
Operational service requests	X	X				X	
Routine media and communications	X	X			X *		

Complex or strategic media and communications	X	X		X		
Council and community events	X	X		X		X
Councillor support services	X	X	X			X
Phone/IT support	X	X	X	X		X
Committees administration	X	X	X			X
Governance advice	X	X	X			
Enforcement matters	X	X				
Planning (<i>Planning and Environment Act 1987</i>) matters	X	X	X			

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2.1.1 Description of Matters (Table 1) Policy and strategy direction and advocacy issues: Issues that relate to existing or new policy or strategy direction, advocacy issues, consideration of alternatives, impact analysis, forward scheduling, budget proposals, priority timetables Service and project information: Refer to Request for Information Protocol section 3.4 Service requests: Refer to the Councillor Request for Service Protocol section 2.2 Media and communications: Media and communications activity is set out in section 4. Routine media and communication includes media and communications approvals, classification of scheduling, and media opportunity logistics. Complex or strategic media and communications includes messaging, communications strategies and plans, protocols, launches, and conduct. Council and community events: Planning and protocols for Council and community events is set out in section 4.6 Councillor support services: Resources and support available to Councillors are set out in the Councillor Support Major Policy Phone/ICT services: Resources and support available to Councillors are set out in the Councillor Support Major Policy Portfolios and Committees administration: Details that relate to scheduling, logistics and attendees, minutes and delegates and Council representative reports. Governance advice: Advice relating to legislation, statutory requirements, decision making and meeting procedure, conduct and probity. Enforcement matters: Includes enforcement and appeals processes and updates (no influence or direction is permitted). Planning matters (<i>Planning and Environment Act 1987</i>): Includes planning applications and appeals processes and updates (no influence or	Description of matters section is included in the Councillor and Council Officer Interaction Protocol. 6. Description of Matters Policy direction and gaps, advocacy issues – including Council committees Issues that relate to policy direction, gaps or contradictions in policy, advocacy issues, consideration of alternatives, impact analysis, forward scheduling, budget proposals, priority timetables, and the role, function and terms of reference of Council committees. Service and project information Project or service information, including project updates, issues that relate to interpretation of a policy, service levels, a perceived service failure, management response to emerging trends, information on priority of services, or scheduling of works within a project plan. Operational service requests Refer to the Councillor Request for Service Protocol. Media and communications Media and communications activity is set out in the Councillor Code of Conduct and in the Media Protocol. Routine media and communication includes media and communications approvals, clarification of scheduling, and media opportunity logistics. Complex or strategic media and communications includes messaging, communications strategies and plans, protocols, launches, conduct and coverage. Council and community events Planning and protocols for Council and community events is set out in Section 3 of the Councillor Support Major Policy. Councillor support services Resources and support available to Councillors are set out in Parts 2 and 4 of the Councillor Support Major Policy. Phone/IT services

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direction is permitted), and planning scheme classification. Conduct relating to Council Meetings, decision making in the community interest and planning forums is set out in the Code and Governance (Meeting Procedure) Local Law 2015.	Resources and support available to Councillors are set out in Section 5 of the Councillor Support Major Policy. Committees administration Details that relate to scheduling, logistics and attendees, minutes and delegates and Council representative reports. Governance advice Advice relating to legislation, statutory requirements, decision making and meeting procedure, conduct and probity. Councillors and Council staff who interact in a personal capacity are to refrain from discussing Council business. Members of Council staff who are residents and wish to speak to a Councillor/s may contact the Councillor outside of Council in their private capacity, not using Council equipment. To mitigate potential risks and unintended consequences, advice may be sought from Governance or their Manager to maintain the integrity of the Councillor and the staff member. Access to Council Building Councillors are provided access to all public meeting rooms. Councillors are also provided access to the Councillors' office and facilities, along with internal meeting rooms as required from time to time. Access to any other non-public areas require the approval of the Chief Executive Officer. Enforcement matters Councillors are prohibited from any involvement in any stage pertaining to matters of investigation or enforcement for any reason, pursuant to s 123(3)(c) of the <i>Local Government Act 2020</i>. This includes enforcement and appeals processes and updates (no influence or direction is permitted). Planning matters (<i>Planning and Environment Act 1987</i>) Includes planning applications and appeals processes and updates (no influence or direction is permitted), and planning scheme clarification. Conduct relating to Council Meetings, decision making in the community interest and planning forums is set out in the Councillor Code of Conduct and the Councillor Support Major Policy. Requests for viewing Council files A Councillor viewing a Council file must do so in the presence of the relevant Director, or Manager nominated by the Director. Documents cannot be removed from files or the Council premises (other than copies made available by the Chief Executive Officer/Director). Councillors be unable to access Council's electronic document management system, however copies of approved documents may be made electronically available (email or portal) by the Chief Executive Officer/Director. A Councillor requesting to view a public register must do so through the statutory process (filling out a form and viewing the register in the presence of a Council officer).
2.2 Councillor Request For Service Protocol	Para 2.2 is now incorporated into the Councillor Support (Major Policy):

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The purpose of this protocol is to provide a consistent and equitable process for Councillors requesting operational actions or services on behalf of community members. This process also applies when a Councillor identified operational or service issues that they would like to see addressed. The protocol ensures responses will be provided in accordance with Council's service standards. 2.2.1 Service standards In the interests of equity and transparency, a Councillor is unable to influence operational processes, or direct a particular outcome. Service requests by Councillors will be addressed through Council's established processes, and responded to within the set service standards (based on the resources available). 2.2.2 Process Councillors may be contacted by community members in relation to an operational matter or service complaint. They may also identify areas for action (such as graffiti, potholes etc) as they travel around the municipality. If a Councillor receives a request from a community member, it is recommended they provide the community member with the Customer Service contact details to log their own request, as this can often be the most expedient method (phone: 9249 4000, email: info@brimbank.vic.gov.au, website www.brimbank.vic.gov.au). A Councillor has the option of logging the request using the Councillor Service Request function in the Councillor Portal. The online request form will be directed to Customer Support Enhancement Officers, who will enter the request into Council's customer request system and allocate to the relevant department for investigation and response. They will also email the Councillor and community member (if applicable) a request number for reference. To help officers respond efficiently, Councillors are asked to provide as much information as possible, including details of the matter, time/date, location, and contact details of the community member (if applicable). If a Councillor receives an email from a resident with a request for service, they	<u>6.3 Councillors requesting operational actions or services on behalf of community members</u> <u>6.3.1 Service request management</u> <u>Councillors often receive inquiries or complaints from community members about operational matters or service issues. They may also identify problem areas, such as graffiti or potholes, while traversing the municipality. When a Councillor receives a request, they can inform the community member that there is a process in place to handle service requests, and the request will be logged in the Council's customer request system.</u> <u>Once logged, the service request is directed to the appropriate department for action, supervised by the relevant Director. The Director ensures that the Councillor is updated on actions taken and coordinates with them on who will inform the community member.</u> <u>For the sake of fairness and transparency, a Councillor cannot influence operational processes or dictate a specific outcome. Service requests from Councillors are handled through the Council's established processes and are addressed within the set service standards, depending on available resources. Regular updates on the status of Councillor service requests are coordinated by the Customer Support department.</u> <u>6.3.2 Service request process</u> <u>A Councillor who receives or identifies an operational action request should email the details to crrequest@brimbank.vic.gov.au. Customer Support officers will then input the request into the Council's customer request system and assign it to the appropriate department for investigation and response. They will also provide a request number for reference to the Councillor and to the community member, if applicable.</u> <u>To ensure an efficient response, Councillors are encouraged to provide as much information as possible. This includes details of the issue, time/date, location, and contact information of the community member, if applicable.</u> <u>Councillors can also specify whether they prefer to respond directly to the community member (informing them that they have referred the complaint to Council officers for action), or if they would rather have the relevant department do so.</u> <u>In line with the Victorian Ombudsman Good Practice Guide, once a resolution is reached, a Council officer should be in charge of sending and signing an outcome letter/email, particularly in response to a service complaint.</u> <u>Councillors will be provided with a fortnightly report that provides information about all open service requests (requests in progress), including investigation status, and any updates to the anticipated timeframe for resolution.</u> <u>All requests will be actioned in accordance with Council's service standards.</u>

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can forward the email to communityrequests@brimbank.vic.gov.au. A Customer Support Enhancement Officer will enter the request into Council's customer request system directly. Councillors can also indicate if they prefer to respond directly to the community member (to advise them they have referred the complaint to Council officers for response/action), or if they would prefer the relevant department to do so. Once entered in Council's Customer Support System, the service request will be directed to the appropriate area for action, with oversight by the relevant Director. Updates on progress will be provided to Councillors through a weekly progress report.	
SECTION 3: PROTOCOLS – INFORMED DECISION MAKING 3.1 Chief Executive Officer - Meetings With Mayor In recognition of the leadership roles of the Chief Executive Officer and the Mayor, regular meetings may be held. These meetings shall provide the opportunity of raising emerging issues (including stakeholders issues), that have the potential to impact on Council position or policy. Discussion shall seek to identify the most appropriate strategy or way forward in progressing such matters through Council. The Chief Executive Officer shall provide advice in relation to progressing matters within budgeted resources and Council Plan priorities and actions. This includes advice in respect of any operational issues raised by the Mayor.	Para 2.2 is now incorporated into the Councillor Support (Major Policy): 6. Chief Executive Officer meetings with Mayor 6.2 In recognition of the leadership roles of the <i>Chief Executive Officer</i> and the Mayor, regular meetings may be held. These meetings shall provide the opportunity of raising emerging issues (including stakeholders issues), that have the potential to impact on Council position or policy. Discussion shall seek to identify the most appropriate strategy or way forward in progressing such matters through Council. The Chief Executive Officer shall provide advice in relation to progressing matters within budgeted resources and Council Plan priorities and actions. This includes advice in respect of any operational issues raised by the Mayor.
3.2 Multi-Member Ward Representation Councillors will share information and work collaboratively with their fellow	No longer relevant under single Wards.

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ward Councillor(s) on high level community or strategic, ward based issues and initiatives. In relation to sharing information, a Councillor will inform fellow ward Councillor(s), the Mayor and the Chief Executive Officer, and then the remaining Councillors if appropriate.	
3.3 Preparation Of Council Reports 3.3.1 Reports from the organisation The organisation will provide professional advice and recommendations to Councillors in the form of reports to Council. The organisation will maintain a forward plan of proposed Council business for the upcoming fortnight and this shall be available to all Councillors on the Councillor Portal (updated weekly). A Portfolio Champion will be kept informed on upcoming issues through Portfolio meetings. The preparation and submission of such reports shall generally be based on: • Council Plan and Budget: Reports necessary to implement actions of the adopted Council Plan and Budget, and related policies, strategies, and plans. • Public interest: The proposal raises an issue of significant public interest. • Policy change: The proposal raises an issue of policy or process not covered by existing policy or practice. • Consultation: The proposal is considered to require community consultation to seek feedback from affected and interested communities and stakeholders • Public objection: The proposal has given rise to substantial public objection or appears likely to do so. • Consistency: The Chief Executive Officer or delegate recommends approval of the proposal, but such approval would be, or could reasonably appear to be, inconsistent with a previous decision or decisions by or on behalf of the Council. • Unbudgeted expenditure: Implementation of the proposal would	Para 3.3.1 is now incorporated into the Councillor Support (Major Policy). The language had been revised for clarity. 6.4 Reports from the Organisation <u>The organisation will provide professional advice and recommendations to Councillors via Council reports. A forward plan of proposed Council business for the upcoming fortnight will be maintained and made available to all Councillors on the Councillor Portal (updated weekly). Portfolio Champions will be updated on upcoming issues through Portfolio meetings.</u> <u>The preparation and submission of these reports will generally be based on:</u> • <u>Council Plan and Budget: These reports are necessary to implement actions of the adopted Council Plan and Budget, as well as related policies and strategies.</u> • <u>Public Interest: The proposal brings up an issue of significant public interest.</u> • <u>Policy Change: The proposal introduces an issue of policy or process not covered by existing policy or practice.</u> • <u>Consultation: The proposal is deemed to require community consultation to receive feedback from affected communities and stakeholders.</u> • <u>Public Objection: The proposal has caused substantial public objection or is likely to do so.</u> • <u>Consistency: The Chief Executive Officer or delegate recommends approval of the proposal, but such approval would be, or could reasonably appear to be, inconsistent with a previous decision or decisions.</u> • <u>Unbudgeted Expenditure: Implementation of the proposal would require expenditure of Council funds not specifically provided for in the budget.</u> • <u>Decision by Council: The Chief Executive Officer or delegate believes that the proposal or any issue arising from it should be decided by the Council rather than the organisation.</u> • <u>Call-in of Proposal: Any Councillor has expressed a desire to call in the proposal for Council consideration.</u> • <u>Transparency: Appropriate reporting as determined by legislation, policy, plan, and strategy.</u>

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require expenditure of Council funds, and such funds have not been specifically provided for in the budget. • Decision by Council: The Chief Executive Officer or delegate believes it is more appropriate the proposal or any issue arising in connection with it should be determined by the Council rather than the organisation. • Call-in of proposal: Any Councillor has indicated a desire to call in the proposal for Council decision. • Transparency: Appropriate reporting as determined by legislation, policy, plan and strategy.	
3.4 Individual Councillors seeking the preparation of a report to Council can submit a Notice of Motion in accordance with the Governance (Meeting Procedure) Local Law No. 1. In the interests of good governance, a Notice of Motion should generally call for a report to Council on a matter relevant to the Council Plan, and should not commit action or resources without due assessment. It should also not be used to set Council agenda outside of the Council Plan and Budget, and adopted policies, strategies and plans.	Suggest not including this content because it aligns with the Governance (Meeting Procedure) Local Law No. 1 which has been revoked.
3.4 Councillor Request For Access To Information Protocol The purpose of this protocol is to provide a transparent and consistent process for Councillors to be provided with relevant information by the organisation, to help them make informed decisions and fulfil their duties. A Councillor's primary points of contact for requesting information will be with the Chief Executive Officer and Directors (refer to Table 1). It is the responsibility of the Chief Executive Officer and Directors to coordinate timely and relevant information to Councillors via the Councillor Portal or appropriate meeting/briefing.	Councillor Access to Information Protocol is recommended to be revoked. Relevant content from that protocol to be included in the Councillor Support (Major Policy), Councillor Code of Conduct and Governance Rules.
3.4.1 Councillor Request for Information A Councillor will request information through the Chief Executive Officer or relevant Director through the Councillor Information Request function in the Councillor Portal. If a request is raised during a phone or in person conversation,	As above.

Councillor Protocol content	Where will this content be captured if this document is revoked?
it will be logged by the Councillor or the Director through the Councillor Portal. If the information is public, it will be made available on the Councillor Portal. If the information is Confidential or potentially restricted, the Councillor will also provide the purpose they require the information for. The Chief Executive Officer /Director will contact the Councillor to discuss the matter, and if the information is able to be disclosed, will organise a response as soon as possible via the Councillor Portal or appropriate meeting/briefing. Provisions relating to Confidentiality are set out in section 3.5. Councillors will not be able to access information that is protected by legislation (including the <i>Protected Disclosure Act 2012</i>, and <i>Privacy and Data Protection Act 2014</i>), designated as 'commercial in confidence', is privileged legal advice, or contains Council officer records or details. A Councillor may request information under the <i>Freedom of Information Act 1982</i>. Requests will be processed in accordance with Council policy and statutory procedure. Councillors are unable to access Council's electronic document management system, however copies of approved documents may be made electronically available (via the Councillor portal) by the Chief Executive Officer/Director. A Councillor requesting to view a public register must do so through the appropriate statutory process. – 3.4.1.1 Background/update briefing In some instances, it may be appropriate for the Chief Executive Officer/Director to organise a verbal briefing for a Councillor/s on a matter. This may be offered as a one-on-one briefing small group briefing open briefing or strategic briefing as determined as appropriate by the Chief Executive Officer/Director. The matter may also be referred to the relevant Portfolio, if appropriate. – 3.4.1.2 Councillor requests for briefing Individual Councillors seeking a briefing on a matter to Council should convey the request to all Councillors for discussion at Councillor Only Time (COT) or via email request to the Mayor and Chief Executive Officer. The Chief Executive Officer may only proceed with preparation of a briefing following advice from the	As above.

Councillor Protocol content	Where will this content be captured if this document is revoked?
Mayor that a consensus view was reached on the need for a briefing or if the Chief Executive Officer considers it aligns with the strategic priorities of the Council Plan and/or policy. The Chief Executive Officer will assess the request, and if fulfil such a request requires use of significant resources, proposes substantial unplanned work or has a budget impact, will liaise with the Mayor to determine a suitable and timely response to the request, which may include reasons for declining the request for a briefing. In instances where a briefing is approved, all Councillors will be invited to attend the briefing or if more appropriate, a briefing item will be scheduled for a Councillor Briefing session or a written update will be provided through the Councillor Information Bulletin/Portal. – 3.4.1.3 Equity and no surprises Any written information (confidential or background), such as briefing notes prepared ahead of time for a Councillor, will be circulated/made available on the Councillor Portal to all Councillors if relevant, to ensure everyone has access to the same information. 3.5 Dealing With Confidential Information In the course of conducting Council business, information of a confidential nature may be brought to the attention of Councillors or management. There will be occasions, where due to factors such as timing and sensitivity of a matter, the information may not be able to be shared more broadly by Councillors or management. Councillors and management will work within the statutory requirements and provisions guiding access to confidential information as part of the decision-making process. These are referenced in section 2.4.2 of the Code and elsewhere in the Councillor Protocol. It is the responsibility of the Councillor to confidentially store and appropriately dispose of any confidential information received in the course of their official duties.	As above.

Councillor Protocol content	Where will this content be captured if this document is revoked?
3.6 Councillor Conflict Of Interest Section 2.4.4 of the Code references Councillors conflict of interest obligations under the Act. Section 2.1 of the Councillor Transparency Policy specifically sets out requirements, as provided in the <i>Local Government Act 1989 (the Act)</i>, for the types of conflict of interest that must be disclosed. This protocol provides a transparent and consistent process for Councillors to assess their connections with matters coming before Council, and disclose any conflict of interest in accordance with <i>the Act</i> and the Code. Transparent decision making is underpinned by the trust the community has in its decision makers. Councillors uphold that trust by ensuring their participation in the decision making process is unbiased, and by avoiding both real and perceived conflict of interest. The decision about whether a conflict of interest exists can only rest with the individual Councillor. Councillors will avoid the perception of, and/or actual conflict of interest that may be created by the acceptance of gifts and hospitality. Councillors will consider if they have any connection to a matter that is, or likely	Conflict of interest is captured in Chapter 5 of the Councillor Code of Conduct.

to become, the subject of Council consideration and assess whether they have a conflict of interest as defined by the Act, or a conflicting personal interest that means they should not be involved in discussion or decision making about the matter.

General guidance regarding conflict of interest may be provided by the Chief Executive Officer, Director Advocacy Partnerships and Community, or Manager Governance, however Councillors are advised to seek independent legal advice about their specific circumstances, if required.

5 CONFLICT OF INTEREST

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Councillor Code Of Conduct

5.1 Disclosure of conflicts of interest

If a Councillor has a conflict of interest in a matter which is to be considered or discussed at a meeting of Council or a delegated committee, a meeting of a community asset committee, or any other meeting held under the auspices of Council, the Councillor must, if he or she is attending the meeting, disclose the conflict of interest in accordance with the Governance Rules (unless any of the exemptions apply) and exclude themselves from the decision making process in relation to the matter.

A Councillor may have a 'general' or a 'material' conflict of interest in a matter being considered at a meeting.

A Councillor has a 'general' conflict of interest in a matter if an impartial, fair-minded person would consider that the Councillor's private interests could result in the Councillor acting in a manner that is contrary to their public duty.

For the purposes of general conflict of interest:

- 'private interests' means any direct or indirect interest of a Councillor that does not derive from their public duty and does not include an interest that is only a matter of personal opinion or belief.
- 'public duty' means the responsibilities and obligations that a Councillor has to members of the public in their role as a relevant person.

A Councillor has a 'material' conflict of interest in respect of a matter if an affected person would gain a benefit or suffer a loss depending on the outcome of the matter.

The benefit may arise or the loss incurred:

- directly or indirectly; or
- in a pecuniary or non-pecuniary form.

For the purposes of a material conflict of interest, any of the following is an 'affected person':

- The Councillor.
- A family member of the Councillor.
- A body corporate of which the Councillor or their spouse or domestic partner is a Director or a member of the governing body.
- An employer of the Councillor, unless the employer is a public body.
- A business partner of the Councillor.
- A person for whom the Councillor is a consultant, contractor or agent.
- A beneficiary under a trust or an object of a discretionary trust of which the Councillor is a trustee.
- A person from whom the Councillor has received a valuable gift (i.e. exceeding \$500 in value).

5.2 Personal responsibility

Councillors acknowledge that they must be clear about their associations with parties external to Council and to avoid conflict between those associations and their role as Councillors.

It is the personal legal obligation of every Councillor to form her or his own view as to whether a conflict of interest exists, and to disclose any such conflict. Councillors are able to seek their own independent legal advice in relation to any of their conflict of interest matters. Council will not be liable for any legal costs incurred by a Councillor who seeks independent legal advice about whether they have a conflict.

Councillor Protocol content

3.6.1 Council, Special Committee, Audit Committee and Section 223/Major Policy (Hearing of Submissions) Committee Meetings

If a Councillor has a conflict of interest in a matter that is to be considered or discussed at a Council, Special Committee, Audit Committee or Section 223/Major Policy (Hearing of Submissions) Committee meeting, they will formally disclose the interest for recording in the minutes. This applies even if the meeting is closed to the public.

The disclosure will be made immediately before the matter is considered and will include:

The type of interest - direct interest or one of the six types of indirect interest as defined by the Act, and a brief description of the nature of the interest.

The Councillor will need to leave the meeting, prior to the commencement of any discussion, and not remain in an area where they can see or hear the proceedings of the meeting, until the matter has been concluded.

If a disclosure would include information that is confidential or private (particularly if it involves another person), a Councillor may make a full disclosure to the Chief Executive Officer in writing before the meeting. If a written disclosure is made, the Councillor will only disclose the type of interest (not the nature) at the meeting.

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Procedure for disclosing conflicts of interest is captured in Chapter 5 of the Governance Rules. This content is also out of date and reflects the old conflict of interest regime that was replaced in 2020.

Chapter 5 – Disclosure of Conflicts of Interest

2. Disclosure of a Conflict of Interest at a Council Meeting

A Councillor who has a conflict of interest in a matter being considered at a Council meeting at which they:

- 2.1 are in attendance must disclose that conflict of interest by explaining the nature of the conflict of interest to those in attendance at the Council meeting immediately before the matter is considered, indicating whether it is a general conflict of interest or a material conflict of interest; or
- 2.2 intend to attend must disclose that conflict of interest by providing to the Chief Executive Officer before the Council meeting commences a written notice:
 - 2.2.1 advising of the conflict of interest;
 - 2.2.2 explaining the nature of the conflict of interest, and indicating whether it is a general conflict of interest or a material conflict of interest; and
 - 2.2.3 detailing, if the nature of the conflict of interest involves a Councillor's relationship with or a gift from another person, the:
 - (a) name of the other person;
 - (b) nature of the relationship with that other person or the date of receipt, value and type of gift received from the other person; and
 - (c) nature of that other person's interest in the matter;

and then immediately before the matter is considered at the meeting announcing to those in attendance that they have a conflict of interest and that a written notice has been given to the Chief Executive Officer under this sub-Rule.

The Councillor must, in either event, leave the Council meeting immediately after giving the explanation or making the announcement (as the case may be) and not return to the meeting until after the matter has been disposed of.

3. Disclosure of Conflict of Interest at a Delegated Committee Meeting

A Member of a Delegated Committee who has a conflict of interest in a matter being considered at a Delegated Committee meeting at which they:

- 3.1 are in attendance must disclose that conflict of interest by explaining the nature of the conflict of interest to those in attendance at the Delegated Committee meeting immediately before the matter is considered, and indicating whether it is a general conflict of interest or a material conflict of interest; or
- 3.2 intend to attend must disclose that conflict of interest by providing to the Chief Executive Officer before the Delegated Committee meeting commences a written notice:

Councillor Protocol content	Where will this content be captured if this document is revoked?
3.6.2 Assemblies of Council An Assembly of Council means a planned or scheduled meeting involving at least half of the Councillors and one Council officer, or an Advisory Committee with at least one Councillor in attendance, which considers matters intended or likely to be the subject of a Council decision, or subject to the exercise of a function, duty, or power of the Council under delegation by a special committee or a Council officer. If a Councillor attending an Assembly of Council realises they have a conflict of interest in relation to a matter to be (or being) considered, the Councillor must disclose the conflict of interest to the Assembly, and leave the Assembly while the matter is being discussed. It is not necessary to disclose the type and nature of a conflict of interest at an Assembly of Council.	Assemblies of Councils are now dealt with as Meetings under the auspices of Council and conflicts managed in the same way as other meetings.
3.6.3 Conflicting Personal Interests If a Councillor believes that a friendship or connection is too close to allow them to vote impartially at a Council or Special Committee Meeting, or if there is a reasonable likelihood that it will be perceived as a conflict with public duties (but it is not a conflict of interest as defined by the Act), they may, immediately before the matter is considered, request that the Council exempts them from voting on the matter. The Councillor must give reasons in support of their request. If the meeting exempts them from voting, the Councillor must leave the meeting (as if they had a conflict of interest) and the conflict personal interest will be recorded in the minutes. The Council/Special Committee must vote to exempt, and will not unreasonably deny a request to be exempt from voting on the grounds of a conflict personal interest.	Procedure for disclosing conflicts of interest is captured in Chapter 5 of the Governance Rules. This content is also out of date and reflects the old conflict of interest regime that was replaced in 2020.
3.6.4 Exemptions There are certain situations when a Councillor is not considered to have a conflict of interest. The exemptions include when a Councillor has an interest in common with a large class of persons, an interest is very remote or insignificant, or if a Councillor has no knowledge of the conflict. Additionally, there are exemptions for matters where Councillors would normally be expected to vote as a matter of Council business, such as when appointing delegates or representatives or electing the Mayor. The full list of exemptions is provided in the <i>the Act</i>.	As above.

Councillor Protocol content	Where will this content be captured if this document is revoked?
3.6.5 Accountability and Reporting Conflict of interest will be recorded in accordance with the Councillor Transparency Policy.	As above
3.7 Councillor Gifts And Hospitality The purpose of this protocol is to provide a transparent and consistent process for Councillors accepting and declaring gifts that will assist in demonstrating their fair and impartial conduct, including avoiding conflict of interest and/or perceptions of conflict of interest. Councillors will aim to be ethical, fair and honest in the conduct of official duties and not seek, solicit or use their position, to gain gifts, benefit or hospitality. It is the responsibility of a Councillor to disclose the receipt of a gift in accordance with the Act, the Code, the Councillor Gifts and Hospitality Policy, the Councillor Transparency Policy and this protocol. The giving and receiving of civic gifts will be determined in accordance with the Councillor Gifts and Hospitality Policy.	Councillor Gifts and Hospitality is covered in detail in the Councillor Gifts, Benefits and Hospitality Policy.
3.7.1 Acceptance and declaration of gifts A Councillor offered a gift or hospitality will carefully consider the purpose of the offer, whether it relates to the official business of Council, the proportionality of the gift or hospitality offered and the impact on public trust if the offer is to be accepted. A Councillor will declare all offers, and acceptance, of a gift or hospitality by completing a declaration of gift form and submitting this to the Manager Governance for inclusion in Council's Gifts and Hospitality Register. The form will be submitted within one (1) month of the acceptance of the gift. Reasonable hospitality received by a Councillor at an event or function they attend in their official capacity does not need to be declared as a gift. Strategic advocacy hospitality will need to be declared using the declaration of gift form.	As above.

Councillor Protocol content	Where will this content be captured if this document is revoked?								
3.7.2 Civic gifts The giving of a civic gift by, or on behalf of, Council, should be made in a consistent and equitable manner in accordance with the Councillor Gifts and Hospitality Policy in order to avoid perceptions of improper relationships, and to ensure the proper use of Council resources. A Councillor proposing to give a civic gift will circulate the recommendation to all other Councillors. The Mayor will refer any proposed civic gifts to the Chief Executive Official to make arrangements for the purchase or supply of the gift.	As above.								
3.8 Councillor Reimbursement Of Support Expenses The protocol for Councillor reimbursements of support expenses is set out in the Councillor Support Major Policy.	Councillor expenses are covered in the Councillor Support (Major Policy).								
SECTION 4: PROTOCOLS – CITY REPRESENTATION 4.1 Representation Overview Opportunities for the Mayor, Deputy Mayor and Councillors to represent the City will arise through a range of mechanisms including advocacy, media activity, event attendance and contribution to external publications. The hierarchy for determining the appropriate Council spokesperson or representative, is at Table 2. The Mayor and Deputy Mayor may, by mutual agreement at the commencement of their term, allow the Mayor to request the appropriate Portfolio Champion represent the Mayor (instead of the Deputy Mayor) for certain spokesperson and representative opportunities.	All of Section 4 has been incorporated into the Councillor Code of Conduct: <u>7 CITY REPRESENTATION</u> <u>7.1 Representation Overview</u> <u>Opportunities for the Mayor, Deputy Mayor and Councillors to represent the City will arise through a range of mechanisms including advocacy, media activity, event attendance and contribution to external publications.</u> <u>The hierarchy for determining the appropriate Council spokesperson or representative, is at Table 2.</u> <u>The Mayor and Deputy Mayor may, by mutual agreement at the commencement of their term, allow the Mayor to request the appropriate Portfolio Champion represent the Mayor (instead of the Deputy Mayor) for certain spokesperson and representative opportunities.</u> <u>Table 2 – Spokesperson or Representative Tiers</u> <table> <tr> <th><u>Tier</u></th><th><u>Spokesperson Or Representative</u></th></tr> <tr> <td><u>1</u></td><td><u>Mayor / Deputy Mayor</u></td></tr> <tr> <td><u>2</u></td><td><u>Appropriate Portfolio Champion (subject matter expert)</u></td></tr> <tr> <td><u>3</u></td><td><u>Ward Councillors, operating on a rotational basis</u></td></tr> </table> (this is just a section not the whole Chapter).	<u>Tier</u>	<u>Spokesperson Or Representative</u>	<u>1</u>	<u>Mayor / Deputy Mayor</u>	<u>2</u>	<u>Appropriate Portfolio Champion (subject matter expert)</u>	<u>3</u>	<u>Ward Councillors, operating on a rotational basis</u>
<u>Tier</u>	<u>Spokesperson Or Representative</u>								
<u>1</u>	<u>Mayor / Deputy Mayor</u>								
<u>2</u>	<u>Appropriate Portfolio Champion (subject matter expert)</u>								
<u>3</u>	<u>Ward Councillors, operating on a rotational basis</u>								

Councillor Protocol content		Where will this content be captured if this document is revoked?
Tier	Spokesperson Or Representative	
1	Mayor / Deputy Mayor	
2	Appropriate Portfolio Champion (subject matter expert)	
3	Ward Councillors, operating on a rotational basis	
Table 2 – Spokesperson Or Representative Tiers Where requested by a community group/organisation, and as appropriate, Councillors with culturally and linguistically diverse backgrounds may be invited by the Mayor to speak in their community language at an event, in addition to the nominated Councillor spokesperson (Table 2). The following protocols outline the processes by which opportunities will be progressed and allocated. As a general rule, when making an allocation, the key message or subject matter associated with an opportunity will dictate which Portfolio it falls within. Where there is potential Portfolio overlap, an opportunity will be referred to relevant Portfolio Champions for a decision. If no agreement can be reached, or if the Mayor is unable to be contacted within deadline, or where the decision of the Media and Communications team or the Councillor Support Team is (or is likely to be) disputed, the Director Advocacy, Partnerships and Community shall be the referral point and final decision maker. Representations to/by Members of Parliament will be dealt with in accordance with section 2.4.6 of the Code. Style and naming conventions in relation to Council plaques will be in accordance with the Place Naming Policy.		
4.2 General Principles The following protocol acknowledges the Mayor is the principal spokesperson for the Council and that exceptions will only be made as specified below or on the basis of the professional judgement of the Media & Communications Department (Media Team). In particular, the Mayor is the official media spokesperson on behalf of		As above.

Councillor Protocol content	Where will this content be captured if this document is revoked?
Council, where Council has an official position on the matter and where the matter is of a political, controversial, sensitive or emergency nature. These include: • Issues relating to the strategic direction of Council and Brimbank City Council • Issues relating to policy and Council decisions • State-wide or Federal political issues affecting local government • Local issues that impact the community that do not relate directly to Council services and functions • Announcements or commentary relating to premier events, major projects or key community infrastructure being undertaken by Brimbank City Council If the Mayor is unavailable as spokesperson or has a conflict of interest in relation to the matter, the Deputy Mayor will become the primary spokesperson. If the Deputy Mayor is unavailable or has a conflict of interest in relation to the matter, the appropriate Portfolio Chair will become the primary spokesperson. See Table 2 for further information on Spokesperson tiers. A Councillor acting as an authorised spokesperson in line with this protocol has a responsibility to represent Council position in relation to a matter. If that Councillor wishes to express a personal view which differs from an adopted position, they are obliged to identify that the opinion or view is their own, and does not represent the position of Council; nor should that view be expressed in the context of a spokesperson opportunity facilitated by Brimbank City Council.	
4.3 Chief Executive Officer The Chief Executive Officer is the official spokesperson for all operational matters relating to Brimbank City Council, including: • Staffing and structure of the organisation • Corporate issues relating to service provision or the day-to-day business of	As above.

Councillor Protocol content	Where will this content be captured if this document is revoked?
Council. The Chief Executive Officer may delegate their media authority to a Council Officer. 4.3.1 Delegations Council Officers delegated to make statements to the media or authorise the issue of media releases are: • Chief Executive Officer • Directors • Manager Media & Communications	
4.4 Media Enquiries For the purposes of this section, approaches from the media are categorised into three types: • Where the media contacts a Councillor directly • Where the media contacts Brimbank City Council requesting a comment specifically from the Mayor or an individual Councillor • Where the media contacts Brimbank City Council requesting general comment or information without specifying the preferred respondent. All media enquiries, whether received by the Mayor, other Councillors or Council officers, should be directed to the Media Team. Media enquiries should be treated as a priority, with requests passed onto the Media Team as soon as is practicable after receipt, and conducted in accordance with this policy. The Media Team will deal with media inquiries and the delegation of media enquiries/comment in accordance with this policy. It will provide appropriate advice on how to respond to media enquiries and draft official comments. Where the media contacts the Mayor or a Councillor directly (type A), they should make no comment on behalf of Council, advise the media that the Media Team will make contact, and inform the Media Team as soon as practicable. Where the media contacts Brimbank City Council requesting a comment from, or an interview with, the Mayor or a particular Councillor (type B), the Media Team will determine who should be spokesperson, advise the appropriate	As above.

Councillor Protocol content	Where will this content be captured if this document is revoked?
media outlet and act accordingly (either through providing an approved written response such as a media statement or quote, or producing materials such as FAQs in preparation for an interview with spokesperson).	
4.5 Where the media contacts Brimbank City Council requesting a response from an unspecified spokesperson or is otherwise seeking a comment from Brimbank City Council (type C), the Media Team will establish the most appropriate spokesperson according to the order of priorities specified in Table 2 such that if and when the first priority for a spokesperson is reasonably determined by the Media Team to be unavailable or otherwise declines to be the spokesperson, the second priority for spokesperson will be approached, and so on. Table 2 only applies to situations which are not related to operational matters. In operational matters, the spokesperson will be the CEO or a Council official delegated to act as spokesperson by the CEO. Table 2 also assumes two circumstances in which a graduation to the next tier would occur: • Unavailability of the Mayor or appropriate Councillor • A conflict of interest where it is inappropriate for the Mayor or appropriate Councillor to speak on the issue • On occasion and at the discretion of the CEO or delegate, the tier process may be supplanted by a decision to nominate a particular Councillor as spokesperson on the basis of newsworthiness, an acknowledged association with the issue or other factors. An example may be in a case where a conflict of interest prevents the Mayor from being a spokesperson, in which case the appropriate Portfolio Chair may supersede the Deputy Mayor. In such cases, approval from the standard protocol would be sought from the Mayor.	As above.
4.4.1 Photo opportunities Where the request from media is for a photo opportunity, the same protocols and tiered approach will apply. Only the Mayor can participate in a formal, scheduled photo opportunity with media except for reasons of unavailability or	As above.

Councillor Protocol content	Where will this content be captured if this document is revoked?
conflict of interest. At the discretion of the CEO or appropriate Council Officer (Director, Manager Media & Communications), other Councillors may participate in a photo opportunity as well, subject to the Mayor's approval, including for cultural publications. It is acknowledged that photo opportunities at events will often be of an informal and unscheduled nature in which participation by multiple Councillors will be inevitable and encouraged. The protocol above applies only to scheduled photo opportunities as requested by media.	
4.4.2 Generating media Media Releases will be proactively issued by the Brimbank City Council on a regular basis to assist media and community understanding of a Council position in relation to any matter. In creating and issuing Media Releases, the following protocol will apply: • The Media Team will determine who is to be quoted, in accordance with Table 2. • The Media Team will determine key quotes in consultation with the appropriate Directorate and then seek approval from the Mayor and/or any Councillor being quoted. • The Media Team will circulate final copies of all Media Releases to all Councillors.	As above.
4.4.3 Media Team support to Councillors If a Councillor wishes to express a personal view to media which differs from an adopted position, they are not acting as the authorised spokesperson on Council matters or positions as described in this protocol, and therefore the Media Team's resources are not available to them. The Media Team aims to ensure that all Councillors are kept informed and updated on media issues relating to Brimbank City Council. In doing so, a Brimbank Council Media Report will be issued each week, and other ad hoc	As above.

Councillor Protocol content	Where will this content be captured if this document is revoked?
updates will be provided as extraordinary circumstances require. A member of the Media Team will generally accompany the Mayor or other Councillor, if required, when interviews or photo opportunities are being conducted. Opportunities to contribute to publications produced by external sources (e.g. articles) will entail preparation of appropriate content by the Media Team under the byline of the Mayor or, if appropriate, the relevant spokesperson as indicated in Table 2.	
4.5 Social Media Use By Councillors Social media provides opportunities for dynamic and interactive two-way communication between Councillors and their constituents. Social media is not considered any different from existing personal communications (eg, email, letter, face to face conversation) that Councillors engage in. Brimbank City Council acknowledges that Councillors will have and manage their own social media accounts. These communications activities do not require approval from Council officers. However, the following broad principles will apply to personal social media use: • Councillors must not represent their views and opinions on personal social media accounts as being the official views of Brimbank City Council, unless in accordance with agreed and published Council policy. • Councillors should not use personal social media accounts to comment on Council matters which are confidential in nature. • Councillors should not use personal social media accounts to publicly dispute or rebuke the views of other Councillors or Council Officers. • Councillors should not use personal social media accounts to indicate their disagreement with agreed and published Council policy. Where Councillors publish social media content in a personal capacity from personal accounts that makes reference to Brimbank City Council, its staff, policies or services, its suppliers or other stakeholders, or any Council-related	As above.

Councillor Protocol content	Where will this content be captured if this document is revoked?
issues, that content will be considered to be bound by the requirements of Brimbank City Council in regards to social media use. In such instances, the following content is not permitted under any circumstances nor limited to: • Abusive, profane or sexual language • Content not relating to the subject matter of that blog, board, forum or site • Content which is false or misleading • Confidential information about Council or third parties • Copyright or trademark protected materials • Discriminatory material in relation to a person or group based on age, colour, creed, disability, family status, gender, nationality, marital status, parental status, political opinion/affiliation, pregnancy or potential pregnancy, race or social origin, religious beliefs/activity, responsibilities, sex or sexual orientation • Illegal material or materials designed to encourage law breaking • Materials that could compromise Council, employee or system safety • Materials which would breach applicable laws (defamation, privacy, trade practices, rules and regulations, fair use, trademarks) • Material that would offend contemporary standards of taste and decency • Material which would bring the Council into disrepute • Personal details or references to Council staff or third parties which may breach privacy laws • Spam, meaning the distribution of unsolicited bulk electronic messages • Statements which may be considered to be bullying or harassment.	
4.6 For the purposes of this policy, social media encompasses but is not limited to the following digital spaces where people may comment, contribute, create, forward, post, upload and share content: • Websites	As above.

Councillor Protocol content	Where will this content be captured if this document is revoked?
• Emails • Blogs • Bulletin boards • Citizen journalism and news sites • Forums and discussion boards • Instant messaging facilities • Micro blogging sites (e.g. Twitter) • Online encyclopaedias (e.g. Wikipedia) • Podcasts • Social networking sites (e.g. Facebook, MySpace, Bebo, Friendster, LinkedIn) • Video and photo sharing sites (e.g. Flickr, YouTube) • Wikis • Any other websites that allow individuals to use simple publishing tools or new technologies emerging from the digital environment. As the personal views of Councillors are usually likely to be associated by external audiences with the views of Council, Councillors will be held to a high degree of responsibility in regards to personal use of social media. Council social media sites that have been set up by Council officers are considered official channels of Council, and current conventions applied to existing communications channels apply. These conventions include the Mayor being the nominated spokesperson of Council, except where the tiered approach in Table 2 is utilised.	
4.6 Representing The City at Civic Events, Functions and Delegations 4.6.1 Opportunities generated through Council organised, partnered and sponsored events*	As above.

Councillor Protocol content	Where will this content be captured if this document is revoked?
As chief representative and spokesperson for Council, the Mayor is given first opportunity to formally represent Council at functions and events organised, partnered or sponsored by Brimbank City Council. An event organised by Council is one that is a designated Brimbank City Council event – e.g. the opening of a facility, a policy announcement, a cultural or community event. An event partnered by Council would usually be one that has been instigated by a State or Federal Government Department or Minister's office for the purpose of a joint media announcement or one with particular relevance to Brimbank City Council. An event sponsored by Council is one with Brimbank City Council funding or in-kind support towards the staging of an event or function. This does include funding provided through the purchase of tickets or seating at events and functions once the event has been announced and promoted. For functions and events organised, partnered or sponsored by Brimbank City Council where the Mayor is unavailable, the invitation is first forwarded to the Deputy Mayor, then the relevant Portfolio Chair if the Deputy Mayor is also unavailable, then via the same tiered process outlined in Table 2. On occasion and at the discretion of the CEO, the tier process may be supplanted by a decision to nominate a particular Councillor as an event representative on the basis of newsworthiness, an acknowledged association with the event or other factors. In such cases the Mayor's approval would be sought.	
4.6.1.1 Speeches All civic events commitments are placed in the appropriate representative's diary by Councillor Support, which then submits a speech request to Media & Communications. A speech request is required, in normal circumstances, six weeks prior to the event taking place. Additional time will be required if translations are needed. Speechwriting support is only offered for events where the Mayor has accepted to speak. If a Councillor attending an event in their official role is invited to speak ad hoc at	As above.

Councillor Protocol content	Where will this content be captured if this document is revoked?
the event, they are able to do so, but must inform the Mayor and Manager Governance afterwards. Speechwriting support is not able to be provided for Councillors who wish to speak at functions outside of their official role as a Brimbank City Council representative.	
4.6.1.2 MC Role A distinction is made, for the purposes of Council organised, partnered and sponsored events, between the Mayor or a Councillor providing formal representation, and another individual serving as the Master of Ceremonies (MC) for the event. An MC may be the CEO, a Council officer (e.g. a Director) or a non-Council individual serving in the role for reasons of professional experience and appropriateness (e.g. a professional entertainer or speaker at a cultural event). The role of the MC will include introducing the Mayor or relevant Councillor to conduct their ceremonial role and/or provide a speech. The role of MC is not intended to supplant any of the formal or ceremonial aspects of a Mayor or Councillor, nor would it be represented as such.	As above.
4.6.1.3 Running Sheet All Councillors formally attending an event where Council's participation includes the preparation of a Running Sheet should familiarise themselves with that Running Sheet prior to the event and be familiar with: - The protocols that will apply at the event - The restrictions that may apply on participation in photo opportunities – i.e. an event partnered with the State Government may require that only the Mayor participate in a photo or video opportunity with the relevant Minister - The formal or ceremonial roles that Councillors may be requested to play.	As above.
4.6.2 Opportunities received directly by Councillors and Council from external sources - 4.6.2.1 Invitations received by the Mayor	As above.

Councillor Protocol content	Where will this content be captured if this document is revoked?
As the chief representative of Council, the Mayor will be approached by stakeholders to participate in events, functions and activities important and relevant to Brimbank. Such requests will be considered by Councillor Support in the first instance. Councillor Support will liaise with the appropriate Directorate to assess the importance and relevance of the event, and the appropriateness of formal Council attendance, participation and contributions (e.g. speech or ceremonial role). It will be at the discretion of the appropriate Director, with reference to the CEO as appropriate, to determine if Council should play such a role. If the nature of the event suggests it may be valuable to have Brimbank City Council participation and the Mayor is unavailable, the event organiser will be approached by Councillor Support regarding representation by another Councillor. If the event organiser agrees, the opportunity will be referred to the Deputy Mayor in the first instance. If unavailable, the opportunity will be offered to other Councillors via the same tiered process outlined in Table 2.	
– 4.6.2.2 Invitations received by the Deputy Mayor and Councillors The Deputy Mayor and Councillors will receive invitations in an individual capacity to represent Council. These may be received in acknowledgement of portfolio or cultural responsibilities or in response to established relationships with city stakeholders. If the event is one in which the Councillor would not be formally representing Council, but attending on the basis of personal relationships with stakeholders or within the community, there would be no formal Council involvement or contribution. The Councillor should not represent themselves as attending or participating in the event on behalf of Brimbank City Council. If the event is one in which the Councillor would be formally representing Council, Councillors will forward the details to Councillor Support, which will liaise with the appropriate Directorate to assess the importance and relevance of the event.	As above.

Councillor Protocol content	Where will this content be captured if this document is revoked?
If a Councillor receives an invitation to a cultural or specific interest event, they will send the invitation to Councillor Support. Councillor Support will liaise with the appropriate Directorate to assess the relevance of the event, and appropriateness of formal Council attendance. Councillor Support will provide all invitations to the Mayor for their assessment and/or approval, in accordance with the Councillor Support Major Policy requirements. If approved, Councillor Support will advise the Councillor. If not approved, the Mayor will discuss their decision with Councillor directly. If the event is deemed appropriate for that Councillor's attendance and contribution (e.g. speech), Councillor Support will confirm the commitment with the event organiser on behalf of the Councillor. If the opportunity is transferable, Councillors should consider referring the invitation to the relevant Portfolio Councillor.	
4.6.2.3 Invitations received by Council Where an external source approaches Council directly with a view to seeking representation by a Councillor, Councillor Support will first liaise with the appropriate Directorate to assess the importance and relevance of the event. If it is deemed suitable, the Mayor will first be approached. If the Mayor declines the invitation and an alternative Councillor is considered acceptable to the organising body, the opportunity will be offered to other Councillors via the same tiered process outlined in Table 2.	As above.
4.6.2.4 Support for Councillor Representation In representing Council at events, functions and delegations, Councillors may require support in the form of speech notes, presentations and background information. This support shall be arranged through Councillor Support, who will forward the relevant requests to the Media Team.	As above.

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4.6.2.5 Access to tickets for Council organised or sponsored events As the organiser or sponsor of a number of key cultural, community, business and sporting events in Brimbank, there will be ticketing opportunities for Councillors, the administration and stakeholders. It is important to have a transparent and accountable system of allocation of tickets. The process supporting allocation allows Council to use tickets in a strategic way to maximise the profit and relationship opportunities for Brimbank City Council and shall be guided by the following principles: - The need to ensure Council is appropriately represented at all sponsored and organised events - That City representation involves participation of Councillors and senior Council officers - That where limited tickets are available in the proposed allocation to Councillors, priority shall be given to the Mayor, Deputy Mayor and relevant Portfolio Champion - Ticketing should be used for the primary purpose of further developing and enhancing Council relationships with stakeholders, and so Council officer representation may also occur - Allocated tickets should be used. Unused tickets represent a loss in profit and stakeholder relationship opportunities All other event attendance and ticketing in relation to procuring a 'table' for Council will be dealt with in accordance with section 3 of the Councillor Support Major Policy.	As above.
4.6.2.6 Requests for Council support or funding for events Councillors approached for Council support or funding for events and activities must first raise the matter with the relevant Director for consideration in accordance with Council policy and guidelines under specific programs and projects. These policies and guidelines ensure that assessment processes are fair, transparent and accountable.	As above.
4.1 Mayoral Robe and Chain	As above.

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The Mayoral robe and chain signify the office of the Mayor. The Mayor may choose to wear one or both at official functions of the Council. The Mayor will act as custodian of the robe and chain, and liaise with Councillor Support to make any necessary security arrangements. Given its significant value, the chain is only able to be worn at functions held at the Brimbank Council Offices, Citizenship ceremonies, school visits, or where appropriate security measures are in place. –	

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SECTION 5: RELATED POLICIES AND RESOURCES

- Councillor Code of Conduct
- Councillor Support Major Policy
- Councillor Transparency Policy
- Councillor Respectful Conduct Policy
- Councillor Portfolio Policy 2019
- Place Naming Policy
- Councillor Gifts Protocol and Declaration of Gift Form
- Conduct During Elections Policy 2019
- *Local Government Act 1989*

REFERENCES

City of Melbourne Councillor Protocol

AMENDMENT OF POLICY

Amendment of Policy	Reviewed Date	Reason for Amendment	Next Review Date
	February 2020	Status as Major Policy New standalone policy (incorporated by reference in the Code)	February 2021

Date Approved by Council—

Brimbank City Council

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Hearing or speech impaired?

- TTY dial 133 677
- Speak & Listen 1 300 555 727
- www.relayservice.gov.au, then enter 03 9249 4000



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