



Informal Gatherings Policy

Responsible Officer	Chief Executive Officer
Relevant Delegations	Manager Corporate Services
Legislation and References	Local Government Act 1999

1 Introduction

Open and transparent Council meetings underpin representative democracy and ensure public confidence in Council's decision-making processes. Informal gatherings, where appropriate, provide a valuable opportunity to enhance the decision-making processes by providing opportunities for Council Members to become better informed on issues and seek further clarification.

2 Scope

Section 90 (8a) of the Local Government Act 1999 requires that a designated informal gathering or discussion may only be held if the Council has adopted a policy on the holding of designated informal gatherings or discussion and that the designated informal gathering or discussion complies with the policy. Section 90(8b) further provides that any policy adopted must comply with requirements prescribed by the Regulations.

With affect from 24 November 2016, the Minister prescribed certain matters for the purposes of a Council's Informal Gathering Policy Regulation 8AB – Informal gatherings and discussions. The Regulation defines a designated informal gathering or discussion as follows:

designated informal gathering or discussion means an event organised and conducted by or on behalf of the council or chief executive officer to which members of the council or council committee (as the case may be) have been invited and that involves discussion of a matter that is, or is intended to be, part of the agenda for a formal meeting of the council or council committee.

This Policy applies to designated informal gatherings or discussions arranged by the Council either by the Chief Executive Officer or the Council Members as defined under Regulation 8AB Local Government (General) Regulations 2013.

An informal gathering which involves two or more Council Members meeting outside a Council meeting to discuss an item that is intended to be part of the agenda of a formal meeting to formulate a decision is an illegal practice.

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Both the Chief Executive Officer and the Council are responsible for ensuring designed informal gatherings or discussions are conducted in accordance with the Local Government Act 1999.

3. Policy Statement

Purpose of informal gatherings or discussions.

Informal gatherings, briefing sessions, planning sessions and other discussions captured under this policy are those gatherings that are arranged by the Council, either by the Chief Executive Officer or by the Council. Section 90(8) of the *Local Government Act 1999* provides a list of non-exclusive examples of informal gatherings, which are:

- Planning sessions associated with the development of policies or strategies
- Briefing or training sessions
- Workshops
- Social gatherings to encourage informal communication between members or between members and staff.

Informal gatherings and discussions of these kinds will be used solely for the purpose of information sharing and not for the purpose of debating issues, building consensus positions or otherwise discharging Council's deliberative and decision-making functions.

Designated informal gatherings or discussions may be used to:

- discuss issues that involve strategy or policy or other matters of Council administration
- brief Council members or Council committee members on issues relevant to matters which in the future will be included on the agenda of a formal meeting of the Council or Council committee.

Designated informal gatherings and discussions will be used solely for the purpose of information sharing and not for the purpose of determining, or effectively determining, matters which should be determined at a formally constituted meeting of the Council or Council committee.

Timing of, and Access to, Informal Gatherings or discussions of Council

Informal gatherings or discussions of Council Members, or Council Members and Council staff are, by their nature, a non-compulsory meeting of the Council. All Council Members are encouraged to attend these sessions, particularly those designed to provide history, context or additional information to assist Council Members to carry out their functions.

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Designated informal gatherings or discussions will be chaired by the Mayor, and in his absence the Deputy Mayor. The Chair is responsible for ensuring that the purpose, intent and outcomes of the designated informal gatherings or discussions are consistent with section 90 of the Local Government Act.

Regularly scheduled Informal gatherings or discussions are advertised on Council's website. Any adhoc informal gatherings or discussion convened to consider matters that will form part of Council's meeting agenda will also be added to Council's website at the time of calling the informal gathering or discussion.

At the time an informal gathering or discussion is scheduled the Chief Executive Officer will consider the content planned for discussion and make a determination as to whether the informal gathering or discussion will be open to the public.

A decision to close an informal gathering or discussion will consider the nature of information to be discussed including:

- a. Whether the content to be discussed falls within the confidentiality provision of Section 90 (3) of the Local Government Act 1999.
- b. Whether the information to be presented constitutes a Training and Development Activity
- c. A request from an external party involved in the presentation of information that the Informal Gathering not be open to the public.

Where the Chief Executive Officer determines the need for private consideration of information to be discussed at the informal gathering or discussion outweighs the need to provide access to members of the public the informal gathering or discussion will be closed. The reason for this decision will be briefly stated on the Council's website.

3. Agenda and Minute Taking

Consistent with the status of an informal gathering or discussion no formal minutes will be taken at these activities. A list of matters to be discussed at an informal gathering or discussion must be published on Council's website in conjunction with details of the time and place of the informal gathering or discussion.

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Informal Gatherings Policy

4. Review & Availability

This policy will be reviewed every four years, or as required.

The public may inspect a copy of this policy without charge at the Council offices during office hours and may obtain a copy for a fee fixed by Council

The policy is also available on Council's website www.claregilbertvalleys.sa.gov.au

5. References

Local Government Act 1999

Code of Practice Access to Council Meetings and Documents

6. Document History

Approved by	Issue Date	Minute Reference – Details of Review
CGVC	21/03/16	Adopted by Council MB117/16
CGVC	20/02/17	Reviewed by Council
CGVC	10/12/18	Reviewed by Council

SIGNED:

CEO

Date: ____/____/____

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