

DOCUMENT TYPE:	Council policy
DOCUMENT STATUS:	Adopted
POLICY OWNER POSITION:	Director Corporate Services
INTERNAL COMMITTEE ENDORSEMENT:	MEG
APPROVED BY:	Council
DATE ADOPTED:	23/02/2021
VERSION NUMBER:	2
REVIEW DATE:	23/08/2021
DATE RESCINDED:	
RELATED STRATEGIC DOCUMENTS, POLICIES OR PROCEDURES:	Integrated Strategic Planning and Reporting Framework Community Engagement Procedure Project Management Framework Risk Management Policy Media and Social Media Policy Media Procedure Social Media Procedure Government Stakeholder Engagement Policy and Procedure Community Engagement Procedure
RELATED LEGISLATION:	Local Government Act 2020 Victorian Charter of Human Rights and Responsibilities Act 2006 Planning and Environment Act 2007 Public Health and Wellbeing Act 2008 Public Participation in Government Decision-making: Better Practice Guide (January 2015), VAGO Public Participation and Community Engagement: Local Government Sector (May 2017), VAGO Public Participation in Government Decision-Making (May 2017), VAGO The Commonwealth of Australia Constitution Act 1900 High Court of Australia Act 1979 Victorian Civil and Administrative Tribunal Act 1998 Supreme Court Act 1986 Freedom of Information Act 1982 Ombudsman Act 1973

EVIDENCE OF APPROVAL:



Signed by Chief Executive Officer

FILE LOCATION: K:\EXECUTIVE\Strategies policies and procedures\Policies - adopted PDF and Word\POL Community Engagement Policy V2.docx

Policy documents are amended from time to time, therefore you should not rely on a printed copy being the current version. Please consult the policies on the Loddon Shire website (Council Policies) or Intranet (Organisational Policies) to ensure that the version you are using is up to date.

This document is available in alternative formats (e.g. larger font) if requested.

ACKNOWLEDGEMENT OF COUNTRY

Loddon Shire Council acknowledges the Traditional Custodians of the land comprising the Loddon Shire Council area. Council would like to pay respect to their Elders both past and present.

1 PURPOSE

The purpose of this policy is to build Council's relationship with communities and stakeholders, promote transparent and informed decision-making and increase the communities understanding of the roles and responsibilities of Council.

2 Objective

The objective of this policy is to guide good quality community engagement that will lead to:

- Council and the community working together to address local issues
- increased level of community ownership and acceptance of decisions impacting people living and or working within the municipality
- increased awareness across Council of community views and the issues that should be considered as part of the decision making process
- increasing the capacity of the community to participate in decision making
- building social capital and democratic processes
- establishing clear goals on services and assets valued by the community.

3 THE LODDON CONTEXT

Council's community engagement approach is underpinned by Council's vision for the Loddon Shire to be a prosperous, vibrant and engaged community.

Quality community engagement practice is embedded in and supported through Council's values of:

- Leadership
- Respect
- Integrity
- Accountability
- Impartiality

4 BACKGROUND

In March 2020, the Victorian Government passed the Local Government Act 2020 (the Act). The Act focuses on improving five key areas of local government:

- improved service delivery
- improved Councillor conduct
- stronger local democracy
- community confidence
- new relationships.

Under the Act, Council's role in providing good governance for the benefit and wellbeing of the municipal community is supported by several principles including governance principles, community engagement principles, public transparency principles, strategic planning principles, financial management principles and service performance principles. Community engagement is seen as an integral part of enhancing local democracy and providing an opportunity for residents and ratepayers to have a say in decisions that affect them.

The Act also requires Councils to use deliberative engagement practices to develop its Community Vision, Council Plan, Financial Plan and Asset Plan. Deliberative engagement practices promote

more in-depth engagement that promotes participants working together to reach a common or consensus view. Deliberative engagement is explored in more depth in section 6.2 of this policy.

To promote good community engagement practice section 55 of the Act provides all Victorian Councils must adopt a Community Engagement Policy that:

- is developed in consultation with its community
- gives effect to community engagement principles outlined in the Act
- is capable of being applied to local laws, budget and policy development
- describes the type and form of engagement proposed having regard to significance, complexity of the subject matter and the level of resources available to the Council
- specifies processes for informing community of outcome of engagement
- includes deliberative engagement practices addressing any matters required by legislation

Section 56 of the Act outlines community engagement principles. The principles provide that community engagement activities must: have a clearly defined objective and scope

- provide participants in community engagement must have access to objective, relevant and timely information to inform their participation
- endeavour to ensure participants in community engagement are representative of persons and groups affected by the matter that is the subject of the community engagement
- provide reasonable support to enable meaningful and informed engagement by participants
- inform participants of the ways in which the community engagement process will influence Council decision-making.

The Victorian Charter of Human Rights and Responsibilities Act 2006 (the VCHRR Act) provides further requirements that relate to community engagement by stating “every person in Victoria has the right, and is to have the opportunity, without discrimination, to participate in the conduct of public affairs, directly or through freely chosen representatives” (s.18). The VCHRR Act also includes provisions by which “every person has the right to freedom of expression which includes the freedom to seek, receive and impart information and ideas of all kinds, whether within or outside Victoria” (s.15).

In more recent years, the Essential Services Commission has increased the emphasis upon community engagement by requiring that an application for a rate variation be supported by evidence of how the views of ratepayers and the community have been considered in proposing a higher cap.

5 SCOPE

This policy applies to all facets of Council’s operations including corporate, land use, financial planning, health and wellbeing and our day-to-day business activities.

It defines the approach underpinning Council’s engagement activities, the role of Councillors and staff when engaging with the community, and the mechanisms which Council will use to engage the community.

This policy is not intended to restrict staff or Councillors engaging with the community in informal settings but provides a structural framework for undertaking formal community engagement.

This policy applies to Councillors, all Council officers, volunteers, consultants and contractors associated with Council and should be used to inform all formal stages of a community engagement process.

6 POLICY

Council is committed to working with the community and considers community engagement an essential element of good governance.

This policy supports Council's goal of being a high-performance organisation. The policy establishes community engagement as a driver for sound decision-making and being a customer focused organisation.

6.1 What is community engagement?

Community engagement is an ongoing dialogue with our community to identify civic issues and opportunities and assist Council with planning and informed decision-making.

The feedback and input from community engagement promotes:

- transparency in decision making
- relationship building with communities and stakeholders
- increase community and stakeholder capacity to understand issues facing Council.

Council acknowledges and adheres to the Community Engagement Principles contained in section 56 of the Act and are outlined in section 4 of this policy. The principles guide community engagement practices and processes that have a clearly defined objective, are informed, representative, supported and open.

6.2 What is deliberative engagement?

Deliberative engagement is a more in-depth form of engagement that promotes meaningful and representative community engagement practices. Deliberative engagement is not a 'level of engagement' considered in section 6.4. It is an approach to engagement that occurs when participants are provided with a specific matter to consider, are informed, supported, and given sufficient time to consider relevant information. Deliberative engagement can sit across three levels of engagement: involve, collaborate, and empower.

Deliberative engagement practices are:

- informed
- transparent
- provide an opportunity to weigh and balance priorities and options
- timely
- representative
- work together to reach a common or representative view.

Under the Act Councils use deliberative engagement practices to develop its:

- Community Vision
- Council Plan
- Financial Plan and
- Asset Plan

Community engagement for other plans, strategies or projects may also use deliberative engagement practices depending on what engagement activity would suit a particular project. This will be explored further in section 6.4 of this policy.

If deliberative engagement practices are chosen, Council may refer the project to the Community Reference Group to consider, deliberate, make recommendations, and advise Council in accordance with paragraph 6.2.1.

6.2.1 Community Reference Group

Council may refer a project to a Community Reference Group (CRG) to consider, deliberate, make recommendations, and advise on matters referred to them by Council.

To form their recommendations or advice the CRG will:

- consider engagement feedback received in the first and broad phase of community engagement
- be informed by Council officers as to Council roles and responsibilities, legislative requirements, community priorities, funding constraints and any other relevant information
- have access to other relevant information to inform their recommendations
- work together to form and provide recommendations or advice regarding the matter referred to them by Council
- complement other community engagement activities and enhance communication between Council and the community.

6.3 When will Council engage?

Council will engage with the community:

- where there is a proposed change to Council activities or strategic direction which may significantly affect the community in terms of the economy, lifestyle, environment, wellbeing or amenity of the municipality
- when developing new or reviewing existing policies, strategies community plans or plans
- when introducing a new service or discontinuing an existing service that may significantly affect how services are provided
- where there is a proposal for changing the way in which a public space looks, is named, is used or enjoyed
- when the community raises an issue with Council for a decision (or outcome) and there are likely to be competing community interests
- when staff are planning and developing major projects and capital works, including public buildings or other infrastructure
- when developing or redeveloping proposals such as structural plans that may significantly alter the existing amenity or characteristics of a geographical area
- where there is any circumstance where Council needs more information or evidence to make an informed decision
- where there is a history associated with the project or issue that may impact on the current situation
- if there is a possibility the project or issue may have the potential to become highly politicised
- when it is required by the Act for example:
 - Councils local laws
 - Councils budget
 - Council policy development
 - the purchase or compulsory acquisition of land
 - the sale or exchange of land
 - the lease of land
- pursuant to Section 223 of the Local Government Act 1989 (which is continuing for the foreseeable future) in relation to the following matters:

- section 157(5) – council decision to change system of valuation
- sections 163A and 166(4) – special rates
- section 169(1C) – rebates and concessions
- section 179 – Regional Library agreements
- section 199 – concentration or diversion of drainage
- section 200 – drainage of land
- section 207A – a range of traffic and road related matters
- When required by other legislation, for example:
 - the Planning and Environment Act 1987
 - the Disability Discrimination Act 1992
 - the Racial Discrimination Act 1975
 - the Sex Discrimination Act 1984
 - the Age Discrimination Act 2004
 - the Emergency Management Act 2013
 - the Human Rights and Equal Opportunity Commission Act 1986
 - the Road Management Act 2004.

6.3.1 When may Council not engage?

Council may not engage with the community when:

- when a decision has already been made by Council
- when decisions must be made immediately by Council
- when legislation or other restriction/s prevent Council from engaging with the community
- when changes to services or programs will not significantly impact on the community.

6.4 Level of engagement

Not all Council projects will require the same level of engagement. The level of engagement refers to what objective Council has for engaging with the community and what impact community feedback will have on decision-making. Council has identified five levels of engagement based on the IAP2 (International Association for Public Participation) public participation framework. The levels of engagement are:

	Inform	Consult	Involve	Collaborate	Empower
Public participation goal	To provide the public with balance and objective information to assist them in understanding the problem, alternatives, opportunities and/or solutions.	To obtain public feedback on analysis, alternatives and/or decisions.	To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.	To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution.	To place final decision making in the hands of the public.
Promise to the public	We will keep you informed	We will keep you informed, listen to and acknowledge concerns and aspirations, and provide feedback on how public input influence the decision.	We will work with you to ensure that your concerns and aspirations are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision.	We will look to you for advice and innovation in formulating solutions and incorporate your advice and recommendations into the decision to the maximum extent possible.	We will implement what you decide.

Source: IAP2 Spectrum of Public Participation.

When considering what level of engagement will be appropriate for a Council project, Council officers will consider the following seven factors:

- complexity
- stakeholders
- community sentiment
- risk
- level of influence
- legislative requirement
- resources.

Councillors input may be sought on what level of engagement is required for high impact and broad-based projects.

6.5 Who to engage?

When planning and delivering a community engagement activity, a stakeholder analysis will help staff identify and classify stakeholders important to a project. Stakeholders are those within the community that will be affected by any decision made by Council relating to the activity. They may include community members, residents, a particular demographic within the Council area, community organisations, Council representatives, user representative groups, sport and recreation groups, cultural organisations, interest and lobby groups, business, government, or media.

Staff must consider including existing reference groups and/or advisory committees currently mandated to work with Council on the subject of the engagement activity. Tools to assist staff on whom to engage are to be found in the Community Engagement Procedure.

6.6 Engagement planning

Council will prepare an engagement plan for Council projects that require community engagement. The planning will include:

- an outline of the staff responsible for the project
- stakeholders who have an interest in, or are impacted by the project
- the duration of the project
- background information
- description of the engagement exercise
- objectives
- key questions to ask the community and messages to inform the community
- the level of engagement identified for the project
- whether the project requires a deliberative engagement approach
- what engagement activities will be used.

6.7 Closing the loop

Council will close the loop with persons involved in the community engagement activity and the broader community by advising them of the outcome of any community engagement, and how their feedback was used in the decision making process.

This feedback can be delivered through a variety of mechanisms that are best suited to the stakeholders identified in the planning phase including Council's website, social media, direct mail, email or media release.

6.8 Responsibilities for community engagement

Community engagement is the responsibility of all Council service areas, teams, and officers as appropriate to their role and function. The effective application of principles and processes outlined in this policy is the responsibility of line management for the relevant project. Responsibilities of staff are outlined in the Community Engagement Procedure.

Failure to comply with this policy could adversely affect the reputation of Council and impact on:

- the timeliness and quality of service delivery
- the potential for Council to obtain a rate variation should it apply
- the intended outcomes for the community.

6.9 How we monitor and evaluate

Each engagement activity will be monitored and evaluated in accordance with Council's Community Engagement Procedure. The monitoring, evaluation and review of each project will ensure continuous improvement in relation to Council's approach to community engagement.

7 DEFINITIONS OF TERMS OR ABBREVIATIONS USED

Term	Definition
community	All residents, ratepayers, landowners and members of the general public including individuals, groups, visitors, organisations, user groups and businesses.
communication	A two-way process of reaching mutual understanding, in which participants exchange information, news, ideas and feelings. In general, communication is a means of connecting people or places.
community consultation	Relates to the tools and practices used by Council to enable public involvement in decisions and actions that shape the community.
community engagement	An ongoing dialogue with our community to identify civic issues and opportunities, assist with planning and informed decision-making.
community engagement plan	A document that outlines the process by which the organisation involves people who may be affected by the decisions it makes or can influence the implementation of its decisions. The plan outlines a detailed future course of action aimed at achieving specific goals within a timeframe. It should also identify roles and responsibilities along with resources that are required by Council.
deliberative engagement	Deliberative engagement is meaningful and representative community engagement where participants are informed, supported, and given sufficient time to consider relevant information, critically assess it and develop a recommendation or advice together.
Community Reference Group	A group of community members, who are representative of the affected cohort of Loddon Shire Council residents who come together to deliberate make recommendations or provide advice on a matter referred to them by Council.
IAP2 Public Participation Spectrum	A framework to help define the public's role in any public participation process. It clearly shows the differing levels of participation that are required, depending on the goals, timeframes, resources and levels of concern or interest in the decision to be made.
stakeholders	Those who are directly or indirectly affected and may have an interest or an ability to influence an outcome.

8 HUMAN RIGHTS STATEMENT

It is considered that this policy does not impact negatively on any rights identified in the Charter of Human Rights Act. Loddon Shire Council is committed to consultation and cooperation between management and employees. The Council will formally involve elected employee Health and Safety Representatives in any workplace change that may affect the health and safety of any of its employees.

9 REVIEW

The Director Corporate Services will review this policy for any necessary amendments no later than 6 months after adoption of this current version.