

Councillor and Staff Interaction Policy

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Macedon Ranges Shire Council acknowledges the Dja Dja Wurrung, Taungurung and Wurundjeri Woi Wurrung Peoples as the Traditional Owners and Custodians of this land and waterways. Council recognises their living cultures and ongoing connection to Country and pays respect to their Elders past, present and emerging. Council also acknowledges local Aboriginal and/or Torres Strait Islander residents of Macedon Ranges for their ongoing contribution to the diverse culture of our community.

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Purpose

The Councillor and Staff Interaction Policy (Policy) is adopted under and in accordance with section 46(3)(c) of the *Local Government Act 2020* (LGA2020).

The purpose of this policy is to:

- Define required interactions between Staff and Councillors as required under the LGA2020;
- provide Councillors and Staff with a framework for appropriate interactions aligned with their respective legislative roles, responsibilities and obligations in dealings;
- ensure that Councillors and Staff maintain a high standard of governance, respect and transparency;
- support professional, respectful, effective working relationships and the building of trust between Councillors and Council staff; and
- support Council to meet its responsibilities under the *Occupational Health and Safety Act 2004* and *Equal Opportunities Act 2010* to protect people from risks to the health and safety including harassment, bullying, violence and discrimination.

Background

The Chief Executive Officer is required to manage interactions between members of Council staff and Councillors in a number of ways including through policies, practices and protocols.

In accordance with Part 6 of the LGA2020 Councillors must not direct, or seek to direct, a member of Council staff and this policy aims to assist in preventing this.

Gender Impact Assessment

In accordance with the Gender Equality Act 2020, a Gender Impact Assessment was not required in relation to the subject matter of this report.

Scope

This policy applies to

- Councillors and Staff (as defined below) carrying out work on behalf of Council, including powers, duties and functions exercised under delegation.

- All interactions regarding Council business between Councillors and Staff whether face-to-face, online, by phone, text message or in writing.

This policy does not apply to the following matters which are managed through other policies and processes:

- Responding to and management of complaints about service delivery as these are managed under Council's Complaint and Unreasonable Behaviour Policy. Councillors should enquire regarding complaints as per the matrix below;
- Requests for information made under the *Freedom of Information Act 1982* (Vic); or
- Disclosures made under the *Public Interest Disclosures Act 2012*.

Policy

General

1. Interactions and information flows between Councillors and Staff must support Councillors to:
 - a) Exercise their function as members of the Council; and/or
 - b) Fulfil their role of a Councillor impartially, to the best of their ability.
2. Interactions and information flows between Councillors and Staff must support our values through:
 - a) Thoughtful respect for the differing roles, operational priorities and mutual expectations of Councillors and the varied positions of Staff.
 - b) Working together through the Chief Executive Officer (CEO) to ensure the elected Council is fully informed on emerging issues and strategic challenges.
3. The Model Councillor Code of Conduct governs the behaviour of Councillors while performing their statutory role.
4. Staff shall provide to Council information relevant to active strategic matters on which Council is the decision maker.

Councillor and Staff Contact Matrix

5. Councillors must not directly contact Staff without permission through the CEO or Directors (who together form the Executive Leadership Team).
6. Executive Assistants to the Directors may liaise with Councillors on behalf and with the permission of the Directors.
7. Councillors must not directly contact Staff without permission of the CEO or a Director.
8. Councillors may contact Managers with the approval of the relevant Director.
9. Councillors may however contact approved staff nominated in the Councillor and Staff Contact Matrix (Appendix 1).

Councillors

10. In performing the Role of a Councillor, Councillors must:
 - a) Act in accordance with the Model Councillor Code of Conduct.
 - b) Maintain a professional relationship with Staff, acting with respect and integrity always.
 - c) Not direct or seek to direct Staff.
 - d) Respect the professional opinion, skill and expertise of Staff.
 - e) Refrain from criticising or vilifying Staff in a way that casts aspersions on their professional competence or credibility.
 - f) Refrain from using their position to improperly influence Staff in their duties or functions, or to gain an advantage for themselves or others.
11. A Councillor must raise with the CEO or the Manager Governance and Performance any concerns that a Staff member:
 - a) Has acted in a manner contrary to a formal Council policy or decision; or
 - b) Has provided inappropriate advice; or
 - c) Has acted contrary to the Employee Code of Conduct.
12. These concerns must be raised by the Councillor privately, objectively, constructively and in a timely way.
13. The CEO must deal with any dispute between Councillors and Staff.

14. Councillors must use the same methods of contact available to members of the public to contact Staff about matters that are relevant to their personal interests and declare if they are making an enquiry as a Councillor or a resident.

Staff

15. In performing their roles Staff must:

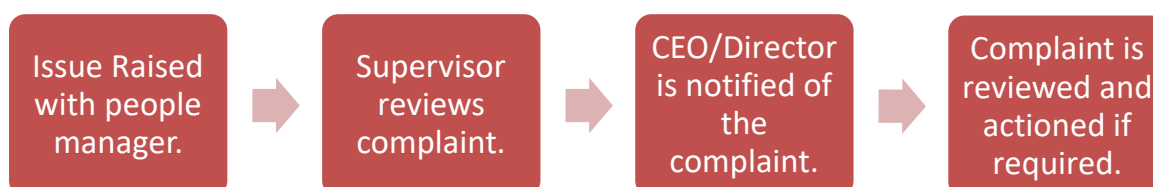
- a) Let their manager know if they have any close professional and/or personal relationships with a Councillor with whom they have regular interaction.
- b) Treat Councillors with respect and be aware of their position as elected representatives of their community.
- c) Address Councillors in all formal and public settings as 'Mayor', 'Deputy Mayor' or 'Councillor (last name)'.
- d) Be familiar with the Councillor and Employee Codes of Conduct and report any breach or potential breach of these Codes to their manager.
- e) Use the same methods of contact available to members of the public to contact Councillors or Council about Council matters that are relevant to their personal interests.
- f) Handle a request for information or request for service from a Councillor in their role as a private citizen in the same manner as a request from any other member of the public.
- g) Inform their line manager of requests for service they are handling from a Councillor in their role as a private citizen.

16. In performing their roles Staff must not:

- a) Use Council IT equipment (including work phone and work computer) to speak to or email a Councillor about personal matters.
- b) Provide Councillors with access to areas of Council buildings that are not accessible by members of the public, other than where access has been approved by a member of the Executive Team.
- c) Publicly criticise Councillors.
- d) Accept instruction or direction from Councillors in relation to their professional duties and must refer perceived instruction or direction to their supervisor.

Complaints

17. Formal complaints regarding a Staff member, including those raised by Councillors, will follow the standard Employee Code of Conduct procedure through the CEO.
18. All complaints raised by Staff regarding Councillors conduct or interactions should be handled as shown below:



Definitions

Term	Definition
CEO	The person appointed by Council to be its Chief Executive Officer, or any person acting in that position.
Council	The Macedon Ranges Shire Council being all the Councillors collectively.
Councillor	A person holding the office of member of Macedon Ranges Shire Council.
Executive Team	The CEO and the Directors of Macedon Ranges Shire Council.
LGA2020	The <i>Local Government Act 2020</i> .
Staff	a 'member of Council staff' as defined in s. 3(1) of the <i>Local Government Act 2020</i> ; or a contractor engaged to provide goods, services or undertake works for Council; or a volunteer who provides services to Council who is not Staff or a Contractor and who is not remunerated for those services.

Related Policies

- > Model Councillor Code of Conduct
- > Employee Code of Conduct
- > Complaint and Unreasonable Behaviour Policy

- > Governance Rules
- > Public Interest Disclosures policy and procedure
- > Occupational Health and Safety Policy

Related Legislation

- > *Equal Opportunities Act 2010*
- > *Freedom of Information Act 1982*
- > *Local Government Act 2020*
- > *Occupational Health and Safety Act 2004*
- > *Occupational Health and Safety Regulations (Psychological Health) 2025*
- > *Public Interest Disclosures Act 2012*

Appendix 1 - Councillor and Staff Contact Matrix

Type of Interaction	CEO	Relevant Director	Governance Team	Executive Office	Council Portal	IT Service Desk	Communications Team	MRSC Website
Requests for information (non-operational).					X			
Customer requests for information. *								X
Follow up on correspondence Councillors were copied into.					X			
Model Councillor Code of Conduct Matters.	X							
Governance matters, including Governance Rules, conflicts of interest enquiries, personal interests returns, expense reimbursement etc.	X		X					
IT technical issues.						X		
Media and communications issues.	X						X	
Councillor administrative matters, including invites and meeting requests.				X				

Type of Interaction	CEO	Relevant Director	Governance Team	Executive Office	Council Portal	IT Service Desk	Communications Team	MRSC Website
Matters to be considered or presented at Council meetings including alternative motions.	X	X	X		X			
Matters formally submitted in accordance with Council's Governance Rules (ie Notice of Motion).	X	X	X					
Matters relating to Council reports, endorsed strategies and strategy policy matters.	X	X			X			

**Where possible the customer should contact Council directly. Councillors should endeavour not to submit on their behalf.*