

1.17 CARETAKER PERIOD POLICY

Policy Number	1.17	Date Commenced	17/02/2015
Date Adopted	17/02/2015	Resolution Number	17/02/2015/008
Review Timeframe	4 Years		
Last Review Date	19/02/219	Next Scheduled Review Date	February 2023
Policy Responsibility	Chief Executive Officer		

Document History

Version	Date Amended	Details Comments e.g. Resolution Number
	February 2019	19/02/219/016

INTRODUCTION

Clause 96A of the Local Government Act requires Council to formally adopt a Caretaker policy governing the conduct of the Council and its Staff during the Period of Local Government General Elections.

OBJECTIVE

The Caretaker policy outlines processes to ensure that the ordinary business of Council continues throughout the pre-election period in a responsible and transparent manner.

The policy restricts the Council from:

- Making major decisions, prior to an election, which would bind the incoming Council.
- Allowing the use of public resources or comment in ways that are seen as providing an advantage or disadvantage to existing Councillors or candidates.

POLICY STATEMENT

During a general election period Council goes into Caretaker mode to avoid actions and decisions that could be seen to influence voters or have a significant impact on the incoming Council.

Caretaker Period

The Caretaker period commences at the opening of nominations for candidates for the General Council elections. This is 43 days prior to the nominated Election Day and ends at the declaration of the results of the election.

Decision Making

Except in extraordinary circumstances the Council will not make Major decisions during the caretaker period.

Major decisions are:

- Entering into a contract which required a tender process.
- Appointment of a Chief Executive Officer
- Endorsement of a new policy
- Disposal of an asset.
- Commitments to spend unbudgeted monies.
- Approval of community grants.
- Irrevocable decisions that commit the Council to substantial expenditure.
- Irrevocable decisions that have a major impact on Council or the Coomalie community.
- Progress any matter which is contentious or has been identified as an election issue.

Major decisions do not include:

- Decisions relating to emergencies and disasters.
- A mandatory expenditure or decision required to be taken to satisfy an agreement or application to the Commonwealth of Northern Territory government.

Extraordinary Circumstances

Except in extraordinary circumstances the Council will not make Major decisions during the caretaker period.

An extraordinary circumstance is a situation that:

- The urgency of the issue is such that cannot wait until after the election.
- There is a possibility of legal and/or financial repercussions if a decision is deferred.

Announcements of Major decisions

As far as reasonably practicable Major decisions should not be announced during the Caretaker period.

Public Consultation Programs

Council will not commission or approve of any public consultation programs where it is likely to commence or continue into the caretaker period.

Council Resources

Council resources will not be used for electioneering purposes. Candidates must avoid creating the perception that Council resources are being used to support their candidature.

This does not cover material authorised by the CEO or the returning officer to facilitate the conduct of an election or encourage voter participation.

Access to Information

All candidates have equal rights to access public information and any assistance and advice provided to candidates as part of the Council election will be provided equally to all candidates.

During the Caretaker period only information that relates to the Election process will be added to the Council Website. Information about existing Councillors should be restricted to a photo, name and contact details.

Official Attendance to Events

Council will only organise events and functions throughout the Caretaker period that are appropriate and are not related to any issue that the CEO considers relevant to the election.

The President or the Deputy President will continue to fill all duties under Section 43 of the Local Government Act. These include the Chairing of Council meetings, speaking on behalf of Council as its principal representative and carry out civic and ceremonial functions of the principal member.