

City Partnerships Policy

Policy administration

Dates	<ol style="list-style-type: none"> 1. Policy approved 19/12/2022 2. This policy is effective upon its approval 3. Policy is due for review 19/12/2026
Approved by	<p>Council Meeting 19/12/2022 Council Resolution CCL120-22</p>
Policy Type	<p><input type="checkbox"/> Executive Policy <input checked="" type="checkbox"/> Council Policy</p>
Exhibition Period	23 December 2022 – 20 February 2023
Policy Owner	Manager Community and Early Learning Services
Related Documents	<p><i>Georges River Council Mayor and Councillors Expenses and Facilities Policy</i> <i>Georges River Council Code of Conduct</i> <i>Georges River Council Fraud and Corruption Control Policy</i> <i>Georges River Council Fraud and Corruption Control Plan</i> <i>Georges River Council Public Interest Disclosure Policy</i> <i>Georges River Council Gifts and Benefits – Procedures for Managing Gifts and Benefits Declaration Form</i> <i>Georges River Council Conflicts of Interest – Procedures for Managing Conflict of Interest Declaration and Management Form</i> <i>Georges River Council Procedures for the Administration of the Code of Conduct</i></p>
References & Legislation	<p><i>Sister Cities and International Alliances Research Paper</i> Australian Centre of Excellence for Local Government 2015 <i>Australia’s Foreign Relations (State and Territory Arrangements) Act 2020</i> (Cth) <i>Australia’s Foreign Relations (State and Territory Arrangements) Rules 2020</i> (Cth) <i>Conflicts of Interest Publication (2021) – Independent Commission Against Corruption (ICAC)</i></p>
Document Identifier	<p>Policy #: Pol-088.01 Doc #: D23/102873</p>
Breaches of Policy	Breaches of any policy will be dealt with and responded to in accordance with adopted codes and/or relevant legislation.

Record Keeping	All documents and information obtained in relation to the implementation of this policy will be kept in accordance with the <i>NSW State Records Act 1998</i> , Georges River Council's <i>Corporate Records Policy</i> and adopted internal procedures.
-----------------------	--

Purpose

Georges River Council's (Council's) City Partnerships Policy (Policy) guides the formation and maintenance of City Partnerships between Council and other cities, both international and within Australia.

Scope

This Policy applies to the formation and maintenance of all City Partnerships whether initiated by Councillors, staff of Council or the Georges River community.

The Policy applies to all Councillors, staff of Council and community members carrying out their responsibilities as part of a Georges River Council City Partnership.

The policy also applies to City Partnerships with other Australian Councils and is not necessarily intended exclusively for foreign entities.

The Policy does not preclude Council from entering cooperative partnerships with other metropolitan Councils, as required.

Definition of Terms

Term	Meaning
Community	<p>A term which encompasses both the entire body of constituents in the Council local government area or City Partnership, and individual groups (whether they be cultural, sporting, industry or other) within the local government area or City Partnership.</p> <p>People that live, work, or invest in the Georges River local government area. More specifically, community includes residents, ratepayers, business owners, sporting groups, not-for-profit organisations, schools, religious institutions and State and Federal agencies. This also applies to any community member from within the community with which the City Partnership is established.</p>
Council	Georges River Council
City Partnership	A formally recognised mutually beneficial partnership between Council and another Australian or overseas local government, including but not limited to, another local government, municipality, city, town or regional shire.

Policy Statement

This Policy has been developed to ensure Council forms City Partnerships which are meaningful, beneficial, and accountable to the Georges River community.

1. Principles of City Partnerships

The following Principles provide the criteria for the establishment, maintenance and review of City Partnerships.

1.1. Council's City Partnerships must meet all of the following criteria. The Partnerships:

- a) are between cities which share historic, cultural, social, economic or geographic similarities or synergies;
- b) clearly demonstrate a meaningful reciprocal partnership or activity built on mutual respect, understanding and a commitment to shared objectives;
- c) are purposeful and established with clear motives, obligations, objectives and outcomes;
- d) show that the communities of both cities have a demonstrated commitment to, and interest in, forming and maintaining the partnership; and
- e) align with Council's Community Strategic Plan.

2. Establishment of City Partnerships – Considerations

2.1. A proposal to establish a City Partnership, whether from the Georges River community or a potential City Partnership, must be put forward to the General Manager with a rationale outlining the purpose of the partnership and how the partnership addresses the Principles of City Partnerships.

2.2. An interest or pre-existing partnership of a Councillor or Council staff with the proposed City Partnership must be declared. The proposal will be considered if any conflicts of interest are overcome.

2.3. In evaluating the proposal, the General Manager will consider:

- a) how the proposed City Partnership aligns to the Principles;
- b) the purpose of the partnership; and
- c) the relevance and value it has to the Georges River community.

2.4. The proposal will also be considered in relation to:

- a) NSW Government international programs, policies or partnerships;

b) Whether, pursuant to the relevant provisions of *Australia's Foreign Relations (State and Territory Arrangements) Act 2020* (Cth), negotiating or entering into the proposed City Partnerships:

i. would adversely affect, or would be likely to adversely affect, Australia's foreign relations; or

ii. would be, or would be likely to be, inconsistent with Australia's foreign policy.

c) Any other relevant Australian Government international programs, policies or partnerships;

d) The nature and scope of existing City Partnerships of Council; and

e) Council's capacity to support and resource the proposed partnership.

2.5. At any time that a Councillor or Council staff is undertaking communications and/or engagement as a direct relation to a City Partnership, it must be clear that the communications and/or engagement is on behalf of Council. Any communications and/or engagement by a Councillor or Council staff for the purposes of a private relationship or partnership with another Australian or overseas local government must clearly state it is not on behalf of Council and declared pursuant to 2.2 above.

3. Establishment of City Partnerships – Process

3.1. The General Manager will develop an agreement (Memorandum of Understanding) between Council and the proposed City Partnership based on the details of the partnership and the Principles of City Partnerships.

3.2. If a City Partnership is proposed to be established with a local, municipal or other government entity outside Australia, Council must provide notice of the proposed City Partnership to the Minister of Foreign Affairs in accordance with the manner prescribed under section 34(2) of *Australia's Foreign Relations (State and Territory Arrangements Act 2020* (Cth).

3.3. For a period of 28 days following notice to the Minister of Foreign Affairs of the proposed City Partnership, no further steps will be taken to approve or formally adopt the City Partnership.

3.4. If approved by the General Manager, the new City Partnership must be formally adopted at a Council meeting.

3.5. If a new City Partnership is established with a local, municipal or other government entity outside Australia, Council must provide notice of the new City Partnership to the Minister of Foreign Affairs within 14 days in accordance with the manner prescribed

under section 38(2) of *Australia's Foreign Relations (State and Territory Arrangements Act 2020* (Cth).

3.6. The establishment and continuation of City Partnerships with local, municipal or other government entities outside Australia are made subject to the Minister of Foreign Affairs reserving the discretionary power to declare that:¹

- a) Council must not start, or continue, to negotiate a City Partnership;
- b) Council must not enter a proposed City Partnership; or
- c) an existing City Partnership of Council is not legally binding, is no longer operational or must be varied or terminated.

3.7. The Minister of Foreign Affairs may make such a declaration if they are satisfied that an existing or proposed City Partnership and/or related negotiations:

- a) adversely affects, or would be likely to adversely affect, Australia's foreign relations; or
- b) is, or would be likely to be, inconsistent with Australia's foreign policy.

3.8. The Minister of Foreign Affairs may make such a declaration:

- a) upon becoming aware that Council proposes to negotiate, or is negotiating, to establish a City Partnership with a local, municipal or other government entity outside Australia;
- b) upon being notified that Council proposes to establish a City Partnership with a local, municipal, or other government entity outside Australia; or
- c) with respect to an existing City Partnership of Council.

3.9. There is scope for a City Partnership to lend to the perception of corruption and risks to integrity of the organisation. Councillors, Council staff and community members engaged for the purposes of facilitating a City Partnerships are to comply with Council's Code of Conduct, Public Interest Disclosure Policy, Fraud and Corruption Control Policy, and procedures for managing gifts and benefits and conflicts of interest at all times. Council's values are stipulated in these documents, and those facilitating a City Partnership on behalf of or with Georges River Council are obliged to work in accordance with Council's values.

4. Partnership Management

¹ Sections 35(1), 36(1), 40(1), 41, 42 and 43 of *Australia's Foreign Relations (State and Territory Arrangements Act 2020* (Cth)

- 4.1. The Principles are central to a Georges River Council City Partnership.
- 4.2. Council acknowledges that delegations and face to face contact are only one aspect of maintaining a City Partnership.
- 4.3. Council acknowledges that diverse cultural beliefs and practices exist, and this may lend to the perception of a person and/or people being misled about appropriate practices. The City Partnership will be managed in accordance with Council's Code of Conduct, Public Interest Disclosure Policy, Fraud and Corruption Control Policy, and Procedures for Managing Gifts and Benefits and Conflicts of Interest at all times.
- 4.4. Council representatives that are travelling on behalf of in and in representation of Council are required to abide by the same policies and principles that apply in regular day-to-day operations.
- 4.5. A City Partnership must:
- a) have Council support and acknowledge the primary role of the Mayor;
 - b) be fully in accordance with the following Georges River Council policies and procedures: the *Mayor and Councillors Expenses and Facilities Policy*, the *Procedures for the Management of Gifts and Benefits* and the *Code of Conduct, Procedures for Managing Conflicts of Interest*;
 - c) demonstrate measurable ongoing Council and community activity, relevance and benefits throughout the partnership;
 - d) be adaptable to meet changing community needs;
 - e) be reviewed and can be exited if Council and community outcomes are not demonstrated; and
 - f) be established on a fixed term (of five years) with renewal dependent on successful evaluation.

5. Budget and Expenses

- 5.1. The budget and approved expenses are managed in accordance with this Policy and the *Mayor and Councillors Expenses and Facilities Policy*.
- 5.2. Probity principles will apply, and purchases and expenses will receive appropriate scrutiny and public declaration to match community expectations and public interest.

6. Conflicts of interest

- 6.1. Conflicts of interest are to be managed in accordance with the *Procedures for the Managing Conflicts of Interest* as amended from time to time.

6.2. A person must not obtain a private benefit or advantage by virtue of their position as a Council official.

6.3. Additionally, a Council official must not misuse the power or authority of their position to unfairly influence or decide a matter where they have a real or perceived private interest.

6.4. All conflicts of interest must be disclosed promptly and fully to prevent bias, and also to remove the appearance of bias, in decision-making. Conflicts of interest must be declared by completing the [Conflict of Interest Declaration and Management Form](#).

6.5. All conflicts of interest must be managed effectively and in a transparent manner and in favour of the public interest.

7. Gifts and benefits

7.1. The receiving of gifts and benefits is in accordance with the *Procedures for the Management of Gifts and Benefits* as amended from time to time.

7.2. All offers of gifts or benefits, regardless of whether they are accepted or declined, must be declared by completing the [Gifts and Benefits Declaration Form](#) which is located on Council's intranet or the Councillor HUB.

7.3. Council acknowledges that there are diverse cultural beliefs and with this carries scope for accepting gifts or benefits with the intent of not being disrespectful to one's culture. Gifts and benefits offered and/or accepted in this vein must still be declared in the [Gifts and Benefits Declaration Form](#) and/or the [Conflict of Interest Declaration and Management Form](#).

7.4. The completed form must be sent to the General Manager within 5 working days of an offer of a gift or benefit being made.

7.5. Where a gift has been accepted or received, then the gift must also be forwarded to the General Manager (or the Mayor or Executive Services if you are a Councillor), along with the form. If you are unable to send the gift, due to it being a perishable item, or large in size, then a photo of the item must accompany the form.

7.6. The General Manager will determine the appropriate management of a gift in the circumstances where it has been accepted.

7.7. Following review and/or approval by the General Manager, relevant staff in the Office of the General Manager will send the completed form (and any gifts received) to the Governance and Risk team so that details of the offer can be recorded in Council's Gifts and Benefits Register, and any gifts can be managed in accordance with the General Manager's instructions.

7.8. The Gifts and Benefits Register will be published on Council’s website by Governance and Risk on a quarterly basis.

8. Evaluation and Review

8.1. A robust review by the General Manager will be undertaken at the end of the City Partnerships term (of five years or as defined in any Memorandum of Understanding) in which the motives, obligations, objectives and outcomes stated at establishment are evaluated.

8.2. A review of the City Partnership may also be undertaken mid-term if:

- a) The City Partnership appears to have stalled or there are no demonstrable community outcomes of the partnership; or
- b) the City Partnership Principles are not met or are breached.

8.3. The outcomes of the review will determine whether the City Partnership continues for another term or is exited.

8.4. A City Partnership may be established with a provision to evaluate the partnership periodically and continue over multiple years.

Responsibilities

Position	Responsibility
General Manager	<ul style="list-style-type: none"> • Accept proposals for City Partnerships. • Consider proposals as outlined under Item 2 – “Establishment of City Partnerships – Considerations” in light of the Principles of City Partnerships. • Approve if appropriate and prepare a Memorandum of Understanding based on the details of the partnership for Council approval. • Direct appropriate Council staff to undertake the activities to achieve the agreed purpose of the partnership. • Prepare and approve budget and expenses for City Partnerships to achieve the agreed purpose, including the obligations, objectives and outcomes. • Undertake an evaluation of City Partnerships as outlined in the policy after the prescribed period (usually five years) and recommend whether the partnership be renewed or exited.
Mayor and Councillors	<ul style="list-style-type: none"> • Support City Partnerships which are adopted by Council. • Fulfil civic responsibilities and partnerships to maintain City Partnerships. • Comply with the following Georges River Council policies and procedures: the <i>Mayor and Councillors Expenses and Facilities Policy</i>, the <i>Procedures for the Management of Gifts and Benefits</i> and the <i>Code of Conduct</i>.

Council Staff	<ul style="list-style-type: none"> Implement the obligations, objectives and outcomes of City Partnerships as directed by the General Manager and outlined in the Memorandum of Understanding.
Community Organisations initiating a City Partnership	<ul style="list-style-type: none"> Prepare a proposal to Council's General Manager with a rationale outlining the purpose of the partnership and how the partnership addresses the Principles of City Partnerships. Be familiar with the City Partnerships Policy and use this as a guide in the establishment, maintenance, and evaluation of the City Partnerships. Undertake the required activities to achieve the agreed purpose and details of the City Partnership as outlined in the Memorandum of Understanding.

Version Control and Change History

Version	Amendment Details	Policy Owner	Period Active
1.0	Georges River Council City Partnerships Policy	Manager Community and Early Learning Services	24 April 2023 – 24 April 2027