

Councillor Portfolios Roles and Responsibilities

Head of Power

Local Government Act 2009

Related Legislation

Local Government Regulation 2012

Objective

The allocation of portfolios for the purpose of Council meetings is recognised as a means of developing appropriate and effective working relationships and “rules of engagement” between Councillors and the Executive Management Team.

This policy is committed to the characteristics and requirements of good governance outlined in the Governance & Integrity Program, with a view to providing transparent and accountable processes.

This policy sets clear guidelines to define the roles and responsibilities of the Mayor (governance) and Councillors (directorates) as an appointed Portfolio Councillor to support inclusive teamwork and co-operation between elected members and the Executive Management Team. Portfolio Councillors are encouraged to establish clear, open and regular communication with their aligned Directors.

This policy also establishes protocols for official spokespersons of Council including at meetings of Council and other forums including media.

Assigning Councillors as a Portfolio Councillor ensures:

- Alignment between Portfolio Councillors and the Executive Management Team;
- Informed discussion is generated by the whole of Council with different Councillors facilitating the conduct of their respective sessions of the Council meeting; and
- Councillors act as “sounding boards” for strategic issues and suggestions from senior officers, members of the business and community, and other Councillors relating to their portfolio.

Definitions

CEO means Council’s Chief Executive Officer

Employee means all employees of Council, whether employed on a permanent, temporary or part-time basis and includes volunteers and employees of businesses and entities contracted to provide services to, or on behalf of Council

Councillor means the Mayor and Councillors of Moreton Bay Regional Council

Executive Management Team comprises the Chief Executive Officer and other senior executive roles including appointed divisional Directors

Local government meeting means Council’s General, Standing Committee and Advisory Committee meetings

Portfolio means the specific responsibilities relative to Directorates that operationally manage key functions and services of the Council, as outlined in the Corporate Structure

Portfolio Councillor means the Councillor appointed to each of the identified Portfolios

Media includes television, print, radio, online and social media, as well as Council-branded or sub-branded social media, mastheads, magazines and media releases

The Act means the *Local Government Act 2009*

The Regulation means the Local Government Regulation 2012

Application

This policy applies to the Mayor and Councillors of Moreton Bay Regional Council, the Chief Executive Officer and members of the Executive Management Team, departmental Managers and the Communications & Media team.

Policy Statement

Council has agreed to the establishment of a Portfolio system as part of its decision-making framework for the purpose of Council meetings. This system provides for nominated Councillors to be assigned specific responsibilities relative to Directorates that operationally manage key functions and services of the Council, as outlined in the Council's Corporate Structure.

By resolution, the Council will appoint a Portfolio Councillor to each of the identified Portfolios. These appointments may be amended from time to time, by resolution of Council.

This document provides details of the Portfolio system including the roles and responsibilities of the Portfolio Councillor and associated operating protocols.

1. Portfolios

Each Portfolio directly aligns with the individual Directorates and the specific functions and services it provides as part of Council's operations.

As prescribed in the *Local Government Act 2009*, the Councillors' responsibilities, endeavours, interest and influence must be focused at the strategic level of issues of their portfolio, and not the day-to-day operational matters that fall under the domain of the administration.

Section 170(3) of the Act prescribes that a Councillor may not direct a Council employee, including the Chief Executive Officer, members of the Executive Management Team, departmental Managers and the Communications & Media team. Contravention of this provision is specifically included in the definition of "misconduct" in the Act.

In addition, section 12 of the Act states that when performing their responsibility, a Councillor must serve the overall public interest of the whole local government area.

Specific objectives and key indicators for each portfolio over the term of the Council are to be identified and where appropriate considered by Council for inclusion in any scheduled Corporate Plan review.

1.1 Portfolios and appointed Portfolio Councillors

The Mayor represents the whole of Council.

The portfolios will be in line with Council's Corporate Structure as resolved by Council from time to time.

1.2 Powers and Authorities

- 1.2.1 The Portfolio system provides no formal delegated authority to the Portfolio Councillor. It provides, however, the Councillor with an opportunity to develop and maintain a heightened level of knowledge and strategic leadership across the region in a specified field of Council responsibilities and functions.
- 1.2.2 The Portfolio system in no way overrides or impinges on the requirements of the Act that requires corporate decisions on policies and resources to be made at properly constituted Council meetings.
- 1.2.3 The Portfolio system cannot conflict with any of the provisions of the Code of Conduct for Councillors in Queensland especially in relation to the provisions of the Act preventing Councillors from giving directions to staff on how they shall undertake their duties.
- 1.2.4 The Portfolio system also does not override Council's Acceptable Requests by Councillors for Advice or Information Guidelines (2150-004) in relation to communication between Councillors and Council staff as required by the Act.
- 1.2.5 The Portfolio system must not eventuate in a Portfolio Councillor assuming any of the roles normally prescribed to the Mayor (as per the Act).
- 1.2.6 The Mayor is the spokesperson for the Council.
- 1.2.7 A Portfolio Councillor does not receive any additional media or spokesperson roles otherwise ordinarily assigned to a Councillor.

2. Roles, Responsibilities and Operating Protocols

The following guidelines define the role, responsibilities and operating protocols of Councillors appointed as Portfolio Councillor for Moreton Bay Regional Council.

2.1 Role of Portfolio Councillor

- 2.1.1 The Portfolio Councillor must ensure he/she accurately represents the view of the whole of Council at Council meetings rather than their own personal view, except for opportunities provided in debate and voting.
- 2.1.2 Where the order of business for a local government meeting includes consideration of officers' reports as referred by the CEO, this part of the meeting will be conducted in sessions that reflect the adopted Councillor Portfolios as defined in this Policy.
- 2.1.3 Portfolio Councillors will facilitate the conduct of the respective session of the local government meeting, under the control of the Mayor (Chairperson), noting that the Mayor (as the presiding officer for local government meetings) retains the casting vote entitlement.
- 2.1.4 Councillors are responsible for being fully informed of issues reported on within their assigned portfolio at Council meetings.

2.2 Responsibilities

- 2.2.1 Intergovernmental relations, governance and advocacy are a core responsibility for the Mayor.
- 2.2.2 In relation to the ambit of the respective Portfolios, the Portfolio Councillors have responsibilities to:
 - (a) facilitate the conduct of their relevant portfolio section of a Council meeting.
 - (b) provide an elected viewpoint and to act as a sounding board for Executive Management Team and key staff on issues relating to the portfolio.
 - (c) generally, champion the advancement of Council's key priorities and decisions relevant to the portfolio area.

3. Protocols

3.1 Operating protocols

- 3.1.1 In support of commitments to inclusive teamwork and co-operation between elected members and Council staff, the Portfolio Councillors are encouraged to establish clear, open and regular communication with their aligned Director.
- 3.1.2 Equally, Directors are required to recognise the role formally allocated to the Portfolio Councillors and to offer engagement and support in a very practical and open manner.
- 3.1.3 To maximise the effectiveness of the portfolio system, each Councillor has an obligation to undertake such steps as necessary to gain a heightened knowledge and understanding on the principal issues of the portfolio.
- 3.1.4 Directors are to provide reasonable assistance to enable Portfolio Councillors to gain increased knowledge and experience in the specific portfolio area.
- 3.1.5 Portfolio Councillors must direct any operational enquiries received from the community through the appropriate Council channels in accordance with Council's Acceptable Requests by Councillors for Advice or Information Guidelines (2150-004).
- 3.1.6 Only the Mayor can give a direction to the Chief Executive Officer in accordance with section 170 of the Act. No Councillor, including the mayor, may give a direction to any other local government employee.

3.2 Media protocols

- 3.2.1 The Mayor acts as the media spokesperson for the whole of Council.
- 3.2.2 The Council's Chief Executive Officer is the only person who can comment on specific staff matters to the media.
- 3.2.3 If the Mayor is not available to comment on an issue and/or project, the Deputy Mayor will be the spokesperson in media and communications material unless the Mayor specifies otherwise.
- 3.2.4 The Mayor may delegate his/her spokesperson role to another Councillor for media purposes.
- 3.2.5 The Mayor is to be quoted in all media response and releases unless he/she decides otherwise. Where a matter is not a regional or strategic issue, but essentially local, the Mayor may determine that the Divisional Councillor could be quoted, similar to practices adopted by State and Federal Governments.
- 3.2.6 The order of quotes in media releases will be as follows:
 - (a) The Mayor leads all releases, unless otherwise determined by the Mayor.
 - (b) In the absence of the Mayor, the Deputy Mayor will be quoted in releases.
 - (c) Where the matter is likely to be of local community interest only (not across the region), the Mayor may determine that relevant Divisional Councillor(s) will be included in media statement.
 - (d) If multiple Divisional Councillors are to be included in a release, the Mayor will determine the order in which they are quoted.
 - (e) Portfolio Councillors are not quoted in press releases and have no media role. Their function is to administer business within the chamber specific to their allocated responsibilities. This is in line with the role of committee chairperson in Parliament.
- 3.2.7 Councillors can promote the work undertaken by Council through their own Facebook page in accordance with the Office of the Independent Assessor's *Social Media Guidelines for Councillors*. There is no corporate support for these Facebook pages and similar social media other than for record keeping purposes in line with the *Public Records Act 2002*.

Related Documents

This Policy complements and is to be implemented in conjunction with other Council policies, directives and relevant documents published by other agencies including, but not limited to:

- a) Council's Acceptable Requests by Councillors for Advice or Information Guidelines (2150-004)
- b) Meeting Procedures and Standing Orders Policy (2150-115)
- c) *Public Records Act 2002*
- d) Code of Conduct for Councillors in Queensland
- e) Moreton Bay Regional Council Social Media Handbook
- f) Office of the Independent Assessor - Queensland Councillor Social Media Community Guideline
- g) Office of the Independent Assessor - Your Social Media and You, A guide for elected council members in Queensland

Review and Evaluation

This policy will be reviewed for applicability, effectiveness, and consistency with relevant legislation, Council resolutions, and other Council documents. Reviews of this policy will occur as required, or at least once every four years.

Responsibility

This Policy is to be:

- (1) implemented by the Manager Governance & Executive Services; and
- (2) reviewed and amended in accordance with the "Review Triggers" by Director Finance & Corporate Services.

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