

GOV04	Conduct of Council Meetings (Elected Member, Local Authority and Council Committee) Policy
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Purpose

The purpose of this policy is to provide a framework for the orderly and efficient conduct of Council, Local Authority and Council Committee meetings that complies with the requirements of the *Local Government Act 2019* and *Local Government (General) Regulations 2021*.

This policy:

- Establishes Council's Code of Meeting Practice that will apply to Council, Local Authority and Council Committee meetings.
- Authorises Member's attendance at meetings via audio or audio-visual conferencing system, and outlines the responsibilities associated with using a conferencing system.
- Ensures proper treatment and review of confidential information after consideration of confidential business at a Council meeting.

Scope

This policy applies to Elected members, Local Authority and Council Committee Members of the West Daly Regional Council, and Council staff with responsibilities for administering this policy.

It should be read in conjunction with Council's *Code of Meeting Practice*.

Policy Statement

1. Policy Principles

- 1.1. All Council, Local Authority and Council Committee meetings (meetings) are to be conducted in an orderly, consistent, respectful, and efficient manner.
- 1.2. All meetings will be conducted according to the principles of procedural fairness and due process.
- 1.3. All Members should have the opportunity to participate in meetings to the fullest extent possible, with respect being accorded to the expression of differing views.
- 1.4. Council is committed to facilitating access to and participation in meetings, including by permitting Members to be present and participate remotely via audio or audio-visual conferencing system, if specific needs arise (see clause 3).



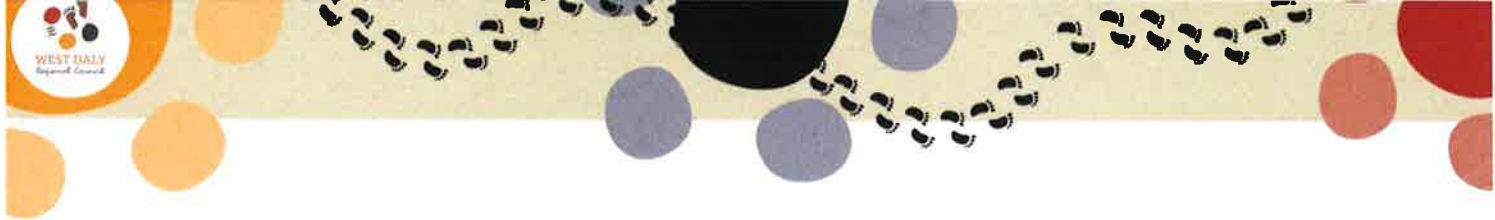
- 1.5. All Members will be supported to fully understand their rights and responsibilities as participants in meetings.
- 1.6. Proceedings are to be transparent and understandable to all persons participating in and observing meetings.
- 1.7. To promote transparency and public confidence, Council will cease the application of confidentiality to information when it is no longer necessary or appropriate (see clause 4).

2. Code of Meeting Practice

- 2.1. Council will adopt a *Code of Meeting Practice* (the Code) that will apply to all Council, Local Authority and Council Committee meetings.
- 2.2. The Code will establish a clear structure for the effective scheduling, and orderly and efficient proceedings of Council, Council Committee and Local Authority Meetings.
- 2.3. The Code may include references to the Local Government Act 2019 and the Local Government (General) Regulations 2021, as well as supplementary provisions adopted by Council.
- 2.4. The Code will comply with all legislative requirements and should be interpreted in a manner which is consistent with the Local Government Act 2019 and the Local Government (General) Regulations 2021.
- 2.5. A copy of the Code will be made available to the public on Council's website.
- 2.6. Council authorises the CEO to revise and reissue the Code to incorporate any amendments to relevant Acts, Regulations, Guidelines or Ministerial directions, without needing to seek adoption of the revised Code by Council.

3. Attendance at Meetings Via Audio or Audio-Visual Conference System

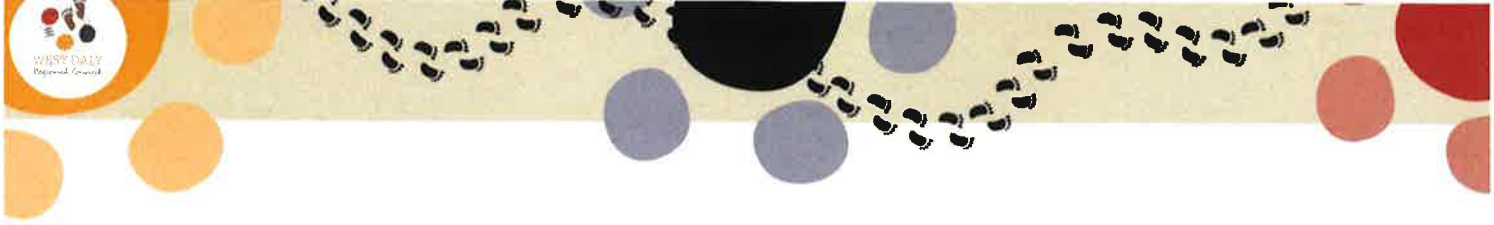
- 3.1. It is preferable that Members attend meetings in person, and Members are encouraged to do so where possible. However, a Member may attend a meeting via audio or audio-visual conferencing.
- 3.2. Where possible, and in accordance with budget, technology and resources, the CEO will ensure the provision of an adequate conferencing system and information that enables Members to attend.
- 3.3. If the Chair is attending the meeting via audio or audio-visual conferencing system, the Chair may decide to delegate the function of chairing the meeting to the Deputy, or if there is no Deputy, another Member.
- 3.4. A Member who is attending by audio-visual conferencing system is to consider the appropriateness of their personal presentation and surrounding environment.
- 3.5. The Chair is to confirm which participants are present at the commencement of the meeting.
- 3.6. A Member who is attending by audio or audio-visual means, must advise the Chair if they are about to leave the meeting. A member must also advise the Chair if they re-join the meeting. These details are to be recorded in the minutes with a reference to the Member's time of departure and time of return.



- 3.7. Meeting minutes will identify whether each Member attended in person, or via audio or audio-visual means.
- 3.8. Regarding a conflict of interest, where a conflict is declared, the Member must disconnect from the conferencing system prior to the discussion of the particular agenda item.
- 3.9. If a Member has disconnected from the conferencing system due to a declared conflict, the Chair will contact the Member as soon as the agenda item has concluded, and invite the Member to re-join the meeting.
- 3.10. Regarding confidentiality, Members attending meetings remotely will:
 - a) Ensure that people in their presence who are not Members, cannot see, overhear, or listen to the Member or the meeting (unless the Council is aware and accepts the circumstances); and
 - b) Not record the meeting.
- 3.11. Regarding voting, to ensure the participation of any Members attending remotely, the Chair will confirm that Members attending remotely are able to hear the discussion and vote.
- 3.12. If a Member is attending via an audio conferencing system without video capability, the Chair is to ask for verbal confirmation of the Member's vote. If a Member is attending via audio-visual conferencing system, the Chair is to ask for the Member's vote by show of hands or verbal confirmation.

4. Confidential Information and Business

- 4.1. The following policy provisions apply to information that was considered during or resulted from confidential business at a Council Meeting, including (but not limited to) the agenda, business papers, resolutions, and minutes.
- 4.2. Confidential information is to be considered separately for the purposes of assessing whether or not the information is to remain confidential (for example, immediately releasing a resolution that is no longer confidential with related business papers remaining confidential for a specified period of time).
- 4.3. Any matter that falls under the prescribed categories in Regulation 51 in the Local Government (General) Regulations 2021 must remain confidential until the reason for confidentiality no longer applies.
- 4.4. After the conclusion of the consideration of an item of confidential business, Council will decide whether confidential information is:
 - a) The type of confidential information that should no longer be confidential after a specified period of time; or
 - b) The type of confidential information that should be subject to periodic review to determine if it should no longer be confidential.
- 4.5. If Council resolves a specified period of time for the information to remain confidential, that information is to be publicly released after the expiry of that period of time (see clause 4.8).



- 4.6. If Council resolves that confidential information should be subject to periodic review to determine if it should no longer be confidential, that information will be added to the confidentiality review list (see clause 4.7).
- 4.7. Council will maintain a list of confidential information, and review that list once every six (6) months, to determine whether any matters are to no longer be confidential after a specified period, or are to remain confidential for review at a subsequent date.
- 4.8. When information is no longer confidential, a notation will be put in the relevant document (including the version on the website) that the information is no longer confidential, on what date the decision was made, and where information about the matter that is no longer confidential can be accessed.

5. Breach of Policy

- 5.1. Members, Council staff and other people attending a meeting are required to observe the *Code of Meeting Practice*.
- 5.2. A breach of this policy or failure to observe the *Code of Meeting Practice* by a Member or staff member, may constitute a breach of the *Code of Conduct (Elected Member, Local Authority and Council Committee)* and/or *Code of Conduct (Council Staff)*. Breaches will be handled in accordance with the provisions of the relevant Code of Conduct Policy.

6. Responsibilities

- 6.1. All Members are to be familiar with and comply with the provisions of this policy and the *Code of Meeting Practice*.
- 6.2. The CEO is to ensure that Members are introduced to this policy and the *Code of Meeting Practice* as part of their induction training.
- 6.3. The CEO (or delegate) is responsible for maintaining Council's list of confidential information in accordance with the legislative requirements and the provisions of this policy.

References

Local Government Act 2019 (NT) s.95 (3); s.98(3); Chapter 6: Meetings

Local Government (General) Regulations 2021 (NT): r.50-53

Guideline 1: Local Authorities

Definitions

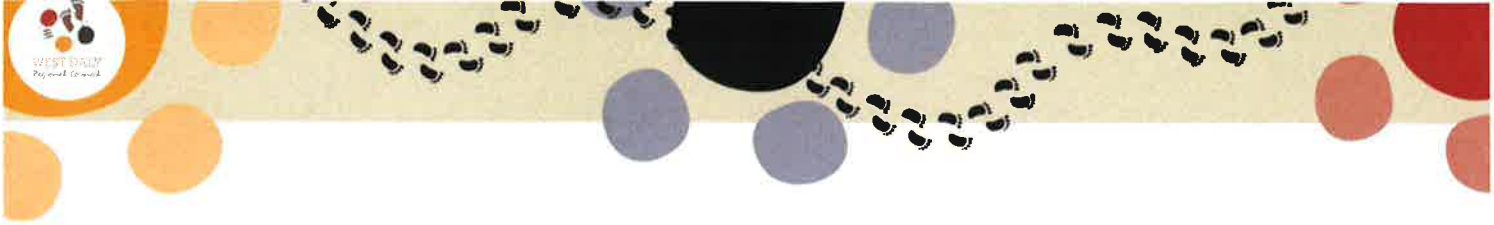
In the context of this policy the following definitions apply:

Agenda: a list of items for consideration at a meeting, together with reports and other attachments relating to those items.

Breach: an act of breaking or failing to observe a law, agreement, or code of conduct.

Chair: the person who is presiding over an official meeting of council.

Council refers to the West Daly Regional Council, a regional council that delivers essential local government services to remote communities and supports development opportunities in the region.



Council Committee: those committees established and appointed by council in accordance with the *Local Government Act 2019*.

Elected Member: an individual elected to Council, including the Mayor, Deputy Mayor, and Councillors.

Local Authority Member: a member of a Local Authority as appointed by West Daly Regional Council.

Meeting: includes any meeting of the Council, a Local Authority or Council Committees.

Member: a member of the Council, Local Authority or Council Committee.

Minutes: the record of the proceedings of any meeting of Council, Council Committees and Local Authority.

Resolution: a motion that has been passed by a majority of Elected Members at the meeting.

Related Documents

Code of Conduct (CEO)

Code of Conduct (Council Staff)

Code of Conduct (Elected Member, Local Authority and Council Committee)

Code of Conduct (Elected Member, Local Authority and Council Committee) Policy

Code of Meeting Practice

Conflict of Interest (Elected Member, Local Authority and Council Committee)

For more information, contact the Policy Custodian.

Signature of Endorsement:	
Position:	Chief Executive Officer