



LATE AGENDA

**Ordinary Meeting of Council
To be held on Tuesday 28 July 2026
At 6:00 pm**

Top Didj Aboriginal Art Gallery, Exhibition Room
363 Gorge Road, Lansdowne, Katherine NT 0850

The Acting Chief Executive Officer of Katherine Town Council
hereby provides notice of the Ordinary Meeting of Council
in accordance with Section 92 of the *Local Government Act 2019*

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16 LATE REPORTS OF OFFICERS

16.1 COUNCIL POLICY - ELECTED MEMBER ACKNOWLEDGEMENT PROCESS AND CONSEQUENCES

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Authoriser: Casey Anderson, Acting Chief Executive Officer
Report Type: For decision
Attachments: Nil

PURPOSE OF REPORT

To inform Council of the implementation of a formal policy acknowledgement process, reinforce the obligations of Elected Members to comply with Council policies, and consider the inclusion of consistent reporting and compliance provisions across all relevant Council policies.

RECOMMENDATION

1. That Council:
 - a. Endorse the requirement that all elected members must acknowledge that they have read, understood and will comply with all Council policies, relevant to the role, upon commencement and following any amendment to the policy; and
 - b. Authorise the implementation of a policy acknowledgement process through Council's governance systems to support good governance, accountability and legislative compliance.
2. That Council approve the following reporting requirements for non-compliance with council policy:
 - a. All occasions of an Elected Member not complying with council policy should be reported immediately to the Chief Executive Officer.
 - b. Where the report relates to the conduct of an Elected Member, the Chief Executive Officer shall immediately report the matter to the Mayor and a report to the next council meeting.
 - c. Before a report to Council by the Chief Executive Officer or the Mayor, the Mayor or delegate should undertake preliminary enquiries to establish the facts. The preliminary investigations may take any form the Mayor or delegate considers appropriate but must involve discussions with the reporter and the Elected Member concerned. Natural justice principles need to be satisfied in dealing with an alleged breach.
 - d. The Chief Executive Officer must provide a report to the next Council meeting based on the investigation by the Mayor or Delegate.
 - e. The Council must decide whether a matter reported to it under council policy, is a breach. The Council may take any steps it considers reasonable in the circumstances.
3. That Council approve the below listed sanctions which can be imposed by council if an

elected member has failed to comply with council policy, can, by resolution:

- a. Require the Elected Member to apologise to the person concerned;
- b. Request a formal apology;
- c. Counsel the Elected Member;
- d. Require training,
- e. Reprimand the Elected Member;
- f. Pass a censure motion at a Council meeting;
- g. Make public disclosures of inappropriate conduct (such as making the community aware of the breach through the media or annual report);
- h. Refer the matter to an appropriate investigative body if the matter is serious; and/or
- i. Prosecute any breach of the law.

SUMMARY

- **Council policies support compliance with the Local Government Act 2019, clarify the roles of Elected Members and the CEO, and reinforce the separation between governance and administration.**
- **Good governance practice requires policies to be distributed, acknowledged, supported through training, and recorded for compliance and audit purposes.**
- **A new policy acknowledgement process will be implemented through Skytrust, requiring Elected Members and employees to confirm they have received, read, understood and will comply with relevant policies.**
- **The process will reinforce individual responsibility to seek clarification where required and acknowledge that breaches may result in action under Council policies, the Code of Conduct, or legislative requirements.**
- **To ensure consistency, it is proposed that reporting requirements and potential sanctions for policy non-compliance be incorporated into all relevant Council policies applying to Elected Members.**
- **The acknowledgement process will strengthen Council's governance framework by providing documented evidence of policy awareness, understanding and compliance by Elected Members, committee members, employees and other stakeholders.**

DISCUSSION, OPTIONS AND ANALYSIS

Council policies are developed to support compliance with legislative requirements and to provide clear direction for good governance, decision-making and organisational accountability. Many Council policies apply directly to Elected Members and are intended to support compliance with:

- The *Local Government Act 2019*;
- The statutory roles and responsibilities of Elected Members;
- The statutory roles and responsibilities of the Chief Executive Officer; and

- The legislated separation of powers between governance and administration.

As a matter of good governance practice, councils should ensure that policies are effectively communicated and understood by all persons who are required to comply with them. This is typically achieved through:

- Distribution of policies to all affected persons;
- Formal acknowledgement of receipt, understanding and compliance obligations by Elected Members and employees;
- Induction and refresher training relating to roles, responsibilities and the Code of Conduct; and
- Maintenance of records demonstrating policy acknowledgement and compliance.

To strengthen Council's governance framework, a formal policy acknowledgement process is being implemented through the Skytrust platform. Under this process, Elected Members and employees will receive electronic notifications for policies relevant to their role and will be required to acknowledge that they have received, read and understood the policy.

The acknowledgement will confirm that the individual:

- Understands their responsibilities under the policy;
- Agrees to comply with all applicable policy requirements; and
- Acknowledges their obligation to seek clarification where any aspect of the policy is unclear.

The process will also reinforce that breaches of Council policies may result in action being taken in accordance with the relevant policy, the Code of Conduct, and any applicable legislative requirements.

Non-compliance with a Council policy may indicate a failure to meet obligations under the *Local Government Act 2019* and may expose Council and individual Elected Members to governance, compliance and reputational risks. Accordingly, it is important that Elected Members understand both their obligations under Council policies and the processes that apply should non-compliance occur.

At present, consequences for non-compliance are expressly detailed only within the Elected Member Information and Interaction with Staff Policy. To provide consistency across Council's governance framework and to clearly communicate expectations, it is proposed that reporting requirements and potential sanctions be incorporated into all relevant Council policies that apply to Elected Members.

Where an Elected Member is alleged to have failed to comply with a Council policy, the matter should be reported to the Chief Executive Officer as soon as practicable. If the allegation relates to the conduct of an Elected Member, the Chief Executive Officer will report the matter to the Mayor and subsequently to Council.

Prior to any report being presented to Council, preliminary enquiries should be undertaken by the Chief Executive Officer or Mayor, as appropriate, to establish the relevant facts. The form of those enquiries may vary depending on the circumstances; however, they must include an opportunity for the Elected Member concerned to respond to the allegations. Any assessment of an alleged breach must be undertaken in accordance with the principles of natural justice and procedural

fairness.

Following consideration of the matter, Council will determine whether a breach has occurred and may take such action as it considers reasonable and proportionate in the circumstances.

All Council and Corporate Policies are available to Elected Members through the Elected Member Portal, providing ongoing access to current policy documents. In addition, Elected Members were briefed on key Council policies during the Elected Member Induction Workshop held on 19 September 2025.

The implementation of a formal policy acknowledgement process will strengthen Council's governance and compliance framework by providing documented evidence that Elected Members, committee members, employees and other relevant stakeholders have received, read, understood and agreed to comply with Council policies. This process will enhance accountability, support legislative compliance and promote consistent application of Council's policies across the organisation.

Consultation Process

There was no consultation process required for this report.

Policy Implications

All relevant policies will require the including the reporting requirements and potential sanctions for policy non-compliance at the next review.

Budget and Resource Implications

There are no Budget implications.

Risk, Legal and Legislative Implications

If Council does not approve the proposed policy acknowledgement process and associated amendments, there is a risk that Council will be unable to demonstrate that Elected Members, committee members and employees have received, understood and accepted their obligations under Council policies. This may increase governance, compliance, operational and reputational risks, and limit Council's ability to effectively manage and respond to instances of policy non-compliance.

Environment Sustainability Implications

There are no environmental sustainability implications.

Strategic Plan

1. STRONG LEADERSHIP - 1.1 Strong Leadership - Lead a strong local democracy with a community that is actively engaged in Katherine's strategic direction.

1.1.2 Ensure strong internal governance with updated policies and procedures in place.

Municipal Plan

1.1.2.1 Workplace policies and Council By-Laws are reviewed regularly