



POLICY NO	CP/GOV 3105	
POLICY	Public Question Time	
RESPONSIBLE DIRECTORATE	Governance	
RESPONSIBLE OFFICER	Senior Governance & Risk Officer	
COUNCIL ADOPTION	Date: 25 October 2016	Resolution No: 11524
REVIEWED/MODIFIED	Date: 26 March 2019	Resolution No: 115954
	Date:	Resolution No:
REVIEW DUE	Date: <u>October 2021-28 April 2020</u>	
LEGISLATION	<i>Local Government Act 1995 – Section 5.24</i> <i>Local Government (Administration) Regulations 1996 r5, 6 &amp; 7</i> <i>Meeting Procedures Local Law 2016 cl 6.7</i>	
RELATED POLICIES	N/A	
RELATED ORGANISATIONAL DIRECTIVES	Public Question Time Form	

**PURPOSE:**

The purpose of this policy is to clearly state Council's management of Public Question Time.

**DEFINITIONS:**

**Public Question Time:** Under section 5.24 of the *Local Government Act 1995* (the Act) and the *Local Government (Administration) Regulations 1996* (the Regulations) time must be made at every Council meeting (whether ordinary or special) and every meeting of a committee with delegated powers or duties, for members of the public to ask questions and have them responded to.

**Question:** A question is a sentence worded or expressed so as to elicit information, it is not a Statement.

**Statement:** A statement is a single sentence or assertion setting forth facts or particulars. It is not a question.

**eMeeting:** A Meeting held via Electronic means.

**POLICY STATEMENTS:****Procedure for Public Question Time**

Public Question Time is early in the meeting as required by the Act. This allows questions to be asked before business is dealt with and also smooth running of the business part of the meeting. The procedure for asking questions is outlined below.

1. **Presenting a Question**

**1.1.** Questions should be filled out on the Public Question Time Form or provided on paper- addressed to the Presiding Member – not to any other person – and submitted

in writing to the Chief Executive Officer by 4.00pm the business day prior to the meeting.

4.1.1.2. In the event of an eMeeting being held questions must be emailed to mail@swek.wa.gov.au by 4.00pm the business day prior to the meeting. Priority will be given to questions that are received within this timeframe. The Chair will read the question aloud at the meeting. No questions will be accepted for eMeetings after 3.00pm on the day of the meeting.

4.2.1.3. Priority will be given to those questions relating to a matter on the Agenda before the meeting. Other questions will only be addressed if time permits.

4.3.1.4. The length of each question, including any background information, must not exceed 150 words.

4.4.1.5. Questions are limited to two (2) per person, and with a total time limit of two (2) minutes per question. Multiple parts to a question are considered separate questions.

4.5.1.6. Questions must be regarding issues pertaining to the Shire.

4.6.1.7. Questions regarding personal affairs, opinions, information or perceptions not relating directly to Shire business will be refused.

4.7.1.8. Retain your own copy of the question/s to be read aloud at the meeting.

4.8.1.9. No late documentation or item is to be brought into the meeting for distribution without prior arrangement with the CEO.

## 2. Managing the Questions

2.1 The CEO is to compile the same or similar questions submitted with notice, and provide a single response.

2.2 A question without notice at the meeting is to be written on the form available on the website or at the meeting so that the exact wording of the question is recorded in the minutes of the meeting. Staff will be made available to assist in wording of the question if desired.

2.3 A timer may be activated at the beginning of each person's time period and the Presiding Member will require the person to conclude after two (2) minutes.

2.4 Those asking questions are to move to the lectern and state their name, address and the item number to which they are referring, and then read the question. Staff will have prepared brief notes to enable an informed response to be given at the meeting, where possible.

2.5 Questions without notice or multiple parts to a question will be answered in the order they are asked to a maximum of two (2).

2.6 Should time permit, after all present have had an opportunity to ask a question, additional questions may be considered.

2.7 Where a question raises a significant issue not addressed in an officer's report, or which cannot be adequately responded to, the Presiding Member will need to consider whether the item should be held over or referred back for further consideration. In making this decision, the Presiding Member will take account of statutory deadlines and other implications, if appropriate.

### 3. Responding to the Questions

- 3.1 The order in which questions are to be addressed is:
  - a. questions with notice relating to matters within that meeting's agenda;
  - b. questions with notice relating to other matters;
  - c. questions without notice relating to matters within that meeting's agenda;
  - d. questions without notice relating to other matters.
- 3.2 Matters considered confidential under section 5.23 of the Act will not be addressed other than to advise of such.
- 3.3 Written questions submitted by a person not present at the meeting will be read into the record, and answered at that meeting where possible. Where an answer cannot be provided at the meeting, the answer will be supplied to the person asking the question in writing after the meeting and the response will be included in the agenda of the next meeting.”
- 3.4 Responses will be provided in reasonable detail where possible, however in order to permit as many questions as possible, will be concise and to the point. Should greater detail be required, this should be requested of the Shire after the meeting.
- 3.5 Questions without notice will only be considered if they are simple. Otherwise they will be taken on notice and will be answered in writing after the meeting and the response included in the agenda of the next Council meeting.
- 3.6 The provision of an answer is the end of the matter. The Council, nor Shire Officers will not debate or discuss the question raised with the questioner. Discussion or debate directly with an elected member or Shire Officer, or within the gallery, is not permitted.

**Please note:** **Members or the public should note that no action should be taken on any item discussed at a Council meeting prior to written advice on the resolution of Council being received.**

#### **EXPLANATORY NOTES:**

Public Question Time is a means by which the public can seek responses from Council about issues affecting the local government that are of concern to them. It assists the public to be better informed about the governing of their district and it provides the local government with a mechanism to identify issues of importance in their community.

#### **RISK:**

**Risk:** Failure to comply with legislative requirements leading to damage of reputation and/or financial loss.

**Control:** Review policies and procedures in accordance with review schedule.