



George Town Council

Public Question Time Policy

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1. Introduction

Public question time provides members of the community with a platform for interacting directly with Councilors and Council staff by asking questions concerning Council activities.

If required, at least 15 minutes and a maximum of 30 minutes is allocated for public question time at the beginning of each ordinary or special open meeting of Council.

2. Type of Policy

This Policy is recognised as a “Council Governance” Policy in that it requires endorsement by Council and provides specific direction in relation to governance practices.

3. Policy Objective

These guidelines are intended to assist in the proper management and operation of public question time and to promote both effective and efficient use of public question time. The Chairperson may therefore deviate from general procedures where it is reasonable to do so.

This document is intended to be used as a guideline only and is subject to the reasonable discretion of the Chairperson to take appropriate action to protect the health and safety of Council’s employees when responding to or dealing with inappropriate behaviour.

4. Link to Strategic Plan

Goal 05

Ensure Council listens to and understands community needs and continues to make responsible decisions on behalf of the community.

Key Objective

Consistently achieve a high standard of internal financial and governance arrangements.

5. Legislative Requirements

- Local Government Act 1993
- Local Government (Meeting Procedures) Regulations 2015
- Work Health and Safety Act 2012
- Work Health and Safety Regulations 2012

6. Risk Considerations

This Policy aligns itself with objectives for risk management at George Town Council, namely:

- Set performance standards and regular review and improve practices and procedures.

7. Purpose of Public Question Time

Public question time is a means by which the public can seek responses from Council about issues affecting the municipality that are of concern to them.

Public question time assists the public to be better informed about Council activities and the governing of their municipal area and promotes transparency in local government activities. It also provides Council with a mechanism for identifying matters of importance to members of their community.

For these reasons, public question time is a valuable component of the local government system.

Whilst the issues that can be raised during public question time are many and varied, questions must relate to the activities of Council.

Public question time is not a platform for:

- (a) making statements or submissions rather than asking questions;
- (b) debating issues with Councillors and/or Council staff; or
- (c) asking questions about matters that are not associated with Council's activities or which are beyond Council's control.

8. Rules and Procedure

Relevant law

Regulation 31 of the *Local Government (Meeting Procedures) Regulations 2015* (**Regulations**) prescribes in part the procedures for public question time.

To the extent that the Regulations do not prescribe the procedures for public question time, such procedures are determined by Council.

Rules

The following rules apply to conducting public question time:

- (a) the period set aside for public question time will be at least 15 minutes;
- (b) questions given on notice will be addressed first;
- (c) once questions on notice have been addressed, persons who have registered their interest to ask a question will be called to do so in the order in which they have registered. Persons attending Council meetings will have the opportunity to register their interest to ask a question without notice prior to the commencement of the meeting and Council staff will be on hand to assist with this process;

8. Rules and Procedure (Cont.)

- (d) Council policy is that participants:
 - i. cannot ask more than [2] questions in a row; and
 - ii. have a maximum of 2 minutes per question;
- (e) if a person has more than [2] questions they will be placed at the 'end of the queue' and may, if time permits, ask their further questions once all other persons have had an opportunity to ask questions;
- (f) all questions must be directed to the Chairperson;
- (g) questions will either be:
 - i. directly responded to;
 - ii. taken on notice to be answered at a later council meeting, in which case Council will require the question to be put in writing; or
 - iii. not accepted by the Chairperson because the question does not concern the activities or Council, is offensive or is otherwise inappropriate;
- (h) the Chairperson will determine how each question is to be addressed;
- (i) persons who have not registered their interest to ask a question will be given an opportunity to do so following all those who have registered.

General Procedure

The general procedure to be followed during public question time is as follows:

- (a) the Chairperson will formally open public question time and make a brief statement outlining the rules of public question time and noting that copies of the rules are publicly available in the chamber;
- (b) persons who have registered their interest to ask a question will be invited to do so;
- (c) once a person is invited to ask their question, they must state their name and then read out their question in full;
- (d) each question will then be addressed, following which the person who asked the question will either ask a further question or resume their seat;
- (e) once all persons who registered their interest have asked their questions, the Chairperson will ask if any other persons who did not register have a question;
- (f) once all of those persons have asked questions, if time permits the Chairperson will invite anyone who has already asked questions to ask further questions; and
- (g) the Chairperson will declare public question time closed either at the end of the allocated time or where there are no further questions.
- (h) The Chairperson is free to deviate from the Policy if necessary, however this should only occur where there is a compelling reason to do so.

9. Expectations of Conduct

General Conduct

In order to ensure that public question time is conducted in an efficient and effective manner participants should ensure that their questions are directed at the activities of Council and avoid:

- (a) inappropriate questions, examples being question that are offensive in nature, disrupt the meeting, or concern current legal proceedings involving Council;
- (b) overly lengthy or complex questions;
- (c) asking more than [2] questions during one session;
- (d) asking a question that Council has already addressed; and
- (e) debating an answer given to a question.

Inappropriate questions and conduct

Council has a duty to ensure it provides a workplace that does not cause a risk to the health and safety of any of Council's employees or other persons at the workplace. This duty extends to Council meetings and the conduct of members of the community during public question time.

In addition, members of the community who attend Council meetings have a duty to take reasonable care for their own health and safety, and to ensure their conduct does not affect the health and safety of others.

For these reasons it is expected that members of the community who participate in public question time will conduct themselves in accordance with the following:

- (a) participants will behave in a manner that is polite and respectful towards all persons present and refrain from conduct that interrupts the Chairperson or any other participant in the meeting;
- (b) participants will not use offensive language or make derogatory, offensive or personal statements or comments about any person, whether they are present at the meeting or not;
- (c) participants will not behave in an aggressive or hostile manner, make threats, shout, speak in a raised voice or act in any other manner that disrupts a meeting; and
- (d) participants will comply with all reasonable directions given by the Chairperson regarding inappropriate questions or behaviour.

Council's management of inappropriate questions or conduct

Direction from Chairperson

If a participant in question time asks an inappropriate question or engages in inappropriate behaviour or conduct the Chairperson may direct the participant regarding their question or their conduct.

They may for example: direct them to expedite their question cease asking their question or ask the question in a respectful manner.

9. Expectations of Conduct (Cont.)

Response to failure to comply with the Chairperson's direction

If a person disregards a reasonable direction from the Chairperson, the Chairperson may take steps such as:

- (a) cutting off a person's microphone;
- (b) using a gavel to restore order;
- (c) adjourning the meeting; or
- (d) directing a person to leave the meeting, and if they refuse to do so taking steps to arrange for their removal from the meeting including requesting the assistance of Tasmania Police.

Formal Letter

A person who behaves inappropriately during public question time may receive a formal letter from Council identifying the relevant behaviour, setting out that person's work health and safety obligations and outlining the potential consequences if such behaviour is repeated at future meetings.

External Reporting

In sufficiently serious cases, inappropriate conduct may be referred to Tasmania Police or WorkSafe Tasmania for investigation.

It is an offence punishable by fine for a member of the public to hinder or disrupt a Council meeting.

In addition, the Chairperson may take reasonable steps to remove a person from a Council meeting if that person:

- (a) hinders or disrupts a meeting; or
- (b) tries to hinder or disrupt a meeting.

Reasonable steps include requesting the assistance of Tasmania Police in removing the relevant person. The removal of a person from a meeting is a measure of last resort however it will be used at the discretion of the Chairperson to prevent or halt behavior that disrupts a meeting.

10. Frequently Asked Questions

What do I do if I want to ask a question?

Questions can be either:

- (a) lodged with the General Manager in writing at least 7 days before the relevant Council meeting; or
- (b) put verbally during public question time.

10. Frequently Asked Questions (Cont.)

Prior to the commencement of a meeting, members of the community who wish to ask a question can register their interest to do so.

Questions that involve detailed background information or which are otherwise complex in nature and require consideration should be lodged in writing prior to the relevant meeting. Where this does not occur it is common practice for Council to take the question on notice.

When is public question time held?

Public question time is generally held at the beginning of Council meetings.

Do I have to personally ask my question or can someone else ask it for me?

Individuals are required to personally ask their own questions unless extenuating circumstances exist (e.g. illness, injury, etc).

Can I debate Council's response to a question?

You cannot debate an answer given to a question asked of Council during an ordinary Council meeting.

In meetings other than ordinary Council meetings (i.e. special Council meetings or Council's annual general meeting) whether or not an answer can be debated will be determined by the Chairperson.

What happens if my question is taken on notice?

Council will take a question on notice if the information required to respond to the question is not readily available or time is required to consider the question.

If your question is taken on notice Council will require you to put your question in writing and you will be provided with an answer at a future meeting.

11. Implementation of Policy

Responsibility

Responsibility for the administration of this Policy rests with the General Manager.

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