Corporate Governance & Internal Control Framework
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**Reference:**
*City of Tea Tree Gully, Governance Framework*  
(adopted in 2012 as best practice by the Eastern Region Alliance Governance Group)
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1. INTRODUCTION

Elected Members and employees of the City of Prospect are committed to the democratic process and the principles of good governance.

The Corporate Governance & Internal Control Framework (the Governance Framework) has been prepared to demonstrate to the community that Elected Members and employees have an understanding of governance and how it applies to Council business.

1.1 Purpose

The Governance Framework is not a policy or statement of intent. The document exists to provide context to Council’s governance policies and practices. It provides readers with an overview of the measures that have been put in place in order to assist Elected Members, the Chief Executive Officer (CEO) and employees to meet their governance responsibilities as required under various legislation, in particular the Local Government Act 1999.

1.2 What is Governance?

Good governance for the City is about its performance in the provision of goods, services and programs and how the organisation meets its legislative requirements, non legislative requirements (e.g. Standards) and community expectations. This is achieved by having decision making processes and structures in place that are transparent, accountable and having integrity when interacting with the community, businesses and government departments.

Having a Governance Framework that is followed by Elected Members and employees improves efficiency and demonstrates accountability to everyone Council has a relationship with.

1.3 Why is Good Governance Important?

By establishing good governance principles, Council, the CEO, employees and the community can be confident the organisation is being run efficiently, is viable and is carrying out the objectives, policies and plans of Council.

Good governance is important because it:

- Establishes and maintains confidence and trust people have in Council
- Improves the quality of services provided
- Ensures Council meets its legislative responsibilities
- Is a strong reminder of accountability to the community
- Ensures the community has the opportunity to be involved in the decision making process.
2. GOVERNANCE FRAMEWORK

2.1 Framework Overview

2.1.1 The Governance Framework provides information about the Council, Elected Members and administration, the relationships that exist and how they work together to provide good corporate governance.

2.2 Composition of Council

2.2.1 Council comprises 9 Elected Members including the Mayor.

2.2.2 The Mayor is elected by the community across the whole of the City.

2.2.3 The community elects a total of 8 ward councillors, being two members from each of the four wards of the City (see Appendix 1 for Ward Map).

2.2.4 General elections for the whole of Council are held every four years on a fixed date set by legislation, with the next general election due in November 2018.

2.2.5 There are no qualifications required and only a few limitations on who should be an Elected Member.

2.2.6 Section 17 of the Local Government (Elections) Act 1999 indicates that to be eligible to be a candidate for election, a person must be:

(i) an Australian citizen; or
(ii) a prescribed person; (means a person who has held office as a member of a council at any time between 5 May 1997 and the commencement of Section 17 of the Local Government (Elections) Act 1999)

and

(i) the person is an elector for the area; or
(ii) the person is the designated person for a body corporate which has its name on the voters roll for the area; or
(iii) the person is the designated person for a group which has its name on the voters roll for the area; or
(iv) the person’s name has been omitted in error from the voters roll for the area, or the person is the designated person for a body corporate or group which has had its name omitted in error from the voters roll for the area (and would be eligible for nomination under subparagraph (ii) or (iii) (as the case may be) were the name on the roll).

And is not eligible to be a candidate if the person:

• is a member of an Australian Parliament; or
• is an undischarged bankrupt or is receiving the benefit of a law for the relief of insolvent debtors; or
• has been sentenced to imprisonment and is, or could on the happening of some contingency become, liable to serve the sentence or the remainder of the sentence; or
• is an employee of the council; or
• is disqualified from election by court order under the Local Government Act 1999.
• in the case of a supplementary election—is a member of another council; or
• in the case of any election—is a candidate for election as a member of another council.

2.2.7 A legislated periodic review of the composition, size and ward structure of the Council must be held at least every eight years.

2.2.8 Further information about the Elected Members can be found on Council’s website: www.prospect.sa.gov.au

2.3 The Roles, Functions and Objectives of Council

2.3.1 The roles, functions and objectives of Councils are set out in the Local Government Act 1999 as follows.

Council’s role (Section 6) is:

• to act as a representative, informed and responsible decision maker in the interests of its community
• to provide and coordinate various public services and facilities and to develop its community and resources in a socially just and ecologically sustainable manner
• to encourage and develop initiatives within its community for improving the quality of life of the community
• to represent the interests of its community to the wider community
• to exercise, perform and discharge the powers, functions and duties of local government in relation to its area, as contained in the Local Government Act 1999 and other Acts in relation to the area for which it is constituted.

Council’s functions (Section 7) include:

• to plan at the local and regional level for the development and future requirements of its area
• to provide services and facilities that benefit its area, its ratepayers and residents, and visitors to its area (including general public services or facilities (including electricity, gas and water services, and waste collection, control or disposal services or facilities), health, welfare or community services or facilities, and cultural or recreational services or facilities)
• to provide for the welfare, wellbeing and interests of individuals and groups within its community
• to take measures to protect its area from natural and other hazards and to mitigate the effects of such hazards
• to manage, develop, protect, restore, enhance and conserve the environment in an ecologically sustainable manner, and to improve amenity
• to provide infrastructure for its community and for development within its area (including infrastructure that helps to protect any part of the local or broader community from hazard or other event, or that assists in the management of any area)
• to promote its area and to provide an attractive climate and locations for the development of business, commerce, industry and tourism
• to establish or support organisations or programs that benefit people in its area or local government generally
• to manage and, if appropriate, develop, public areas vested in, or occupied by, the Council
• to manage, improve and develop resources available to the Council
• to undertake other functions and activities conferred by or under an Act.

Principles to be observed by Council (Section 8) include:

• to provide open, responsive and accountable government
• to be responsive to the needs, interests and aspirations of individuals and groups within its community
• to participate with other Councils, and with State and national governments, in setting public policy and achieving regional, State and national objectives
• to give due weight, in all its plans, policies and activities, to regional, State and national objectives and strategies concerning the economic, social, physical and environmental development and management of the community
• to seek to coordinate with national and State governments in the planning and delivery of services in which those governments have an interest
• to seek to facilitate sustainable development and the protection of the environment and to ensure a proper balance within its community between economic, social, environmental and cultural considerations
• to manage its operations and affairs in a manner that emphasises the importance of service to the community
• to seek to ensure that Council resources are used fairly, effectively and efficiently
• to seek to provide services, facilities and programs that are adequate and appropriate and seek to ensure equitable access to its services, facilities and programs
• to achieve and maintain standards of good public administration
• to ensure the sustainability of the Council’s long-term financial performance and position.

2.3.2 Council also exists to achieve the vision and goals as set out in the Strategic Plan, which can be found on Council’s website www.prospect.sa.gov.au.

2.4 Services

2.4.1 Council decides which services they will provide locally based on community need, however there are some non-discretionary (legislative) services that Council is required to provide. These include:

• Formulation of planning policy for the area (note that planning policy must be approved by the State Minister for Planning)
• Assessment of development proposals including the enforcement of breaches of the Development Act 1993
• Some environmental health services, such as monitoring cooling towers for Legionnaire's Disease, food inspections, maintaining sanitary conditions
• Fire prevention
• Dog and cat management
• Some administrative requirements, such as preparing strategic plans for the area, maintaining an office and employing a CEO
• Emergency management
• Council Development Assessment Panel (CDAP)
• Audit Committee
• Strategic Planning and Development Policy Committee (SPDPC)
• Waste collection and disposal
• Maintenance and upgrade of key assets

2.4.2 Discretionary services that Councils choose to provide are numerous with some listed below:
• Community buses
• Community centres
• Community development programs
• Community leadership and advocacy
• Community services such as home and community care
• Control of pest animals and plants
• Control of public nuisances
• Festivals and events
• Footpaths
• Immunisation
• Landcare program
• Libraries with free internet
• Local History Group
• On street parking
• Online services
• Ovals
• Parks and gardens
• Recycling
• Reserves and picnic areas
• Roads (local roads – that is, not national highways or State arterial roads)
• Skate parks
• Street lighting
• Street trees
• Traffic management
• Youth advisory committees

2.5 Specific Roles and Responsibilities

2.5.1 Council and the CEO have specific responsibilities that, if addressed with due care and diligence, will ensure they exercise effective control over the management and operation of the City. These are termed governance responsibilities.

2.5.2 The Act provides formal distinctions between the role of the Council (Elected Members) as set out in sections 58 and 59, and the CEO at sections 99 and 103. Specifically, the Act provides for a separation of roles as indicated below.

Elected Members:
• To participate in the deliberations and civic activities of the Council
• To keep the Council's objectives and policies under review to ensure that they are appropriate and effective
• To keep the Council's resource allocation, expenditure and activities, and the efficiency and effectiveness of its service delivery, under review
• To ensure, as far as is practicable, that the principles set out in Section 8 (of the Local Government Act 1999) are observed
• To represent the interests of residents and ratepayers, to provide community leadership and guidance, and to facilitate communication between the community and the Council

• With the principal member's (Mayor's) authorisation, act in place of, or represent, the principal member

• Have no direct authority over an employee of the Council with respect to the way in which the employee performs his or her duties.

CEO:

• To ensure that the policies and lawful decisions of the Council are implemented in a timely and efficient manner

• To undertake responsibility for the day to day operations and affairs of the Council

• To provide advice and reports to the Council on the exercise and performance of its powers and functions under the local government act 1999 or any other act

• To coordinate proposals for consideration by the Council for developing objectives, policies and programs for the area

• To provide information to the Council to assist the Council to assess performance against its strategic management plans

• To ensure that timely and accurate information about Council policies and programs is regularly provided to the Council's community, and to ensure that appropriate and prompt responses are given to specific requests for information made to the Council

• To ensure that the assets and resources of the Council are properly managed and maintained

• To ensure that records required under the Local Government Act 1999 or another Act are properly kept and maintained

• To give effect to the principles of human resource management prescribed by the Local Government Act 1999 and to apply proper management practices

• To exercise, perform or discharge other powers, functions or duties conferred on the CEO by or under the Local Government Act 1999 or other Acts, and to perform other functions lawfully directed by the Council

• Must consult with the Council (to a reasonable degree) when determining, or changing to a significant degree—
  o The organisational structure for the employees of the Council
  o The processes, terms or conditions that are to apply to the appointment of senior executive officers
  o The appraisal scheme that is to apply to senior executive officers.

2.5.3 It is good governance that the Elected Members, CEO and employees recognise and respect each other’s roles and responsibilities, and maintain good relationships to benefit the community. It is important Council does not become involved in management and operational functions, and for management not to set strategies and policies that have not been authorised by Council.

2.5.4 Apart from the formal processes of Council, open communication is facilitated by:

• Weekly meetings between the CEO and Mayor

• Regular meetings between the CEO and Directors
• Elected Members having access to Executive Management
• Regular informal briefing meetings / workshops for all Elected Members and Executive Management.
• Regular meetings between Mayor and individual Elected Members
• Elected Members having access to Executive Management, including meeting with Directors around specific issues and projects.

2.6 Elected Members’ Protection from Personal Liability

2.6.1 Section 39 of the Local Government Act 1999 specifies:

• No civil liability attaches to a member of a Council for an honest act or omission in the exercise, performance or discharge, or purported exercise, performance or discharge, of the members or Council’s powers, functions or duties under this or other Acts
• A liability that would, but for this section, attach to a member of a Council attaches instead to the Council.

2.6.2 This does not provide any protection for Elected Members charged with any criminal acts and is only of benefit to members for civil matters where they have acted honestly.

2.7 Support for Elected Members

2.7.1 The CEO, through an effective support process, ensures Elected Members understand their roles and responsibilities and are able to add value and bring independent, informed and objective judgement to the decision making process of Council.

2.7.2 The CEO provides Elected Members with an induction program upon appointment and makes available to Elected Members continuing education and development programs as necessary.

2.7.3 Individual support and advice is available from employees, although normally this would be through the relevant Director.

2.7.4 Under section 76 of the Local Government Act 1999, Elected Members are entitled to an allowance determined by the Remuneration Tribunal to assist them in the performance of their roles and responsibilities, which is set independently of Council.

2.8 Periodic Review of Ward Boundaries

2.8.1 Council undertook its last review of ward boundaries (Elector Representation Review) in 2013. Reviews are required in accordance with regulations. Council’s next review is due in 2021. Alternatively the Electoral Commissioner may require Council to conduct a review at any time on reasonable grounds (eg if a ward has increased population due to higher density developments).

2.8.2 A group of at least 20 eligible electors may make a submission for council to consider a proposal to:

• Alter the boundaries of the Council
• Alter the composition of the Council or the representative structure of the Council (including by the creation, alteration or abolition of wards)
• Incorporate within the area of the Council a part of the State that is not within the area of the Council.

• The process for lodgement and assessment of a public initiated submission is governed by section 28 of the Local Government Act 1999.

2.9 Section 41 and other Committees

2.9.1 Council may establish committees under the Local Government act and other legislation.

2.9.2 Committees exist to provide Council with input and information to assist it to make better decisions in the interests of the Council communities. In some cases, these committees have powers delegated to them by Council to permit them to make particular types of decisions on behalf of Council. Each committee has a Terms of Reference that includes membership, meeting schedule, establishment, context, quorum, reporting, voting, delegations and other information considered necessary for that committee. Agendas, Minutes and Terms of Reference of each committee are available on Council’s website www.prospect.sa.gov.au.

2.9.3 Council’s meeting structure includes:

(1) Workshops (1st and 2nd Tuesday of the month, and as required)

The protocols for workshops (included in each Workshop Program) demonstrate Council’s commitment to achieving enhanced, meaningful engagement of members and facilitate an equal and equitable participation of all members. Workshops are an opportunity in an informal setting for administration and Elected Members to undertake a range of activities including (but not limited to) discussion of matters of a strategic nature, to receive training, information and presentations.

(2) Audit Committee (at least four times per year)

The objective of the Audit Committee is to oversee Council’s risk management and audit initiatives and to act as a source of advice to the Council and Chief Executive Officer in relation to these matters.

(3) CEO Performance Development Review Committee (at least twice per year)

The CEO Performance Development Review Committee is established for the purpose of engaging in and undertaking a developmental process to determine, in conjunction with the CEO, relevant Key Performance Measures, for undertaking the formal review process of the performance of the CEO against the agreed Key Performance Measures in accordance with the terms of reference and for making other recommendations to the Council relevant to the employment and performance of the CEO.

(4) Strategic Policy & Development Planning Committee (as required)

The objective of the Strategic Planning & Development Policies Committee is to provide assistance and advice to Council in relation to preparing Development Plan Amendment proposals, and to act as a source of advice to the Council and Chief Executive Officer. The Terms of Reference are to be read in conjunction with Section 101A of the Development Act 1993.

(5) Council Development Assessment Panel (CDAP) (2nd Monday of the month)
The functions of the Panel are:

- to act as a delegate of the Council in accordance with the requirements of the Development Act; and
- to provide advice and reports to Council on trends, issues and other matters relating to planning or development that have become apparent or arisen through its assessment of applications under the Development Act; and
- to perform other functions (other than functions involving the formulation of policy) assigned to the Panel by the Council.

2.9.4 All meetings are open to the public. Certain items may be held in confidence (without the public) if covered under Section 90 of the Local Government Act 1999 or Section 56A(12) of the Development Act 1993.

2.9.5 Workshops, including presentations and training sessions (and any other meetings held outside of the formal meeting structure), will be held in accordance with Council’s *Informal Gatherings Policy*.

2.9.6 Meetings dates are available on Council’s website.

### 2.10 Decision Making Process

2.10.1 Council understands that its decision making and its processes must be transparent. The community needs to understand how a decision was made.

2.10.2 The Council meeting is the primary way in which decisions are made in local government.

2.10.3 Council may choose to delegate some decision making responsibility to committees, subsidiaries, employees or other authorised persons under Section 44 of the Local Government Act 1999.

2.10.4 To assist in the decision making process, Council has established committees under section 41 of the Local Government Act 1999 (see 2.9). These committees exist to provide Council with input and information to assist them to make better decisions in the interests of the Council communities. In some cases, these committees may have powers delegated to them by Council to permit them to make particular types of decisions on behalf of Council.

2.10.5 The Council or committee must have a quorum (*quorum - 1/2 of total members divided by 2, ignore any fraction and add 1*) to make any decisions. Once Council has made a decision, it becomes the collective decision of Council. Council acknowledges that people are entitled to a different point of view. It is highly desirable that Elected Members publically support the decision made as a Council. An Elected Member’s support of the democratic process does not override their right to have a different view.

2.10.6 Decisions made by Council or a committee should be implemented promptly by the administration.

2.10.7 The CDAP has statutory and regulatory decision making powers for development applications assigned by the Development Act 1993. Rules applying to public access to CDAP meetings and documents and conflict of interest are specified in the Development Act 1993, not the Local Government Act 1999. The Freedom of Information Act 1991 is applicable to documents of a CDAP.
2.11 Authorised Persons

2.11.1 Under the following legislation a council may, by instrument in writing, appoint a person (other than a member of Council) as an authorised person. The Register of Authorised Persons is maintained in line with the following Acts of Parliament:

- Development Act 1993
- Dog and Cat Management Act 1995
- Environment Protection Act 1993
- Expiation of Offences Act 1996
- Fire and Emergency Services Act 2005
- Food Act 2001
- Graffiti Control Act 2001
- Housing Improvement Act 1940
- Impounding Act 1920
- Local Government Act 1999
- Native Vegetation Act 1991
- Public and Environmental Health Act 1987 (soon to be replaced by South Australian Public Health Act 2011)

2.11.2 If power is granted to an authorised person, the decision is then up to the authorised person to make on behalf of Council.

2.12 Delegations

2.12.1 A delegation can be made to employees, authorised persons, committees and subcommittees or to a subsidiary. Council has delegated a broad range of powers, duties, and functions under the Local Government Act 1999 and numerous other Acts to some committees, CEO and Directors to assist in the decision making process. Where appropriate the CEO has subdelegated powers to employees. Delegations are found in Council’s Delegations Register, which is located on Council’s website: www.prospect.sa.gov.au.

2.12.2 Certain matters are unable to be delegated by the Council as indicated by section 44(3) of the Local Government Act 1999. These are:

- Power to make a by-law
- Power to declare rates or a charge with the character of a rate
- Power to borrow money or to obtain other forms of financial accommodation
- Power to adopt or revise a strategic management plan or budget of the Council
- Power to adopt or revise an annual business plan or budget of the Council
- Power to approve expenditure of money on works, services or operations of the Council not contained in a budget adopted by the Council
- Power to approve payment or reimbursement of expenses that may be paid at the discretion of the Council and for which the Council has not adopted a formal policy or made specific financial provision
- Power to establish a subsidiary, or to participate in the establishment of a regional subsidiary
• Power to make an application or recommendation, or to report or to give a notice, to the Governor or the Minister, being an application, recommendation, report or notice for which provision is made by or under this or another Act

• Power to fix, vary or revoke a fee under Section 188(1)(d) to (h) Fees and Charges

• Power or function excluded from delegation by the regulations.

2.13 Subsidiaries and Regional Subsidiaries

2.13.1 Council does not currently have any subsidiaries under section 42 of the Local Government Act 1999.

2.13.2 A regional subsidiary under section 43 of the Local Government Act 1999, is established by two or more councils to provide a services or activity, or any other function of Council.

2.13.3 Council currently has two regional subsidiaries under Section 43 of the Local Government Act 1999:

• The Eastern Health Authority

• Waste Care SA - (Soon to be wound up)

2.14 Administration of the City of Prospect

2.14.1 The organisational structure below shows the position titles (including departments) that assist the organisation to manage its business. Elected Members can consult with the CEO and Directors as required.
3. GOVERNANCE PRINCIPLES

Under this Governance Framework, the following principles are important to provide good governance:

- Leadership and strategy
- Ethics and probity
- Financial governance
- Communication and community engagement
- Risk management
- Performance review
- Policies
- Procedures
- Internal controls
- Records management
- Strategy
- Technology.

Overall, it is essential to have:

- Clear roles and responsibilities of Elected Members and employees
- An appropriate organisational structure to implement Strategic Plan vision and goals in accordance with Council’s priorities and approved budget
- Clear decision making processes
- Appropriate authorisations and delegations
- Knowledge of legal and best practice responsibilities
- Accountability to the community
- Appropriate reporting systems
- Cooperation between Council and stakeholders (current and future).

3.1 Leadership

3.1.1 Elected Members have an important role as leaders of the community. It is important that Council establishes and maintains relationships with State and Federal government and community groups to better represent the local community.

3.1.2 As part of the leadership role, Council has adopted various strategies or similar documents including:

- Strategic plan
- Environmental Action Plan
- Communications strategy (under consideration)
- Park Strategy (under consideration)
- Community land management plans
- Disability Discrimination Act access action plan
- Land strategy
- Community Engagement & Consultation Policy
- Children & Vulnerable Persons Safety Policy
• Reconciliation Statement
• Strategic Economic Development Plan

3.1.3 These strategies help to build relationships with the community and businesses within the City and can be found on Council’s website: www.prospect.sa.gov.au.

3.2 Ethics

3.2.1 Ethical behaviour is a key aspect of good governance and supporting principles.

3.2.2 A number of written codes, policies and guidelines are in place to support ethical behaviour. The Local Government Act 1999 requires most of these and sets minimum standards. They include:

• Code of conduct for Elected Members
• Code of conduct for employees and volunteers in Local Government
• Code of conduct for CDAP members
• Conflict of interest guide
• Elected Members' Allowances and Benefits Policy
• Elected Members Training and Development Policy
• Accounting Policies & Procedures, including Procurement
• Work health and safety policies
• Community Engagement & Consultation Policy
• Internal Review of Council Decisions Policy
• Numerous public registers such as the register of Elected Members allowances and benefits
• Code of Practice – Meeting Procedures of Council and Standing Committees
• Code of Practice – Public Access to Meetings and Documents.

3.2.3 The strategies listed in 2.2.1 are supplemented by the practice of reporting and communication with stakeholders via public meeting agendas and in local newspapers (see 2.2.4)

3.3 Financial Governance

3.3.1 “Excellence in Governance for Local Government” identifies sound financial management as a key component of good governance. It describes the principle behind sound financial management as:

3.3.2 “There should be robust and transparent financial management established and maintained to meet local government’s accountability to its stakeholders, particularly in terms of stewardship of community assets, now and into the future”.

3.3.3 This can be expanded into a series of aims and principles:

• Council is financially sustainable
• Infrastructure is managed effectively and efficiently
• Budgets and other financial information are reported
• Council has considered its position on the funding of services and has suitable resources to enable it to evaluate the strategic benefit of all of its services
• An equitable, transparent and accountable rating system is in place
• Achievement of Council’s strategic objectives is facilitated through the effective management of borrowings and assets
• There are systems and procedures in place that improve the efficiency and effectiveness of Council services
• The integrity of financial systems and reports.

3.3.4 Each of these aims and principles can be achieved using a number of mechanisms. The long term financial plan, infrastructure and asset management plans and the Council’s Strategic Plan are the key guiding documents to achieve these.

3.3.5 Each document is the subject of regular review and reporting to Council.

3.3.6 Council receives quarterly reviews about the budget and the annual financial statements for adoption. The audited annual statements are reviewed by Council’s Audit Committee before being considered by Council and are included in Council’s Annual Report.

3.4 Communication

3.4.1 Effective communication is essential to responsible decision making, especially in local government.

3.4.2 There are different mechanisms for the community to have input into Council decisions. They are by community engagement, deputations, internal review of decisions and public forums.

3.4.3 Council has a Communications Strategy, which is about sharing information and guiding perceptions and it helps Council to ensure the community is kept informed about Council’s activities and initiatives.

3.4.4 Good governance requires accountability to the community, and this in turn requires communication about performance.

3.4.5 At present, Council has the following in place to communicate with stakeholders:

• Community Engagement & Consultation Policy
• Communications Strategy (under consideration)
• Council meetings that are open to the public – public agendas containing information, recommendations, disclosure and performance reviews
• Information documents for communication between Council’s administration and Elected Members, also published quarterly as part of the Council Agenda
• Council website
• Open channels of direct communication eg email, telephone, letters, customer service desk, website feedback
• Targeted correspondence with ratepayers affected by Council decisions
• Annual Report
• Market research sampling
• Hand delivered or posted circular letters
• Online Community Consultation Panel
• Letters personally addressed to individuals, including questionnaires
• Street meetings or local area meetings
• Telephone and/or online surveys.
3.4.6 Deputations are permitted in Council or committee meetings as a mechanism for a person or a group of people to raise their concerns. To ensure that the community can follow the correct process, Deputation Information and Request Form are available on Council’s website: www.prospect.sa.gov.au.

3.4.7 The initial decision to hear a deputation is made by the presiding member of the Council or committee. If the deputation is refused, it must be reported at the next Council or committee meeting. If the deputation will be heard, it can also be directed to be presented to a committee. A request for a deputation will be responded to by the CEO.

3.4.8 Request for internal review of decisions can be made directly to the Council, or to the Ombudsman. There are procedures in place to manage customer suggestions and/or complaints. The Customer Service Charter and Internal Review of Council Decisions Policy are available on Council’s website: www.prospect.sa.gov.au, explaining the processes involved under each policy.

3.4.9 Occasionally there are public forums held to disseminate information and to obtain community input. These forums are for collecting information and are not for making decisions.

3.5 Community Engagement

3.5.1 Community engagement is important and is encouraged in the decision making process, which is why there is a Community Engagement & Consultation Policy to ensure employees seek discretionary and non discretionary engagement. Council is committed to going beyond minimum requirements for public consultation and has made efforts to better engage with residents about issues such as playground upgrades, landscaping and tree works.

3.5.2 Community engagement is a continuous process, which provides opportunity for residents and other key stakeholders to have a greater say in what happens in the City and to be more active in the decision making process.

3.5.3 Some examples of when Council uses community engagement include:

- Annual Budget
- Major Council projects or proposals for the area
- By-laws
- Community land acquisitions and disposal
- Community Land Management Plans
- Major road works
- Certain development applications
- Local area traffic management
- Council boundary issues
- Proposed changes to Council’s rating system
- Recreation development proposals
- Reserve naming, renaming or leasing
- Road closures
- Strategic planning
- Representation reviews
- Tree planting and removal.
3.6 Risk Management

3.6.1 The CEO regularly reviews operational processes and procedures and implements corrective action when necessary to ensure the effectiveness of the City’s internal systems of control, thereby ensuring its assets are safeguarded and the decision making capabilities and the accuracy of its reporting and financial results are maintained at a high level at all times.

3.6.2 The CEO engages the assistance of external advisers as considered necessary, to monitor and evaluate the City’s activities and internal controls.

3.6.3 The management of risk is recognised as an integral part of good management practice and is an essential component of good corporate governance and the successful achievement of Council’s Vision, the Strategic Plan’s Objectives and Community expectations.

3.6.4 Council is committed to an integrated approach to risk management to protect its employees, assets, liabilities and community against potential exposures, to minimise uncertainty in achieving its Goals, and to maximise opportunities.

3.6.5 The risk management process is not an isolated function, but rather should be integrated as part of good management practice. To ensure that staff, Volunteers, Elected Members and key stakeholders are familiar with the elements of risk management, a Policy and Framework have been developed to standardise the process of identifying and managing risk across Council’s business units.

3.6.6 The Framework is developed in accordance with the International Risk Management Standard AS/NZ ISO 31000:2009: “Risk Management Principles and Guidelines”.

3.7 Performance Review

3.7.1 Council has a number of mechanisms in place to ensure performance is continually monitored and reviewed, and corrective action is taken where required. Council reports its performance in the following ways:

(1) Financial reporting

Financial reports and budget reviews are provided to Council quarterly.

Capital works reports are provided to Council quarterly to monitor progress of the annual capital works program.

The Long Term Financial Plan, Infrastructure and Asset Management Plan and projects linked to Council’s Strategic Plan are key guiding documents that are reviewed annually.

The Executive Leadership Team receives monthly reports on the budget.

Audited Annual Statements are reviewed by Council’s Audit Committee before being considered by Council.

(2) Performance reporting

Council has performance reporting in place in order to monitor the progress of the Strategic Plan and Annual Business Plan. The methodology seeks to report on a range of performance indicators (mainly non-financial) critical to achieving the strategic objectives of the City. Reporting will be mainly from
the Department level through to the Executive level before being reported to Council quarterly.

(3) **Annual Report**


(4) **Community survey**

Council has conducted a regular community survey since 1999. The survey is an important way for Council to understand how the community views the performance and delivery of services.

(5) **Audit Committee**

The Audit Committee provides an advisory role to Council.

To assist the Audit Committee undertake its duties and responsibilities, an Audit Committee Work Program is developed, reviewed and endorsed by the Audit Committee on a yearly basis.

The Audit Committee Work Program provides a structured schedule of key activities that the Audit Committee is required to review and provide advice upon.

These activities include:

- Internal Controls – appraisal of Council’s internal controls to assess their effectiveness in achieving the organisation’s goals and objectives
- Fiduciary and legislative responsibilities
- Providing recommendations to Council and the organisation in accordance with the Audit Committee Terms of Reference
- Risk management of Council’s operations.

The Audit Committee meets at least 4 times per year. The Audit Committee meets on an annual basis with the external auditor to review the external auditor’s report.

(6) **Performance reviews**

The CEO Performance Development Review Committee (CEOPDR) is responsible for setting the CEO’s annual Key Performance Indicators (KPIs) to measure success against the organisation’s key result areas. The Committee is also responsible for reviewing the CEO’s learning and development plan. The CEOPDR undertakes bi-annual reviews of the CEO’s performance against the KPIs, including seeking feedback from Elected Members.

The organisation has an Individual Performance Planning process in place for all employees. Individual Performance Planning (IPP) is designed to establish a shared understanding of what is to be achieved, and how it is to be achieved, and ensure that individual performance contributes to the achievement of our Strategic Plan.
Individual Performance Planning provides the opportunity for people to improve their performance by setting clear objectives and measures, providing feedback on their performance and behaviour, and identifying and addressing their learning and development needs.

3.8 **Policies and Procedures**

3.8.1 Policies and procedures are documented in the Electronic Documents and Records Management System and accessible to all employees.

3.8.2 Policies are updated on a regular basis, as well as when there are legislative or organisational changes. Policies are presented to either the Audit Committee or directly to Council.

3.8.3 Procedures are regularly reviewed and updated in line with legislative, technology, policy and service changes.

3.8.4 Having comprehensive policies and procedures in place improves internal controls and mitigates risks.

3.9 **Internal Controls**

3.9.1 Establishing and having internal controls in place assists Council to set the operational tone of the organisation. The CEO has a responsibility to support and review Council’s operations by reviewing internal controls which should be proactive, and have a risk management element to identify key business risks. Once the risks are identified, management need to identify, develop and manage policies, procedures or any other relevant tool to mitigate those risks.

3.9.2 Internal control should include:

- Structure of the organisation
- Culture of the organisation
- Knowledge, skills and experience of employees
- Processes employed by the organisation to conduct business
- Accountability and integrity in relation to any financial transactions.

3.9.3 Strategies that Council has implemented or is developing to achieve effective risk management and internal controls include the following:

- Reporting to the Audit Committee
- Development and implementation of an internal audit program whereby compliance with major regulatory, strategic and operational requirements may be periodically reviewed. These include requirements specified in the Local Government Act 1999 together with environmental, heritage, cultural, WH&S, Industrial Relations and Equal Opportunity legislation
- In line with Section 129 of the Local Government Act 1999, an external audit is undertaken annually to provide assurance that Council’s Annual Financial Statements are true and fair and to provide an opinion on the adequacy of the internal controls in operation
- Policies and procedures
- Limits of authority are delegated in accordance with the Local Government Act 1999 and appropriate approval processes implemented
- Organisational review when required
Position descriptions are established for all positions
Annual performance appraisals
Training for Elected Members and employees.

3.10 Records Management

3.10.1 Corporate records are to be managed in accordance with Council’s Record Management Policy.

3.10.2 All Elected Members, employees and contractors are responsible for maintaining complete, accurate and reliable evidence of all business transactions and ensuring all corporate documents are retained within the City’s official recordkeeping system at the point of creation regardless of the format, being in accordance with:

- State Records Act 1997
- Evidence Act 1929
- Freedom of Information Act 1991

3.10.3 An Information Statement is published by Council in accordance with the requirements of section 9 (1a) of the Freedom of Information Act 1991. Council is pleased to comply with the legislation and welcomes any enquiries. The Information Statement is updated annually and published on Council’s website: www.prospect.sa.gov.au

3.11 Technology

3.11.1 Technology is rapidly changing in the local government environment. It is important to ensure that technologies adopted by Council are compatible and assist to manage non discretionary and discretionary compliance, as well as providing effective and efficient records. Employees are to be provided with continuous training to maintain suitable service and compliance levels.

3.11.2 Elected Members receive all correspondence, including Agendas and Minutes, electronically. iPads (or similar) are provided to each Member to use during their term of office.
City of Prospect
Ward Map

① North Ward
② West Ward
③ Central Ward
④ East Ward