

Council Member
Deputy Lord Mayor, Councillor
Abrahimzadeh

Public

Contact Officer:
Amanda Mcilroy, Chief
Operating Officer

MOTION ON NOTICE

Deputy Lord Mayor, Councillor Abrahimzadeh will move a motion and seek a seconder for the matter shown below to facilitate consideration by the Council:

'That Council:

- a. Notes the concerns identified in the EMA Legal Cultural Investigation Final Report (published in the Council Minutes of 11 August 2021) regarding the relevance and content of email traffic between council members.
- b. Notes irrelevant email traffic from certain council members continues to be sent to all council members and many staff, in substantial volumes.
- c. Requests the Chief Executive Officer undertakes a review of the Council's 'Use of Information Systems Operating Guideline' and any other relevant Council documents (standing orders, etc), policies or systems concerning council member email use, and to make modifications as deemed appropriate by the Chief Executive Officer, with a view to reducing the proliferation of email communications seen by all council members.'

ADMINISTRATION COMMENT

1. The *Use of Information Systems Operating Guideline* (the Operating Guideline), *Code of Conduct for Council Members*, prescribed by the Governor and which Council Members must observe as per section 63 of the *Local Government Act 1999* (SA), and the City of Adelaide (CoA) Standing Orders provide guidance on expected behaviours and the management of communication between Council Members and staff.
2. The use of email is a long standing effective and necessary tool for administration to communicate with Council Members.
3. When emailing Council Members, administration uses a Council Member email group to ensure that all Council Members receive information at the same time.
4. CoA Standing Order 21 provides additional clarity. In the context of this motion, Standing Order 21 states:
'In dealing with Council staff, Council Members shall:
 - 21.1 Provide support to, and reasonably co-operate with, the Chief Executive Officer in the fulfilment of his or her role.
 - 21.2 Respect confidentiality in their individual and collective dealings with the Chief Executive Officer.

- 21.3 Recognise and act on the basis that the Chief Executive Officer is an employee of the Corporation of the City of Adelaide, fulfilling an administrative role, to whom work, health and safety duties are owed, and not the holder of elected office of a political nature.
- 21.4 Always uphold the Behavioural Code as outlined in the Code of Conduct for Council Members.
- 21.5 Use the process provided by the Chief Executive Officer for directing queries to Council staff (eg Elected Member Request System).
- 21.6 Comply with the City of Adelaide Use of Information Systems Operating Guideline when communicating via email (noting these guidelines also apply to communications with Council Members and other stakeholders)
- 21.7 Not copy Council staff (other than the Chief Executive Officer) into communications, unless otherwise advised or authorised by the Chief Executive Officer in the context of reasonable Council business needs.
- 2.1.8 Direct questions in a respectful manner through the Lord Mayor/Chair and the Chief Executive Officer at Council and Council Committee meetings.
5. The Operating Guideline and Standing Orders were recently modified through a decision of Council in April 2021 when the (then Acting) Chief Executive Officer presented a report to Council recommending modifications designed to improve interactions between employees and Council Members and to ensure that the CoA provides a workplace free from risk, in accordance with its statutory obligations under the *Work, Health and Safety Act 2012* and the *Local Government Act 1999* (SA). This was one of the initial actions proposed by the Acting Chief Executive Officer in response to the Cultural Investigation Report. These initial actions were approved by Council on 9 March 2021 for implementation by the Acting Chief Executive Officer.
6. If this motion is carried, the Chief Executive Officer will undertake a further review of the Operating Guideline and, specifically, whether the usage and appropriateness of email communications between Council Members and to staff can be further managed within those guidelines or any other document applicable to Council Members, including but not limited to the Standing Orders. The review will also identify any occasions where Council Members have acted outside of the Operating Guideline or Standing Orders (21) and communicate directly with those Council Members to help educate them.
7. Upon completion of the review the Chief Executive Officer will implement any recommendations for further controls and guidelines regarding email usage, if required.
8. Outcomes of the review and any associated changes will be communicated to Council Members.

Should the motion be carried, the following implications of this motion should be considered. Note any costs provided are estimates only – no quotes or prices have been obtained:	
Public consultation	Not applicable
External consultant advice	Not applicable
Legal advice / litigation (eg contract breach)	Not applicable
Impacts on existing projects	Not applicable
Budget reallocation	Not applicable
Capital investment	Not applicable
Staff time in preparing the workshop / report requested in the motion	Not applicable
Other	A delegate of the CEO will complete the review and if required, identify any recommendations.

Staff time in receiving and preparing this administration comment	To prepare this administration comment in response to the motion on notice took approximately 4.5 hours.
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