

Acceptable Requests Priority Guideline

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Approved by:	General Meeting
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Scope

This Guideline applies to the Mayor, Councillors and employees and relates specifically to requests by Councillors for advice or information in accordance with the *Local Government Act 2009* (the Act) and Council's Governance Policy GOV-004-P ([A196640](#)).

Service requests and matters of a routine operational nature are not classified as an acceptable request under the Act. The process for Councillors and employees to undertake for service requests and minor/routine and operational matters is outlined in this guideline as information only.

Administrative support for Councillors is excluded from this guideline.

Purpose

The Mayor and Councillors of Redland City Council will from time to time require advice or information from employees of Council to enable them to effectively carry out their duties and represent the interests of the community.

Section 170A of the *Local Government Act 2009* (the Act) states that –

- (1) A councillor may ask a local government employee to provide advice to assist the councillor carry out his or her responsibilities under this Act.
- (2) A councillor may, subject to any limits prescribed under a regulation, ask the chief executive officer to provide information, that the local government has access to, relating to the local government.
- (3) If the advice or information requested under subsection (1) or (2) relates to a document, the requirement under subsection (9) to comply with the request includes a requirement to provide a copy of the document.
- (4) Subsections (2) and (3) do not apply to information or a document-
 - (a) That is a record of the conduct tribunal; or
 - (b) That was a record of a former conduct review body; or
 - (c) If disclosure of the information or document to the councillor would be contrary to an order of a court or tribunal; or
 - (d) That would be privileged from production in a legal proceeding on the ground of legal professional privilege.
- (5) A request of a councillor under subsection (1) or (2) is of no effect if the request does not comply with the acceptable requests guidelines.
- (6) Subsection (5) does not apply to-
 - (a) The mayor; or
 - (b) The chairperson of a committee of the council if the request relates to the role of the chairperson.
- (7) The acceptable requests guidelines are guidelines, adopted by resolution of the local government, about—

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- (a) the way in which a councillor may ask a local government employee for advice to help the councillor carry out his or her responsibilities under this Act; and
 - (b) reasonable limits on requests that a councillor may make
- (8) In this section a local government employee includes a person prescribed under a regulation.
- (9) The chief executive officer must comply with a request made to the chief executive officer under subsection (1) or (2)—
- (a) within 10 business days after receiving the request; or
 - (b) if the chief executive officer reasonably believes it is not practicable to comply with the request within 10 business days—within 20 business days after receiving the request
- (10) If the chief executive officer forms the belief mentioned in subsection (9)(b), the chief executive officer must give the councillor notice about the belief and the reasons for the belief within 10 business days after receiving the request.
- (11) In this section— former conduct review body means a regional conduct review panel or the Local Government Remuneration and Discipline Tribunal under this Act as in force before the commencement of the Local Government (Councillor Complaints) and Other Legislation Amendment Act 2018, section 18.

The underpinning local government principles and Councillors' responsibilities under the Act are set out in Sections 4 and 12 respectively. The provisions of these sections require Councillors to act in the interests of the residents of the local government area, to ensure effective service delivery and to be accountable to the community for the performance of the local government.

Section 13 of the Act sets out the responsibilities of local government employees including efficient and effective management of public resources, excellence in service delivery and provision of sound and impartial advice.

Through these provisions, the Act recognises that Councillors need to have access to current and relevant information about the local government to enable them to carry out their responsibilities.

Employees recognise this need and understand that the provision of prompt, accurate information to Councillors will enhance Council's reputation in the community as an efficient, customer focused organisation.

Therefore the purpose of this Guideline is to support good corporate governance in accordance with the local government principles by providing clear guidance for Councillors and employees to assist them in complying with the Act and serving the needs of our community.

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Types of Requests

Request for Advice or Information (except general information, routine matters or service requests)

1. Councillors may request advice or information from a member of the Executive Leadership Team (ELT Member) or a designated employee.
2. Requests for advice or information, where possible, are to be made in writing by email to acceptablerequests@redland.qld.gov.au. The request will be allocated to the designated employee for actioning.
3. Unless the information is generally in the public domain, any information or advice a Councillor receives pursuant to this policy is subject to section 171 of Act, Code of Conduct for Councillors in Queensland and Confidential Information and Reports Policy.
4. Councillors shall not direct or attempt to direct any employee. The only exception to this is for the Mayor, who is entitled to direct the Chief Executive Officer in accordance with Section 170 of the Act.
5. An ELT Member may authorise provision of the requested assistance or information to all other Councillors if it is considered that such provision would be in the best interests of the Council and/or the community or if the request relates to a matter currently under consideration by Council. In doing so, the relevant ELT Member will advise the relevant Councillor of their intention to provide the information to all Councillors.
6. Councillors shall not request their personal assets or their related person's personal assets to be used to provide information in case studies or examples.

Exceptions

A Councillor may not ask for advice or information that:

1. Will place an unreasonable burden on Council's resources (an ELT Member will advise a Councillor if the request will be an unjustifiable use of resources);
2. Is a record of the Councillor Conduct Tribunal;
3. Is a record of a former conduct review body;
4. Would be contrary to an order of a court or tribunal;
5. Would be privileged from production in a legal proceeding on the grounds of legal professional privilege;
6. Is considered to be outside the scope of a Councillors' official duties.

Response Times to Requests for Advice or Information

1. Wherever possible, the actioning officer will endeavour to provide a response to a request for advice or information within three to 10 business days after receiving the request.
2. If the matter is complex and it is not practicable to comply with the 10 business days, the matter must be actioned within 20 business days after receiving the request. The relevant ELT Member will advise the Councillor of the extended timeframe within 10 business days from receiving the request.

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Request for General Information and Routine Matters

1. A Councillor may contact an ELT Member or designated employee to discuss routine or operational matters. This can be via phone, email (preferred) or through a Councillor Executive Support Officer.
2. Councillors may contact a Councillor Executive Support Officer to locate general business information, minor/routine matters and records.
3. For anything other than operational matters, minor/routine matters and general information, Councillors are to follow the process for Request for Advice or Information (except general information, routine matters or service requests) as above.
4. Councillors' requests for assistance or information outside of normal business hours shall be made only to an ELT Member or designated employee. Councillors are encouraged to only seek assistance or information out of hours for matters of significant concern that should not be left to the next business day to resolve, e.g. imminent risk to community safety; an operational issue that immediately and significantly impacts residents' amenity or capacity to access services; or significant immediate risk to Council's reputation, etc. Where out of hours matters involve more operational issues, such as dog complaints or nuisance complaints, Councillors are to use the after-hours service through ICCC to report such matters and deal with the appropriate on-call officer.

Response Times to Operational Matters and General Information

1. Wherever possible, where the information the Councillor is seeking is known to an employee or is readily available from a Council business system, the response will be provided either immediately or within two business days.
2. If the request cannot be actioned within two business days, the Councillor will be advised of the expected date of completion.

Service Requests

1. Members of the community, in the first instance, should be encouraged to contact Council's ICCC to lodge a request for service or to discuss operational matters.
2. A service request from a Councillor (either received from a resident or a divisional inspection), must be raised directly through the ICCC or a Councillor Executive Support Officer. The service request will be raised in the Customer Request System. ICCC will send the acknowledgement to the requestor and the actioning department will liaise directly with the requestor and provide any feedback if required.
3. Service requests are not to be referred directly to any employee individually (except Councillor Executive Support Officers).
4. Operational matters or enquiries that are not a service request may be referred to an ELT Member or designated employee.

Response Times for Service Requests

1. Response times will be in accordance with timeframes set in the customer request system. All service request acknowledgements will advise of the timeframe for that specific request type.
2. A Councillor Executive Support Officer may provide the Councillor with a report monthly of the status of requests that have been raised through the Councillor's office.

Councillors must conduct their personal normal resident/citizen business through the ICCC or other customer contact channels only. Normal resident/citizen business is classified as:

(a) *Anything to do with a personal matter or property owned by a Councillor including but not limited to the below:*

(b) *enquiring about or paying rates, charges and fees*

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- (c) lodging service requests relating directly to their property
- (d) lodging complaints
- (e) lodging applications
- (f) animal registrations
- (g) enquiring about or paying infringements

Request for Officers to attend Meetings

1. A Councillor may request an employee to attend a meeting with a member(s) of the public where technical input, relevant background knowledge of the matter is necessary.
2. Requests must be made through the relevant ELT Member or designated employee in writing by email.
3. Such requests shall be accompanied by reasonable lead time (at least five business days) and adequate supporting information so that the employee can attend the meeting with a solid understanding of the issue at hand and where appropriate a meeting can be established between the Councillor and employee.
4. Meetings will be assessed and subject to operational workloads and priorities.

Response Times to Requests for Officers to attend Meetings

Wherever possible, the response will be provided as soon as practical depending on the notice of the meeting.

Communications

1. Communications between Councillors and employees must be conducted in a respectful, reasonable and professional manner as outlined in the respective codes of conduct.
2. Communications by must:
 - Be conducted in accordance with the principles prescribed in Section 4(2) of the Act.
 - Comply with the law, Council Policies, Guidelines and Procedures.
 - Be conducted in good faith.

Definitions

Term	Definition
Advice	The provision of knowledge or professional opinion held by a Council employee
Information	Information relating to Council that the local government has access to. It includes records and documents (in printed and electronic form) that Council possesses or can access.
Service Request	A request to undertake routine Council services ie" reporting a pot hole, missed bin service, maintenance requests.

Reference Documents

GOV-003-P Confidential Information and Reports Policy ([A2855251](#))
Corporate Information Resources Management Policy and Guideline, and Email Guideline.

Associated Documents

GOV-004-P Governance Policy ([A196640](#))
PAC-001-SD Employees Code of Conduct ([A196608](#))

Local Government Act 2009

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Document Control

Only an ELT member (of the relevant Department/Group) can approve minor administrative amendments to this document.

Any requests to change the content of this document must be forwarded to relevant Service Manager(s).

Approved documents must be submitted to the Corporate Meetings and Registers Team for registration.

Version Information

Version number	Date	Key Changes
2	July 2013	<ul style="list-style-type: none"> Updated Designated Employees Register (Version 2)
3	May 2014	<ul style="list-style-type: none"> Updated Designated Employees Register (Version 3) and minor administrative changes to the Guideline with no change to intent Updated 'Office of the Mayor' details.
4	Nov 2015	<ul style="list-style-type: none"> Updated Designated Employees Register
5	Aug 2018	<ul style="list-style-type: none"> Updated Designated Employees Register
6	July 2019	<ul style="list-style-type: none"> Updated Designated Employees Register Changed Guideline number to be under Governance Policy (POL-3002) Put in wording to advise that service requests are excluded from this guideline.
7	August 2020	<ul style="list-style-type: none"> Removed Designated Employees Register from Guideline to separate document, to be maintained by each department Administrative updates Updated to new guideline template
8	April 2021	<ul style="list-style-type: none"> Added new legislation Added clause that exclude Administrative Support for Councillors from this Guideline Added a clause for Councillors to not use their/their related persons personal assets to provide information for case studies and examples (OIA recommendation) Reworded various sections – same intent Updated hyperlinks to GOV-004-004-SD Designated Employee Register (A5697532)
9	August 2022	<ul style="list-style-type: none"> Updated Designated Employees Register
10	September 2023	<ul style="list-style-type: none"> Updated to include processes for all types of requests Various administrative changes