Council Policy
Policy Management Policy
Objective ID: A10043796

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1.0   AUTHORITY

Local Government Act 2020 generally; section 10 and section 46 specifically.

2.0   INTENT

The purpose of this Policy Management Policy is twofold. Firstly, the Policy Management Policy defines and characterises all level of policy documents within the Council. Secondly, the Policy Management Policy establishes how policy is managed through:

- the application of principles that underpin good policy;
- a consistent process for approval, review and rescission of policy;
- a consistent process for documenting and recording policy;
- a consistent process for dissemination of policy; and
- a central responsibility of the Governance and Legal Team to oversee policy management in accordance with the Policy Management Policy.

3.0   SCOPE

This Policy Management Policy applies to all Council Officers and Councillors.

4.0   POLICY STATEMENT

4.1   Overarching Principles

4.1.1   Policy holds a key role in the good governance of the Council and supports the objectives and functions of Council as described in the Act.

4.1.2   Council develops, reviews, documents and records policies through consistent processes that ensure all policies are necessary, coherent, comprehensive, current, understandable, documented, recorded and effectively disseminated.

4.1.3   Council policy is governed by the following principles of good policy:

- policy serves to ensure uniform direction, understanding and administration, identifies accountability and underpins transparency.
- policy is developed in response to regulatory or legislative requirements, identified operational needs and/or to establish strategic positions based on issues raised by the community, the Local, State or Federal Governments.
- policy aligns with regulatory and legislative requirements and reflects established codes, standards and the Council's adopted organisational values and Council Plan.
- policy is based on accurate, quality research and data, recognised best practice, and guidelines and recommendations issued by governing and peak bodies.

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- policy is informed by inclusive consultation with relevant stakeholders and with reference to Strategic Policy, Legislative Policy, Strategy and decisions of the Council.
- policy considers risk, legal and financial implications broadly across the organisation.
- policy documentation uses clear, simple, consistent, accessible language.
- policy is reviewed, amended or rescinded in a timely manner and in accordance with established timeframes. These timeframes should be informed by legislative requirements, best practice, changes to regulatory frameworks, Council direction and community expectations.
- policy documentation is formatted consistently for useability and to aid understanding.
- policy documentation is recorded consistently and listed in a policy register that is managed centrally.
- policy is effectively disseminated to employees, Councillors and the community.
- definitions used are to be used in accordance with Attachment 1.
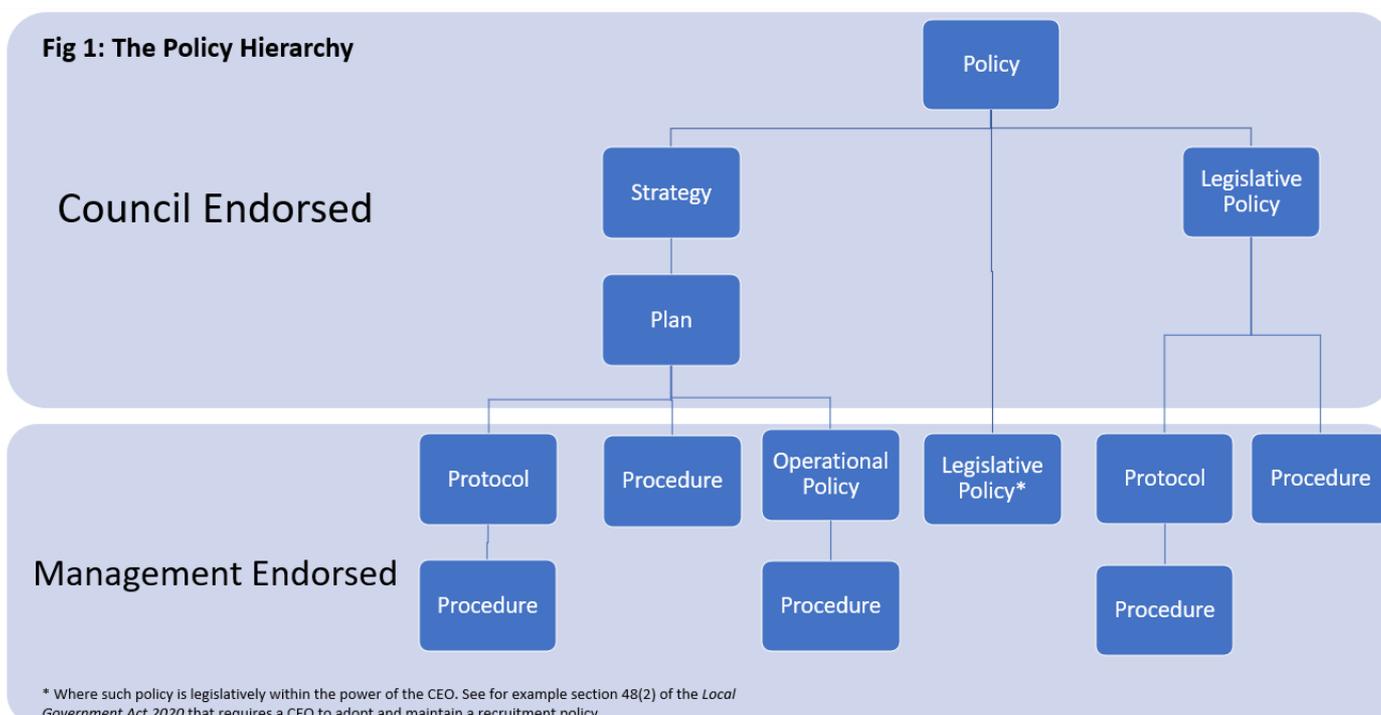

4.2   The Policy Hierarchy

4.2.1   The Policy Hierarchy is an overview of the documents that define and govern Council's activities.

4.2.2   The Policy Hierarchy coupled with the definitions identify how policies are to be named and how different policies inform and are informed by policy documents within the hierarchy.

4.2.3   The Policy Hierarchy establishes which policy documents are endorsed by Council and which by the Chief Executive Officer

4.2.4   If a policy is to be endorsed by the Council, then it must be developed and implemented in accordance with this Policy Management Policy and Attachment 2.

4.2.5   If a policy is to be endorsed by Management, then it must be developed and implemented in accordance with this Policy Management Policy and Attachment 3.

4.2.6   Protocols and Procedures may be endorsed by the Executive in accordance with Attachment 3, or if considered appropriate by the relevant Manager or Director, approved by that Manager or Director. In making such determination, the Manager or Director should consider the impact of the Protocols and Procedures across the Council.

4.2.7   While not every policy position will require all documents in the hierarchy, it is accepted that a policy Framework will include one or more of the policy documents from the hierarchy. For example, a policy Framework may include a Strategy, Plan and Procedure or a Plan and a Procedure or a Legislative Policy and a Protocol.

4.2.8   It is accepted that Guidelines may be available to inform the development of a Council policy or may be developed by Council to assist with the implementation of a Council policy.

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Such Guidelines do not have a formal part in the Policy Hierarchy, but it is acknowledged that they will be used and developed at various levels of the Policy Hierarchy.

4.2.9 Notwithstanding that a policy document falls within the Management Endorsed Policy in the Policy Hierarchy, it does not mean that Council endorsement may not be appropriate. For those policy documents that have significant community impact or are contentious or topical, the officer must present the policy to Council. In those instances, it would be appropriate to comply with Attachment 2.

4.2.10 It is expected that any amendments or reviews made to policy are approved in the same manner in which the initial policy was approved.

Fig 1: The Policy Hierarchy

Council Endorsed

Policy — Strategy — Plan — Legislative Policy

Management Endorsed

Protocol — Procedure — Operational Policy — Legislative Policy* — Protocol — Procedure

Procedure — Procedure — Procedure

* Where such policy is legislatively within the power of the CEO. See for example section 48(2) of the *Local Government Act 2020* that requires a CEO to adopt and maintain a recruitment policy

4.3 Development of Council Endorsed Policy

4.3.1 The Act recognises that Councillors are responsible for the good governance of its municipal district for the benefit and wellbeing of the municipal community. The Act also recognises that the role of every Councillor is to *'contribute to the strategic direction of the Council through the development and review of key strategic documents of the Council, including the Council Plan'* (section 28(1)(c)).

4.3.2 The Act further requires that the Council must take into account community engagement, public transparency, strategic planning, financial management and service performance principles.

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4.3.3   Council must ensure that its policy development takes into account the community engagement principles and the Community Engagement Policy.

4.3.4   The development of the Community Vision, Council Plan, Financial Plan and Asset Plan must be undertaken with deliberative engagement practices as identified in the Community Engagement Policy.

4.3.5   All Council endorsed policy must be undertaken in accordance with the strategic planning principles as outlined in section 89 of the Act.

4.3.6   The development of Council Endorsed Policy must take place generally in accordance with Attachment 2.

4.4   Development of Management Endorsed Policy

4.4.1   Under the Act, the Chief Executive Officer is responsible for *ensuring the effective and efficient management of the day to day operations of the Council* (section 46(1)(b)). In order to undertake this role, the Chief Executive Officer will be required to ensure the development of effective and efficient policy to execute the strategic direction of the Council and to manage the day to day operations of the Council.

4.4.2   The development of Management Endorsed Policy must take place generally in accordance with Attachment 3.

4.5   Policy Administration

4.5.1   Governance and Legal will hold the administrative control of the development of all policy within the organisation.

4.5.2   The development of all policy within the organisation should not be commenced without first seeking the approval of Governance and Legal. Approval will ensure that the policy is necessary and in the appropriate form, will inform which Policy Hierarchy it will be contained and will identify other policy documents which are relevant.

4.5.3   Governance and Legal will be responsible for managing the Controlled Document Register, identifying to Policy Sponsors when relevant policies are due for review and ensuring that all adopted and endorsed policies are accessible to Council Officers, Councillors and the community as appropriate.

4.5.4   Governance and Legal will be responsible for all template documents, amendment and review of this Policy Management Policy and are authorised to make changes to the Attachments to this document.

4.6   Communication of Policy

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4.6.1 Governance and Legal will be responsible for advertising and promoting any endorsed, adopted or rescinded policy within the organisation. This will generally be through inclusion on the intranet and recording in Objective and where appropriate promotion through emails, communications plans or on the Councillor Communicator.

4.6.2 The Mayor, CEO and relevant business unit will be responsible for communicating Council Endorsed Strategies outside of the Organisation.

5.0   ASSOCIATED DOCUMENTS

- Policy Template
- Controlled Documents Register
- Procedures

6.0   DEFINITIONS

The definitions listed in Attachment 1 are to be applied to this Policy Management Policy and all Council policy.

7.0   POLICY SPONSOR

The Head of Governance and Legal is responsible for overseeing the application and review of this Policy Management Policy.

8.0   DOCUMENT CONTROLS

This Policy Management Policy will be reviewed by the Council within twelve months of the approval date then every two years thereafter.

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ATTACHMENT 1 - DEFINITIONS

Briefing Session	A Briefing Session of the Council.
Business Plan	Include Group business plans and individual performance plans.
Controlled Documents Register	A register owned and maintained by Governance and Legal that identifies and manages all policy documents within the Council.
Council	The Mornington Peninsula Shire Council.
Council Endorsed Policy	Policy documents that are strategic in nature that must follow the procedures identified in the Act, including consultation with the Councillors and adoption by Council. This will typically include Legislative Policy, Strategies and Plans (other than Business Plans and work plans).
Council Officer	An employee of the Mornington Peninsula Shire Council.
Councillor	Means a Councillor of the Mornington Peninsula Shire Council.
Councillor Workshop	A dedicated time for Councillors to workshop the concepts and intentions of a Council Endorsed Policy. Where possible the Councillor Workshop should occur prior to the draft policy being prepared.
Framework	A policy or collection of policy documents detailing supporting systems, structures, skills and processes needed to achieve a strategic outcome or objective.
Guideline	Provides information and advice on a subject and assists with the development or implementation of a policy.
Legislative Plan	Means the Council Plan, Financial Plan, Asset Plan and Revenue and Rating Plan.
Legislative Policy	A policy that is required under a legislative provision.
Management Endorsed Policy	Policy documents that are not strategic in nature and do not require consultation with Councillors or adoption by Council. This will typically include Operational Policy, Guidelines, Protocols and Procedures.
Mornington Peninsula Shire	The Mornington Peninsula Shire municipal area.

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Operational Policy	A policy that relates to the internal business of Council and guides Council Officers in meeting objectives.
Plan	A strategic document that outlines the method, actions and timeframes to achieve a strategy or outcome.
Policy	An overarching term that includes all documents that detail Council's official position on a particular issue and includes principles and rules to guide decision making.
Policy Hierarchy	A hierarchy that identifies the relationship between different policy documents.
Policy Sponsor	The relevant Manager or Director who is responsible for reviewing the policy, ensuring its implementation and undertaking review.
Procedure	A detailed description of the steps required to accomplish a task.
Protocol	Official set of rules or procedures that must be followed to achieve a task
Strategy	A long-term vision that outlines a particular set of strategic outcomes or objectives Council want to achieve
Township Plan	A long-term vision used as a basis for future planning and decision making about the use and development of private and public land.

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ATTACHMENT 2: DEVELOPMENT OF COUNCIL ENDORSED POLICY

The development of Council Endorsed Policy should occur generally in accordance with the following steps.

Step 1: The triggers for a policy review or development of a new policy could include (but are not limited to); changes to Council's strategic direction; changes to legislation; to address an audit outcome; a change in business, community or municipal needs or identification of content gaps or overlaps between policies.

Consider whether development of policy is necessary or appropriate and determine which policy document is best suited. This will require consideration of the intended Policy Framework. That is, where will this policy fit in and what documents will be needed to support it.

Obtain the necessary approval from the intended Policy Sponsor to develop or review the policy.

Step 2: Research and consult in order to develop or draft the policy document. This step should consider requirements under legislation, existing policy or strategic direction of Council. It should also consider links to the Council Plan objectives and Council's organisational values.

The research phase should include gathering relevant information and data on the subject including existing documentation on Knowledgebase, Objective etc. and ensuring consistency with best practice or benchmark with other councils, peak bodies and organisations.

Consultation with other Officers and organisations may be required as well as consideration of the risk, legal and financial implications of the proposed policy.

Step 3: Councillor Workshop. Council Endorsed Policies are concerned with the strategic direction of Council therefore it is necessary that Councillor's views are considered, and that direction and guidance is taken from Councillors when developing the policy.

Step 3 may occur simultaneously with Step 2 or it may be required at Step 2 and Step 3. The overarching principle is to ensure that Councillors are engaged early enough to allow meaningful engagement with the development of the ideas and strategic direction.

Step 4: Draft the policy using the relevant template or where non-existent, an appropriate template that is consistent with existing policy. To the greatest extent possible, all new policy should draw from and use the same terminology as existing policy, and

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as detailed in this Policy Management Policy. Where appropriate, the policy should be circulated to the relevant business areas for feedback.

Step 5:   Briefing. Following a Councillor Workshop, draft policy and consultation with internal business areas, the draft policy should go to a Briefing Session to ensure that the strategy and intention is appropriate.

Step 6:   Public Consultation, where required, to be in accordance with the Community Engagement Strategy.

Step 7:   Adoption. The draft policy is to be taken to Council for adoption.

Step 8:   Communication and implementation. Governance and Legal will ensure that the policy is communicated generally to the Council. The Policy Sponsor is responsible for communicating the policy to any specific business units or outside of the Council and addressing any questions regarding its implementation and application.

Step 9:   The policy will be placed on the Controlled Documents Register along with the intended review date and the Policy Sponsor.

Step 10:   Continual Improvement and review. Notwithstanding the review date, the Policy Sponsor is responsible for reviewing the policy, should there be changes to legislation, best practice or policy position of the Council, and will refer the Policy to the Council for review and further adoption.

Step 11:   The Policy Sponsor may make recommendations to the Council to rescind a policy.

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ATTACHMENT 3 – DEVELOPMENT OF MANAGEMENT ENDORSED POLICY

The development of Management Endorsed Policy should take place generally in accordance with the following steps:

Step 1: The triggers for a policy review or development of a new policy could include (but are not limited to); changes to Council's strategic direction; changes to legislation; to address an audit outcome; a change in business needs or identification of content gaps or overlaps between policies.

Consider whether development of policy is necessary or appropriate and determine which policy document is best suited. This will require consideration of the intended Policy Framework. That is, where will this policy fit in and what documents will be needed to support it.

Obtain the necessary approval from the intended Policy Sponsor to develop or review the policy.

Step 2: Research and consult in order to develop or draft the policy document. This step should consider requirements under legislation, existing policy or strategic direction of Council. It should also consider links to the Council Plan objectives and Council's organisational values.

The research phase should include gathering relevant information and data on the subject including existing documentation on Knowledgebase, Objective etc. and ensuring consistency with best practice or benchmark with other councils, peak bodies and organisations.

Consultation with other Officers and organisations may be required as well as a consideration of the risk, legal and financial implications of the proposed policy.

Step 3: Draft the policy using the relevant template or where non-existent, an appropriate template that is consistent with existing policy. To the greatest extent possible, all new policy should draw from and use the same terminology as existing policy, and as detailed in this Policy Management Policy. Where appropriate, the policy should be circulated to the relevant business areas for feedback.

Step 4: Approval. For Management Endorsed Policy, this requires approval and endorsement by the Executive Team, unless it is a Procedure or Protocol which is considered appropriate for approval by the Manager or Director.

Step 5: Communication and Implementation, which occurs simultaneously with Step 6. Governance and Legal will ensure that the policy is communicated generally to the Council. The Policy Sponsor is responsible for communicating the policy to any

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specific business units and addressing any questions regarding its implementation and application.

Step 6: Once endorsed, the policy will be placed on the Controlled Documents Register along with the intended review date and the Policy Sponsor.

Step 7: Continual Improvement and review. Notwithstanding the review date, the Policy Sponsor is responsible for reviewing the policy, should there be changes to legislation, best practice or policy position of the Council.

Step 8: The Policy Sponsor may make recommendations to the Executive Team to rescind a policy.