



28 February 2024

Mr Tim Fraser
Executive Director
Department of Local Government, Sport and Cultural Industries
Gordon Stephenson House
140 William Street
PERTH WA 6000

By email – mustafa.yildiz@dlgsc.wa.gov.au

Dear Tim,

City of Melville Response to Governance Concerns – Additional Matters.

With reference your correspondence dated 31 October 2023, received by the City via email 6 November 2023, which highlighted further matters to be considered by the City of Melville for inclusion in the City's Governance Improvement Plan 2023-2024, adopted by the Council on 15 August 2023.

I also take this opportunity to refer to my correspondence dated 29 November including a request for an extension to respond to the matters raised in Department's correspondence of 31 October 2023, which was granted in Mr Yildiz's email of 11 December 2023.

With respect to the additional governance concerns, I am pleased to advise that at the Ordinary Meeting of Council held 20 February 2024, the Council considered Item C24/111 DLG Governance Concerns – Additional Matters, where it unanimously resolved:

"That the Council adopt and endorse the updated City of Melville Governance Improvement Plan 2023/2024 addressing the additional items raised by the Department of Local Government, in correspondence dated 31 October 2023, and confirms its commitment to working in a collaborative manner to ensure the good governance for the community of the City of Melville and the local government sector as a whole."

A copy of the updated City of Melville Improvement Plan 2023/2024 is attached, and for ease of reference, I provide a summary of the responses to the additional concerns raised, as presented to the Council, below:

| Issue: | Response: |
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| Communication – Council member queries and request for information. Council to adhere to respectful discussion and professional interactions with CEO and staff. | |
| <ul style="list-style-type: none">o Develop policy and process for information requests between council members and CEO (communication protocols) | A Draft Communication Agreement with Elected Members has been developed for workshopping with Elected Members. |
| <ul style="list-style-type: none">o Consider including questions and answers in Agenda Briefing Forum notes. | Currently reviewing the structure of OMC reports with report writers/users via survey. Will consider options to include information from Agenda Briefing Forum in the Council Agenda for discussion with Elected Members and Senior Leadership Team |
| <ul style="list-style-type: none">o Consider providing answers to question taken on notice at the Agenda Briefing Forum in the OCM report and elected member portal. | |

| Issue: | Response: |
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| Clarify meeting procedures, standing orders and behaviour codes of conduct. | |
| <ul style="list-style-type: none"> ○ Council members with presiding member responsibilities to undertake training on meeting procedure compliance and how to manage inappropriate questions. | <p>Training for the Mayor and Presiding Members of Committees has been identified in the City Induction Program and will be arranged once all Presiding Members have been elected.</p> |
| <ul style="list-style-type: none"> ○ All council members to undertake training on meeting procedures and appropriate meeting participation. | <p>Initial training on meeting procedures and protocols was undertaken on 6 November 2023 as part of the 2023/24 Induction Program following the 2023 Local Government Elections. All Elected Members were invited.</p> <p>The training was conducted by Mr David Price, and included a Mock Council Meeting, overview of the City of Melville Meeting Procedures and general meeting protocols.</p> |
| <ul style="list-style-type: none"> ○ Employees involved in council meetings to receive training on how to apply and interpret meeting procedures. | <p>ACTION – Consider creation internal training on Meeting Procedures.</p> |
| <ul style="list-style-type: none"> ○ All council members and employees involved in council meetings to be informed and aware of processes for making behavioural complaints and minor breach complaints where relevant. | <p>The Draft Governance Framework includes a section (currently 6.3) on Standards of Behaviour which provides information and guidance on the different types of complaints including Behavioural and Minor Breach. This could be supported by City of Melville education and awareness program on the different types of complaints and the process that support these.</p> <p>ACTION – development of Complaints Awareness and Education Program</p> |
| <ul style="list-style-type: none"> ○ Investigate reasons behind continued deferred items at OCM's and identify avenues for improving the rate of deferrals (investigation to consider including a survey from CEO to council members). | <p>Initial analysis of information associated with deferral of items was undertaken as part of the response to the initial concerns raised. A substantial reduction in deferral of items has been noted and was included as part of the original response. A survey of Elected Members in relation to this matter is scheduled for the second quarter of 2024.</p> |

| Issue: | Response: |
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| Ensuring there is clarity and understanding of the distinction between the functions and roles of the Council, council members, the CEO and administration staff | |
| <ul style="list-style-type: none"> ○ Council members to receive training on roles and responsibilities on induction (likely to be in the form of a session facilitated by the DLGSC) | Presentation by Department of Local Government to Elected Members on Monday 30 October 2023 as part of the 2023 Induction Program. |
| <ul style="list-style-type: none"> ○ Council members to received training on their roles and responsibilities including how to obtain information relevant to their role without becoming involved in operational matters. | ACTION – workshop with Elected Members on access to information as part of the development of the Communication Agreement. |
| <ul style="list-style-type: none"> ○ Council members to educate and inform community members who request intervention and assistance with operational matters of their inability to intervene to ensure community expectations are clarified. | The City is currently developing a Draft Communication Agreement. This document outlines expectations around requests for service from members of the community (current section 7) and involvement in compliance and enforcement matters (current section 8.5). |
| <ul style="list-style-type: none"> ○ Review City’s governance framework to determine whether it meets the needs of council to effectively undertake their decision-making role. | Draft Governance Framework has been provided to Elected Members for comment and feedback. Scheduled for presentation to the March 2024 Ordinary Meeting of Council. |
| Commitment from council to ‘buy in and work collegiately for the betterment of the City’s community. | |
| <ul style="list-style-type: none"> ○ The CEO to investigate whether any actions within the City’s control could limit the further increases in legal expenditure | <p>The CEO is currently undertaking a review of roles, responsibilities and accountability across the organisation. This will strengthen the area of responsibility with respect to legal expenditure at an organisational level.</p> <p>Additionally, the City is reviewing and improving information reporting to Elected Members and legal expenditure is a key area where improved, timely reporting would beneficial.</p> |
| <ul style="list-style-type: none"> ○ Council members to be offered, and encouraged to participate in, team building exercises to build collegiality (as part of their induction and on an ongoing basis). | <p>The City has engaged Aspire Performance Training to assist with the development of the organisation. Aspire have provided a proposal for Team Building activity centred around getting to know each other and how they can work together in a community based, collaborative approach for the betterment of the City of Melville.</p> <p>Social Team building event (mini golf) held on Tuesday 23 January 2024 for Elected Members and members of the Senior Leadership Team.</p> |

| Issue: | Response: |
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| ○ Consider introducing a mentoring program between council members or with other local governments to improve culture. | ACTION – investigate Elected Member mentoring opportunities and workshop with Elected Members. |
| ○ Completion of all actions related to council. | A timeline of opportunities for improvement and actions will be presented to the Council in March 2024. |

The 31 October 2023 correspondence from the Department crossed over work being undertaken, since the original governance concerns were raised in March 2023, to systematically and methodically review the City's is governance processes, identifying opportunities for improvement and considering the future impacts of Local Government Reform.

These identified opportunities for improvement, coupled with the relevant Key Performance Indicators for the CEO and the current and future changes as a result of the Local Government Reform have been compiled into a prioritised project list which will be presented to the Council with the City's inaugural Draft Governance Framework, at the Ordinary Meeting of Council scheduled to be held 19 March 2024.

I am proud to be leading the City into its new era, and pleased to advise that the Elected Members and the administration are collectively committed to working collaboratively for our community. The commitment and enthusiasm being best demonstrated by the Elected Member and Staff in the weekly workshops to progress the City's Council-Led Corporate Business Planning and Budget Process projects.

I look forward to providing updates to the Department on our progress not only on the matters raised in the Governance Concerns, but also on a range of initiatives and projects the City is undertaking to holistically realign our strategic direction for the benefit of our community, today and into the future.

I look forward to continuing to work in partnership with the Department of Local Government.

Yours sincerely



Gail Bowman
Chief Executive Officer

Attachment.