

2212 Councillor Portfolios

Governance Policy

PURPOSE

- 1) The purpose of this policy is to guide the functioning of Councillor portfolios as a means of developing appropriate relationships across Council on key strategies and focus areas.

SCOPE

- 2) This policy applies to all Councillors responsible for a portfolio activity.
- 3) Portfolio activities will align to Council's Corporate Plan and will advance Council's strategic planning framework.
- 4) The creation of a Portfolio system does not constitute a Committee of Council pursuant to section 264 of the *Local Government Regulations 2012*.

DEFINITIONS

Term	Definition
Corporate Plan	Council's 5 year outline of the strategic direction of the local government as required pursuant to the <i>Local Government Regulation 2012</i> .
Council Meeting	means a meeting of the local government as detailed in Chapter 8, Part 2, Division 1 of the Regulation, other than meetings of its committees.
Media	includes television, print, radio, online and social media, as well as Council-branded or sub-branded social media, mastheads, magazines and media releases.
Portfolio (activity)	means the specific responsibilities relative to the delivery of key functions and services to the community along the three pillars of sustainability outlined in Council's Strategic Planning framework
Portfolio Councillor	means a Councillor who has been allocated responsibility for a portfolio activity by Council.
Operational Plan	The annual plan adopted by Council pursuant to the <i>Local Government Regulation 2012</i> .

POLICY

OBJECTIVES

- 5) The objectives of this Policy are to:
 - a) Enhance Councillors engagement with the broader community;
 - b) Strengthen Council's decision making by ensuring Councillors have in-depth knowledge of areas of portfolio focus;
 - c) Identify portfolios and the strategic focus of each respective portfolio; and
 - d) Facilitate an information flow to the Mayor and other Councillors regarding strategic matters of relevance to the portfolio.

PRINCIPLES

- 6) Assigning a Councillor with a portfolio activity will ensure an alignment of portfolios with the core pillars of Council's strategic planning framework:-

A prosperous future for generations built on a solid foundation of customer focused, efficient, and effective service delivery.

- i. *Essential Service Delivery - Getting The Basics Right*
- ii. *Sustainable Communities – To Retain Population and Attract Investment*
- iii. *Prosperous Future – To Ensure Economic Growth for Future Generations*

POLICY STATEMENT

- 7) This policy highlights Councils commitment to the characteristics and requirements of good governance with a view to providing transparent and accountable processes.

ROLES AND RESPONSIBILITIES

- 8) Specific Roles and Responsibilities can be located within this Policy Annexure 1 – Protocols.
- 9) General
- a) In accordance with the provisions of the Act, Councillors:
 - Cannot direct employees;
 - Must abide by Council decisions; and
 - Must abide by Council policies.
 - b) Have a thorough understanding of the objectives and strategies in the Corporate Plan that relate to activities within the portfolio.
 - c) Liaise with the community and attend meetings, forums etc as required regarding their portfolio.
 - d) Liaise with other portfolio Councillors relating to matters affecting their portfolio area.
 - e) Generally, champion the advancement of Council’s key priorities and decisions relevant to the portfolio area.

APPLICABLE LEGISLATION AND REGULATION

- 10) Applicable legislation and regulation:
- a) *Local Government Act 2009*
 - b) *Local Government Regulation 2012*

RELATED DOCUMENTS

- 11) Related documents are:
- a) Councillor Code of Conduct
 - b) Councillor Acceptable Requests Guidelines and Staff Interaction Policy
 - c) North Burnett Regional Council Corporate Plan
 - d) North Burnett Regional Council Operational Plan

RESPONSIBLE OFFICER

Chief Executive Officer

REVIEW DATE

October 2026 (Standard four year term)

REVISION HISTORY

Version	Meeting	Approval Date	History
1	General	26 October 2022	New

ANNEXURE 1 – PROTOCOLS

ANNEXURE 2 – PORTFOLIOS

ANNEXURE 1: PROTOCOLS

1. Purpose

Council has agreed to the establishment of a Portfolio system as part of its decision-making framework for the purpose of Council meetings. This Portfolio system does not constitute a Committee of Council pursuant to section 264 of the *Local Government Regulation 2012*.

Portfolios provides for a nominated Councillor to be assigned specific responsibilities relative to a core pillar of Council's Strategic Planning framework. By resolution, the Council will appoint a Portfolio Councillor to each Portfolio, and these appointments may be amended by resolution from time to time.

Assigning a Councillor with a Portfolio ensures:

- Alignment to 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 management, local business and community members, and other Councillors relating to their portfolio.

These protocols provide details of the Portfolio system including the roles and responsibilities of the Portfolio Councillor, as well as establishing a framework for official spokespersons of Council including at meetings of Council and other forums including media.

Where there is any inconsistency between these Protocols and a provision in any Local Government Act as amended from time to time, the provision of the Act shall prevail to the extent of any inconsistency.

2. Portfolios

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

- Essential Service Delivery - Getting The Basics Right
- Sustainable Communities – To Retain Population and Attract Investment
- Prosperous Future – To Ensure Economic Growth for Future Generations

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

The "sounding board" role of a Portfolio Councillor does not contradict this legislative framework, as elected representatives of the community, Portfolio Councillors have a legitimate role in providing advice to the Executive Management Team regarding the communities' views and opinions on issues being brought to Council.

2.1 Terms of Reference - Powers and Authorities

- a) The Portfolio system provides no formal delegated authority to the Portfolio Councillor. It only provides the Councillor with an opportunity to develop and maintain a heightened level of knowledge and strategic leadership across the region in a specified field within Council's strategic plan.
- b) 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.
- c) The Portfolio system cannot conflict with any of the provisions of the Councillors Code of Conduct especially in relation to the provisions of the Act preventing Councillors from giving directions to staff on how they shall undertake their duties.
- d) The Portfolio system also does not override the Councillor Acceptable Requests Guidelines and Staff Interaction Policy in relation to communication between Councillors and staff.
- e) The Portfolio system must not eventuate in a Portfolio Councillor assuming any of the roles normally prescribed to the Mayor (as per the Act).
- f) The Mayor is the spokesperson for the Council.

- g) A Portfolio Councillor does not receive any additional media or spokesperson roles otherwise ordinarily assigned to a Councillor.

3. Roles, Responsibilities and Protocols

The following guidelines define the role, responsibilities and operating protocols of a Councillor appointed as a Portfolio Councillor.

3.1 Role of Portfolio Councillor

- a) The Portfolio Councillor must ensure they accurately represent the view of the whole of Council at Council meetings rather than their own personal view, except for opportunities provided in debate and voting.
- b) 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.
- c) Portfolio Councillors will facilitate the conduct of the respective session of the local government meeting, under the direction of the Mayor (Chairperson), noting that the Mayor (as the presiding Officer for local government meetings) retains the casting vote entitlement.
- d) Councillors are responsible for being reasonably informed of issues reported on within their assigned portfolio at Council meetings.
- e) Portfolio Councillors do not hold any specific statutory or governance responsibilities related to their portfolio beyond those which they ordinarily hold as a Councillor.
- f) Subject to a resolution of Council, a Councillor may be nominated as an Assistant Portfolio Councillor to assist a Portfolio Councillor. The areas of responsibility may span the whole portfolio, or may be targeted at a specific element of the portfolio and should be specified. The Portfolio Councillor will provide details to the Assistant Portfolio Councillor and/or invite them to any meeting or briefing in relation to the relevant Portfolio they deem necessary.

3.2 Responsibility of Portfolio Councillor

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. Speak to any reports tabled at Council meetings and provide verbal updates to workshops as required to ensure all Councillors have equal access to information.
- b) Provide an elected viewpoint and to act as a sounding board for the Executive Management Team and key staff on issues relating to the portfolio.
- c) Be a point of contact and engagement with external stakeholders relevant to the areas of strategic focus within their assigned Portfolio.
- d) Maintain a focus on strategic issues relevant to the Portfolio and not the day-to-day operational matters.
- e) Liaise with the community and attend meetings, forums etc as required regarding their Portfolio.
- f) Familiarise themselves with the Corporate Plan and Operational Plan, in particular the objectives, strategies, issues and activities which are relevant to their Portfolio.
- g) Liaise with other Portfolio Councillors regarding matters that may affect their respective Portfolio Area.
- h) Keep the Mayor and the relevant divisional Councillor (as appropriate) fully informed on Portfolio matters.
- i) Generally, champion the advancement of Council's key priorities and decisions relevant to the portfolio area.

3.3 Operating Protocols

- a) 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 Senior Management.
- b) Equally, Senior Management are required to recognise the role formally allocated to the Portfolio Councillor and to offer engagement and support in a practical and open manner.
- c) 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.
- d) Senior Management are to provide reasonable assistance to enable a Portfolio Councillor to gain increased knowledge and experience in the specific portfolio area.

- e) General Managers will ensure Portfolio Councillors are made aware of any operational matters that may have strategic impact on the Council's performance in the portfolio area including matters relating to key staff and Council budget.
- f) Portfolio Councillors must direct any operational enquiries received from the community through the appropriate Council channels in accordance with Councillor Acceptable Requests Guidelines and Staff Interaction Policy.
- g) 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.

3.4 Media Protocols

- a) The Mayor acts as the media spokesperson for the whole of Council.
- b) The Council's Chief Executive Officer is the only person who can comment on specific staff matters to the media.
- c) 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.
- d) The Mayor may delegate their spokesperson role to another Councillor for media purposes.
- e) The Mayor is to be quoted in all media response and releases unless decided by the Mayor otherwise.
- f) 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.
- g) 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.
- h) 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.

ANNEXURE 2 – PORTFOLIOS

Portfolio	Strategic Focus	Portfolio Councillor	Proxy / Assistant Councillor
Water and Waste	Produce water that meets the Australian Drinking Water Guidelines Health Standards. Develop a regional waste facility that meets community and legislative requirements. Waste and Resource Recovery are managed in line with State legislation and policies.	Cr Susan Payne	Cr Kingsley Mesner
Roads and Infrastructure	Roads that provide connection across the region. Bridges are safe and appropriate to road requirements.	Cr Michael Dingle	Cr Kingsley Mesner Mayor Les Hotz
Arts, Sports and Recreation	Key Council events are delivered effectively across the region and community events are promoted and successful. Museums, historical societies and art galleries are supported to ensure rich cultural precincts.	Cr Dael Giddins	Cr Melinda Jones
Economic Development, Community and Tourism	Planning and Support so Local groups are able to effectively operate and complete key projects and programs for the benefit of community. The North Burnett Transport Service continues to deliver service excellence and public transport options for residents and travellers. Community grants budget is effectively delivered in line with endorsed policy to enrich community events and projects. Community facilities are well maintained and utilised. Leverage promotional opportunities and promote the regions tourism product through appropriate channels.	Cr Melinda Jones	Cr Dael Giddins