

Elected member protocols and interactions policy

Policy No. 1054.100.E.R

1 Purpose

This policy outlines the protocols that apply to Elected Members in the undertaking of official business on behalf of Council. It also provides a framework for Elected Members to interact with workplace participants, and to ensure administration complies with legislative requirements.

2 Scope

This policy applies to Elected Members and workplace participants.

3 Policy statement

3.1 Lord Mayor, Deputy Lord Mayor and Acting Lord Mayor

Appointment of Deputy Lord Mayor

The Deputy Lord Mayor must be appointed at the first meeting of Council after the General Election. Council has determined that each of the 12 Elected Members can be elected as Deputy Lord Mayor for a period of four months during each term of Council.

Acting Lord Mayor

Where the Lord Mayor is absent from official duties due to illness or some other reason, the Lord Mayor must notify the Chief Executive Officer (CEO) in reasonable time to enable appropriate arrangements for the Deputy Lord Mayor to become Acting Lord Mayor.

If the Deputy Lord Mayor is unable to act in the role of Lord Mayor, the Council may, by resolution, appoint another Elected Member to act in the Lord Mayor position for a specified period or until the Lord Mayor resumes official duties.

If time does not permit a Council resolution, the Acting Lord Mayor will be appointed by the CEO and a resolution passed retrospectively at the next available Ordinary Council Meeting to endorse the appointment.

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2	ORD518/24	26 November 2024	26 November 2028

Responsible Officer: Chief Executive Officer

Electronic version current. Uncontrolled copy valid only at time of printing.

Media and public relations

The Lord Mayor is the official spokesperson for the City of Darwin. Elected Members must adhere to the Communications and Media Policy.

3.2 Ex-officio and civic functions

Ex-officio involvement with external groups

The Lord Mayor may be asked to become involved with community groups, committees, and organisations. For example, as a patron, committee member or chairperson of an organisation.

Council will endorse the Lord Mayor's Ex-Officio roles and in doing so, accepts that this community involvement is a legitimate function of the Lord Mayor. Expenses incurred as a result of this role will be reimbursed in line with the Elected Member Expenses, Facilities and Support Policy.

Civic functions

The guest list for civic receptions and official Council functions will be at the discretion of the Lord Mayor in consultation with the CEO.

Representation at external events

The Lord Mayor is Council's official representative for external events. If the Lord Mayor is unable to attend external events, an alternate Elected Member will be selected to represent the Lord Mayor.

Expenses incurred as a result will be reimbursed in line with the Elected Member Expenses, Facilities and Support Policy.

Interaction – Elected Members and workplace participants

This section outlines appropriate interaction between Elected Members and workplace participants. Elected Members and workplace participants must comply with respective Codes of Conduct with all interactions.

Elected Members and workplace participants acknowledge that the information provided in relation to a request by an Elected Member must adhere to confidentiality and privacy requirements as outlined in relevant legislation.

Councillor and Committee Support Officer

The Councillor and Committee Support Officer is available to answer queries or requests for assistance from Elected Members in accordance with the Customer First Strategy.

Requests may relate to:

- meetings, including Council business
- events
- community enquiries and information
- Council Committees
- technical or professional advice
- Elected Member entitlements.

The Councillor and Committee Support Officer is responsible for ensuring all records relating to Elected Members are kept in accordance with the *Information Act 2002* (NT) and *Local Government Act 2019* (NT).

Elected Member communication

Elected Members may make requests to the CEO directly or via the Councillor and Committee Support Officer.

All requests are to be copied to the Councillor and Committee Support Officer.

Elected Members will respond directly to correspondence addressed to them.

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Workplace participant communication

Communication with Elected Members must be via the CEO or the Councillor and Committee Support Officer.

If workplace participants receive direct correspondence or requests from Elected Members, it must be referred to their General Manager or the CEO.

If an Elected Member attempts to direct a workplace participant about the way in which their duties are performed, this should be reported to the General Manager or the CEO.

Workplace participants are not to discuss the terms and conditions of their employment with Elected Members.

Elected Member access to Council information

Elected Members are provided with appropriate access to information in order to carry out their role as outlined in the *Local Government Act 2019*(NT).

Accessing Council information

Elected Members may request access to additional information or information required for Council business and not already included in a Council agenda by making a request to the CEO. This may include legally privileged or confidential information. Requests for information must be for the purpose of enabling Elected Members to perform their role.

Elected Members must not use Council information for private purposes or to derive a private benefit or to cause harm or detriment to Council or any other person or organisation.

Access will be provided as follows:

- by inspection at Council offices
- by email
- in hard copy.

When providing access to information, the CEO, or Councillor and Committee Support Officer will articulate if the information contains confidential or private information. Confidential or private information must be handled in accordance with relevant legislation.

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Access to information sought by and provided to an Elected Member in relation to an item to be considered at a Council or committee meeting will be provided to all Elected Members irrespective of whether the original request was marked private or confidential.

CEO can refuse access to Council information

The CEO is able to refuse a request by an Elected Member for access to Council information. When doing so, the CEO must act reasonably and take into account whether or not the document sought is required for the Elected Member to perform their role.

If refused, the CEO must, in writing, state the reasons for the decision.

Elected Members may dispute the CEO's decision and:

- request a review of the decision by another officer of Council
- seek support of Council by lodging a Notice of Motion at a meeting
- lodge a request for information under the *Information Act 2002* (NT).

Section 293 of the *Local Government Act 2019* (NT) – suppression of certain information

The CEO can suppress certain information in accordance with section 293 of the *Local Government Act 2019* (NT). Information suppressed in accordance with section 293(2) will not be provided to Elected Members. The CEO will maintain a confidential register of information suppressed in accordance with these requirements.

4 Definitions

Elected Members are the Lord Mayor and Councillors who are elected by the community.

Workplace participants means City of Darwin employees, volunteers, work experience placements, contractors, consultants, and labour-hire staff.

5 Legislative references

Local Government Act 2019 (NT)

Information Act 2002 (NT)

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6 Procedures / related documents

Schedule 1 Code of Conduct

City of Darwin Code of Conduct

Elected Member Expenses, Facilities and Support Policy

Caretaker Policy

7 Responsibility / application

Elected Members and the CEO are accountable for the overall establishment and periodic review of this policy.

Elected Members, the CEO and workplace participants are responsible for complying with this policy.

This policy will be reviewed every four years, or as required.