

Responsible Directorate	Corporate Services
Responsible Business Unit/s	Governance
Responsible Officer	Manager Governance and Strategy
Affected Business Units	Governance Executive Services

Objective

This policy describes the Shire of Serpentine Jarrahdale's (the Shire) approach to enable Councillors to meet their statutory obligations in relation to Councillor training and gives effect to the requirement to adopt a continuing professional development policy.

Part 5, Division 10 of the *Local Government Act 1995* (the Act) describes provisions related to the universal training of Councillors:

- under section 5.126 of the Act, each Councillor must complete training in accordance with the Regulations;
- under section 5.127 of the Act, the CEO must publish a report on the local government's website within 1 month of the end of the financial year detailing the training completed by Councillors;
- under section 5.128 of the Act, a local government must prepare and adopt a policy in relation to the continuing professional development of councillors.

Policy

Introduction

Councillors have a unique and challenging role performing their functions under the Act. The Shire recognises the value of training and continuing professional development to build and supplement Councillor skills and experience.

Training can take several forms including formal qualifications, short-courses, seminars and conferences.

Training paid for in accordance with this policy must have benefit to Council, the Shire and the community. Training must relate to the professional development of Councillors in their role as a Councillor. Examples of organisations that provide training relating to the professional development of Councillors, includes, but is not restricted to:

- Western Australian Local Government Association (WALGA)
- Australian Local Government Association
- Australian Institute of Management
- Australian Institute of Company Directors
- Institute of Public Administration Australia.

Training related to public sector management leadership; town planning; strategic planning; financial management; corporate governance; risk management; conflict resolution; and emergency management is also considered to be relevant.

In considering training, Councillors should complete training, where possible, through a Registered Training Organisation.



Attendance and/or participation at conferences is also considered to be training where value to the Council, Shire and community can be demonstrated.

Councillors should note that all training undertaken, including conferences paid for entirely or partially by the Shire will be published on the Shire's website in accordance with section 5.127 of the Act.

Prescribed training requirements (legislative)

The *Local Government (Administration) Regulations 1996* (the Regulations) requires Councillors to complete a 'Council Member Essentials' course consisting of five modules. Certain exemptions, specified in the Regulations, apply.

Training must be completed by all Councillors following their election within 12 months of taking office and is valid for five years. The Regulations require that the course is completed through North Metropolitan TAFE, South Metropolitan TAFE, or WALGA.

Non-compliance with the requirement to complete training is an offence under the Act punishable by a fine not exceeding \$5,000.

Councillors have a responsibility to complete training in accordance with legislation.

Following each ordinary election, Councillors will be provided with information on training options from the approved training providers. Councillors will be able to select a training option to meet their learning style and availability.

Unless otherwise resolved by Council, training that a Councillor is required to complete under section 5.126 of the Act will be paid for separately by the Shire and will not be subtracted from the individual training allocation provided to the respective Councillor in the budget.

Prescribed training requirements (non-legislative)

One of the key responsibilities of Councillors is in the recruitment and performance assessment of the Chief Executive Officer. This is reflected in the Standards of CEO Recruitment, Performance and Termination adopted under Schedule 2 of the *Local Government (Administration) Regulations 1996*.

As a requirement of this policy, every Councillor must complete the WALGA CEO Performance Review training within 12 months of the adoption of this requirement in the Policy and thereafter within 12 months of taking office.

Prescribed training in this section will be paid for separately by the Shire and will not be subtracted from the individual training allocation provided to the respective Councillor in the budget.

Continuing Professional Development

The Shire is committed to supporting Continuing Professional Development of Councillors to the benefit of Council, the Shire and the community.

Continuing professional development can include training and attendance at conferences in accordance with this policy.

Training that exceeds the allocated budget amount may be approved by resolution of Council.

Mentoring and coaching

Independent inquiries and academic research have demonstrated the benefit of professional mentoring and coaching. Professional mentoring and coaching is a distinct form of professional development and is outside the parameters of this policy as it relates to training.

When adopting its annual budget, Council may resolve to allocate funding to a Councillor mentoring and coaching program. Each sitting Councillor may at any time request to access professional



mentoring and coaching services procured by the Shire to a maximum value of the total value of the allocation divided by the number of Councillors. In the event that there are insufficient funds during the course of a financial year, Officers may request Council consider an additional allocation.

Requests to access professional mentoring and coaching services will be managed confidentiality by Officers. Procurement for professional mentoring and coaching services will be conducted in accordance with Council's purchasing policy.

Completing training

Councillors seeking to undertake training must provide the request to the Council Support Officer to enable the training to be purchased in accordance with the Shire's procurement and purchasing rules.

Councillors wishing to complete a training program that spans across multiple financial years or that exceeds their annual funding allocation may apply to have their allocation allotted in advance.

Each Councillor is to be allotted an annual training allocation in the Annual Budget. The training allocation is for a financial year and expires at the end of the financial year.

As the expenditure of funds from the Shire's budget can only be authorised by Council or through Council approved instrument of delegation, Councillors must obtain the necessary approvals set in this policy prior to making any financial or other commitments on behalf of the Shire.

The payment of travel and accommodation costs associated with any interstate or intrastate training or conferences greater than a value of \$300 is to be authorised by resolution of Council. Unless authorised by Council, travel, accommodation and associated costs are to be debited from a Councillor's training allocation.

Section 5.57 of the Act defines a gift as the conferral of a financial benefit made by one person in favour of another person without adequate compensation. Under this definition, the provision of training to Councillors at no cost or at a subsidised rate can be considered in a gift in certain circumstances. Councillors should consult Officers before accepting offers of training or attendance at conferences.

Councillors must not receive personal ancillary benefits associated with travel to participate in training and conferences such as frequent flyer points.

Unless otherwise resolved by Council:

- Councillors are to use their annual training funding allocation for all training and continuing professional development, except for training that they are required to complete under section 5.126 of the Act;
- Councillors are not permitted to nominate for attendance at a training course or conference paid for by the Shire three months prior to their term of office expiring;
- Councillors who do not complete training paid by the Shire will be required to repay the Shire for the training and associated costs; and
- Any amendments or cancellations to bookings resulting from a change in Councillors' personal circumstances shall be at the Councillor's own cost. Any change or cancellation resulting from the Shire's operations shall be communicated to Councillors and paid for by the Shire.

Training to be delivered to all Councillors may be paid from a separate allocation by Council resolution.

Reporting on training

In accordance with section 5.127 of the Act, the Shire will publish a report on the local government's website within one month of the end of the financial year detailing the training completed by Councillors.



Council Policy 3.3.4 - Councillor Training and Continuing Professional Development

In order to complete the register, Councillors shall, following completion of the training, provide evidence of completion of the training to the Council Support Officer. Councillors will be asked to confirm their completion or attendance as applicable prior to the publication of the register.

The register will state:

- Councillor name
- Each training course or module completed
- The cost of training and any associated travel and accommodation paid for by the Shire
- The training provider or conference name

For reporting purposes, the costs of training completed as a group will be apportioned to each Councillor that was registered to attend.

Mentoring and coaching is not to be included in the register required under section 5.127 of the Act.

Councillors are encouraged to share learnings and insights from training, including conferences with Council. This could include a summary of the training or conference to be distributed in 'Friday Facts'.

Relevant Policies/Council Documents

- Council Policy 3.3.5 – Councillor and CEO Attendance at Events

Legislation/Local Law Requirements

- Part 5, Division 10 of the *Local Government Act 1995*
- Part 10 of the *Local Government (Administration) Regulations 1996*
- Under section 5.128 of the *Local Government Act 1995* adoption and modification of this policy requires an Absolute Majority decision by Council.

Office Use Only				
Relevant Delegations				
Council Adoption	Date	16 December 2019	Resolution #	OCM301/12/19
Reviewed/Modified	Date	19 July 2021	Resolution #	OCM194/07/21
Reviewed/Modified	Date	18 July 2022	Resolution #	OCM174/07/22