

1 PURPOSE

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

2 SCOPE

This policy applies to all Elected Members and City of Darwin Officers.

3 POLICY STATEMENT

3.1 LORD MAYOR, DEPUTY LORD MAYOR AND ACTING LORD MAYOR

3.1.1 Appointment of Deputy Lord Mayor

The Deputy Lord Mayor must be appointed at the first meeting of Council after the General Election. For the current term of Council (through to declaration of the 2021 Election), Council has determined that each of the 12 Alderman can be elected as Deputy Lord Mayor for a period of four months during the term of the 22nd Council.

3.1.2 Acting Lord Mayor

Where the Lord Mayor is outside of the municipality for in excess of 24 hours, the Lord Mayor shall notify the 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, an Acting Lord Mayor will be appointed by Council resolution. If the Lord Mayor is on extended leave, an Acting Deputy Lord Mayor will be appointed.

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

3.1.3 Media and Public Relations

The Lord Mayor is Council's principal spokesperson. The Lord Mayor and all Elected Members must adhere to Council's adopted Media Policy.

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3.2 EX-OFFICIO AND CIVIC FUNCTIONS

3.2.1 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 by Council and includes travel, support services and resources necessary to perform the role. Cost implications, community benefit and time requirements will be provided to Council as part of considering these requests.

3.2.2 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 Chief Executive Officer.

3.2.3 Representation at External Events

The Lord Mayor is Council's official representative for external events. There will be occasions whereby the Lord Mayor is unable to attend external events. Council will endeavor to provide an alternate member to represent the Lord Mayor at external events in order as follows:

- Acting Lord Mayor (if appointed)
- any other Elected Member.

Elected Members attending as an official representative of Council will not be paid an additional allowance for attendance as it will be considered to be a part of the role of an Elected Member.

3.3 INTERACTION – ELECTED MEMBERS AND STAFF

This section outlines appropriate interaction between Elected Members and City of Darwin staff and is applicable to both Elected Members and staff. Elected Members and staff must comply with respective Codes of Conduct with all interactions.

Elected Members and staff 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.

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3.3.1 Alderman Liaison Officer

An Alderman Liaison Officer is available to answer queries or requests for assistance to Elected Members in accordance with Council's adopted Customer Service Standards.

Requests may:

- pertain to meetings including Council business
- pertain to events
- pertain to community enquiries
- pertain to any Council appointed Executive or Advisory committees
- be for advice of a technical or professional nature to assist with decision-making obligations and responsibilities
- be for help or advice of a nature given to the public
- be for information and customer requests
- be for professional development, reimbursement of expenses, provision of facilities or other support functions.

The Alderman Liaison Officer is responsible for ensuring all records relating to Elected Members are kept in accordance with the *Information Act 2002* (NT).

3.3.2 Elected Member Communication

Elected Members may make requests to the Chief Executive Officer or General Managers either directly or via the Alderman Liaison Officer.

All requests are to be copied to the Alderman Liaison Officer.

Where the organisation receives correspondence addressed directly to individual Elected Members or Ward alderman as a group, it is expected that these enquiries will be responded to by Elected Members.

3.3.3 Staff Communication

Staff communication with Elected Members must be via the Chief Executive Officer, General Managers or the Alderman Liaison Officer.

If staff receive direct correspondence or requests from Elected Members, it must be referred to their General Manager or the Chief Executive Officer.

If an Elected Member attempts to direct an employee about the way in which their duties are performed, this should be reported to the General Manager or the Chief Executive Officer.

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

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3.4 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 2008* (NT).

3.4.1 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 Chief Executive Officer. 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, or
- by email, or
- in hard copy.

When providing access to information, the Chief Executive Officer, General Manager or Alderman Liaison Officer will articulate if the information contains confidential or private information. Confidential or private information must be handled in accordance with relevant legislation.

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.

3.4.2 Chief Executive Officer can refuse Access to Council Information

The Chief Executive Officer is able to refuse a request by an Elected Member for Access to Council Information. When doing so, the Chief Executive Officer 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 Chief Executive Officer must, in writing, state the reasons for the decision.

Elected Members may dispute the Chief Executive Officer'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).

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3.4.3 S201 of the Local Government Act 2008 – Suppression of Certain Information

The Chief Executive Officer can suppress certain information in accordance with Section 201 of the *Local Government Act 2008* (NT). Information suppressed in accordance with section 201(2) will not be provided to Elected Members. The Chief Executive Officer will maintain a confidential register of information suppressed in accordance with these requirements.

4 DEFINITIONS

Elected Members are the Lord Mayor and Alderman who are elected by the community

5 LEGISLATIVE REFERENCES

Local Government Act 2008 (NT)
Information Act 2002 (NT)

6 PROCEDURES / RELATED DOCUMENTS

City of Darwin 0014.100.E.R – Elected Member Code of Conduct
City of Darwin 0017.100.E.R – Elected Member Expenses, Facilities and Support Policy
City of Darwin 0036.100.E.R – Caretaker Policy

7 RESPONSIBILITY / APPLICATION

All Elected Members are responsible for ensuring that this policy is understood and adhered to.

The Chief Executive Officer (or delegated authority) is responsible for implementing this policy.

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