

**Management report to Council**

**Agenda item 6.8**

**Review of Councillor Protocol**

**Council**

**Presenter:** Keith Williamson, Manager Governance and Legal

**28 May 2019**

**Purpose and background**

1. The purpose of this report is to present the outcome of a review of the Councillor Protocol (Protocol).
2. The Protocol, last updated in July 2017 provides a set of understandings around individual and collective responsibilities. It is structured in to three sections and provides guidance on roles and responsibilities, informed decision making and city representation roles.
3. As part of a review program of key documents guiding the roles, responsibilities and support provided to Councillors, the Protocol has been reviewed by Councillors in consultation with Council officers.

**Key issues**

4. Included in Attachment 2 is an updated draft Protocol.
5. The key areas updated in the draft Protocol provide for the following:
  - 5.1. Linkage to the Councillor Code of Conduct in which embeds the commitment by Councillors to the expectations within the Protocol.
  - 5.2. Updated guidance on the provision of information and advice by management.
  - 5.3. Updated briefing arrangements including those relating to Councillor Forum and advance notification of impending Council business.
  - 5.4. Streamlined set of media protocols.
  - 5.5. Clarification in relation to processes supporting the sharing of city representation opportunities.
  - 5.6. Other general updates to reflect change in practice.

**Recommendation from management**

6. That Council:
  - 6.1. Adopts the draft 'Councillor Protocol' included as Attachment 2 to this report.
  - 6.2. Authorises the Manager Governance and Legal to make any further minor editorial changes to the Protocol prior to the publication.

**Attachments:**

1. Supporting Attachment (Page 2 of 16)
2. Draft Councillor Protocol (Page 3 of 16)

## Supporting Attachment

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### Legal

1. There are no direct legal implications arising from the recommendation contained in this report.
2. The Protocol
  - 2.1. seeks to complement the function and conduct expectations of Councillors as described in the *Local Government Act 1989*.
  - 2.2. recognises the role of Lord Mayor as principal spokesperson for Council as described in the *City of Melbourne Act 2001*

### Finance

3. There are no direct financial implications arising from the recommendation contained in this report.

### Conflict of interest

4. No member of Council staff, or other person engaged under a contract, involved in advising on or preparing this report has declared a direct or indirect interest in relation to the matter of the report.

### Health and Safety

5. No Health and Safety issues or opportunities have been identified.

### Stakeholder consultation

6. There was no requirement to consult with external stakeholders.

### Relation to Council policy

7. This report provides for an update to the Protocol which was last updated by Council in July 2017.

### Environmental sustainability

8. This proposal has no significant impact on environmental sustainability.



# Draft Councillor Protocol

As adopted by Council on 28 May 2019

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## 1. Purpose

The Councillor Protocol (the Protocol) provides a set of understandings on the individual and collective roles and responsibilities of Councillors. The Protocol guides Councillors in the conduct of their role, interaction with each other and Council officers and covers processes supporting decision-making and city representation roles of Councillors.

## 2. Scope

The Protocol

- seeks to complement the function and conduct expectations of Councillors as described in the *Local Government Act 1989*.
- recognises the role of Lord Mayor as principal spokesperson for Council as described in the *City of Melbourne Act 2001*

The commitment by Councillors to the expectations in the Protocol is embedded in the Councillor Code of Conduct 2018.

## 3. Roles and responsibilities

### 3.1. Lord Mayor

The statutory provisions do not fully define the role and function of the Lord Mayor. As with many other aspects of government, it is tradition, convention and practice that broadens and better defines the role of the Lord Mayor. The Lord Mayor's role has three key functions: to lead the Council in its decision-making, represent the views of Council and its community and act as ceremonial head at events.

### 3.2. Deputy Lord Mayor

The Deputy Lord Mayor has a leadership and representational role in conjunction with the Lord Mayor. Due to the large number of Mayoral engagements and commitments, the Deputy Lord Mayor is expected to assist in representing the Lord Mayor at various functions and meetings and, upon request from the Lord Mayor, with principal spokesperson responsibilities.

The Deputy Lord Mayor will assume the role of Acting Lord Mayor during periods of absence of the Lord Mayor or at the request of the Lord Mayor.

### 3.3. Councillors

#### 3.3.1. General

In fulfilling the legislative role of Council, all Councillors shall be guided by the principles in the Council's Code of Conduct. In carrying out their role, Councillors shall:

- provide civic leadership and contribute effectively to the interests and advancement of the Capital City and its community
- contribute to the strategic vision for the City as a Capital City

- participate in deliberations of Committee and Council.

### **3.3.2. Councillor - Representing the Lord Mayor**

Councillors will represent the Lord Mayor at functions and meetings where the Lord Mayor and Deputy Lord Mayor are unavailable. Allocation of representation roles will be made based on portfolio responsibilities of Councillors (see section 3.4 for further protocol).

### **3.3.3. Councillor - Acting Chair**

In exceptional circumstances where both the Lord Mayor and Deputy Lord Mayor are absent from office, the Council or Future Melbourne Committee may appoint an Acting Chair for those segments normally chaired by the Lord Mayor.

## **3.4. Portfolio Chair**

### **3.4.1. Overview**

As a Committee of Council, the Future Melbourne Committee has been established to guide the policy and strategic direction of the City. The Committee's terms of reference is structured in portfolio segments and Council appoints a Chair and Deputy Chair for each segment.

A Portfolio Chair shall facilitate the conduct of Committee business within a designated segment and play a key role in the representation of Council in areas covered under the terms of reference. The representational role of a Portfolio Chair is carried out in line with spokesperson and representational protocols outlined in section 3.

The Deputy Portfolio Chair shall act as Chair in the absence of a Portfolio Chair and shall assume the full responsibilities and the spokesperson role of the Chair. The Deputy Chair shall also work closely with the Chair in ensuring that the following objectives are achieved.

### **3.4.2. Committee Business**

As a Portfolio Chair, the Councillor shall:

- provide efficient conduct of business undertaken in public and closed sessions of Committee meetings in accordance with the Meeting Procedures Code
- represent the decisions and views of the Committee on matters which relate to the Committee's responsibilities in line with media protocols outlined in section 5.1
- undertake a role in relation to emerging issues, challenges and opportunities relevant to the portfolio area. This may involve liaison and consultation with key stakeholders on areas that impact on the development and review of Council priorities and programs
- lead discussion on areas within portfolio responsibilities and assist other Councillors in developing the fullest possible understanding of matters being put to the Council. This includes keeping other Councillors updated through avenues such as Councillor Forum and Councillor-Only Session.

### **3.4.3. City Representation as Portfolio Chair**

In line with protocols outlined in section 3 that acknowledge the role of the Lord Mayor and Deputy Lord Mayor, a Portfolio Chair will also play a key role in representing the City of Melbourne.

A Portfolio Chair has an integral role in communicating an agreed Council position and sharing of information and insight leading to that position.

If a Portfolio Chair has a personal view which differs from an agreed Council position, he/she will ensure that clarity between the two is provided when making comment.

When commenting or engaging on matters of upcoming, but yet to be determined, Council business, a Portfolio Chair will play a facilitation role by providing information about the process and encouraging input without prejudging an outcome.

- **Community Leadership and Engagement:** Leadership in liaison and consultation is an important part of a Portfolio Chair's role. As such, a Portfolio Chair shall:
  - act as a focus for liaison between the Council, community and external organisations on significant issues relating to the portfolio area. The Chair shall take the lead on such issues raised with Councillors and where necessary shall ensure fellow Councillors and Council officers are informed and consulted in efforts to provide positive outcomes for the community and the city in general and be given the opportunity of playing a lead role in community engagement activities that fall within portfolio areas of responsibility. These activities will facilitate the development of, and communication to, the community of Council policies, strategies and programs
  - be given the opportunity of participating (with the Lord Mayor and Chief Executive Officer) in meetings between Council and Ministers at State and Federal levels of government on major policy issues or decisions
  - be engaged by Council officers when significant meetings including stakeholders are planned in order to better judge whether Councillor involvement is desirable.
- **Media Spokesperson Roles:** A Portfolio Chair will be the authorised spokesperson in line with the media protocols outlined in section 5.1.
- **Events, Functions and Delegations:** A Portfolio Chair will, in line with representation protocol outlined in section 5.4, be given the opportunity of representing Council at a range of cultural, community, business and sporting events in Melbourne. These will involve those organised or sponsored by the City of Melbourne and those being staged by external sources. Many of these will involve speaking opportunities. A Portfolio Chair may also be required to represent Council at forums, meetings or conferences at a national and international level on key issues relating to portfolio responsibilities. Such representation will be in accordance with travel guidelines contained in the Councillor Expenses and Resources Guidelines.
- **Advisory Committees and External Organisations:** The Councillor representing Council on an advisory committee or external organisation shall generally be the Chair of the Committee which has portfolio responsibility for the issue or subject matter.

## 4. Informed decision making

### 4.1. Briefings to Councillors

#### 4.1.1. Provision of information and advice by management

Information is made available on a daily basis that will assist the representation and decision-making roles of Councillors. To obtain information that is up-to-date and offered in the right context, liaison should occur with the Chief Executive Officer or a member of the Management Leadership Team (MLT). Speaking directly to Council officers below MLT level without the authorisation of the appropriate MLT member may result in Councillors receiving advice that has not been formally endorsed by management. Exceptions are made with support staff and other designated staff such as the Manager Media Relations and media advisers or planning officers who, for operational reasons, will have regular contact with Councillors.

The provision of information and advice to Councillors operates on the principle that information provided to one Councillor should generally be made available to all Councillors.

As referred to in section 2.4.8 of the Councillor Code of Conduct, the *Local Government Act 1989* provides that individual Councillors cannot direct or attempt to influence Council officers in the performance of their duties. Councillors as a group make decisions and this is done through a resolution adopted at a special Committee or Council meeting.

Councillors should refrain from publicly criticising Council officers in a way that casts aspersions on their professional competence or credibility. Councillors should advise the Chief Executive Officer in a timely fashion of any concerns that a Council officer has acted contrary to a formal Council policy or decision.

In addition to statutory provisions regarding confidential information, Councillors must not release to an external person or organisation any documents or information that the Chief Executive Officer or member of the MLT has formally requested be kept confidential or that has been marked confidential.

#### **4.1.2 Councillor Forum**

The Chief Executive Officer and relevant members of the administration will provide a regular Councillor Forum to impart information and allow for discussion. Matters for consideration will usually include briefings on the more significant matters due to come before a meeting of Council or a Committee, briefings on significant matters by external parties, and briefings on the progress of significant Council projects, finances, strategies and plans. The Chief Executive Officer will set the agenda for the Councillor Forum, but will consider suggestions from the Lord Mayor, Deputy Lord Mayor and Councillors. Regular Councillor Forums will be timed as consistently as possible, in expectation that Councillors will endeavour to attend all such meetings unless there is a reasonable reason why they cannot do so, noting however that attendance is not a statutory requirement.

#### **4.1.3. Leadership Team Briefings**

In recognition of the leadership roles of the Chief Executive Officer, the Lord Mayor and the Deputy Lord Mayor, regular meetings will be held. These meetings shall provide the opportunity of raising emerging issues (including stakeholder issues), that have the potential to impact on Council position or policy. Discussion shall seek to identify the most appropriate strategy or way forward in progressing such matters. The Chief Executive Officer shall provide advice in relation to progressing matters within budgeted resources. This includes advice in respect of any operational issues raised by the Lord Mayor and Deputy Lord Mayor.

#### **4.1.4. Individual Councillor Briefings**

Separately to portfolio briefings (see section 4.3 ), the Chief Executive Officer will also offer regular meetings with individual Councillors to determine whether Council priorities are being met and to consider matters raised by the Councillor.

#### **4.1.5. Briefing Papers**

In addition to the face-to-face briefings above, Briefing Papers from the Executive Leadership Team will be circulated to all Councillors as appropriate.

Any time an Annual Plan Action is proposed to be noted as being complete, Councillors will be informed with a Briefing Paper.

### **4.2. Preparation of Committee and Council reports**

#### **4.2.1. Reports from management**



The management will provide professional advice and recommendations to Councillors in the form of reports to Committee and Council. The administration will maintain a forward plan of proposed Committee and Council business and this shall be available to all Councillors, including by monthly briefing paper setting out the draft list of items to be considered at the next three months' agendas for Council and Committee meetings, noting that these lists are always subject to change. A Portfolio Chair will be kept informed of upcoming issues through regular Portfolio Group meetings.

The preparation and submission of such reports shall generally be based on the following:

- **Public interest:** The proposal raises an issue of significant public interest.
- **Policy change:** The proposal raises an issue of policy or process not covered by existing policy or practice.
- **Public objection:** The proposal has given rise to substantial public objection or appears likely to do so.
- **Consistency:** The Chief Executive Officer or delegate recommends approval of the proposal, but such approval would be, or could reasonably appear to be, inconsistent with a previous decision or decisions by or on behalf of the Council.
- **Unbudgeted expenditure:** Implementation of the proposal would require expenditure of Council funds, and such funds have not been specifically provided for in the budget.
- **Consultation:** The Chief Executive Officer or delegate is not satisfied that the proposal has been the subject of appropriate consultation with those likely to be interested in or affected by it.
- **Decision by Council:** The Chief Executive Officer or delegate:
  - is not satisfied that the proposal is one that is appropriate for the decision of the administration rather than the Council
  - believes that it is more appropriate that the proposal or any issue arising in connection with it should be determined by the Council rather than the administration.
- **Call-in of proposal:** Any Councillor has indicated a desire to call in the proposal for Council decision.

#### 4.2.2. Councillor requests for report preparation

Individual Councillors seeking the preparation of a report to Committee or Council should convey the request to the Chief Executive Officer. The Chief Executive Officer will assess the request and if fulfilling such a request requires use of significant resources, proposes substantial unplanned work or has a budget impact, a briefing paper shall be prepared for consideration by Councillors. The Chief Executive Officer will only proceed with preparation of a report following advice that a consensus view was reached at Councillor-Only Session on the need for a report.

### 4.3 Support for Portfolio Chair

Management shall establish operational processes to support the role of Portfolio Chair and Deputy Chair in the decision-making and city representation functions of Council.

A key component of arrangements shall involve establishment of Portfolio Groups to foster information exchange and advice on emerging decisions, issues and opportunities relating to the portfolio. The functioning of Portfolio Groups shall be guided by the following principles:

- Each Portfolio shall have a designated Portfolio Co-ordinator/s who is a member of Council's MLT and nominated by the Chief Executive Officer.
- Regular meetings shall be established and the frequency shall be flexible and guided by portfolio activity and operational requirements.

- Portfolio Groups shall comprise the Portfolio Chair and Deputy Chair, Portfolio Co-ordinator/s and relevant members of the MLT and other Council officers as required to assist with areas covered by a portfolio.
- Meetings of Portfolio Groups shall be chaired by the Portfolio Chair or Deputy Chair in the absence of the Chair.
- A Portfolio Co-ordinator shall provide advice and guidance and conduct meetings to deliver a One CoM approach by ensuring all areas of the organisation relevant to the portfolio are actively engaged in briefing a Portfolio Chair/Deputy and outcomes are clearly captured and communicated. It is important to note that sometimes it is necessary, on difficult policy issues, to be aware of policy options that are not being pursued and why. The Portfolio Chair and Deputy will be informed when this occurs.
- Information to be shared and reviewed with a Portfolio Chair/Deputy shall include:
  - **Annual Plan actions:** Progress on delivery of agreed commitments and opportunity to share/feed ideas as the new Annual Plan cycles approaches.
  - **Upcoming Council business:** Advice on impending reports for meetings of Future Melbourne Committee and Council, Briefing Papers and items proposed for presentation at Councillor Forum.
  - **Media, communication and engagement:** Details of planned or anticipated media activity, proposed community or stakeholder consultation or engagement by Council and opportunities for key representation roles in areas of portfolio responsibility.
- MLT offer a Portfolio Chair an administrative sounding board on matters raised by community and stakeholder groups on issues relating to the portfolio. This will be offered through Portfolio Group meetings or directly with the relevant member of the MLT depending on timing.
- Portfolio Chairs and Deputy Chairs offer an important avenue to achieving a broader understanding and consensus by all Councillors on matters (relating to the relevant portfolio) scheduled to be presented to Committee or Council.
- When informing a Portfolio Chair/Deputy Chair of items to be considered by Committee or Council, opportunities will be provided to ensure a greater level of engagement in the process. This can occur through one or more of the following for the purpose of seeking feedback or information sharing
  - advance briefings
  - access to summary material
  - provision of draft documents.
- This should be offered at various stages of development of a document including
  - concept stage
  - progress draft
  - final draft.
- Opportunities for feedback are appropriate on matters such as development of a policy, strategy, plan or submission. When matters of a statutory or operational nature arise, verbal briefings for the purpose of information sharing are considered appropriate.
- The Chief Executive Officer will provide the Leadership Team with advance information and access to draft documents as deemed appropriate. On some occasions, the advance notification may also involve sharing information with other Councillors.
- All information and draft material provided through the arrangement to Councillors is deemed by the Chief Executive Officer to be confidential information and should be treated as such by Councillors.

- Councillors must recognise the role of all Council officers in providing integrated professional, objective and impartial advice and analysis and the role of the Chief Executive Officer in ensuring that all advice to Council meets this criteria. Should Councillors wish to explore avenues to seek an alternative resolution by Committee or Council, advice on governance and procedural processes will be made available.
- To support the principle of information provided to one being generally available on the Councillor portal to all Councillors, action notes of Portfolio Group meetings will be circulated to all Councillors. Councillors may seek additional information through the Portfolio Chair or management in an area of interest. To support the One CoM approach, action notes will also be made available to Council's MLT to foster greater cross-organisational cooperation and awareness.

#### **4.4 Dealing with confidential information**

In the course of conducting Council business, information of a confidential nature may be brought to the attention of Councillors or management. There will be occasions, where due to factors such as timing and sensitivity of a matter, the information may not be able to be shared more broadly by Councillors or management.

Councillors and management will work within the statutory requirements and provisions guiding access to confidential information as part of the decision-making process. These are referenced in the Councillor Code of Conduct and elsewhere in the Councillor Protocol.

### **5. City representation**

Opportunities for the Lord Mayor, Deputy Lord Mayor and Councillors to represent the City will arise through a range of mechanisms including media activity, event attendance and contribution to internal and external publications.

The following protocol outlines the processes by which opportunities will be progressed and allocated. As a general rule, when making an allocation, the key message or subject matter associated with an opportunity will dictate which portfolio it falls within.

Where appropriate, the Media team should provide initial advice on determination of the key message or subject matter interest (taking into account key stakeholder and external audience interest) associated with an opportunity.

Where there is potential portfolio overlap when dealing with media or other representation roles, an opportunity will be referred to relevant Portfolio Chairs for a decision. Councillors are encouraged to reach an agreement on the designated representative. Where an agreement cannot be reached by Councillors, the matter will be referred to the Chief Executive Officer or delegate for determination.

#### **5.1. Media**

##### **5.1.1. General principles**

The following protocol acknowledges that the Lord Mayor is the principal spokesperson for the Council but also recognises the important role of Portfolio Chairs in communicating Council policy on matters relevant to the Melbourne community.

It acknowledges that the resources of the Media Team will be made available to assist the Lord Mayor, Deputy Lord Mayor, Councillors and Chief Executive Officer (or delegate) to communicate with media outlets on matters of Council policy.

The protocol relies on the principle that the Lord Mayor will always be the preferred spokesperson on 'major issues' involving the City of Melbourne. Whilst this at times will rely on the professional judgement of the Media Team, 'major issues' will generally meet one or a number of the following criteria:

- announcements or commentary relating to major events, major projects or key community infrastructure being undertaken by the City of Melbourne
- key announcements regarding Annual Plan and Budget, Council Plan and other key strategic plans setting the long-term vision for the City
- matters, including those considered by Committee or Council, which are likely to involve dialogue at a national or international level
- matters of a highly controversial nature and likely to impact on Council reputation
- matters involving an emergency or crisis
- where the community would reasonably expect to hear from the chief spokesperson or leader of an organisation on an issue.

Councillors who have played a key role in development of a Council position or initiative and would like to be engaged with media should advise the Lord Mayor, the relevant Portfolio Chair, member of the MLT and the Media Team. This will ensure that the Councillor is kept informed when advancing media opportunities.

A Councillor acting as an authorised spokesperson in line with the following protocol has a responsibility to represent the Council position in relation to a matter. If that Councillor wishes to express a personal view which differs from an adopted position, the Councillor is obliged to identify that the opinion or view is their own.

#### **5.1.2. Determination of the Council spokesperson on any matter**

The Lord Mayor is the principal spokesperson for the Council in accordance with the Act, and so will always be the preferred spokesperson on 'major issues' as set out in section 5.1.1. Where the Lord Mayor is not available to be the spokesperson on such a 'major issue' and it is not appropriate to defer commentary on the matter at hand, the Deputy Lord Mayor will be the spokesperson.

For matters other than 'major issues' as set out in section 5.1.1, the spokesperson for any particular matter will be the relevant Portfolio Chair, or if the Portfolio Chair is not available, the Deputy Portfolio Chair, in accordance with the agreed matters that fall within the relevant portfolio. If neither the Portfolio Chair nor Deputy Chair is available, the Lord Mayor will provide guidance on who the appropriate spokesperson should be.

The Chief Executive Officer is the spokesperson for any internal organisational matter.

#### **5.1.3. Media Team support**

The Media Team will support the spokesperson in undertaking their role and in generating and responding to media.

A member of the Media Team will generally accompany Lord Mayor, Deputy Lord Mayor and Councillors, if required, to media opportunities or events where a media spokesperson role is likely.

Whenever there is proactive or reactive media activity in relation to a 'major issue', the Media Team will endeavour to make all Councillors generally aware of the activity and, if relevant, the proposed approach to same.

Whenever there is proactive or reactive media activity in relation to an issue other than a 'major issue', the Media Team will endeavour to ensure that the Lord Mayor, relevant portfolio holder and relevant deputy portfolio holder, whichever two of these three are not the spokesperson, are generally aware of the activity and, if relevant, the proposed approach to same.

If any matter within this section relates to a motion that has or will be moved by a Councillor in the General Business section of a Council or Special Committee meeting, the Media Team or a member of the MLT will make the relevant Councillor generally aware of any activity and, if relevant, the proposed approach to same.

While Councillors are entitled to speak to the media on any topic, if they are not acting as the authorised spokesperson on Council matters or positions as described in this protocol, the Media Team's resources and assistance are not available to them.

#### **5.1.4. Media releases**

Wherever the City of Melbourne publishes a media release or a prepared statement to one or more journalists or media organisations, the statement will, except where it is inappropriate to provide any quote, include a quote by the spokesperson in accordance with section 5.1.2, and, at the discretion of the Lord Mayor if the statement relates to a 'major issue', an additional quote or quotes by the portfolio holder above and beyond those provided by the Lord Mayor.

All Councillors will receive copies of all media releases upon publication to the Councillor portal and City of Melbourne's website.

#### **5.1.5. Obligations on Councillors in relation to media contact**

The Lord Mayor, Deputy Lord Mayor and Councillors will endeavour when providing public comment in any media (other than self-published media on social media platforms), whether initiating contact with or responding to a journalist or media organisation, and whether or not the Councillor is a spokesperson on the matter in question, to alert a Council Media Adviser forthwith of the time and topic of the comment, and the organisation that the comment was provided to. If the comment is made in the presence of a Media Adviser or is made in accordance with a plan that a Media Adviser is aware of, the Media Adviser is deemed to have been alerted.

If the Lord Mayor, Deputy Lord Mayor or a Councillor providing comment to a journalist is not the spokesperson for the matter at hand, they will inform the journalist of the identity of the spokesperson. They will alert the relevant portfolio holder that they have provided a comment as soon as possible.

If the Lord Mayor, Deputy Lord Mayor or a Councillor provides comment to a journalist that could be deemed to be divisive, they will alert all Councillors of the nature of the comment as soon as possible.

#### **5.1.6. Social media**

The City of Melbourne uses social media to engage with the wider community. The administration operates various social media accounts in accordance with the City of Melbourne Social Media Policy.

As the Council's chief spokesperson and representative, appropriate social media accounts using the title of Lord Mayor will be maintained by the administration. The accounts will be utilised as part of the City of Melbourne's broader communication and engagement through social media.

As part of a broader approach to enhancing community and public engagement in Council decision-making processes, the Media team will, where appropriate, publicise impending Committee and Council business through traditional and social media. They will also publicise outcomes on matters which may benefit from increased community awareness and debate.

## **5.2. Corporate communications**

The City of Melbourne will use a range of digital and print communication methods to reach, inform and engage the community and will strive to do this in a sustainable and cost effective manner.

The methods and platforms used will vary and evolve over time to allow Council to respond and adapt to current and emerging trends in the way the community prefers to receive information about activity within the municipality.

In doing so, management will recognise the city representation role of Councillors and shall reflect this role and seek input from Councillors where appropriate to the activity and platform being used.

The approach taken shall be guided by the following principles:

- The chief representative role of the Lord Mayor.
- The role of Portfolio Chairs particularly in relation to community engagement and other consultative activities associated with a portfolio.
- There may be occasions where a contribution from more than one Councillor is considered appropriate. In these circumstances, input from the Lord Mayor and Portfolio Chair will be preferred.
- Strategies and Plans, and similar such policy statements designed for publication, endorsed by the Future Melbourne Committee or Council, will carry a foreword jointly attributed to the Lord Mayor and relevant Portfolio Chair.
- The level and type of visual content associated with Councillors will be appropriate to the activity and format used.
- Management has editorial responsibility for final content to be shared through corporate publication and communication channels.

## **5.3. External publications**

Opportunities to contribute to publications produced by external sources shall be referred to the Lord Mayor, Deputy Lord Mayor or Councillors as appropriate to their Portfolio Chair role or that of the Lord Mayor as chief spokesperson. Appropriate support will be provided where the subject matter has a strong alignment with Council goals, policies and objectives.

## **5.4. Representing the city at events, functions and delegations**

### **5.4.1. Nationally and Internationally**

As a Capital City, Council plays an important role in issues at a local, national and international level. In representing the Council, Councillors and the administration will be required to travel with the aim of strengthening domestic and international relationships and arrangements. Travel undertaken by Councillors and the administration will be in accordance with guidelines that provide for authorisation processes, reporting and recording of related expenses. The protocols covering travel by Councillors are outlined in the Councillor Expenses and Resources Guidelines.

### **5.4.2. Local Representation - Functions, Events and Delegations**

#### **5.4.2.1. Opportunities generated through Council organised and sponsored events**

As chief representative and spokesperson for Council, the Lord Mayor is given first opportunity to represent Council at functions and events organised or sponsored by the City of Melbourne, with the exception of portfolio-specific consultations, forums and community meetings, for which the relevant Portfolio Chair is given first opportunity to represent Council.

For functions and events where the Lord Mayor is given first opportunity to represent Council, if the Lord Mayor is unavailable, the invitation is first forwarded to the Deputy Lord Mayor, then the relevant Portfolio Chair if the Deputy Lord Mayor is also unavailable, then the relevant Deputy Portfolio Chair if the Chair is also unavailable. To ensure that the portfolio holder is kept informed, the relevant Portfolio Chair shall, for information purposes, receive notification of opportunities referred to the Lord Mayor for consideration.

For functions and events where the relevant Portfolio Chair is given first opportunity to represent Council, if the Portfolio Chair is unavailable, the invitation is first forwarded to the Deputy Portfolio Chair. Where a Councillor has played a key role in development of a Council organised or sponsored event and would like the opportunity to represent the City at that event, the Councillor should advise the Councillor/s otherwise entitled to be the representative, and either request that the speaking opportunity be passed on, or that arrangements otherwise be made to include the Councillor in the formal proceedings of the event.

Opportunities for representation by Councillors, the Chief Executive Officer and Directors will be communicated through a Corporate Calendar system which provides full details of opportunities and background information to maximize benefits from Council involvement.

Speechwriting support is not provided for Councillors who wish to speak at functions outside of their official role as a City of Melbourne representative.

For the purposes of the protocol, sponsorship refers to City of Melbourne funding or in-kind support towards the staging of an event or function. This does include funding provided through the purchase of tickets or seating at events and functions once the event has been announced and promoted.

#### **5.4.2.2. Opportunities received directly by Councillors and the administration from external sources**

##### **Invitations received by the Lord Mayor**

As the chief representative of Council, the Lord Mayor will be approached by city stakeholders to participate in events, functions and activities important and relevant to Melbourne. If the Lord Mayor is unavailable and the opportunity is transferable, the opportunity will be referred to the Deputy Lord Mayor in the first instance. If unavailable, the opportunity will be offered to the appropriate Portfolio Chair, Deputy Portfolio Chair or other Councillor taking into consideration positions on advisory committees and external organisations, areas of expertise and interest expressed by Councillors.

##### **Invitations received by the Deputy Lord Mayor and Councillors**

The Deputy Lord Mayor and Councillors will receive invitations in an individual capacity to represent Council. These may be received in acknowledgement of portfolio responsibilities or in response to established relationships with city stakeholders. Councillors will consider and respond to such invitations in an individual capacity. If the opportunity is transferable, Councillors should consider referring the invitation to the relevant Portfolio Chair.

##### **Invitations received by the administration**

Where an external source approaches the administration with a view to seeking representation by a Councillor, the administration first refers the approach to the Lord Mayor for consideration. If the Lord Mayor declines the invitation and an alternative Councillor is considered acceptable to the organising body, the request is forwarded to the Deputy Lord Mayor and then to the relevant Portfolio Chair.

### **5.4.2.3 Support for Councillor Representation**

In representing Council at events, functions and delegations, Councillors may require support in the form of speech notes, presentations and background information. This support shall be arranged through the Corporate Calendar system or through other agreed processes and support networks. When requesting a speech for an event which is not Council owned or sponsored, the request must identify a strong alignment with Council goals, policies and objectives or seek to advance the City of Melbourne's leadership role within the community.

### **5.4.3. Access to tickets for Council organised or sponsored events**

As the organiser or sponsor of many key cultural, community, business and sporting events in Melbourne, there will be ticketing opportunities for Councillors, the administration and stakeholders. It is important to have a transparent and accountable system of allocation of tickets. The process supporting allocation allows Council to use tickets in a strategic way to maximize the profile and relationship opportunities for the City of Melbourne and shall be guided by the following principles:

- The need to ensure Council is appropriately represented at all sponsored and organised events.
- That City representation involves participation of Councillors and the senior members of the administration.
- That where limited tickets are available in the proposed allocation to Councillors, priority shall be given to the Lord Mayor, Deputy Lord Mayor and relevant Portfolio Chair.
- Ticketing should be used for the primary purpose of further developing and enhancing Council relationships with stakeholders. In certain circumstances, participation by associates (including family members) of Councillors may be considered appropriate.
- For the purposes of stakeholder relations and continuous improvement in the delivery of events, Council officer representation may also occur.
- Allocated tickets should be used. Unused tickets represent a loss in profile and stakeholder relationship opportunities.

Councillors should be aware that Fringe Benefits Tax and Reportable Fringe Benefits Tax provisions apply in respect of use of tickets provided by Council. Councillors should refer to the Councillor Expenses and Resources and Guidelines for further guidance on these provisions.

### **5.4.4. Requests for Council support or funding for events**

Councillors approached for Council support or funding for events and activities must first raise the matter with management for consideration in accordance with Council policy and guidelines under specific programs and projects. The guidelines ensure that assessment processes are fair, transparent and accountable.