

Ministerial Directions Implementation Quarterly Progress Report (First Quarter 2018)



Summary of Council's progress of actions required to comply with the Directions as at 19 April 2018	
Actions completed	21
Actions being actively progressed	23
Actions not yet started but within time	14
Actions not yet started and outside due date	0
	58

Summary of completed actions over the Quarter				
Direction	Item	Description	Comment	Date
1 – Governance	1(a)	<ul style="list-style-type: none"> Developing a Statement of Expectations between the General Manager and Aldermen to establish clear and agreed protocols for the fulfilment of their mutual and respective roles and functions 	<ul style="list-style-type: none"> Statement of Expectations (<u>Attachment 1</u>) adopted by Council at its meeting held on Monday, 26 March 2018 	26 Mar 2018
	1(b)	<ul style="list-style-type: none"> Developing a Statement of Expectations between the General Manager and Mayor to establish clear and agreed protocols for the fulfilment of their mutual and respective roles and functions 	<ul style="list-style-type: none"> Statement of Expectations adopted by Council at its meeting held on Monday, 26 March 2018 	26 Mar 2018
	1(c)	<ul style="list-style-type: none"> Developing a Statement of Expectations between the Mayor and Aldermen to establish clear and agreed protocols for the fulfilment of their mutual and respective roles and functions 	<ul style="list-style-type: none"> Statement of Expectations adopted by Council at its meeting held on Monday, 26 March 2018 	26 Mar 2018
	1(d)	<ul style="list-style-type: none"> Developing a Statement of Expectations between Aldermen to establish clear and agreed protocols for the fulfilment of their mutual obligations roles and functions 	<ul style="list-style-type: none"> Statement of Expectations adopted by Council at its meeting held on Monday, 26 March 2018 	26 Mar 2018
	1(e)	<ul style="list-style-type: none"> Within 2 months, ensuring all Aldermen, the Mayor and General Manager sign the Statement of Expectations they are party to 	<ul style="list-style-type: none"> Statement of Expectations signed by all Aldermen, the Mayor and General Manager on Monday, 16 April 2018 	16 Apr 2018
	1(f)	<ul style="list-style-type: none"> Publishing the Statement of Expectations on the Council website within 1 month of signing 	<ul style="list-style-type: none"> Signed Statement of Expectations published on Council website on Wednesday, 18 April 2018 	18 Apr 2018
	1(g)	<ul style="list-style-type: none"> Publically committing to engage in ongoing professional development and abide by the principles of good governance, as established in the <i>Good Governance Guide</i>, within a period of three (3) months 	<ul style="list-style-type: none"> Incorporated within the Statement of Expectations 	26 Mar 2018
2 – Training	2(a)	<ul style="list-style-type: none"> Reviewing its induction program for the Mayor and Aldermen within a period of three (3) months of the January 2018 election, to ensure that the induction already undertaken within the three (3) months and planned future induction will provide all Aldermen with the information and knowledge they need to fulfil their roles 	<ul style="list-style-type: none"> A facilitated workshop for the Mayor and all Aldermen was conducted on Saturday, 3 February 2018. The workshop covered a range of relevant topics and included presentations from the Director of Local Government, Tasmanian Audit Office, Local Government Association Tasmania, the Mayor, General Manager and Acting Director Corporate Governance. 	3 Feb 2018

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Summary of completed actions over the Quarter				
Direction	Item	Description	Comment	Date
2 – Training (cont.)	2(b)(iii)	<ul style="list-style-type: none"> Facilitating training within three (3) months for all Aldermen on, though not limited to: financial fundamentals, including understanding of financial statements and budget preparation 	<ul style="list-style-type: none"> A facilitated workshop for all Aldermen was held on Monday, 9 April 2018. The workshop covered a range of relevant topics and was facilitated by the Mr Ross Byrne 	9 Apr 2018
	2(b)(iv)	<ul style="list-style-type: none"> Facilitating training within three (3) months for all Aldermen on, though not limited to: decision-making in reference to the <i>Land Use Planning and Approvals Act 1993</i> 	<ul style="list-style-type: none"> A facilitated workshop for all Aldermen was held on Thursday, 8 February 2018. The workshop covered a range of relevant topics and was facilitated by the Registrar of the Resource Management and Planning Appeal Tribunal and Simmons Wolfhagen 	8 Feb 2018
3 – Policies and Procedures	3(a)	<ul style="list-style-type: none"> Ensuring, within four (4) months, there is an appropriate Grievance Policy for Council staff, including referral procedures to an independent party for addressing complaints against the General Manager and senior staff 	<ul style="list-style-type: none"> Council adopted a new 'Grievances Involving the General Manager Policy' (Item 15 – 26 February 2018) (Attachment 2) that included referral procedures to an independent party for addressing complaints against the General Manager The General Manager has issued a Grievance Directive (Attachment 3) which requires independent investigation of grievances involving Directors or the Manager People and Safety (February 2018) 	26 Feb 2018
	3(d)	<ul style="list-style-type: none"> Developing a calendar of Council meetings and workshops, including adequate provision for workshops on setting the annual budget and determining the capital works and spending program 	<ul style="list-style-type: none"> Calendar of Council meetings and scheduled workshop dates has been published on the Council website (Attachment 4) 	23 Mar 2018
	3(e)	<ul style="list-style-type: none"> Publishing the calendar of Council meetings and workshops on the Council website within two (2) months 	<ul style="list-style-type: none"> Calendar of Council meetings and scheduled workshop dates has been published on the Council website 	23 Mar 2018
	3(h)	<ul style="list-style-type: none"> Reviewing, within three (3) months, Council's credit card procedures and policies to ensure consistency, in the use and reporting of credit cards, with the recommendations of the Auditor-General's Report 	<ul style="list-style-type: none"> A revised General Manager's Corporate Credit Card Directive was approved on 10 January 2018 (Attachment 5). It was drafted taking into account the recent findings and recommendations by the Tasmanian Audit Office and the Glenorchy City Council Board of Inquiry and for consistency with the Code for Contracts and Tendering adopted by Council on 10 July 2017 	10 Jan 2018

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Summary of completed actions over the Quarter				
Direction	Item	Description	Comment	Date
4 – Committees and Membership	4(d)	<ul style="list-style-type: none"> Developing, if the Council chooses to establish one, appropriate terms of reference for a General Manager's Performance Review Committee, that includes: the right for any alderman who is not a member of the committee, to attend any meetings of the committee as an observer, and that the committee is empowered only to make recommendations to be provided to the full Council for decisions 	<ul style="list-style-type: none"> Council endorsed a revised terms of reference for a General Manager's Performance Review Committee (Item 7 – 26 February 2018) that included the right for any alderman who is not a member of the committee, to attend any meetings of the committee as an observer, and that the committee is empowered only to make recommendations to be provided to the full Council for decisions (Attachment 6) 	26 Feb 2018
	4(e)	<ul style="list-style-type: none"> Ensuring that any committee established to review the General Manager's performance, is established as a Council committee as per section 23 of the Act, and not as a special committee as per section 24 of the Act 	<ul style="list-style-type: none"> Council endorsed a revised terms of reference for a General Manager's Performance Review Committee (Item 7 – 26 February 2018) that established the committee as a Council committee as per section 23 of the Act 	26 Feb 2018
6 – Employment Contracts	6(a)	<ul style="list-style-type: none"> Council undertake a review of the approach to managing performance under the General Manager's contract of employment, including: the setting of performance indicators, in conjunction with the scheduled time in the General Manager's contract 	<ul style="list-style-type: none"> In closed Council under Regulation 15(2)(a) and (g) of the <i>Local Government (Meeting Procedures) Regulations 2015</i>, Council considered and approved a process for the development of the General Manager's Key Performance Indicators in accordance with the General Manager's Contract of Employment and with the Glenorchy City Council Ministerial Directives (Item 26 – 26 February 2018) 	26 Feb 2018
	6(b)	<ul style="list-style-type: none"> Council undertake a review of the approach to managing performance under the General Manager's contract of employment, including: providing all Aldermen with an opportunity to provide input into the setting of performance indicators 	<ul style="list-style-type: none"> In closed Council under Regulation 15(2)(a) and (g) of the <i>Local Government (Meeting Procedures) Regulations 2015</i>, Council considered and approved a process for the development of the General Manager's Key Performance Indicators in accordance with the General Manager's Contract of Employment and with the Glenorchy City Council Ministerial Directives (Item 26 – 26 February 2018) 	26 Feb 2018

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Summary of completed actions over the Quarter				
Direction	Item	Description	Comment	Date
6 – Employment Contracts (cont.)	6(c)	<ul style="list-style-type: none"> Council undertake a review of the approach to managing performance under the General Manager's contract of employment, including: considering the merits of including a provision in the General Manager's contract to clarify who approves any leave (annual or personal), noting the usual practice would be the Mayor on behalf of Council 	<ul style="list-style-type: none"> The General Manager's contract provides for Annual Leave to be taken in agreement between the Mayor and the General Manager, or in the absence of agreement, when the General Manager is directed by Council on at least one (1) months' notice. In addition, the Statement of Expectations provides 'The General Manager will, wherever practicable, ensure that the Mayor is given sufficient notice of this intention to be absent from duty for any reason or that they are otherwise unavailable or unable to perform the functions of the office of General Manager'. Notwithstanding, section 61B of the <i>Local Government Act 1993</i> provides due process if the General Manager is absent from duty for any reason. 	26 Mar 2018
	6(d)	<ul style="list-style-type: none"> Council undertake a review of the approach to managing performance under the General Manager's contract of employment, including: ensuring the review of the General Manager's performance under his or her contract is conducted using best practice, objective processes, including the use of a professional service provider to facilitate the review process 	<ul style="list-style-type: none"> In closed Council under Regulation 15(2)(a) and (g) of the <i>Local Government (Meeting Procedures) Regulations 2015</i>, Council considered and approved a process for the development of the General Manager's Key Performance Indicators in accordance with the General Manager's Contract of Employment and with the Glenorchy City Council Ministerial Directives (Item 26 – 26 February 2018) 	26 Feb 2018

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Summary of completed actions over the Quarter

Direction	Item	Description	Comment	Date
	6(e)	<ul style="list-style-type: none"> Council undertake a review of the approach to managing performance under the General Manager's contract of employment, including: obtaining independent legal advice to assist in matters pertaining to the General Manager's contract of employment 	<ul style="list-style-type: none"> It is noted that the current General Manager's contract of employment was prepared by an independent legal advisor briefed by the then Commissioner. Furthermore, under Council's Legal Service Policy (adopted by Council Item 11 – 12 December 2017)(Attachment 7), Council recognises that the engagement of external law firms is appropriate in a number of circumstances including (but not limited to) matters pertaining to the General Manager's contract of employment. This is also recognised within that Council policy that to 'protect the integrity of Council's legal advice from conflicts of interest, loss of privilege and by ensuring the confidentiality of legal advice ... Council directs that any advice required to assist Council in matters pertaining to the General Manager's contract of employment be obtained from independent external lawyers'. To this end, Council expects that when undertaking a review of the General Manager's performance under the General Manager's contract of employment, Council will obtain independent legal advice to assist in matters pertaining to the same. 	18 Apr 2018

Attachments

1. Statement of Expectations
2. Grievances Involving the General Manager Policy (26 February 2018)
3. Grievance Directive (February 2018)
4. Calendar of Council meetings and scheduled workshop dates
5. Corporate Credit Card Directive (January 2018)
6. General Manager's Performance Review Committee Terms of Reference (26 February 2018)
7. Legal Service Policy (12 December 2017)