**Preamble**

The working relationship between the Mayor, as the leader of the Council, and the Chief Executive Officer (CEO) as the leader of the Administration is one of the most important relationships in local government.

Mayors and CEOs recognise that any breakdown in this relationship can have long lasting, negative impacts on the capacity of local government to deliver value for money services to its community.

A mutually respectful, productive and professional working relationship between the Mayor and the CEO is crucial to the good governance of the Shire.

This Memorandum of Understanding (MoU) aims to lay the founding principles and set out specific commitments for the ongoing relationship and mutual cooperation between the Mayor and the CEO of the Campaspe Shire Council.

The MoU is underpinned by the strong commitment of both parties to realising the long-term benefits for the wider Campaspe community, through improved understanding and an enhanced working relationship

The following matters are agreed:

## Commitment

We will strictly comply with the requirements and the spirit of the Local Government Act, ensuring that our responsibilities are adhered to and respected.

We will ensure that the Elected Body (Councillors, Council) and the Administration (Staff, Organisation) will respect and value each other’s role, but also work collaboratively when required.

## Agreement on roles and responsibilities

The *Local Government Act 2020* defines the roles and responsibilities of the Mayor and CEO.

**The role of the Mayor is to:**

1. chair Council meetings and be the principal spokesperson for the Council; and
2. lead engagement with the municipal community on the development of the Council Plan and report to the municipal community on its implementation; and
3. assist Councillors to understand their role and promote behaviour among Councillors that meets the standards of conduct set out in the Councillor Code of Conduct; and
4. take a leadership role in ensuring the regular review of the performance of the CEO and provide advice to the CEO in setting the agenda for Council meetings; and
5. perform civic and ceremonial duties on behalf of the Council.

**The CEO is responsible for:**

1. supporting the Mayor and the Councillors in the performance of their roles; and
2. ensuring the effective and efficient management of the day to day operations of the Council, including:
   1. establishing and maintaining an organisational structure for the Council;
   2. being responsible for all staffing matters, including appointing, directing, managing and dismissing members of Council staff;
   3. managing interactions between members of Council staff and Councillors and ensuring that policies, practices and protocols that support arrangements for interaction between members of Council staff and Councillors are developed and implemented;
   4. ensuring that the decisions of the Council are implemented without undue delay;
   5. ensuring that the Council receives timely and reliable advice about its obligations;
   6. supporting the Mayor in the performance of his/her role as Mayor;
   7. setting the agenda for Council meetings after consulting the Mayor;
   8. when requested by the Mayor, reporting to the Council in respect of the implementation of a Council decision;
   9. carrying out the Council's responsibilities as a deemed employer with respect to Councillors, as deemed workers, which arise under or with respect to the Workplace Injury Rehabilitation and Compensation Act 2013;
   10. performing any other function or duty specified in the Local Government or any other Act.

## Critical behaviours to ensure the Mayor and CEO remain positive role models to staff and elected members.

Elected members and staff will normally model their behaviours on those in leadership positions, particularly the Mayor and CEO.

The critical expectations on the Mayor and CEO are to:

* Treat all people with courtesy and respect;
* Be consistent and talk positively about the organisation.
* Encourage teamwork and co-operation, support others in their growth and development, and recognise the positive behaviours and attitudes they display;
* Respect each other’s roles and responsibilities, showing respect to other Councillors and staff;
* Communicate with others about the behavioural standards they expect of others;
* Demonstrate strong communication skills, including active listening and the ability to build rapport;
* Pay attention to their individual performance, especially their attitudes and behaviours;

## Shared responsibility for promoting Council’s vision

Once Council has adopted its vision for the Council term, promotion of that vision will be a key responsibility of the Mayor and CEO. An agreed understanding between the Mayor and CEO on how the vision will be achieved will be crucial to community support for the vision.

## Mutual expectations

There is a mutual expectation that there will be “no surprises” in public forums, no differences of opinion aired in public, public support for each other, feedback provided to each other in a positive, constructive manner when things could have been done better, sharing of intelligence and open and honest interactions.

## Arrangements to brief Mayor on Council agendas and reports and other issues

The Mayor and CEO will schedule regular meetings to discuss Council business. A time and day will be agreed to ensure the Mayor remains briefed on Council agenda reports and future Council meetings and the need for unscheduled meetings, briefings and Councillor only sessions.

Briefing on other issues will occur as required, timed to ensure both parties remain informed.

## Matter on which the Mayor will not be briefed

The CEO has a statutory obligation under various legislation to maintain confidentiality. Staffing matters are the responsibility of the CEO and won’t be discussed with the Mayor or any Councillor.

If the Mayor is approached by members of staff on matters that are clearly within the realm of the CEO the Mayor will advise the CEO of the contact immediately.

## Contact and accessibility

The Mayor and CEO will have each other’s contact details.

Agreement on what issues might instigate out of hours contact will be agreed.

## Alternative contact

If the Mayor is seeking guidance on an issue and the CEO is unavailable, the Mayor should discuss the issue with the relevant General Manager.

## Unplanned contact with Staff

The Mayor and CEO will occasionally see members of staff in the street, at sporting and community events, the supermarket and with family members and friends.

It is polite and friendly to speak to each other, but discussion of Council business must not occur.

## Differences of Opinion

If there is a difference of opinion between the Mayor and CEO it should not be discussed in public, instead either party should arrange a private meeting.

## CEO’s delegation

It is normal for the CEO to have a broad ranging delegation to assist in the efficient administration of the Council.

The CEO may from time to time, put sensitive matters to Council for decision that are otherwise within the CEO’s authority to determine.

## Arrangements for discussing and reviewing the CEO’s performance including what role elected members play

The CEO’s performance review will be undertaken in accordance with the provisions of the Local Government Act and Council’s ‘CEO Employment and Remuneration Policy’.

## Attendance at official meetings and briefings

When both the Mayor and CEO have been invited to official meetings and briefings, the Mayor will be the official spokesperson for the Council.

When possible the Mayor and CEO will travel together to meetings.

## Community events

When both the Mayor and CEO have been invited to community events the Mayor will be the official spokesperson for the Council.

If the Mayor is unavailable, then the Deputy Mayor is to stand in, but if not available a ward Councillor should represent the Council.

## Invitations

Invitations to official meeting, briefings, government announcements, official openings, presentations and events received by either the Mayor or CEO inviting a representative of Council will be shared.

If attendance is questioned options are to be discussed.

## Managing media

Under the *Local Government Act 2020* the Mayor is the principal spokesperson for the Council.

As the principal spokesperson the Mayor will support and promote the decisions of Council regardless of his/her personal opinion.

The Mayor will deal with policy, strategy and political issues and CEO operational matters.

## Assistance in speech writing

The CEO will ensure that the administration supports the Mayor with the preparation of speeches (if requested).

## Public relations

The CEO will ensure that the administration supports the Mayor respond to media issues or develop an appropriate course of action.

## Mayoral entitlements and allowances

These are set by Council policy.

## Mayoral technology requirements

These are set by Council policy.

## Mayoral administrative support and how to access it

Administrative support for the Mayor will be provided through the Office of the CEO.

## Specific training requests

Training requests for both positions should be discussed and agreed on.

## Building access protocols

The Mayor will be provided with an access card for the Mayoral Office and Councillors lounge.

## Introduction to contacts

The Mayor and CEO will support each other through introduction to contacts that will assist them in performing their duties.

## Name preference

The Mayor and CEO should agree on how they would like to be addressed remembering that in formal situations proper titles should be used.

## Disputes

If the Mayor and CEO are in dispute over a matter/s and a satisfactory resolution cannot be found, the services of an agreed independent mediator will be sought. The cost of the mediator will be paid for by the Council.

This memorandum of understanding was agreed to by

the Mayor of the Campaspe Shire Council, Cr …………………………………….

and

the Campaspe Shire Council CEO, Declan Moore

on the …………..……….. day of ………………..……………….. year …………….…………..

Signature …………………….……………………. Signature …………………….…………………….

Cr …………………….………………… Declan Moore

Mayor Chief Executive Officer