

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 Leadership 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 and Councillors as an appointed Portfolio Councillor to support inclusive teamwork and co-operation between elected members and the Executive Leadership Team. Portfolio Councillors are encouraged to establish clear and open communication with Directors.

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

Assigning Councillors as Portfolio Councillors ensures:

- Alignment of Portfolios with the core pillars of council’s corporate planning framework;
- 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 elected community representative “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

Director means all members of the Executive Leadership Team

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

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

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Portfolio means the specific responsibilities relative to the delivery of key functions and services to the community along the five pillars outlined in Council's Strategic Planning framework

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 Leadership Team (ELT), departmental Managers and the Corporate Communications and Media teams.

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 the core pillars of Council's Strategic Planning framework. This will ensure that Council meetings remain focused on achieving the core strategic objectives and strategies the Council has identified and formally endorsed.

By resolution, the Council will appoint Portfolio Councillors 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 Portfolio Councillors and associated operating protocols.

1. Portfolios

Each Portfolio directly aligns with a core pillar of Council's Strategic Planning framework:

- Vibrant communities (ie. community issues, projects, facilities and services)
- Healthy Environments (ie. environmental issues and services)
- Well-planned places (ie. planning and development issues and initiatives)
- Well-connected places (ie. roads and transport issues and projects)
- Progressive economy (ie. economic development and business issues and initiatives)
- An engaged council (ie. governance, finance and administrative matters)

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 Leadership Team, departmental Managers and the Corporate Communications and Media teams. 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.

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The “sounding board” role of Portfolio Councillors does not contradict this legislative framework; elected representatives of the communities, Portfolio Councillors have a legitimate role in providing advice to the Executive Leadership Team regarding the communities’ views and opinions on issues being brought to Council.

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.

1.2 Powers and Authorities

- 1.2.1 The Portfolio system provides no formal delegated authority to the Portfolio Councillors. 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’s strategic plan.
- 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 Portfolio Councillors do 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 a Portfolio Councillor for Moreton Bay Regional Council.

2.1 Role of Portfolio Councillors

- 2.1.1 Portfolio Councillors 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 reasonably informed of issues reported on within their assigned portfolio at Council meetings.

2.2 Responsibilities

- 2.2.1 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 Leadership 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 and open communication with the Executive Leadership Team.
- 3.1.2 To maximise the effectiveness of the portfolio system, each Councillor has an obligation to undertake such steps as necessary to gain a reasonable knowledge and understanding on the principal issues of the portfolio.
- 3.1.3 The Executive Leadership Team are to provide reasonable assistance to enable Portfolio Councillors to gain increased knowledge and experience in the specific portfolio area.
- 3.1.4 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).
- 3.1.5 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 (except in accordance with guidelines made under section 170AA of the Act about the provision of administrative support to Councillors).

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.

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- (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

Appendix A: Mapping tool relating Councillor Portfolios (Strategic Pillars) to departmental responsibility

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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Councillor Portfolios Roles and Responsibilities			
Document Control			
Version / Reviewed	Version Adoption (Council meeting / Minute Page) Reviewed (revision comment)	Date	Word version reference
Version 1	Adopted Post-election Meeting	29.4.2020	A19857254
Version 2	Administrative amendments only" 'Formatting, review date and position titles' Approved by Director, Finance & Corporate Services	2.10.2020	A20903577
Version 3	General Meeting (MP. 21/1215)	4.8.2021	62526621
Version 4	General Meeting (MP. 22/628) Changes to the order and name of adopted portfolios to reflect the adopted strategic pillars of the draft Corporate Plan	20.4.2022	64140882
Version 5	General Meeting (MP. 23/630)	29.3.2023	66170006

Appendix A - Mapping of Councillor Portfolios (Strategic Pillars) to departmental responsibility

PUT SIMPLY: Councillors' champion the outcomes, the "why are we doing something" - the CEO champions the process

Pillar Portfolio	Description	ELT	Department
1. Vibrant communities <i>ie. community issues, projects, facilities and services</i>	Capital projects for new and upgraded community facilities Grants to sports and community clubs Community leases Pools Park upgrades and parks and recreation areas master plans Land acquisition for sports and recreation Sports fields asset management plans Community hall upgrades Public Safety	Director Community & Environmental Services	Manager Community Services, Sport and Recreation Manager Cultural Services Manager Customer Response Manager Environmental Services
		Director Infrastructure Planning	Manager Parks and Recreation Planning Manager Property Services (land acquisition)
		Director Project & Asset Services	Manager Asset Management Manager Emergency Management & Public Safety
2. Healthy environments <i>ie. environmental issues and services</i>	Environmental programs and networks Land buy-back program Koala management Waste management Green Infrastructure asset management plan Stormwater asset management plan Coastal Environment Strategies Total Water Cycle Management	Director Planning	Manager Environment and Sustainability (land buy-back)
		Director Community & Environmental Services	Manager Environmental Services
		Director Projects & Asset Services	Manager Waste Services Manager Asset Management
		Director Infrastructure Planning	Manager Integrated Transport Planning (Green Infrastructure) Manager Strategic Infrastructure Planning (Coastal Environment Strategies, total water cycle management, other environment networks)
3. Well-planned places <i>ie. planning and development issues and initiatives</i>	All strategic planning Neighbourhood planning Development applications elements of LGIP	Director Planning	Manager Development Services Manager Strategic Planning and Place Making
		Director Infrastructure Planning	Manager Strategic Infrastructure Planning (LGIP)
		Director Projects & Asset Services	Manager Project Management
4. Well-connected places <i>ie. roads and transport issues and projects</i>	Capital projects for - Roads - Footpaths - Cycle ways etc Land acquisition for road projects	Director Projects and Asset Services	Manager Project Management
		Director Infrastructure Planning	Manager Integrated Transport Planning Manager Parks and Recreation Planning Manager Strategic Infrastructure Planning (transport network)
5. Progressive economy <i>ie. economic development and business issues and initiatives</i>	REDS delivery Sponsorships Sister Cities Regional Development Australia Millovate developments, permits and licences	Chief Economic Development Officer	
		Director Projects & Asset Services	Project Director - The Mill Manager Project Management
6. Engaged council <i>ie. governance, finance and administrative matters</i>	Budget Financial reporting Corporate Plan and Operational Plan LGQA issues Policies Delegations Council's meeting schedule Prosecutions elements of Disaster Management	Director Finance & Corporate Services	Manager Governance and Executive Services Manager Community Engagement Manager Accounting Services Manager Digital Innovation & Smart Cities
		Director Community & Environmental Services	Manager Customer Response (prosecutions)
		Chief External Relations Officer	
		Chief Legal Counsel	
		Director Projects & Asset Services	Manager Asset Maintenance Manager Emergency Management & Public Safety

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