



NOTICE OF MOTION

2 February 2010

NOM8	REVIEW OF CORRESPONDENCE
FILE: 568	KEO {Folio No. *}

I hereby give notice that I intend to move the following motion at the Ordinary meeting of Kempsey Shire Council to be held on Tuesday, 2 February 2010.

"That, for the period over the last six months, the General Manager:

- 1. Advise Council on the number of letters addressed to the General Manager by community members and organisations that have been responded to by the Mayor.***
- 2. Provides Councillors with copies of all letters sent under the Mayor's signature which the Mayor has not been specifically directed to write by Council.***
- 3. Advise Council the quantity of all memos which the Mayor has sent to Council staff.***
- 4. Details of all "pinks" issued by the Mayor."***

Rationale:

It was brought to my attention by several community organisations and individuals that letters requesting information addressed to the General Manager have been responded to by the Mayor and in a manner which is felt was inappropriate and "short".

That many letters had been sent to Government ministers (State and Federal), senior Government staff and Local Government organisation on matters which had not been discussed at or by Council, and the Mayor has not been directed to write such letters by Council.

That memos have been sent by the Mayor to staff at all levels directing staff to undertake investigations and reports on internal matters. Often the same memo to several different departments causing considerable duplication of work and waste of resources.

That the Mayor is continuing to send "pinks", despite his access to files as Mayor, to the same staff ordering responses to questions which should be the province of the General Manager. I understand that this is adding to the

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stress of the staff who will always try to please the Mayor, even though they are not achieving their own work objectives.

Most or all of the above matters are in relation to implementation of Council decisions (where the matters have been brought to Council) or are the province of the General Manager in relation to the day-to-day management of Kempsey Shire Council.

My understanding is that unless specifically directed by a Council resolution, all letters, approaches etc must be undertaken by the General Manager as this is an implementation issue. We, Councillors, make policy, the General Manager implements that policy, ie we resolve "that Council writes to" and the General Manager writes the letter unless the Council designates another person (eg Mayor) to do so.

MOTION IMPLICATIONS:

- ***Environmental***

Nil

- ***Social***

*Improve relationships with our community and wider government agencies.
Reduce stress to staff.*

- ***Economic (Financial)***

Improve resource utilisation within Council by reducing the amount of time and resources required to meet multiple requests.

- ***Policy or Statutory***

Nil

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COUNCILLOR E A GREEN

GENERAL MANAGER'S NOTE

Some correspondence addressed to the General Manager was inadvertently forwarded to the Mayor, due to the subject matter being areas he had previous involvement in. Procedures have been reviewed to resolve the matter once the situation was reported to staff.

Clarification is requested in relation to the issue of "pinks" as to exactly what is expected should this recommendation pass. Is the request for copies or for a summary of each "pink".

It is noted that under the Local Government Act the Mayor should not have access to files to any greater degree than any other Councillor, ie only access for the purposes of carrying out the duties of a Councillor.

In the case of the Mayor, this would also be extended to the civic and ceremonial functions. Similarly, the use of "pinks" should be allowable to the same extent as other Councillors.

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At this stage, there is no limit on the number of questions that can be asked. Should a limit be imposed, this should be applied to all Councillors for equality. It also has to be considered that should the number of written questions be limited, this may simply lead to an increase in the number of verbal questions raised.