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Report to Policy and Finance Committee
from Ted Maguire, Council Secretary

Workshops

At the Council meeting on 8 March 2001 it was agreed that guidelines relating to Workshops be prepared. Suggested guidelines are:

1. Purpose of Workshops

Many of the matters to be dealt with by Council can be very complex, dealing as they do with various strategies, policies, plans and priorities. Informal input and discussion in a environment, where there can be free and frank discussion, is an invaluable aid to understanding and consideration of such issues. Such an environment provides opportunities to “think out loud”, understand background research and listen to presentations from staff or others with relevant background knowledge. Site visits, too, may enhance understanding of matters to be considered by Council.

Workshops also provide a useful guidance on issues that warrant further investigation/research or need to be considered in subsequent reports for consideration at formal meetings.

The Workshop approach is not to prevent the openness, transparency and accountability envisaged in the Local Government Legislation. To the contrary, an underlying purpose is to ensure that when **formal debate** takes place, it is **informed** debate.

Workshops are also inclusive, giving all Councillors the opportunity to participate, quite unlike a caucus environment where some Councillors are inevitably excluded.

2. Legal Status

Since no resolutions can be put or decisions made at Workshops, they are not meetings for the purpose of the Local Government Meetings and Official Information Act (LGOIMA), but are meetings in terms of the Local Government Act.

3. Standing Orders

WRC Standing Orders do not apply to its Workshops as the Standing Orders are worded in a way that means that they are automatically suspended for Workshop meetings. Similarly, qualified privilege, which applies at formal meetings, does not apply at Workshops.

4. Convening Workshops

Workshops shall be convened by resolution of Council or the relevant Committee or by written notice to the General Manager, by the Council Chairperson or Chair of the relevant Committee.

5. Public Notice not Required

As Workshops are not meetings in terms of LOGIMA, the public notice is not required.

6. Notice to Councillors

Notice of impending Workshops is to be given to all Councillors and, for Committee Workshops also to appointed members of that Committee, in Councillor's and Appointees' *Information Bulletins* by separate memo, as far as practicable. Where this is not feasible because of urgency notice is to be given by other appropriate means, e.g. fax or an email. Workshops also are to be included in the 8 weekly rolling timetable published each week in Friday's *Bulletins*.

7. Attendance

For a Policy and Finance Committee Workshop, all Councillors are expected to attend. Similarly with a Standing Committee Workshop while members of that Committee should attend any other interested Councillor is also entitled to attend too.

Other persons may attend by invitation.

A written record of attendance is to be kept and provided to the Secretariat.

8. Chairperson

Unless otherwise agreed, a Workshop will normally be chaired by the Council Chairperson, or in the absence of the Chairperson, the Deputy Chairperson or relevant Committee Chair for a Committee Workshop.

9. Attendance of Public

Council's practice is that Workshops are generally without public attendance or participation. This is to promote free and frank discussion in the manner envisaged by the "Chatham House Rule", as promulgated by the Royal Institute of International Affairs (**Attachment 1**).

However, if a Councillor considers that a particular workshop should be open to the public, he or she can approach the presiding Chairperson requesting that the public and

media be invited to attend. It would then be up to the Chairperson to rule, if necessary after consulting others present.

It is also open to any Councillor to seek the passing of a resolution allowing public participation at an appropriate **formal** meeting prior to the Workshop.

Any agreement to allow public attendance should have regard to whether or not there would be grounds under LGOIMA to exclude the public if the Workshop was a formal meeting.

10. Agendas

Council has resolved that written Agendas should be circulated for Workshops, where appropriate. These Agendas should be distributed in the *Bulletins* on the Friday, preceding the Workshop, along with any other papers available for pre-circulation.

While the Agenda does not need to be very specific, it should make very clear where there will be presentations (by whom and about what) and discussions.

A Workshop Agenda cannot include procedural items like apologies (to receive an apology is a decision and Workshops cannot make decisions).

A standard Workshop Agenda format has not been introduced as is done for Council and Committee meetings. There will be variations according to subject matter. Common sense should prevail as too much prescription could be counter productive to worthwhile and wide ranging discussions.

11. Voting

Formal votes cannot be taken at a Workshop, although the Chair can clearly gauge support or opposition for a proposition. Any “straw poll” at a Workshop is no more an indicator of any consensus (or otherwise) and is not binding.

12. Minutes

There is no requirement to keep minutes of Workshops. Section 45(2) of the Local Government Information and Meetings Act dealing with minutes, excludes informal, recommendatory and purely deliberative meetings.

Also, WRC minutes record *interalia* decisions but not an individual member’s views. As Workshops cannot make decisions there are none to record, nor could any such minutes be confirmed at a subsequent Workshop, as it would require a formal decision.

Notes may be kept, however.

13. Other Workshop Papers

As indicated above, other Workshop papers should be pre-circulated in a *Bulletin*, where practicable. Any subsequent papers, e.g. handed out at the workshop, should be provided to **ALL** Councillors including those who were not in attendance at the first practicable opportunity.

14. Official Information Requests

Workshops papers are official information and may be requested under the provisions of LGOIMA. These may be withheld **ONLY** on the grounds specified in LGOIMA and normal rights of appeal to the Ombudsman apply.

15. Formal Consideration

Any formal proposition relating to matters discussed at Workshops, which requires a Council or Committee action or decision, must be subject to a **formal Report** to a formal meeting. Any such reports are to be comprehensive, cover all issues and make recommendations *as though there had been no prior discussion at a Workshop*. It is not appropriate to use shorthand like “as discussed at a Workshop”.

The extent of any formal debate is clearly a matter for Council or Committees even though this may again traverse, in a formal meeting, matters that were previously discussed at the Workshop. It is emphasised that every Councillor must have the opportunity to present his or her views in keeping with Standing Orders, regardless of what has been said in a Workshop.

16. Meeting Allowances

For a Policy and Finance Committee Workshop, all Councillors attending are entitled for payment of a meeting allowance. For a Standing Committee Workshop generally only members of the relevant Standing Committee are entitled to an allowance except as set out in Council’s meeting allowances policy.

Recommendation

That the Committee endorse these guidelines.

TED MAGUIRE
Council Secretary

Attachment 1: Chatham House Rule