

# Local Government Agenda Items: four tips

3 April 2019

**Local government agenda items. If you ask a local government Environmental Health Officer what the purpose of agenda items is, the answer might be ‘for a potential court action’. If you ask a Town Planning Officer, the answer might be ‘for a potential State Administrative Tribunal hearing’, and if you ask a councillor, they will likely say ‘they are for us so we can best decide what position council should take’.**

One thing they are all likely to agree on is that a well-crafted agenda item can add to or distract from the effectiveness of the meeting. Agenda items are the bridge between the administration and councillors so it is worth making them concise, complete and clear.

Here are some ways that you can achieve this.



## 1. Use Executive Summaries

We reviewed some local government agendas, and noticed that they contained comprehensive information and thorough research, but lacked executive summaries.

An executive summary of each issue focuses on key points and is helpful for councillors as it concisely promotes the issue at hand and the purpose of the report.

For example, it may include something like:

**“Executive Summary**

*The Shire has included in its current 2018/19 budget, provision to allow up to four Councillors to*

*attend the Western Australian Local Government Association (WALGA) Convention. All seven Councillors have however, registered an interest in attending. The purpose of this report is to seek the necessary budget adjustment to enable all Councillors to participate in this upcoming Conference.”*

## 2. Provide sufficient details

We came across an agenda item recently where the issue was around the development of a large public facility. There was a category for ‘Risk Implications’. However it had been filled in as ‘NIL’.

It is likely that there were in fact risks associated with the project. These risks should be explained to the council to ensure that they make an informed strategic decision.

In the wake of the Haynes Report<sup>1</sup> into the banking sector, those who manage and control organisations in all sectors should be mindful of governance, and that includes the subject of risk. In particular, equal attention should be paid to non-financial risk (such as reputation, or legislative compliance) as is paid to financial risk.

The categories ‘Risk implications’, ‘Statutory framework’ and ‘Internal controls’ should be included in agenda items in some way. They help the council to make strategic decisions, *if* the officer completes them with the right level of detail.

Let’s have a look at these three categories.

### **Risk implications**

Under this category, you can set out the type and level of risk involved together with any plans to mitigate.

For example, going back to the item above about the development of a large public facility you may include:

*“Development Risk: If the development timeframe extends due to construction complications, project revenues and social benefits could be delayed. A dedicated Project Manager should be appointed to control the timelines; and*

*Operational Risk: Demand modelling may not be realised with actual attendances, which will impact upon costs and attendance receipts. A marketing program should be developed and implemented to minimise this possibility”*

You can also attach a risk assessment for the council to refer to.

*‘equal attention should be paid to non-financial risk ... as is paid to financial risk’*

### Statutory framework

This category is sometimes called ‘Legal implications’, ‘Legislative compliance’ or ‘Compliance’. This category is important because the council cannot be expected to know what the legal issues are for every item on the agenda. And if they do not get information about the legal implications, they risk making decisions which are non-compliant.

In some agendas, we have seen the narrative limited to “*The Local Government Act 1995 (WA)*” under this category. This is too broad a reference to be meaningful. In some instances an extract from the legislation may be useful.

On the other hand, citing a whole regulation running over a three pages might be too detailed to be meaningful.

The most meaningful type of entry under this category details the relevant part of the legislation and a brief explanation of how it is relevant in the context of the particular item.

An example of the kind of entry under this category might be:

*“The Fire and Emergency Services Act 1998 at Section 36ZQ outlines the Shire’s insurance responsibilities to volunteers’ equipment. The Shire is obliged to insure for ‘market value’ (or as the act states, ‘for loss or damage, but not including loss or damage that is caused by or results from reasonable wear or tear, mechanical or electrical breakdown, failure or breakage).”*

*‘detail the relevant part of the legislation and give a brief explanation of how it is relevant in the context’*

### Internal controls

As internal controls are one of the core responsibilities of a local government CEO, it is prudent to also address this aspect in reports to the council.

For example, an internal controls’ statement could be *‘The procedure for assessing and processing accounts for payment involves tightly controlled practices, including confirmation of compliance with Council’s Purchasing Policy, suitable separation of duties of staff involved, and written procedures to ensure consistent practices and outcomes are maintained.’*

### 3. Set out the options available

We noticed a particular local government officer had taken time to set out some options for the council to consider.

This provided the council with three clear courses of action and reasons for and against each option. The officer also highlighted their recommended option.

You may consider this approach if the agenda item is complex.

### 4. Ensure a consistent standard

In most local governments, you may have several different officers writing agenda items with their own style, level of detail and standard.

It may be helpful for each local government to develop formal guidance as to how agenda items should be completed and ensure that officers are trained in how to write agenda items. This is especially important for the categories which refer to risk, statutory compliance and internal controls so that your council is alerted to governance issues.

## Key Points

1. Use executive summaries
2. Provide sufficient detail for Risk implications, Statutory framework and Internal controls
3. Set out options
4. Be consistent

## Contact

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<sup>i</sup> The Final Report of the Royal Commission into Misconduct in the Banking, Superannuation and Financial Services Industry (2019).

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