

12.2 OUTCOME OF ADVERTISING AND ADOPTION OF NEW POLICY - POLICY DEVELOPMENT AND REVIEW POLICY

- Attachments:**
1. **Summary of submissions**
 2. **DRAFT - Policy Development and Review Policy - clean version**
 3. **DRAFT - Policy Development and Review Policy - marked up**
 4. **Policy 4.1.1 - Policy Manual, Adoption and Review**

RECOMMENDATION:

That Council:

1. **NOTES** the submission received in relation to the Policy Development and Review Policy, at Attachment 1; and
2. **ADOPTS** the Policy Development and Review Policy at Attachment 2; and
3. **REPEALS** Policy 4.1.1 - 'Policy Manual – Adoption and Review' at Attachment 4.

PURPOSE OF REPORT:

To present the outcome of public consultation and seek approval of the proposed Policy Development and Review Policy at **Attachment 2** and repeal of Policy 4.1.1 - Policy Manual – Adoption and Review (Policy 4.1.1).

BACKGROUND:

In early 2020 Administration commenced a review of reviewed Policy 4.1.1 and presented the outcome of the review, including a draft new policy to the 15 September 2020 Council meeting. Council approved inviting public comments on the proposed new Policy and Development Review Policy, which would replace Policy 4.1.1.

In undertaking the review, and in consultation with Elected Members, Administration developed a broadened policy that provides extensive guidance on the development, implementation, review and repeal of the City's Strategies, Policies and Action Plans.

The proposed policy identifies the legislative hierarchy of governing documents and proposes to align all documented City positions (strategies, policies and action plans) to the priorities of the City's [Strategic Community Plan](#) (SCP).

Alignment to the priorities of the SCP will assist Council, Administration and the community in clearly identifying the delivery and implementation of the community's long-term vision.

DETAILS:

In accordance with the Policy 4.1.1 public notice was provided from 26 September 2020 to 26 October 2020, which is in excess of the 21 days required, in the following ways:

- Perth Voice – 26 September 2020;
- Eastern Reporter (Vincent and Stirling) – 24 September 2020;
- on the City's website and social media 24 September 2020; and
- on the notice board at the City's Administration and Library and Local History Centre - 24 September 2020.

Administration received one submission, as summarised at **Attachment 1**.

Clause 4.3 has been updated in response to this submission and is shown in blue in the marked-up version at **Attachment 3**.

Minor administrative amendments have also been made and are shown in red in the marked-up version at **Attachment 3**.

A clean version of the policy is at **Attachment 2**.

CONSULTATION/ADVERTISING:

No further consultation is required.

LEGAL/POLICY:

City's Policy 4.1.1 sets out the process for repealing and adopting policies.

City Policy 4.1.5 – *Community Consultation* specifies the community consultation required.

RISK MANAGEMENT IMPLICATIONS:

LOW Adopting the proposed amendments to this policy is low risk as it aligns with the *Local Government Act 1995* and the objectives of the policy.

STRATEGIC IMPLICATIONS:

This is in keeping with the City's *Strategic Community Plan 2018-2028*:

Innovative and Accountable

Our community is aware of what we are doing and how we are meeting our goals.

We are open and accountable to an engaged community.

SUSTAINABILITY IMPLICATIONS:

Nil.

PUBLIC HEALTH IMPLICATIONS:

Nil.

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

Submission Summary – Policy Development and Review Policy	
Summary of public comment	Administrations response
<p>Does not support clause 4.3.– 'which is to be determined by Council'.</p> <p>Stated that there have been examples in the past where Council decided not to advertise policy changes for spurious reasons.</p>	<p>The intention of clause 4.3 is to allow Council to determine consultation requirements in addition to the requirements of the Community Engagement Policy.</p> <p>Clause 4.3 has been updated to address this.</p>
<p>Does not support clause 4.5.</p> <p>Noted that in the past, when a policy was approved for advertising, the recommendation often said that if no submissions were received from the public, the policy would be adopted without being presented to Council.</p> <p>Stated that the aim of this statement was to improve efficiency/timeliness, and to encourage Elected Members and Administration to read the policy before it was advertised, and not to rely on the community fixing up poorly drafted changes.</p>	<p>Noted.</p> <p>Clause 4.5 provides an opportunity for Administration to document the community consultation process that was undertaken.</p>

POLICY DEVELOPMENT AND REVIEW POLICY



CITY OF VINCENT

Legislation / local law requirements	Section 2.7 of the <i>Local Government Act 1995</i> Policy 4.1.5 – Community Consultation - appendix 2
Relevant delegations	Nil
Related policy procedures and documents	Local Government Decision Making Hierarchy – D20/148390 Policy Register and Review Plan – (to be updated) Policy Development and Review Procedure – D20/84189 Policy Development and Review Guidelines – D20/84086 Policy Template – D20/84083 Procedure Template – D20/84084

PURPOSE

To provide guidance on the development and review of the City's strategies, policies and action plans (**policy documents**) to achieve transparent and consistent decision making which aligns with the City's objectives, strategic priorities and legislative requirements.

OBJECTIVES

To:

- identify the hierarchy of governing documents that drive the delivery of the community's long-term vision as set out in the City's Strategic Community Plan (**SCP**);
- align the City's policy documents with the priorities of the SCP; and
- guide Council and Administration on the development, consultation requirements, implementation, review, amendment and repeal of policy documents.

SCOPE

This policy applies to the development and review of policy documents by the City.

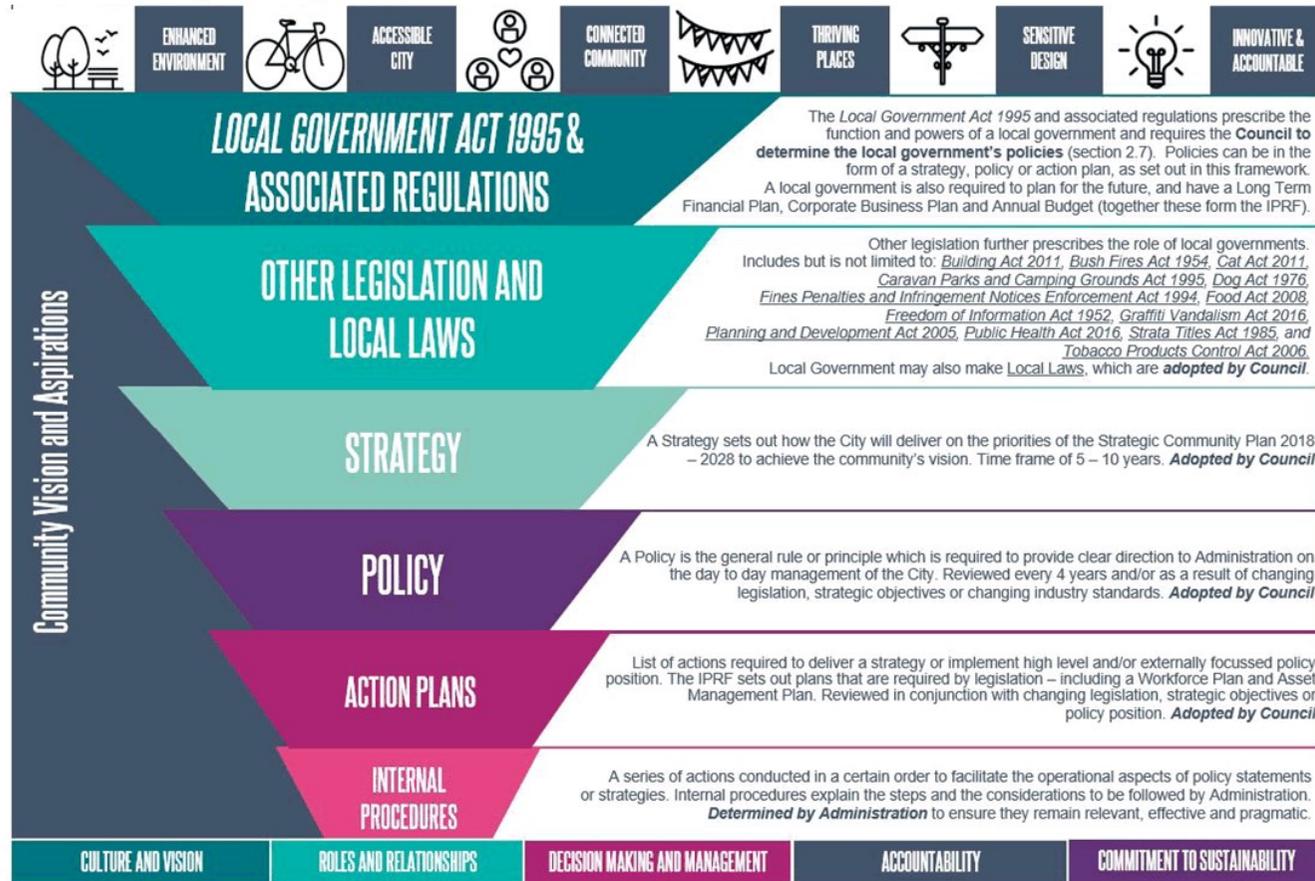
LOCAL GOVERNMENT HIERARCHY

The below hierarchy of documents drives the delivery of the City's long-term vision, as set out in the SCP. It also establishes the process by which each policy document is developed and reviewed in consultation with the community.

POLICY DEVELOPMENT AND REVIEW POLICY



Local Government Decision Making Hierarchy



POLICY DEVELOPMENT AND REVIEW POLICY



POLICY

1. Objective and Agenda Setting

1.1 the development of a policy document is required to establish the City's objective or agenda on an issue or to provide further guidance in respect to a legislative requirement. The following may result in the requirement for the City to form and document an objective or agenda position through a policy document:

- a legislative requirement;
- new or changing industry standards;
- to meet the City's strategic objectives;
- there is a community need or expectation; or
- as a result of a Council resolution.

1.2 documenting the City's objective or agenda should result in:

- clarity and consistency in decision making;
- improved efficiency and effectiveness; or
- improved customer and community outcomes.

1.3 objective and agenda setting must occur in consultation with Elected Members. Elected Members will be provided with the following information:

- a draft objective for the policy document;
- the requirement for a documented City position (including evidence of a community need or legislative requirement);
- how the objectives align with the SCP;
- examples of current / best practice;
- proposed level of community engagement required;
- an evaluation of the effectiveness of any existing relevant policy documents;
- an assessment of where the proposed document sits within the local government decision making hierarchy;
- the proposed review timeframe and expiry period, if applicable; and
- any financial impacts arising from the proposed policy document, including any impact on the adopted budget or the City's Long-Term Financial Plan.

2. Policy Document Hierarchy

- 2.1 depending on the nature of the objective or agenda, it may be appropriate to prepare one or more policy documents;
- 2.2 the purpose of a strategy is to set out at a high level how the City will deliver on the long-term priorities of the SCP to achieve the community's vision;
- 2.3 the purpose of a policy is to provide a general rule or principle to guide Administration and the community on the City's decision making and advocacy;
- 2.4 the purpose of an action plan is to set the pathway or process to deliver a strategy or implement high level and/or externally focused policy positions; and
- 2.5 policy documents must align with one or more objectives in the SCP.

POLICY DEVELOPMENT AND REVIEW POLICY



3. Content of Policy Documents

Policy documents should be:

- 3.1 consistent with the City's strategic priorities, values, and risk appetite and tolerance;
- 3.2 compliant with relevant legislation and any State policies and schemes;
- 3.3 consistent with the City's Writing Style Guide; and
- 3.4 written in plain English and convey clear and concise direction.

4. Consultation

- 4.1 the formation of an objective or agenda position is to occur in consultation with Elected Members, as specified in clause 1.3;
- 4.2 following objective or agenda setting the development of a policy documents will incorporate consultation with relevant statutory and regulatory agencies and any other key stakeholders (including preliminary community engagement if required) that may be impacted by the proposed policy document;
- 4.3 draft policy documents will then be presented to Council for approval and authorisation to commence community consultation. All proposed changes, other than those covered by clause 5.6, will be advertised in accordance with, but not limited to, the requirements of the City's Community Engagement Policy;
- 4.4 a summary of submissions received and Administrations response to submissions will be presented to Council along with a recommendation that the policy document is either adopted as originally presented, or adopted with amendments based on the submissions received;
- 4.5 if no submissions are received a report is prepared for Council advising this, and recommending that the policy document is adopted; and
- 4.6 once adopted all policy documents are to be included in the City's Local Government Hierarchy, recorded in the City's Policy Document Register and Review Plan.

5. Review

- 5.1 Policy documents are to be reviewed at least every four years, or more frequently as specified in the document (and reflected in the Policy Document Register and Review Plan);
- 5.2 the policy document review process includes a review of where the document sits in the Local Government Hierarchy;
- 5.3 the City's Policy Document Register and Review Plan is to be reviewed annually by Administration, with a report presented to Council at the outcome of the annual review;
- 5.4 the outcome of each policy document review is to be presented to Elected Members for review and comment. This includes a review which results in no recommended change to the document content or position in the local government hierarchy;
- 5.5 the outcome of each review is to be noted in the policy document and recorded in the City's Policy Document Register and Review Plan;

POLICY DEVELOPMENT AND REVIEW POLICY



- 5.6 if minor amendments to a policy document are required these can be made administratively. Minor amendments are amendments that are not of a substantive nature, and include grammatical and formatting changes, changes to positions, titles or organisation structure and legislative references or requirements;
- 5.7 any substantive amendments, which are changes to the policy document content, require the approval of Council in the same manner as a new policy document would which includes community consultation in accordance with clauses 4.1 to 4.6; and
- 5.8 Council approval of the repeal of a policy document is required.

OFFICE USE ONLY	
Responsible Officer	Executive Manager Corporate Strategy and Governance.
Initial Council adoption	DATE: <APPROVAL DATE>, REF# <TRIM REF>
Reviewed / Amended	DATE: <APPROVAL DATE>, REF#: <TRIM REF>
Next Review Date	DATE: <REVIEW DATE>.

POLICY DEVELOPMENT AND REVIEW POLICY



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PURPOSE

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OBJECTIVES

To:

- identify the hierarchy of governing documents that drive the delivery of the community’s long-term vision as set out in the City’s Strategic Community Plan (**SCP**);
- align the City’s policy documents with the priorities of the SCP; and
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SCOPE

This policy applies to ~~Elected Members and Administration~~ the development and review of policy documents by the City.

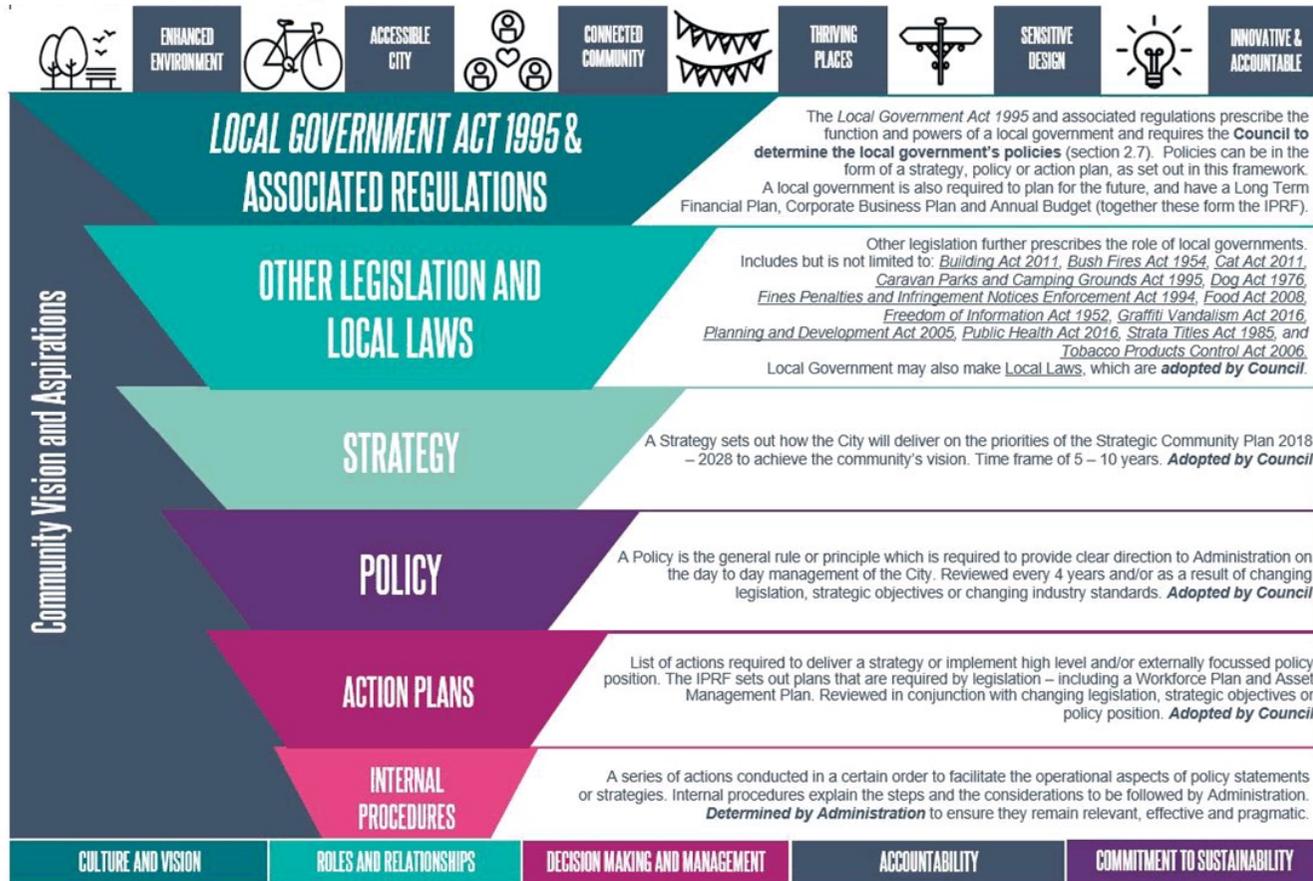
LOCAL GOVERNMENT ~~FRAMEWORK~~ HIERARCHY

The below hierarchy of **policy** documents drives the delivery of the City’s long-term vision, as set out in the SCP. It also establishes the process by which each policy document is developed and reviewed in consultation with the community.

POLICY DEVELOPMENT AND REVIEW POLICY



Local Government Decision Making Hierarchy



POLICY DEVELOPMENT AND REVIEW POLICY



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- a legislative requirement;
 - new or changing industry standards;
 - to meet the City's strategic objectives;
 - **there is a** community need or expectation; or
 - as a result of a Council resolution.
- 1.2 documenting the City's objective or agenda should result in:
- clarity and consistency in decision making;
 - improved efficiency and effectiveness; or
 - improved customer **and** community outcomes.
- 1.3 objective and agenda setting **is to must** occur in consultation with Elected Members. Elected Members will be provided with the following information:
- a draft objective for the policy document;
 - **detail** the requirement for a documented City position (including evidence of a community need or legislative requirement);
 - **how the objectives alignment** with the SCP;
 - examples of current / best practices;
 - proposed level of community engagement required;
 - **an** evaluation of the effectiveness of any existing **relevant** policy documents;
 - an assessment of where the proposed document sits within the local government decision making hierarchy;
 - **the** proposed review timeframe and expiry period, if applicable; and
 - any financial impacts arising from the proposed policy document, including any impact on the adopted budget or the City's Long-Term Financial Plan.

2. Policy Document Hierarchy

- 2.1 depending on the nature of the objective or agenda ~~that requires documenting, a it may be appropriate to prepare one or more~~ policy documents, ~~than one of these, may be appropriate.~~
- 2.2 the purpose of a strategy is to set out at a high level how the City will deliver on the long-term priorities of the SCP to achieve the community's vision.
- 2.3 the purpose of a policy is to provide a general rule or principle to guide Administration and the community on the ~~City's decision making and advocacy-operational-aspects-of-the-City.~~
- 2.4 the purpose of an action plan is to set the pathway or process to deliver a strategy or implement high level and/or externally focused policy positions.
- 2.5 policy documents must align with one or more objectives in the SCP.

POLICY DEVELOPMENT AND REVIEW POLICY



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- 4.3 draft policy documents will **then** be presented to Council for approval and authorisation to commence community consultation; ~~which is to be. All proposed changes, other than those covered by clause 5.6, will be advertised in accordance with, but not limited to, the requirements of the City's Community Engagement Policy; determined by Council~~
- 4.4 ~~any summary of~~ submissions received ~~and Administrations response to submissions as a result of the public consultation period~~ will be presented to Council along with a recommendation that the policy document is either adopted as originally presented, or adopted with amendments based on the submissions received;
- 4.5 if no submissions are received a report is prepared for Council advising this, and recommending that the policy document is adopted; and
- 4.6 once adopted all policy documents are to be included in the City's Local Government Hierarchy, recorded in the City's Policy Document Register and Review Plan, **and published as necessary.**

5. Review

- 5.1 Policy documents are to be reviewed at least every four years, or more frequently as specified in the document (and **also specified reflected** in the Policy Document Register and Review Plan);
- 5.2 the policy document review process includes a review of where the document sits in the **Local gGovernment hHierarchy**;
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Next Review Date	DATE: <REVIEW DATE>.

POLICY NO: 4.1.1**POLICY MANUAL – ADOPTION AND REVIEW OF POLICIES****OBJECTIVES**

To:

- provide the Council with a formal written record of all policy decisions;
- provide Employees with precise guidelines in which to act in accordance with the Council's direction;
- enable Employees to act promptly in accordance with Council's requirements, but without continual reference to Council;
- enable the Council to maintain a continual review of Council Policy decisions and to ensure they are in keeping with community expectations, current trends and circumstances; and
- enable ratepayers to obtain immediate advice on matters of Council Policy.

POLICY STATEMENT

Section 2.7 of the Local Government Act 1995 prescribes part of the role of a Council is to "determine the local government's policies".

The Act does not define the term "policy" and hence, for the purpose of the City it shall mean:

"A general rule or principles, adopted by the Council to provide clear direction to Employees for the day to day management of the local government, to be applied in the exercise of a function under which authorisation may, or is to, be given or authorised or give direction to the City to align with community values and aspirations.

Policies set a guiding direction for the management of the City and establish a fair and cohesive approach to solving issues. Policies help to ensure fair and equitable decisions are made and that strategies are established and understood by all.

Policies adopted by the City of Vincent will enable the more efficient and effective use of the City's resources and will enable Employees and the Council to make decisions based on the principles of equity, fairness, natural justice, transparency of decision making and good government as well as meeting statutory requirements."

1. Policy Development

Where a matter for consideration by the Council is identified as having longer term policy implications, the appropriate staff shall develop a policy for Council's consideration. Where feasible, this will be undertaken in conjunction with the matter under consideration with a report outlining principles and issues of the policy proposal being prepared, together with a draft policy for inclusion in an Ordinary Council Meeting Agenda for consideration by the Council.

If the Council requests the development of a new policy, a background report outlining principles and issues of the policy proposal shall be prepared by staff, together with a draft policy (if appropriate) for inclusion in an Ordinary Council Meeting Agenda for consideration by the Council.

New policies or amendments to existing policies shall be made only on:

- (a) An Agenda Report clearly setting out details of new or amended policies;
- (b) *“Motions of Which Previous Notice has been Given”* from Elected Members and approved by the Council.

2. Proposed New Policies and Major Amendment to Existing Policies

New policy development shall incorporate consultation with:

- Elected Members;
- appropriate senior Staff;
- relevant statutory and regulatory agencies; and
- any other stakeholders relevant to the policy proposal.

After approval in principle by the Council, all proposed new policies and major amendments to existing policies are to be advertised for community consultation for a minimum of twenty-one (21) days.

At the conclusion of the community consultation period, the Council is to consider all written submissions received via a report from the Chief Executive Officer.

If no public submissions are received, the amended/draft policy is to be included into the City's Policy Manual.

3. Minor Amendments to Existing Policies

Minor amendments to existing policies shall be carried out via the standard reporting process in the Agenda for Ordinary Council Meetings.

4. Review of Policies

All policies within the Policy Manual shall be reviewed every five (5) years and a report presented to Council detailing proposed changes, if any.

This does not, however, limit the review of individual policies during the year if identified as requiring review and/or amendment prior to the next review date.

5. Increase by Consumer Price Index for Financial Amounts

All financial amounts in the City's policies will be increased by the Consumer Price Index (Perth) on 1 July each year, without the need to formally report to the Council.

6. Use of Titles, Organisational Names and the like

The Chief Executive Officer is authorised to amend policies to reflect any change in titles, organisational names, legislation description or reference and the like, without the need to formally report to the Council.

Date Adopted:	23 January 2007
Date Amended:	-
Date Reviewed:	28 February 2012
Date of Next Review:	February 2017