

SHIRE OF NANNUP – Council Policy



Policy Number:	ADM24
Policy Type:	Administration
Policy Name:	Elected Member Continuing Professional Development Policy
Policy Owner:	Council
Date of Approval	
Council Resolution #	

POLICY STATEMENT

The Shire is committed to providing training and development activities for its Elected Members to assist them in the performance and discharge of their functions and duties.

OBJECTIVE AND PURPOSE

Objective

This policy supports access to appropriate training and development opportunities to ensure Council Members are equipped to effectively fulfill their statutory and governance responsibilities.

Purpose

Section 5.126(1) of the *Local Government Act 1995* (the Act) requires each Council Member to complete mandatory training.

Section 5.128(1) of the Act requires each local government to prepare and adopt a policy (by absolute majority) that deals with matters relating to the continuing professional development of Council Members.

Section 5.129(1) of the Act states that local governments may *prepare* and adopt a policy that deals with the payment and reimbursement of fees or other expenses incurred in relation to mandatory training and continuing professional development by Council Members.

This policy expands on and is made in accordance with these provisions.

DEFINITIONS

Term	Means
Act	<i>Local Government Act 1995</i>
Candidate	A person who seeks to be elected in Local Government.
CEO	Chief Executive Officer of the Shire of Nannup
Conference	Includes seminars, conferences and industry meetings
Council	The Elected Body of the Shire of Nannup
CPD	Continuing Professional Development: formal and informal learning activities that maintain or increase knowledge, skills and capabilities relevant to the role of a Council Member.
Education	Includes formal qualifications, short courses, workshops or training sessions.
Elected Member	A person elected under the <i>Local Government Act 1995</i> as a member of the council of the local government and includes the

	Councillors and Shire President of the local government
Mandatory Training	Legislatively prescribed modules.
Regulations	<i>Local Government (Administration) Regulations 1996</i>
Registered Training Organisation	An organisation providing Education and Training courses, resulting in qualifications or statements of attainment that are recognised and accepted by industry and other institutions throughout Australia.

SCOPE

This Policy applies to all Elected Members (including the Shire President) of the Shire of Nannup. It covers mandatory training prescribed by regulation and ongoing continuing professional development courses which may include conferences, seminars, workshops and structured learning.

IMPLICATIONS

Elected Members must comply with mandatory training requirements established under the *Local Government (Administration) Regulations 1996* and are encouraged to develop and enhance their skills and knowledge through ongoing professional development to keep up to date with new developments to build capacity and strengthen the Shire.

Council Members are encouraged to work with the Chief Executive Officer, in consultation with the Shire President, to identify their development needs and select suitable courses, programs, or conferences that enhance their skills and knowledge.

The local government will provide resources (time, funding, administrative support) to enable Elected Members to undertake approved Continuing Professional Development.

IMPLEMENTATION

1. Budget Allocation and Costs

Regulation 37(2) provides that for fees and expenses to be paid or reimbursed to Council Members in relation to attending continuing professional development, the continuing professional development must be relevant to the Council or an Elected Member's role.

Accordingly, any allowance or expense paid for in accordance with this Policy is to relate to the role of an Elected Member and is required to have benefit to the Shire of Nannup and the community.

Access to CPD funding and opportunities will be administered equitably and transparently.

The Shire of Nannup's Annual Budget will include -

- a) Whole of Council Training and Development. An allocation for Council as a whole, to be used for:
 - (i) Council Member Induction.
 - (ii) Mandatory Council Member Training; and
 - (iii) Council Capacity Building.

- b) Council Member Continuing Professional Development (CPD).
 - (i) An allocation for each Council Member to be used for individual CPD.
 - (ii) Unexpended allocations at the end of a financial year will not be carried forward to the next financial year.
 - (iii) Any professional development proposal that exceeds an individual Elected Member's allocation will be referred to Council for a decision. Alternatively, the Elected Member may choose to privately fund any shortfall. This will not be eligible for reimbursement from a future budget allocation.
 - (iv) Where training or professional development has been approved and paid for by the Shire, Elected Members are expected to make all reasonable efforts to attend and complete the approved activity.

2. Candidate Inductions

- a) Candidates need to understand both the role of an Elected Member and the laws that affect their campaigning. To do so, Candidates are required to complete the free candidate induction provided by the Department of Local Government, Industry Regulation and Safety.
- b) Completing the induction module is mandatory irrespective of whether an individual is a first time candidate or a long-standing Elected Member. Every person nominating for Council will be required to declare that they have participated in a candidate induction session at the time of nomination.

3. Elected Member Induction

Following each election, the Shire of Nannup will conduct a comprehensive induction program, providing newly elected Members with information that will support them to understand their roles and responsibilities; legislative obligations; personal responsibilities; and strategic direction of the Shire.

Continuing/previously Elected Members are encouraged to participate in nominated elements of the induction program, to assist in fostering a team culture and to refresh their understanding.

4. Mandatory Training

4.1 Legislative Requirements

Elected Members must complete the prescribed "Council Member Essentials" training course (or other modules specified by the Regulations) within 12 months from the day on which they are elected, unless subject to a statutory exemption.

The Council Member Essentials Course consists of five core modules:-

- a) Understanding Local Government;
- b) Serving on Council;
- c) Meeting Procedures;
- d) Conflicts of Interests; and
- e) Understanding financial reports and budgets.

The Council Member Essentials Course may be undertaken at any of the following Training Providers:-

- a) North Metropolitan TAFE; or
- b) South Metropolitan TAFE; or
- c) WALGA

4.2 Training Declarations

All Elected Members will be required to make a declaration to the CEO that they have completed the mandatory training.

The declaration must be given to the CEO within 1 month after the 12-month period in which the training is required to be completed.

The CEO must notify the Local Government Inspector if an Elected Member does not make a declaration by the due date, or the CEO believes the declaration provided is false or misleading or is likely to deceive.

Failure to make the declaration, or making a false declaration is an offence. An Elected Member who does not comply with the requirement to make a declaration loses their entitlement to all fees, reimbursement of expenses and allowance for the non-compliance period. The Local Government Inspector may issue a modified penalty infringement for non-compliance.

4.3 Elected Member Training Exemptions

- a) Training is valid for five years, therefore an Elected Member will only be required to undertake the training every second election cycle.
- b) Elected Members may be exempt from completing mandatory training where they can demonstrate prior learning or qualifications recognised under *the Local Government (Administration) Regulations 1996*. These exemptions generally apply where an Elected Member has successfully completed an equivalent or prescribed course within the previous five years -
 - (i) Council Member Essentials Course
 - (ii) the course titled 52756WA – Diploma of Local Government (Elected Member),
 - (iii) the course titled LGA50220 - Diploma of Local Government – Elected Member,
 - (iv) the course titled LGASS00007 - Elected Member.
- b) Any Elected Member seeking to rely on a training exemption must formally declare the exemption to the Chief Executive Officer through the prescribed 'Declaration Form' and provide the required evidence.

4.4 Costs of mandatory training.

Regulation 31(1)(c) of the Regulations provide that childcare and travel costs incurred by Elected Members to attend mandatory training of the Council Member Essentials Course are to be reimbursed by local governments. Accordingly, the Shire shall meet the costs of mandatory training for Council Members, including:

- a) training fees;
- b) travel and parking expenses (not to exceed the maximum amount as determined by the Salaries and Allowances Tribunal);
- c) food and beverage expenses (if not already provided as part of the mandatory training; and

- d) childcare expenses (not to exceed the maximum amount as determined by the Salaries and Allowances Tribunal).

5. Continuing Professional Development (CPD)

- 4.1 Elected Members are strongly encouraged to undertake ongoing CPD. This includes CPD that –

- a) Enhances the understanding of Elected Member roles and responsibilities, and/or the role and function of Local Government;
- b) Assists Elected Members to develop knowledge and skills in relation to the strategic objectives of the Shire;
- c) Enables Elected Members to further develop personal and professional skills necessary for excellence in performance of the Elected Member role; or
- d) Supports Elected Members in developing and maintaining positive and healthy communication, team culture and relationships, to facilitate excellent teamwork to achieve outcomes that deliver good government for the Shire of Nannup community.

- 4.2 Eligible CPD formats include, but are not limited to –

- a) Short courses;
- b) Training courses;
- c) Workshops;
- d) Seminars;
- e) Conferences;
- f) Formal qualifications, or individual units or modules as components of formal qualifications; and
- g) Membership of professional development organisation, where the membership incorporates access to Continuing Professional Development.

- 4.3 Acceptable CPD activities — example categories include -

- a) Statutory and governance training (Meeting procedures; Conflicts of interest; Financial literacy).
- b) Leadership and governance (strategic planning, ethics, community leadership).
- c) Sector-specific training (planning, environment, asset management, emergency management).
- d) Seminar/conference attendance, professional memberships, formal tertiary or accredited short courses, mentoring and structured peer learning.

- 4.4 CPD should be delivered by industry recognised training providers, peak bodies or professional organisation.

- 4.8 Elected Members are not to obtain personal benefit from expenditure of Shire funds and must not claim personal frequent flyer or accommodation loyalty points for air travel or accommodation paid for by the Shire in connection with CPD activities.

6. Requests and Approval

Elected Members who wish to attend CPD opportunities are to submit a request in writing to the CEO and include -

- a) Name of professional development, location and date;
- b) Copy of, or link to program, course outline or other summary of content;
- c) An outline of the anticipated benefits of attendance, with reference to the eligibility criteria in this policy; and
- d) Total estimated costs including accommodation, travel and sundry expenses.

Applications, including all required details, are to be submitted in reasonable time for registration and where possible the Shire will seek to take advantage of reduced prices for early registration.

7. Approval

Approval for Elected Member attendance may be granted by -

- a) the Chief Executive Officer where the:
 - (i) application complies with this policy;
 - (ii) CPD is to be held within Australia; and
 - (iv) the Elected Member has sufficient funds available in their professional development allocation to meet all costs of attendance.
- b) resolution of Council where the -
 - (i) application does not comply with this policy;
 - (iii) estimated costs of attendance exceed the available balance of the Elected Member's annual professional development allocation; or
 - (iv) event is to be held outside of Australia.
- c) Consideration will be given to the following when approving requests from Elected Members for professional development –
 - (i) the strategic direction of the Shire; and
 - (ii) the skills gap among the council as a whole; and
 - (iii) the needs of individual Elected Members.

8. Reporting

On completion of any Council funded professional development the Elected Member is expected to submit a report to Council within 30 days of attendance/completion outlining:

- a) the major points of interest for the Shire; and
- b) benefits to the Elected Member, the Council and the community; and
- c) the value of future professional development by other Elected Members.

The Chief Executive Officer is to compile a report listing each Elected Member and the training completed in that financial year which will be published on the Shire's website (legislative requirement) and in the Annual Report.

9. Compliance and Enforcement

Compliance with this policy, including mandatory training and reporting requirements, is required of all Elected Members.

Failure to comply may constitute a breach of the applicable Code of Conduct and/or the *Local Government Act 1995* and may be subject to investigation and enforcement action under the relevant legislative framework, including the application of penalties where prescribed.

AUTHORITIES AND ACCOUNTABILITIES

- a) Section 5.127(1) of the Act requires that a local government must prepare a report for each financial year on the training completed by Elected Members in the financial year.
- b) Section 5.127(2) of the Act requires that the CEO must publish the report on the local government's official website within 1 month after the end of the financial year to which the report relates.

The report is to include the following details of both mandatory training and continuing professional development completed by Elected Members:

- (i) Name of Elected Member;
 - (ii) Date of election;
 - (iii) Whether the Elected Member is required to complete Mandatory Training, and if applicable, the due date for completion and date of completion;
 - (iv) Title of each training course or module completed or event/conference attended;
 - (v) The date attended or completed;
 - (vi) The training provider or event/conference organiser;
 - (vii) The cost of attendance; and
 - (viii) Location of the training or event.
- c) Section 5.128(1) requires that the Shire prepare and adopt **(by absolute majority)** a policy in relation to the continuing professional development of a Elected Member.
 - d) Section 5.128(4) states that the CEO must publish an up-to-date version of this policy on the local government's official website.
 - e) Section 5.128(5) requires that the Shire must review the policy after each ordinary election.

ROLES AND RESPONSIBILITIES

The Executive Manager Corporate Services is to implement the policy and will provide interpretations in the event of the need for clarification.

DISPUTE RESOLUTION

All disputes concerning this policy will be referred to the Executive Manager Corporate Services in the first instance, and if unresolved, to escalated to the CEO for arbitration.

EVALUATION AND REVIEW

Section 5.128(5) of the Act requires that a local government must review the policy after each ordinary election and may review the policy at any other time.

Any amendment to the policy is to be adopted by Council by an absolute majority.

RELATED DOCUMENTS

- Councillor Allowances and Reimbursements Policy
- Attendance at Events Policy
- Council Member, Committee Members and Candidate Code of Conduct.

REFERENCES

Local Government Act 1995

Local Government (Administration) Regulations 1996

RESPONSIBILITY FOR IMPLEMENTATION

Executive Manager Corporate Services

Version OCM Ref. #	Date:	Next Review	ECM Reference #
1.			
2.			
3.			