

2003 Caretaker Period

Governance Policy

PURPOSE

- 1) The purpose of this Policy is to support Council's business activities throughout the Caretaker Period, ensuring its conduct is responsible, transparent and that operations are undertaken in a legally compliant manner.
- 2) Council will enter a Caretaker Period prior to the Local Government Quadrennial Election, at a time as determined by the Electoral Commission Queensland (ECQ).

SCOPE

- 3) This Policy applies to all North Burnett Regional Councillors, and employees whether permanent, temporary, casual or part-time, contract or volunteer.

DEFINITIONS

Term	Definition
Civic Event	Means a public event that Council initiates, manages and has full responsibility for.
Community Event	Means an event including but not limited to media launches, promotional events, community engagement, workshops, dinners, receptions, Mayoral events, awards, invitations to make submissions, local fairs.
Conclusion of Election	As defined at section 7 of the <i>Local Government Electoral Act 2011</i> ; the day on which the last declaration of a poll conducted in the election is displayed at the office of the returning officer under section 100(2)(a).
Council Resources	Includes employees, services, information, equipment, printing, photographs, graphic design, public funds, grants, media services, materials published by Council (e.g. newsletters), hospitality, stationery, property, facilities, website, vehicles, administrative tools, telecommunication devices.
Election material	As defined at section 90D of the <i>Local Government Act 2009</i> ; anything able to, or intended to: (a) influence an elector about voting at an election; (b) or affect the result of an election.
Election period	As defined in Schedule Dictionary of the <i>Local Government Electoral Act 2009</i> ; the period: (a) starting on the day when public notice of the holding of the election is given under s 25(1); and (b) ending on the close of the poll for the election.
Fresh Election	As defined in Schedule Dictionary of the <i>Local Government Electoral Act 2011</i> ; an election of all the Councillors of a local government that is not a quadrennial election.
Major Policy Decision	As defined in Schedule 4 Dictionary of the <i>Local Government Act 2009</i> ; for a local government, means a decision: (a) about the appointment of a Chief Executive Officer of the local government; (b) about the remuneration of the Chief Executive Officer of the local government; (c) to terminate the employment of the Chief Executive Officer of the local government; or (d) to enter into a contract the total value of which is more than the greater of the following: (i) \$200,000; (ii) 1% of local government's net rate and utility charges as stated in the local government's audited financial statements included in the local government's most recently adopted annual report.
Term of office	As defined at section 159 of the <i>Local Government Act 2009</i> : A councillor's term starts on—

Term	Definition
	<p>a) if the councillor is elected—the day after the conclusion of the councillor's election; or</p> <p>b) if the councillor is appointed—the day on which the councillor is appointed.</p> <p>Section 160 <i>Local Government Act 2009</i>: A councillor's term ends—</p> <p>a) if the councillor is elected at a quadrennial election or at a fresh election—at the conclusion of the next quadrennial election; or</p> <p>b) if the councillor is elected at a fresh election and a declaration is also made under a regulation—at the conclusion of the quadrennial election after the next quadrennial election; or</p> <p>c) if the councillor is elected or appointed to fill a vacancy in the office of another councillor — at the end of the other councillor's term; or</p> <p>d) when the Legislative Assembly ratifies the dissolution of the local government under section 123; or</p> <p>e) when the councillor's office becomes otherwise vacant.</p>

POLICY

- 4) Section 90A of the *Local Government Act 2009* provides that the Caretaker Period for a local government is the period during local government elections that starts on the day when public notice of the holding of the election is given, and ends at the conclusion of the election.

OBJECTIVES

- 5) The objective of this Policy is to ensure there is no actual or perceived use of Council provided resources and/or facilities that could be considered as having an electoral benefit.

PRINCIPLES

- 6) During the Caretaker Period Council is committed to:
- The efficient continuation of Councils day to day business;
 - Transparent actions and decision making;
 - Actions that do not, or cannot be perceived to, bind an incoming Council in its operational delivery;
 - The suspension of major policy decisions;
 - The neutrality of Council employees; and
 - The continuation of the principle that the use of public funds for electoral purposes is unacceptable.

POLICY STATEMENT

- 7) Failure to comply with this Policy may constitute inappropriate conduct, misconduct, or official misconduct.
- 8) Major policy decisions will not be made during the Caretaker Period unless approved by the Minister.
- 9) Council resources must not be used for any political or electoral purposes.

ROLES AND RESPONSIBILITIES

- 10) Councils Chief Executive Officer is the principal adviser to Council and all Councillors in relation to the application of this Policy.

APPLICABLE LEGISLATION AND REGULATION

- 11) Applicable legislation and regulation:
- a) *Local Government Act 2009*
 - b) *Local Government Electoral Act 2011*

RELATED DOCUMENTS

- 12) Related documents are:
- a) Advertising Spending Policy

- b) Caretaker Period Procedures
- c) Councillor Acceptable Requests Policy
- d) Entertainment and Hospitality Policy
- e) Gifts and Benefits Policy
- f) Reimbursement and Provision of Facilities Mayor and Councillors Policy
- g) Guideline Local Government Employees To Contest Local Government Elections
- h) Election Management Plan

RESPONSIBLE OFFICER

Chief Executive Officer

APPROVAL DATE

23 August 2023

REVIEW DATE

August 2027 (Standard four year term)

REVISION HISTORY

Version	Meeting	Approval Date	History
1	General Meeting	19/01/2016	New
2	General Meeting	23/08/2023	Revised