Town of Port Hedland

Town of Port Hedland Communications Agreement between the Council and the Chief Executive Officer

1. Overview

This Communications Agreement establishes clear, respectful, and effective communication protocols between the Town of Port Hedland's Council and the Town of Port Hedland's Chief Executive Officer (CEO). It aligns with the Local Government Act 1995 (the Act), the Local Government Amendment Act 2024, specifically the role and functions of the council, mayor and councillors; and it reflects the intent of the draft Local Government Amendment Regulations (2025) which, once codified, propose each local government to have a communications agreement in place that is agreed by both the Council and the CEO.

2. Purpose

The purpose of this agreement is to:

1. Provide guidelines for elected members when requesting information relevant to performing their role and functions, from the Town of Port Hedland's (the Town) CEO.
2. Provide guidelines for the Town's CEO in providing information to elected members to assist them perform their role and functions.
3. Ensure all elected members are equally informed regarding queries, issues and any concerns raised, particularly on matters requiring a Council decision.

3. Guiding principles

The Council and the CEO agree to the following guiding principles:

1. The CEO will support elected members to perform their role and functions under the Act and any other written law.
2. Elected members will ensure their dealings and communications with the CEO and Town employees are in accordance with this agreement.
3. Any formal communication or information exchange not already outlined in this agreement, is not to occur between elected members and Town employees unless it is authorised by the CEO.
4. Elected members can only request assistance or information that is relevant to their role and functions under the Act or any other written law.
5. Communications must be respectful, timely, and professional.

6. Communications should support transparency, efficiency, and good governance.
7. All parties must comply with the Act, relevant Codes of Conduct, and Town policies.

4. Communication channels

1. The Town's administration uses several channels to provide information to elected members to enable them to perform their role and functions under the Act, or any other relevant legislation. These channels currently include:
    a. Docs on Tap
    b. A regular Elected Member Information Bulletin
    c. Online elected member portal.

5. Requests for assistance regarding administrative matters

1. Elected members may seek assistance on administrative matters from the CEO. These requests are intended to assist elected members in fulfilling their role and functions and must not involve the direction of Town employees or operational decision-making.

2. These requests include, but are not limited to:

    a. General governance advice including declarations of interest,
    b. Declaration of gifts received,
    c. Reimbursement claims,
    d. Travel arrangements,
    e. Management of event invitations (including Citizenship Ceremonies),
    f. Training and conference requests,
    g. Support in relation to Council meetings,
    h. IT support, and
    i. Support in the attendance of external meetings relevant to their role.

3. The mayor can work directly with the Executive Assistant to the CEO and Mayor for assistance regarding administrative matters of a minor nature.
4. Councillor requests must be submitted via email to emenquiries@porthedland.wa.gov.au. Verbal requests to Town employees or requests made to individual inboxes may not be actioned.
5. All elected member requests will be received and acknowledged. A response will be provided within two business days. If this timeframe cannot be met, an interim response must be provided.

6. Requests for information

1. Section 5.92 of the Act states that an elected member can access information held by the Town that is relevant to performing their role and functions under the Act, or any other relevant legislation.
2. To ensure transparency, consistency and integrity in the way requests from elected members are managed, requests for information are limited to information that is relevant to the performance of elected members' functions under Sections 2.7, 2.8, 2.9 and 2.10 of the Act.
3. Requests are defined as something requiring a response or action, and include asking for further information, asking a question or seeking clarity on an issue.
4. Requests for information will be managed as follows:

    a. The mayor can work directly with the Executive Assistant to the CEO and Mayor to make any requests for information of a minor nature.
    b. Councillor requests must be submitted via email to emenquiries@porthedland.wa.gov.au. Verbal requests to Town employees or requests made to individual inboxes may not be actioned.
    c. All elected member requests for information will be logged, a reference number assigned, and the CEO will authorise a Town employee to provide a response.
    d. A response will be provided within five working days or an interim response outlining actions and timeframes must be provided.
    e. Final responses will be sent collectively to all elected members, from emenquiries@porthedland.wa.gov.au.
    f. The requesting member may discuss their request for information, once lodged, with the CEO either verbally, or in writing. During the discussion, the requesting member may be provided with additional information for the purpose of clarifying or addressing queries in relation to the final response. Any additional information will also be provided to all elected members.
    g. The CEO may arrange for a briefing, meeting or discussion in relation to a final response, should it be determined as necessary.

7. Confidentiality

1. Elected members must send requests that are considered confidential directly to the CEO, via ceo@porthedland.wa.gov.au , and clearly indicate that the request is being made in confidence, and why. Confidential matters could include complaints or issues of a personal nature. Responses to confidential requests, if agreed by the CEO, will not be shared with all elected members.

8. Limitations on requests

1. Elected members shall not request information that is not relevant to performing their role and functions as outlined in the Act.
2. Information requested that is not in accordance with this agreement may not be provided.
3. Only Town employees authorised by the CEO will respond to requests made by elected members in accordance with this agreement.
4. Information not held by the Town, or that cannot reasonably be obtained by the Town may not be provided.
5. The CEO may determine that preparing or providing requested information may divert a substantial and unreasonable portion of the Town's resources away from its other functions and decline the request. Elected members are not permitted to give direct instructions to Town employees.
6. Neither the CEO nor any other Town employee is required to respond to a request for administrative support or information outside of regular office hours.

9. Exclusions

This agreement does not apply to:

1. Deliberations at Council or Committee meetings.
2. Questions Taken on Notice during formal meetings.
3. Matters relating to media generated enquiries or the provision of Town related information to media. Council Policy 1/025 outlines the role of Mayor, as the Town's principal spokesperson, and that of the CEO, responsible for the administration and coordination of the Town's communications.

10. Compliance

1. Elected members, the CEO and Town employees must comply with this agreement.
2. Any breaches of this agreement may be addressed through dispute resolution and/or under respective Codes of Conduct.

11. Dispute resolution

1. This agreement includes provisions for resolving disagreements related to:
    a. Requests for assistance regarding administrative matters, and
    b. Requests for information.
2. The process to resolve disagreements is as follows:

a. In the event of a communication breakdown or disagreement regarding a request or response, the matter should first be discussed between the Mayor and CEO for resolution.
b. Councillors are encouraged to discuss any communication breakdown or disagreement under this agreement with the mayor in the first instance.
c. Town employees are encouraged to discuss any communication breakdown or disagreement under this agreement with the CEO in the first instance.
d. If the final response to a request includes a refusal to provide some or all the information requested, the requesting member may notify the CEO in writing that there is a disagreement regarding the final response.
e. Collectively, and in agreement, the Mayor and CEO may seek external assistance to facilitate resolution, particularly in cases involving persistent or complex disputes. The Town's procurement processes will be followed if external assistance is required.

12. Review

This agreement will be reviewed following the next scheduled ordinary Local Government election in 2028.

Version number	Resolution number	Adoption date
Version 1	SCM202627/105	18 March 2026