GLEN EIRA CITY COUNCIL

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Council meeting governance changes

Engagement summary report

JUNE 2024

BENTLEIGH

BENTLEIGH EAST

BRIGHTON EAST

CARNEGIE

CAULFIELD

ELSTERNWICK

GARDENVALE

GLEN HUNTLY

MCKINNON

MURRUMBEENA

ORMOND

ST KILDA EAST

Executive summary

Our *Meeting Procedure Local Law* and *Governance Rules* are the cornerstones of Council's governance framework and support strong governance and compliance with the *Local Government Act 2020* (the *Act*).

These documents, with the support of guidelines for public participation and written public questions, set out how Council meetings operate. Council is reviewing and updating the governance documents to reflect best-practice, respond to contemporary governance needs and strengthen and support safe and inclusive community participation.

We delivered a 'consult' level broad community engagement program on the proposed changes over a four-week period from 22 April to 20 May 2024. The documents presented as drafts for community feedback are the:

- *Governance Rules*
- *Conduct at Meetings and Common Seal Local Law*
- *Public Participation Policy*

These drafts would supersede the:

- *Governance Rules (2020)*
- *Council Meeting Procedure Local Law*
- *Public Participation at Council meetings guidelines*
- *Written Public Questions to Council guidelines*

The Council meeting governance changes engagement program sought community feedback about the proposed changes to each of these documents. The engagement program promoted the proposed and current documents, a summary of key changes and FAQs, a community impact statement for the proposed *Local Law*, and two information sessions with Council officers.

What we heard

During the four-week community engagement program we received a total of **eight** formal pieces of feedback through the Have Your Say platform and emails to Council. Four people attended the information sessions.

Overall, the feedback shows mixed support for the proposed changes.

The quantitative feedback provided through the Have Your Say survey show mixed sentiment around the proposed changes to the *Governance Rules*, *Meeting Procedure Local Law*, and *Conduct at Meetings and Common Seal Local Law* with **47 per cent** supporting, **33 per** cent unsure, and **20 per** cent not supporting.

The free-text feedback (**4,900 words**) most substantially commented on the proposed changes to the *Governance Rules*, with approximately **76 per cent** (**3,700 words**) of free-text feedback dedicated to this document. This feedback was mainly provided in two

submissions, and detailed support and suggestions for notices of motion, as well as a range of suggested alterations to the document.

Comments around public participation and general feedback included themes like prioritising safety, transparency of information, accessibility and inclusiveness, and made up approximately **20 per cent** (**1,000 words**) of free-text feedback.

Feedback about the *Conduct at Meetings and Common Seal Local Law* made up **four per cent** (**200 words**) of free-text feedback, and included comments around the banning of posters and placards from meetings, notices of motion, and the use of the law to maintain safe and inclusive participation at meetings.

All free-text comments have been deidentified, summarised and included in this report.

Background

Council is looking to update its governance arrangements through changes to the documents that support decision makings at Council meetings in line with the *Local Government Act 2020* (the *Act*). The updates aim to meet modern governance standards while ensuring best practice safety, accessibility, openness, and inclusiveness at Council meetings.

Throughout 2023 and 2024 we have seen escalating levels of disruption at Council meetings across the sector, including Glen Eira. Incidents at meetings indicate a need to review current arrangements and identify if further safety measures are required to protect Councillors, staff, and the community at Council meetings.

Governance Rules

Governance Rules are a set of rules that determine how the elected Councillors meet and make decisions. These rules define how Councillors, community members, and Council staff can participate in official Council meetings to ensure a fair and productive process. All local governments are required to have a set of *Governance Rules* under the *Act*.

Meeting Procedure Local Law

Prior to the introduction of the requirement for *Governance Rules* in the *Act*, the *Meeting Procedure Local Law* was the governing document for Council meeting procedures and the election of the Mayor and Deputy Mayor.

Following Council's review of the relationship between the *Governance Rules* and the *Local Law* it was identified that there was duplication in the following:

- Election of the Mayor/Deputy Mayor
- Meeting procedures

It was suggested that the *Meeting Procedure Local Law* should be replaced with the *Conduct at Meeting and Common Seal Local Law* which would retain the laws to manage behaviour at Council meetings and the use of Council's Common Seal.

This proposal would rescind the *Meeting Procedure Local Law* and make a new *Conduct at Meetings and Common Seal Local Law*.

The *Act* requires Council to engage with the community when making or rescinding a local law. In accordance, with Council's community engagement policy the *Conduct at Meetings and Common Seal Local Law* was exhibited for four weeks, and the community was invited to provide comment.

Conduct at Meetings and Common Seal Local Law

The newly drafted *Conduct at Meetings and Common Seal Local Law* is being proposed to include existing sections on the Common Seal, conduct at Council meetings, and infringements for breaching the *Local Law*.

The new *Local Law* would add or strengthen rules around:

- the conduct of the public at Council meetings to ensure the health and safety of Councillors, Council Officers and community members in attendance
- bringing placards, poster, or objects that are disrespectful into the Chamber
- requiring permission from the CEO to record a meeting.

Public Participation Policy

The draft *Public Participation Policy* merges the *Public Participation at Council Meetings guidelines* and *Written Public Questions to Council guidelines*. The draft *Policy* formalises the current practice of allocating 15 minutes for written public questions. The draft Governance Rules proposes moving the written public questions to the beginning of the Council meeting.

The draft *Policy* also adds provisions for the Chief Executive Officer to exercise discretion in disallowing vexatious or previously answered questions.

Community engagement

The *Act* requires that the community is consulted on any proposed changes to *Governance Rules* and local laws.

Our *Community Engagement Policy* requires community engagement at a 'Consult' level when new *Governance Rules* and local laws are proposed.

Engagement methods

We ran a broad community engagement program to capture feedback about proposed changes to Council's key governance documents, which ran from 22 April to 20 May 2024, and included:

- a Have Your Say Glen Eira webpage at www.haveyoursaygleneira.com.au/governance
- a community survey accessible on the Have Your Say webpage asking people for their feedback
- documents, key changes, and a community impact statement
- two information sessions with Council officers.

The survey consisted of eleven questions about the subject matter and nine questions for demographics and contact details. The subject matter questions asked for respondents to indicate their level of support for, and provide feedback about, the proposed changes to the *Governance Rules*, the existing and proposed *Local Law*, and the proposed *Public Participation Policy*. It also asked for feedback about Council meetings and their safety, accessibility, openness, and inclusiveness.

The detailed responses to this engagement are outlined in the community survey section of this report.

Engaging the community

Supporting the targeted engagement program was a targeted communication approach. The table below outlines the communication activities undertaken during the campaign.

Communication activities	Reach
Have Your Say survey page Background information, documents, and community survey. Survey opened on 22 April and closed on 20 May 2024.	Page views: 288 Document downloads: 291
Social Media Glen Eira City Council posts on Facebook and Instagram.	Impressions: 1,318 Reach: 1,031 Engagements: 25 Link clicks: 18
Council website News item on Council's website announcing the engagement.	Page views: 8 Link clicks: 21
Glen Eira News One article in the May edition of Glen Eira News.	Distributed to: approximately 64,500 residences
Posters and postcards Promotional posters and postcards were distributed to Council's libraries and customer service centre.	Posters: 10 Postcards: 100
Community Engagement Advisory Committee	Attendees: 9

The engagement was presented at the 13 May committee meeting.	

Engagement activities	Number who participated
Have Your Say community survey	5
Emails to Council	3

Insights and analysis

Community feedback

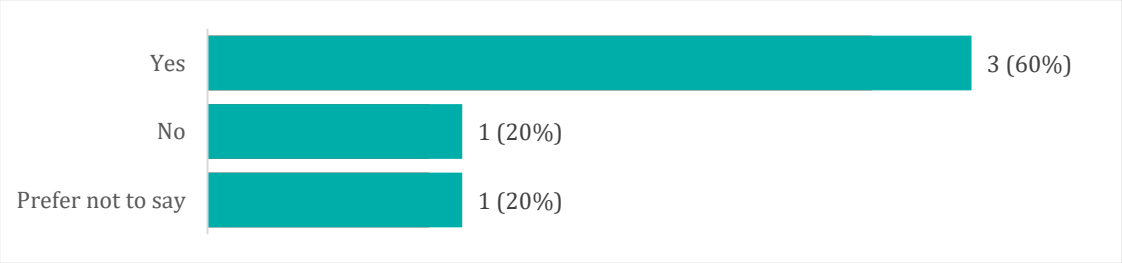
Opportunities for formal feedback included an online survey and document upload at www.haveyoursaygleneira.com.au/governance, emails to Council, and by post. A total of **eight** submissions were received. **Five** responses were received through the online survey and **three** email submissions were received by Council.

The number of respondents is low compared to Council's other engagement programs, however this is expected for the complexity of the subject matter. By comparison Council's previous engagement on *Governance Rules* in June 2020 received one response.

The submissions received included extensive feedback from some respondents, totaling **4,900 words**. This feedback has been provided in full to Councillors and the project team.

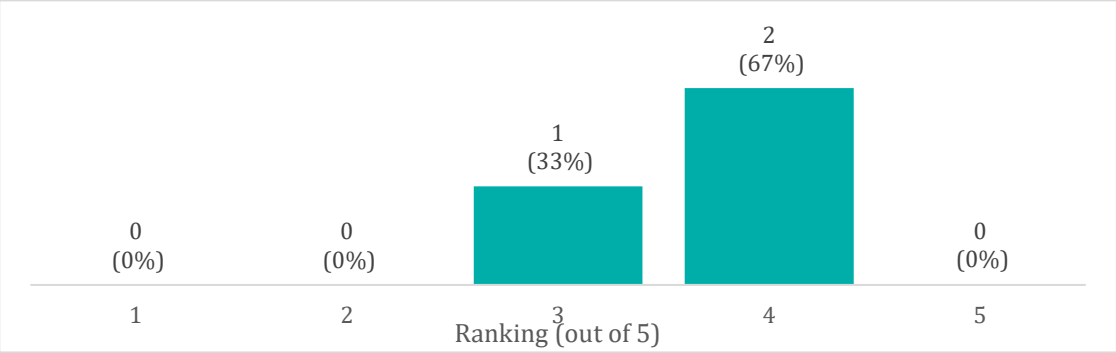
Survey data

Q.1 Have you attended or viewed a Council meeting? *Optional. Single choice.*
Five responses.



Q.2 How would you rate your experience with Council meetings? *Optional. Rating 1 to 5. Only visible to those who answered Yes in Q.1.*
Three responses.

From the three responses, people's experience with Council meetings received an average ranking of 3.7 out of 5.



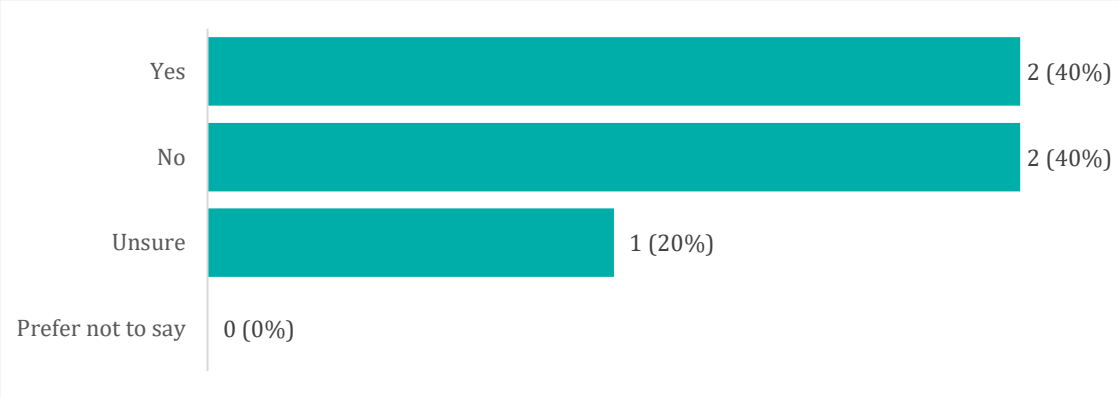
Q.3 Do you have any feedback about Council meetings? *Optional. Free text. Only visible to those who answered Yes in Q.1.*
Two responses.

Responses:

The way questions are submitted and handled is confusing. Additionally, while I appreciate the opportunity to participate in Council meetings, I must express concern regarding the leniency shown towards individuals who display rude and abusive behaviour. This not only makes me feel uncomfortable, but also creates an unsafe work environment for staff – Council should not put up with this. I strongly believe that the Council should take a firm stance against enabling such behaviour to ensure that meetings remain respectful and productive. It's imperative to uphold standards that promote a safe and inclusive community.
The online archived meetings are adequate.

Q.4 Do you support the proposed changes to the *Governance Rules*? *Optional. Single choice.*
Five responses.

There is mixed responses to this question with two respondents in support of the *Governance Rules* changes, two respondents who do not support the changes and one respondent who was unsure.



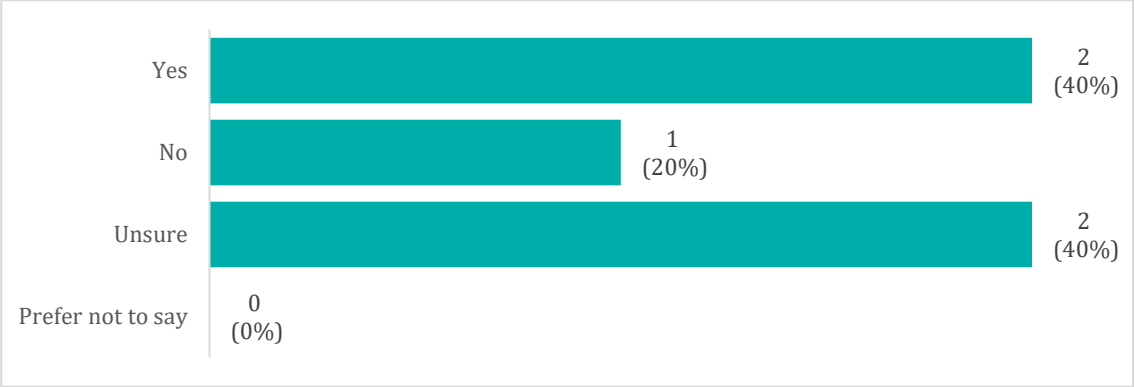
Q.5 Do you have any feedback about the proposed changes to the *Governance Rules*? *Optional. Free-text question.*
Three responses.

Responses:

No
Banning placards and posters is undemocratic. It's restricting freedom of expression. As long as the placards & posters are not rude or defamatory they should be allowed,
Procedural matters that relate to governance need to be just that. The mayor's election by councillors is more suitable there, than local law. Public questions need to be at the beginning of Ordinary Council meetings.

Q.6 Do you support the rescindment of the *Meeting Procedure Local Law*?
Optional. Single choice.
Five responses.

There is mixed response to the rescindment of the *Meeting Procedure Local Law*, with two respondents in support, two respondents who are unsure, and one respondent who does not support the rescindment.



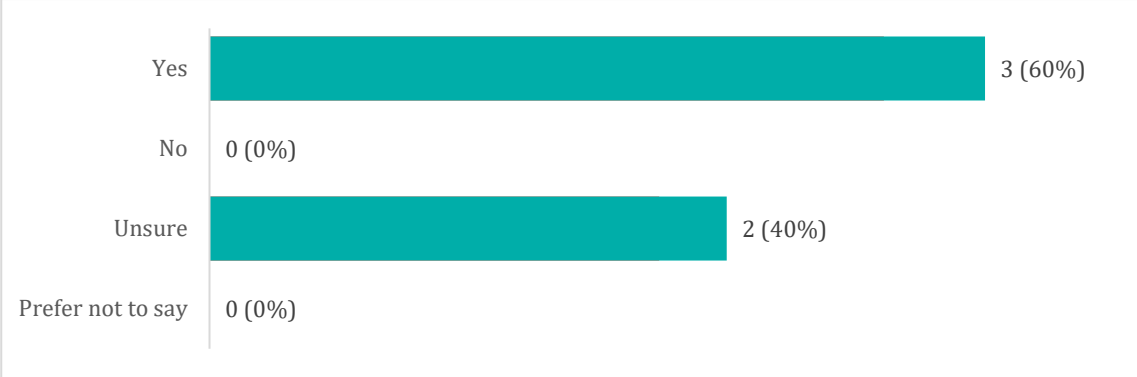
Q.7 Do you have any feedback about the rescindment of the *Meeting Procedure Local Law*? *Optional. Free-text question.*
Two responses.

Responses:

No
To be able to rescind a motion allows for a response by one out of three proposers of a motion to withdraw from proposing in response to genuine community concern to an unfair decision.

Q.8 Do you support the introduction of the *Conduct at Meetings and Common Seal Local Law*? *Optional. Single choice.*
Five responses.

There is support for the introduction of the *Conduct at Meetings and Common Seal Local Law* by three respondents, and two respondents indicated that they are unsure.



Q.9 Do you have any feedback about the proposed *Conduct at Meetings and Common Seal Local Law*? *Optional. Free-text question.*
Three responses.

Responses:

It will depend on how it is used especially conduct at meetings. Whether it is used strictly for offensive, intimidating etc etc behaviour or as a tool to shut down discussion.
No
All attendees at a Council meeting need to feel safe and respected.

Q.10 Do you have any feedback about the proposed *Public Participation Policy*?
Optional. Free-text question.
Four responses.

Responses:

No
I have two suggestions to enhance the Draft Public Participation Policy. Firstly, there appears to be ambiguity regarding when members of the public can address the Council during meetings, both in the current policy and in the draft. Sometimes, when submitting questions online, I've been given the opportunity to speak directly at the meeting, while other times the CEO has read out the question. Some councils have adopted a more consistent approach where all questions, regardless of submission method, can be verbally presented by the public, which I believe we should adopt. Personally, I believe there is significant value in individuals posing their questions at Council meetings. Regardless, it's imperative to clarify the criteria and timing for public speaking opportunities. Secondly, to ensure equitable public participation across our community, it's vital to enable digital means of engagement, such as through platforms like Zoom. This approach, already implemented by councils like Port Phillip, facilitates involvement from groups who may face barriers attending physical meetings, including young people, families, people with limited mobility and others. Embracing digital channels enhances local democracy by broadening participation avenues.
no but need to ensure no councillor or council staff or community groups or individuals are defamed or bullied. Questions asked in person should be vetted.

Occupational health and safety is a reasonable standard to uphold.

Q.11 The safety, accessibility, openness and inclusiveness of Council meetings is a priority for us. Do you have any feedback on this? *Optional. Free-text question.*
Four responses.

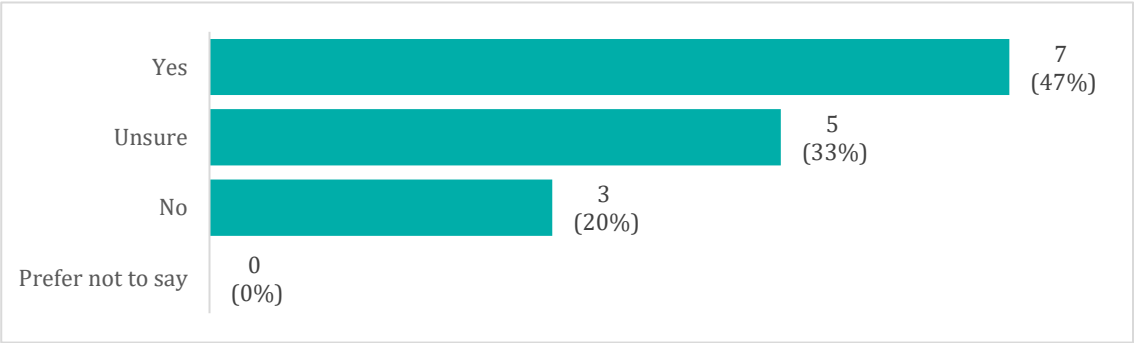
Responses:

The safe operation of Council meetings is a bedrock of our democracy. I have become increasingly concerned at reports of disruptive elements attending Glen Eira and other council meetings. Clarifying the conduct at meetings is a good step in reducing these possible disruptions.
I fully support measures to remove individuals causing disruptions and to ban those who consistently abuse Council or staff members; such behaviour is entirely unacceptable. Regarding the physical space, it's evident that improvements are needed. The current space is outdated and cramped, sometimes resulting in attendees having to stand, which is not ideal. Additionally, the space lacks adequate accommodations for people with disabilities. Enhancing the meeting space would greatly contribute to fostering a more inclusive and welcoming environment for all attendees. Could the meetings be held in another space at town hall such as the theatre?
Public participation in person is very important for transparency and accountability
Agree.

Q.12 Do you wish to appear in-person or to be represented by a person specified in the submission for *Local Law* changes at a Council meeting? *Required. Single choice.*
Five responses. *CONFIDENTIAL.*

Survey data analysis

The responses received to questions four, six and eight can be combined to give an averaged sentiment around the proposed changes. This data shows mixed sentiment around the proposed changes to the *Governance Rules*, *Meeting Procedure Local Law*, and *Conduct at Meetings and Common Seal Local Law* with **47 per cent** supporting, **33 per cent** unsure, and **20 per cent** not supporting.



Email submissions

The engagement@gleneira.vic.gov.au inbox is a formal channel for engagement and promoted through the Have Your Say website. Emails received to other Council email accounts, including officers and Councillors, are forwarded to the engagement inbox to capture feedback. Three emails from community members were received about this project. All email submissions have been anonymised and provided to Councillors and the project team.

Free-text feedback analysis

The free-text feedback from both the Have Your Say survey and emails (combined total approximately **4,900 words**) has been deidentified and provided to Council. This feedback has been summarised below, with each dot point representing an individual respondent's feedback about the document.

Feedback about the *Governance Rules* (**3,700 words**, **76 per cent**) included:

- Details around multiple components of the Notice of Motion with examples from neighbouring Councils to help refine Council's proposed changes.
- Specific and detailed feedback about many elements of the proposed changes, with suggestions to enhance process and clarity of the rules themselves, as well as feedback on Notice of Motions.
- Dissatisfaction with the proposed banning of placards and posters in Council meetings.
- General feedback on procedural matters and public questions.

Feedback about the *Public Participation Policy* (**400 words**, **eight per cent**) included:

- Suggestions related to specific wording and processes from clause 4, and the various roles of the CEO and community in relation to statements and questions.
- A request to vet in-person questions and protection of Councillors, Council staff, community groups and individuals from defamatory comments or bullying.
- Comments around the ambiguity of when the public can participate in person or when their question is read by the CEO, with a request to increase consistency of the approach and allow more in person and digital participation.
- Support for occupational health and safety.

Feedback about the *Conduct at Meetings and Common Seal Local Law* (**200 words**, **four per cent**) included:

- Suggestions related to the process around Rule 9, including support of the banning of posters and placards.
- A comment about the process for rescinding a motion
- support for the need for everyone to feel safe and respected at Council meetings.
- A comment about the use of the *Local Law* to impact conduct at meetings and whether it is used for poor behaviour or to close down discussion.

General free-text feedback (**600 words**, **12 per cent**), including those in response to **Q.11** about safety, accessibility, openness, and inclusiveness, and **Q.3** about general feedback for Council meetings, also included:

- Suggestions to improve the accessibility of Council materials through Easy English,

electronic copies, physical copies, Auslan interpreters, and web accessibility tools, as well as suggestions to change the CEO election process, and reduce manual paperwork for environmental reasons.

- Comments about the need for Council to take a firm stance against inappropriate behaviour from attendees, as well as noting that the process of submitting questions is confusing.
- Agreement with the priorities of safety, accessibility, openness, and inclusiveness.
- Support for measures to remove and ban individuals abusing Council or staff, and a request for improvements to the chamber for accessibility and creating a welcoming place.
- A comment about the importance of in-person public participation for transparency and accountability.
- Support for the need to clarify conduct at meetings to reduce disruptions.