



## ROLES AND RESPONSIBILITIES - COUNCILLORS

The roles and responsibilities of the Mayor, Councillors and the General Manager were clarified in changes to the Local Government Act in 2016. This column looks at the roles and responsibilities of Councillors.



In NSW Councillors comprise the governing body of a council in the same way that a Board of Directors is the governing body of a corporation.

### *The Role of Councillors as the Governing Body includes:*

- to direct and control the affairs of the council in accordance with this Act,
- to provide effective civic leadership to the local community, to ensure as far as possible the financial sustainability of the council,
- to develop and endorse the community strategic plan, delivery program and other strategic plans, programs, strategies and policies of the council,
- to determine and adopt a rating and revenue policy and operational plans that support the optimal allocation of the council's resources to implement the strategic plans of the council and for the benefit of the local area,
- to keep under review the performance of the council, including service delivery,
- to make decisions necessary for the proper exercise of the council's regulatory functions,
- to determine the process for appointment of the general manager by the council and to monitor the general manager's performance,
- to determine the senior staff positions within the organisation structure of the council,
- to consult regularly with community organisations and other key stakeholders and keep them informed of the council's decisions and activities,
- to be responsible for ensuring that the council acts honestly, efficiently and appropriately.

As members of the governing body, and in the interests of ensuring the organisation operates effectively to achieve the best outcomes for the community, councillors should endeavour to work constructively with council staff that are responsible for implementing council decisions.

The governing body is required to consult with the general manager in directing and controlling the affairs of the council.

### *The role of individual councillors is:*

1. to be an active and contributing member of the governing body,
2. to make considered and well informed decisions as a member of the governing body,
3. to participate in the development of the integrated planning and reporting framework,
4. to represent the collective interests of residents, ratepayers and the local community,
5. to facilitate communication between the local community and the governing body,
6. to uphold and represent accurately the policies and decisions of the governing body,
7. to make all reasonable efforts to acquire and maintain the skills necessary to perform the role of a councillor.

A councillor is accountable to the local community for the performance of the council.

Having worked in local government in NSW for many years I have seen some Councillors walk into meetings of Council opening the envelope containing the Council meeting papers, so they clearly have not read them beforehand, and would have had difficulty fulfilling role 2 above - **to make considered and well informed decisions as a member of the governing body.**

Role number 6, a new addition in 2016 - **to uphold and represent accurately the policies and decisions of the governing body** - was controversial as it was felt by some to reduce the ability of Councillors to express their opposition. This comes from the concept that the governing body acts like a Board of Directors.

It is explained further in the Office of Local Government 2017 Handbook: 'While councillors are free, subject to their obligations under the council's Code of Conduct, to advocate

a position on matters that are before the council for a decision, once a decision has been made they are required to 'uphold' the policies and decisions of the council.

The requirement to uphold the policies and decisions of the council should be read in the context of the implied freedom of political communication under the Australian Constitution. In practical terms, councillors remain free to speak about the policies and decisions of the council, but they must accept and abide by them and must not misrepresent them.'

### *Number 7 proposes Councils' induction and professional development programs to include:*

- **Pre-election candidate sessions** (not mandatory, but encouraged) - these are to ensure prospective candidates are aware of what will be expected of them if elected
- **Mandatory Induction program** - this aims to equip mayors and councillors with the information they need to perform their role effectively over the first few months and has a particular focus on building positive, collaborative relationships between councillors and with staff
- **Mandatory Professional development program** - this is to be developed in consultation with all councillors and delivered over the term of the council to build the skills, knowledge and personal attributes necessary to be an effective mayor or councillor.

On Saturday 19th October Orange City Council, in conjunction with the Australian Local Government Women's Association (ALGWA) will host an event encouraging women to put their hands up and run for local council in 2020. The day will see a number of guest speakers present their stories and political experiences. Morning tea, lunch and afternoon tea will be provided, and the event is free of charge.

- Secure your spot by emailing: [council@orange.nsw.gov.au](mailto:council@orange.nsw.gov.au)  
I will cover the skills and knowledge that Councillors need in a future column.

I am happy to receive comments from readers about this column and other issues you would like me to cover so please either contact me at Orange City Life or [aes@amandaspaldingconsulting.com](mailto:aes@amandaspaldingconsulting.com)

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