

City of Hobart

# Policy

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**Title:** Elected Member Issue Resolution

**Category:** Corporate Governance

**Date Last Adopted:** 24 February 2020

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## 1. Overview

Elected members recognise that the democratic process of local government involves holding, and expressing, different and sometimes opposing viewpoints.

It is a normal, and vital function of this process that all views are expressed and shared in a considered and informed way.

Although all elected members must strive to engage in positive, constructive and respectful interactions, issue, conflict and/or disputes may arise.

The primary purpose of this issue resolution policy is to provide elected members with support to resolve issues, conflicts or disputes in a manner that enables them to move forward and establish and maintain effective working relationships, so as not to damage the reputation or overall performance of the Council or any individuals.

This policy should be read in conjunction with the City of Hobart's Code of Conduct and the following Council policies relating to elected members:

- Code of Conduct
- Elected Member Development and Support Policy;
- Elected Member Fitness to Undertake Duties Policy
- Elected Member Behaviour Policy
- Meeting Procedures Policy

Regular training and development will be provided to elected members to ensure awareness and adherence to the Code of Conduct and elected member policies.

## 2. Scope

The intent of this policy is to provide an elective framework for Hobart City Council elected members who wish to resolve an issue, conflict or dispute with another elected member, or members, in an informal, conciliatory manner.

In the interests of maintaining good governance of our capital city and earning the highest level of confidence in our elected members from our community, the Hobart City Council has endorsed this Elected Member Issue Resolution policy as a complimentary document to the Elected Member Behaviour Policy and as a first recourse prior to the use of the legal framework of the Code of Conduct.

The policy does not displace any external avenues provided for by legislation for the reporting and resolution of issues and disputes. The Code of Conduct sets out avenues for reporting real or perceived breaches by elected members.

The policy does not deal with allegations of criminal misconduct as they are to be raised with the relevant authority.

### **3. Elected Member Issue Resolution Undertaking**

In the interests of ensuring that the Hobart City Council operates as effectively as possible it is important that all elected members recognise that they hold an individual and collective responsibility to demonstrate a high standard of conduct in undertaking their duties as representatives of the community.

Where there may be interpersonal issues, conflict and disputes, the first recourse in addressing differences should involve an informal proactive approach, recognising the need for the respectful treatment of colleagues at all times.

Prior to commencing a formal Code of Conduct Complaint, elected members who are parties to any disagreement should endeavour to resolve their differences through informal discussion, recognising that they have been elected to act in the best interests of the community.

### **4. Issue Resolution Options**

Where appropriate, elected members who are parties to an issue, conflict or dispute are encouraged to use their best endeavours to resolve their issue, conflict or dispute in a courteous and respectful manner, between themselves, stop any behaviour that is causing issues, conflict or dispute and avoid them escalating and threatening the effective operation of Council.

Where elected members have not been able to resolve their issue between themselves, the following informal options are available:

#### **4.1 Principal Conduct Officer**

The General Manager will nominate a Principal Conduct Officer (PCO) who

will act as the first point of contact for elected members who wish to pursue informal issue resolution, with Council's assistance.

The PCO will be a senior employee of the City of Hobart, experienced in the political environment of Council and familiar with the roles and functions of the organisation and elected members.

The PCO will assist elected members in discussing available options which could provide positive outcomes, or may facilitate any other necessary arrangements to support the best possible outcomes.

## **4.2 Respectful Conduct Advisor**

Upon the request of an elected member, a Respectful Conduct Officer (RCA), who is not an employee of the City of Hobart, may be assigned to support elected members' participate in informal resolution processes.

The role of the RCA would be to provide support and practical assistance to elected members, individually or collectively.

In selecting persons to act in the capacity of RCA, the General Manager will take into account the nature of the issue under discussion, an appropriate skills-set within the local government context, experience in issues resolution and interpersonal skills which can most likely assist in resolving matters of conflict.

## **4.3 External Assistance**

Elected members wishing to undertake informal issue resolution may, in discussion with the PCO or RCA seek assistance from the Council's Employee Assistance Program provider(s), an independent facilitator, mediator, counsellor or such other assistance which they may consider appropriate in resolving the issue at hand.

Where an issue cannot be resolved in an informal manner, the formal Code of Conduct process may provide the next steps for the parties involved.

## **5. Elected Member Commitment to the Policy**

In accordance with the Council's endorsement of the Code of Conduct, the Elected Member Behaviour, Issues Resolution and Elected Member Fitness to Undertake Duties policies, elected members are required, upon election (and in circumstances where the policies may be changed by the Council) to commit their adherence to the Code of Conduct and policies which relate to elected member behaviour and support.

### **Elected Member Attestation:**

I acknowledge that I have been elected by the community to a position of significant responsibility with the expectation that I will act in accordance with the principles and behaviours of good governance and demonstrate values which are accepted within our society.

I declare my commitment to abide by this expectation by attesting my adherence to the Elected Member Issues Resolution Policy.

## **6. Policy Review**

This policy will be reviewed every twelve months, at which time, the Council will review its policies applying to elected members to ensure that they continue to meet the standards required by the Council and expected by the community.