# GOVERNANCE AGENDA

# **GOVERNANCE COMMITTEE MEETING**

13 May 2025





You are hereby notified that a **Governance Committee Meeting** of Liverpool City Council will be held at **LEVEL 11, 50 SCOTT STREET**, **LIVERPOOL NSW 2170** on **Tuesday, 13 May 2025** commencing at 10:00 AM.

Please note this meeting is closed to the public. The minutes will be submitted to the next Council meeting.

If you have any enquiries, please contact Council and Executive Services on 8711 7441.

Jasobio

Jason Breton CHIEF EXECUTIVE OFFICER

# PAGE TAB

# Opening

Apologies

**Declarations of Interest** 

# Infrastructure and Planning Committee NIL

# **Budget Committee**

NIL

# **Strategic Priorities Committee**

ITEM 01	Liverpool City Council and Bradfield Development Authority - Strategic			
	Governance Framework and Memorandum of Understanding	4	1	
ITEM 02	Revised Media Policy	11	2	
ITEM 03	Policy Review - Councillor Access to Information and Interaction with			
	Staff Policy	62	3	
ITEM 04	Improvement Recommendations – Community Drop-In Sessions	92	4	

# **Strategic Performance Committee**

NIL

**General Business** 

Close

	Liverpool City Council and Bradfield Development Authority - Strategic Governance		
ITEM 01			
	Framework and Memorandum of Understanding		
	Evolving, Prosperous, Innovative		
Strategic Objective	Maintain strong relationships with agencies, stakeholders and businesses to achieve beneficial outcomes for the city		
File Ref	096574.2025		
Report By	Julie Scott - Manager City Economy		
Approved By	Shayne Mallard - Director City Futures		

# **EXECUTIVE SUMMARY**

Bradfield City Centre, located within the Aerotropolis, is a key precinct for Liverpool, with infrastructure assets to be managed by Liverpool City Council (LCC) after handover from the Bradfield Development Authority.

The draft Strategic Governance Framework and Memorandum of Understanding (MOU) supports the strategic and operational interaction between LCC and Bradfield Development Authority (BDA) to:

- Set out key governance principles that Council can apply within Bradfield to ensure positive benefits for the community.
- Outline clear decision making and accountability amongst stakeholders.
- Establish a mixed-use precinct at Bradfield within the Liverpool LGA.
- Ensure the financially sustainable management of infrastructure.
- Optimise public and private investments.

The Governance Framework and MOU emphasises collaboration, good governance, accountability, and transparency between LCC and BDA. The principles will focus on strategic priorities such as transport connections, private investment attraction and economic development, and infrastructure handover, along with longer-term goals like stormwater management and placemaking.

Working within the Framework and MOU will drive the successful development of Bradfield City Centre, benefiting both the public and private sectors while supporting Liverpool City's growth.



# RECOMMENDATION

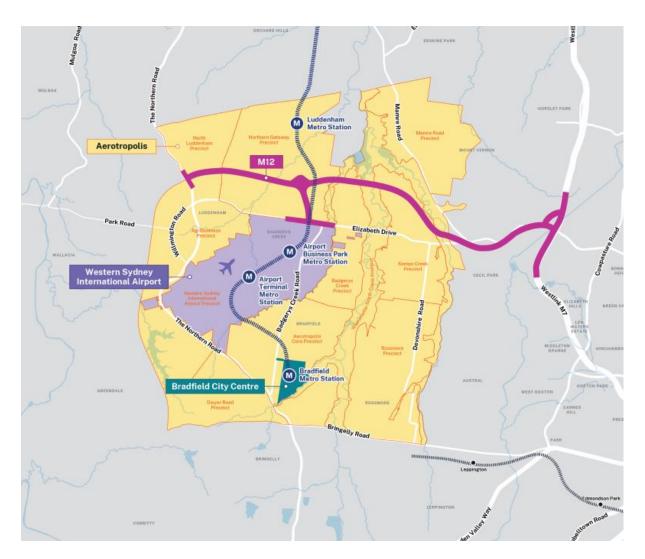
That Council:

- 1. Endorses the attached draft Strategic Governance Framework and Memorandum of Understanding between Liverpool City Council and Bradfield Development Authority regarding Bradfield City Centre's connectivity, economic development and community planning and development.
- 2. Endorses the allocation of \$120,000 in FY25/26 to jointly co-fund an LCC and BDA Coordinator role to ensure that key deliverables and KPIs are met as set out in the Memorandum of Understanding.

# REPORT

Bradfield City Centre within the Aerotropolis (Map 1) will have infrastructure assets that Liverpool City Council (LCC) will manage and maintain after its development and handover from the Bradfield Development Authority (BDA). To help support the management and maintenance of the City Centre funding sources are being identified, including potential access of a s7.12 Contributions Plan developed and adopted in July 2024 for the Bradfield City Centre and broader Aerotropolis Precinct. The plan authorises a s7.12 levy at the rate of 4.6% for development costs over \$200,000.

# GOVERNANCE COMMITTEE MEETING 13 MAY 2025 STRATEGIC PRIORITIES COMMITTEE REPORT



Map 1: Bradfield City Centre and the Western Sydney Aerotropolis Image: NSW Government

Bradfield City Centre will be Australia's newest city located on the doorstep of the Western Sydney International Airport within the Liverpool LGA. Bradfield City Centre is planned to be a thriving 24/7 hub of entertainment, culture, creativity, open green space, retail, and innovation, creating 10,000 more homes and 20,000 new jobs for the people of Western Sydney. Bradfield is expected to be a 5-minute walkable city that is easily connected to Greater Sydney and the world through integrated transport links and the Airport.

Council has been working with the CEO and senior management of BDA to develop a draft Strategic Governance Framework and Memorandum of Understanding (MOU) to provide roadmap for strategic and operational interactions between LCC and BDA.

6

The purpose of both documents, which have been reviewed and supported by Council's Legal Services, is to:

- Identify and develop a long-term issues and solutions strategy for operational and asset matters
- Support the strategic relationship between LCC and BDA including communication, marketing, planning, community services and innovation
- establish a new mixed-use precinct in the Liverpool Local Government Area (LGA) through the development of Bradfield City Centre
- enable financially sustainable management of local infrastructure assets and services developed in Bradfield City Centre as an integral part of Liverpool
- optimise benefits from public and private investment in Bradfield City Centre for the growing and changing community of Liverpool, leveraging the new 24-hour Western Sydney International Airport

Both the Governance Framework and MOU reflect that LCC and BDA are committed to collaborative leadership that drives momentum to establish Bradfield City Centre for its long-term success as part of the Liverpool LGA. The adoption of policy and implementation programs, as outlined in both documents, seeks to formalise the partnership between the LCC and BDA and strengthen existing roles each party holds.

The Governance Framework provides clear governance principles and decision making whilst the MOU empowers LCC and BDA to adopt a "good governance" approach, which is defined by the NSW Audit Office as "high-level processes and behaviours that ensure an organisation performs by achieving its intended purpose, and conforms by complying with all relevant laws, codes and directions while meeting community expectations of probity, accountability and transparency." Good governance enables LCC and BDA to effectively implement actions which lead to improved outcomes.

The principles underpinning interactions at all levels between LCC and BDA are to:

- adopt processes and behaviours for achieving the purpose of the MOU
- strive towards providing both parties with desirable outcomes
- effectively implement actions which lead to timely outcomes
- comply with all relevant laws, codes and directions
- meet community expectations of probity, accountability and transparency

The priority areas of focus for interactions between LCC and BDA under the MOU are:

- Ongoing strategic priorities
  - Transport connections between Bradfield City Centre to Liverpool City Centre and South West Sydney
  - o Attracting private investment to drive economic benefits and jobs

- Immediate priorities
  - New local infrastructure for management handover which is financially sustainable by LCC that will need to be considered in the Long Term Financial Plan
  - Public Domain Guidelines for Bradfield City Centre
  - Enabling mixed use development of the first land release through the BDA's private development partner
  - Enabling orderly development of other sites across Bradfield City Centre
- Medium to longer term priorities
  - Jointly working with Sydney Water on implementation of its regional stormwater obligations
  - Jointly working on community creation initiatives that supports local and regional scale placemaking and activation of new parks, streets and buildings

# Administration and Secretariat

The Framework and MOU will be administered by a dedicated Secretariat managed by a cofunded Coordinator role that will sit within Council. The Secretariat will support a SteerCo, cochaired by the Mayor Liverpool City Council and Chair of Bradfield Development Authority. The SteerCo will develop goals and measures of success, identify potential partnerships and define high level roles and responsibilities. A Working Group, comprising senior management of both organisations, will then work on implementing and reporting on the goals, policies and procedures.

The Bradfield City Centre, situated within the Aerotropolis, will play a vital role in the growth of Liverpool City, with the collaboration between LCC and the BDA ensuring its long-term success. The MOU establishes a robust governance framework that promotes good governance, accountability, and transparency in managing the infrastructure assets after its development and handover. This collaborative effort, aligned with the strategic vision of leveraging the new Western Sydney International Airport, will help transform Bradfield City Centre into a thriving mixed-use precinct, integral to Liverpool City's future and benefiting both the public and private sectors.

# FINANCIAL IMPLICATIONS

Council is to consider co-funding a dedicated Coordinator role in the 25/26FY whereby each party will contribute \$120,000 per annum on a recurring basis.



# CONSIDERATIONS

	Further develop a commercial centre that accommodates a variety of employment opportunities.
	Deliver and maintain a range of transport related infrastructure such as footpaths, bus shelters and bikeways.
Economic	Enhance the environmental performance of buildings and homes.
	Deliver a high-quality local road system including provision and maintenance of infrastructure and management of traffic issues. Facilitate economic development.
	Facilitate the development of new tourism based on local attractions, culture and creative industries.
Environment	Promote an integrated and user-friendly public transport service. Support the delivery of a range of transport options.
	Provide cultural centres and activities for the enjoyment of the arts. Preserve and maintain heritage, both landscape and cultural as urban development takes place.
Social	Regulate a mix of housing types that respond to different population groups such as young families and older people.
	Support community organisations, groups and volunteers to deliver coordinated services to the community.
	Encourage the community to engage in Council initiatives and actions.
Civic Leadership	Provide information about Council's services, roles and decision- making processes.
	Operate a well-developed governance system that demonstrates accountability, transparency and ethical conduct.
	Actively advocate for federal and state government support, funding and services.
Legislative	Local Government Act 1993 - Legislative Considerations:
	• s. 21 - A council has the functions conferred or imposed on it by or under this Act, including ancillary functions that assist the carrying out of a council's service and regulatory functions.
	• s. 22 - A council has the functions conferred or imposed on it by or under any other Act or law including under section 50 of the <i>Interpretation Act 1987</i> which provides that a statutory corporation may do and suffer all other things that bodies

# GOVERNANCE COMMITTEE MEETING 13 MAY 2025 STRATEGIC PRIORITIES COMMITTEE REPORT

	corporate may, by law, do and suffer and that are necessary for, or incidental to, the exercise of its functions.			
	<ul> <li>s. 23 A council may do all such things as are supplemental or incidental to, or consequential on, the exercise of its functions.</li> </ul>			
Risk	The risk is deemed to be Low.			
	The discontinuation of the MOU caused by either party removing themselves from the agreement or a change in direction resulting in ongoing impacts for the management of Bradfield City Centre and its benefits to the community. The risk is considered within Council's risk appetite.			

# ATTACHMENTS

- 1. DRAFT Liverpool City Council and Bradfield Development Authority Strategic Governance Framework (Under separate cover)
- 2. Draft Memorandum of Understanding Liverpool City Council and Bradfield Development Authority (Under separate cover) - **Confidential**

# GOVERNANCE COMMITTEE MEETING 13 MAY 2025 STRATEGIC PRIORITIES COMMITTEE REPORT

ITEM 02	Revised Media Policy
	Visionary, Leading, Responsible
Strategic Objective	Demonstrate a high standard of transparency and accountability through a comprehensive governance framework
File Ref	111666.2025
Report By	Kara Threlfo - Communications Team Lead
Approved By	Shayne Mallard - Director City Futures

# **EXECUTIVE SUMMARY**

The purpose of this report is to present the draft revised Media Policy for consideration.

It is prepared in response to recommendations *1* & *2 of MAYOR 03 - Review of Media Policy* adopted at the 26 February 2025 Council meeting, requiring that a draft revised Media Policy be prepared for Council's consideration.

The NSW Office of Local Government (OLG) has created a Model Media Policy and Social Media Policy, which provides a best practice approach for Councils. The revised draft Media Policy is based largely on these model policies.

The Communications, Marketing and Brand department undertook a thorough review of the current Media Policy, which was adopted in 2020. This included comparisons with seven NSW Councils' Media and Social Media policies and incorporates material from the NSW Office of Local Government Model Media and Model Social Media Policies.

The re-draft collates traditional media, social media, interaction by the general public on Council social media outlets into one policy. Previously, these items were covered by separate policies and procedure guidelines.

The draft revised Media Policy takes a best practice approach as outlined in the Council Code of Conduct and clearly defines the roles, responsibilities, and standard of conduct expected from Council officials when engaging with traditional media and social media.

# RECOMMENDATION

That Council:

1. Adopt the revised Media Policy.

# REPORT

The draft revised Media Policy has been prepared in response to recommendations 1 & 2 of MAYOR 03 - Review of Media Policy adopted at the 26 February 2025 Council meeting, shown below:

That Council:

- 1. Endorses a review of the Media Policy to incorporate the proposed amendments above.
- 2. Requests the CEO to prepare a draft revised Media Policy for Council's consideration at a future meeting.

Following this resolution, the Communications, Marketing and Brand department undertook a thorough review of the current Media Policy, which was adopted in 2020. This included comparisons with the Media and Social Media policies of the following NSW Councils: Campbelltown City Council, Inner West Council, Penrith City Council, Tweed City Council, Waverley City Council, and Willoughby City Council.

The NSW Office of Local Government (OLG) has created a Model Media Policy and Social Media Policy, which provides a best practice approach for Councils. The revised draft Media Policy is based largely on these model policies. The attached draft Media Policy documents are colour coded to indicate extracts from the model codes.

There are a few additions to the Model policies that reflect the needs of Liverpool City Council.

Council's Social Media Interaction Guidelines have been added at Attachment A to bring together related content into one place. The Social Media Interaction Guidelines were implemented in late 2024 and set out the expectations of Council and community use on official Council Social Media channels and pages.

The draft revised Media Policy also lists the criteria considered to warrant a 'Fact Check' social media post. Including these criteria has been done to publicly document the threshold required in the interests of transparency.

A section on photography has also been added to document the process and permissions required for taking and sharing photos and video on Council communication channels.

The draft revised Media Policy takes a best practice approach as outlined in the Council Code of Conduct and clearly defines the roles, responsibilities, and standard of conduct expected from Council officials when engaging with traditional media and social media.

# **FINANCIAL IMPLICATIONS**

There are no financial implications relating to this recommendation.

# CONSIDERATIONS

Economic	There are no economic and financial considerations.		
Environment	There are no environmental and sustainability considerations.		
Social	Promote community harmony and address discrimination.		
	Undertake communication practices with the community and stakeholders across a range of media.		
Civic Leadership	Provide information about Council's services, roles and decision- making processes.		
	Operate a well-developed governance system that demonstrates accountability, transparency and ethical conduct.		
Legislative Local Government Act 1993			
	Vork Health and Safety Act 2011 No 10		
	Copyright Act 1968		
	Defamation Act 2005 No 77		
	Government Information and Privacy (GIPA) Act 2009 No 52		
	Privacy and Personal Information Act 1998 No 133		
	Liverpool City Council Code of Conduct		
	Office of Local Government (OLG) NSW Model Media Policy 2022 and Model Code of Conduct for Local Councils in NSW 2020		
Risk	The risk is deemed to be Low and is considered within Council's risk appetite.		
	Where an elected official or staff member does not adhere to the policy, resulting in a breach of Council's Code of Conduct, the risk is deemed to be High.		

# GOVERNANCE COMMITTEE MEETING 13 MAY 2025 STRATEGIC PRIORITIES COMMITTEE REPORT

# ATTACHMENTS

- 1. LCC Media Policy adopted 29 July 2020
- 2. DRAFT Revised Media Policy 2025\_clean
- 3. OLG Model Media Policy 2022
- 4. OLG Social Media Policy 2022 (Under separate cover)
- 5. Draft Revised Media Policy 2025\_Marked Changes (Under separate cover)
- 6. Draft Revised Media Policy 2025\_Extracts from Model Codes Highlighted



Adopted: 29 July 2020

TRIM 182381.2018



#### 1. PURPOSE/ OBJECTIVE

- a) To support positive engagement with the media, including social media, by Councillors and Council staff both in professional and personal capacities.
- b) To protect the reputation of the Council, community and staff and support key directions outlined in the Operational Plan including Creating Connection, Generating Opportunity and Leading through Collaboration.

#### 2. LEGISLATIVE REQUIREMENTS

Local Government Act 1993

#### 3. POLICY STATEMENT

#### 3.1. A policy on media use, particularly social media, has been requested by Council.

- 3.1.1 This policy has been developed to assist Liverpool City Council Councillors and staff respond to enquiries from journalists and use social media in an informed and appropriate manner. The policy sets guidelines for preparing media releases, responding to enquiries and using social media.
- 3.1.3 Liverpool Council's Code of Conduct is also relevant when considering appropriate interaction with the media.
- 3.1.2 The policy covers: Councillors; Council staff; service providers; contractors employed by Council; volunteers; apprentices or trainees; and work experience students. Implementation of the Policy will be monitored by the Mayor, CEO and Communications Manager.

#### 4. Roles and Responsibilities

- 4.1.1 The Mayor is the official spokesperson of the governing body of Council.
- 4.1.2 The CEO, who is responsible for the day-to-day management of Council, is the spokesperson on operational matters.
- 4.1.5 Councillors may provide the media with comment, or post on social media, as long as they make clear this is provided as their own personal opinion and does not represent the official position of Council.
- 4.1.6 Councillors are to remember that the Mayor and CEO are the official spokespersons on all matters.
- 4.1.7 The Mayor may nominate another Councillor to act as an official Council spokesperson for an issue, event or topic as required
- 4.1.8 Council staff are to refer all media enquiries to the Communications Manager. Council staff may not speak to reporters or provide background information without the express prior approval of the CEO or Communications Manager.

- 4.1.9 The CEO may nominate other staff to act as spokespeople for the Council as appropriate. For example, the Director of Casula Powerhouse Arts Centre may speak to the media at any time about events.
- 4.1.10 The Communications unit is responsible for preparing media materials in consultation with relevant Council staff. The Mayor, and/or CEO when relevant, must approve all media releases and media responses.
- 4.1.11 The Communications Manager is responsible for co-ordinating and issuing media materials. Social media posts and responses based on pre-approved material may be approved by the Communications Manager.

#### 4.2 Media releases

- 4.2.1 Staff may prepare draft media releases but they must be forwarded to the Communications Manager for approval, editing and distribution. The Director, Casula Powerhouse Arts Centre, may approve promotional material.
- 4.2.2 A media release should never be issued quoting a Councillor or member of staff without that person's prior knowledge.
- 4.2.3 Staff with specialist knowledge may be quoted in media releases with the permission of the CEO.
- 4.2.4 All new employees are to be given Council's Media Policy as a part of the induction process.

#### 4.3 Dealing with the media

- 4.3.1 Council employees may not provide any comment or information to the media with the intention of contesting or undermining Council policy or casting Council, Councillors or Council staff in a negative light.
- 4.3.2 In the event of an industrial dispute (or an incident likely to lead to an industrial dispute), statements on behalf of Council employees should be issued via the relevant union.
- 4.3.3 When appropriate, a Council employee may become the sole spokesperson on a specific issue, event or initiative within their operational portfolio, to ensure consistency of message.
- 4.3.4 Council staff should treat all media outlets fairly and should avoid giving one outlet preferential treatment.
- 4.3.5 Council staff should avoid providing information "off the record" during media interviews. It is best to assume that everything said to any media representative may appear in a news story.
- 4.3.6 Contractors or service providers employed by Council must refer all media enquiries relating to Council to the Communications Manager.

#### 4.4 Personal comments

- 4.4.1 Council employees may speak to the media, post on social media or write letters to the Editor as private individuals. However staff must not distribute information that:
  - a) Compromises your capacity to perform your official duties in an unbiased manner;
  - b) Has the potential to have a negative impact on your working relationships within the council or with external parties;
  - c) Is offensive, humiliating, threatening or intimidating to other council officials or those that deal with the council;
  - d) Has the capacity to damage the council's reputation or contains content about the council that may be misleading or deceptive;
  - e) Divulges confidential council information;
  - f) Breaches the privacy of other council officials or those that deal with council;
  - g) Contains allegations of suspected breaches of this code or information about the consideration of a matter under this code or any other code pertaining to Conduct; or
  - h) Could be perceived to be an official comment on behalf of the council where you have not been authorised to make such comment.

#### 4.5 Council's use of social media

- 4.5.1 Social media is one of many communication channels for Council to engage with the community.
- 4.5.2 Posts by authorised officers must:
  - a) Be honest, polite and considerate;
  - b) Include appropriate information;
  - c) Ensure relevant permissions have been obtained for photos photos of children under 16 must have the guardian's written permission;
  - d) Ensure flyers or posters are approved and works of art are credited as appropriate;
  - e) Be accurate and comply with council policies and other relevant requirements;
  - Adhere to legislation including copyright, privacy, defamation, contempt of court, discrimination, harassment and Council's Privacy Management Plan and Code of Conduct; and
  - g) Not damage Council's reputation.

#### 4.6 Monitoring posts by users

- 4.6.1 Authorised officers need to monitor posts regularly during business hours and immediately remove or hide content that:
  - a) Defames any individual, group or organisation;
  - b) Vilifies any individual, group or organisation because of their political affiliation, race, religion, cultural background, gender, age or sexual identity;
  - c) Contains obscene, racist, sexist, threatening or offensive language or images;
  - d) Breaches copyright;
  - e) Is potentially unlawful; or
  - f) Is spam or advertising.

#### 4.7 Enquiry and response handling

4.7.1 Customer enquiries should be handled as follows:

Туре	Action
Simple question, e.g. date of an event	Communications Officer to post reply
Controversial or ongoing topic, e.g. Western Sydney Airport	Communications Officer/Manager to assess and reply if required
Likely to turn into a media issue	Communications Officer/Manager to assess and reply if required
Customer Service Enquiry, e.g. parking, bins	Post: Hi xx, please click on the 'send email' button at the top of the page or Customer Request Form to send your enquiry to Council's Customer Service Or If it appears urgent, pass on to the relevant team and post: Hi xx, thanks for your comment, we have
Detailed/complex question	passed this on to Council's xx team to investigate. Post: Hi xx, please click on the 'send email' button at the top of the page or Customer Request Form to send your enquiry to Council's Customer Service
Abusive/defamatory/racist etc	Hide post
Person or others likely to be in danger	Request a phone number so someone can contact them

- 4.7.2 Communication to public about roles and responsibilities:
  - a) Explicitly set expected response times and state limitations to responding (such as during business hours). Eg We will update and monitor this site during office hours, Monday to Friday;
  - b) Recommend appropriate channels for certain types of communication (such as emergencies);
  - c) Prohibit posting of offensive material; and
  - d) Document action moderator will take if user doesn't comply: modify or delete, then block after three breaches.

#### 4.8 New social media channels

4.8.1 In order to efficiently manage the social media channels used by Council, the Communications Manager must authorise the use of new social media channels that are associated with Liverpool City Council.

#### 4.9 Personal use of social media

- 4.9.1 Council does not seek to restrict personal use of social media (see above, Personal comments). However, employees need to be aware that their conduct on social media may impact on their employment.
- 4.9.2 It is a staff responsibility to protect Council's brand and reputation.
- 4.9.3 Employees are responsible for content which they publish on social media platforms. They should ensure that their personal comments or opinions are not mistaken for Council's official position. All employees should promote a positive image of Council at all times and are encouraged not to comment on local issues that relate to or involve Council in a way that would reflect poorly on themselves or Council.
- 4.9.4 Staff employed by Liverpool City Council are obliged to follow these conditions:
  - a) Employees must not post any statement or comment which brings Council into disrepute;
  - b) Employees must ensure they do not commit Council to any action or initiative without the appropriate authority;
  - c) Employees must not post material that is obscene, defamatory, threatening, harassing or discriminatory to any individual, group or organisation, including Liverpool City Council;
  - d) Employees must not disclose official information unless authorised to do so; and
  - e) Employees must ensure appropriate approval is obtained prior to using social media options in an official Council capacity.
- 4.9.5 Breaching this policy may result in disciplinary action, counselling or dismissal.

#### 4.10 Personal use of social media when using Council's resources, or in work time

4.10.1 Staff may use social media as long as it does not interfere with their work.

#### AUTHORISED BY

Either Council Resolution or Chief Executive Officer

#### **EFFECTIVE FROM**

29 July 2020

#### DEPARTMENT RESPONSIBLE

Communications

#### **REVIEW DATE**

29 July 2022

#### VERSIONS

The current and previous version of the policy should be set out in the following table.

Version	Amended by	Changes made	Date	TRIM Number
1	Council Resolution	Nil	29 July 2020	182381.2018

#### THIS POLICY HAS BEEN DEVELOPED IN CONSULTATION WITH

This policy has been developed after consultation with Council staff, the Governance Coordinator and the Executive Management Team.

#### REFERENCES

Dubbo City Council: Corporate Social Media Policy 2013 Department of Public Works: Official use of social media guidelines, ICT Policy and Coordination Office, December 2010 v.1.0.0 Victorian Department of Health: Social Media Action Plan Part 2: Staff toolkit, Best practice guidelines and templates to help you use social media, 2010 Coffs Harbour City Council: Social Media Policy, October 2012 Gunnedah Council: Social Media Policy, 2013 Parramatta City Council: Social Media Policy Transport for NSW: The Development of Social Media Policy City of Ryde: Media Policy 2014 Thomas Tudehope, NSWLGA: Reaching your community – social media for local government, April 2013



# DRAFT MEDIA POLICY 2025

Adopted: XX XXXX 2025 TRIM XXXXXXX

#### 1. PURPOSE/OBJECTIVES

Provide guidelines in accordance with the Local Government Act and the overarching Code of Conduct for the Mayor, Councillors and Council staff (Council Officials) for all Media interaction.

Support positive engagement with all forms of Media.

Protect the reputation of the Council, community and staff and support key directions outlined in the Community Strategic Plan and Delivery Program and Operational Plan.

Provide protection from all forms of online bullying and abuse and prevent the dissemination of false information.

#### 2. DEFINITIONS

**Council Official:** The Mayor, Councillors, members of staff and delegates of the council (including members of committees that are delegates of the council), service providers, contractors employed by Council, volunteers, apprentices or trainees, and work experience students

**Traditional Media:** print, broadcast and online media used for communicating information to the public, including, but not limited to, newspapers, magazines, internet publishers, radio, and television broadcasters.

**Social Media:** online platforms and applications such as but not limited to, social networking sites, wikis, blogs, microblogs, video and audio sharing sites, and message boards, that allow people to easily publish, share and discuss content. Examples of Social Media platforms include, but are not limited to: Facebook, X, Snapchat, LinkedIn, Yammer, YouTube, Instagram, TikTok, Flicker and Wikipedia.

**Media:** the word "Media" in this Policy means **both** Traditional Media and Social Media as defined above.

**Personal Information:** information or an opinion (including information or an opinion forming part of a database and whether or not recorded in a material form) about an individual whose identity is apparent or can reasonably be ascertained from the information or opinion.

#### 3. POLICY STATEMENT

#### 3.1. Overview

This Policy has been developed to provide a guidance framework so Council Officials can:

- Confidently and appropriately respond to enquiries from journalists;
- Use Social Media in an informed and appropriate manner; and
- Have protection against unwarranted attacks and other forms of abuse, vilification and bullying.

#### 3.2. Application

This Policy applies to:

- Council Officials as defined; and
- Members of the public that interact with Council's various Social Media outlets.

24

#### 3.3. Implementation

Implementation of the Policy will be enforced by the CEO and/or delegate and the Manager, Communications Marketing and Brand (The Manager).

In the first instance, any questions about the application of this Policy should be directed to The Manager.

#### 3.4. Enforcement

Liverpool Council's Code of Conduct provides that council officials must not conduct themselves in a manner that is contrary to a council's policies. A breach of the Policy will be a breach of the Council's Code of Conduct.

Concerns or complaints about the administration of a council's engagement with Media should be made to the council official responsible for media management in the first instance.

#### 3.5. Training and Compliance

Council Officials must comply with the Council's Code of Conduct and the Media Policy when engaging with the Media in an official capacity or in connection with their role.

Council Officials who engage, or intend to engage, with the Media must receive induction training on Media use. Training can be undertaken either as part of the induction program or as part of their ongoing professional development program.

The Council will provide training for Council Officials who engage or are authorised to engage with the Media.

Council staff will be provided with a copy of Council's Media Policy during induction.

Councillors will receive a briefing on and be provided with a copy of Council's Media Policy during induction.

#### 3.6. Roles and Responsibilities

3.6.1. The Mayor

> The Mayor is the principal member and spokesperson of the governing body of the Council, including representing the views of the Council as to its local priorities (section 226(c) of the Local Government Act 1993).

If the Mayor is unavailable, the Deputy Mayor may act as the Council's spokesperson.

The Mayor may delegate the role of spokesperson to other Councillors where appropriate, (for example, where another Councillor is best placed to comment, because the issue is of particular interest to them, or it is within their particular area of expertise, or the Mayor is unavailable).

3.6.2. The CEO

> The CEO is the official spokesperson for the Council on operational and administrative matters.

The CEO may delegate to other council staff to act as a Council spokesperson when appropriate (for example, where the delegated staff member has professional expertise regarding the subject matter, or when the CEO is unavailable).

- 3.6.3. Manager, Communications, Marketing and Brand (The Manager)
  - 3.6.3.1. The Manager is to:
    - Be the lead point of contact for all media enquiries, requests for interviews, requests to film or photograph council staff, facilities or events for news and current affairs purposes;
    - Be responsible for preparing all media statements prior to their release;
    - Liaise with relevant staff members within the organisation where appropriate;
    - Ensure that media statements are approved by the Mayor and/or CEO prior to their release;
    - Develop and/or approve media training and/or induction to be provided to relevant staff and/or Councillors;
    - Maintain a record of all media enquiries and responses;
    - Ensure that media organisations and their representatives are treated professionally, equally and without bias;
    - Ensure that media enquiries are dealt with promptly and within the agreed deadlines;
    - Provide guidance to Councillors approached by the media for comment to avoid communication of misinformation;
    - Ensure that all media releases are published on the Council's website'
    - Develop and/or approve the training and/or induction to be provided to relevant Council Officials;
    - Moderate the Council's social media platforms in accordance with this policy;
    - Ensure the Council complies with its record keeping obligations (see Item 3.18);
    - Ensure the Council adheres to the rules of the social media platforms; and
    - Coordinate with the Council's Communications Team to ensure the Council's social media platforms are set up and maintained in a way that maximises user friendliness and any technical problems are resolved promptly.
  - 3.6.3.2. The Manager may delegate functions to authorised members of staff.
  - 3.6.3.3. The Manager is an authorised user for the purposes of this policy.
- 3.6.4. Councillors

Suggestions about suitable content for Media and Social Media content are welcome and should be forwarded to The Manager.

As members of the governing body and, as a representative of the community, Councillors are free to express personal views to the Media.

When engaging with the Media, Councillors:

- Are strongly advised to seek information and guidance from The Managerwhere appropriate before providing comment to the Media to ensure they have the most up-todate and relevant information and have considered reputational or other risks;
- Should make The Manager, aware of potential issues that could result in Media interest;

- Must not purport to speak for the Council unless authorised so to do;
- Must uphold and accurately represent the policies and decisions of the Council's governing body but may explain why they voted on a matter in the way that they did. (see section 232(1)(f) of the Local Government Act 1993);
- In the interests of promoting a positive, safe and harmonious organisational culture, Councillors should resolve personal differences privately and must not prosecute them publicly through the Media; and
- Will not disclose council information unless authorised to do so.

The use of council resources for Councillor's private Media activity is covered by the Liverpool City Council Code of Conduct.

#### 3.7. Council Staff

Suggestions about suitable content for Media and Social Media content are welcome and should be forwarded to The Manager.

All Media enquiries or invitations to comment made to Council staff must be referred to The Manager.

Council staff:

- Should make The Manager aware of positive stories and potential negative issues that could result in Media interest;
- Do not speak to the Media about Council matters unless authorised so to do; and
- Are free to express personal views to the Media on matters that do not relate to the Council, but in doing so, must not make comments that bring Council into disrepute.

When authorised to speak to the Media, Council staff:

- Seek information and guidance from The Manager where appropriate before providing comment to the Media to ensure they have the most up-to-date and relevant information and have considered reputational or other risks;
- Uphold and accurately represent the policies and decisions of the Council; and
- Do not disclose Council information unless authorised so to do by The Manager.

#### 3.8. Standard of conduct

Council Officials must comply with the Council's Code of Conduct and this Media Policy when engaging with the Media.

Council Officials must not share information or make comments to the Media through either direct or indirect mechanisms that:

- Are defamatory, offensive, humiliating, threatening, or intimidating to other Council Officials or members of the public;
- Contains content about the Council, Council Officials or members of the public that is false, inaccurate, misleading or deceptive;
- Contains profane language, is sexual, prejudicial, or inflammatory;
- Constitutes harassment and/or bullying within the meaning of the Liverpool City Council Code of Conduct, or is unlawfully discriminatory;

- Is contrary to their duties under the Work Health and Safety Act 2011 and their responsibilities under any policies or procedures adopted by the Council to ensure workplace health and safety;
- Divulges confidential Council information;
- Breaches the privacy of other Council Officials or members of the public;
- Contains allegations of suspected breaches of the Council's Code of Conduct or information about the consideration of a matter under the *Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW*;
- Could be perceived to be an official comment on behalf of the Council where they have not been authorised to make such comment;
- Commits the Council to any action;
- Violates an order made by a court;
- Breaches copyright;
- Advertises, endorses, or solicits commercial products or business;
- Constitutes spam; or
- Is in breach of the rules of the social media platform.

#### 3.9. Media output

Council Officials are encouraged to suggest ideas for media releases and Social Media material.

A media release should never be issued quoting a Council Official without that person's prior knowledge.

Staff with specialist knowledge may be quoted in media releases with the permission of staff member and the approval of the CEO.

#### 3.10. Private use of Media

- 3.10.1. For the purposes of this policy, a council official's social media engagement will be considered 'private use' when the content they upload:
  - is not associated with, or does not refer to, the Council, any other council officials, contractors, related entities or any other person or organisation providing services to or on behalf of the Council in their official or professional capacities, and
  - is not related to or does not contain information acquired by virtue of their employment or role as a council official.
- 3.10.2. If a council official chooses to identify themselves as a council official, either directly or indirectly (such as in their user profile), then they will not be deemed to be acting in their private capacity for the purposes of this policy.

#### 3.11. Use of Media during emergencies

During emergencies, such as natural disasters or public health incidents, The Manager will be responsible for coordinating media releases and statements on behalf of the Council.

Council Officials must not provide comment or information that is inconsistent with official advice issued by the Council or any other agency coordinating the emergency response.

28

Training on Media engagement during emergencies will be provided to Councillors and relevant staff and other Council Officials.

To ensure consistent messaging both during and after an emergency, authorised users and council officials must not upload content onto the Council's or their own social media platforms which contradicts advice issued by the agency coordinating the emergency response, or agencies supporting recovery efforts.

#### 3.12. Media engagement in the lead up to elections

This Policy does not prevent the Mayor or Councillors who are candidates at a Council or any other election from providing comment to the Media in their capacity as a candidate for election

Any Media comment provided by the Mayor or Councillors who are candidates at a council or another election must not be provided in an advertisement, newspaper column, or a radio or television broadcast paid for by the Council or produced by the Council or using Council resources.

#### 3.13. Council's Social Media usage and engagement

3.13.1. Responsible Officer

The Manager is responsible for authorising and monitoring the use of the Social Media channels associated with Liverpool City Council.

3.13.2. Council Social Media Posts

Posts on Council outlets by authorised staff members must:

- Be approved by The Manager;
- Be honest, polite and considerate;
- Include appropriate information;
- Ensure relevant permissions have been obtained for photos photos of children under 16 must have the guardian's written permission;
- Ensure flyers or posters are approved and works of art are credited as appropriate; •
- Be accurate and comply with council policies and other relevant requirements;
- Adhere to legislation including copyright, privacy, defamation, contempt of court, discrimination, harassment and Council's Privacy Management Plan and Code of Conduct: and
- Not damage Council's reputation.

#### 3.14. External users of Council outlets

Participation by the general public on Council's Social Media outlets is governed by Council's Social Media Interaction Guidelines (see Attachment A).

Council's Social Media Interaction Guidelines will be posted on the Council website.

A post will be made to all Council Social Media outlets each quarter, reminding users about the interaction guidelines requirements and linking to the relevant website page.

Authorised officers will regularly monitor posts during business hours and immediately remove or hide content that:

- Is defamatory, offensive, humiliating, threatening or intimidating to council officials or members of the public,
- Contains profane language or is sexual in nature
- Constitutes harassment and/or bullying within the meaning of the Model Code of Conduct for Local Councils in NSW, or is unlawfully discriminatory
- Contains content about the Council, council officials or members of the public that is misleading or deceptive
- Breaches the privacy of council officials or members of the public
- Contains allegations of suspected breaches of the Council's code of conduct or information about the consideration of a matter under the Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW,
- Violates an order made by a court
- Breaches copyright
- Advertises, endorses or solicits commercial products or business,
- · Constitutes spam; or
- Would be in breach of the rules of the social media platform.

#### 3.15. Staff use of social media during work hours

Council staff who access and engage on social media in their private capacity during work hours must ensure it not does not interfere with the performance of their official duties.

#### 3.16. Fact Checking

Council will publish information to correct false, inaccurate, misleading or deceptive Social Media content (Fact Checks).

Fact Checks will be issued following a determination at the operational level of Council and will be triggered by content that:

- Directly relates to Council business or policies;
- Is demonstrably incorrect or misleading;
- Requires a correction or clarification from the Council organisation;
- Relates to a contemporary or current matter; or
- Has gained Social Media or communications traction in the community.

#### 3.17. Photography

Media content photo opportunities will be co-ordinated by Council's Communications Team. Attendance by the Mayor or a Councillor at Council events constitutes permission to be photographed or videoed and for that content to be published unless otherwise specified at the time.

Material published must have the permission of those featured; in the case of a person under the age of 18, this must be written permission from the child's parent or guardian.

Photos taken by Council staff and any Council contract photographers remain the property of Council.

#### 3.18. Records Management

Council's Media and Communication team will maintain a record of Media output, including but not limited to media releases, media inquiries and responses and Social Media posts.

Media content created and received by Council Officials acting in their official capacity is a Council record and may be subject to information access applications made under the *Government Information (Public Access) Act 2009.* 

These records must be managed in accordance with the requirements of Liverpool City Council's Records Management Policy and the *State Records Act 1998*.

#### 3.19. Concerns and Complaints

- 3.19.1. Concerns or complaints about activity considered to be a breach of this Policy should be made to the CEO in the first instance.
- 3.19.2. Complaints about a general manager's conduct on social media platforms should be directed to the mayor.

#### 4. Legislative Requirements

Local Government Act 1993

Work Health and Safety Act 2011

Copyright Act 1968

Defamation Act 2005

Government Information and Privacy Act 2009

State Records Act 1998

Privacy and Personal Information Protection Act 1998

Liverpool City Council Code of Conduct

OLG NSW Model Media Code of Conduct

OLG NSW Model Social Media Code of Conduct

#### 5. AUTHORISED BY

**Council Resolution** 

# 6. EFFECTIVE FROM XX XXXX XXXX

#### 7. REVIEW DATE XX XXXX 2027

#### 8. VERSIONS

Version	Amended by	Changes made	Date	TRIM Number
1	Alan Gale Communications Officer	Updates to previous Policy in	XX XXXX XXXX	

	line with Mayoral Minute of	

This Policy has been developed in consultation with: Director, City Futures; General Counsel, General Manager

# ATTACHMENTS

#### Attachment A

#### **Social Media Interaction Guidelines**

#### **Social Media Guidelines**

Liverpool City Council's Social Media channels are intended to provide communication about Council services, initiatives, events, programs and news. Council welcomes interaction on its sites and encourages responses, however it will moderate content in line with these guidelines. Council reserves the right to fact check posts or comments and issue corrections.

Council's primary communication is via Facebook and Instagram with select communications published through LinkedIn, YouTube and Tik Tok.

The full list of Council's communication channels is listed here.

#### **Council's Social Media outlets**

Facebook Instagram Linkedin YouTube

<u>TikTok</u>

#### What to expect from Council

Council staff will be monitoring Council's Social Media outlets from 09.00 am to 5.00 pm Mondays to Fridays (excluding public holidays) and will act when posts or comments contravening the Social Media Interaction Guidelines are discovered.

#### **Council Enquiries via Social Media**

You will get a faster and better response to questions about Council's services and operations by contacting Council's Customer Service team rather than by going online.

Report all emergencies (including property damage) to 000.

Contact Council's Customer Service Team if you:

- Have an enquiry about Council operations or services;
- Want to report an emergency relating to Council property or services;
- Need to request a Council service;
- Would like to give us official feedback; or
- Wish to make a complaint.

Direct all these enquiries to Council's Customer Service Team via: Phone: 1300 36 2170 Email: <a href="mailto:loc@liverpool.nsw.gov.au">loc@liverpool.nsw.gov.au</a>

Online: By clicking here

33

You can get more information about Council's Customer Service facilities by reading the Customer Service and Communication Policy.

#### Moderation of public comments

Social Media posts and comments must adhere to that platforms' own community guidelines, user agreements and policies.

Liverpool City Council does not accept responsibility for community comments - they are not representative of the opinions of the Council, nor does Council make any warranty to their accuracy.

Official communications such as those related to media releases, election information and announcements, public exhibitions and draft policies will be shared on Council's Social Media channels with comments turned off. If you wish to share your feedback about these communications, Council asks that you do this through Council's Customer Service channels.

Council's team may hide or remove comments if they are considered to breach privacy or the guidelines.

A person who repeatedly breaches these guidelines may be blocked or banned from Council's social media platforms.

Council does not participate in Facebook groups nor respond to any tagging within these groups.

Council reserves the right to report posts to Facebook, page moderators, the Police or other agencies as deemed necessary.

#### What Council expects from those who interact on Council's Media platforms

Council supports the Terms of Service and all other related policies of the Social Media platforms with which it participates and expects visitors to and users of Council's Social Media pages to do the same.

Council's Social Media channels should be a safe space for everyone.

Council encourages open discussion and seeks to create a positive and engaging environment for the community where users treat each other and Council's Social Media moderators with respect.

Disagreement is a natural part of life, but Council asks users to remain respectful when conveying a contrary point of view. The best outcome is to agree to disagree.

When interacting on Council's social pages Council expects users will:

- Exercise courtesy;
- Always be respectful to others;
- Not post personal addresses or phone numbers; and
- Acknowledge that the Council cannot check the accuracy of every comment and does not take any responsibility for any reliance on comments.

Posts on Liverpool City Council's Social Media outlets will be deleted or hidden as determined at Council's absolute discretion. Likely trigger points include content that:

Is defamatory, offensive, humiliating, threatening or intimidating to council officials or members of the public,

- Contains profane language or is sexual in nature
- Constitutes harassment and/or bullying within the meaning of the Model Code of Conduct for Local Councils in NSW, or is unlawfully discriminatory
- Contains content about the Council, council officials or members of the public that is misleading or deceptive
- Breaches the privacy of council officials or members of the public
- Contains allegations of suspected breaches of the Council's code of conduct or information about the consideration of a matter under the Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW.
- Violates an order made by a court
- Breaches copyright
- Advertises, endorses or solicits commercial products or business,
- Constitutes spam; or
- Would be in breach of the rules of the social media platform.

Users who do not comply with Council's Social Media community guidelines will be blocked from the page at the absolute discretion of the Council.

#### Recordkeeping

Council may record information posted to any of its Social Media channels for Council purposes. This includes your public social networking account name.

#### Disclaimer

Although Council takes care producing content for Social Media, it does not guarantee the information is accurate, complete or current, and that the data is free from defects.

Council neither endorses nor takes responsibility for content posted by third parties. This is also the case if Council likes or follows a page. Commenting may be turned off on content shared from third parties.

# MODEL MEDIA POLICY







## MODEL MEDIA POLICY

2022

#### ACCESS TO SERVICES

The Office of Local Government is located at:Street Address:Levels 1 & 2, 5 O'Keefe Avenue, NOWRA NSW 2541Postal Address:Locked Bag 3015, Nowra, NSW 2541Phone:02 4428 4100Fax:02 4428 4199TTY:02 4428 4209Email:olg@olg.nsw.gov.auWebsite:www.olg.nsw.gov.au

#### **OFFICE HOURS**

Monday to Friday 9.00am to 5.00pm (Special arrangements may be made if these hours are unsuitable) All offices are wheelchair accessible.

#### ALTERNATIVE MEDIA PUBLICATIONS

Special arrangements can be made for our publications to be provided in large print or an alternative media format. If you need this service, please contact Client Services on 02 4428 4100.

#### DISCLAIMER

While every effort has been made to ensure the accuracy of the information in this publication, the Department of Planning and Environment expressly disclaims any liability to any person in respect of anything done or not done as a result of the contents of the publication or the data provided.

© Department of Planning and Environment 2022 Produced by the Department of Planning and Environment

#### Contents

ntroduction	4
lodel Media Policy	6
art 1 – Principles	6
art 2 – Administrative framework for engagement with the media	6
art 3 – Who can engage with the media	8
art 4 – Standards of conduct when engaging with the media	.10
art 5 – Use of media during emergencies	.11
art 6 – Media engagement in the lead up to elections	.11
art 7 – Records management requirements	.12
art 8 - Definitions	.13

### Introduction

# Media – opportunities and challenges

The Model Media Policy has been developed to provide a framework to assist councils when dealing with the media and to ensure that media engagement by councillors and staff is consistent, accurate and professional and enhances the council's reputation.

Effective media engagement can assist councils to keep their community informed, explain decisions and to promote community confidence in the council and its decisions.

The term "media" used in this policy means print, broadcast and online media used for communicating information to the public, including, but not limited to, newspapers, magazines, internet publishers, radio, and television broadcasters.

The advancement of technology and the development of non-traditional media means that the media now has unprecedented reach and accessibility. Anyone with a computer or hand-held device can access media platforms and actively engage in content which has the potential to be viewed and shared by hundreds of millions of people worldwide.

How a council is portrayed in the media impacts greatly on how the organisation is perceived. Media can be an effective tool to promote council programs, events, and initiatives. In addition, media can be invaluable in times of crisis or emergency when information needs to be communicated to the public.

Despite its obvious benefits, media also presents a variety of challenges and risks. These include:

- maintaining the accuracy, reliability, and integrity of information
- ensuring confidential information is managed appropriately, and
- the increased exposure and risk to reputation where information is not managed appropriately

# The development and intent of this policy

The Model Media Policy has been developed by the Office of Local Government (OLG) in consultation with councils. It is applicable to councils, county councils and joint organisations.

The Model Media Policy sets out an exemplar approach by incorporating examples of best practice from the media policies of a diverse range of NSW councils, as well as from Commonwealth and State Government agencies.

The Model Media Policy provides councils, county councils and joint organisations with a robust framework for the administration and management of their interactions with the media. It also sets standards of conduct for all council officials who are required to interact with media in their official capacity.

The Model Media Policy recognises that councils interact with media differently depending on factors such as a council's size and resources and the demographics of a local government area. For these reasons, the Model Media Policy ensures a degree of flexibility by including optional and adjustable provisions which enables each council to tailor the policy to suit its own unique circumstances.

#### **Content of the Model Media Policy**

At the heart of the Model Media Policy are the four 'principles' of media engagement. These are:

- Openness
- Consistency
- Accuracy
- Timeliness.

These principles, which are expanded upon in Part 1, should underpin every aspect of a council's media engagement and all councils and council officials should commit to upholding them.

This policy applies to engagement between council officials and the media. It does not

apply to social media use. OLG has developed a separate model policy for social media use.

The Model Media Policy is structured as follows:

- Part 1
   Sets out the principles of media engagement for councils
- Part 2 Contains two administrative models that councils can adopt in relation to the management of media enquiries and dealing with the media
- Part 3 Details the council's authorised spokespersons when engaging with the media
- Part 4 Prescribes the standards of conduct expected of council officials when engaging with the media in an official capacity or in connection with their role as a council official
- Part 5 Prescribes who will be the spokesperson to the media during emergencies
- Part 6 Prescribes how councillors should engage with the media in the lead up to an election
- Part 7 Contains information about records management requirements relating to media
- Part 8 Definitions

#### Adoption

While not mandatory, the Model Media Policy reflects best practice and all councils, county councils and joint organisations are encouraged to adopt it. In doing so, they are free to adapt the policy to suit their local circumstances and operating environments or to supplement it with their own provisions.

Optional and adjustable provisions are marked in red.

**Note:** In adopting the Model Media Policy, joint organisations should adapt it to substitute the terms "board" for "council", "chairperson" for "mayor", "voting representative" for "councillor" and "executive officer" for "general manager". **Note:** In adopting the Model Media Policy, county councils should adapt it to substitute the term "chairperson" for "mayor" and "member" for "councillor".

#### Enforcement

Clause 3.1(b) of the *Model Code of Conduct for Local Councils in NSW* provides that council officials must not conduct themselves in a manner that is contrary to a council's policies. If adopted by a council, a breach of the policy will be a breach of the council's code of conduct.

Concerns or complaints about the administration of a council's engagement with media should be made to the council official responsible for media management in the first instance.

#### Acknowledgements

The Office of Local Government wishes to thank the councils involved in drafting this Policy for their invaluable assistance.

## **Model Media Policy**

## Part 1 – Principles

1.1 We, the councillors, staff, and other officials of (insert name of Council), are committed to upholding and promoting the following principles of media engagement:

Openness	We will ensure that we promote an open exchange of information between our council and the media.
Consistency	We will ensure consistency by all councillors and staff when communicating with the media.
Accuracy	The information we share with the media will be a source of truth for our council and community and we will prioritise the need to correct inaccuracies when they occur.
Timeliness	We will ensure that we respond to media enquiries in a timely manner.

# Part 2 – Administrative framework for engagement with the media

Note: this Part contains two different models for media engagement. These models are:

- Option 1 the General Manager led model
- Option 2 the Media Coordinator led model

#### <u>Option 1 – The General</u> <u>Manager led model</u>

# The role of the General Manager

- 1.2 The role of the General Manager is to
  - a) be the lead point of contact for all media enquiries, requests for interviews, requests to film or photograph council staff, facilities or events for news and current affairs purposes
  - b) be responsible for preparing all media statements prior to their release
  - c) delegate to staff members to respond to media enquiries where appropriate
  - d) maintain a register of delegated staff
  - e) maintain effective oversight of delegated staff
  - f) revoke a staff member's status as a delegated staff member when required
  - g) ensure that media statements are approved by the Mayor prior to their release where appropriate

Model Media Policy

40

- h) develop and/or approve media training and/or induction to be provided to delegated staff and/or councillors
- i) maintain a record of all media enquiries and responses
- j) ensure that media organisations and their representatives are treated professionally, equally and without bias
- ensure that media enquiries are dealt with promptly
- provide guidance to councillors approached by the media for comment to avoid communication of misinformation, and
- m) ensure that all media releases are published on the Council's website.

#### <u>Option 2 – The Media</u> <u>Coordinator led model</u>

# Appointment and role of the Media Coordinator

- 1.3 The General Manager will appoint a member of council staff to be the Council's Media Coordinator. The Media Coordinator should be a suitably qualified member of staff.
- 1.4 The General Manager may appoint more than one Media Coordinator.
- 1.5 The Media Coordinator's role is to:
  - a) be the lead point of contact for all media enquiries, requests for interviews, requests to film or photograph council staff, facilities or events for news and current affairs purposes
  - b) be responsible for preparing all media statements prior to their release
  - c) liaise with relevant staff members within the organisation where appropriate.

- ensure that media statements are approved by the Mayor and/or General Manager prior to their release
- e) develop and/or approve media training and/or induction to be provided to relevant staff and/or councillors
- f) maintain a record of all media enquiries and responses
- g) ensure that media organisations and their representatives are treated professionally, equally and without bias
- h) ensure that media enquiries are dealt with promptly
- provide guidance to councillors approached by the media for comment to avoid communication of misinformation, and
- j) ensure that all media releases are published on the Council's website.

## Part 3 – Who can engage with the media

#### **The General Manager**

- 1.6 The General Manager is the official spokesperson for the Council on operational and administrative matters.
- 1.7 The General Manager may delegate to other council staff to speak on their behalf where appropriate, (for example, where the delegated staff member has professional expertise regarding the subject matter, or the general manager is unavailable).

#### **The Mayor**

- 1.8 The Mayor is the principal member and spokesperson of the governing body of the Council, including representing the views of the Council as to its local priorities (section 226(c) of the *Local Government Act 1993*).
- If the Mayor is unavailable, the Deputy Mayor may act as the Council's spokesperson.
- 1.10 The Mayor may delegate their role as spokesperson to other councillors where appropriate, (for example, where another councillor is best placed to comment, because the issue is of particular interest to them, or it is within their particular area of expertise).

#### Councillors

- 3.1 As a member of the governing body and as a representative of the community, councillors are free to express their personal views to the media.
- 3.2 When engaging with the media councillors:
  - must not purport to speak for the Council unless authorised to do so.

- must clarify when speaking to the media that they are expressing their personal views as an individual councillor and that they are not speaking for the Council (unless authorised to do so)
- must uphold and accurately represent the policies and decisions of the Council
- must not disclose council information unless authorised to do so, and
- must seek information and guidance from the General Manager/ Media Coordinator where appropriate before providing comment to the media to ensure they have the most up-to-date and relevant information and have considered reputational or other risks.
- 3.3 In the interests of promoting a positive, safe and harmonious organisational culture, councillors should endeavour to resolve personal differences privately and must not prosecute them publicly through the media.
- 3.4 Where councillors (including the Mayor) become aware of potential issues that could result in media interest, they should provide this information to the General Manager/ Media Coordinator.

#### **Council Staff**

- 3.5 Council staff must not speak to the media about matters relating to the Council unless authorised by the General Manager/Media Coordinator to do so.
- 3.6 If Council staff receive a media enquiry or they are invited to comment to the media on a matter relating to the Council, they must refer the enquiry to the General Manager/Media Coordinator.
- 3.7 Council staff are free to express their personal views to the media on matters that do not relate to the Council, but in

Model Media Policy

doing so, must not make comments that reflect badly on the Council or that bring it into disrepute. 43

- 3.8 If authorised to speak to the media, Council staff:
  - must uphold and accurately represent the policies and decisions of the Council
  - must not disclose Council information unless authorised to do so by the General Manager/Media Coordinator, and
  - must seek information and guidance from the General Manager/ Media Coordinator where appropriate before providing comment to the media to ensure they have the most up-to-date and relevant information and have considered reputational or other risks
- 3.9 Where Council staff become aware of potential issues that could result in media interest, they should provide this information to the General Manager/Media Coordinator.

#### Tone

3.10 All media engagement by council officials must be conducted in a professional, timely and respectful manner.

#### Induction and training

- 3.11 The Council must provide training to Council officials who engage or are authorised to engage with the media.
- 3.12 Media engagement training will be provided to councillors as part of their induction or refresher training or as part of their ongoing professional development program.

# Councillors' questions about media engagement

3.13 Councillors must direct any questions about their obligations under this policy to the General Manager/ Media Coordinator.

9

# Part 4 – Standards of conduct when engaging with the media

- 4.1 Council officials must comply with the Council's code of conduct when engaging with the media in an official capacity or in connection with their role as a council official.
- 4.2 Council officials must not share information or make comments to the media through either direct or indirect mechanisms that:
  - are defamatory, offensive, humiliating, threatening, or intimidating to other council officials or members of the public
  - b) contains profane language or is sexual in nature
  - constitutes harassment and/or bullying within the meaning of the Model Code of Conduct for Local Councils in NSW, or is unlawfully discriminatory
  - d) is contrary to their duties under the Work Health and Safety Act 2011 and their responsibilities under any policies or procedures adopted by the Council to ensure workplace health and safety
  - e) contains content about the Council, council officials or members of the public that is misleading or deceptive
  - f) divulges confidential Council information
  - g) breaches the privacy of other council officials or members of the public
  - contains allegations of suspected breaches of the Council's code of conduct or information about the

consideration of a matter under the Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW

- could be perceived to be an official comment on behalf of the Council where they have not been authorised to make such comment
- j) commits the Council to any action
- k) violates an order made by a court
- l) breaches copyright
- m) advertises, endorses, or solicits commercial products or business.

# Part 5 – Use of media during emergencies

- 5.1 During emergencies, such as natural disasters or public health incidents,
   (Council to specify the applicable staff member/team) will be responsible for coordinating media releases and statements on behalf of the Council.
- 5.2 Councillors, Council staff and other Council officials must not provide comment or information to the media that is inconsistent with official advice issued by the Council and any other agency coordinating the emergency response.
- 5.3 Training on media engagement during emergencies will be provided to councillors and relevant staff and other Council officials.

# Part 6 – Media engagement in the lead up to elections

- 6.1 This policy does not prevent the mayor or councillors who are candidates at a council or any other election from providing comment to the media in their capacity as candidates at the election.
- 6.2 Any media comment provided by the mayor or councillors who are candidates at a council or another election must not be provided in an advertisement, newspaper column, or a radio or television broadcast paid for by the council or produced by the council or with council resources.

# Part 7 – Records management requirements

7.1 Media content created and received by council officials (including councillors) acting in their official capacity is a council record and may be subject to information access applications made under the *Government Information (Public Access) Act* 2009. These records must also be managed in accordance with the requirements of the *State Records Act 1998* and the Council's approved records management policies and practices.

## **Part 8 - Definitions**

In this Model Media Policy, the following terms have the following meanings:

council official	in the case of a council – means councillors, members of staff and delegates of the council (including members of committees that are delegates of the council);
	in the case of a county council – means members, members of staff and delegates of the council (including members of committees that are delegates of the council);
	in the case of a joint organisation – means voting representatives, members of staff and delegates of the joint organisation (including members of committees that are delegates of the joint organisation)
Media Coordinator	means a person appointed under clause 1.3 of this policy
media	means print, broadcast and online media used for communicating information to the public, including, but not limited to, newspapers, magazines, internet publishers, radio, and television broadcasters
personal information	means information or an opinion (including information or an opinion forming part of a database and whether or not recorded in a material form) about an individual whose identity is apparent or can reasonably be ascertained from the information or opinion
social media	means online platforms and applications, such as but not limited to social networking sites, wikis, blogs, microblogs, video and audio sharing sites, and message boards, that allow people to easily publish, share and discuss content. Examples of social media platforms include, but are not limited to Facebook, Twitter, Snapchat, LinkedIn, Yammer, YouTube, Instagram, Flicker and Wikipedia





# LIVERPOOL CITY COUNCIL

## DRAFT MEDIA POLICY 2025

Colour Key Source document material: Blue Highlight – OLG Model Media Policy Green Highlight – OLG Model Social Media Policy Yellow Highlight – Both model codes

Adopted: XX XXXX 2025 TRIM XXXXXXX

#### 1. PURPOSE/OBJECTIVES

Provide guidelines in accordance with the Local Government Act and the overarching Code of Conduct for the Mayor, Councillors and Council staff (Council Officials) for all Media interaction.

Support positive engagement with all forms of Media.

Protect the reputation of the Council, community and staff and support key directions outlined in the Community Strategic Plan and Delivery Program and Operational Plan.

Provide protection from all forms of online bullying and abuse and prevent the dissemination of false information.

#### 2. DEFINITIONS

**Council Official:** The Mayor, Councillors, members of staff and delegates of the council (including members of committees that are delegates of the council), service providers, contractors employed by Council, volunteers, apprentices or trainees, and work experience students

**Traditional Media:** print, broadcast and online media used for communicating information to the public, including, but not limited to, newspapers, magazines, internet publishers, radio, and television broadcasters.

Social Media: online platforms and applications such as but not limited to, social networking sites, wikis, blogs, microblogs, video and audio sharing sites, and message boards, that allow people to easily publish, share and discuss content. Examples of Social Media platforms include, but are not limited to: Facebook, X, Snapchat, LinkedIn, Yammer, YouTube, Instagram, TikTok, Flicker and Wikipedia.

**Media:** the word "Media" in this Policy means **both** Traditional Media and Social Media as defined above.

**Personal Information:** information or an opinion (including information or an opinion forming part of a database and whether or not recorded in a material form) about an individual whose identity is apparent or can reasonably be ascertained from the information or opinion.

#### 3. POLICY STATEMENT

#### 3.1. Overview

This Policy has been developed to provide a guidance framework so Council Officials can:

- Confidently and appropriately respond to enquiries from journalists;
- Use Social Media in an informed and appropriate manner; and
- Have protection against unwarranted attacks and other forms of abuse, vilification and bullying.

#### 3.2. Application

This Policy applies to:

- Council Officials as defined; and
- Members of the public that interact with Council's various Social Media outlets.

#### 3.3. Implementation

Implementation of the Policy will be enforced by the CEO and/or delegate and the Manager, Communications Marketing and Brand (The Manager).

In the first instance, any questions about the application of this Policy should be directed to The Manager.

#### 3.4. Enforcement

Liverpool Council's Code of Conduct <mark>provides that council officials must not conduct themselves in a manner that is contrary to a council's policies. A breach of the Policy will be a breach of the Council's Code of Conduct.</mark>

Concerns or complaints about the administration of a council's engagement with Media should be made to the council official responsible for media management in the first instance.

#### 3.5. Training and Compliance

Council Officials must comply with the Council's Code of Conduct and the Media Policy when engaging with the Media in an official capacity or in connection with their role.

Council Officials who engage, or intend to engage, with the Media must receive induction training on Media use. Training can be undertaken either as part of the induction program or as part of their ongoing professional development program.

The Council will provide training for Council Officials who engage or are authorised to engage with the Media.

Council staff will be provided with a copy of Council's Media Policy during induction.

Councillors will receive a briefing on and be provided with a copy of Council's Media Policy during induction.

#### 3.6. Roles and Responsibilities

3.6.1. The Mayor

The Mayor is the principal member and spokesperson of the governing body of the Council, including representing the views of the Council as to its local priorities (section 226(c) of the *Local Government Act 1993*).

#### If the Mayor is unavailable, the Deputy Mayor may act as the Council's spokesperson.

The Mayor may delegate the role of spokesperson to other Councillors where appropriate, (for example, where another Councillor is best placed to comment, because the issue is of particular interest to them, or it is within their particular area of expertise, or the Mayor is unavailable).

3.6.2. The CEO

The CEO is the official spokesperson for the Council on operational and administrative matters.

The CEO may delegate to other council staff to act as a Council spokesperson when appropriate (for example, where the delegated staff member has professional expertise regarding the subject matter, or when the CEO is unavailable).

6.3. Manager.	Communications.	Marketing	and Brand	(The Manager)

3.6.3.1. The Manager is to:

- Be the lead point of contact for all media enquiries, requests for interviews, requests to film or photograph council staff, facilities or events for news and current affairs purposes;
- Be responsible for preparing all media statements prior to their release;
- Liaise with relevant staff members within the organisation where appropriate;
- Ensure that media statements are approved by the Mayor and/or CEO prior to their release;
- Develop and/or approve media training and/or induction to be provided to relevant staff and/or Councillors;
- Maintain a record of all media enquiries and responses;
- Ensure that media organisations and their representatives are treated professionally, equally and without bias;
- Ensure that media enquiries are dealt with promptly and within the agreed deadlines;
- Provide guidance to Councillors approached by the media for comment to avoid communication of misinformation;
- Ensure that all media releases are published on the Council's website'
- Develop and/or approve the training and/or induction to be provided to relevant Council Officials;
- Moderate the Council's social media platforms in accordance with this policy;
- Ensure the Council complies with its record keeping obligations (see Item 3.18);
- Ensure the Council adheres to the rules of the social media platforms; and
- Coordinate with the Council's Communications Team to ensure the Council's social media platforms are set up and maintained in a way that maximises user friendliness and any technical problems are resolved promptly.
- 3.6.3.2. The Manager may delegate functions to authorised members of staff.
- 3.6.3.3. The Manager is an authorised user for the purposes of this policy.
- 3.6.4. Councillors

Suggestions about suitable content for Media and Social Media content are welcome and should be forwarded to The Manager.

As members of the governing body and, as a representative of the community, Councillors are free to express personal views to the Media.

When engaging with the Media, Councillors:

- Are strongly advised to seek information and guidance from The Managerwhere appropriate before providing comment to the Media to ensure they have the most up-to-date and relevant information and have considered reputational or other risks;
- Should make The Manager, aware of potential issues that could result in Media interest;

- Must not purport to speak for the Council unless authorised so to do;
- Must uphold and accurately represent the policies and decisions of the Council's governing body but may explain why they voted on a matter in the way that they did. (see section 232(1)(f) of the Local Government Act 1993);
- In the interests of promoting a positive, safe and harmonious organisational culture, Councillors should resolve personal differences privately and must not prosecute them publicly through the Media; and
- Will not disclose council information unless authorised to do so.

The use of council resources for Councillor's private Media activity is covered by the Liverpool City Council Code of Conduct.

3.7. Council Staff

Suggestions about suitable content for Media and Social Media content are welcome and should be forwarded to The Manager.

All Media enquiries or invitations to comment made to Council staff must be referred to The Manager.

#### Council staff:

- Should make The Manager aware of positive stories and potential negative issues that could result in Media interest;
- Do not speak to the Media about Council matters unless authorised so to do; and
- Are free to express personal views to the Media on matters that do not relate to the Council, but in doing so, must not make comments that bring Council into disrepute.

When authorised to speak to the Media, Council staff:

- Seek information and guidance from The Manager where appropriate before providing comment to the Media to ensure they have the most up-to-date and relevant information and have considered reputational or other risks;
- Uphold and accurately represent the policies and decisions of the Council; and
- Do not disclose Council information unless authorised so to do by The Manager.
- 3.8. Standard of conduct

Council Officials must comply with the Council's Code of Conduct and this Media Policy when engaging with the Media.

Council Officials must not share information or make comments to the Media through either direct or indirect mechanisms that:

- Are defamatory, offensive, humiliating, threatening, or intimidating to other Council Officials or members of the public;
- Contains content about the Council, Council Officials or members of the public that is false, inaccurate, misleading or deceptive;
- Contains profane language, is sexual, prejudicial, or inflammatory;
- Constitutes harassment and/or bullying within the meaning of the Liverpool City Council Code of Conduct, or is unlawfully discriminatory;

- Is contrary to their duties under the Work Health and Safety Act 2011 and their responsibilities under any policies or procedures adopted by the Council to ensure workplace health and safety;
- Divulges confidential Council information;
- Breaches the privacy of other Council Officials or members of the public;
- Contains allegations of suspected breaches of the Council's Code of Conduct or information about the consideration of a matter under the *Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW*;
- Could be perceived to be an official comment on behalf of the Council where they have not been authorised to make such comment;
- Commits the Council to any action;
- Violates an order made by a court;
- Breaches copyright;
- Advertises, endorses, or solicits commercial products or business;
- Constitutes spam; or

Is in breach of the rules of the social media platform.

#### 3.9. Media output

Council Officials are encouraged to suggest ideas for media releases and Social Media material.

A media release should never be issued quoting a Council Official without that person's prior knowledge.

Staff with specialist knowledge may be quoted in media releases with the permission of staff member and the approval of the CEO.

#### 3.10. Private use of Media

- 3.10.1. For the purposes of this policy, a council official's social media engagement will be considered 'private use' when the content they upload:
  - is not associated with, or does not refer to, the Council, any other council officials, contractors, related entities or any other person or organisation providing services to or on behalf of the Council in their official or professional capacities, and
  - is not related to or does not contain information acquired by virtue of their employment or role as a council official.

3.10.2. If a council official chooses to identify themselves as a council official, either directly or indirectly (such as in their user profile), then they will not be deemed to be acting in their private capacity for the purposes of this policy.

#### 3.11. Use of Media during emergencies

During emergencies, such as natural disasters or public health incidents, The Manager will be responsible for coordinating media releases and statements on behalf of the Council.

Council Officials must not provide comment or information that is inconsistent with official advice issued by the Council or any other agency coordinating the emergency response.

Training on Media engagement during emergencies will be provided to Councillors and relevant staff and other Council Officials.

To ensure consistent messaging both during and after an emergency, authorised users and council officials must not upload content onto the Council's or their own social media platforms which contradicts advice issued by the agency coordinating the emergency response, or agencies supporting recovery efforts.

#### 3.12. Media engagement in the lead up to elections

This Policy does not prevent the Mayor or Councillors who are candidates at a Council or any other election from providing comment to the Media in their capacity as a candidate for election.

Any Media comment provided by the Mayor or Councillors who are candidates at a council or another election must not be provided in an advertisement, newspaper column, or a radio or television broadcast paid for by the Council or produced by the Council or using Council resources.

#### 3.13. Council's Social Media usage and engagement

3.13.1. Responsible Officer

The Manager is responsible for authorising and monitoring the use of the Social Media channels associated with Liverpool City Council.

3.13.2. Council Social Media Posts

Posts on Council outlets by authorised staff members must:

- Be approved by The Manager;
- Be honest, polite and considerate;
- Include appropriate information;
- Ensure relevant permissions have been obtained for photos photos of children under 16 must have the guardian's written permission;
- · Ensure flyers or posters are approved and works of art are credited as appropriate;
- Be accurate and comply with council policies and other relevant requirements;
- Adhere to legislation including copyright, privacy, defamation, contempt of court, discrimination, harassment and Council's Privacy Management Plan and Code of Conduct; and
- Not damage Council's reputation.

#### 3.14. External users of Council outlets

Participation by the general public on Council's Social Media outlets is governed by Council's Social Media Interaction Guidelines (see Attachment A).

Council's Social Media Interaction Guidelines will be posted on the Council website.

A post will be made to all Council Social Media outlets each quarter, reminding users about the interaction guidelines requirements and linking to the relevant website page.

Authorised officers will regularly monitor posts during business hours and immediately remove or hide content that:

- Is defamatory, offensive, humiliating, threatening or intimidating to council officials or members of the public,
- Contains profane language or is sexual in nature
- Constitutes harassment and/or bullying within the meaning of the Model Code of Conduct for Local Councils in NSW, or is unlawfully discriminatory
- Contains content about the Council, council officials or members of the public that is misleading or deceptive
- Breaches the privacy of council officials or members of the public
- Contains allegations of suspected breaches of the Council's code of conduct or information about the consideration of a matter under the Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW,
- Violates an order made by a court
- Breaches copyright
- Advertises, endorses or solicits commercial products or business,
- Constitutes spam; or
- Would be in breach of the rules of the social media platform.

#### 3.15. Staff use of social media during work hours

Council staff who access and engage on social media in their private capacity during work hours must ensure it not does not interfere with the performance of their official duties.

#### 3.16. Fact Checking

Council will publish information to correct false, inaccurate, misleading or deceptive Social Media content (Fact Checks).

Fact Checks will be issued following a determination at the operational level of Council and will be triggered by content that:

- Directly relates to Council business or policies;
- Is demonstrably incorrect or misleading;
- Requires a correction or clarification from the Council organisation;
- Relates to a contemporary or current matter; or
- Has gained Social Media or communications traction in the community.

#### 3.17. Photography

Media content photo opportunities will be co-ordinated by Council's Communications Team. Attendance by the Mayor or a Councillor at Council events constitutes permission to be photographed or videoed and for that content to be published unless otherwise specified at the time.

Material published must have the permission of those featured; in the case of a person under the age of 18, this must be written permission from the child's parent or guardian.

Photos taken by Council staff and any Council contract photographers remain the property of Council.

#### 3.18. Records Management

Council's Media and Communication team will maintain a record of Media output, including but not limited to media releases, media inquiries and responses and Social Media posts.

Media content created and received by Council Officials acting in their official capacity is a Council record and may be subject to information access applications made under the *Government Information (Public Access) Act 2009*.

These records must be managed in accordance with the requirements of Liverpool City Council's Records Management Policy and the *State Records Act 1998*.

#### 3.19. Concerns and Complaints

3.19.1. Concerns or complaints about activity considered to be a breach of this Policy should be made to the CEO in the first instance.

3.19.2. Complaints about a general manager's conduct on social media platforms should be directed to the mayor.

#### 4. Legislative Requirements

Local Government Act 1993

Work Health and Safety Act 2011

Copyright Act 1968

Defamation Act 2005

Government Information and Privacy Act 2009

State Records Act 1998

Privacy and Personal Information Protection Act 1998

Liverpool City Council Code of Conduct

OLG NSW Model Media Code of Conduct

OLG NSW Model Social Media Code of Conduct

#### 5. AUTHORISED BY

**Council Resolution** 

# 6. EFFECTIVE FROM XX XXXX XXXX

#### 7. REVIEW DATE XX XXXX 2027

#### 8. VERSIONS

Version	Amended by	Changes made	Date	TRIM Number
1	Alan Gale Communications Officer	Updates to previous Policy in	XX XXXX XXXX	

	line with Mayoral Minute of	

This Policy has been developed in consultation with:

Director, City Futures; General Counsel, General Manager

#### ATTACHMENTS

#### Attachment A

#### **Social Media Interaction Guidelines**

#### **Social Media Guidelines**

Liverpool City Council's Social Media channels are intended to provide communication about Council services, initiatives, events, programs and news. Council welcomes interaction on its sites and encourages responses, however it will moderate content in line with these guidelines. Council reserves the right to fact check posts or comments and issue corrections.

Council's primary communication is via Facebook and Instagram with select communications published through LinkedIn, YouTube and Tik Tok.

The full list of Council's communication channels is listed here.

#### **Council's Social Media outlets**

Facebook Instagram Linkedin

YouTube

<u>TikTok</u>

#### What to expect from Council

Council staff will be monitoring Council's Social Media outlets from 09.00 am to 5.00 pm Mondays to Fridays (excluding public holidays) and will act when posts or comments contravening the Social Media Interaction Guidelines are discovered.

#### **Council Enquiries via Social Media**

You will get a faster and better response to questions about Council's services and operations by contacting Council's Customer Service team rather than by going online.

Report all emergencies (including property damage) to 000.

Contact Council's Customer Service Team if you:

- Have an enquiry about Council operations or services;
- Want to report an emergency relating to Council property or services;
- Need to request a Council service;
- Would like to give us official feedback; or
- Wish to make a complaint.

Direct all these enquiries to Council's Customer Service Team via: **Phone:** 1300 36 2170 **Email:** <u>lcc@liverpool.nsw.gov.au</u> **Online:** By clicking <u>here</u>

You can get more information about Council's Customer Service facilities by reading the <u>Customer Service and Communication Policy</u>.

#### Moderation of public comments

Social Media posts and comments must adhere to that platforms' own community guidelines, user agreements and policies.

Liverpool City Council does not accept responsibility for community comments – they are not representative of the opinions of the Council, nor does Council make any warranty to their accuracy.

Official communications such as those related to media releases, election information and announcements, public exhibitions and draft policies will be shared on Council's Social Media channels with comments turned off. If you wish to share your feedback about these communications, Council asks that you do this through Council's Customer Service channels.

Council's team may hide or remove comments if they are considered to breach privacy or the guidelines.

A person who repeatedly breaches these guidelines may be blocked or banned from Council's social media platforms.

Council does not participate in Facebook groups nor respond to any tagging within these groups.

Council reserves the right to report posts to Facebook, page moderators, the Police or other agencies as deemed necessary.

#### What Council expects from those who interact on Council's Media platforms

Council supports the Terms of Service and all other related policies of the Social Media platforms with which it participates and expects visitors to and users of Council's Social Media pages to do the same.

Council's Social Media channels should be a safe space for everyone.

Council encourages open discussion and seeks to create a positive and engaging environment for the community where users treat each other and Council's Social Media moderators with respect.

Disagreement is a natural part of life, but Council asks users to remain respectful when conveying a contrary point of view. The best outcome is to agree to disagree.

When interacting on Council's social pages Council expects users will:

- Exercise courtesy;
- Always be respectful to others;
- Not post personal addresses or phone numbers; and
- Acknowledge that the Council cannot check the accuracy of every comment and does not take any responsibility for any reliance on comments.

Posts on Liverpool City Council's Social Media outlets will be deleted or hidden as determined at Council's absolute discretion. Likely trigger points include content that:

 Is defamatory, offensive, humiliating, threatening or intimidating to council officials or members of the public,

- Contains profane language or is sexual in nature
- Constitutes harassment and/or bullying within the meaning of the Model Code of Conduct for Local Councils in NSW, or is unlawfully discriminatory
- Contains content about the Council, council officials or members of the public that is misleading or deceptive
- Breaches the privacy of council officials or members of the public
- Contains allegations of suspected breaches of the Council's code of conduct or information about the consideration of a matter under the Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW,
- Violates an order made by a court
- Breaches copyright
- Advertises, endorses or solicits commercial products or business,
- Constitutes spam; or
- Would be in breach of the rules of the social media platform.

Users who do not comply with Council's Social Media community guidelines will be blocked from the page at the absolute discretion of the Council.

#### Recordkeeping

Council may record information posted to any of its Social Media channels for Council purposes. This includes your public social networking account name.

#### Disclaimer

Although Council takes care producing content for Social Media, it does not guarantee the information is accurate, complete or current, and that the data is free from defects.

Council neither endorses nor takes responsibility for content posted by third parties. This is also the case if Council likes or follows a page. Commenting may be turned off on content shared from third parties.

ITEM 03	<b>Policy Review - Councillor Access to Information</b>		
	and Interaction with Staff Policy		
	Visionary, Leading, Responsible		
Strategic Objective	Demonstrate a high standard of transparency and accountability through a comprehensive governance framework		
File Ref	150176.2025		
Report By	M'Leigh Brunetta - Manager Civic & Executive Services		
Approved By	Tina Bono - Director Community & Lifestyle		

#### **EXECUTIVE SUMMARY**

The Councillor Access to Information and Interaction with Staff Policy is due for review in May 2025.

This report seeks to note the draft Policy which aligns to the Office of Local Government (OLG) Model code, including title name amendment, and proceed to consultation with a final report back to go to Council for endorsement.

#### RECOMMENDATION

That Council:

- 1. Notes, the Draft Councillor and Staff Interaction Policy and supports the commencement of consultation;.
- 2. Notes, there is an opportunity for Mayor and Councillors to provide further feedback on the draft policy throughout the consultation period; and
- 3. Reports back to Council on final draft for endorsement.

#### REPORT

The Councillor Access to Information and Interaction with Staff Policy is due for review in May 2025.



The Office of Local Government has published a *Model Councillor and Staff Interaction Policy* (2022). Council has amended the draft Policy name from 'Councillor Access to Information and Interaction with Staff Policy' to 'Councillor and Staff Interaction Policy' to ensure a direct alignment to the OLG Model Code. The Policy has some structure changes to ensure a direct alignment to the Model Code and include details of Councillor access to information (although removed from title name).

The Policy primarily relates to Councillors, however as it provides the framework for the interaction with Council staff it is recommended that Council consultation with key internal stakeholders.

The Policy is required to go to a Council Meeting for formal adoption followed by implementation.

#### FINANCIAL IMPLICATIONS

There are no financial implications relating to this recommendation.

#### CONSIDERATIONS

Economic	There are no economic and financial considerations.
Environment	There are no environmental and sustainability considerations.
Social	There are no social and cultural considerations.
Civic Leadership	There are no civic leadership and governance considerations.
Legislative	There are no legislative considerations relating to this report.
Risk	There is no risk associated with this report.

#### ATTACHMENTS

- 1. OLG Model Councillor and Staff Interaction Policy (2022)
- ENDORSED Councillor Access to Information and Interaction with Staff Policy (2023)

# MODEL COUNCILLOR AND STAFF INTERACTION POLICY

2022





# MODEL COUNCILLOR AND STAFF INTERACTION POLICY 2022

#### ACCESS TO SERVICES

The Office of Local Government is located at:Street Address: Levels 1 & 2, 5 O'Keefe Avenue, NOWRA NSW 2541Postal Address: Locked Bag 3015, Nowra, NSW 2541Phone:02 4428 4100Fax:02 4428 4199TTY:02 4428 4209Email :olg@olg.nsw.gov.auWebsite:www.olg.nsw.gov.au

#### **OFFICE HOURS**

Monday to Friday 9.00am to 5.00pm (Special arrangements may be made if these hours are unsuitable) All offices are wheelchair accessible.

#### ALTERNATIVE MEDIA PUBLICATIONS

Special arrangements can be made for our publications to be provided in large print or an alternative media format. If you need this service, please contact Client Services on 02 4428 4100.

#### DISCLAIMER

While every effort has been made to ensure the accuracy of the information in this publication, the Department of Planning and Environment expressly disclaims any liability to any person in respect of anything done or not done as a result of the contents of the publication or the data provided.

© Department of Planning and Environment 2022 Produced by Department of Planning and Environment

Model Councillor and Staff Interaction Policy

#### Contents

Preface	4
Model Councillor and Staff Interaction Policy	7
Part 1 – Introduction	7
Part 3 – Policy objectives	8
Part 4 – Principles, roles and responsibilities	8
Part 5 – The councillor requests system	
Part 6 – Access to Council staff	
Part 7 – Councillor access to council buildings	13
Part 8 – Appropriate and inappropriate interactions	13
Part 9 – Complaints	15
Schedule 1 – Authorised staff contacts for councillors (template table)	16

#### Preface

#### Positive working relationships between councillors and staff: a council's key asset

Positive, professional working relationships between councillors and staff are a key element of any council's success. If relationships between councillors and staff are functioning effectively, the council is more likely to perform effectively. If these relationships break down, it can lead to dysfunction, create a potential corruption risk<sup>1</sup>, and ultimately the council's performance will suffer.

A good relationship between councillors and staff is based, in large part, on both having a mutual understanding and respect for each other's roles and responsibilities. These are defined in the *Local Government Act 1993* (the LGA) and the *Model Code of Conduct for Local Councils in NSW* (the Model Code of Conduct).

In broad terms, a councillor's role is a strategic one. As members of the governing body, councillors are responsible not only for representing the community, but also for setting the strategic direction of the council and keeping its performance under review. A comprehensive outline of the role of a councillor is provided in Part 4 of this Policy.

The role of council staff, under the leadership of the general manager, is to carry out the dayto-day operations of the council and to implement the decisions, plans, programs and policies adopted by the governing body.

# Access to information: the key to the relationship

Councillors need access to information about the council's strategic position and performance to perform their civic functions effectively. The general manager and staff are responsible for providing councillors with this information to facilitate the decision-making process. Given councillors' role in setting the council's strategic direction and keeping its performance under review, councillors are entitled to request information about a range of issues.

However, in requesting information, councillors should not be seeking to interrogate the minutiae of the council's operations or to direct or influence staff in the performance of their duties. Councillors should also recognise that a council's resources are finite, and they need to be mindful of the impact of their requests.

Above all, interactions between councillors and staff should be positive, respectful and professional.

#### Official capacity versus private capacity

It is also inevitable that councillors and council staff will engage with their council in their private capacity. This can be for something as simple as borrowing a book from a council library, to more complex matters, such as submitting a development application.

In these circumstances, it is vital that councillors and council staff do not seek to use, or appear to use, their position within council to obtain a private benefit. To do so could be seen as an attempt to exert pressure on councillors and/or council staff with a view to obtaining preferential treatment. Such conduct has the potential to undermine both the integrity of a council's decision-making processes, as well as the community's confidence in council, and so must be avoided.

#### The development and intent of this policy

This Model Councillor and Staff Interaction Policy has been developed by the Office of Local Government (OLG) in consultation with councils. It is applicable to councils, county councils and joint organisations.

It provides an exemplar approach, incorporating examples of best practice from a

<sup>&</sup>lt;sup>1</sup> As highlighted by the NSW Independent Commission Against Corruption's Operation Dasha <u>https://www.icac.nsw.gov.au</u>

Model Councillor and Staff Interaction Policy

diverse range of NSW councils. At its core, the policy has three main goals:

- to establish a framework by which councillors can access the information they need to perform their civic functions,
- to promote positive and respectful interactions between councillors and staff, and
- to advise where concerns can be directed if there is a breakdown in the relationship between councillors and staff.

The Model Councillor and Staff Interaction Policy is structured as follows:

Part 1	Introduction
Part 2	Sets out the scope of the policy
Part 3	Describes the policy's objectives
Part 4	Sets out the respective roles and responsibilities of councillors and staff and the principles that should guide their interactions
Part 5	Sets out the administrative framework for a councillor requests system
Part 6	Identifies which staff councillors can contact directly
Part 7	Addresses councillors' entitlement to access council buildings
Part 8	Describes appropriate and inappropriate interactions between councillors and staff
Part 9	Provides advice about who complaints can be made to
Schedule 1	Contains a template for a list of staff councillors can contact directly under Part 6 of the policy

#### Adoption

While not mandatory, the Model Councillor and Staff Interaction Policy reflects best practice and all councils, county councils and joint organisations are encouraged to adopt it. In doing so, they are free to adapt the policy to suit their local circumstances and operating environments or to supplement it with their own provisions.

Model Councillor and Staff Interaction Policy

Provisions which can be adjusted are marked in red.

**Note:** In adopting the policy, joint organisations should adapt it to substitute the terms "board" for "council", "chairperson" for "mayor", "voting representative" for "councillor" and "executive officer" for "general manager".

**Note:** In adopting the policy, county councils should adapt it to substitute the term "chairperson" for "mayor" and "member" for "councillor".

5

#### Enforcement

Clause 3.1(b) of the Model Code of Conduct provides that council officials must not conduct themselves in a manner that is contrary to a council's policies. If adopted by a council, a breach of the policy may also constitute a breach of council's code of conduct.

Concerns or complaints about the administration of a council's councillor request system should be raised with the general manager (or the mayor in the case of a complaint about the general manager). If the matter cannot be resolved locally, councillors may raise their concerns with OLG.

#### Acknowledgements

OLG wishes to thank Local Government NSW, the NSW Independent Commission Against Corruption, Local Government Professionals, United Services Union, and the councils involved for their invaluable assistance in developing the Model Councillor and Staff Interaction Policy.

# Model Councillor and Staff Interaction Policy

#### Part 1 – Introduction

- 1.1 *The Councillor and Staff Interaction Policy* (the Policy) provides a framework for councillors when exercising their civic functions by specifically addressing their ability to interact with, and receive advice from, authorised staff.
- The Policy complements and should be read in conjunction with (Insert name of Council's) Code of Conduct (the Code of Conduct).
- 1.3 The aim of the Policy is to facilitate a positive working relationship between councillors, as the community's elected representatives, and staff, who are employed to administer the operations of the Council. The Policy provides direction on interactions between councillors and staff to assist both parties in carrying out their day-to-day duties professionally, ethically and respectfully.
- 1.4 It is important to have an effective working relationship that recognises the important but differing contribution both parties bring to their complementary roles.

#### Part 2 – Application

- 2.1 This Policy applies to all councillors and council staff.
- 2.2 This Policy applies to all interactions between councillors and staff, whether face-to-face, online (including social media and virtual meeting platforms), by phone, text message or in writing.
- 2.3 This Policy applies whenever interactions between councillors and staff occur, including inside or outside of work hours, and at both council and non-council venues and events.
- 2.4 This Policy does not confer any delegated authority upon any person. All delegations to staff are made by the General Manager.
- 2.5 The Code of Conduct provides that council officials must not conduct themselves in a manner that is contrary to the Council's policies. A breach of this Policy will be a breach of the Code of Conduct.

7

#### Part 3 – Policy objectives

- 3.1 The objectives of the Policy are to:
  - a) establish positive, effective and professional working relationships between councillors and staff defined by mutual respect and courtesy
  - enable councillors and staff to work together appropriately and effectively to support each other in their respective roles
  - c) ensure that councillors receive advice in an orderly, courteous and appropriate manner to assist them in the performance of their civic duties
  - ensure councillors have adequate access to information to exercise their statutory roles
  - e) provide direction on, and guide councillor interactions with, staff for both obtaining information and in general situations
  - f) maintain transparent decision making and good governance arrangements
  - g) ensure the reputation of Council is enhanced by councillors and staff interacting consistently, professionally and positively in their day-to-day duties
  - provide a clear and consistent
     framework through which breaches of
     the Policy will be managed in
     accordance with the Code of Conduct.

# Part 4 – Principles, roles and responsibilities

- 4.1 Several factors contribute to a good relationship between councillors and staff. These include goodwill, understanding of roles, communication, protocols, and a good understanding of legislative requirements.
- 4.2 The Council's governing body and its administration (being staff within the organisation) must have a clear and sophisticated understanding of their different roles, and the fact that these operate within a hierarchy. The administration is accountable to the General Manager, who in turn, is accountable to the Council's governing body.
- 4.3 Section 232 of the Local Government Act 1993 (the LGA) states that the role of a councillor is as follows:
  - a) to be an active and contributing member of the governing body
  - b) to make considered and wellinformed decisions as a member of the governing body
  - c) to participate in the development of the integrated planning and reporting framework
  - d) to represent the collective interests of residents, ratepayers and the local community
  - e) to facilitate communication between the local community and the governing body
  - to uphold and represent accurately the policies and decisions of the governing body
  - g) to make all reasonable efforts to acquire and maintain the skills

Model Councillor and Staff Interaction Policy

necessary to perform the role of a councillor.

- 4.4 The administration's role is to advise the governing body, implement Council's decisions and to oversee service delivery.
- 4.5 It is beneficial if the administration recognises the complex political environments in which elected members operate and acknowledge that they work within a system that is based on democratic governance. Councillors similarly need to understand that it is a highly complex task to prepare information and provide quality advice on the very wide range of issues that Council operations cover.
- 4.6 Council commits to the following principles to guide interactions between councillors and staff:

<u>Principle</u>	<u>Achieved by</u>
Equitable and consistent	Ensuring appropriate, consistent and equitable access to information for all councillors within established service levels
Considerate and respectful	Councillors and staff working supportively together in the interests of the whole community, based on mutual respect and consideration of their respective positions
Ethical, open and transparent	Ensuring that interactions between councillors and staff are ethical, open, transparent, honest and display the highest standards of professional conduct
Fit for purpose	Ensuring that the provision of equipment and information to councillors is

done in a way that is suitable, practical and of an appropriate size, scale and cost for a client group of (Council to insert the number of councillors) people.

Accountable and Providing support to measurable councillors in the performance of their role in a way that can be measured, reviewed and improved based on qualitative and quantitative data

- 4.7 Councillors are members of the Council's governing body, which is responsible for directing and controlling the affairs of the Council in accordance with the LGA. Councillors need to accept that:
  - responses to requests for information from councillors may take time and consultation to prepare and be approved prior to responding
  - b) staff are not accountable to them individually
  - c) they must not direct staff except by giving appropriate direction to the General Manager by way of a council or committee resolution, or by the mayor exercising their functions under section 226 of the LGA
  - d) they must not, in any public or private forum, direct or influence, or attempt to direct or influence, a member of staff in the exercise of their functions
  - e) they must not contact a member of staff on council-related business unless in accordance with this Policy

Model Councillor and Staff Interaction Policy

- f) they must not use their position to attempt to receive favourable treatment for themselves or others.
- 4.8 The General Manager is responsible for the efficient and effective day-to-day operation of the Council and for ensuring that the lawful decisions of the Council are implemented without undue delay. Council staff need to understand:
  - a) they are not accountable to individual councillors and do not take direction from them. They are accountable to the General Manager, who is in turn accountable to the Council's governing body
  - b) they should not provide advice to councillors unless it has been approved by the General Manager or a staff member with a delegation to approve advice to councillors
  - c) they must carry out reasonable and lawful directions given by any person having the authority to give such directions in an efficient and effective manner
  - d) they must ensure that participation in political activities outside the service of the Council does not interfere with the performance of their official duties
  - e) they must provide full and timely information to councillors sufficient to enable them to exercise their civic functions in accordance with this Policy.

# Part 5 – The councillor requests system

- 5.1 Councillors have a right to request information provided it is relevant to councillor's exercise of their civic functions. This right does not extend to matters about which a councillor is merely curious.
- 5.2 Councillors do not have a right to request information about matters that they are prevented from participating in decisionmaking on because of a conflict of interest, unless the information is otherwise publicly available.
- 5.3 The General Manager may identify Council support staff (the Councillor Support Officer) under this Policy for the management of requests from councillors.
- 5.4 Councillors can use the councillor requests system to:
  - request information or ask questions that relate to the strategic position, performance or operation of the Council
  - bring concerns that have been raised by members of the public to the attention of staff
  - c) request ICT or other support from the Council administration
  - request that a staff member be present at a meeting (other than a meeting of the council) for the purpose of providing advice to the meeting.
- 5.5 Councillors must, to the best of their knowledge, be specific about what information they are requesting, and make their requests respectfully. Where a councillor's request lacks specificity, the General Manager or staff member authorised to manage the matter is

Model Councillor and Staff Interaction Policy

entitled to ask the councillor to clarify their request and the reason(s) why they are seeking the information.

- 5.6 Staff must make every reasonable effort to assist councillors with their requests and do so in a respectful manner.
- 5.7 The General Manager or the staff member authorised to manage a councillor request will provide a response within (Council to insert timeframes for responding to councillor requests). Where a response cannot be provided within that timeframe, the councillor will be advised, and the information will be provided as soon as practicable.
- 5.8 Requests under clause 5.4 (d) must be made (Council to specify time period) before the meeting. The General Manager, or members of staff that are listed at Schedule 1 of this Policy, are responsible for determining:
  - a) whether a staff member can attend the meeting; and
  - b) which staff member will attend the meeting.

Staff members who attend such meetings must be appropriately senior and be subject matter experts on the issues to be discussed at the meeting.

- 5.9 Councillors are required to treat all information provided by staff appropriately and to observe any confidentiality requirements.
- 5.10 Staff will inform councillors of any confidentiality requirements for information they provide so councillors can handle the information appropriately.
- 5.11 Where a councillor is unsure of confidentiality requirements, they should contact the General Manager, or the staff member authorised to manage their request.

Model Councillor and Staff Interaction Policy

- 5.12 The General Manager may refuse access to information requested by a councillor if:
  - a) the information is not necessary for the performance of the councillor's civic functions, or
  - b) if responding to the request would, in the General Manager's opinion, result in an unreasonable diversion of staff time and resources, or
  - c) the councillor has previously declared a conflict of interest in the matter and removed themselves from decision-making on it, or
  - d) the General Manager is prevented by law from disclosing the information.
- 5.13 Where the General Manager refuses to provide information requested by a councillor, they must act reasonably. The General Manager must advise a councillor in writing of their reasons for refusing access to the information requested.
- 5.14 Where a councillor's request for information is refused by the General Manager on the grounds referred to under clause 5.12 (a) or (b), the councillor may instead request the information through a resolution of the council by way of a notice of motion. This clause does not apply where the General Manager refuses a councillor's request for information under clause 5.12 (c) or (d).
- 5.15 Nothing in clauses 5.12, 5.13, and 5.14 prevents a councillor from requesting the information in accordance with the *Government Information (Public Access) Act 2009.*
- 5.16 Where a councillor persistently makes requests for information which, in the General Manager's opinion, result in a significant and unreasonable diversion of staff time and resources the council may,

on the advice of the General Manager, resolve to limit the number of requests the councillor may make.

- 5.17 Councillor requests are state records and must be managed in accordance with the *State Records Act 1998*.
- 5.18 A report will be provided to (Council to specify frequency and regarding the performance and efficiency of the councillor requests system against established key performance indicators.

# Part 6 – Access to Council staff

- 6.1 Councillors may directly contact members of staff that are listed in Schedule 1 of this Policy. The General Manager may amend this list at any time and will advise councillors promptly of any changes.
- 6.2 Councillors can contact staff listed in Schedule 1 about matters that relate to the staff member's area of responsibility.
- 6.3 Councillors should as far as practicable, only contact staff during normal business hours.
- 6.4 If councillors would like to contact a member of staff not listed in Schedule 1, they must receive permission from the General Manager.
- 6.5 If a councillor is unsure which authorised staff member can help with their enquiry, they can contact the General Manager or the Councillor Support Officer who will provide advice about which authorised staff member to contact.
- 6.6 The General Manager or a member of the Council's executive leadership team may direct any staff member to contact councillors to provide specific information or clarification relating to a specific matter.
- 6.7 A councillor or member of staff must not take advantage of their official position to improperly influence other councillors or members of staff in the performance of their civic or professional duties for the purposes of securing a private benefit for themselves or for another person. Such conduct should be immediately reported to the General Manager or Mayor in the first instance, or alternatively to the Office of Local Government, NSW Ombudsman, or the NSW Independent Commission Against Corruption.

# Part 7 – Councillor access to council buildings

- 7.1 Councillors are entitled to have access to the council chamber, committee room, mayor's office (subject to availability), councillors' rooms, and public areas of Council's buildings during normal business hours for meetings. Councillors needing access to these facilities at other times must obtain approval from the General Manager.
- 7.2 Councillors must not enter staff-only areas of Council buildings without the approval of the General Manager.

# **Part 8 – Appropriate and inappropriate interactions**

- 8.1 Examples of appropriate interactions between councillors and staff include, but are not limited to, the following:
  - a) councillors and council staff are courteous and display a positive and professional attitude towards one another
  - b) council staff ensure that information necessary for councillors to exercise their civic functions is made equally available to all councillors, in accordance with this Policy and any other relevant Council policies
  - council staff record the advice they give to councillors in the same way they would if it was provided to members of the public
  - council staff, including Council's executive team members, document councillor requests via the councillor requests system
  - e) council meetings and councillor briefings are used to establish positive working relationships and help councillors to gain an understanding of the complex issues related to their civic duties
  - f) councillors and council staff feel supported when seeking and providing clarification about council related business
  - g) councillors forward requests through the councillor requests system and staff respond in accordance with the timeframes stipulated in this Policy
- 8.2 Examples of inappropriate interactions between councillors and staff include, but are not limited to, the following:

- a) councillors and council staff conducting themselves in a manner which:
  - is contrary to their duties under the Work Health and Safety Act 2011 and their responsibilities under any policies or procedures adopted by the Council to ensure workplace health and safety
  - constitutes harassment and/or bullying within the meaning of the Code of Conduct, or is unlawfully discriminatory
- b) councillors approaching staff and staff organisations to discuss individual or operational staff matters (other than matters relating to broader workforce policy such as, but not limited to, organisational restructures or outsourcing decisions), grievances, workplace investigations and disciplinary matters
- c) staff approaching councillors to discuss individual or operational staff matters (other than matters relating to broader workforce policy such as, but not limited to, organisational restructures or outsourcing decisions), grievances, workplace investigations and disciplinary matters
- d) subject to clause 5.12, staff refusing to give information that is available to other councillors to a particular councillor
- e) councillors who have lodged an application with the council, discussing the matter with staff in staff-only areas of the council
- f) councillors being overbearing or threatening to staff
- g) staff being overbearing or threatening to councillors

- h) councillors making personal attacks on staff or engaging in conduct towards staff that would be contrary to the general conduct provisions in Part 3 of the Code of Conduct in public forums including social media
- councillors directing or pressuring staff in the performance of their work, or recommendations they should make
- staff providing ad hoc advice to councillors without recording or documenting the interaction as they would if the advice was provided to a member of the community
- 8.3 Where a councillor engages in conduct that, in the opinion of the General Manager, puts the health, safety or welfare of staff at risk, the General Manager may restrict the councillor's access to staff.
- 8.4 Any concerns relating to the conduct of staff under this Policy should be raised with the General Manager.

### Part 9 - Complaints

- 9.1 Complaints about a breach of this policy should be made to the General Manager (if the complaint is about a councillor or member of council staff), or the Mayor (if the complaint is about the General Manager).
- 9.2 Clause 9.1 does not operate to prevent matters being reported to OLG, the NSW Ombudsman, the NSW Independent Commission Against Corruption or any other external agency.

Model Councillor and Staff Interaction Policy

# Schedule 1 – Authorised staff contacts for councillors (template table)

- 1. Clause 6.1 of this Policy provides that councillors may directly contact members of staff that are listed below. The General Manager may amend this list at any time.
- 2. Councillors can contact staff listed below about matters that relate to the staff member's area of responsibility.
- 3. Councillors should as far as practicable, only contact staff during normal business hours.
- 4. If councillors would like to contact a member of staff not listed below, they must receive permission from the General Manager or their delegate.
- 5. If a councillor is unsure which authorised staff member can help with their enquiry, they can contact the General Manager or the Councillor Support Officer who will provide advice about which authorised staff member to contact.
- 6. In some instances, the General Manager or a member of the Council's executive leadership team may direct a council staff member to contact councillors to provide specific information or clarification relating to a specific matter.

Authorised staff members name	Position
[Insert staff member's name]	[Insert position title]





## LIVERPOOL CITY COUNCIL

### COUNCILLOR ACCESS TO INFORMATION AND INTERACTION WITH STAFF POLICY

Adopted: 26 July 2023

TRIM: 380335.2022-008



#### 1. LEGISLATIVE REQUIREMENTS

Government Information Public Access Act 2009 Government Information (Public Access) Regulation 2009 Interpretation Act 1987 Local Government Act 1993 Privacy and Personal Information Protection Act 1998

#### 2. PURPOSE/ OBJECTIVES

- 2.1 The purpose of this policy is to:
  - a) Provide a documented process on how the Mayor and Councillors can access Council staff, records, advice, information and buildings.
  - b) Ensure the Mayor and Councillors have access to all documents and information necessary for them to exercise their statutory role as a member of the governing body of the Council.
  - c) Ensure that the Mayor and Councillors receive advice to help them in the performance of their civic duty in an orderly and regulated manner.
  - d) Provide a clear and consistent framework for the reporting of, and appropriate application of sanctions for, breaches of this policy.

#### 3. DEFINITIONS

*"Open access information"* is information listed in Schedule 1 of the *Government Information (Public Access) Regulation* 2009 that a member of the public could access by applying under Council's Agency Information Guide

"Operational advice" refers to requests regarding routine services provided by Council.

*"Ordinary day"* refers to the reckoning of time as set out in section 36 of the *Interpretation Act* 1987, which excludes a Saturday, a Sunday, a public holiday or a bank holiday being included in the calculation of the period of a day or number of days in relation to notice to be given under the provisions of the Code.

*"Strategic advice"* refers to requests regarding matters that relate to policy direction, strategic and long-term planning and significant projects.

*"Response"* refers to an answer to a request or a proposed course of action (not an acknowledgement) by email or letter.

*"Third party advice"* is written advice obtained by Council from a third party. Such advice includes legal, financial and planning advice, consultants' reports and advice from Government agencies.

"Internal Lead" a member of the Executive Leadership Team, General Counsel, Manager Governance

#### 4. POLICY STATEMENT

- 4.1 Liverpool City Council acknowledges that its Mayor and Councillors require access to Council information and staff in order for them to exercise the functions of their civic office under the *Local Government Act 1993* (the Act). The Act also requires the Mayor, Councillors and staff to act honestly and responsibly when carrying out their functions, not taking advantage of their position to unduly influence other Councillors or staff in the performance of their duties or functions or use their position to obtain, either directly or indirectly, an advantage for them or any other person.
- 4.2 Councillors should exercise due care in undertaking their functions by acquainting themselves with the requirements of the *Local Government Act 1993*, Councils Code of Conduct, the details of the matters they are dealing with and any factors which may affect their involvement in decision making. If councillors are uncertain about an action or decision there are mechanisms in place to assist the councillors with seeking independent professional advice.
- 4.3 Access to a Council file, information or staff member can only be provided in accordance with this policy to ensure that access is obtained in ways that are legal and appropriate. The types of requests, authorisation requirements, and the manner of responses, restrictions and record keeping requirements are specified in Attachment A.
- 4.4 Councillors are entitled to have access to the council chamber, committee room, mayors' officer (subject to availability), councillors rooms, and public areas of councils buildings during normal business hours and for meetings. Councillors and administrators needing access to these facilities at other times must obtain authority from the CEO.
- 4.5 Councillors must not enter staff-only areas of council buildings without the approval of the CEO (or their delegate).
- 4.6 The Mayor and Councillors shall only make requests of staff that are relevant to the Mayor or Councillor's civic duties. If the Mayor or a Councillor requires information, action or advice in relation to a personal or private matter, they must follow the same process as any other member of the public. The statutory roles of the Mayor, Councillors and the Chief Executive Officer are detailed in Attachment B.
- 4.7 If a staff member receives a request from the Mayor or a Councillor which they consider may not be relevant to the Mayor or Councillor's civic duties, the staff member is entitled to require the Mayor or Councillor to demonstrate how the request relates to the Mayor or Councillor's civic duties. If the staff member is still not satisfied that the request relates to the Mayor or Councillor's civic duty, the staff member is entitled to refuse to action the request or advise the Mayor or Councillor of the normal process for members of the public to make such requests.
- 4.8 The Mayor and Councillors are entitled to access to all Council files, records or other documents where that information is identified under Schedule 1 of the *Government Information (Public Access Act) Regulation* 2009 or relates to a matter currently before the Council. (Note, however, that the provision of access to legal advice will be dealt with in accordance with clause 4.7(e) of this policy and the

provisions of Council's Legal Services Policy generally).

- 4.9 Councillors who are precluded from participating in the consideration of a matter under this code because they have a conflict of interest in the matter, are not entitled to request access to council information in relation to the matter unless the information is otherwise available to members of the public.
- 4.10 Where the Mayor or a Councillor receives an enquiry from a constituent with regard to an operational matter, the enquiry should be actioned as follows:
  - a) For the Mayor, the enquiry should be made to the Executive Assistant to the Mayor to be forwarded to the relevant director for a response to be drafted in the Mayor's name within two ordinary days for signature and dispatch from the Mayor's office.
  - b) For Councillors, the enquiry should be made to the Councillor Support Officer to be forwarded to the relevant director for a response to be emailed direct to the Councillor within two ordinary days. The Councillor is then responsible for forwarding the response with any comments to the constituent.
  - c) For matters not requiring a formal written response (for example, those which require direction or a quick answer) to either the Mayor or Councillor, a telephone conversation with the Chief Executive Officer; directors, the Manager Council and Executive or a relevant manager is also acceptable.

#### 5 THIRD PARTY ADVICE

- 5.1 Councillors may request that officers obtain third party advice relating to an item of business before the Council or relating to their Civic duties in one of two ways:
  - By Council resolution directing the CEO to obtain the requested advice; or
  - By request to the CEO in line with the process outlined below, if it is impracticable to seek a resolution requesting the advice.
- 5.2 A request to the CEO for third party advice should be made in writing and be signed by three councillors, or signed by one councillor and accompanied by advice from a government agency or public body that is relevant to Council's functions and supports the request for third party advice, setting out:
  - The item of business before the Council or civic duties to which the advice relates;
  - Why it is considered impracticable to seek a resolution that the advice be provided; and
  - Why third-party advice is required.

**NOTE:** In the absence of the CEO or any other reason deemed valid by the requestor the Director Corporate Services can be used as an alternate officer to receive the written notice.

- 5.3 Upon receipt of a request for third party advice, the CEO will:
  - Circulate the request to all councillors;

- Appoint an internal lead to consider the request, who will be the relevant Executive Team member or General Counsel;
- If necessary, arrange a discussion with the referring councillors; and
- Consider whether it is reasonable to obtain the advice in the circumstances.
- 5.4 If the CEO agrees that third party advice should be obtained, the lead officer will work with the requestor to understand the scope, brief an advisor and obtain the advice. The advice will be provided to all Councillors, subject to the following principles;
  - The CEO shall have discretion as to the timing of the provision of the advice to the Mayor and Councillors provided that it shall be made available within a reasonable time prior to the meeting at which the matter is to be considered;
  - Where necessary, the CEO may request follow-up advice or further investigation before the advice is provided to the Mayor and Councillors; and
  - The Mayor and Councillors acknowledge that advice may be confidential and public disclosure may be detrimental to Council's interests. Accordingly, where the advice is provided to the Mayor and Councillors on a confidential basis, the Mayor and Councillors will not disclose the advice to any other person. Failure to maintain confidentiality may constitute a breach of both Council's Code of Conduct and the Act and result in action being taken;
- 5.5 The CEO will generally not obtain third party advice without a Council resolution in relation to:
  - Matters where Council staff have not yet provided advice; and
  - Advice with an estimated cost of \$10,000 or more.
- 5.6 The Chief Executive Officer will keep a register of all written requests for advice to the CEO. A report detailing the number of requests made for independent advice and high-level information will be tabled at a council meeting biannually through the quarterly budget review.
- 5.7 A budget of \$100,000 will be set for every financial year to cover requests for third party advice.

#### 6 **INAPPROPRIATE INTERACTIONS**

Council's policy, based on the Code of Conduct, is that the following interactions are inappropriate:

- a) The Mayor and Councillors approaching members of staff other than those specifically identified in Attachment A
- b) Councillors approaching staff and staff organisations to discuss individual or operational staff matters (other than matters relating to broader workforce policy), grievances, workplace investigations and disciplinary matters
- c) Council staff approaching councillors to discuss individual or operational staff matters (other than matters relating to broader workforce policy), grievances, workplace investigations and disciplinary matters

Page 5

- d) subject to clause 8.6, council staff refusing to give information that is available to other councillors to a particular councillor
- e) councillors who have lodged an application with the council, discussing the matter with council staff in staff-only areas of the council
- f) councillors approaching members of local planning panels or discussing any application that is either before the panel or that will come before the panel at some future time, except during a panel meeting where the application forms part of the agenda and the councillor or administrator has a right to be heard by the panel at the meeting
- g) councillors and administrators being overbearing or threatening to council staff
- h) council staff being overbearing or threatening to councillors or administrators
- councillors and administrators making personal attacks on council staff or engaging in conduct towards staff that would be contrary to the general conduct provisions in Part 3 of this code in public forums including social media
- j) councillors and administrators directing or pressuring council staff in the performance of their work, or recommendations they should make
- council staff providing ad hoc advice to councillors and administrators without recording or documenting the interaction as they would if the advice was provided to a member of the community
- council staff meeting with applicants or objectors alone AND outside office hours to discuss planning applications or proposals
- m) councillors attending on-site inspection meetings with lawyers and/or consultants engaged by the council associated with current or proposed legal proceedings unless permitted to do so by the council's general manager or, in the case of the mayor or administrator, unless they are exercising their functions under section 226 of the LGA.

#### 7 BREACHES OF THIS POLICY BY COUNCILLORS

- 7.1 A breach of this policy by the Mayor or any Councillor will be dealt with in accordance with Council's Code of Conduct and Code of Conduct Procedures.
- 7.2 If the matter tends to show or shows maladministration, corrupt conduct, serious and substantial waste, government information contravention or criminal activity, it will be referred by the Chief Executive Officer to the appropriate investigative agency.

#### 8 BREACHES OF THIS POLICY BY MEMBERS OF COUNCIL STAFF

- 8.1 A breach of this policy by members of Council staff will be dealt with in accordance with any relevant staff agreements, awards, industrial agreements, contracts and Council policies, including the Code of Conduct and Code of Conduct Procedures.
- 8.2 If the matter tends to show or shows maladministration, corrupt conduct, serious and substantial waste, government information contravention or criminal activity, it will be referred by the Chief Executive Officer to the appropriate investigative agency.

#### AUTHORISED BY

Council

#### **EFFECTIVE FROM**

31 May 2023

#### DEPARTMENT RESPONSIBLE

Office of the CEO (Council and Executive Services)

#### **REVIEW DATE**

31 May 2025

#### THIS POLICY HAS BEEN DEVELOPED AFTER CONSULTATION WITH

Governance Chief Executive Officer Executive Leadership Team Legal Internal Ombudsman Office of Local Government

#### VERSIONS

Version	Amended by	Date	TRIM Number
1	Council Resolution	11 June 2002	Not applicable
2	Council Resolution	15 June 2009	099865.2009
3	Council Resolution	21 June 2010	111710.2010
4	Council Resolution	25 July 2011	079519.2011
5	Council Resolution	5 November 2012	231162.2012
6	Council Resolution	26 June 2013	144367.2013
7	Council Resolution	20 June 2014	129147.2014
8	Acting CEO after review	17 June 2016	166749.2016
9	Council Resolution	6 February 2019	060558.2019
10	Council Resolution (reviewed and no changes made)	3 February 2021	060558.2019
11	Council	31 March 2023	380335.2022-008
12	Council Resolution	26 July 2023	380335.2022-008

#### REFERENCES

Division of Local Government in cooperation with the Local Government Association of NSW and the Shires Association of NSW: Councillor Handbook 2012

Division of Local Government: Councillors' Access to Information Circular no.10 30 December 2010

Civic Expenses and Facilities Policy

Code of Conduct

Code of Conduct Procedures

Code of Meeting Practice

Conflicts of Interest Policy

Ethical Governance: Internal Investigations Policy

Legal Services Policy

Page 7

#### ATTACHMENTS

Attachment A: Interactions between Councillors and Council staff Attachment B: Statutory provisions relating to the roles of Councillors and the Chief Executive Officer

#### Attachment A

#### INTERACTIONS BETWEEN COUNCILLORS AND COUNCIL STAFF

TYPE OF REQUEST	FROM WHOM TO GAIN APPROVAL	HOW INFORMATION IS TO BE REQUESTED	HOW INFORMATION IS TO BE PROVIDED	RESTRICTIONS TO INFORMATION	RECORD KEEPING REQUIREMENTS
ocuments	CEO, Public Officer	It is the Mayor or Councillor's choice whether a request is submitted in writing or made verbally.	Inspection of documents will only be permitted on the premises. Copies of publicly available documents will be permitted.	There are no specific restrictions. However, the CEO and the Public Officer have discretion to refuse a request on legitimate grounds.	The general principle is to keep a record of all transactions. However this is not required if it is only a routine matter.
Access to Documents		The CEO, Public Officer and Councillor Support Officer are required to keep a file note of verbal requests when appropriate.	Documents that are not publicly available can be inspected but not copied. The CEO has overriding discretion.	If access is refused, a notice of motion, the GIPA Act and the Agency Information Guide are the alternative forms of access.	
Operational or Strategic Advice	CEO, directors, managers, Councillor Support Officer	It is the Mayor or Councillor's choice whether a request is submitted in writing or made verbally. The CEO, directors, managers and Councillor Support Officer are required to keep a file note of verbal requests when appropriate.	The response will be provided verbally, memo or email. The timeframe for a response will be two ordinary days.	There are no specific restrictions. However the CEO and directors have discretion to refuse a request on legitimate grounds. If access is refused, a notice of motion or a question with notice is the alternative forms of access.	The general principle is to keep a record of all transactions. However this is not required if it is only a routine matter.
Councillor Support and Requests	Council and Executive Services staff, Coordinator Governance managers, Councillor Support Officer, Executive Assistant to the Mayor, Executive Assistant to the CEO, IT Helpdesk	It is the Mayor or Councillor's choice whether their request is submitted in writing or made verbally. Council officers are required to keep a file note of verbal requests when appropriate.	The timeframe for a response will be two ordinary days	The administrative assistance must be in accordance with the Civic Expenses and Facilities Policy.	The general principle is to keep a record of all transactions. However, this is not required if it is only a routine matter.

#### Attachment B

#### STATUTORY PROVISIONS RELATING TO THE ROLES OF COUNCILLORS AND THE CHIEF EXECUTIVE OFFICER

#### 1. The governing body (s. 222)

The elected representatives, called "Councillors," comprise the governing body of the council.

#### 2. Role of governing body (s. 223)

1. The role of the governing body is as follows:

- (a) to direct and control the affairs of the council in accordance with this Act,
- (b) to provide effective civic leadership to the local community,
- (c) to ensure as far as possible the financial sustainability of the council,
- (d) to ensure as far as possible that the council acts in accordance with the principles set out in Chapter 3 and the plans, programs, strategies and polices of the council,
- (e) to develop and endorse the community strategic plan, delivery program and other strategic plans, programs, strategies and policies of the council,
- (f) to determine and adopt a rating and revenue policy and operational plans that support the optimal allocation of the council's resources to implement the strategic plans (including the community strategic plan) of the council and for the benefit of the local area,
- (g) to keep under review the performance of the council, including service delivery,
- (h) to make decisions necessary for the proper exercise of the council's regulatory functions,
- to determine the process for appointment of the general manager by the council and to monitor the general manager's performance,
- (j) to determine the senior staff positions within the organisation structure of the council,
- (k) to consult regularly with community organisations and other key stakeholders and keep them informed of the council's decisions and activities,
- (I) to be responsible for ensuring that the council acts honestly, efficiently and appropriately.

#### 3. Role of mayor (s. 226)

The role of the mayor is as follows:

- (a) to be the leader of the council and a leader in the local community,
- (b) to advance community cohesion and promote civic awareness,
- (c) to be the principal member and spokesperson of the governing body, including representing the views of the council as to its local priorities,
- (d) to exercise, in cases of necessity, the policy-making functions of the governing body of the council between meetings of the council,
- (e) to preside at meetings of the council,
- (f) to ensure that meetings of the council are conducted efficiently, effectively and in accordance with this Act,
- (g) to ensure the timely development and adoption of the strategic plans, programs and policies of the council,
- (h) to promote the effective and consistent implementation of the strategic plans, programs and policies of the council,
- (i) to promote partnerships between the council and key stakeholders,
- (j) to advise, consult with and provide strategic direction to the general manager in relation to the implementation of the strategic plans and policies of the council,
- (k) in conjunction with the general manager, to ensure adequate opportunities and mechanisms for engagement between the council and the local community,
- (I) to carry out the civic and ceremonial functions of the mayoral office,
- (m) to represent the council on regional organisations and at inter-governmental forums at regional, State and Commonwealth level,
- (n) in consultation with the councillors, to lead performance appraisals of the general manager,
- (o) to exercise any other functions of the council that the council determines.

#### 4. The role of a Councillor (s. 232(1) and s.232(2)

- (1) The role of a councillor is as follows:
- (a) to be an active and contributing member of the governing body,
- (b) to make considered and well informed decisions as a member of the governing body,
- (c) to participate in the development of the integrated planning and reporting framework,
- (d) to represent the collective interests of residents, ratepayers and the local community,
- (e) to facilitate communication between the local community and the governing body,
- (f) to uphold and represent accurately the policies and decisions of the governing body,(g) to make all reasonable efforts to acquire and maintain the skills necessary to perform the role of a
- councillor.
- (2) A councillor is accountable to the local community for the performance of the council.

#### 5. Functions of the general manager (s. 335)

The general manager of a council has the following functions:

- (a) to conduct the day-to-day management of the council in accordance with the strategic plans, programs, strategies and policies of the council,
- (b) to implement, without undue delay, lawful decisions of the council,
- (c) to advise the mayor and the governing body on the development and implementation of the strategic plans, programs, strategies and policies of the council,
- (d) to advise the mayor and the governing body on the appropriate form of community consultation on the strategic plans, programs, strategies and policies of the council and other matters related to the council,
- (e) to prepare, in consultation with the mayor and the governing body, the council's community strategic plan, community engagement strategy, resourcing strategy, delivery program, operational plan and annual report,
- (f) to ensure that the mayor and other councillors are given timely information and advice and the administrative and professional support necessary to effectively discharge their functions,
- (g) to exercise any of the functions of the council that are delegated by the council to the general manager,(h) to appoint staff in accordance with the organisation structure determined under this Chapter and the
- resources approved by the council,
- (i) to direct and dismiss staff,
- (j) to implement the council's workforce management strategy,
- (k) any other functions that are conferred or imposed on the general manager by or under this or any other Act.

### GOVERNANCE COMMITTEE MEETING 13 MAY 2025 STRATEGIC PRIORITIES COMMITTEE REPORT

ITEM 04	Improvement Recommendations – Community	
	Drop-In Sessions	
Strategic Objective	Healthy, Inclusive, Engaging	
	Communicate, listen, engage and respond to the community by encouraging community participation	
File Ref	150242.2025	
Report By	Casey Walton - Community Engagement Officer	
Approved By	Tina Bono - Director Community & Lifestyle	

### **EXECUTIVE SUMMARY**

In May 2024, Council introduced Community Drop-In Sessions, a program of centralised community engagement to offer a more personalised, one-on-one engagement and customer service experience for the Liverpool community. These sessions replaced the Liverpool District Forums.

Following a 12-month review of the program, including community feedback, continuous improvement recommendations have been made for the delivery of the Community Drop-In Sessions, which will enhance how Council engages with our diverse community.

The recommendations acknowledge that no 'one box fits all' for our diverse community, and are a result of investigating three different improvement streams:

- Maintain Community Drop-In Session model with improvements based off community feedback
- Investigate Mobile Office/pop-up opportunities in local shopping centres
- Investigate ways to increase our engagement online

The proposed improvements ultimately combine components off all three streams, with the overriding mantra: *Meet our community where they are.* 

With the continuation of the Community Drop-In Sessions, the Terms of Reference (ToR) for the Liverpool District Forum program can be dissolved. This dissolution is merely an administrative process and has no impact on the ongoing delivery of the Community Drop-In Sessions, or Council's broader community engagement program.

### RECOMMENDATION

That Council:

- 1. Receives and notes the recommended improvements and revisions to the Community Drop-In Session program; and
- 2. Dissolve the Liverpool District Forums Terms of Reference, noting this program has been superseded by the ongoing Community Drop-In Sessions.

#### REPORT

The Liverpool District Forums were established to develop and strengthen strong community bonds by ensuring ongoing dialogue between Council and the community about important matters affecting local communities, including those matters that affect the broader Liverpool LGA. The forums were structured into four districts, where local community members could come along to provide feedback and share their concerns on Council programs and activities.

The introduction of the Community Drop-In Sessions in 2024 supported a more localised approach to community engagement, focussed on engaging with residents in more concentrated localities to support more specific, tailored engagement for suburbs in Liverpool. As a result, the Liverpool District Forum program was superseded, and the endorsed Terms of Reference (ToR) is no longer required. This ToR, adopted in October 2019, can now be dissolved by resolution of Council. This dissolution is merely an administrative process and has no impact on the ongoing delivery of the Community Drop-In Sessions, or Council's broader community engagement program.

Continuous business improvement recommendations for the Community Drop-In Sessions will be delivered via presentation at the Governance Meeting.

#### FINANCIAL IMPLICATIONS

Recommendations, to be outlined in the presentation, include cost savings to Council based on reduced staffing requirements.

#### CONSIDERATIONS

Economic	There are no economic and financial considerations.	
Environment	There are no environmental and sustainability considerations.	
Social	Deliver high quality services for children and their families.	

Civic Leadership	There are no civic leadership and governance considerations.
Legislative	There are no legislative considerations relating to this report.
Risk	There is no risk associated with this report.

### ATTACHMENTS

Nil

Slideshow presentation to be distributed at Governance Committee Meeting.