



**ROTORUA**  
**LAKES COUNCIL**

---

## **REPORT OF THE CHIEF OMBUDSMAN**

Investigation into meeting and  
workshop practices

# BACKGROUND

- The Chief Ombudsman initiated a review of 8 councils' practice regarding meetings and workshops
- The review started August 2022 through to June 2023.
- Ombudsman's report has now been published – 24 October 2023
- A draft report was presented to Council in mid May 2023. Council were invited to provide feedback.
- There were some differences of views raised for a number of the issues identified, but the report was also seen as an opportunity that supported the internal review being undertaken in the Governance and Democracy portfolio. That review had commenced ahead of the 2022 elections.
- Best practice from the local government sector recommends that in closing out a triennium and commencing a new one, Council's look at it's processes and practices.



# FINDINGS

Most significant findings were in the practices of:

- Workshops – closed or open
- Transparency & access – ease of obtaining information about meetings, workshops etc
- Public excluded parts of meetings
- Meeting Minutes & records of workshops



# WORKSHOPS

## Previous practice

- Closed to the public
- Opportunities to set direction to staff, traverse options, share information
- No decisions were made



# WORKSHOPS

## Improvements

- Unless there is a specific reason, workshops are open to the public, live-streamed and can be watched on demand
- Power-point presentations are published on Council website
- If a workshop is public-excluded, the reasons why are documented and published on the Council website
- The public can see first hand:
  - How council provide guidance to staff on strategic direction
  - the alignment or differing views/positions of councillors
  - the traversing of different options and ideas
  - the transfer of information
  - That no decisions are made – decision can only be made in a meeting



# TRANSPARENCY & ACCESS

- New web page for workshops on council's website
- Advertises the purpose, date and time of workshop
- Website updated after the workshop with attendance and a record of the objectives of the workshop/key points of discussion
- Workshop is live streamed and available to watch on demand
- Workshop is advertised using Council's digital platforms



# PUBLIC EXCLUDED / REASONS

- Section 48 of the Local Government Official Information & Meetings Act (LGOIMA) states Council's may exclude the public from meetings where good reasons exists under sections 6 &7 of the Act
- Must also consider extent of any **public interest** in the release of the information
- Where good reason exists to exclude the public from a meeting, this must be effected by way of a resolution. This may apply to the whole or a relevant part of a meeting.
- A resolution to exclude the public is a decision made by full council, with their decision typically being informed by advice given by council staff.



# PUBLIC EXCLUDED

- At the time of putting forward the reasons to exclude the public the reasons and the parts of the legislation it relates to must be stated as per the requirements of Schedule 2A
- The Ombudsmans report talked about the use of “plain English” to present why something would take place in public excluded.
- A desk top exercise of undertaken shows that no one council uses the public excluded schedule in the same way and no council has yet to master the use of plain English.
- Plain English approach is being reviewed and something RLC is hoping to work with the sector on.





# PUBLIC EXCLUDED

- In addition
  - Guidance has been prepared for staff on the appropriate use of public excluded and is in the process of being rolled out
  - Use of plain English reasons are being developed based on historical reasons for going into public excluded
  - Governance and Democracy team take records on advice given to Council ahead of the meeting why an item should be taken in public excluded



# MEETING MINUTES AND RECORDS OF WORKHOPS

## Meetings Minutes

- Current minutes are in line with the requirements of Council's Standing Orders – main point to note is that a resolution is recorded and whether motion is supported or not.
- This is common practice and supported by the sector
- Ombudsman report recommends a higher level of minute taking and recording of the vote for transparency.
- Challenge with a higher level of minute taking is the distinction that staff are a-political and must also act so.
- The level required to balance the conversation within the minutes is an ongoing piece of work for the Governance and Democracy team, with work to be done with chairs/co-chairs on the level required for accurate and transparent decision making
- All Council meetings are live streamed so there is always a complete, transparent and accurate record of the meeting



# MEETING MINUTES AND RECORDS OF WORKHOPS

## Workshop records

- New practice
- Following a workshop a precis/executive summary of the workshop is added to the website
- Presentations are available
- Workshops are live streamed and on-demand.



# ONGOING WORK

- Suites of guidance/training material is being prepared and rolled out across the organisation including:
  - Writing reports to committee/council
  - Reasons for public excluded
  - Workshops
  - Standing orders
  - Minute taking
- Investigating new equipment to support livestreaming, online attendance, online voting and decision-making analytics (LTP 2024)
- Ongoing work with chairs/co-chairs on best practice meeting protocols/training etc



# QUESTIONS



**ROTORUA**  
LAKES COUNCIL