

## ***Elected Member Access to Information Policy***

<b>Policy Reference Number:</b>	2.7
<b>Classification:</b>	Legislative
<b>First Issued/Approved:</b>	January 2009 (Res. 191/2009)
<b>Review Frequency:</b>	After the general election – every 4 years
<b>Last Reviewed:</b>	June 2011 (Res. 261/2011) 13 January 2015 (Res 269/2015) 12 February 2019 (Res 318/2019)
<b>Next Review Date:</b>	February 2020
<b>Responsible Officer:</b>	Chief Executive Officer
<b>Applicable Legislation:</b>	<i>Local Government Act 1999</i>
<b>Relevant Policies:</b>	
<b>Related Procedures:</b>	
<b>Compliance Standard:</b>	Section 61 Local Government Act 1999

### **Purpose**

Section 61 of the *Local Government Act 1999* states:-

- (1) *A member of a council is entitled at any reasonable time, in connection with the performance or discharge of the functions or duties of the member (whether under this or another Act), without charge, to have access to any relevant council document, including (but not limited to)-*
  - a) *A copy of a written contract entered into by the council, or a copy of a document relating to a contract that is proposed to be entered into by the council;*
  - b) *Accounting records kept by council;*
  - c) *Financial statements and other documents prepared by the council under Chapter 8.*
- (2) *A request for access to a document under subsection (1) should be directed to the chief executive officer, or another officer specified by the chief executive officer for the purposes of this section.*
- (3) *The chief executive officer or another officer providing access to a document under subsection (1) may indicate to the member that information contained in the document is, or should be considered as, confidential.*

Applications are to be addressed to the Chief Executive Officer in writing and must include a date as to when the information is required to be supplied by. Written requests for access to information may be lodged using the attached pro forma document for ease of administration.

The Chief Executive Officer will endeavour to provide the information by the requested date. However, this is subject to the complexity of the request and the time required to access the information. If the information cannot be provided within the requested timeframe, the Chief Executive Officer will advise the Elected Member of an estimated date in writing.

Training with regard to this policy will be provided to members by the Chief Executive Officer.

All requests for access to information will be recorded in Council's Elected Member Access to Documents Requests Register and Elected Members will be required to sign the register page as confirmation of receipt of the requested documents.

An Elected Member may lodge a review with the Ombudsman, who may carry out an investigation if it appears (to the Ombudsman) that the CEO may have unreasonably denied or delayed access due to an unreasonable impact on Council resources.

#### **FURTHER INFORMATION**

This policy will be available for inspection at the Council offices listed below during ordinary business hours and available to be downloaded, free of charge, from Council's internet site: [www.robe.sa.gov.au](http://www.robe.sa.gov.au)

Royal Circus, Robe SA 5276

Copies will be provided to interested parties upon request. Email [council@robe.sa.gov.au](mailto:council@robe.sa.gov.au)

Any grievances in relation to this policy or its application should be forwarded in writing addressed to the Chief Executive Officer of Council.

#### **POLICY REVIEW**

This policy may be amended at any time and must be reviewed at least every four years since its adoption (or latest amendment).

<Date>

Chief Executive Officer  
District Council of Robe  
PO Box 1  
Robe SA 5276

Dear Sir

Pursuant to Section 61 of the Local Government Act, I hereby request access to the following document(s):-

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I require (if possible) the information by (date) \_\_\_\_\_

Please contact me by (insert address, e-mail address or telephone number)

\_\_\_\_\_  
\_\_\_\_\_when the information is  
ready.

The information is required in connection with the performance or discharge of the functions and duties of the elected member.

Preference of obtaining the document:-

- ☐ Copy of document
- ☐ View at office
- ☐ Email (if possible)

**Please note that some items may only be available for viewing.**

\_\_\_\_\_  
Elected Member

\_\_\_\_\_  
date