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## ELECTED MEMBERS POLICIES

### Council Delegates: Roles & Responsibilities



Policy Number:	E4
Relevant Delegation:	Not Applicable
Adoption Details:	28 January 2016
Last Review Details:	25 February 2025

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#### **POLICY OBJECTIVE:**

To provide guidance to Council on the selection of delegates to external committees, organisations, bodies or agencies and guidance to Councillors on their required roles and responsibilities in fulfilling their role as delegates.

#### **POLICY SCOPE:**

This policy applies to all delegates appointed to external committees, organisations, bodies or agencies.

Matters relating to the Joint Development Assessment Panel fall outside the scope of this policy.

#### **POLICY STATEMENT:**

#### **INTRODUCTION**

The Shire of York provides delegate representation on a range of external committees, organisations, bodies or agencies including but not limited to those outlined in the Shire of York Councillor Representation on Committees document.

This policy sets out the roles and responsibilities delegates must adhere to when fulfilling their role as a delegate.

Being a Council Delegate representing the Shire of York is an important role and carries with it a high level of responsibility. It is important to ensure that the most appropriate person is appointed for a delegate(s) position and that clear guidance is given on the obligations of the role.

#### **PRINCIPLES**

- (a) Where a matter arises requiring a decision which may be inconsistent with established policies, strategies or vision, these matters will always be referred to the Council for discussion and direction and any pressures for an early decision on such matters will be withstood.
  - (b) Sign-off of any joint document involving the Shire of York must be achieved via formal Council resolution unless formally delegated by the Council.
  - (c) Where possible but within these parameters, delegates will have the ability to explore new ideas and possible solutions freely, and to achieve consensus with other members.
  - (d) Delegates will always advocate for their community but will also seek where possible wider outcomes which benefit other communities, provided the interests of the Shire of York community are not adversely affected.
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- (e) Councillors who are private members of an organisation receiving financial assistance from Council, or with a financial interest in the outcomes of any its deliberations, will not be appointed as a delegate to that organisation.

## PROVISIONS

### 1. APPOINTMENT OF DELEGATES

- 1.1 Council will consider the appointment of a delegate(s) in the following circumstances:
- (a) where the external committees, organisations, bodies or agencies represents state or regional interests that are likely to have an impact on the Shire of York.
  - (b) where the external committees, organisations, bodies or agencies is considering or working on a matter or issue of significant strategic interest to the Council. Note: this may be confined to local interests, involve state or regional matters, or be issue based at any level.
  - (c) where the external committees, organisations, bodies or agencies represents local interests and the Council has a direct financial or strategic interest in the affairs of that group.
  - (d) where the external committees, organisations, bodies or agencies represents local interests and the group occupies Council property.
- 1.2 The Council will review its appointment in conjunction with the ordinary local government election cycle.
- 1.3 The Chief Executive Officer (CEO) will call for the nomination of delegates to all relevant external committees, organisations, bodies or agencies as soon as possible after the local government ordinary elections and appointment of Councillors to their positions via a report to Council. Where a position arises outside this process, a report will be presented to the next practicable Ordinary Meeting of Council following notification of the position coming available.
- (a) Where there are more nominations than vacancies, the Shire President will conduct a secret ballot using the first past the post system to establish the preferred delegate or delegates to fill the position. In the event of a tied vote for a position, lots will be drawn by the Shire President to determine the preferred delegate.
- 1.4 The preferred delegate(s) will be appointed to the vacant position(s) and the next preferred delegate(s) will be appointed as deputy for the position(s).

### 2. DELEGATE ROLES AND RESPONSIBILITIES

- 2.1 Where a Councillor has been appointed as Council's delegate they shall:
- (a) understand that their appointment is as a representative of Council and is by virtue of their position on Council.
  - (b) ensure their availability to attend scheduled meetings, and where they are unable to do so, provide a prior apology to the respective Presiding Member.
  - (c) provide timely notice of anticipated absences to any deputy delegate(s) where appointed.
  - (d) ensure that in participating and contributing to decision making of the external committees, organisations, bodies or agencies the delegate communicates and votes in
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accordance with Council's formally established position on matters presented to the external committees, organisations, bodies or agencies.

- (e) perform the functions and duties of a delegate in accordance with the principles set out in this policy and the Shire's Code of Conduct for Council Members, Committee Members and Candidates (Policy E1).
- (f) keep Council informed of the activities and achievements of the external organisation in a timely manner, as required.
- (g) bring any significant matters to Council for discussion and direction where any matter may fall outside any formally established Council position or known strategic direction.

2.2 Where a delegate has failed to attend three (3) successive external organisation meetings, with or without apology, during a period where leave of absence has not been granted, the Council may consider appointing a replacement delegate to ensure the purpose and integrity of Council's participation in the external organisation is maintained.

2.3 If a delegate is unable to fulfil their commitment to an external committee, organisation, body or agency the delegate must advise the Chief Executive Officer to enable Council's consideration of appointing a replacement delegate, and subsequent formal advice to the external organisation provided in a timely way.

## **PENALTIES:**

Not applicable.

## **KEY TERMS/DEFINITIONS:**

Not applicable.

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Responsible Officer: Chief Executive Officer

Contact Officer: Council & Executive Support Officer

Relevant Legislation: *Local Government (Model Code of Conduct) Regulations 2021*

Review History:

<b>Date Review Adopted:</b>	<b>Resolution Number</b>
Adopted – 28 January 2016	
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