

COUNCIL POLICY



Policy name	Policy Framework
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Abstract The Policy Framework establishes the requirements, accountability and responsibility for the approval, communication, enforcement and review of Gunnedah Shire Council Policies and other instruments.

Dates	Policy or amendment approved 20 Jun 2018 Policy or amendment takes effect 21 Jun 2018 Policy is due for review (up to 4 years) 21 Jun 2022
Endorsed by	Gunnedah Shire Council Policy Review Working Group at its meeting of 16 November 2011
Approved by	Gunnedah Shire Council, at its Ordinary Meeting of Council held 21 December 2011 Resolution number: 142.5
Policy Custodian	Director Community & Corporate Services
Relevant to	The Community of the Gunnedah Shire Local Government Area and all Councillors and staff (GSC website)
Superseded Policies	Nil – Initial Policy Implementation
Related documents	All policies and subordinate documents
Related legislation	Local Government Act 1993
File number	1233287

Contents

1. Purpose
2. Scope
3. Definitions
4. Policy principles
5. Policy statement
6. Accountability, roles and responsibilities
7. Acknowledgements
6. Version control and change history

1. Purpose

1.1 The purpose of the Policy Framework is:

- (a) to define the respective roles of Council, the General Manager, Executive and other Council staff with respect to Gunnedah Shire Council (GSC) Policies and other governance framework documents;
- (b) to establish responsibilities and accountabilities for developing, approving, communicating, implementing, enforcing and reviewing GSC Policies and other governance framework documents, and ensuring they comply with the Local Government Act, Regulations, Office of Local Government requirements prescribed in accordance with legislation, other relevant legislation, industrial agreements and awards; and
- (c) to establish standards for the format and content of GSC Policies and other governance framework documents.

2. Scope

2.1.1 All policies and other instruments that apply to GSC activities at a Council-wide, divisional, departmental or unit level must conform to this Policy Framework.

3. Definitions

Instrument	Content
Policy	A high level statement establishes the basis and framework for conduct and practice by and at Gunnedah Shire Council. It is the 'what' and 'why' of Council decision-making. Policies will typically be brief and rely on subordinate instruments to give effect to their direction.
Management Directives	Statements setting out prescribed courses of action that must be followed in order to implement policy or ensure the efficient and effective management of Council, or legal, regulatory, industrial and safe work practice compliance. These represent the 'who', 'how' and 'when' of Council decision making.

Procedures	<p>These are similar to Management Directives, however they are distinguished by:</p> <ul style="list-style-type: none"> • They do not require adoption by EMT, • They are applicable at an individual divisional, departmental or business unit level because of the factors unique to its disciplines, or defining specific requirements appropriate to the particular processes that are unique to an area, or • While of Council-wide application, are of a more detailed and technical nature. • They are subject to, and must be consistent with, any relevant Council Policies and Management Directives.
Guidance documents	<p>Statements aimed at assisting decision makers and others, including the public, to understand the factors that are relevant to the making and application of policies, management directives, procedures, operational standards and decisions. They are ancillary to the exercise of specific powers and responsibilities of Council or those that have been delegated to the General Manager and staff. They may include explanatory instruments such as 'fact sheets', 'how to' and 'question and answer' documents.</p>

4. Policy principles

4.1 Policies and subordinate instruments are essential to ensure legal, fair, consistent and transparent decision making across Council. They support Council in achieving its corporate objectives and the delivery of the outcomes identified in the community's strategic plans. They provide a critical guide for staff, Councillors, the Gunnedah community and other stakeholders. In the absence of clear and effective policies and procedures there is a greater risk of inconsistency, confusion and inefficiency.

4.2 Council's aim in adopting a Policy Framework is to:

- (a) Develop a consistent format for all policies;
- (b) Ensure that all policies and related instruments at least include relevant information such as purpose, scope, definitions, principles, roles and responsibilities, legislative requirements and review dates.
- (c) Ensure that risk management and corruption prevention issues are taken into account when developing policies and related instruments;
- (d) Ensure that there is a clearly documented process for adoption of policies and directives;
- (e) Maintain an accessible register of Council policies and related instruments, relevant to the stakeholders of the respective level of instrument;
- (f) Ensure that all new policies and related instruments are communicated to relevant stakeholders;
- (g) Ensure that instruments are reviewed in an appropriate timeframe;

- (h) Ensure that relevant stakeholders are involved in policy and procedure development;
 - (i) Ensure that appropriate training is provided to staff in order to deliver effective implementation of the instruments;
- 4.43 Policies will be developed as a high level document, with reliance upon subordinate instruments to give effect to their implementation and provide ~~fit~~ ~~in~~ necessary detail consistent with the Policy. This is in recognition of good corporate governance principles and the distinction between the roles of Council and the administration as set out in the Local Government Act.

5. Policy statement

5.1 Governance principles

5.1.1 Good governance at GSC requires:

- (a) The adoption and communication of policy and other instruments which frame and direct the Council's operation at all levels;
- (b) The Council to set and authorise ~~major~~ policy and procedural principles for the whole of Council;
- (c) The General Manager, in conjunction with Executive Management as required, to set and authorise management directives and guiding statements for the whole of Council;
- (d) Other positions and designated groups within Council to set operational standards and procedures to be followed that pertain to their specific areas of responsibility and are consistent with (b) and (c) above.

5.1.2 In addition to the Local Government Act 1993, Local Government Regulations and pronouncements by the Division Office of Local Government in accordance with Local Government legislation, Council will use the following governance instruments: Policies, Management Directives, Procedures and Guidance Documents. These instruments are defined in section 3 above. The authority for making them is described in section 5.1.1.

5.1.3 A policy is not required for every Council operation. Routine matters or operations clearly directed by external legislation do not require policy. They may, however, be usefully guided in the Council context by another type of instrument such as management directive, procedural statement or guiding statement. If these are of particular use for clarification to external parties of Council operations or practice, consideration should be given to their publication in appropriate formats.

5.2 Consistency

5.2.1 All policies and other instruments must be consistent with relevant Federal and State Government legislation, and with existing GSC Policies. Where there is a conflict with external laws, the new instrument must be amended or repealed to the extent necessary to achieve consistency. Where there is a conflict with Council Policy, immediate steps must be taken to ensure that consistency is achieved with regard to the respective roles and authorities of the relevant authorising bodies.

5.3 Format of documents

- 5.3.1 All instruments will comply with the relevant templates prescribed in accordance with this Policy.
- 5.3.2 New and revised Policy or Management Directives that are submitted for approval must be accompanied by a briefing paper that includes:
- (a) The need for the Policy or Management Directive, and their relationship to existing instruments;
 - (b) Identification of, and a rationale for, any additional delegations of authority that it is necessary or convenient for the Council or General Manager to make in order to implement the Policy or Management Directive;
 - (c) The consultation process that has been undertaken with key stakeholders;
 - (d) The plan for communicating and implementing the Policy or Management Directive.

5.4 Commencement date

- 5.4.1 Policies and other instruments must specify the date they take effect, which should normally be at least two (2) weeks after the approval date, to allow sufficient time for communication and implementation. Unless otherwise specified by the approving authority, existing Policies and other instruments that are to be repealed or amended, and are to be replaced, continue to have effect until the date the new instrument comes into effect.

5.5 Registration, Communication, education and implementation

- 5.5.1 All Policies and Management Directives must be forwarded to the Director Corporate and Community Services for registration and appropriate publication. In the case of Policy this will include inclusion on Council's Policy Page on its website, where practicable prior to the date the instrument takes effect.
- 5.5.2 Policies and other subordinate instruments may not be published on other GSC website pages, but should be referenced by a direct link to the Policy Page or subordinate instrument page respectively.
- 5.5.3 Policies and other instruments must nominate a person who is responsible for the communication and implementation of the instrument, and for creating and maintaining an official Council file relating to the instrument, its implementation and subsequent history.

5.6 Review cycles

- 5.6.1 All Council Policies and Management Directives must be reviewed at least once every four (4) years, unless the instrument specifies an earlier date. Following the review, proposed revisions should be submitted for approval in accordance with paragraph 5.1. Should the outcome be that the Policy or Management Directive is no longer necessary or useful; a submission for formal rescission of the instrument should be made to the relevant authorising body.

5.6.2 For the avoidance of doubt, policies will continue in force until such time as they are replaced or rescinded. It is not necessary to formally rescind a policy in circumstances where it has been replaced, or nominated as superseded on the covering page of the policy.

6. Accountability, roles and responsibilities

6.1 Authority

6.1.1 The following table sets out the authorities for approving and reviewing (including amending and rescinding) the various types of GSC Policy and other instruments. All authorities are subject to and must be consistent with and be preceded by appropriate instruments of delegation.

Type of Instrument	Authority
Policy	Council: All policies must be resolved by Council.
Management Directives	EMT: All Management Directives must be formally adopted at a meeting of the Executive Management Team.
Procedures	<p>Members of the Executive Management Team, Managers, or others as set out in Policy or under delegation from the General Manager: to set standards, requirements and procedures to be followed that pertain to their specific areas of responsibility, either at a divisional, departmental or business unit level, or as part of the portfolio responsibility of a member of the GSC Executive Management Team.</p> <p>These documents must not be inconsistent with the direction and intent of Policies or Management Directives.</p>
Guidance documents	<p>Council: A guidance document where desired by Council shall be made in the form of a Policy.</p> <p>EMT: These documents where they have organisation wide impacts that are purely for guidance and do not meet the criteria for adoption as a Directive, shall be submitted to Manex for approval. This will include publications intended to provide the Community with guidance on the interpretation or operation of Policy and Management Directives.</p> <p>Members of the Executive Management Team, Managers, or others as set out in Policy or under delegation from the General Manager: Documents to inform or guide staff, or the Community in relation to Procedures, may be approved by this level of authority.</p>

	They will require appropriate registration and reference to relevant Policy and Directives, and will be published on Council's website where they form an integral part of providing transparency and understanding of Council's operation at the determination of EMT.
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6.2 Enforcement

6.2.1 The General Manager is accountable for ensuring that the Framework is observed in the development of Policy and other instruments, and for the progressive review of existing instruments.

6.2.2 The General Manager is accountable for managing compliance with Policies, unless a particular Policy specifies otherwise. Each Management Directive must nominate a Policy Custodian as the officer accountable for managing compliance with the Management Directive, and monitoring its continuing relevance and impact on Council's operation or delivery of objectives.

6.2.3 The General Manager, not inconsistent with legislation, Policy and Management Directives, may delegate responsibility to other officers of Council for specific instruments or activities associated with these accountabilities.

7. Acknowledgements

7.1 The following acknowledgements are made recognising institutions or documents that have provided a basis, instructive comment or templates that have been used to develop Council's Policy Framework:

- (a) The University of Technology, Sydney and in particular its 'UTS Policy Framework' webpage and related documents;
- (b) The University of Adelaide's University 'Policies and Procedures' and 'University Policy Framework' online documents;
- (c) The LGMA/ICAC combined 'Governance Health Check: Self audit guide to good governance in local government – June 2004';
- (d) The LGA 'Draft Handbook – Governance in LG-Standards Aust Sep 2006'.

8. Version control and change history

Date	Version	Approved by & resolution no.	Amendment
21 Dec 2011	Draft 1	142.5	Draft submitted by Director Community and Corporate Services for consideration of initial adoption by Council at its Ordinary Meeting scheduled for 21 Dec 2011.
20 Jun 2018	Reviewed	6.06/18	Minor amendments only