Policy G18 – Communications Agreement

Contents

Schedule 1 – Communications Agreement 3
Division 1 – Preliminary Provisions 3
1. Introduction 3
2. Terms Used 3
3. Application 5
Division 2 – General Provisions 5
4. General Principles 5
5. Correspondence sent by the Shire President on behalf of the Shire 6
6. Nominated Employees 6
7. CEO may direct who responds 6
8. Members making Resident Requests 6
9. Informal Requests and response expectations 7
Division 3 – Requests for information generally 7
10. When Members make a Request for Information 7
11. Information that may be requested 7
12. Certain information not required to be provided 8
13. Disputes regarding final response to Request for Information 8
14. President may discuss media enquiry without making request for information 8
Division 4 – Requests for Information 9
15. Making a request for information 9
16. Receipt of request must be acknowledged 9
17. Request may be discussed and amended 9
18. Responding to a request for information 9
19. When final response must be provided to other members 10
20. Requesting member may discuss final response 10
21. CEO may arrange for briefing, meeting or discussion in relation to final response 10
Division 5 – Administrative Requests for Information or Assistance 11
22. Scope of Administrative Requests 11
23. Making an Administrative Request 11
24. Responding to an Administrative Request 11
Division 6 — Provision in relation to Commissioner 12

25. Application of Agreement to Commissioner 12
26. Requests for information by Commissioner 12
Appendix 1 – Nominated Employees 13
Requests for Information 13
Administrative Requests 13
SCENARIOS 14
Request for information 14
Administrative Requests 14
Resident Requests 15
Not permitted 16

Schedule 1 – Communications Agreement

Division 1 – Preliminary Provisions

1. Introduction

For the purposes of the *Local Government Act 1995* (**Act**), this is the Shire of Murray communications agreement between the Council, Committee Members and the Chief Executive Officer of the Shire.

Effective communication between Council Members and Committee Members (collectively referred to as Members) and the Shire administration is vital for good governance, informed decisions and community focused outcomes.

This Communications Agreement (**Agreement**) provides a structured framework for interactions between Members, the CEO, and Shire Officers.

This Agreement is intended to ensure transparency, consistency, and equity in access to information, protect employees from undue influence, and maintain clear separation between council and administration.

The Agreement outlines the procedures for requesting and responding to requests outside of formal meetings, and expectations regarding professional conduct, aligned with the Shire of Murray Code of Conduct for Elected Members, Committee Members and Candidates and the Shire Code of Conduct for Employees and all relevant policies and procedures.

The provisions of this Agreement are intended to align with the Act and relevant regulations.

2. Terms Used

(1) In this Agreement

Act means the *Local Government Act 1995*;

administrative matter, in relation to a council member or committee member, means the following;

(a) the scheduling of council meetings or committee meetings;

(b) the council member's or committee member's compliance obligations under the Act, including in relation to disclosure of financial interests and gifts;

(c) information technology support for the council member or committee member;

(d) arrangements for the council member or committee member to attend training or a conference;

(e) event invitations received by the council member or committee member;

(f) the council member's or committee member's entitlement to a fee, allowance, reimbursement or superannuation contribution payment under the Act; or

(g) any other matter of an administrative nature;

For clarity, an administrative matter relates to the Member's role, responsibilities, or entitlements as a Member and does not include matters relating to the operational functions, service delivery, regulatory functions, or decision-making of the Shire.

Administrative Request means a request that is either or both of the following;

(a) an administrative request for information about an administrative matter;

(b) a request for administrative assistance.

For clarity an Administrative Request is a request for support or action to assist a Member in performing their role and responsibilities.

administrative request for information means a request for information that relates only to an administrative matter;

appropriate nominated employee means the following;

(a) in relation to a request for information, an employee nominated in relation to;

  (i) all requests for information; or

  (ii) a type of request for information that includes the request for information;

(b) in relation to a media enquiry to be discussed under clause 11(1), an employee nominated in relation to;

  (i) all media enquiries; or

  (ii) a type of media enquiry that includes the media enquiry;

(c) in relation to a request for administrative assistance an employee nominated in relation to;

  (i) all requests for administrative assistance; or

  (ii) a type of request for administrative assistance that includes the request for administrative assistance;

CEO means the Chief Executive Officer of the Shire of Murray

committee means a committee of the council;

council means the council of the Shire of Murray;

employee means an employee of the Shire of Murray;

President includes a councillor performing the functions of the President under Part 5 Division 3 of the Act;

Resident Requests means a request for service that a resident or ratepayer may make to the Shire.

request for administrative assistance means a council member or committee member may make a request for support or action to assist a member in performing their role;

Request for Information in relation to a local government, means a request for;

(a) access to information held by the Shire under section 5.92 of the Act or otherwise; or

(b) other information;

Requesting Member, in relation to a Request for Information or an Administrative Request, means the Member who made the request;

Shire means the Shire of Murray

working day means a day other than;

(a) a Saturday or a Sunday; or

(b) a public holiday throughout the State; or

(c) a public holiday in an area that is or includes the district or any part of the district.

(2) If any other term used in this Agreement is given a meaning in section 1.4 of the Act or the *Interpretation Act 1984* section 5, it has the same meaning in this Agreement.

(3) A reference in this Agreement to a Member performing a function under a written law other than the Act does not include a reference to the Member performing a function in a capacity other than that of a Member under the Act.

3. Application

(1) This Agreement applies to a person who is a Member or Employee when acting in their capacity as an employee.

(2) Despite subclause (1), this Agreement does not apply to anything that a Member or Employee does as part of:

(a) the deliberations at a council or committee meeting; or

(b) recruiting, reviewing the performance of or terminating the employment of the CEO in accordance with the adopted standards.

Division 2 – General Provisions

4. General Principles

The Council and CEO agree to the following general principles:

(1) The CEO will support the Members to perform their functions under the Act and any other written law;

(2) Members will not directly contact or seek to obtain information from employees other than the CEO or an appropriate nominated employee, except as expressly permitted under this Agreement.

(3) Without limiting paragraph (1), the CEO will ensure that;

(a) requests for information and administrative requests made by a member are responded to in accordance with this Agreement; and

(b) employees deal and communicate with the Members in accordance with this Agreement.

(4) Members will;

(a) ensure their dealings and communications with Employees are in accordance with this Agreement;

(b) not direct, attempt to direct, or improperly influence an employee in the performance of their duties;

(c) ensure their Requests for Information and Administrative Requests are made in accordance with this Agreement;

(d) only request information that is relevant to their functions under the Act or any other written law;

(e) act in accordance with relevant Shire of Murray policies and procedures.

5. Correspondence sent by the Shire President on behalf of the Shire

Where prescribed by regulations, the CEO will ensure that all Members receive details of formal, executed documents sent by the President on behalf of the Shire.

6. Nominated Employees

(1) The CEO has nominated employees for the purposes of Requests for Information and Administrative Requests, as provided in Appendix 1.

(2) Appendix 1 may be updated by the CEO to reflect changes in position titles and areas of responsibility as needed and Members will be informed when such changes occur.

(3) Only amendments related to position titles and areas of responsibility are permitted.

7. CEO may direct who responds

Despite anything else in this Agreement, the CEO may direct which employee is to respond to a particular Request for Information or Administrative Requests or Resident Request.

8. Members making Resident Requests

(1) When a Member is making a Resident Request in the capacity of a resident, Members must use standard customer request channels such as Report It;

(2) Members must remain mindful that they are always acting in a public office and must not engage in conduct that could reasonably be perceived as directing or influencing employees;

(3) Members must not seek or be provided with preferential treatment;

(4) Members must not request that responses to resident requests be provided to them in place of the resident;

(5) Where a member is not satisfied with the outcome of a Resident Request, the Member must direct the review of the outcome to the CEO;

(6) Shire Officers will when unsure if a Member is directing or using influence inform the CEO.

9. Informal Requests and response expectations

(1) A Member must not make a Request for Information or an Administrative Request during social, incidental or informal interactions with any employee.

(2) Nothing in this clause prevents general social or incidental communication between a Member and an employee, provided that no request is made.

(3) Nothing in this Agreement requires the CEO or an employee to respond to a Request for Information or an Administrative Request outside normal working hours.

Division 3 – Requests for information generally

10. When Members make a Request for Information

(1) All Members are entitled to access information that is necessary for them to perform their functions, in accordance with section 5.92 of the Act and Regulation 29 of the *Local Government (Administration) Regulations 1996*.

(2) Requests for information must:

(a) relate to a function or responsibility under the Act or other relevant legislation;

(b) requests should be specific in scope, including relevant background information; and

(c) be submitted in writing to the CEO or nominated employee, where submitted to a nominated employee the CEO must be copied in to the request.

(3) Access may be restricted where the information is confidential, legally privileged, or not relevant to the Members role.

(4) Members are expected to use any information obtained through their role responsibly and in accordance with the relevant policies, procedures, and all relevant confidentiality obligations. This includes adhering to the requirements under section 5.93 of the Act, which prohibits the improper use of information acquired in the performance of their duties.

(5) Specifically, Members must not disclose information obtained from confidential documents or from closed meetings, except where the information has also been made available through non-confidential sources.

(6) Members must not use information gained through their position to obtain a personal or third-party advantage or to cause detriment to the Shire or any other person/s.

11. Information that may be requested

(1) A Request for Information may be for advice or other information regarding any of the following

(a) a service, project or initiative being delivered by the Shire;

(b) how the Shire usually manages a particular matter, issue, service or query;

(c) budgeting or financial information, including details of the costs of any service, project or initiative delivered or proposed to be delivered by the Shire;

(d) an issue or situation of broad public concern or interest within the district;

(e) preparing a motion to council or a committee;

(f) correspondence received by the Member;

(g) an administrative matter (refer to Definitions).

(2) The Shire President may make a Request for Information for advice or other information regarding any of the following:

(a) publicly representing the Shire government at a media appearance or other event (including advice or other information in the form of a briefing or speaking notes);

(b) correspondence to be sent by the Shire President;

(c) arranging a formal meeting or an official event.

(3) This clause does not limit what information may be the subject of a Request for Information.

12. Certain information not required to be provided

(1) Nothing in this Agreement requires information to be provided to a Member in response to a Request for Information if:

(a) the request is not made in accordance with this Agreement;

(b) the information is of a kind that is excluded under section 5.92(4) of the Act, such as but not limited to information that is confidential or legally privileged;

(c) The information is not held by the Shire, including information that is held by another person or body and cannot be reasonably obtained.

(d) The CEO is satisfied that the request would unreasonably divert a substantial portion of the Shire's resources away from its other functions.

13. Disputes regarding final response to Request for Information

(1) If a Request for Information is refused in part or in full, the requesting Member has the right to dispute the final response by notifying the CEO in writing

(2) This dispute must be discussed in a meeting involving the President, the CEO, and the requesting Member.

(3) If the issue remains unresolved after this meeting the Member may escalate the dispute to Council for a determination.

(4) The Council's decision on the matter may override the CEO's original decision, and such a determination is considered final.

14. President may discuss media enquiry without making request for information

(1) The Shire President may discuss a media enquiry with the CEO or an appropriate nominated employee, either verbally or in writing, without making a Request for Information.

(2) Subclause (1) does not prevent the Shire President from making a Request for Information in relation to a media enquiry.

Division 4 – Requests for Information

15. Making a request for information

(1) Members are required to submit requests for information to the CEO and the relevant nominated employee, as specified in Appendix 1.

(2) Such requests must be made in writing and should include both the details of the information sought and the relevant background to the request.

16. Receipt of request must be acknowledged

(1) The CEO or nominated employees must ensure that receipt of a Request for Information is acknowledged in writing within 2 working days after the day on which the request is made.

17. Request may be discussed and amended

For the purposes of responding to a Request for Information, the CEO or the nominated employee may do either or both of the following:

(a) discuss the Request for Information with the requesting Member, including for the purpose of clarifying the scope of the information the subject of the request.

(b) if the requesting Member requests an amendment to the scope of the information the Request for Information will be amended.

18. Responding to a request for information

(1) The CEO must ensure that the requesting Member is given a final response to their Request for Information as soon as practicable.

(2) If a Request for Information relates to a matter included in the agenda for an upcoming council or committee meeting, the CEO must make best endeavours to ensure that the requesting member is given a final response to the request before the meeting.

(3) Without limiting subclause (1) or (2), the CEO must ensure that, within 10 working days after the day on which a Request for Information is made, the requesting member is given;

  (a) a final response to the request; or

  (b) notice that if a final response cannot be given within that period and an estimate as to when a final response will be given

(4) The final response to a Request for Information must;

(a) be in writing; and

(b) include any advice or other information provided in response to the Request for Information.

(5) If the final response includes a refusal to provide some or all of the information the subject of the Request for Information, the response must set out the reasons for that refusal.

19. When final response must be provided to other members

(1) A copy of the final response to a Request for Information given to the requesting Member must be provided to;

(a) all council members; and

(b) if the final response is relevant to the work of a committee; any members of the committee who are not Council Members.

(2) Subclause (1) does not apply if;

(a) the Request for Information is a request for advice regarding correspondence and the final response is provided to all Members who received the correspondence; or

(b) the Request for Information is from the Shire President for advice or other information regarding;

(i) publicly representing the Shire at a media appearance or other event (including advice or other information in the form of a briefing or speaking notes);

(ii) correspondence to be sent by the President;

(iii) arranging a formal meeting or an official event; or

(c) the requesting Member and the CEO agree that;

(i) the final response is confidential; or

(ii) because of particular circumstances, it is appropriate not to provide the final response to all Members under subclause (1).

20. Requesting member may discuss final response

(1) The requesting member may communicate with the CEO or the nominated employee about the final response to their request, either verbally or in writing.

(2) During this discussion, the member may receive additional information intended to clarify or address any questions regarding the final response.

21. CEO may arrange for briefing, meeting or discussion in relation to final response

(1) The CEO may arrange for some or all Members to attend a briefing, meeting or other discussion in relation to a final response to a Request for Information.

(2) During a briefing, meeting or other discussion arranged, Members may be provided with additional information for the purpose of clarifying, or addressing queries in relation to, the final response.

Division 5 – Administrative Requests for Information or Assistance

22. Scope of Administrative Requests

(1) An Administrative Request must relate solely to an administrative matter.

(2) Administrative Requests must not be used for:

(a) requesting information about Shire operations, services, projects or decisions;

(b) requesting action in relation to a community or resident issue;

(c) directing or influencing an employee in the performance of their duties.

(3) Where a request does not relate to an administrative matter, it must be made as a Request for Information in accordance with Division 4 or through standard customer request channels.

23. Making an Administrative Request

(1) A member may make an Administrative Request which includes either or both:

(d) A request for administrative information about an administrative matter;

(e) A request for administrative assistance.

(2) Administrative Requests must be directed to the nominated employee and a copy to the CEO, as specified in the Appendix 1, these requests may be made verbally or in writing.

(a) However, if made verbally, the CEO or nominated employee may require the request to be submitted in writing before proceeding.

(3) Where there is uncertainty as to whether a request is an Administrative Request, the CEO or nominated employee may determine the appropriate classification of the request.

24. Responding to an Administrative Request

(1) The CEO or nominated employee must provide a final response to their Administrative Request as soon as practicable.

(2) Without limiting subclause (1), the CEO or nominated employee must ensure that, within 10 working days after the day on which an Administrative Request is made, the requesting Member is given:

(a) a final response to the request; or

(b) notice that a final response cannot be given within that period and an estimate as to when the response will be given.

(3) A final response to an Administrative Request may be given verbally or in writing.

Division 6 — Provision in relation to Commissioner

25. Application of Agreement to Commissioner

This Agreement applies to a Commissioner of the Shire as if the Commissioner were the Council and the Shire President.

26. Requests for information by Commissioner

(1) Despite clause 21, a Commissioner of the Shire may make a Request for Information or an Administrative Request to the CEO in the manner determined by the Commissioner.

(2) The CEO must ensure that the Commissioner is given a final response to the request made under subclause (1):

(a) as soon as practicable; and

(b) in the manner requested by the Commissioner (which may include in writing or in a briefing).

(3) A dispute regarding a request made under subclause (1) must be determined by:

(a) if there are joint Commissioners and 1 of them is appointed to be the chairperson — the chairperson; or

(b) otherwise — the Commissioner who made the request.

(4) The Chairperson's or Commissioner's determination of the dispute may override the decision of the CEO and is final.

Policy Detail		
Responsible Directorate	Office of the CEO	
Responsible Department	Governance	
Responsible Officer	Manager Governance	
Next Policy Review / Schedule	2028 (3-yearly)	
Council Adoption	**Date / Resolution**	23 April 2026 (OCM26/040)
Amendment Record	**Date / Resolution**	

Appendix 1 – Nominated Employees

(1) The following Officers have been nominated to assist with information and Administrative Requests submitted by a Member.

(2) These Officers have been authorised by the CEO to manage and respond to such enquiries in accordance with their respective roles.

(3) The CEO has been excluded from the register, as the CEO retains the overarching delegation to receive, respond to, and action all requests deemed appropriate.

(4) The Officers listed below serve as a primary point of contact for Members and their enquiries, however the Officer retains the right to seek guidance if deemed necessary to acquire the appropriate information.

(5) The Officer nominated is responsible for providing the formal response to the request, unless otherwise approved by the CEO.

***Note:** An expanded version of the below table will be made available within the Council Member Document Portal, the extended version will provide the names and contact details of the Officer nominated to respond to the respective requests.

Requests for Information			
Request Type	**Responsible Officer**	**Responsible Area**	**Description**
Financial Matters	Director Corporate Services	Corporate Services	Budget allocations, financial modelling, project costs, long-term financial planning
Media Enquiries	Executive Manager Strategy and Engagement	Office of the CEO	Media responses, public messaging, speech notes.
Governance Matters	Manager Governance	Office of the CEO	Statutory Disclosures, Meeting procedures, Risk
Administrative Requests			
Request Type	**Responsible Officer**	**Responsible Area**	**Description**
Administrative support	Executive Services Coordinator	Office of the CEO	Scheduling meetings, booking training or conference attendance, access to Member forms, event invitations, travel arrangements, ICT support, personal information changes, reimbursements, equipment's requests, agenda and minute forms and access.
Governance support	Manager Governance	Office of the CEO	Member compliance such as disclosures, interests and gifts

Resident Requests are submitted through Report It, via email Mailbag@murray.wa.gov.au or in person or over the phone.

SCENARIOS

The following scenarios are examples and are intended for guidance only for both Members and Officers

Request for information

Scenario	Type of Information	Correct Action
What is the budget allocation for the roads program?	Operational / financial information	Submit Request for Information via email to Director Corporate Services, cc'd to CEO
What is the status of the local sports club changeroom project?	Project delivery	Submit Request for Information to CEO via email
How does the Shire manage illegal camping complaints?	Operational process	Submit Request for Information to CEO via email
Can I get data on waste collection performance?	Service delivery	Submit Request for Information to CEO via email
What are the costs associated with a proposed new facility?	Strategic/financial info	Submit Request for Information to CEO via email
What consultation is planned for the new Planning Strategy?	Operational	Submit Request for Information to CEO via email

Administrative Requests

Scenario	Why it is Administrative	Correct Action
A Councillor asks for help lodging a gift disclosure	Assistance with compliance	Manager Governance
A Councillor requests booking for WALGA training	Training support	Executive Services Coordinator
A Councillor requests reimbursement for travel	Member entitlement processing	Executive Services Coordinator
A Councillor needs help with email access	IT support	Executive Services Coordinator

A Councillor asks: "What is the process for lodging a gift disclosure?"	Relates to compliance obligation	Manager Governance
A Councillor asks: "What fees am I entitled to for committee meetings?"	Member entitlement	Manager Governance
A Councillor asks: "When is the next Council briefing scheduled?"	Meeting administration	Executive Services Coordinator
A Councillor asks: "What training opportunities are available this year?"	Role development	Executive Services Coordinator
A Councillor asks: "What is the policy for claiming travel expenses?"	Member entitlement/process	Manager Governance

Resident Requests

- No preferential treatment for Members.
- Members must recognise potential influence over staff and are to avoid any perception of direction or influence of Officer actions.

Scenario	Why it is not a request for Information or assistance	Correct Action
Councillor notices illegal camping on a property	Community service issue – community issue	Log through Report It. No prioritisation for Council Members
Councillor notices overgrown trees and wants them trimmed	Operational works request / service delivery – community issue	Log through Report It. No prioritisation for Council Members
Councillor reports potholes in a street	Operational works request / service delivery	Log through Report It. No prioritisation for Council Members
Councillor gets a new puppy and needs to organise registration	Service delivery – personal	Contact the Shire to arrange – email / in person
Councillor is building a new house and submits a building permit application	Service Delivery	Council Member to contact the Shire to arrange – email / in person / phone

Councillor is not happy with how their request has been actioned by the Shire	Complaint	Council to contact the CEO to review
A resident asks Councillor to escalate a ranger issue	Compliance/enforcement matter	Direct the resident to contact the Shire directly
A resident complains about a blocked drain and asks the Councillor to follow up	Community service issue	Direct the resident to contact the Shire directly
Resident asks Councillor to follow up on a building application	Regulatory matter	Direct the resident to contact the Shire directly

Not permitted

Scenario	Why it breaches the Agreement	Code of Conduct Breach
Councillor emails a Ranger directly asking them to inspect a property	Directing staff / bypassing process	Breach of Rules of Conduct – Clause 20 *Report to Inspector*
Councillor calls a Works Supervisor to prioritise a job	Improper influence / Gaining a benefit	Breach of Rules of Conduct – Clause 18 *Report to Inspector*
Councillor asks staff informally at an event to "look into an issue"	Informal request (prohibited)	Breach of Communication Agreement (Future conduct breach)
Councillor asks staff to report back only to them on a resident issue	Undermines transparency and process	Breach of Rules of Conduct – Clause 20 *Report to Inspector*
Councillor pressures staff for quicker action on a resident request	Undue influence	Breach of Rules of Conduct – Clause 18 & 20 *Report to Inspector*