

Council Briefing Meeting Minutes

Date: Wednesday, 12 February 2020
Time: 1:00 p.m.
Location: Council Chamber
Forum North, Rust Avenue
Whangarei

In Attendance Her Worship the Mayor Sheryl Mai
(Chairperson)
Cr Vince Cocurullo
Cr Nicholas Connop
Cr Ken Couper
Cr Tricia Cutforth
Cr Shelley Deeming
Cr Phil Halse
Cr Greg Innes
Cr Greg Martin
Cr Anna Murphy
Cr Carol Peters
Cr Simon Reid

Not in Attendance Cr Gavin Benney
Cr Jayne Golightly

Scribe Jennie Thomas (Democracy Adviser)

1. Apologies

Cr Gavin Benney (absent) and Cr Tricia Cutforth (lateness)

2. Reports

2.1 Council Appointments to Organisations Policy

Her Worship the Mayor convened the meeting. Emily Thompson (Senior Assurance Advisor) introduced Joanne Tasker (CCO Project Coordinator), who along with Ms Thompson led the presentation.

Ms Thompson advised that Council already has a Council Appointment to Outside Organisations Policy which is overdue for review. The proposed policy has taken into consideration the advice from the Office of the Controller and Auditor-General (OAG).

Ms Tasker clarified definitions included, and highlighted significant changes, to the policy. The scope of the policy now includes all outside organisations. There have been a number of additions and some removals to the Policy, given the change in scope and the advice that has been given by OAG.

Ms Tasker advised through her research she had established that though there were various differences across Councils' policies, most were moving towards the OAG standards.

The proposed policy now includes guidance on when to appoint, OAG advice regarding appointment of elected members and staff as directors of CCO's, appointment terms and removal of directors and a code of practice for appointed directors. The operational processes related to the appointment of, and reference to salaries for directors have been removed.

Ms Thompson clarified that a guide on appointing now includes all outside organisations and explained the process maps for Council's appointment for a Council representative and an elected member. The advice from the OAG suggests that Council should consider carefully the need to appoint an elected member. The OAG best practice is that an elected member being appointed 'should be the exception'.

The reasoning behind the advice from the OAG being that appointment of an elected member to a CO and CCO be the exception was queried. It was explained that there could be a perceived conflict between the elected member's obligation to Council and to their community and their obligation to the CCO. The perception of a possible conflict needs to be considered against the challenge created by an elected member of Council not being appointed. It was commented that given the possible change in direction that reporting back from CCO's to Council would be crucial. There was discussion on the CCO's that elected members are already appointed to.

Feedback was sought from elected members on the following:

When to appoint (decision to appoint) –

Elected members expressed agreement with the proposed policy in relation to when to appoint to organisations.

Elected member appointment to CCO's –

There were mixed views expressed regarding the wording "should be the exception." It was reiterated that where an organisation included in their deed the appointment of an elected member this would still occur. The advice provided from the OAG is an appointment of an elected member is not best practice and this policy could be seen as a transitional move from a very outdated policy.

It was also noted that if it was still appropriate for a new organisation to have an elected member appointed, it would be written in the deed.

There was some concern expressed that appointments would be left to Council staff members' discretion. It was clarified that appointments would be a Council decision.

Ms Thompson commented that there was inherent risk associated with an elected member being appointed, but this needs to be balanced with the skills and knowledge required. Council's CCO's have developed over time and have sometimes been contentious.

Organisations would be looking for certain skills from a Council appointed director. The proposed process to assess skills required etc would be completed by staff but the process shall clearly illustrate that Council will make the appointments.

Staff appointments to CCO's –

Staff too, should also only be appointed as an exception as many of the same issues with elected member appointees also exist with council staff.

Remuneration statement –

It is general practice that an elected member or Council staff member would not receive additional remuneration, if they were appointed to a director's role. There was no sense from the meeting that elected members or staff members should be remunerated when appointed.

There were differing views expressed regarding the remuneration for Council appointed representatives. Comments included the policy should include discretion for the appointment to be remunerated, in particular when other directors of an organisation were so. Other views expressed included this would set a precedent for all appointees to be remunerated, experts from outside the district would be appointed by staff and the cost to the organisations would be too high.

Ms Thompson clarified that the policy provided for Council to decide on a case by case basis whether remuneration was appropriate. The consideration for remuneration would be an active part of the decision at each appointment. It is defined by the LGA that remuneration must be addressed through the policy.

After consideration of today's feedback, it is proposed to bring the policy back to Council for the February meeting for adoption.

Tracey Schiebli (Manager Democracy and Assurance) provided an update on the review of organisations that are not CO's. A report on the appointments to outside organisations will be presented at February's Council meetings.

3. Closure of Meeting

The meeting concluded at 2.20pm.