

What have we changed?



This document summarises the major changes and reasons for updating or revoking Brimbank City Council policies.

1. Policies that we have reviewed and updated.

Brimbank City Council is reviewing of all our policies. The goal is to reduce the number of policies, update old content, avoid repeating information, and make sure no important details are lost during this process. The documents mentioned below were carefully checked and updated during this project. Each updated document, with all changes included, is provided for your reference.

The Councillor Code of Conduct

The Councillor Code of Conduct is a prescribed policy under the *Local Government Act 2020* (LGA 2020). It includes the standards of conduct that must be observed by Councillors, including prohibiting discrimination, sexual harassment and abuse. We last reviewed this document in 2021.

The major changes to the Councillor Code of Conduct are:

- We added a Values Statement to link the Code with Council's values and make it a more values-based document.
- We changed the definition of 'misconduct' to match the statutory definition.
- We moved relevant content from the Councillor Protocol (which is recommended to be revoked) into this policy.
- We updated the role of the CEO to directly reflect the provisions in the LGA 2020 and removed redundant CEO duties under 1989 Act.
- We summarised the duties of the Principal Councillor Conduct Registrar rather than replicating the long list in the LGA 2020 for better readability.
- We included the Prescribed Standards of Conduct for Councillors exactly as set out in the LGA 2020.
- We included sections about Councillors not discrediting or misleading, about interactions with Members of Parliament, about meetings with planning permit applicants, and fitness for duty provisions in the Code.

- We included a section prohibiting inciting hatred. This reflects important *Racial and Religious Tolerance Act 2001* requirements.
- We added Child Safe Standards provisions to ensure safety of children.
- We updated the conflict-of-interest provisions so that they correctly reflect requirements in the LGA 2020.
- We added content about city representation from the Councillor Protocol, which is recommended to be revoked.

Councillor Gifts, Benefits and Hospitality Policy

This policy was last reviewed in 2021. It applies to all Councillors of Brimbank including the Mayor. It is based on principles of integrity, good governance, transparency and accountability and aims to minimise improper receiving of things of value and potential conflicts of interest. Having a Councillor gifts policy is a requirement under the LGA 2020.

The name of this policy has been changed from Councillor Gifts Policy 2021 to the Councillor Gifts, Benefits and Hospitality Policy for consistency with our Employee Gift, Benefit and Hospitality Policy 2023.

The major changes to this policy are:

- We added a 'GIFT Table' with questions for Councillors to consider if they are presented with a gift, benefit or hospitality. This will give more guidance about when it might be inappropriate to accept an offer of something of value.
- We included a definition of 'anonymous gifts' to make this category clearer.
- We made a change to the way the gift register is available. Instead of being always available online it will now be available 'upon request'. This will help to reduce admin burden on Council.

Livestreaming of Council Meetings Policy

This policy was introduced as a pilot in 2018. It aims to provide greater flexibility and convenient access for the community to Council's decision-making process.

The major changes to this policy are:

- We removed outdated references to the *Local Government Act 1989*.
- We included publication of Council meetings on Council's website not just YouTube.
- We added a section about adjournment of meetings when there are technical issues. This makes it clearer when Council meetings will continue or when they might be adjourned if there are technical issues with streaming.

Public Transparency Policy

This policy was adopted in 2020 as part of the LGA 2020 changes. It aims to ensure public transparency by making more information available to the public to enhance input into decision making.

The major changes to this policy are:

- We added a purpose statement with more detail about why transparency is important.
- We changed our commitment to review and release decisions from closed meetings. We had previously committed to release this information once it was determined that it is no longer confidential. This was not a realistic commitment from Council because it is not practicable to continuously review documents from closed meetings. We therefore removed this commitment.
- We reordered the content for readability throughout.

Councillor Support Policy

This policy had a minor review in November 2023. It was previously reviewed in 2020 as part of the implementation of the LGA 2020. The policy details how Council can provide support to the Mayor and Councillors when conducting council business.

The major changes to this policy are:

- The major policy status of this policy will be removed after the sun setting of the Governance (Major Policy Consultation) Local Law 3 on 17 July 2024. This means this policy can be reviewed in line with Council's community engagement framework, like other council policies.
- We included mandatory midyear refresher training for Councillors in accordance with the LGA 2020 and Regulations.
- We amended the maximum annual expenditure threshold for professional development for Councillors. This allows Councillors to undertake necessary training for their professional development.
- We made the CEO able to waive the requirement for Councillors to refund accreditation costs in exceptional circumstances. This gives some reasonable discretion in cases where Councillors cannot complete accreditation courses for reasons outside of their control.
- We added more examples added of what might be unreasonable hospitality to make Council's expectations clearer.
- We added support for Councillors to participate in community engagement in line with our Community Engagement Policy.
- We added content about requests for information and viewing of Council files. This content is included in the Councillor Access to Information Protocol, which is recommended to be revoked.

- We added content about how Council will give advice and recommendations to Councillors through reports from Council. This content is from the Councillor Protocol, which is recommended to be revoked. We also revised the wording for clarity.
- We added requirements for Councillors to complete personal interest returns. This is an important way to declare outside interests that might be a conflict of interest.

2. Policies / protocol proposed to be revoked:

The following policies and protocol have been identified as appropriate to revoke as part of the project.

Councillor Transparency Policy

This policy was adopted as a Major policy as part of the Councillor Code of Conduct in 2017. It was last reviewed in 2020. We have identified that the content is already covered, or could logically be incorporated, in our Public Transparency Policy 2020, our Councillor Gifts, Benefits and Hospitality policy, Governance Rules, Councillor Code of Conduct and Councillor Support Policy. We have therefore decided that this policy should be revoked.

Councillor Respectful Conduct Policy

This policy was adopted by Council in 2020. It aimed to guide appropriate conduct in line with the Councillor Conduct principles under the Local Government Act 1989. The contents of this policy are covered in our current Councillor Code of Conduct. We have therefore decided that this policy should be revoked.

Councillor Protocol

The Councillor Protocol was adopted in February 2020. The Protocol further defines the roles and responsibilities of Councillors and Council officers in areas relating to decision-making structures and city representation roles. These roles and responsibilities are defined in the Councillor Code of Conduct. Review of this document has identified that its content that is already covered, or could logically be incorporated, in other policies. We have therefore decided that the Protocol should be revoked.