



SUPPLEMENTARY BUSINESS PAPER

(Late Item Memo - Item 12)

GENERAL MEETING

Wednesday 14 October 2020

at 6:30PM



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ITEM 12 QWN1/20 - Council Decisions

ASKED BY COUNCILLOR TILBURY

To the General Manager:

Noting that my Notice of Motion No. NOM15/20 – Council Decisions – was not supported by Council at the 9 September 2020 General Meeting and noting that Council has a number of policies in place to guide Councillors' interaction with, and response to, members of the community, can the General Manager advise what avenues are available to ensure consistent and equitable treatment to all our constituents. Is there opportunity to amend any of these policies to include specific guidelines so that particular individuals or groups do not receive a disproportionate amount of attention and time from Councillors and/or staff, particularly when similar concerns continue to be raised by the one person or group.

Response

There are a number of internal and external publications and documents which guide Hornsby Shire Councillors' interaction with, and response to, members of the community. Such guidelines provide a basis to ensure a consistent and equitable treatment of all constituents.

The guiding publications and documents include the:

- Local Government Act
- Office of Local Government's (OLG) Councillor Handbook
- OLG's Stand for Your Community publication
- Independent Commission Against Corruption (ICAC) Guide – Lobbying local government councillors
- Council's Code of Conduct
- Council's Community Engagement Strategy
- Council's Code of Meeting Practice
- Council's Complaints Handling Policy
- Council's Customer Service Policy

The two main Council policies dealing with the treatment of customers and constituents in respect of Council decisions and services are the Customer Service Policy and the Complaints Handling Policy.

The Customer Service Policy advises that:

- Council acknowledges its diverse range of customers and will endeavour to provide fair, effective and appropriate customer service irrespective of individual background and difference
- Staff and Councillors will strive to meet the needs of customers in a friendly, professional and ethical manner with courteous and efficient service
- Council will respond to all correspondence within 14 days
- Staff should keep the customer reasonably informed of progress on matters that require lengthy action or investigation

The Complaints Handling Policy sets customer expectations for the management of complaints and provides guidance in respect of:

- The lodgement of complaints
- Customers who cannot be satisfied
- Customers who make unreasonable demands
- Customers who constantly raise the same issues with different staff
- Customers who are rude, abusive or aggressive
- Limiting a customer's access to Council

Whilst Council has an opportunity to review its policies at any time, and in any case every two years, it is felt that the Customer Service and Complaints Handling Policies adequately provide avenues to ensure that particular individuals or groups do not receive a disproportionate amount of attention and time. Notwithstanding, should Council consider that a change to the Policies is necessary, this needs to be formally considered and resolved by Council.

Under the current Complaints Handling Policy, the General Manager has authority to deal with customers who cannot be satisfied; customers who make unreasonable demands; customers who constantly raise the same issues with different staff; and customers who are rude, abusive or aggressive. The General Manager also has authority to limit a customer's access to Council.

If such action is deemed necessary by the General Manager, an appropriate mechanism exists for the customer to be contacted and their views sought on the intention to limit their access to Council. The customer's views would then be required to be taken into account prior to a final decision on access being made. This approach is in line with the NSW Ombudsman's Manual on the matter and requires that OLG and NSW Ombudsman be provided with details of Council's intent and final decision.

If a Councillor or staff member believes that action should be commenced against a customer in line with Council's Complaints Handling Policy, it is important that I be provided with details of the relevant concerns so that a decision can be made about what action needs to be taken. Front line staff receive training in effective ways of servicing customers including dealing with difficult people. Training is available for Councillors should they wish to further develop their skills in effectively engaging with the community.

Apart from the above, a further mechanism to ensure that particular individuals or groups do not receive a disproportionate amount of attention and time from Councillors and/or staff is contained in the Public Forum section of Council's Code of Meeting Practice.

Although only used sporadically by the current Council, previous Councils have used the mechanism to assist Councillors with understanding the extent of community input being represented by an individual public speaker. Under the provisions of the Code, when a member of the public advises they are representing the community or speaking on behalf of a community group during Public Forum, the Mayor/Chairperson is able to invite the speaker to provide details about:

- The name of the group
- What position they hold in the group
- The number of members in the group
- The authorisation by the group to make representation to Council on the matter

It is open for Council to utilise this provision more often at future General Meetings if considered necessary.

Having regard to the above, a Councillor's role as an elected representative is to provide an essential link between the community and Council. In doing this, Councillors must attempt to find a balance between their obligation to represent the interests of individual constituents and the need to make decisions which most appropriately reflect the needs and desires of the whole community.

STEVEN HEAD
General Manager
Office of the General Manager

Attachments:

There are no attachments for this report.

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