



GOVERNANCE POLICY

Informal Gatherings

Policy Number	G1.38
Version Number	2
Issued	March 2016
Last Review	December 2016
Next Review	November 2018
GDS	9.63.1.1

INFORMAL GATHERINGS

1. POLICY

1.1 Introduction

Open and transparent council meetings underpin representative democracy and ensure public confidence in council's decision-making processes. Informal gatherings, where appropriate, provide a valuable opportunity to enhance the decision-making processes by providing opportunities for council members to become better informed on issues and seek further clarification.

1.2 Policy Objective

To ensure council members have sufficient opportunity to conduct planning sessions, to receive informal briefings and educational sessions, and convene other informal gatherings without prejudicing the requirements for openness and transparency as required by the *Local Government Act 1999*.

Section 90(8) of the Local Government Act allows informal gatherings to be held provided that the discussion does not lead to a decision, or effectively obtain a decision, on a matter that would ordinarily be dealt with at a council meeting. This policy reflects the intention of the legislation for informal gatherings to be used for briefing, planning and educational sessions and is aimed at avoiding any perception that informal gatherings will be used to build consensus for council agenda items.

1.3 Scope


Informal gatherings, briefing sessions, planning sessions and other discussions captured under this policy are those gatherings that are arranged by the council, either by the CEO or by the elected council. Section 90(8) of the *Local Government Act 1999* provides a list of non-exclusive examples of informal gatherings, which are:

- Planning sessions associated with the development of policies or strategies
- Briefing or training sessions
- Workshops
- Social gatherings to encourage informal communication between members or between members and staff.

Informal gatherings and discussions of these kinds will be used solely for the purpose of information sharing and not for the purpose of debating issues, building consensus positions or otherwise discharging council's deliberative and decision-making functions.

Informal gatherings of council members, or council members and council staff are, by their nature, a non-compulsory meeting of the council. All council members are encouraged to attend as these sessions, particularly those designed to provide history, context or additional information to assist council members to carry out their functions.

Both the CEO and the council are responsible for ensuring informal gatherings and discussions are conducted in accordance with the Local Government Act. Informal gatherings will be chaired by the CEO or another senior council officer and it is the CEO's responsibility to ensure that the purpose, intent and outcomes of the meeting fall within the permitted parameters of the legislative provisions.

	<p style="text-align: center;">GOVERNANCE POLICY</p> <p style="text-align: center;">Informal Gatherings</p>	Policy Number Version Number Issued Last Review Next Review GDS	G1.38 2 March 2016 December 2016 November 2018 9.63.1.1
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2. POLICY STATEMENT

2.1 General Business of the Council

Informal gatherings will not be used for the purpose of conducting the general business of the council or to stifle debate on issues that may subsequently be dealt with by the council at a formal meeting. However informal gatherings may be used to discuss issues that involve strategy or policy or other matters of council administration and to brief council members on issues relating to their decision-making function.

2.2 Timing of, and Access to, Informal Gatherings of Council

- 2.2.1 informal gatherings or discussions to be held at a place open to the public, unless the informal gathering or discussion is one that the council or CEO has declared may be held in confidence; and
- 2.2.2 that the council or CEO will only declare that a 'designated informal gathering or discussion' may be held in confidence:
- on a case by case basis; and
 - if the 'designated informal gathering or discussion' is a planning session of a general or strategic nature or is a briefing relating to information or a matter of a confidential nature within the ambit of section 90(3) of the Act; and
- 2.2.3 Where informal gatherings, such as workshops and briefing sessions, are scheduled regularly to coincide with the council's meeting cycle and to consider matters that will form part of the council's meeting agenda, the gatherings will be advertised and open to the public. Any ad hoc informal gatherings or discussions that are convened to discuss items that will form part of the council's meeting agenda will also be advertised and open to the public.
- A schedule of planned briefing sessions will be published on the council's website.
- If a topic falls into a category that would normally be kept confidential if it arose at a council meeting, the item will be placed last and the gathering will be closed when that item is reached.
- 2.2.4 For all other informal gatherings public access will be determined on a case by case basis. The council is aware of the need to balance openness and transparency with opportunities for private discussions between council members and council members and staff.

2.3 Agendas and Minute Taking


Informal gatherings will not involve a formal minute taking process. However, a list of the matters to be discussed at an informal meeting may be published on the council's website in accordance with 2.2.1 above. Any notes taken at these sessions will be tabled at the next council meeting.

3. RESPONSIBILITIES

The Chief Executive Officer will be responsible for this policy

4. REVIEW

To be reviewed within 12 months after a General Election, in line with legislation and any legislative changes or by resolution of Council.

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5. LEGISLATION

Local Government Act 1999

6. AVAILABILITY OF POLICY

This Policy will be available for inspection at the Council Offices during ordinary business hours at no charge and a copy may be purchased for a fee as set annually by the Council.

Copies of this policy will also be available from the Council's website www.frc.sa.gov.au

Adopted by Council 19 July 2016
Resolution 171/2016

Review Date	Version Number	Change	Resolution
19 July 2016	1	Nil	171/2016
20 December 2016	2	New clauses 2.2.1 & 2.2.2	277/2016