Guidelines For Administrative Support Staff

STATUTORY POLICY
YASC SPOL 019 – V5

2026

YARRABAH ABORIGINAL SHIRE COUNCIL
56 Sawmill Road, Yarrabah, Qld, 4871.

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AUTHORITY

Legislative requirements commencing 12 October 2020 under s170AA of the Local Government Act 2009.

RESPONSIBILITY

Responsible Director: Director Corporate Services
Policy Administrator: Chief Executive Officer
Approving Body: Yarrabah Aboriginal Shire Council

INTRODUCTION

New Queensland Government reforms since 2017 have strengthened the transparency, accountability and integrity measures that apply to the system of local government in Queensland.

Many local governments provide administrative support to mayors and Councillors which, in most cases, is provided by employees of the local government.

Both the *Local Government Act 2009* (LGA) include prohibitions on Councillors giving direction to employees of the local government. These provisions may be perceived as restricting the ability of Councillors to ask administrative support staff to undertake routine administrative functions such as typing, organising meetings and copying documents.

Changes to the LGA and COBA in effect from 12 October 2020 provide that a Councillor may give a direction to a local government employee who provides administrative support to the Councillor in accordance with guidelines made by the chief executive officer (CEO).

Changes to LGA and COBA

Guidelines about provision of administrative support to Councillors

(1) The chief executive officer may make guidelines about the provision of administrative support by local government employees to a Councillor.

(2) The guidelines must include—
   (a) when a Councillor may be provided with administrative support by a council employee; and
   (b) how and when a Councillor may give a direction to a council employee in relation to the provision of administrative support; and
   (c) a requirement that a Councillor may give a direction only if the direction relates directly to administrative support to be provided by the council employee under the guidelines.

(3) A direction purportedly given by a Councillor to a local government employee is of no effect if the direction does not comply with the guidelines.

DOCUMENT PURPOSE

Under the legislation, council CEOs may develop guidelines, suitable for their council's organisational circumstances, that clarify when and how Councillors can direct Councillor administrative support staff. For example, the guidelines may place reasonable limits on when (for example, during normal business hours) and clarify which administrative support duties Councillors can direct employees to complete. This aims to promote accountability and integrity and to meet the community's expectations about the use of administrative support staff, and appropriate standards for interactions between Councillors and local government employees.

This supporting information highlights matters that CEOs could consider when developing their council's guidelines.

DISCLAIMER

This document should not be used as a substitute for legal advice. It is provided by the Department of Local Government, Racing and Multicultural Affairs as an information source only.

Despite our best efforts the department accepts no responsibility for the accuracy or completeness of the information contained in this document.

You should make your own enquiries and obtain advice specific to your particular circumstances.

The department disclaims all responsibility and all liability (including without limitation, liability in negligence) for all expenses, losses (including direct and indirect losses), damages and costs you may incur as a result of the information in the guide being inaccurate or incomplete in any way and for any reason.

ROLE OF ADMINISTRATIVE SUPPORT STAFF

Administrative support staff are local government employees funded by councils to assist mayors and Councillors meet the responsibilities of their roles and deliver important services and infrastructure for local communities.

Because all councils are different, administrative support staff may be involved in a range of activities including other responsibilities besides supporting a Councillor or Councillors.

CEO guidelines may clarify the specific types of tasks regarded as administrative that Councillors can direct support staff to complete. Tasks may include the following:

- answering telephone calls
- managing email inbox and appointments calendar
- managing correspondence flows and drafting or typing replies to simple correspondence
- filing
- photocopying, printing and ordering stationery
- liaising with council about office maintenance or health and safety issues on behalf of the Councillor
- room or travel bookings, for example booking council vehicles or meeting rooms
- driving Councillors to meetings or official functions if required, not including

personal appointments or campaign activities
- logging requests for service jobs from the community, for example requests for street or park maintenance
- locating information for Councillors such as legislation, or information from council's website or other sources
- assisting with communication to the community through emails, e-newsletters, informational advice flyers about construction works, or other similar mediums, if the communication is objective, factual, informational, 'business as usual' and an efficient use of funds.

This list is not exhaustive, and CEOs may wish to add to, adapt or clarify the types of tasks below to suit their circumstances and how their council is organised.

MATTERS THAT COUNCIL SHOULD CONSIDER

The following section outlines matters that councils should consider when developing guidelines to manage administrative support staff for Councillors. This aims to promote accountability and integrity to meet the community's expectations about the use of administrative support staff, and appropriate standards for interactions between Councillors and council employees.

Councillors often face pressure to meet the high workload of their role, including balancing their council responsibilities with election campaigning or direct community engagement. However, administrative support staff are council employees, who ultimately report to the CEO or a council manager, as well as being subject to employee workplace agreements and employment conditions.

SUPPORT AVAILABLE TO COUNCILLORS

Considerations that can be covered in guidelines include the following:

- the hours when Councillors can expect support (for example, during business hours only)
- expectations about how much support Councillors will receive (for example, the number of staff and hours per week)
- if support staff are shared to provide support to multiple Councillors, or may have other duties outside of providing Councillor administrative support that may at times take priority, expectations around how support will be prioritised
- who is used as administrative support staff, and whether the Councillor can provide input on which employees provide them support
- short-term arrangements for assistance in circumstances where the Councillor needs, or workloads increase or when regular administrative support staff are on leave or resign
- where administrative support staff will be based, and whether they can be asked to work off- site or at a Councillor's divisional office
- in what circumstances Councillors can contact administrative support staff or other council employees for urgent information outside of hours
- how Councillors can request 'urgent' information outside of hours and who from
- duties which Councillors cannot expect support from administrative support staff including requests for advice best directed to senior council managers, or assistance with political or campaigning tasks.

Councils may wish to add other matters to suit their circumstances and how their council is organised.

LOCAL GOVERNMENT PRINCIPLES

To ensure the system of local government in Queensland is accountable, effective, efficient and sustainable, all mayors, Councillors and council employees are required to carry out their responsibilities in accordance with the local government principles.

The principles highlight the essentials to local government performance that Queenslanders expect and deserve.

Councils should consider how guidelines for Councillor administrative support staff can help give effect to and promote these principles:

- Transparent and effective processes, and decision-making in the public interest.
- Sustainable development and management of assets and infrastructure, and delivery of effective services.
- Democratic representation, social inclusion and meaningful community engagement.
- Good governance of, and by, local government.

Ethical and legal behaviour of Councillors and local government employees.

EMPLOYEE RESPONSIBILITIES

The guidelines should outline specific responsibilities of administrative support staff under the guidelines, for example to undertake administrative support tasks only.

The guidelines should consider whether training, information resources or other support should be provided to administrative support staff to ensure they are aware of their responsibilities and how they can raise concerns about directions given to them if required.

The guidelines may also consider, if relevant, how Councillor administrative support staff should interact with Councillor Advisors of the Councillor or interactions with friends, family members or campaign volunteers of the Councillor.

COUNCILLOR ESCALATION PROCESS

Council guidelines should outline how Councillors can raise concerns if they are dissatisfied with the administrative support provided.
Points to note:

- The CEO is responsible for developing and implementing the guidelines, for managing the day-to-day operations of council, and managing local government employees.
- Under legislation, Councillors are not allowed to direct the CEO or local government employees. Mayors are not allowed to direct local government employees, other than the CEO (and senior executive employees at Yarrabah Aboriginal Shire Council), and only in accordance with adopted council policies.
- Councillors are, at all times, required to comply with the *Code of conduct for Councillors in Queensland*, for example by treating administrative staff with courtesy, honesty andfairness. Councillors should direct any concerns about the performance of administrative support staff to the CEO or other delegate and not direct criticism to employee themselves. It is not the role of a Councillor to manage the performance of administrative support staff.

ESCALATION PROCESS FOR EMPLOYEES

Council guidelines should outline how administrative support staff or other local

government employees can raise concerns about administrative support requests or directions made by a Councillor.

Administrative support staff are not required to action requests or directions that are not in accordance with the guidelines. Councils may wish to provide in the guidelines advice to administrative support staff on recommended actions or processes if they believe they have received an inappropriate direction from a Councillor.
Points to note:

- Processes should ensure that employees are not discouraged from raising concerns about whether directions from Councillors are compliant.
- Council should consider how escalation processes interact with other council processes such as the council's investigation policy, council's code of conduct for employees, the *Code of Conduct for Councillors in Queensland* and *Code of Conduct for Councillor Advisors in Queensland*.

COMPLIANCE

Council's guidelines should consider the details of periodic reviews by the CEO to ensure they remain effective and meet the changing needs of council and Councillors.

It may also consider, alongside council policies such as any use of information technology policies, whether and how the CEO will monitor Councillor and administrative support staff compliance with the guidelines.

Note that a Councillor's failure to follow any council guidelines about administrative support staff contravenes the behavior standards set out under the *Code of conduct for Councillors in Queensland* and is considered inappropriate conduct. Council employees, other Councillors or members of the community may lodge complaints about suspected inappropriate conduct to the Office of the Independent Assessor.

MORE INFORMATION

Find further information and resources for Councillors, Councillor advisors and council employees at www.dlgrma.qld.gov.au/lgresources.

Alternatively, please contact your regional office within the department:

Southern office
Phone: (07) 3452 6762
Email: southern@dlgrma.qld.gov.au

Northern office
Phone: (07) 4758 3472
Email: northern@dlgrma.qld.gov.au

DOCUMENT CONTROL

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