

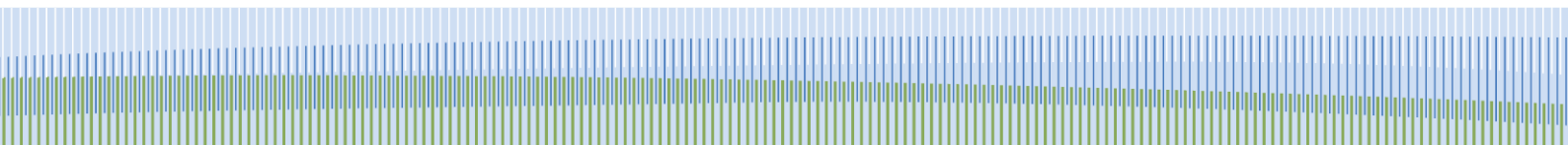
# Elected Members Training Report 2020/21

s 5.127 Local Government Act 1995

Dean Unsworth, Chief Executive Officer - 17 May 2021 (Update)

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## 1. Background

On 27 June 2019, the *Local Government Legislation Amendment Act 2019* (Amendment Act) was passed by the Western Australian Parliament, with most consequential amendments to the *Local Government Act 1995* (the “Act”) and some subsidiary legislation coming into lawful effect on 6 July 2019.

On 16 September 2019 the amendment to the *Local Government Act 1995* and amendments to the *Local Government (Administration) Regulations 1996* (Regulation) relating to Council (Elected) members training came into effect with a new mandatory training course, titled ‘Council Member Essentials’ being required to be completed within 12 months of being elected, unless an exemption applies pursuant to Regulation 36.

The Council Member Essentials course was developed to provide council members with the skills and knowledge to perform their roles as leaders in their district. This course comprises the following five units:

- understanding local government
- serving on council
- meeting procedures
- conflicts of interest, and
- understanding financial reports and budgets.

The Council Member Essential training course is only able to be completed through the following prescribed training providers:

- Western Australian Local Government Association (WALGA)
- South Metropolitan TAFE, and
- North Metropolitan TAFE.

As part of the commencement mechanisms Section 5.128 of the *Local Government Act 1995* introduced a requirement for Council to prepare an adopt a policy in relation to the continuing professional development of council members.

Council adopted Policy M5 – Council Members Continuing Professional Development by absolute majority on 19 December 2019 (OCM19/269) to satisfy the legislative requirements. This Policy is available on the Shire of Murray website at: <https://www.murray.wa.gov.au/?s=Council+Members+Continuing+Professional+Development+>

## 2. Legislative Requirements

Local Government Act 1995 – Section 5.126. Training for Council members

(1) Each Council member must complete training in accordance with regulations.

- (2) Regulations may —
  - (a) prescribe a course of training; and
  - (b) prescribe the period within which training must be completed; and
  - (c) prescribe circumstances in which a council member is exempt from the requirement in subsection (1); and
  - (d) provide that contravention of subsection (1) is an offence and prescribe a fine not exceeding \$5 000 for the offence.

*[Section 5.126 inserted: No. 16 of 2019 s. 61.]*

Local Government Act 1995 – Section 5.126. Training for Council members

Section 5.127. Report on training

- (1) A local government must prepare a report for each financial year on the training completed by council members in the financial year.
- (2) 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.

*[Section 5.127 inserted: No. 16 of 2019 s. 61.]*

Local Government Act 1995 – Section 5.128. Policy for continuing professional development

- (1) A local government must prepare and adopt\* a policy in relation to the continuing professional development of council members. \* Absolute majority required.
- (2) A local government may amend\* the policy. \* Absolute majority required.
- (3) When preparing the policy or an amendment to the policy, the local government must comply with any prescribed requirements relating to the form or content of a policy under this section.
- (4) The CEO must publish an up-to-date version of the policy on the local government's official website.
- (5) A local government —
  - (a) must review the policy after each ordinary election; and
  - (b) may review the policy at any other time.

*[Section 5.128 inserted: No. 16 of 2019 s. 61.]*

Local Government (Administration) Regulations 1996 – Regulation 35. Training for council members (Act s. 5.126(1))

- (1) A council member completes training for the purposes of section 5.126(1) if the council member passes the course of training specified in subregulation (2) within the period specified in subregulation (3).

- (2) The course of training is the course titled Council Member Essentials that —
- (a) consists of the following modules —
    - (i) Understanding Local Government;
    - (ii) Serving on Council;
    - (iii) Meeting Procedures;
    - (iv) Conflicts of Interest;
    - (v) Understanding Financial Reports and Budgets; and
  - (b) is provided by any of the following bodies —
    - (i) North Metropolitan TAFE;
    - (ii) South Metropolitan TAFE;
    - (iii) WALGA.
- (3) The period within which the course of training must be passed is the period of 12 months beginning on the day on which the council member is elected.

*[Regulation 35 inserted: Gazette 9 Aug 2019 p. 3022-3.]*

Local Government (Administration) Regulations 1996 – Regulation 36. Exemption from Act s. 5.126(1) requirement

- (1) A council member is exempt from the requirement in section 5.126(1) if —
- (a) the council member passed either of the following courses within the period of 5 years ending immediately before the day on which the council member is elected —
    - (i) the course of training specified in regulation 35(2);
    - (ii) the course titled 52756WA — Diploma of Local Government (Elected Member); or
  - (b) the council member passed the course titled LGASS00002 Elected Member Skill Set before 1 July 2019 and within the period of 5 years ending immediately before the day on which the council member is elected.
- (2) A person who is a council member on the day on which the *Local Government Regulations Amendment (Induction and Training) Regulations 2019*, Regulation 8 comes into operation is exempt from the requirement in section 5.126(1) until the end of their term of office.

*[Regulation 36 inserted: Gazette 9 Aug 2019 p. 3023.]*

### 3. Elected Member Information and Expiry of Term

Elected Member Name	Current Term Commenced	Expiry of Term
Cr BEACHAM, Brenda	19 October 2017	16 October 2021
Cr CARDILINI, Brad	19 October 2017	16 October 2021
Cr BLACK, Geoff	19 October 2017	16 October 2021
Cr MCLARTY, Douglas	19 October 2017	16 October 2021
Cr KIRKHAM, Stuart	19 October 2019	16 October 2021
Cr BOLT, David	19 October 2019	21 October 2023
Cr LEE, Steve	19 October 2019	21 October 2023
Cr ROSE, Casey	19 October 2019	21 October 2023
Cr ROGERS, Ange	19 October 2019	21 October 2023

### 4. Training to Be Reported

Local Governments have been encouraged by the Sector to report on what Elected Member training has occurred in the preceding year, not just on the mandatory Council Member Essentials course.

### 5. Publication of Training Report

Section 5.127 of the Local Government Act 1995 requires the CEO to publish this report on the local government's official website within 1 month after the end of the financial year to which the report relates.

Notwithstanding Clause 6 of this report a table detailing elected member training completed, including Mandatory (Council Member Essentials) and all elective training undertaken to December 2020 is provided at **Appendix 1**.

### 6. Current Exemptions

A person who is a council member on the day on which the *Local Government Regulations Amendment (Induction and Training) Regulations 2019*, Regulation 8 comes into operation is exempt from the requirement in section 5.126 (1) until the end of their term of office.

The date of the *Local Government Regulations Amendment (Induction and Training) Regulations 2019* commenced was 16 September 2019.

Councillors Brenda Beacham, Brad Cardilini, Geoff Black and Douglas McLarty are exempt, pursuant to Regulation 36(2), as they held office before the changes to the

Act and Regulations came into effect, as they were elected at the October 2017 Ordinary Local Government Election.

Councillors David Bolt, Steve Lee, Casey Rose and Angela Rogers and Stuart Kirkham do not qualify for an exemption and these elected members must complete the mandatory (Council Member Essentials) training prior to 19 October 2020.

Council Member Essentials modules still to be completed –

- **Councillor Rose, Casey** – Understanding Local Government;

## 7. Endorsement

This report is provided to satisfy the requirements of section 5.127 (1) of the *Local Government Act 1995*.



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Dean Unsworth  
**Chief Executive Officer**

## Appendix 1 – Elected Member Training Report

<b>“Council Member Essentials” (Mandatory Training)</b>			
<b>Elected Member</b>	<b>Date of Training</b>	<b>Training Course</b>	<b>Status / Internal Reference</b>
<i>Shire President</i> Cr David Bolt	9 September 2020	Understanding Local Government	Completed D20/37999
	11 & 12 February 2020	Serving on Council	Completed D20/15682 & D20/15683
	9 September 2020	Meeting Procedures	Completed D20/38005
	7 September 2020	Conflicts of Interest	Completed D20/38006
	11 September 2020	Understanding Financial Reports and Budgets	Completed D20/38430
<i>Deputy Shire President</i> Cr Douglas McLarty	23 November 2019	Understanding Local Government	Completed D19/57187
	29 February & 22 May 2020	Serving on Council	Completed D20/9369 & D20/26716
	22 November 2019	Meeting Procedures	Completed D19/57184
	23 November 2019	Conflicts of Interest	Completed D19/57191
		Understanding Financial Reports and Budgets	
<i>Councillor</i> Steve Lee	14 September 2020	Understanding Local Government	Completed D20/39017
	11 & 12 February 2020	Serving on Council	Completed D20/15804
	8 September 2020	Meeting Procedures	Completed D20/38433
	17 September 2020	Conflicts of Interest	Completed D20/39245
	17 September 2020	Understanding Financial Reports and Budgets	Completed D20/39426
<i>Councillor</i> Brad Cardilini	15 May 2021	Understanding Local Government	Completed D21/16428
	15 May 2021	Serving on Council	Completed D21/16427
	3 February 2021	Meeting Procedures	Completed D21/10869
	2 February 2021	Conflicts of Interest	Completed D21/10871
		Understanding Financial Reports and Budgets	
<i>Councillor</i> Brenda Beacham		Understanding Local Government	
	11 & 12 February 2020	Serving on Council	Completed D20/9524
		Meeting Procedures	
		Conflicts of Interest	
		Understanding Financial Reports and Budgets	



**“Council Member Essentials” (Mandatory Training). Continued.....**



<b>Elected Member</b>	<b>Date of Training</b>	<b>Training Course</b>	<b>Status / Internal Reference</b>
<i>Councillor Casey Rose</i>		Understanding Local Government	
	11 & 12 February 2020 11 November 2020	Serving on Council	Completed D20/15701 & D20/47835
	11 November 2020	Meeting Procedures	Completed D20/48807
	11 November 2020	Conflicts of Interest	Completed D20/47883
	11 November 2020	Understanding Financial Reports and Budgets	Completed D20/48807
<i>Councillor Angela Rogers</i>	24 March 2021	Understanding Local Government	Completed D21/10873
	11 & 12 February 2020	Serving on Council	Completed D20/16069
	24 March 2021	Meeting Procedures	Completed D21/10879
	24 March 2021	Conflicts of Interest	Completed D21/11694
	25 March 2021	Understanding Financial Reports and Budgets	Completed D21/10874
<i>Councillor Geoff Black</i>		Understanding Local Government	
		Serving on Council	
		Meeting Procedures	
		Conflicts of Interest	
		Understanding Financial Reports and Budgets	
<i>Councillor Stuart Kirkham</i>	31 December 2019	Understanding Local Government	Completed D20/15690
	11 & 12 February 2020	Serving on Council	Completed D20/15695 & D20/15696
	9 November 2020	Meeting Procedures	Completed D20/47900
	31 December 2019	Conflicts of Interest	Completed D20/15692
	16 Jnauary 2021	Understanding Financial Reports and Budgets	Completed D21/3328

<b>Elected Member – Elective Training</b>			
<b>Elected Member</b>	<b>Date of Training</b>	<b>Training Course</b>	<b>Location</b>
<i>Shire President</i> Cr David Bolt	2 May 2018	Meeting Procedures & Debating	Pinjarra
	8 December 2015	Effective Community Leadership	West Leederville
	27 November 2015	Serving on Council - CLGF	West Leederville
	5 November 2015	CEO Performance Appraisals	West Leederville
	2013 – 2016	Understanding LG for Elected Members	eLearning
<i>Councillor</i> Angela Rogers	2 May 2018	Meeting Procedures & Debating	Pinjarra
	1 May 2018	Serving on Council - CLGF	Pinjarra
	19 April 2017	Infrastructure Asset Management	Pinjarra
	19 April 2017	Understanding Financial Reports and Budgets	Pinjarra
<i>Councillor</i> Geoff Black	28 May 2019	Participate in Local Government Emergency Management Preparation	West Leederville
	2 May 2018	Meeting Procedures & Debating - CLGF	Pinjarra
	1 May 2018	Serving on Council - CLGF	Pinjarra
	7 November 2017	Manage Recovery Activities for Local Government	Pinjarra
	6 November 2017	Participate in Local Government Emergency Management Preparation	Pinjarra
		AIMS Awareness Training	eLearning
		Understanding Local Government for Elected Members	eLearning
		Conflicts of Interest	eLearning
<i>Councillor</i> Brad Cardilini	1 May 2018	Serving on Council - CLGF	Pinjarra
<i>Councillor</i> Brenda Beacham	11 June 2019	Professionally Speaking	West Leederville
	2 May 2018	Meeting Procedures & Debating - CLGF	Pinjarra
	1 May 2018	Serving on Council - CLGF	Pinjarra
	5 June 2015	Strategy and Risk Management - CLGF	Pinjarra
	4 June 2015	Land Use Planning - CLGF	Pinjarra
	26 May 2015	Meeting Procedures & Debating - CLGF	Pinjarra
	25 May 2015	Serving on Council - CLGF	Pinjarra
	25 November 2014	Manage Conflict	West Leederville
	11 August 2014	CEO Performance Appraisals	West Leederville
	12 March 2014	Financial Reports & Budgets	West Perth
	10 October 2013	Strategic Planning	West Perth
	13 August 2013	Policy Development for Elected Members	West Perth
	22 April 2013	Change Management	West Perth

<b>Elected Member – Elective Training. Continued...</b>			
<b>Elected Member</b>	<b>Date of Training</b>	<b>Training Course</b>	<b>Location</b>
<i>Councillor Brenda Beacham</i>	21 February 2013	Councillor Roles & Responsibilities	Pinjarra
	2 November 2012	Sustainable Asset Management	West Perth
	23 October 2012	CEO Performance Appraisals	West Perth
	17 September 2012	Land Use Planning	West Perth
	9 March 2012	Ethics & Conduct of an Elected Member	West Perth
	12 March 2011	Councillor Roles & Responsibilities	West Perth
	25 February 2015	52530WA - Diploma of Local Government (Elected Member)	

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