

**Policy Title: MRC COUNCILLORS' COMMUNICATIONS POLICY**

**Policy Statement:**

To establish a communication protocol for Councillors that allows them access to information to undertake their statutory roles.

**Objective:**

The objectives of this policy is to:

- provide a documented process for Councillors to access MRC information;
- ensure Councillors have access to all information necessary for them to exercise their statutory role as a member of the MRC;
- ensure that Councillors receive timely advice to assist them in the performance of their duties
- provide clarity on communications with the media

**Statutory Requirements:**

There are various statutory requirements relevant to Councillor communications as follows:

- a. State Records Act 2000 requires that all correspondence, including email, relating to the business of the MRC and the Council must be retained in the official records of the MRC
- b. Sections 2.8(1)(d) and 5.41(f) of the Local Government Act 1995, provide that only the Chair may speak on behalf of the MRC (or the Chief Executive Officer if authorised by the Chair to do so).
- c. Freedom of Information Act 1992 requires the preservation of correspondence and its availability for Freedom of Information purposes.
- d. Section 5.93 of the Local Government Act 1995 provides that Councillors (as well as employees) must not make improper use of any information acquired.

**Procedures for Councillors to Access Council Information:**

1. Councillors wishing to access information must make a request to [Governance@mrc.wa.gov.au](mailto:Governance@mrc.wa.gov.au)
2. The Councillor request should be drafted precisely detailing the information being sought.
3. Councillor Requests will be actioned by the MRC as soon as possible and a response will be provided using the following guidelines:
  - Same day response – information easily accessible and no investigation required
  - 1 to 5 working days – enquiry where research and investigation required
  - Within 10 working days – complex enquiry where extensive research and investigation is required.
4. Councillor Requests received outside normal business hours will be actioned on the next working day, subject to clause 3 above, unless the matter is deemed to be of an urgent nature or an emergency.  
Where the matter is deemed urgent or an emergency and outside normal business hours, the Councillor must contact the CEO direct.

**Electronic Correspondence:**

Electronic correspondence generated and received by Councillors that relate to the business of the MRC is subject to the State Records Act 2000, and the MRC's Recordkeeping Plan, and as such must be retained within the MRC's corporate recordkeeping system. MRC Councillors must use their respective Local Government email address and is to be used for electronic correspondence between other persons/entities where it relates to the business of the MRC.

**Media Relations:**

In accordance with the Local Government Act 1995, only the Chair can speak on behalf of the MRC, or if authorised by the Chair, the Chief Executive Officer.

When speaking to the media as a spokesperson for the MRC, the Chair may only represent the official view of the MRC, having regard to the Local Government (Model Code of Conduct) Regulations 2021.

Councillors other than the Chair, or the Deputy Chair in the role of Acting Chair, may not speak to the media purporting to represent the views of the Council or the MRC.

**Use of Social Media:**

Councillors must ensure that their use of social media and other forms of communication complies with the Local Government (Model Code of Conduct) Regulations 2021.

<b>Legislation</b>	State Records Act 2000 Local Government Act 1995 s.2.8(1)(d), 5.93, 5.41(f) Freedom of Information Act 1992 Local Government (Model Code of Conduct) Regulations 2021.
<b>Responsible Officer</b>	Chief Executive Officer
<b>Council Meeting Date</b>	29 September 2022
<b>Creation date</b>	01.08.2022
<b>Next Review Date</b>	01.08.2023
<b>Revision History</b>	
<b>Delegation to the Chief Executive Officer</b>	Nil