

13 REPORT OF THE CHIEF EXECUTIVE OFFICER

13.1 Post exhibition endorsement: Media Policy

CSP Objective: Outcome 5.2: Governance is transparent and builds trust

CSP Strategy: 5.2.2 Communicate openly and honestly with the community to build a relationship based on transparency, understanding, trust and respect.

Delivery Program: 5.2.2.1 Council's external and internal communications, including web and intranet assets, deliver efficient online services for users, facilitate effective engagement between our community and Council, meet legal requirements, and industry and accessibility standards.

Item 13.1

Summary

Council at its meeting on 17 October 2023 resolved to endorse the draft Media Policy for public exhibition; and to receive a report back outlining the outcome of the public exhibition.

The draft Media Policy was placed on public exhibition from 19 October to 17 November 2023 for public comment and input. During this time, Council staff also undertook further work to refine the policy in terms of internal staff obligations.

Council received 3 public submissions (one subsequently withdrawn) during the exhibition period. No submissions were received from Councillors or staff during the exhibition period.

The draft Media Policy has been amended where required as per Councillor, internal staff and community feedback. This report is presented to Council to endorse the finalised Kiama Municipal Council Media Policy for implementation.

Financial implication

Nil

Risk implication

The risk of not having this policy is a lack of clarity in our dealings with the media, which can result in misunderstandings and misinformation. The policy also helps clarify Council officer and Councillor roles and responsibilities when dealing with the media.

Policy

Kiama Municipal Council Media Policy

Consultation (internal)

Mayor and Councillors, Executive Leadership Team, Management Leadership Team, Cross-council Communications Officers and Governance

Communication/Community engagement

The draft policy was placed on public exhibition for 28 days. This information was shared via Council's website and social media, encouraging the community to 'have

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13.1 Post exhibition endorsement: Media Policy (cont)

your say’. During the exhibition period three (3) submissions were received, one (1) of which was withdrawn.

The two submissions received were from community member Howard H Jones and Lee Cordner on behalf of Kiama Community Radio (KCR).

Attachments

- 1 FINAL Media Policy - March 2024 [↓](#)

Enclosures

Nil

RECOMMENDATION

That Council adopt the Media Policy and publish to the Council website.

Background

The Kiama Municipal Council Media Policy is based on the Office of Local Government’s Model Media Policy (2022) and therefore reflects industry best practice.

The OLG states: “The model policy is not mandatory, and councils are free to choose whether to use or to adapt it for their own purposes. If adopted, the policy will operate to supplement the provisions of councils’ adopted codes of conduct.”

Staff have determined to take the model policy as a baseline and adapt it by adding sections pertinent to Council’s business need and custom and practice.

The policy seeks to minimise the risk of misinformation in the media, which can have a negative effect both within the community, and Council.

The media policy also clarifies who can be a spokesperson for Council, under which circumstances, and permissions required.

Following the exhibition period, receipt of submissions and further work by internal staff, several amendments have been made to the policy. The changes and our response to the submissions is tabled below.

Policy section	Amendments	Reason
References	Added Kiama Municipal Council Code of Meeting Practice, the Media Entertainment & Arts Alliance (MEAA) Journalist Code of Ethics, Press Council of Australia and Australian Government Style Guide	Documents all referred to in the finalised policy.
2.1	Changed ‘Appointment and role of Media Liaison; to CEO,	More accurately reflects the way Kiama Council’s delegations and

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13.1 Post exhibition endorsement: Media Policy (cont)

Policy section	Amendments	Reason
	Communications Team and Media Liaison.	Communications Team function.
2.1.1	Added clause on appointment of manager and Media Liaison	Reflects Kiama Council's delegations and team structure.
3.3.1	Added clause as per OLG Model Media Policy	This clause was inadvertently left out of the draft policy.
3.3.2	Added to point five: (as per the Code of Conduct for Councillors clause 3.1).	Clarifies where this clause comes from and why it is included in the policy.
3.5.1	Added to clause: Council staff are required to promptly assist the Communications Team with any media enquiries to ensure media deadlines are met. This means Council staff should respond to any media enquiries or requests via the Communications Team within 4 business hours to ensure the Communications Team /Media Liaison can prepare an official response to the media promptly, as per Section 2.1.4 (i).	Provides a framework of obligation and timeframe for Council staff to respond to the Communications Team to facilitate media enquiries. Aligns with other local Council's Media Policies.
3.5.3	added extra point that council officers: may request media training/ advice/guidance from the Media Liaison/ Communications Team	Gives further avenues for media training and guidance for Council Officers.
3.5.5	Added clause: The Media Liaison can supply council statements or quotes as a 'Council spokesperson' in response to media enquiries. See section 5.	Includes current practice in policy and endorses this practice.
Section 5	Updated wording and reference to Press Council of Australia principles and MEAA Journalistic Code of ethics to clarify and simplify.	Takes on board feedback from local media and community.

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13.1 Post exhibition endorsement: Media Policy (cont)

Policy section	Amendments	Reason
Section 7	Added reference to Local Government Elections (caretaker period provisions) Policy.	Local Government elections (caretaker period provisions) policy has been adopted in the interim period since this Media Policy was put on exhibition, and now covers this section.
8	Updated /enhanced records management information.	Further clarifies records management requirements/ procedure.

Item 13.1



Media Policy

Policy Owner/Responsible Officer	Manager Communications & Engagement
Department	Office of CEO
Date adopted/endorsed	TBA
Resolution number (if applicable)	TBA
Next review date	TBA
TRIM reference	23/74056

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RESPECT • INTEGRITY • INNOVATION • TEAMWORK • EXCELLENCE •

Policy statement / objectives

Kiama Municipal Council is committed to engaging effectively and professionally with the media to keep the community informed, explain decisions and to provide confidence in the Council and its decisions.

How a council is portrayed in the media impacts on how the organisation is perceived. Media can be an effective tool to promote council programs, events, and initiatives. In addition, media can be invaluable in times of crisis or emergency when information needs to be communicated to the public.

In line with the pillars of our Community Strategic Plan 2022-2032, Council uses media opportunities to help promote accountable and transparent leadership, create a strong and diverse economy and strengthen ties within and between our communities for improved connection, liveability, sustainability and a sense of belonging.

Despite its obvious benefits, media also presents a variety of challenges and risks. These include:

- maintaining the accuracy, reliability, and integrity of information
- ensuring confidential information is managed appropriately, and
- the increased exposure and risk to reputation where information is not managed appropriately.

Kiama Municipal Council is committed to developing and maintaining professional working relationships with local and regional media that interact with the business. This policy clearly explains media process and engagement practices.

The objectives of the policy are to:

Provide a framework to assist Council staff, executives and Councillors when dealing with the media and to ensure that media engagement by Councillors and staff is consistent, accurate and professional and enhances the Council's reputation.

The policy also sets out some best practice guidelines for interactions between journalists and media organisations with Council.

The policy is based on the Office of Local Government's Model Media Policy (2022).

At the heart of the Media Policy are the four principles of media engagement. These are:

- Openness
- Consistency
- Accuracy
- Timeliness.

These principles, which are expanded upon in Part 1, should underpin every aspect of a Council's media engagement and all Councillors and Council officials should commit to upholding them.

Scope

This policy applies to engagement between Council officials and the media. It does not generally apply to social media use. Kiama Council has a separate Social Media Policy.

References

- Clause 3.1(b) of the *Model Code of Conduct for Local Councils in NSW* provides that Council officials must not conduct themselves in a manner that is contrary to a Council's policies. If adopted by a Council, a breach of the policy will be a breach of the Council's code of conduct.
- Kiama Municipal Council's Code of Conduct – Council Staff, Contractors & Volunteers 2019

- Kiama Municipal Council's Code of Conduct for Councillors 2019
- Kiama Municipal Council's Social Media Policy 2023
- Office of Local Government Model Media Policy 2022
- Kiama Municipal Council Code of Meeting Practice 2022
- Kiama Municipal Council Local Government Elections (caretaker period provisions) policy 2024
- MEAA Journalist Code of Ethics
- Australian Press Council
- Australian Government Style Guide

Consultations

- Executive Leadership Team
- Management Leadership Team
- Cross-council Communications Officers
- Governance
- Elected Councillors
- Community consultation via exhibition

Definitions

In the Media Policy, the following terms have the following meanings:

Term	Definition
Council official	means Councillors, members of staff and delegates of the Council (including members of committees that are delegates of the Council)
Media Liaison	means a person appointed under clause 2.1 of this policy
Communications Team	means Kiama Council staff employed as Communications, Media, Marketing and Community Engagement Officers, Coordinators and Managers. The Communications Team is led by the Manager Communications & Engagement, who reports to the Chief Executive Officer (CEO)
media	means print, broadcast and online media used for communicating information to the public including, but not limited to, newspapers, magazines, internet publishers, radio, and television broadcasters
personal information	means information or an opinion (including information or an opinion forming part of a database and whether or not recorded in a material form) about an individual whose identity is apparent or can reasonably be ascertained from the information or opinion
social media	means online platforms and applications, such as but not limited to social networking sites, wikis, blogs, microblogs, video and audio sharing sites, and message boards, that allow people to easily publish, share and discuss content. Examples of social media platforms include, but are not limited to Facebook, X (formerly Twitter), Snapchat, LinkedIn, Yammer, YouTube, Instagram, Flickr and Wikipedia

Variation and review

Council reserves the right to review, vary or revoke this policy.

Date reviewed	Date adopted/endorsed	Brief detail of amendments
N/A		New policy

POLICY

1. Principles

We, the Councillors, staff and other officials of Kiama Municipal Council, are committed to upholding and promoting the following principles of media engagement:

Openness	We will ensure that we promote an open exchange of information between our Council and the media.
Consistency	We will ensure consistency by all Councillors and staff when communicating with the media.
Accuracy	The information we share with the media will be a source of truth for our Council and community and we will prioritise the need to correct inaccuracies when they occur.
Timeliness	We will ensure that we respond to media enquiries in a timely manner.

2. Administrative framework for engagement with the media

2.1. CEO, Communications Team and Media Liaison

- 2.1.1. Council's Chief Executive Officer (CEO) will appoint a Manager Communications & Engagement. The CEO and/or Manager Communications & Engagement will appoint a member of the Communications Team as Media Liaison.
- 2.1.2. Council's official channel for all media enquiries is via the Communications Team. The Manager Communications and Engagement will ensure all media liaison is via suitably qualified members of staff from Council's Communications Team.
- 2.1.3. The Chief Executive Officer and/or Manager Communications & Engagement may appoint more than one Media Liaison and may in some cases specify which Council department, facility or work areas a Media Liaison will cover.
- 2.1.4. The Media Liaison's role is to:
 - (a) be the lead point of contact for all media enquiries, requests for interviews, requests to film or photograph Council staff, facilities or events for news and current affairs purposes
 - (b) be responsible for preparing all media statements prior to their release
 - (c) liaise with relevant staff members within the organisation where appropriate
 - (d) ensure that media statements are approved by the Mayor and/or Chief Executive Officer and/or appropriate Director prior to their release

- (e) develop and/or approve media training and/or induction to be provided to relevant staff and/or Councillors
- (f) maintain a record of all media enquiries and responses
- (g) ensure that media organisations and their representatives are treated professionally, equally and without bias
- (h) build/maintain good relationships with local and regional media organisations and representatives including freelancers, as appropriate
- (i) ensure that media enquiries are dealt with promptly
- (j) provide guidance to Councillors approached by the media for comment to avoid communication of misinformation
- (k) ensure that all media releases are published on Council's website.

3. Who can engage with the media

3.1. The Chief Executive Officer

- 3.1.1. The Chief Executive Officer (CEO) is the official spokesperson for the Council on operational and administrative matters.
- 3.1.2. The Chief Executive Officer may delegate to other Council staff to speak on their behalf where appropriate, (for example, where the delegated staff member has professional expertise regarding the subject matter, or the Chief Executive Officer is unavailable).

3.2. The Mayor

- 3.2.1. The Mayor is the principal member and spokesperson of the governing body of the Council, including representing the views of the Council as to its local priorities (section 226(c) of the Local Government Act 1993).
- 3.2.2. If the Mayor is unavailable, the Deputy Mayor may act as the Council's spokesperson.
- 3.2.3. The Mayor may delegate their role as spokesperson to other Councillors where appropriate, (for example, where another Councillor is best placed to comment, because the issue is of particular interest to them, or it is within their particular area of expertise).

3.3. Councillors

- 3.3.1. As a member of the governing body and as a representative of the community, Councillors are free to express their personal views to the media.
- 3.3.2. When engaging with the media Councillors:
 - must not purport to speak for the Council unless authorised to do so (see clause 3.2.3);
 - must clarify when speaking to the media that they are expressing their personal views as an individual Councillor and that they are not speaking for the Council (unless authorised to do so);
 - must uphold and accurately represent the policies and decisions of the Council;
 - must not disclose Council information unless authorised to do so;

- must not bring the organisation or its staff into disrepute through any form of media commentary (as per the Code of Conduct for Councillors clause 3.1); and
 - must seek information and guidance from the Chief Executive Officer and/or Manager Communications & Engagement where appropriate before providing comment to the media to ensure they have the most up-to-date and relevant information and have considered reputational or other risks.
- 3.3.3. In the interests of promoting a positive, safe and harmonious organisational culture, Councillors should endeavour to resolve personal differences privately and must not prosecute them publicly through the media.
- 3.3.4. Where Councillors (including the Mayor) become aware of potential issues that could result in media interest, they should provide this information to the CEO and/or Manager Communications & Engagement.
- 3.4. Councillors' questions about media engagement**
- 3.4.1. Councillors must direct any questions about their obligations under this policy to the Chief Executive Officer and/or Manager Communications & Engagement.
- 3.5. Council Staff**
- 3.5.1. If Council staff receive a media enquiry or they are invited to comment to the media on a matter relating to the Council, they must refer the enquiry to the Communications Team as soon as possible.
- Council staff are required to promptly respond to Communications Team requests for assistance with any media enquiries to ensure media deadlines are met. This means Council staff should respond to any media enquiries or requests via the Communications Team within 4 business hours to ensure the Communications Team /Media Liaison can prepare an official response to the media, as per Section 2.1.4 (i).
- 3.5.2. If approached outside of work, Council staff can express their personal views to the media on matters that do not relate to the Council, but in doing so, must not make comments that reflect badly on the Council or that bring it into disrepute.
- 3.5.3. If authorised by the Chief Executive Officer and/ or Manager Communications & Engagement, or Media Liaison to speak to the media, Council staff:
- must uphold and accurately represent the policies and decisions of the Council;
 - must not disclose Council information unless authorised to do so by the Chief Executive Officer or Media Liaison; and
 - must seek information and guidance from the Media Liaison/ Communications Team where appropriate before providing comment to the media to ensure they have the most up-to-date and relevant information and have considered reputational or other risks.
 - may request media training/advice/guidance from the Media Liaison/ Communications Team
- 3.5.4. Where Council staff become aware of potential issues that could result in media interest – whether positive, negative or neutral – they should provide this information to the Communications Team.
- 3.5.5. The Media Liaison can supply council statements or quotes as a 'Council spokesperson' in response to media enquiries.

3.6. Tone

- 3.6.1. All media engagement by Council officials must be conducted in a professional, timely and respectful manner.
- 3.6.2. Where possible and appropriate to audience, align tone and commentary back to Council's Community Strategic Plan.
- 3.6.3. Council's written statements should adhere to Council's style guide (based on the Australian Government Style Guide).
- 3.6.4. Council staff must take care to remain apolitical in commentary.

3.7. Induction and training

- 3.7.1. The Council will provide training to Council officials who engage or are authorised to engage with the media.
- 3.7.2. Media engagement training will be provided to Councillors as part of their induction or refresher training or as part of their ongoing professional development program.

4. Standards of conduct when engaging with the media

- 4.1.1. Council officials must comply with Council's Code of Conduct when engaging with the media in an official capacity or in connection with their role as a Council official.
- 4.1.2. Council officials must not share information or make comments to the media through either direct or indirect mechanisms that:
 - (a) are defamatory, offensive, humiliating, threatening, or intimidating to other Council officials or members of the public
 - (b) contains profane language or is sexual in nature
 - (c) constitutes harassment and/or bullying within the meaning of the Model Code of Conduct for Local Councils in NSW, or is unlawfully discriminatory
 - (d) is contrary to their duties under the Work Health and Safety Act 2011 and their responsibilities under any policies or procedures adopted by the Council to ensure workplace health and safety
 - (e) contains content about the Council, Council officials or members of the public that is misleading or deceptive
 - (f) divulges confidential Council information
 - (g) breaches the privacy of other Council officials or members of the public
 - (h) contains allegations of suspected breaches of the Council's Code of Conduct or information about the consideration of a matter under the Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW
 - (i) could be perceived to be an official comment on behalf of the Council where they have not been authorised to make such comment
 - (j) commits the Council to any action
 - (k) violates an order made by a court
 - (l) breaches copyright; and/ or
 - (m) advertises, endorses, or solicits commercial products or business.

5. Process for media engaging with Council

- 5.1.1. All media enquiries including interview requests, photo requests and information/fact checks should be directed to the Communications Team. The Media Liaison officer will respond as soon as possible (generally within 8 business hours) and arrange statements or interviews as appropriate.
- 5.1.2. Council requests fair, balanced and unbiased reporting and a right of reply when media articles or content mention Council or its spokespersons, in line with the principles set out by the Australian Press Council and MEAA Journalist Code of Ethics.
- 5.1.3. Should published articles provide incorrect information, Council will advise the media outlet and seek a correction, retraction and/or prepare its own media release.
- 5.1.4. If the media wishes to film or electronically record any aspect of a Council Meeting or event, prior permission should be sought, as per Kiama Council's Code of Meeting Practice Clause 15.23. Note: all Council Meetings are Livestreamed and the recording is made available via the Council website within 24 hours of the meeting.
- 5.1.5. Council requests members of the media identify themselves when attending Council premises or events.
- 5.1.6. Council requests media be mindful to ensure photo permissions have been granted, especially for minors. (See Council's Child Safe Policy and Guidelines).

6. Use of media during emergencies

- 6.1.1. During emergencies, such as natural disasters or public health incidents, the Chief Executive Officer and Media Liaison/s will be responsible for coordinating media releases and statements on behalf of the Council.
- 6.1.2. Councillors, Council staff and other Council officials must not provide comment or information to the media that is inconsistent with official advice issued by the Council and any other agency coordinating the emergency response.
- 6.1.3. Training on media engagement during emergencies will be provided to Councillors, relevant staff and other Council officials.

7. Media engagement in the lead up to elections

- 7.1.1. This policy does not prevent the Mayor or Councillors who are candidates at a council or any other election from providing comment to the media in their capacity as candidates at the election.
- 7.1.2. Any media comment provided by the Mayor or Councillors who are candidates at a Council or another election must not be provided in an advertisement, newspaper column, or a radio or television broadcast paid for by the Council or produced by the Council or with Council resources.
- 7.1.3. It is the responsibility of the candidate and/or media outlet, not the Council, to ensure any political advertising by candidates or political parties has been correctly authorised.
- 7.1.4. Note that Caretaker provisions and restrictions as defined in the Local Government Act apply in the lead up to an election.
- 7.1.5. See also Kiama Council's Local Government elections (caretaker period provisions) policy.

8. Records management requirements

- 8.1.1. Media content created and received by Council officials (including Councillors) acting in their official capacity is a council record and may be subject to information access applications made under the Government Information (Public Access) Act 2009. These records must also be managed in accordance with the requirements of the State Records Act 1998 and the Council's approved records management policies and practices.
- 8.1.2. Media enquiries and Council's response to media enquiries will be stored in Council's records management system.

9. Disclosure of paid advertising, content, advertorials social media coverage

- 9.1.1. Council will endeavour to ensure any paid or gratis content is identified as such.
- 9.1.2. Council content on social media will either be clearly identified as Council content by appearing on Council's channels or under the Kiama Municipal Council name (or the name of an identified Council-owned facility or department, such as Kiama Leisure Centre), as per Council's Social Media Policy.

Related forms/Documents

- Code of Conduct – Council Staff, Contractors & Volunteers (2019)
- Code of Conduct for Councillors (2019)
- Social Media Policy (2023)
- Community Engagement Strategy (2016)
- Child Safe Policy
- Local Government elections (caretaker period provisions) policy

Authorisation

Name: Title of person authorising OR ELT OR Council Resolution No: ****

Date: Date endorsed by ELT or adopted by Council

13.2 Small Community Event Funding Program Assessment

- CSP Objective: Outcome 1.1: We want a strong sense of community and belonging, where social and cultural life can flourish; and our families, friends and visitors feel welcome and included.
- CSP Strategy: 1.1.1 Provide spaces, services and initiatives that foster a proud, inclusive, and connected community for all.
- Delivery Program: 1.1.1.2 Partner with the community, other levels of government and key stakeholders to provide support to community and cultural engagement sectors, community groups and organisations.

Summary

Council opened round two of the Small Community Event Grant program on 5 February 2024, with applications closing 18 February 2024.

Council received seven eligible applications under this program. Council's *Internal Grants Assessment Panel* (IGAP) reviewed the seven eligible applications that were received and evaluated each of the applications using the assessment criteria.

This report is submitted to Councillors for consideration.

Financial implication

\$6,000 has been allocated to round two of this program.

Risk implication

In Council's current financial position grants and funding should be reviewed.

Policy

Terms of Reference – Kiama Council Grant Assessment Panel 2023

Consultation (internal)

Council's internal assessment panel has reviewed and scored the applications received for this round of funding using the assessment criteria. The panel consists of four staff from various departments of Council.

Communication/Community engagement

The program was promoted via Council digital communication channels (website, social accounts), a media release distributed, along with criteria and funding application form for a period of two weeks.

Attachments

Nil

Enclosures

Nil

Report of the Chief Executive Officer

13.2 Small Community Event Funding Program Assessment (cont)

RECOMMENDATION

That Council endorses the recommendations by the internal grant assessment panel for round two of the Small Community Event Grant program to the following value:

	Applicant	Event	Date	Value of support
1	Kiama Community Garden	Song-growing intergenerational initiative	13 May, 14 Jul, 16 Sep and 11 Nov	410
2	Jamberoo Preschool	AT – Culture Visit	27 May	1,200
3	Life Together	Intentional Living	24 Jul	350
4	Kiama High School	70 th Birthday Celebration	16 Nov	500
5	Kiama Rotary	Walk Against Domestic Violence	17 Nov	1,140
6	Kiama Rotary	2024 Christmas in July Trivia Night	26 Jul	900
7	Kiama Rotary	Festival of Choirs	13 Oct	1,500
TOTAL				\$6,000

Item 13.2

Background

The Small Community Event Grant Program opened its second and final round of funding for this financial year in February 2024.

The program closed for applications on 18 February 2024. Each applicant must meet the funding criteria detailed in the Guidelines and respond to questions that relate to such.

Each application is read by Council's *Internal Grants Assessment Panel (IGAP)* and scored individually. A moderated score is given to each application and a suggested funding allocation provided based on the scoring and perceived value based on the program objectives.

This is a dedicated funding program that solely focuses on small community events, designed to strengthen the support provided for community events in the local government area, with a clearer pathway for applicants seeking funding from Council and criteria that reflects the intent and outcomes. It also ensures there is an annual transparent and equitable application process through which community are to apply for funds.

The *Small Community Event Grant* aims to support event organisers to plan and deliver successful small community events that provide a benefit and strengthen the Kiama community, demonstrate value for money, aligns with Council's strategic goals and identified key priorities.

The fund is administered through an application process using the Smarty Grants portal and a weighted evaluation criterion is employed.

13.3 Finance Advisory Committee - Expressions of Interest for member vacancy and updated Terms of Reference

CSP Objective: Outcome 5.1: Public funds and assets are managed strategically, transparently, and efficiently

CSP Strategy: 5.1.2 Financial reporting is accurate, relevant and timely; to support decision makers and the community to understand how public funds and assets are managed.

Delivery Program: 5.1.2.1 Manage Council's financial sustainability through an increase of revenue and funding sources

Item 13.3

Summary

Following the resignation of one of the members of the Finance Advisory Committee an expressions of interest process was undertaken to select a replacement member.

Financial implication

There is no financial implication associated with selection of a Committee member. The Finance Advisory Committee is a voluntary committee.

Policy

Terms of Reference for the Finance Advisory Committee.

Consultation (internal)

Chair of the Finance Advisory Committee

Chief Executive Officer

Chief Operating Officer

Communication/Community engagement

NA

Attachments

- 1 EOI Finance Advisory Committee - Mr P Currie
- 2 EOI Finance Advisory Committee - Mr K Whiteman
- 3 DRAFT - Terms of reference - Finance Advisory Committee [↓](#)

Enclosures

Nil

RECOMMENDATION

That Council:

1. considers the two applicants, determining to appoint Mr P Currie to the Finance Advisory Committee and thanks Mr K Whiteman for his application.
2. adopts the revised Terms of Reference for the Finance Advisory Committee.

Report of the Chief Executive Officer

13.3 Finance Advisory Committee - Expressions of Interest for member vacancy and updated Terms of Reference (cont)

Expressions of interest

During its October 2021 meeting Council appointed 5 community members to the Finance Advisory Committee (FAC). On 1 February 2024 Council received advice that Mr James Thomson resigned from the FAC and a decision was made to undertake an Expressions of Interest process to fill the vacancy.

At the February 2024 Council meeting Council resolved to:

Invite expressions of interest from the community to fill the vacancy on the Finance Advisory Committee and recommend to the Finance Advisory Committee the preferred candidate for consideration, subject to Council's resolution.

Council received two Expressions of Interest from community members. Full copies of each application are included as confidential attachments.

Councillors are now asked to determine the membership of this committee.

Terms of Reference

Given the Performance Improvement Order (PIO) clearly includes the FAC, there is a need to consider extending the term of the Committee.

There is also significant risk if the FAC is to be disbanded. The loss of knowledge, current workload and the criticality of FAC continuity with an outgoing and soon to be incoming Council means it is imperative that momentum and knowledge is not lost.

This report recommends extending the terms of reference and timeframe for the FAC to coincide with the period the PIO is in place as a way to manage risks associated with the PIO.



Terms of Reference

Committee:	Finance Advisory Committee
Status:	Council committee <input checked="" type="checkbox"/> Statutory committee <input type="checkbox"/> Sunset committee <input type="checkbox"/> (specify the end date)
Purpose:	Role of the Committee is to: <ul style="list-style-type: none"> act in an advisory capacity to council on financial matters encourage sound financial practice and reporting for Kiama Municipal Council provide expert advice to Council and community on the long term financial sustainability of Council review the efficacy of Council's Long Term Financial Plan and strategies to sustainably deliver Council's financial objectives. review action plans aimed at delivering financial performance review service levels ensuring sustainable resourcing review and monitor Council's financial performance review and investigate opportunities proposed by Council officers or other committee members.
Objectives:	Objectives of the Committee are to: <ul style="list-style-type: none"> provide expert advice which informs the future financial sustainability of Council support and provide advice to Council's Chief Executive Officer and Chief Financial Officer act as a conduit between the community and Council on financial concerns make recommendations to Council on specific financial concerns and matters.
Committee Meetings:	Meetings are held every second month on the first Thursday of the month. While the Performance Improvement Order is in place bi-monthly presentations will be provided to Councillor briefings, subject to a Council decision on timing.
Venue:	Meetings will be held at the Kiama Council Chambers, other suitable venues as required or by video conference.
Membership:	<ul style="list-style-type: none"> Mayor 1 Councillor representative Chief Executive Officer Chief Operating Officer Chief Financial Officer 5 community members appointed by Council

Item 13.3

Attachment 3

24/4622

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Committee:	Finance Advisory Committee
	<p>Councillors can attend meetings as an observer.</p> <p>Other Council officers may attend by invitation from the Committee through the CEO for relevant items of discussion.</p>
Term of membership	<p>Non-Councillor membership of the Finance Advisory Committee will be for the period the Performance Improvement Order is in place.</p> <p>NB: a specified term does not preclude an incumbent from reapplying to serve on consecutive terms.</p>
Meeting quorum:	<p>A Quorum will be deemed to have been met under the following criteria:</p> <ol style="list-style-type: none"> 1. minimum of 50% plus 1 2. or per statutory requirements (if required).
Meeting administration:	<ul style="list-style-type: none"> • Meetings are to be chaired by a non-Councillor Committee member as elected by the committee and endorsed by Council. • The agenda and business papers will be circulated no less than five days prior to a scheduled meeting. • Minutes will be taken by a representative of Council. • Minutes are to be brief and focused on action items and advice. • Minutes shall be approved by the Chair and circulated to each member and to Councillors within two weeks of the meeting being held. • Minutes are required to be submitted to the next Ordinary Meeting of Council, immediately following the committee meeting, to be received and noted. • Recommendations from the meeting that require Council endorsement will be reported separately to the next Ordinary Meeting of Council, immediately following the committee meeting.
Selection of members	<p>When positions become vacant the selection of new committee members will be undertaken:</p> <ol style="list-style-type: none"> 1. through a public invitation for EOI by applicants 2. by consideration of applications by Council 3. by Council approval of successful applicants. <p>The following factors will be taken into consideration when determining members:</p> <ol style="list-style-type: none"> 1. the persons relevant experience and expertise 2. whether the person is a resident of the Kiama Local Government Area 3. there is a gender balance 4. there is representation from across the full Kiama geographical area 5. cultural and age diversity is represented 6. committee members are able to demonstrate that they are connected and representative" of the community.
Responsibility	<p>Committee members will:</p> <ol style="list-style-type: none"> 1. act in an advisory role to Council staff, the Council and Councillors on

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	<p>financial matters arising in performance of the role of the Committee</p> <ol style="list-style-type: none"> 2. provide strategic guidance on developing and implementing Council's financial management policies and strategies 3. provide information and analysis to Council on the sustainably funding performance of Council's functions 4. at all times comply with Council's Code of Conduct 5. at all times contribute in a positive and respectful manner 6. avoid disruption, contrary conduct or being wasteful of time and resources.
Conflicts of interest	<ul style="list-style-type: none"> • Conflicts of Interest are to be called as a matter of process. • Committee members must declare any conflicts of interest at the start of each meeting or before discussion of a relevant agenda item or topic. Details of any conflicts of interest shall be appropriately noted. • Committee members must complete a declaration of interest form. • Where members or invitees at Committee meetings are deemed to have a real or perceived conflict of interest, it may be appropriate they be excused from Committee deliberations on the issue where the conflict of interest may exist. • Where there is a conflict, Council's Code of Conduct will be adhered.
Code of Conduct	At all times Councillors, employees, contractors, volunteers, Council committee members, delegates of Council and Council advisors must comply with Council's Code of Conduct.
Termination of membership	<p>Non-Councillor member positions will be declared vacant/terminated when a member:</p> <ol style="list-style-type: none"> 1. completes their designated term and retires from the committee 2. completes their term and is not re appointed 3. resigns their membership, in writing, to the Chairperson 4. fails to attend more than 75% of scheduled meetings unless granted special leave of absence by the Chairperson 5. acts in a way that is contrary to their responsibility as outlined (above). <p>NOTE: Council on the recommendation of the committee chairperson reserves the right to terminate appointments in instances where behaviour is considered excessively disruptive and contrary, is a breach of the Code of Conduct, is deemed inappropriate or is regarded as failing to provide productive and valued input.</p>
Process for termination of membership	Where a (non-Councillor or staff) committee member's behaviour is considered unsatisfactory and contrary to their responsibilities (identified above), the Chairperson will draw this to the attention of the relevant committee member and reinforce the required level of conduct. The Chairperson will make a written record of this and provide to a relevant council officer for recording. The committee member will be able to sight

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	<p>and sign the written record.</p> <p>Where there is re-occurrence of unsatisfactory behaviour the committee member will be warned formally in writing by the Chairperson. Counselling (to be provided by the General Manager or Public Officer) will reinforce the standard of conduct expected as well as the implications of the behaviour on the committee members and Council. In addition counselling will reinforce potential for termination from the committee should the behaviour continue. A written record shall be kept of the formal warning and counselling.</p> <p>If the committee member's behaviour does not improve after the formal warning and counselling, the committee member's appointment may, on the recommendation of the Chairperson, be terminated by Council resolution.</p>