

The Good Mayors & Chairs Guide

Te Aratohu mō te
Koromatua me te
Ūpoko Whaihua

Ko Tātou
LGNZ.

Contents

// Ihirangi

- p/7** **Foreword // Kupu Takamua**
- p/8** **Part 1 – The role of Local Government New Zealand**
Wāhanga 1 – Te mahi a te Kāwanatanga ā-Rohe i Aotearoa
- p/10** **Support for performance management - CouncilMARK™**
Hei tautoko i te whakahaere tutukinga - CouncilMARK™
- p/12** **Part 2 – Welcome to your new role as community leader**
Wāhanga 2 – Nau mai ki tō tūranga hou hei kaiārahi hapori
- p/14** **Guiding legislation**
Ngā ture ārahi
- p/14** **Local Government Act 2002 (LGA 2002)**
- p/14** **Honouring Te Tiriti o Waitangi obligations**
Te whakarangatira i ngā herenga o Te Tiriti o Waitangi
- p/15** **Principles of representation and governance**
Ngā mātāpono o te whai kanoahi me te mana whakahaere
- p/18** **Part 3 – The behaviours of success**
Wāhanga 3 – Ngā whanonga angitū
- p/19** **Collaborative, positive and respectful**
He mahi tahi, he ngākau pai me te whakaute
- p/19** **Inclusive and responsive**
Te kauawhitanga me te urupare

- p/20 Responsible and impartial**
He haepapa, he tōkeke
- p/20 Trusting and trust-worthy, transparent and accountable**
He ngākau whakapono, he ngākau pono, he mārama, he papanga
- p/20 Building capability in others**
Te whakapakari i ngā āheinga a ētahi atu
- p/20 Willingness to work with and learn from others**
E hiahia ana ki te mahi tahi me te ako i ētahi atu
- p/22 Case Study/Rangahau Whakapūaho – the Mayors’ Taskforce for Jobs**
- p/24 Part 4 – Getting started**
Wāhanga 4 – Te tīmata i ngā mahi
- p/25 Mayors: When to begin?**
Ngā koromatua: Mō āhea tīmata ai?
- p/25 Chairs: When to begin?**
Ngā ūpoko: Mō āhea tīmata ai?
- p/25 Meeting and working with your chief executive**
Te hui tahi me te mahi tahi ki tō tumu whakarae
- p/25 Support staff**
Ngā kaimahi tautoko
- p/26 Meeting and working with your councillors and councillor induction**
Te hui tahi me te mahi tahi ki ō kaikaunihera me te whakaurunga kaikaunihera
- p/26 The inaugural (first) kaunihera meeting**
Te hui kaunihera tuatahi
- p/27 Choosing the deputy mayor/koromatua or chair**
Te kōwhiri i te koromatua tuarua, te ūpoko tuarua rānei
- p/27 Adopting standing orders**
Te whakaae ki te tikanga hui
- p/28 Adopting the Code of Conduct**
Te whakaae ki te Tikanga Whanonga
- p/30 Part 5 – The early days of leading the governing body**
Wāhanga 5 – Ngā rā tīmatanga o ngā mahi ārahi i te mana whakahaere
- p/31 Setting the tone**
Te whakarite i te āhua o ngā whakahaere
- p/31 Being the presiding member: chairing meetings**
Te mema whakahaere hui: te whakahaere i ngā hui
- p/32 Setting the agenda**
Te whakarite i te rārangi take
- p/32 Establishing your decision-making structure and committees**
Te whakarite i tō anga whakatau take me ngā komiti
- p/33 Committees**
Ngā komiti
- p/34 To delegate or not**
Me tuku mahi, kua rānei e tuku mahi
- p/34 Portfolios**
Ngā kōpaki mahi
- p/35 Making external appointments**
Ngā kopounga ā-waho

- p/36 Part 6 – Leading your council**
Wāhanga 6 – Te ārahi i tō kaunihera
- p/37 Being a good employer**
Te kaituku mahi pai
- p/37 A culture of openness and transparency**
He ahurea tuwhera me te mārama
- p/38 Health and safety obligations**
Ngā herenga hauora me te haumaruru
- p/40 Working with the chief executive**
Te mahi tahi ki te tumu whakarae
- p/40 Chief executive and kaimahi**
Te tumu whakarae me ngā kaimahi
- p/42 Your role in the chief executive’s performance**
Tō turanga i roto i ngā tutukinga mahi a te tumu whakarae
- p/43 Your role in the council’s performance**
Tō tūranga i roto i ngā tutukinga mahi a te kaunihera
- p/43 How does a mayor/koromatua or chair know how well their kaunihera is doing?**
Me pēhea te koromatua e mōhio mēnā e whaihua ana tana kaunihera?
- p/44 Part 7 – Leading policy and planning**
Wāhanga 7 – Te ārahi i ngā kaupapahere me te whakamahere
- p/48 Part 8 – Leading the community**
Wāhanga 8 – Te ārahi i te hapori
- p/49 Community wellbeing**
Te oranga o te hapori
- p/49 Engaging with Māori**
Te whakawhiti kōrero ki a Ngāi Māori
- p/50 Community engagement**
Te whakawhiti kōrero ki te hapori
- p/51 Advisory panels and community appointments**
Ngā paewhiri tohutohu me ngā tūranga hapori
- p/52 Increasing participation and community inclusiveness**
Te whakapiki i te whakaurunga me te kauawhitanga o te hapori
- p/52 Engaging with Media**
Te whakawhiti kōrero me te hunga pāpāho
- p/54 Part 9 – Specific duties**
Wāhanga 9 – Ngā mahi motuhake
- p/55 Calling a state of local emergency**
Te karanga tūohotata ā-rohe
- p/55 Criteria to be met in order to call an emergency**
Ngā paearu hei whakatutuki i mua i te karanga tūohotata
- p/56 Local Transition Notices**
Ngā Pānui Whakawhitinga ā-Rohe
- p/56 Citizenship ceremonies – mayor/koromatua only**
Ngā hui kirirarautanga – te koromatua anake
- p/56 Being a Justice of the Peace**
Te tū hei Mana Whakaaio

- p/58** **Part 10 – Retiring as mayor or chair**
Wāhanga 10 – Te rihaina hei koromatua, hei ūpoko rānei
- p/59** **The interregnum**
Te wā tārewa
- p/60** **Part/Wāhanga 11 – Mayors/Chairs elected mid-term**
Wāhanga 11 – Ngā koromatua/ūpoko i pōtīhia i waenga wāhanga
- p/61** **One on one meetings with all councillors**
Te hui tahi me ia kaikaunihera
- p/61** **Finding a mentor**
Te rapu kaiārahi
- p/61** **Learning about local government**
Te ako i ngā mahi a te kāwanatanga ā-rohe
- p/63** **Appendix/Apitianga A**
- p/64** **How to be a good mayor - responsibilities and competencies**
Me pēhea te tū hei koromatua/ūpoko pai – ngā kawenga me ngā pūkenga
- p/66** **The top 20 tips from successful mayors**
Ngā tino kupu āwhina 20 a ngā koromatua/ūpoko whaihua
- p/70** **Appendix/Apitianga B – s.41A Mayoral Powers**
s.41A Te Mana Whakahaere o te Koromatua
- p/72** **Appendix/Apitianga C – Mayoral Powers flow diagram**
Hoahoa rerenga o te Mana Whakahaere o te Koromatua
- p/74** **Appendix/Apitianga D – Portfolio holder job description (example)**
Te tūtohu mahi a te kaupupuri kōpaki mahi (he tauira)
- p/75** **Portfolio holder job description - Wellington City Council**
Te tūtohu mahi a te kaupupuri kōpaki mahi – Te Kaunihera o Pōneke
- p/75** **Portfolio topics – Hastings District Council**
Ngā kaupapa kōpaki – Te Kaunihera ā-Rohe o Heretaunga
- p/76** **Appendix/Apitianga E – Structures for managing your Chief Executive**
Ngā anga hei whakahaere i tō Tumu Whakarae



Foreword

// Kupu Takamua

As mayor/koromatua or chair, you're part of a council (kaunihera) team responsible for making decisions that can improve the social, environmental, economic and cultural well-being of your community both for today and for future generations.

Your community is looking to you to provide inspiring and inclusive leadership for the betterment of all. Not just those who voted for you nor the people who share your views – but for everyone in your community. Every age and stage, every gender and ability, every culture and ambition – all must be heard and considered at the kaunihera table.

This is the true meaning of local representation and it's what gives local democracy its richness and its influence.

Your new role comes with several new responsibilities, not all of which you are going to find in a job description. You are now a community figurehead, a manager, a role-model, an ambassador and a spokesperson.

You will need to be an exceptional strategist, collaborator, conciliator and listener. You will lead your community at times of crisis and of calm. You will need to expertly navigate the demands of your constituents, your kaunihera and central government while never losing sight of your responsibilities.

Being mayor/koromatua or chair is both hugely rewarding and at times, incredibly tough. These are big roles. Luckily, there are many who have gone before who you can learn from, and many more ready to help. The traits of a successful local government leader are well understood.

The purpose of this guide is to support you in achieving success while you deliver on your obligations as mayor/koromatua or chair: to apply the principles of representation and governance, and a commitment to Te Tiriti o Waitangi, to improve the social, environmental, economic and cultural well-being of all and to lead your community into a better future.

It covers key concepts you need to understand to deliver on your role including:

- » The role of Local Government New Zealand (LGNZ) in supporting you
- » The behaviours of success
- » Getting started
- » Leading your kaunihera
- » Leading the governing body
- » Leading policy and planning
- » Leading your community including specific community duties

At LGNZ we are here to support you in achieving every success as leader on behalf of your community.

Stuart Crosby
President, LGNZ



1

**The role of Local
Government New
Zealand >>**



Te mahi a te
Kāwanatanga
ā-Rohe i Aotearoa

>>

Wāhanga ONE

Local Government New Zealand's (LGNZ) purpose is to be local democracy's vision and voice. We want Aotearoa to be the most active and inclusive local democracy in the world.

We support the success of local government through our four leadership pillars.

Connect // Whakahono:

We connect people and create strong networks to bring strength to all of local government.

- » We create forums where you can network to find inspiration, common ground and support.
- » We provide opportunities for you to share your views, which we share with the Ministers and officials we work closely with.
- » When Ministers want to talk to local government, they come to us.
- » Our group buying power offers commercial discounts and enhanced access to benefits like consultant advice, shared services and funding opportunities.

Advocate // Whakamana:

We are local government's source of credibility and authority, and we influence others.

- » We represent local government as a whole and speak with one strong national voice.
- » We steward local government's reputation by working closely with media and influencers to champion local government stories every day.
- » We promote elections and advocate for civics education.

Develop // Whanake:

We build capability and expertise, enabling kaunihera to excel.

- » We keep you up to date on new developments, changes and issues.
- » Our expert policy team share advice on anything and everything relevant to local government that comes out of the Beehive and beyond.
- » We build capability through programmes, resources, tools and assurance which helps kaunihera, councillors and council staff (kaimahi) thrive.
- » We're a trusted, confidential ear who understands what you're facing.

Include // Whakauru:

We ensure everyone can participate, thrive and be represented by local government.

- » We're non-partisan, with wide and deep networks of contacts.
- » We create networks where diversity is nurtured and supported, like our Young Elected Members group and Te Maruata, our network for Māori in local government.
- » We provide a home for programmes that support and fund councils.

Support for performance management - CouncilMARK™

// Hei tautoko i te whakahaere tutukinga - CouncilMARK™

CouncilMARK™ is a local government-led initiative designed to improve the public's knowledge of the work kaunihera are doing in their communities and to support individual kaunihera to further improve the value they provide. The programme incorporates an independent assessment system to see how kaunihera are performing.

Kaunihera that participate in the programme will receive an overall performance rating along with commentary on their performance. The programme is not about finding fault in kaunihera or kaimahi but rather identifies areas for future focus.

It is expected that each participating kaunihera, with support from LGNZ, will develop an action plan to address the areas for improvement identified in their individual assessment report. This plan is driven and owned by the individual kaunihera, led by the mayor/ koromatua along with elected members, senior management and kaimahi, and should be developed to complement any existing work or kaunihera initiatives underway.

It employs expert independent assessors to look at kaunihera performance across four priority areas:

// 1

Governance, leadership and strategy.

// 2

Financial decision-making and transparency.

// 3

Service delivery and asset management.

// 4

Communicating and engaging with the public and business.





2

**Welcome to
your new role
as community
leader >>**



Nau mai ki tō
tūranga hou hei
kaiārahi hapori >>

Wāhanga TWO

The roles of mayor/koromatua and regional council chair come with many responsibilities, not all of which are found in a job description. You are now a community figurehead, people manager, role-model, local ambassador and spokesperson for all matters affecting your community.

You play a critical role in building a cohesive team, encouraging consensus decision making around the kaunihera table and working effectively with both the kaunihera chief executive and kaimahi, as well as the community. The success of your tenure depends on your ability to bring disparate groups together for common benefit.

Mayors/koromatua and chairs must be able to unify people and lead them as a collective. Local body elections are a contest and candidates are rivals, until elected. It is a leader's responsibility to get all councillors to work together as a team and to lead that team on behalf of the community.

To be successful, mayors/koromatua and chairs must assist members to identify matters in common while recognising differences, so that they are united as far as possible on how to address the major issues facing a community. They will need to assess the relative strengths and weaknesses of each of their councillors, and work to ensure everyone's skills are applied in the most effective way possible to deliver on the purpose of local government.

Except for Auckland Council, as mayor/koromatua or chair, you have no 'executive' power. Making decisions depends upon gaining the support of the majority of your councillors; being dictatorial, distant or divisive in nature is unlikely to see others support you. Being successful means facilitating an inclusive approach to decision-making.

You are responsible not only for your own performance, but for the performance of your governing body as a whole. Mayors/koromatua and chairs take responsibility for elected members' training and ensure their kaunihera provides both the resources and assistance members need to develop their skills and understanding. As leader you will also seek to facilitate the resolution of any disputes between elected members before they get to the point where a code of conduct complaint might be made.

“In the New Zealand context, the mayoral office is both powerful and powerless. Powerful in the sense that the mayor is the recognised community leader, but powerless in the sense that the mayor cannot commit a council to a particular course of action or the allocation of resources without majority support on each issue, which comes before the council for a resolution or a decision.”

(Sir Brian Ellwood, former head of the Local government Commission).

Successful mayors/koromatua and chairs are those that embrace and respect their role as a community leader which does mean being available outside of usual 'office hours'. In times of calm, this means attending hui, working through policy and planning documents, attending community events and meeting with constituents. You are the face of the kaunihera and your community will expect a degree of access to you and your time.

However, when a crisis or an emergency hits the community, be it a significant weather event, natural disaster, social disruption or outbreak of illness, you will find yourself at the heart of the response and the key person your community looks to for guidance, reassurance and information – a calm head in what can be chaotic times. These periods are intense and involve long days, late nights and limited down time. They involve being in the media spotlight while having to make significant decisions that will lead the community back to 'normality'.

Despite the inevitable challenges, it is an honour and a privilege to be given the opportunity to lead a community. You have been asked by your community to unify and lead your kaunihera for the benefit of all and entrusted with the authority to make decisions on behalf of all your constituents. Expectations will be high.

Guiding legislation

// Ngā ture ārahi

The role of mayor/koromatua and your kaunihera's role are defined by the Local Government Act 2002 (LGA 2002). This is the core legislative document that defines local government and establishes its powers and purpose. While the role of regional council chair is not defined in legislation, the legislation applies equally to a regional council as it does a territorial authority. It is therefore general practice that the same expectations apply to a chair as to a mayor/koromatua. The other core document that guides your delivery is Te Tiriti o Waitangi – the Treaty of Waitangi.

Local Government Act 2002 (LGA 2002)

Section 10 of the LGA 2002 defines the purpose of local government as being:

- // a To enable democratic local decision-making and action by, and on behalf of, communities; and
- // b To promote the social, economic, environmental, and cultural well-being of communities in the present and for the future.

The overall role of the mayor/koromatua and chair is to lead and guide their kaunihera's efforts to give effect to the purpose of local government, as well as any statutory duties councils are required to carry out. In the case of a mayor/koromatua, their role is described in section 41A of the LGA 2002 as:

- » To provide leadership to
 - » the other members of the territorial authority; and
 - » the people in the district of the territorial authority.
- » To lead the development of the territorial authority's plans (including the Long-Term Plan (LTP), Annual Plan), policies, and budgets for consideration by the members of the territorial authority).

The roles of a regional chair are essentially the same as those of a mayor/koromatua, except that there's no statutory requirement for them to lead the people of the region. Like the mayor/koromatua, they must provide leadership to other members of the regional council and lead the development of the regional council's plans, policies and budgets.

Honouring Te Tiriti o Waitangi obligations

// Te whakarangatira i ngā herenga o Te Tiriti o Waitangi

The LGA 2002 also sets out principles and requirements that local authorities should meet to improve outcomes for Māori. The purpose of this is to recognise and respect the Crown's responsibilities to Māori, as set down by Te Tiriti o Waitangi. Local government must promote opportunities for Māori to contribute to its decision-making processes.

There are provisions in the LGA that relate specifically to Māori. Parts 2 and 6 provide principles and requirements for kaunihera that are intended to maintain and improve opportunities for Māori to contribute to local government decision-making processes.

Specifically, part 6 states a local authority must:

- // a establish and maintain processes to provide opportunities for Māori to contribute to the decision-making processes of the local authority; and
- // b consider ways in which it may foster the development of Māori capacity to contribute to the decision-making processes of the local authority; and
- // c provide relevant information to Māori for the purposes of paragraphs (a) and (b).

Principles of representation and governance

// Ngā mātāpono o te whai kano hi me te mana whakahaere

Representation

Representation enables individuals, whānau and communities, through their elected representatives, to make decisions about the way their district, city or region works.

Every community is diverse and unique; with different people and cultures, natural and built environments, resources and businesses. No two communities have the same issues or aspirations.

Representation is to speak on behalf of individuals and organisations in your community, including those who did not vote for you. Representation means to act in the best interests of the area, making decisions that consider the wider context and the needs of both current and future generations.

You also have a responsibility to voice the views and concerns of your ward or constituency at the kaunihera table; but when you come to make decisions you must balance those individual concerns with the interests of the whole community.

Being an effective representative means being in regular contact with all members of the community. It involves forming relationships with local iwi and hapū, community groups and organisations, and empowering them to play an active role in local democracy. It is about fostering a culture of inclusion and belonging and ensuring all voices are heard.

Your own knowledge, gleaned from your community engagement, will complement the results of formal consultation exercises undertaken by your kaunihera. This engagement is vital if you want to ensure that your kaunihera is providing the right services, at the right level and at the right cost.



Governance

Effective governance is about ensuring a kaunihera always act in the best interest of the community. It balances short and long-term responsibilities, and the stewardship of the organisation informed by the knowledge of external opportunities and challenges.

It means focusing on the overall performance of the kaunihera such as how it meets community expectations and aspirations, fulfils statutory obligations and looks after its assets. For you, it includes the development of long-term plans and strategies, policy making, allocating resources and reviewing the kaunihera's performance.

Figure 1: Elements of Good Governance



The key aspects of a governance role are shown in the figure below from the New Zealand Institute of Directors and include:

- » strategic planning,
- » decision-making,
- » policy and strategy review,
- » scrutiny of management's performance,
- » community leadership and engagement,
- » maintaining a financially sustainable organisation, and
- » setting appropriate levels of service.

The New Zealand Institute of Directors defines governance as “thinking about strategic issues, rather than the operational day-to-day running of the business”.

Good governance helps an organisation:

- » improve performance,
- » take a big picture view separate from the operations,
- » ensure there is accountability and oversight of operations,
- » manage risk, and
- » find the right balance between making short-term gains and building long-term wealth.

When brought together these two roles of representation and governance are also known as ‘place shaping’ or ‘place making’ where people are empowered to make decisions that shape their own future and enable their community to thrive.





3

The behaviours of
success >>



Ngā whanonga
angitū >>

Wāhanga
THREE

“When a council is fully cohesive, functioning in a positive and productive manner, then this spills out into the wider community. Positive action is contagious. Positive leadership can encourage other groups and organisations to rise to the challenge of the future” (John Forbes, former Mayor of Ōpōtiki District).

A local government leader’s responsibilities are well understood, after all there are many who have held this position over the years. Amongst other things, you need to provide vision and strategic leadership, demand good governance, support and partner with the chief executive, champion community interests, and build strong relationships.

To help think about your new role, we’ve developed a quick guide to the competencies needed for a good mayor/koromatua and chair and some tips and tricks from people who’ve lived it – take a look at Appendix A.

The success of your term and of your kaunihera comes down to not only what you do, but, equally as important, how you do it. As mayor/koromatua or chair you play a critical role in setting the style and tone by which the governing body and the kaunihera operate and are perceived by communities. You can influence the degree to which the kaunihera is regarded as open, receptive and responsive or closed, unreceptive to new ideas and unresponsive to community concerns.

The challenges facing communities cannot be fixed by the mayor/koromatua or chair and kaunihera working in isolation; you need to build a team. Relationships are vital, collaboration is critical. What’s more, except for Auckland Council, neither the mayor/koromatua nor chair has any ‘executive’ power. Making decisions depends upon gaining the support of a majority of your councillors. While an elected mayor/koromatua cannot be removed, a regional council chair can by resolution of council.

There are several behavioural traits that are critical to success in this democratic environment. The most fundamental part of your role is to lead from the front in displaying these behaviours and managing the performance of others who do not. Your council Code of Conduct and Standing Orders can help you with this.

Collaborative, positive and respectful

// He mahi tahi, he ngākau pai me te whakaute

One of the challenges you face is the fact that elections are a contest and candidates are rivals, until elected. One of your first priorities is to be the unifier; get your councillors to work together as a team. Your challenge is to assist members to identify matters in common while recognising differences, so that they are united as far as possible on how to address the major issues facing your community.

Elected members should model positive and collaborative values and behaviours and discourage unethical behaviour. They need to argue the issue and facts under discussion and never attack the competence or personality of others. You must be able to work respectfully with kaunihera kaimahi and other partners and value their roles, advice, and contribution.

Inclusive and responsive

// Te kauawhitanga me te urupare

Elected members must consider the interests of the whole community to reflect the wishes of most, rather than a sole group or special interest faction. This means you will need to always listen carefully to all advice and views and weigh up all the pros and cons before making recommendations or decisions. Inclusiveness has been strongly endorsed by the Government with the Minister of Local Government encouraging councils to explore specific policy, regulatory and non-regulatory options to make community participation in local governance more accessible, inclusive and effective. Being inclusive includes encouraging the development and uptake of innovative engagement methods and communication and information tools or community participation in local governance, such as open-source place-making.¹

Elected members need to be capable of understanding and empathising with all cultures and aspirations. This includes working to understand the impact of decisions on diverse population groups and communities. This also means familiarising yourself with tikanga Māori, partnering with Māori and honouring the kaunihera’s responsibilities under Te Tiriti o Waitangi.

Responsible and impartial

// He haepapa, he tōkeke

Elected members must act in the best interests of their community and declare any interests that could be perceived as a conflict to being impartial. They must work to promote issues or actions they believe are in the public good across a range of considerations, both ethical and financial. Elected members should be prepared to defend their decisions in the long-term interests of the whole community.

Trusting and trust-worthy, transparent and accountable

// He ngākau whakapono, he ngākau pono, he mārama, he papanga

Relationships that are constructive and based on trust and openness will be significantly more successful than when this is not the case. It is critical that we maintain public trust in the integrity of the democratic process. Elected members must be proactive in their engagement with others and share publicly available information about kaunihera decisions and activities. They must take ownership and responsibility for their actions and not misrepresent themselves or others for personal gain.

A key principle set out in LGA 2002 relevant to this is that a kaunihera “conducts its business in an open, transparent, and democratically accountable manner, and give effect to its identified priorities and desired outcomes in an efficient and effective manner.” More information on how to achieve transparency and accountability are outlined below.

Building capability in others

// Te whakapakari i ngā āheinga a ētahi atu

As mayor/koromatua and chair, you have a responsibility to help build skills in your councillors, some of whom will be new to kaunihera. Some may be new to governance entirely. From day one, your role is about planning for the future which includes how the governing body will function in the years ahead. Although three-years may seem a long time, particularly in the early days of your appointment, it is never too early to start thinking about how progress can be maintained once you are no longer in your role – an inevitable outcome.

There are a number of actions that you can take during your time in office to help build the capability of others, particularly community engagement and leadership skills. This includes using the appointments of your deputy mayor and committee chairs to support professional growth; giving others responsibility for leading a high-profile policy area or to act as a spokesperson; delegating responsibilities to committee chairs or allowing others to attend meetings and seminars so that they gain greater awareness of the role of leadership. By preparing others to be leaders, you can have confidence in the ongoing success of the kaunihera once you depart.

Willingness to work with and learn from others

// E hiahia ana ki te mahi tahi me te ako i ētahi atu

*“New Zealand is way too small to be parochial and be arguing with neighbouring councils. Get alongside your neighbouring councils next door, work with them and everyone will benefit. LGNZ is a great source of knowledge and experience. Never be afraid to ask and do your best to attend zone and sector meetings and mayoral workshops.”
(John Forbes, former Mayor Ōpōtiki District).*

Being open to advice and a willingness to listen to the experience of others will significantly aid you in achieving success. One of your most valuable resources are the mayors/koromatua and chairs of your neighbouring districts and cities. They may have experienced, and solved, the same challenges you find yourself facing and they can be an incredible source of support. Consider asking your kaunihera about inviting a retired mayor/koromatua or chair to act as a mentor.

There are a number of formal opportunities to connect and learn from your colleagues' experiences, such as:

- » The Rural and Provincial Sector (kaunihera with populations under 90,000) meetings.
- » The Metropolitan Sector (kaunihera with populations over 90,000 or which are substantially urban) meetings.
- » The Regional Sector (all regional and unitary authorities) meetings.
- » Regional Zone meetings of the mayors and chairs of different geographic areas.

These forums meet regularly to discuss matters in common and are organised by LGNZ or, in the case of Zone meetings, the Zone Chair. Other opportunities are:

- » The post-election mayors/koromatua induction workshop organised by LGNZ.
- » The post-election Chairs hui for regional chairs
- » Mayoral forums: some areas have long established forums to address matters in common.
- » Joint regional committees involving territorial and regional kaunihera.
- » Triennial agreements: these are agreements made between kaunihera within regions that set out protocols to enhance regional cooperation.
- » Specific mayoral initiatives to drive change, such as the Mayors' Taskforce for Jobs.



Case Study // Rangahau Whakapūaho – the Mayors’ Taskforce for Jobs



The Mayors’ Taskforce for Jobs (MTFJ) is a nationwide network of New Zealand’s mayors working together towards the vision of all young people under the age of 25 being engaged in appropriate education, training, work or other positive activity in their communities.

Established in 2000, MTFJ now represents 66 of New Zealand’s 67 mayors in 2022. This makes MTFJ one of the most powerful advocacy groups on behalf of young people in Aotearoa. The Taskforce is governed by a Core Group of 17 Mayors.

MTFJ runs advocacy projects and aims to partner with best-practice organisations to promote the economic and social wellbeing of young people. It aims to equip young communities and mayors with the tools and strategies to make a difference by:

- » Connecting rangatahi directly with employers in rural areas or with training and support to ready them for work.
- » Coordinating local Industry Training Graduations, helping to elevate the status of trades and service careers and providing \$1,000 to each council, per graduation.
- » Providing MTFJ Outward Bound Scholarships, valued at \$3,600, for mayors to nominate young people in their area.
- » Supporting the Tuia Rangatahi Programme, an intergenerational movement of young Māori developing their leadership skills.
- » Advocating on important issues on behalf of young people and local government, such as the need for a free universal driver licencing programme, the importance of mentoring and the equity of drug testing within the workplace.







4

Getting started >>



Te tīmata i ngā
mahi >>

Wāhanga FOUR

Mayors: When to begin?

// Ngā koromatua: Mō āhea tīmata ai?

You are not officially elected to your role until all special votes are counted and the final election results are announced. This usually occurs within five days of polling day.

If, on election night, you have won by a majority which is unlikely to be overturned by special votes, you may wish to contact the people who will be critical to your operations: your kaunihera chief executive (CE) and elected councillors.

However, a mayor/koromatua may not act as a member of a local authority until they have made an oral, written, signed and witnessed declaration which occurs during the inaugural kaunihera meeting.

Chairs: When to begin?

// Ngā ūpoko: Mō āhea tīmata ai?

A regional council chair is elected by other councillors: as such, the chair will be elected at the inaugural meeting of the kaunihera. Until the chair is elected, the CE will chair the meeting.

Prior to the election of the chair the governing body must agree which voting system to use. There is a choice of two: First Past the Post or a form of preferential voting, see Cl.25 (Schedule 7 LGA 2002). Once elected the CE will vacate the chair and the new chair will chair the remainder of the meeting. The deputy chair is also elected by this process.

See more information page 24 on the inaugural meeting.

Meeting and working with your chief executive

// Te hui tahi me te mahi tahi ki tō tumu whakarae

An early meeting with your chief executive is recommended. The CE is now your employee, and you need to understand and action your responsibilities as a good employer, as required by law. In addition, the first meeting of your kaunihera following a general election is called by your CE as soon as practicable after the results of the election are known.

At your initial meeting, it is recommended you cover topics such as the administrative support available to you, setting up the mayoral office, technology (phones, laptops etc), arrangements for the inaugural meeting and any essential reading. You will also want to cover the plan for induction.

Support staff

// Ngā kaimahi tautoko

Depending on the size of your kaunihera the mayor/koromatua or chair's office will have its own kaimahi. This may range from, in the smallest kaunihera, a shared executive assistant with the CE, to a team of officials in larger kaunihera. The mayor/koromatua of Auckland is unique as this office receives a guaranteed proportion of the city's budget to employ mayoral advisors and kaimahi.

For a larger kaunihera a mayor/koromatua or chair should expect to have access to their own executive assistant, a communications advisor and a policy adviser. Talk with your CE about what kaimahi you believe you need and what might be possible within the kaunihera's budget constraints.

Meeting and working with your councillors and councillor induction

// Te hui tahi me te mahi tahi ki ō
kaikaunihera me te whakaurunga
kaikaunihera

Except for Auckland council, neither mayors/koromatua nor chairs have any ‘executive’ power. Making decisions, and taking action, depends upon gaining the support of a majority of your councillors. It is recommended that prior to the inaugural kaunihera meeting, you meet with each member of your governing body individually to ascertain their goals and objectives for the coming three years, their interests and relevant skills and experience. It is recommended you review the needs of your councillors early.

Your CE will brief you on plans for the new kaunihera’s induction. Some kaunihera hold a workshop where members of the governing body get to agree fundamental questions such as their preferred style of working, their expectations for the coming triennium and agree strategic issues, goals and objectives.

Approach to induction

“We have always done an overnight retreat with a new council (including senior management) to get to know each other, what makes us tick, what we want to achieve in the ensuing term etc. Understanding each other, our personalities and strengths is a great start to team work” (Richard Kempthorne, former Mayor Tasman District).

The inaugural (first) meeting // Te hui kaunihera tuatahi

The first meeting of your kaunihera following a general election is called by your CE as soon as practicable after the results of the election are known. It is chaired by your CE until swearing in is completed or, in the case of regional councils, until the chair is elected.

This meeting includes specific statutory requirements, described in your kaunihera’s standing orders. These include:

- » the declaration that all members must swear before they can act as members,
- » the adoption of standing orders,
- » the election of the deputy mayor/koromatua and chair, and often,
- » the adoption of the code of conduct.

A mayor/koromatua or chair may not act as a member of a local authority until they have made an oral declaration in the required format, accompanied by a written and signed declaration witnessed by the CE or an officer appointed by the CE.

Following the declaration, they will take the chair from the CE and witness the oral declarations of all other members.

By resolution, the inaugural meeting will agree the date and time of the first ‘ordinary’ kaunihera meeting or, if it chooses, agree to a schedule of meetings.

Choosing the deputy mayor/koromatua or chair

// Te kōwhiri i te koromatua tuarua, te ūpoko tuarua rānei

A district or city mayor/kaunihera must elect one of its members to be the deputy mayor/koromatua. As mayor/koromatua, unless you use the powers set out in s.41A (LGA 2002) to appoint your deputy prior to the meeting, the deputy mayor/koromatua will be elected by the governing body.

While mayors/koromatua can use the powers in s.41A to immediately appoint their deputy (if for example two candidates ran for mayor/koromatua and deputy mayor/koromatua together in the elections) or set up their committee structure and make relevant appointments, if support is lacking the governing body can overturn the mayor/koromatua's selections.

A regional council must elect one of its members to be deputy. The chair does not have the authority to appoint their deputy directly.

Choosing a deputy – one mayor's approach

“Councillors have to have confidence in their deputy mayor therefore it is important that they have a say in the appointment. I interviewed each councillor about who they thought the deputy mayor should be and what their committee and portfolio preferences were.

I recommended to council the committee structure, deputy mayor and committee chairs and this was adopted virtually unchanged; and made a recommendation with clear reasoning for each of those appointments” (NZ mayor quoted in www.lgnz.co.nz/our-work/publications/the-role-of-mayors-and-the-impact-of-the-lga-2002-amendment-act-2012/)

Adopting standing orders

// Te whakaae ki te tikanga hui

Standing orders give the meeting chair (the mayor/koromatua or kaunihera chair in relation to governing bodies) the ability to manage debates and decision-making so that all members can have their say. Where the behaviour of a member becomes unacceptable in a meeting, standing orders provide you with options for managing that behaviour.

It is common, though not strictly necessary, to adopt your standing orders at the first ordinary meeting of the kaunihera. However, existing standing orders can remain in force regardless of a change of kaunihera, until the kaunihera are ready to consider changes that may be needed to suit the working style of the new council.

Your kaimahi will recommend a suite of standing orders that will incorporate any legislative changes made since the orders were previously adopted. If your kaunihera uses the LGNZ standing orders template then your officials, before the first meeting of the kaunihera, will seek your view on three optional provisions. These are:

- // a Whether the mayor/koromatua and chair should have a casting vote²; most kaunihera provide a casting vote for the mayor/koromatua and chair. It's your kaunihera's choice.
- // b Whether to allow members to join meetings by audio/visual means.
- // c Whether to have a formal or less formal process for moving and amending motions.

Prior to each election LGNZ updates the standing orders template to account for any relevant legislative changes that may have occurred. Please see the template and Guide to Standing Orders for more information at <https://www.lgnz.co.nz/our-work/our-policy-priorities/governance/>.

Adopting the Code of Conduct

// Te whakaae ki te Tikanga Whanonga

It is a legal requirement for the kaunihera to have a code of conduct. Codes of conduct should promote effective working relationships within a local authority and between the authority and its community. It should promote free and frank debate which should in turn result in good decision making. It sets boundaries on standards of behaviour and provides a means of resolving situations when elected members breach those standards.

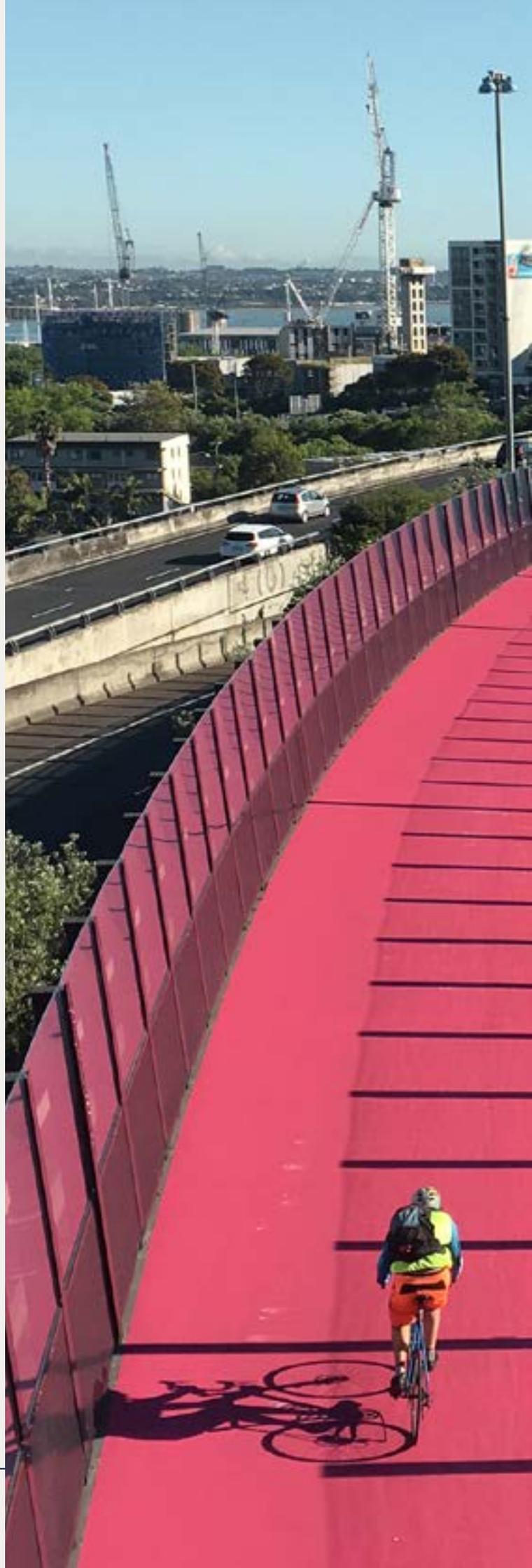
The code is normally adopted by the governing body early in its term and once adopted it continues beyond the triennium unless amended or replaced. The existing code of conduct can be found on your kaunihera's website.

To be effective a code needs to be 'owned' by elected members; members must be comfortable with the content and the processes for investigating breaches. Kaunihera are encouraged to formally review their existing code and either amend or re-adopt it as soon as practicable after the beginning of each triennium, to ensure that the code is fully endorsed by all members.

Members should discuss the nature of good governance and the code at their council-organised induction workshop. It's also recommended that the code be reviewed part way through the triennium, assisted by an independent facilitator.

Once adopted, the code continues in force until amended by the kaunihera. It can be amended at any time but cannot be revoked unless the kaunihera replaces it with another code. Amendments require a resolution supported by 75 per cent of the kaunihera members present at the kaunihera meeting at which the amendment is considered.

Please see the template and Guide to the Code of Conduct for more information at <https://www.lgnz.co.nz/our-work/our-policy-priorities/governance/>.







5

**The early days
of leading the
governing body >>**



Ngā rā tīmatanga o
ngā mahi ārahi i te
mana whakahaere

>>

Wāhanga FIVE

Setting the tone

// Te whakarite i te āhua
o ngā whakahaere

The governing body of the kaunihera consists of the mayor/koromatua or chair and all the elected councillors. It is responsible for setting the direction of the kaunihera, exercising stewardship and holding the organisation to account (through the CE).

As mayor/koromatua or chair you get to set the style by which the governing body works. An inclusive and supportive culture will not occur by itself. It's too easy for elected members and officials to get caught up in the pressures of the day, to step back and not invest time in building relationships, or even reviewing how they are working as a team. But this is critical to creating a high performing and inclusive team culture.

It is good practice to schedule time each year to review how things are working and together with members, consider whether changes may be warranted. You should also look at the governing body's operating style and the degree to which it is achieving its goals and whether the goals are still relevant.

“When the governance group is working well together and they form a constructive relationship with their CE, the organisation and the communities will be the winners. Teams grow from an understanding of one another's strengths and weaknesses and having leadership that can use everyone to best effect (Richard Kempthorne, former Mayor Tasman District Council).”

Being the presiding member: chairs meetings

// Te mema whakahaere hui: te
whakahaere i ngā hui

As mayor/koromatua or chair, you are required to chair all meetings of the governing body unless a conflict of interest applies. Your kaunihera's standing orders and the Local Authorities Members Interests Act 1968 provide guidance on such cases. For more information refer to the LGNZ Code of Conduct template.

Meetings are critical to the performance of a local authority and the way in which they function will determine whether kaunihera are able to work as a constructive team, and how the governing body and the kaunihera is perceived by its communities.

Meetings that are unable to achieve their business, due to rancour and frustration, set an operating style that will cascade throughout the local authority itself, undermining public confidence and damaging relationships with citizens.

You set the 'policy agenda' by recommending the issues that the governing body gets to discuss at their meetings. In doing so, you will not only work with your CE and councillors but also the myriad of local organisations that make up your community.

Ross Dunlop, former Mayor of South Taranaki, described having one-on-one discussions with councillors at the start of each term as well as a retreat. He also sent out weekly emails to provide an update about what he was been doing as Mayor. In addition, he organised quarterly informal catch-up dinners before a Council meeting, frequent informal chats and “lots of phone calls” (see <https://www.lgnz.co.nz/our-work/publications/the-role-of-mayors-and-the-impact-of-the-lga-2002-amendment-act-2012/>)

Setting the agenda

// Te whakarite i te rārangi take

The process for setting the agenda of kaunihera meetings is covered in your standing orders. Agendas are prepared, on your behalf, by your CE or their nominee in consultation with you, or, in the case of a committee, the chair.

As leader you will propose the topics that you believe should constitute the business of the meeting.

Business items will include:

- » matters raised by a previous resolution of the governing body,
- » matters raised by notice of motion,
- » matters raised by recommendation from a standing committee, community or local board, and
- » matters raised by the CE, such as where there is a statutory requirement for a matter to be considered or an ongoing decision-making process.

As mayor/koromatua or chair, you are also able to highlight matters through your report, should you choose to give a regular report.

Managing behaviour

One mayor managed to put paid to warring factions on council by doing some quite simple things like changing seating arrangements. She also consulted groups and councillors beforehand about proposals or projects that were to come to councils, so that when the formal report reached the order paper at a council meeting, “everyone was on board with it” (Her Worship the Mayor; women’s leadership in local government in NZ, PhD thesis, Tremaine).

Establishing your decision-making structure and committees

// Te whakarite i tō anga whakatau take me ngā komiti

The effectiveness of your kaunihera is directly linked to the decision-making model you put in place and the approach you take to delegations. It is vitally important to find the model that works for your kaunihera and its specific circumstances.

One option involves the use of committees which enable in-depth discussion and debate to occur outside of kaunihera meetings. While committees can be given decision-making or advisory roles, they enable the governing body to focus on governance, strategy and overall performance and not get distracted by operational detail. Committees can work in a less formal manner than meetings of the governing body, which allows elected members to ask questions directly of kaimahi and engage with stakeholders and the public. It is an approach that ensures policy decisions are based on good information and community views.

Each local authority has a certain amount of flexibility associated with its committee and subcommittee structures. A local authority can discharge or reconstitute them at any time. Unless the local authority resolves otherwise, each committee and subcommittee will be deemed to be discharged after a triennial local body election, when newly elected members come into office.

Two committees essential to the good governance of your kaunihera are an Audit and Risk committee and a CE Performance and Management committee.

At the first ‘ordinary’ meeting of a kaunihera’s governing body, it’s customary for members to be asked to decide on how the governing body should operate, such as whether to establish committees, who the members and chairs will be and what delegations should be approved. It’s vital that committees have the appropriate delegations to do their job.

The CE will provide the governing body with a proposed structure, usually the result of discussions with yourself as mayor/koromatua or chair and members of the governing body prior to the relevant kaunihera meeting. As mayor/koromatua or chair, it’s usual for you to lead this discussion and put forward a recommendation.

There is no agreed national template for decision-making structures, however options tend to be either centralised or decentralised.

- » **Centralised:** this approach places all decision-making with the governing body, except for committees or subcommittees required by statute or good practice. Examples of these are Audit and Risk committee, CE Performance and Management committee and ad hoc committees set up to handle one off demands, such as a review of the district plan.
- » **Decentralised:** this approach tends to limit the governing body's role to strategic district-wide matters as well as overall monitoring of financial and non-financial performance. Decision-making is transferred, through delegations, to either specialised committees and/or community boards or non-statutory area-based committees.
- » **Informed centralised:** this approach is a 'half-way house', which is used by many kaunihera. It gives committees and community boards, if applicable, responsibility to consider most matters before they go to the governing body and make recommendations on those matters for the governing body's consideration.

The right governance model will be strongly influenced by local context and the nature of each kaunihera. Governing bodies consisting of six councillors and mayor/koromatua or chair may need to make external appointments to get value from a decentralised committee structure.

A district with no large main centre and multiple communities might find delegating responsibilities to community boards the most effective way of working and a kaunihera facing specific issues (such as sea level rise) may choose to establish a specific committee to take leadership on the issue, one with appointed expertise and which can work flexibly with affected communities. More information can also be found in the Guide for Decision-making Structures at <https://www.lgnz.co.nz/our-work/our-policy-priorities/governance/>.

Committees

// Ngā komiti

Kaunihera meetings tend to be formal with time limits on how long members can speak and how frequently they can speak on the same topic. This is one reason for establishing a committee structure. Committees enable councillors to have in-depth discussions about issues. Ideally committee meetings should not be as formal as governing body meetings and it is common for committee chairs to have a more relaxed approach to the application of standing orders, although this will also be governed by the behaviour of members.

If your kaunihera has resolved to adopt a committee structure, then the allocation of committee chairs can be an opportunity to build leadership skills within the governing body. A well-designed committee structure should enable those given responsibility to be chairs the opportunity to:

- » play an active role in setting the agenda for their respective committees including participation in 'pre-agenda' meetings with the mayor/koromatua, other chairs and relevant senior kaimahi,
- » speak publicly about matters that fall within the terms of reference of their committees, and
- » meet regularly with the mayor/koromatua or chair, other committee chairs and the CE to review how existing and emerging issues should be addressed and to set the policy agenda.

Committee chairs may receive higher remuneration to reflect their responsibilities. Some kaunihera have a policy of changing committee chairs halfway through the term to give as many members as possible the opportunity to enhance their skills.

The powers in s.41A of the LGA allow a mayor/koromatua, to decide a committee structure and directly appoint chairs, however, these decisions can be over-turned by agreement from a majority of councillors. The same powers, however, do not apply to regional council chairs.

One successful urban mayor used to give the chair of the council's finance committee to the most vociferous critic of the council's financial performance during the election campaign.

To delegate or not

// Me tuku mahi, kaula rānei e tuku mahi

A delegation means that the body with the delegated power has the full authority of the governing body in respect of the decision-making powers defined in the delegation. The governing body, while retaining legal responsibility for the exercise of any powers it has delegated, cannot overturn or amend a decision made by a body which is exercising a delegation, although it can always revoke the delegation at some later point. The reasons for delegating include:

- » Freeing up time to focus on strategic matters: delegation can reduce problems of governing bodies spending time on detailed issues or matters that are urgent but minor.
- » Scale: some decisions are better made in a smaller group where all members can participate and matters can be explored in detail.
- » Workload: some issues, such as a review of a district plan, will require frequent meetings and considerable reading and research. This is simply impractical for the governing body as a whole.
- » Building knowledge and capability: some issues may require decision-makers to build up expertise in a specific area, such as asset management, to enable them to properly scrutinise management's performance. In some cases, the members may not have the necessary expertise. External appointments can be made to committees but not the governing body.
- » Facilitating community engagement: governing bodies tend to operate in a formal manner with limited time for debate. This is not conducive to citizen engagement. Delegations to committees or community boards enable communities to be more actively involved with the kaunihera.

Once approved, the delegations made by the governing body can be found in the kaunihera's Governance Statement and in many cases, a delegations' manual will be published.

There are, however, some decisions that can only be exercised by the full governing body and cannot be delegated. These include the power to:

- » make a rate,
- » make a bylaw (although local boards have the right to recommend these for their local areas),
- » borrow money, or purchase or dispose of assets, other than in accordance with the long-term kaunihera community plan,
- » adopt a Long-Term Plan (LTP), Regional plan, Regional Policy Statement, Annual Plan, or Annual Report,
- » appoint a CE,
- » adopt policies required to be adopted and consulted on under the LGA 2002 in association with the LTP or developed for the purpose of the local governance statement, or
- » adopt a remuneration and employment policy.

Portfolios

// Ngā kōpaki mahi

Portfolios are positions that give councillors responsibility to lead on specific policy issues, such as transport or arts and culture. Where a committee structure exists the portfolio holder may be the committee chair, or a committee may select portfolio holders to lead on different issues within the committee's terms of reference.

Kaunihera tend to appoint portfolio holders for a variety of reasons, for example, to make up for having no committee structure, to ensure issues get attention or to create issue-specific spokespeople.

The nature of a portfolio holder's responsibilities is not prescribed and varies between kaunihera. Portfolio holders are often given higher levels of remuneration to reflect their additional responsibilities³.

Policies on the use of portfolios should specify whether the responsibility is for the full term or for a lesser period. One option is for portfolios to have a limited period so that the knowledge and experience can be shared around all councillors.

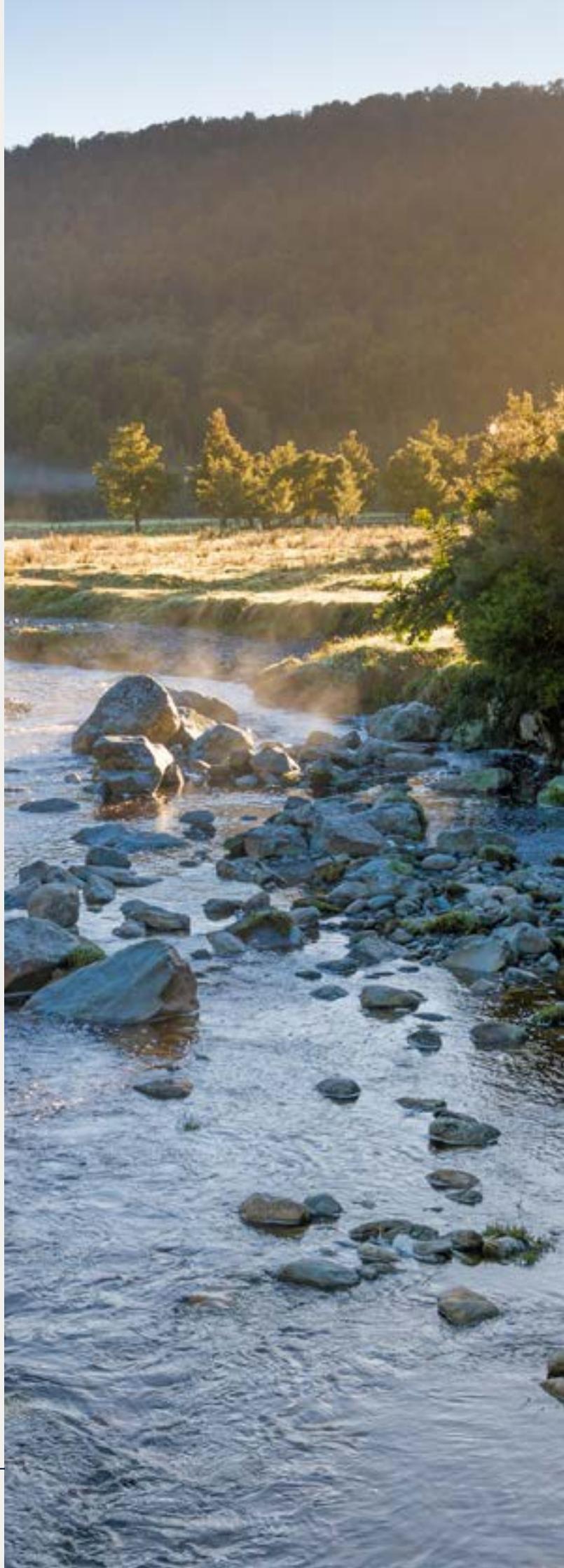
³The approach established by the Remuneration Authority provides a discretionary amount that can be used to reward positions, such as committee chairs or portfolio holders.

Portfolio holders need a job description that sets out the purpose of their position, the extent of their discretion and the process by which they liaise with officials. Clarity is also needed about how policy positions that portfolio holders promote are decided, as well as a system for reporting back to the full governing body. See Appendix D for more information on portfolio holders.

Making external appointments

// Ngā kopounga ā-waho

Kaunihera have representatives on a range of external bodies, from joint committees with other kaunihera to regional land transport committees, and while, in most cases, no additional remuneration is attached to such roles, they do give councillors an opportunity to raise their profile and increase their networks. Mayors/koromatua and chairs can recommend appointments to external bodies and portfolios. Appointments are normally agreed at the second or third meeting of a governing body after the elections on the recommendation of the mayor/koromatua or chair.





**Leading your
council >>**



Te ārahi i tō
kaunihera >>

Wāhanga **SIX**

Effective governance and the performance of the kaunihera is heavily influenced by the quality of relationships formed, particularly within the governing body and with the kaunihera chief executive. Relationships must be based on effective communication, mutual respect, and an understanding of the different roles that each member plays if they are to work.

The organisational culture of the kaunihera will have a significant impact on how you are viewed by your community.

Culture is often described as ‘the way we do things around here’ and it covers things like values and behaviours, including the approach to managing poor performance or behaviour; commitments to open and transparent democracy, diversity, inclusion and community engagement; how you are meeting your Health and Safety obligations and your obligations to being a good employer, and how you are putting into practice your obligations to Iwi Māori.

A good mayor/koromatua or chair will work with their CE on the appropriate policies and practices needed to support the chosen culture of the organisation and the process of reporting on key policies to the kaunihera.

Being a good employer

// *Te kaituku mahi pai*

Schedule 7 of the LGA 2002 states that kaunihera must be a good employer and that this requires an employment policy that results in all of the following being achieved:

- » Good and safe working conditions.
- » Equal employment opportunities.
- » The impartial selection of suitably qualified persons for appointment.
- » Greater involvement of Māori in local government employment.
- » Opportunities for individual employees to enhance their abilities.
- » The aims, aspirations, and cultural differences of ethnic and minority groups being recognised.
- » The employment needs of women being recognised.
- » The employment requirements of persons with disabilities being recognised.

A culture of openness and transparency

// *He ahurea tuwhera me te mārama*

A key principle set out in LGA 2002 is that a kaunihera “conducts its business in an open, transparent, and democratically accountable manner, and give effect to its identified priorities and desired outcomes in an efficient and effective manner.”

In acting efficiently and effectively your kaunihera must ensure it is also open, transparent and democratically accountable in accordance with the requirements of the Local Government Official Information and Meetings Act 1987 (LGOIMA).

The LGOIMA means any person can request and receive information held by local authorities unless there is a valid reason for withholding the information. The Act also sets standards for local government transparency, requiring that meetings of local authorities be publicly notified and open to the public and that their agendas, reports, and minutes be available to the public. Local authorities can exclude the public from part of a meeting only after a resolution and for specified reasons.

Kaunihera should consider making as much information as possible publicly available. This avoids the public's need to request it. For example:

- » Have an online calendar that allows citizens to see who meets with the mayor/koromatua or chair.
- » Have a public list of all the companies that the kaunihera does business with, including all successful tenderers.
- » Put all LGOIMA responses on the kaunihera's website.
- » Provide a public forum at the start of every kaunihera meeting.
- » Only go into public-excluded session when it is absolutely necessary.
- » Keep workshops that are not open to the public to a minimum.
- » Put the register of elected members' interests and gift register on the kaunihera's website.

More information about the specifics of the LGOIMA can be found in the Code of Conduct template on the website <https://www.lgnz.co.nz/our-work/our-policy-priorities/governance/>.

Health and safety obligations

// Ngā herenga hauora me te haumarū

The Health and Safety at Work Act 2015 aims to create a new culture towards health and safety in workplaces. A council is deemed a Person Conducting a Business or Undertaking (PCBU) - all involved in work, including elected members, are required to have a duty of care. Elected members are "officers" under the Act and officers are required to exercise due diligence to ensure that the PCBU complies with its duties. However, certain officers, such as elected members, cannot be prosecuted if they fail in their due diligence duty.

Despite this, as officers, the key things to be mindful of are:

- » stepping up and being accountable,
- » identifying and managing risks,
- » making health and safety part of your organisation's culture, and
- » getting your workers involved.

Councils have wide discretion about how these matters might be applied, for example:

- » adopting a charter setting out the elected members' role in leading health and safety – with your chief executive,
- » publishing a safety vision and beliefs statement,
- » establishing health and safety targets for the organisation with your chief executive,
- » ensuring there is an effective linkage between health and safety goals and the actions and priorities of your chief executive and their senior management, or
- » having effective implementation of a fit-for-purpose health and safety management system.

Elected members, through their chief executive, need to ensure their organisations have sufficient personnel with the right skill mix and support to meet health and safety requirements. This includes making sure that funding is sufficient to effectively implement and maintain the system and its improvement programmes.



Working with the chief executive **// Te mahi tahi ki te tumu whakarae**

Chief executive and kaimahi

// Te tumu whakarae me ngā kaimahi

Any retired mayor/koromatua or chair will likely tell you that the most important working relationship they had was with their CE. Your performance, and the performance of your kaunihera, will be significantly more successful if the relationship between you and your CE is constructive and based on trust and openness.

In general terms, the CE is responsible for the administration of the local authority while councillors and mayors/koromatua and chairs are responsible for its governance. This means that you and your councillors provide the vision, the goals and objectives, while the CE and kaimahi get on with the work of bringing that vision to life – in other words, getting things done.

The boundary can vary according to the size of a local authority. Elected members in small kaunihera may find themselves more closely involved with the operations of their kaunihera than elected members in a large metropolitan area.

The chief executive employs all the kaimahi on behalf of the local authority and is responsible for providing elected members with advice. They oversee the day-to-day matters of your local authority, carry out the policies set by the kaunihera and enforce regulations.

The kaunihera's governing body is responsible for hiring and evaluating the performance of the chief executive. The chief executive is responsible for:

- » implementing the decisions of the kaunihera,
- » ensuring that all functions, duties and powers delegated to them are properly performed,
- » determining the means of achieving the outcomes sought,
- » ensuring the effective and efficient management of the activities of the local authority,
- » maintaining systems to enable effective planning and accurate reporting,
- » providing advice to councillors and members of community boards, and
- » appointing and terminating staff, including negotiating their terms of employment.

Council staff/kaimahi are accountable to the chief executive, elected members cannot direct them. Successful kaunihera have explicit protocols for guiding day-to-day interactions between elected members and kaimahi and demonstrate an appreciation that there are limits to the level of work that the administration can undertake.

As employers, mayors/koromatua and chairs should commit themselves to never criticising their CE to others. Any issue should always be shared with the CE directly. It's important to be open and up-front about any issue you are aware of and to be approachable. This needs to be done in a respectful manner. Concerns of an operational nature that people raise with you should be immediately passed on to your CE.

Early conversations with your CE should deal with working styles, expectations and channels of communication. It's recommended that you meet one-on-one with your CE on a regular basis. A shared commitment to the kaunihera's vision and an agreement to be open with each other are essential ingredients to success.

On the question of leading policy and planning, mayors stated:



- » The smooth running of a council depends on a good relationship between the Mayor and councillors and CE, which in turn provides access to council staff and information. We are all part of the same team.
- » My practice is to meet with my CE at least three times a week so that both are fully briefed on all matters of council business.
- » I hold regular meetings with my CE and management team (Mayoral Powers, LGNZ 2015)

“Our CE should be able to raise any issue with us that they wish to discuss. They need to feel we are ‘safe’ to discuss matters with. We should feel confident that we can explain our view and share knowledge to our CE in a reciprocal manner. This should be done in a safe and respectful manner. We need to be careful not to be directive.” (former Tasman Mayor Richard Kempthorne).



Your role in the chief executive's performance

// Tō turanga i roto i ngā tutukinga mahi a te tumu whakarae

The kaunihera itself, or acting through a subcommittee, is responsible for negotiating and managing an employment agreement with their CE. LGNZ can support this process and more detail is provided in Appendix E: Structures for managing your chief executive.

Recommended good practice involves the establishment of a standing CE performance (sub) committee consisting of the mayor/koromatua or chair and usually two councillors and with a level of delegated authority. A standing (sub)committee can build a more meaningful relationship with the CE, and this makes it more manageable to deal with issues in a timely manner if they arise.

The role of a CE performance (sub)committee involves:

- » agreeing with the CE annual performance targets,
- » undertaking regular reviews to provide feedback and assess progress against objectives,
- » conducting annual performance reviews,
- » undertaking annual remuneration reviews and making recommendations to kaunihera (or acting within delegated parameters),
- » conducting and completing the CE review required under cl.35 Schedule 7 LGA 2002. This specific review is required if a CE wishes to extend their contract for an additional two years, and
- » overseeing any recruitment and selection process for a new CE.

When establishing a CE performance committee, provision should be made for:

- » access to a specialised HR advisor. This person could be co-opted on to the committee itself or have a contract to advise it over time, and
- » a delegated budget to enable the committee to commission legal advice, should this be required as part of the CE performance process (otherwise the mayor/koromatua or chair and committee will be required to ask the CE to commission such advice).

CE Performance – one mayor's approach

"At the beginning of the year we agree the CE's Performance Agreement. This is a collaborative effort. We have quarterly feedback meetings, as well as an end-of-year annual review with input from all elected members, senior managers and external stakeholders. The process is supported by an independent performance specialist to ensure it is robust and fair.

The CE and I meet informally one-on-one every Monday morning at 8am for 30mins. These are essential meetings to keep the dialogue open and the ways of working at the forefront of our minds".

Your role in the council's performance

// Tō tūranga i roto i ngā tutukinga mahi a te kaunihera

Performance means meeting your community's needs and expectations as well as performing any statutory duties and obligations that have been set by legislation. It is the governing body that you as mayor/koromatua or chair lead, which is ultimately responsible. It:

- » determines the level of revenue,
- » agrees the work programme,
- » sets the priorities and expected levels of service, and
- » employs and manages the CE.

Two of the key principles set out in LGA 2002 which are relevant to managing performance are that a kaunihera:

- » conducts its business in an open, transparent, and democratically accountable manner, and give effect to its identified priorities and desired outcomes in an efficient and effective manner, and
- » actively seeks to collaborate and co-operate with other local authorities and bodies to improve the effectiveness and efficiency with which it achieves its identified priorities and desired outcomes.

The first principle emphasises the fact that kaunihera operate in the public sphere. In acting efficiently and effectively, your kaunihera must ensure it is also open, transparent and democratically accountable in accordance with the requirements of the LGOIMA.

The second principle places an obligation on local authorities, when assessing efficiency and effectiveness, to explore shared service options with other local authorities. Your CE will also provide advice on alternative service delivery options, a review required by s.17A LGA 2002.

How does a mayor/koromatua or chair know how well their kaunihera is doing?

// Me pēhea te koromatua e mōhio mēnā e whaihua ana tana kaunihera?

There are a range of options for measuring kaunihera performance which include:

- » performance against the targets set in its annual plan (the statement of service performance) and collated in each annual report,
- » surveys of citizens' satisfaction with kaunihera services, which most kaunihera carry out annually,
- » the prudent financial regulations required by central government and reported on in each kaunihera's annual report,
- » the statutory non-financial performance measures (infrastructure),
- » financial benchmarking against other kaunihera, and
- » annual well-being indicator reports.

However, mayors/koromatua and chairs need a much broader and comprehensive understanding of performance. Questions like, how good are our governance processes, does the kaunihera have an effective process for managing risks and are we exercising an appropriate level of stewardship? To answer these questions, LGNZ has developed CouncilMARK™, local government's excellence programme.



7

**Leading policy
and planning >>**



Te ārahi i ngā
kaupapahere me te
whakamahere >>

Wāhanga SEVEN

Mayors/koromatua and chairs are responsible for leading the development of planning, policy and budgets. It is a two-way process in which leaders get to know the community while at the same time ensuring that community concerns and aspirations are reflected in the kaunihera's ongoing programme of policy development.

It includes leading the development of strategic plans and policies that reflect these aspirations as well as overseeing the implementation of those plans and policies, both statutory and non-statutory. More information on each of these planning documents can be found in LGNZ's 'Good Governance Guide' Handbook at <https://www.lgnz.co.nz/our-work/our-policy-priorities/governance/>.

Policy leadership involves translating community aspirations into defined outcomes and, in many respects, as mayor/koromatua or chair, you get to monitor the policy and planning processes and so are best placed to ensure that such documents give effect to those aspirations.

Being an effective policy leader requires mayors/koromatua and chairs to be strongly connected to their communities, as you are a key person in determining the nature of the issues that inform policy choices and the aspirations and objectives that underpin your statutory plans. This requires you to be strongly "networked" and known by key local public services, community organisations, iwi and Māori, and institutions. You have a critical role in bringing communities together, brokering solutions and advocating for residents and ensuring their concern and issues are reflected in the kaunihera's policy and plan making.



The key policy and planning documents that you have a leadership responsibility for include:



The Long-Term Plan (LTP): LTPs are adopted in the mid-year of a triennium which means, unless you consciously amend your LTP, that a newly elected kaunihera will spend the first half its term implementing the programme adopted by its predecessor. To amend or change the LTP in the first year of your term requires what is known as an LTP amendment - your officials will provide you with advice. While planning for the adoption of your next LTP can start almost two years before it is adopted the critical feature involves meaningful engagement with communities at the start of the process, rather than at the end. And as mayor/koromatua or chair, you and your colleagues need to give officials a clear statement of your expectations and meet with officials regularly to ensure the draft LTP is on track to meet those expectations. Leadership may include:

- » setting the overall theme and context, this can include budgetary constraints and/or whether there should be a focus on specific well-being outcomes,
- » determining the priorities that should be reflected in the draft plan,
- » overseeing the process to ensure the kaunihera's objectives and priorities are being reflected in the planning process. This can involve different approaches, such as providing regular progress reports to a committee or subcommittee set up for the purpose.

Most importantly, an LTP is only as good as the information on which it is based. As leader you need to be confident that the kaunihera's information about the state of its infrastructure is correct and the assumptions which kaimahi are using, such as likely population growth or decline, are reasonable.

The annual report // Te pūrongo ā-tau: Annual reports tell your citizens whether the kaunihera has achieved the objectives and performance measures that you, as mayor/koromatu or chair, and councillors have agreed through the annual plan. It is an important document as it is a public statement of the governing body's accountability and performance. It is also important to remember that as mayor/koromatua or chair you sign off the annual report - along with the council's auditor. Annual reports must be audited and adopted by 31 October each year.

Significance and engagement policy // Te kaupapahere mō te hiranga me te whakawhiti kōrero: Local authorities must have a Significance and Engagement policy setting out their criteria for deciding how significant a proposal and decision are likely to be and, consequently, how they will engage with communities about it. As a rule of thumb, the more significant a proposal is the greater the level of engagement required. While the policy is intended to enable people to identify the significance of a particular issue, proposal, or decision and provide clarity about how and when communities can expect to be engaged in decisions about such matters, this is not always the case.

Your Significance and Engagement Policy is an important signal to your citizens and communities about how much you value their involvement in decision-making and how committed you are to ensuring your decision-making processes are inclusive. As a new leader you should make a review of your Significance and Engagement Policy a priority and it is important that any review is undertaken with your communities.





**Leading the
community >>**



Te ārahi i te
hapori >>

Wāhanga EIGHT

The role of community leadership is at the heart of the Local Government Act 2002 and the purpose it defines for local government:

- // a To enable democratic local decision-making and action by, and on behalf of, communities; and
- // b To promote the social, economic, environmental, and cultural well-being of communities in the present and for the future (s.10, LGA 2002).

It is up to you, the members of your kaunihera and your communities to decide how the purpose will be implemented to meet the needs of everyone. It is important to note, however, that the leadership style you adopt may have an impact on how successful you are at fulfilling your objectives and purpose.

Historically, leadership has been associated with a “strong” leader who sets an objective and uses whatever techniques are available to achieve that objective. It is a very hierarchical view of leadership that is simply no longer relevant. Today, successful leadership is associated with notions of inclusivity and collaboration – literally taking people with you and working alongside them in a co-productive way. This is often referred to as a shift from “hierarchical power” to “networked power”. To deliver better outcomes for communities, leaders need to learn to work with and through others.

Community wellbeing

// Te oranga o te hapori

Wellbeing is much more than the physical health of individuals and environments. It captures spiritual, mental and emotional wellbeing, resilience and enabling all people to feel a sense of belonging. You are now leading a kaunihera that carries the responsibility for supporting community wellbeing.

A study by the Institute for Public Policy Research (North)(IPPR)⁴ examined the different approaches that taken by local authorities to promote the quality of life and well-being of their towns and cities. Key themes identified by the IPPR were:

Inclusive growth: by using transport policy to prioritise poor neighbourhoods, using mayoral development corporations to provide quality jobs for local people, and championing the living wage and higher employment standards.

- » **Infrastructure:** by integrating land-use planning (incorporating planning, transport and housing) and working with central government to roll out financial innovations and housing investment.
- » **A healthy environment:** by embedding health in all public policy, introducing a clean air charter, and setting up an energy company.
- » **Effective public services:** by setting up a new company to pilot ‘invest-to-save’ in employment support, collaborating with districts to end homelessness, and improving the quality of housing by investing in a social lettings agency and rolling out landlord licensing.
- » **Inclusive democracy:** by empowering citizens and councillors to take part in collaborative governance, and enhancing local enterprise partnerships to include anchor institutions, and requiring new members to pay the living wage.

Engaging with Māori

// Te whakawhiti kōrero ki a Ngāi Māori

One of the most important relationships for your kaunihera is with your local iwi, hapū and Māori organisations. In fact, your kaunihera is likely to have multiple relationships with iwi and Māori, including Treaty-based relationships with mana whenua and policy relationships with maata waka groups (Māori who whakapapa to other areas).

As mayor/koromatua or chair, you play a vital role in both establishing relationships and ensuring relationships are meaningful and ongoing. It is recommended that you prioritise meetings with the mandated representatives of these organisations. You are also in a position to ensure that the kaunihera takes its relationships seriously and undertakes evaluation on a regular basis. LGNZ and Te Maruata, local government’s network of Māori in local government, can offer guidance.

⁴<https://www.ippr.org/north>

Initial steps that others have taken to recognise the importance of their relationships with Māori have included:

- » Inviting mana whenua to welcome the new kaunihera at the inaugural meeting with a mihi whakatau; and
- » Including an item on the agenda for the first meeting that discusses the nature of the kaunihera's relationship with iwi/Māori so that new members are brought up to speed, and which may include a presentation from mana whenua about how they perceive the quality of the relationship.

Many kaunihera and iwi will have an agreed Charter or Memorandum of Understanding. These agreements, which are signed by the mayor/koromatua or chair on behalf of the kaunihera and a kaumātua on behalf of the iwi, set the parameters for the relationship. Typically, they will describe how interactions between the iwi and local authority will occur, providing clarity at which level engagement should take place and may include an annual meeting between the senior leadership of both parties.

Most agreements include:

- » shared goals and values,
- » commitment to Treaty of Waitangi principles,
- » recognition of different engagement mechanisms,
- » agreement on process for Māori to engage with kaunihera,
- » methods of consultation with iwi/Māori,
- » method of conflict resolution,
- » a review clause,
- » resourcing provisions, and
- » commitment to capability development.

As more iwi negotiate settlements with the Crown there has been a growth in mana whakahono ā rohe, or iwi participation agreements. These agreements, which are often designed specifically for each situation, involve the Crown, iwi and local kaunihera with guidance on how they will work together within the context of the Resource Management Act 1991.

It is important to realise that mayors and chairs, as leaders of their respective organisations, will be expected to lead their councils' relationships with mana whenua. It will be vital that communication with mana whenua occurs regularly at both a formal and informal level. Most agreements will have provision for a regular review and assessment of the relationship, and it is important that your Iwi/Māori partners participate in these reviews on an equal basis. See the LGNZ Guide to Standing Orders for specific suggestions of how to incorporate regular engagement into your regular governance work, <https://www.lgnz.co.nz/our-work/our-policy-priorities/governance/>.

Community engagement // Te whakawhiti kōrero ki te hapori

It is critical that we maintain public trust in the integrity of the democratic process. Elected members must be proactive in their engagement with others and sharing publicly available information about kaunihera decisions and activities. They must take ownership and responsibility for their actions and not misrepresent themselves or others for personal gain. Elected members must also consider the interests of the whole community to reflect the wishes of most, rather than a sole group or special interest faction. This means you will need to always listen carefully to all advice and views and weigh up all the pros and cons before making recommendations or decisions.

Suggestions for keeping on top of local issues and identifying innovative solutions include:

- » Adopting a 'citizens' charter' whereby a set of principles for engagement are adopted and published.
- » Hosting regular meetings with your local Member of Parliament(s).
- » Organising a regular meeting with the heads of the leading organisations and agencies which are based in your town or city.
- » Look closely at your city's 'night' economy and whether or not you should appoint a 'night mayor/koromatua';⁵
- » Organise regular kaunihera sponsored forums with well-known speakers to encourage citizens to learn more about what's required to make your city a great place to live.
- » Hold online polls on challenging issues or matters where the support of residents is necessary to give the kaunihera a mandate and leverage to advance a critical issue.
- » Hold regular briefings with your local media.
- » Allow time at the start of meetings for citizens to raise issues that they wish.
- » Engaging with your community via social media channels.

Advisory panels and community appointments

// Ngā paewhiri tohutohu me ngā tūranga hapori

While your CE and their kaimahi are your kaunihera's primary advisors, you will often confront issues where local organisations may need to play a significant role, both for their knowledge and expertise about an issue, and also their mandate. For example:

- » A mayoral business forum or panel may be established to ensure that the mayor/koromatua and kaunihera can engage directly with business leaders about the economic well-being of their city;
- » A regional advisory panel drawn from environmental organisations within the region may be set up to give a chair independent advice on the state of the environment; and
- » A mayoral youth forum might be established to ensure youth are able to speak directly to the kaunihera's leadership.

Both are examples of structures established to give decision-makers direct access to sectors within their communities which have a perspective that is important for policy making. They also show that the kaunihera is taking an issue seriously as well as providing opportunities for co-designing future solutions. Another approach is to appoint representatives from different sectors onto relevant standing committees.

Some mayors described how they were in constant contact with their communities. One described their practice of being interviewed by Community TV after every council meeting and of having a recording of the interview placed on the council website.

Another makes a point of meeting three to four times a year with community groups in each of the district's towns as well as with the Department of Conservation, and iwi (LGNZ survey of mayors, 2014)

⁵See report on the night economy from <https://nzinitiative.org.nz/reports-and-media/reports/living-after-midnight-for-a-better-night-time-environment/>

Increasing participation and community inclusiveness

// Te whakapiki i te whakaurunga me te kauawhitanga o te hapori

Co-designing and co-producing services see kaunihera and communities working with each other in partnership. The result is greater inclusivity. Specific activities that can increase inclusiveness are the following.

Participatory budgeting: whereby a share of your annual budget is earmarked for a specific area and a representative sample of that area's population is charged with determining how that earmarked amount is spent.

Citizen assemblies: a way of resolving complex and controversial questions. Citizens' assemblies involve selecting a large group of citizens who profile as a community and tasking them with solving a troubling or complex issue, such as rewriting a constitution or working out how to deal with the impacts of climate change.

Devolving responsibilities to community boards: inclusivity can be enhanced by shifting decision-making on relevant matters to community boards, shifting decision-making closer to communities enabling them to participate in a way that would otherwise be difficult.

More information on each of these options can be found in the Good Governance Guide at <https://www.lgnz.co.nz/our-work/our-policy-priorities/governance/>

Engaging with Media *// Te whakawhiti kōrero me te hunga pāpāho*

Transparency and accountability are critical to your success and the media are critical stakeholders in communicating kaunihera messages to wider audiences. You should consider media engagements as an opportunity to share your kaunihera's work and success and to seek wider engagement in the challenges faced by the community.

Consider options such as arranging media briefings after each kaunihera meeting or on a weekly basis, where journalists can ask you, and others, such as the CE or a committee chair, questions about the kaunihera, its policies and programmes; live-streaming kaunihera and committee meetings; providing regular briefings to all media; and putting all information, except that which is confidential, on the web for public scrutiny.

When the media calls asking for comment on issues or kaunihera decisions, make sure you take all the details and think carefully about your messages before answering. It's perfectly okay to call the journalist back when you're ready and know what you want to say. Practice your responses with your communications advisor or get advice from LGNZ – our media team are always here to help.





Specific duties >>



Ngā mahi
motuhake >>

Wāhanga **NINE**

There are a range of specific duties or functions that tend to fall under the responsibility of a mayor/koromatua or regional council chair. Below are some of the most important.

Calling a state of local emergency // Te karanga tūohotata ā-rohe

Under the Civil Defence Emergency Management Act (CDEM Act) 2002 a mayor/koromatua can declare a state of local emergency. Where this occurs, CDEM Controllers are able to exercise additional powers to direct and coordinate personnel, material and other resources for an effective and timely response to an emergency.

It is important to note that declaring a state of local emergency enables powers that can restrict an individuals' normal rights, and should only be used where the powers are, or are likely to be, necessary.

Controllers are officials whose role is to lead, direct and coordinate the response to an emergency, whether at national, local or group level. Given their statutory powers, functions and community responsibilities, controllers are usually first or second tier kaunihera managers.

Your controller will have a checklist for you to use when considering whether a declaration is needed and can advise you on the arrangements your CDEM Group has in place.

The following tests should be met before a state of emergency is called, although an element of judgement is always required. If access to extra-ordinary powers is required (or may be required), such as needing an evacuation, then a state of local emergency should be declared.

Criteria to be met in order to call an emergency // Ngā paearu hei whakatutuki i mua i te karanga tūohotata



A declaration of a local state of emergency can only be made if all the tests in the CDEM Act are met.

// 1

Does it appear to you that an emergency has occurred or may occur within the area?

// 2

Is the situation an emergency as defined in the CDEM Act 2002?

- » The result of a happening, whether natural or otherwise including, without limitation, any explosion, earthquake, eruption, tsunami, land movement, flood, storm, tornado, cyclone, serious fire, leakage or spillage of any dangerous gas or substance, technological failure, infestation, plague, epidemic, failure of or disruption to an emergency service or a lifeline utility, or actual or imminent attack or warlike act; and
- » Causes or may cause loss of life or injury or illness or distress or in any way endangers the safety of the public or property in New Zealand or any part of New Zealand; and
- » Cannot be dealt with by emergency services or otherwise requires a significant and co-ordinated response.

Indicators that an emergency may require a significant and coordinated response include:

- » many agencies involved,
- » lifeline utilities aren't functioning or are having difficulty functioning,
- » social utilities such as schools are closed, and
- » the consequences of the emergency are complex, and effective community support may require significant coordination.

A local state of emergency expires after seven days. You may need to extend the declaration of the emergency if powers are still required, or you can terminate it earlier if it is no longer needed.

Local Transition Notices **// Ngā Pānui Whakawhitinga ā-Rohe**

The CDEM Act also provides for a mayor/koromatua, (and a member of a Civil Defence Emergency Management Group if appointed), to give notice of a local transition period following an emergency. This provides powers for recovery managers to manage, co-ordinate or direct recovery activities.

A local transition notice period ends 28 days after the time and date from which it came into force, but you retain the option to extend the period, or you can terminate it earlier if it is no longer needed.

Further information can be found on the National Emergency Management Agency website www.civildefence.govt.nz/ particularly factsheets on declaring states of emergency and transition periods.

Citizenship ceremonies – mayor/koromatua only **// Ngā hui kirirarautanga – te koromatua anake**

The Citizenship Regulations Act 2002 enables mayors/koromatua to hear the citizenship oath or affirmation. Until this process is complete, an applicant is not deemed to be a New Zealand citizen. The Department of Internal Affairs (DIA) will provide the necessary guidance and certificates, but you are encouraged to design citizenship ceremonies that reflect the character of your district and acknowledge the traditional role of iwi and Māori.

Your kaunihera will have a memorandum of understanding with DIA that describes the nature of the assistance available from the Department, for example:

- » Schedule of dates for citizenship ceremonies,
- » New Zealand citizenship certificate,
- » If required, copies of Choice Whiriwhiria, the commemorative book and/or DVD, and
- » Oath, affirmation and national anthem cards.

Being a Justice of the Peace **// Te tū hei Mana Whakaaio**

Once elected you become a Justice of the Peace for the length of your tenure as mayor/koromatua. This requires you to carry out functions concerned with the administration of documentation and justice such as:

- » Witnessing documents such as land transfer documents, and
- » Certifying copies, taking Statutory Declarations, and affidavits.





**Retiring as mayor
or chair >>**



Te rihaina hei
koromatua, hei
ūpoko rānei >>

Wāhanga **TEN**

For the many mayors/koromatua or chairs who make the decision to voluntarily stand down or retire, the following question can come to mind: “what can I do to ensure that the good work continues”? Putting thought into succession planning will increase the chances that a departing mayor or chair leaves with confidence.

Neither mayors/koromatua nor chairs can choose their successor. However, there are a number of actions that you can take during your time in office to help build the skills of others, including the appointments of your deputy and committee chairs. Giving others responsibility for leading a high-profile policy area, to act as a spokesperson, delegating responsibilities to committee chairs or allowing others to attend meetings and seminars so that they better understand what being a mayor or chair entails are all good ways to build confidence and capability in others and give them a taste of what it’s like to lead.

Whether you’re retiring or planning to stand again, it is helpful to provide a briefing for your successor to open when they take office. In that briefing, you could outline the priorities that the council pursued under your leadership, what you see as the achievements, the work still in progress and any hints on getting things done.

Providing advice to the incoming council can also involve the full governing body. If they agree, it’s the sort of matter that might be a useful topic for a workshop. It might also involve a review on how well the decision-making structure worked or didn’t.

The interregnum // Te wā tārewa

Between polling day and the swearing in of members at the first meeting of the new kaunihera, there is a period of approximately two weeks where no elected members are available to make decisions. As mayor/koromatua or chair, you should ensure that the governing body has passed a “time-limited” delegation to the CE to give them a broad discretion to act, should urgent matters arise. The LGNZ Guide to Standing Orders has advice on this matter, including a draft delegation for the period.

11

**Mayors/Chairs
elected mid-term**

>>



Ngā koromatua/
ūpoko i pōtihia i
waenga wāhanga

>>

Wāhanga ELEVEN

Mayors and chairs who are elected or chosen between elections inherit a governance environment that they have limited ability to change - the deputy mayor or chair will be in place, committees and delegations approved, critical documents adopted, and the kaunihera's priorities and spending agreed.

Regardless, there are steps you can take to get up-to-speed quickly, establish your own approach, and to increase the chances of your success.

Expect your CE to provide a comprehensive briefing on the way in which the kaunihera works (including how they worked with your predecessor), the LTP and any issues that you need to get on top of quickly. As part of that briefing don't hesitate to discuss how you and the CE will work together in the future. You are not obliged to follow the style adopted by your predecessor.

One on one meetings with all councillors

// Te hui tahi me ia kaikaunihera

Ask your office to set up one on one meetings with each of your councillors. These meetings are to understand their reasons for becoming a councillor, their view of current performance and to understand their thoughts and expectations about the remainder of the term. You should also seek agreement to hold an "away day" to not only get yourself up to speed, but also to create a culture and style of working that you feel comfortable with. It will give members a chance to review progress against the kaunihera's priorities and to get to know you.

A majority of councillors will need to support any changes to the governance model that you may wish to make, such as changing the deputy mayor or chair, amending the committee structure or replacing committee members or chairs. Ensure you have majority support before formally placing these matters on the agenda.

Finding a mentor

// Te rapu kaiārahi

One of the quickest ways of getting up to speed is to have a mentor, ideally a retired mayor or chair who you can contact for advice on an 'as required' basis, or an existing mayor who is prepared to be a buddy. LGNZ is happy to suggest a possible mentor or buddy.

Learning about local government

// Te ako i ngā mahi a te kāwanatanga ā-rohe

Learning how local government works, how LGNZ represents its members and the nature of the relationship between local government and central government will help you meet your political expectations and goals for your community. It's particularly important for a new mayor who has never been in local government before.

One way of getting up to speed quickly is to ask LGNZ to organise a briefing programme for you. This involves spending a few days in Wellington during which you will receive briefings from LGNZ officials, meet central government officials, Ministers if possible, and parliamentary agencies like the Office of the Auditor-General.



Appendix

Āpitihangā

A.

How to be a good mayor – responsibilities and competencies

// Me pēhea te tū hei
koromatua/ūpoko pai – ngā
kawenga me ngā pūkenga

// 1. Provide vision and strategic leadership.

- » You understand your council and community's social, cultural, political, economic and environmental context. You factor trends that might affect your community's wellbeing, into your council's policy, planning and operations.
- » You lead meaningful engagement to create a compelling community vision – and plans that deliver on that vision.
- » You lead the council in creating an LTP, annual plans, strategies and budgets that reflect your community's vision and can also respond to unexpected events.

// 2. Ensure good governance.

- » You chair meetings in an inclusive and collaborative manner that generate collective buy-in to council decisions.
- » You role model good governance behaviours. That means, embedding good decision-making practices, collective responsibility and regular performance reviews.
- » Your committee structures are competent and balanced, and well chaired and supported. Terms of reference reflect your council's work and priorities.
- » You create opportunities for councillors and ensure they can access professional development, including mentoring.
- » You make sure councillors work collaboratively and respectfully. Your council is a team. Divisive or unacceptable behaviour is resolved quickly and effectively.

// 3. Support and partner with the CE.

- » You ensure your council has the right CE. They have the requisite personal values, skills and experience to deliver on the community's aspirations and consistently perform to a high standard.
- » You build a strong, productive, professional relationship with the CE, with a 'No secrets' and 'No surprises' basis. Under your leadership, your CE delivers community outcomes, annual plans and your LTP.
- » You and your CE set clear KPIs, you provide regular feedback, ongoing development opportunities and support.
- » You make sure your CE builds and leads an organisation that is safe and healthy, with a workforce that can deliver on your vision and LTP.

// 4. Champion community Interests.

- » You engage with all parts of the community to understand their issues and concerns, and make sure they're considered in decision-making. Communities can participate in the design and provision of services.
- » You create a governance and administrative culture that delivers value to residents – and responds quickly and constructively to concerns and complaints.
- » You advocate for additional funding and support (including from central government and critical stakeholders) where that's needed.

// 5. Be council's leading relationship builder and advocate.

- » You build strong, productive relationships with all organisations that contribute to community outcomes in your council's rohe. This includes other councils, LGNZ, government departments, community groups, Iwi/Māori, urban and rural interests, business etc.
- » You're the leading advocate for your district's interests and needs. That means your council's vision and strategy are articulated to all relevant organisations, including the media.
- » You understand central and local government politics and support mechanisms (including LGNZ). You navigate these effectively to promote your district and achieve results for your council and the community.
- » You build a sense of civic pride, community identity, and inclusive citizenship – for current and future generations.

// 6. Build strong Iwi relationships.

- » You have an appreciation of Te Tiriti o Waitangi. You ensure the significance and relevance of Te Tiriti is understood by your council, the organisation, and the community.
- » You lead your council's relationship with mana whenua, and ensure partnerships are nurtured and maintained.

// 7. Champion good financial and risk management.

- » You understand your council's finances. You ensure budgets are met and prudent financial strategies are adopted.
- » You ensure risks (including financial, legal, technical, engineering and people) are identified and eliminated – or managed and monitored.
- » You have a good understanding of funding opportunities, options, and availability.

The top 20 tips from successful mayors

// Ngā tino kupu āwhina 20 a ngā koromatua/ūpoko whaihua

// 1. You need a strong relationship with your CE.

The most important relationship in your council is you and your CE. Neither of you can succeed without the other. Invest in that relationship. Protect and support your CE. Make sure you have a two way 'No Secrets' and 'No Surprises' relationship with your CE. Each of you must be able to trust and rely on the other.

// 2. Know the 'Rules'.

Make sure you know standing orders, Code of Conduct; LGAct; Delegations/Committees of council and their functions and that you are an effective chair. Ask for feedback on your performance from your councillors on your chairing. It's not about dominating the meeting. A great chair can be low profile but shepherds the meeting effectively to a successful outcome.

// 3. Care for and grow your councillors.

Spend time with and mentor your new or weaker councillors or ensure they get the mentoring and/or professional development support they need. Make sure their point of view gets heard. Frustrated or unsuccessful councillors will damage your council's performance and the community's trust. You need them to grow and contribute, not feel marginalised and become negative or disruptive.

// 4. Build and maintain a big network of key stakeholders.

Develop a communications database and programme which maintains relationships with CE, councillors, community boards, Iwi, community (being everything from ratepayer groups to businesses etc. and external agencies), other TA's, LGNZ, government agencies, businesses, Ministers, and other groups that contribute to the well being of the district.)

// 5. Your brand is your council's brand.

You are always being watched. So, your behaviour in every situation needs to enhance your council's brand. Tiredness or 'a few drinks' or feeling 'off duty' is never an excuse. Stay outwardly positive and optimistic. Also be humble – you are the leading servant of your district. Don't be a victim of your ego.

// 6. Build a small circle of trusted advisors.

Develop a network of people and experts outside your council you can use for advice and as sounding boards. Make sure you constantly hear from people who have different views to your own. Stay open minded.

// 7. Praise in public – criticise in private.

Never criticise your CE, staff, or councillors in public – or allow them to be criticised. Any performance issues should be dealt with in private.

// 8. Speak often and well.

When you speak in public, know your subject, and put yourself in your audience's shoes as you prepare. It's essential to customise your message to your audience.

// 9. Use the “Newspaper Test”.

Use the 'How would my actions look on the front page of the city/district paper' test to help you make choices. Be honest and show integrity. Don't rely on anything remaining unknown to your community.

// 10. Know your numbers and detail

better than any other councillor. Know the current work programme and fiscal situation from the LTP and Annual Plan. Know what's going on in your district and region so you get early warning of issues and opportunities.

// 11. Be highly visible in your community.

Take every community invitation seriously. Your attendance is important to those involved and you can easily offend.

// 12. Know your priorities.

Always have a set of priorities you want to achieve and constantly re-evaluate that list.

// 13. Keep an open mind – see all sides of an issue.

Problem resolution is a big part of the job, which requires you not to be quick to jump to conclusions or have a closed mind, but to ensure you have all the information pertinent to an issue and understand other perspectives.

// 14. A good assistant is vital.

Get yourself a highly capable PA or exec assistant to help you stay organised and put time where it is best used. You won't regret having a more senior person in this role than you might think you need.

// 15. Protect councillor/staff relations.

Your councillors will inevitably want to interact with staff (and vice versa). This is generally an asset for all parties. Keep an eye on councillor behaviour towards staff. Staff don't work for councillors. Councillors don't set or change staff priorities. Councillors must not over or misuse their access to staff. If a Councillor has complaints or concerns over staff behaviour, they should raise these with you or the CE – never with the staff member.

// 16. Be ready for an emergency.

Have an understanding of the Mayor's role in civil defence and emergency management, and other crises. Emergencies and crises will require significant engagement with media of all kinds, so it is important to ensure your media skills are up to scratch. When an emergency or crisis hits it's too late to reach for the manual, so be prepared.

// 17. Maintain openness and transparency

Ensure Council operates in an open and constructive way. Keep communication open and decision-making criteria clear and robust. Ensure decisions are well documented.

// 18. Executive summaries must be your friend.

With so many papers to read, you and your councillors can struggle to stay across the critical bits of information in often very lengthy reports. Instruct your CE to make sure all reports have high quality brief executive summaries that highlight all that's important. Use these to make sure that you're across the critical information.

// 19. Look after yourself.

The role of Mayor can be all encompassing and at times, overpowering. If you don't look after yourself, your success will eventually suffer. Things to consider are:

- // a You can't be all things to all people, so don't even try.
- // b You can't do everything; don't be afraid to delegate attendances at events on occasions.
- // c Set time aside for what is important. Your community will probably fill your diary if you let it so block out time in advance for yourself; to exercise, to relax, to spend time with family and friends, then do it without guilt.
- // d Use the "Do Not Disturb" function on your phone; set a time at night for when your phone will stop alerting you to calls/messages. Think about doing the same for mealtimes with family, or put it in another room while you eat. (Note - phones can be set so some calls get around this function, say from your CEO or CDEM manager).
- // e Find people you can confide in as this can be a lonely job. Consider informal catchups with other Mayors, perhaps remotely, as they are the only ones who know what the job is like
- // f Take the role seriously, but don't take yourself too seriously.

// 20. Get a good media advisor.

As your community's key spokesperson, you'll be called upon to comment on all sorts of issues. Make sure you're prepared. Never answer questions straight off the bat - get some advice and always have strong key messages that you stick to.



Appendix

Āpitihanga

B.

**s.41A Mayoral
Powers >>**



s.41A Te Mana
Whakahaere o te
Koromatua >>

In 2012 the Government amended the LGA 2002 to provide mayors/koromatua with a range of new powers. In addition to clarifying their leadership roles, the Act was amended to allow a mayor/koromatua to make specific appointments. As the legislation went through select committee, kaunihera were given the right to overturn a mayor/koromatua's appointment.

// 1.

The role of a mayor/koromatua is to provide leadership to:

- // a The other members of the territorial authority; and
- // b The people in the district of the territorial authority.

// 2.

Without limiting subsection (1), it is the role of a mayor/koromatua to lead the development of the territorial authority's plans (including the Long-Term Plan and the Annual Plan), policies, and budgets for consideration by the members of the territorial authority.

// 3.

For the purposes of subsections (1) and (2), a mayor/koromatua has the following powers:

- // a To appoint the Deputy mayor/koromatua;
- // b To establish committees of the territorial authority;
- // c To appoint the chairperson of each committee established under paragraph (b), and, for that purpose, a mayor/koromatua:
 - i. May make the appointment before the other members of the committee are determined; and
 - ii. May appoint himself or herself.

// 3A⁶

However, nothing in subsection (3) limits or prevents a territorial authority from:

- // a Removing in accordance with Cl. 18 of sch. 7, a deputy mayor/koromatua appointed by the mayor/koromatua under subsection 3a; or
- // b Discharging or reconstituting, in accordance with cl. 30 of Sch. 7, a committee established by the mayor/koromatua under sub section (3) (b); or
- // c Appointing, in accordance with cl. 30 of Sc. 7, one or more committees in addition to any established by the mayor/koromatua under subsection (3)(b), or
- // d Discharging, in accordance with cl. 31 of Sch. 7, a chairperson appointed by the mayor/koromatua under subsection (3)(c). (LGA 2002).

// 4.

A mayor/koromatua is a member of each committee of a territorial authority

// 4A

To avoid doubt a mayor/koromatua must not delegate any of his/her powers under subsection (3)

// 5.

To avoid doubt:

- // a Clause 17(1) of Sch. 7 does not apply to the election of a deputy mayor/koromatua of a territorial authority unless the mayor/koromatua of the TA declines to exercise the power in subsection (3)(a); and
- // b Clauses 25 and 26(3) of Sch. 7 do not apply to the appointment of the Chairperson of a committee of a territorial authority established under subsection (3)(b) unless the mayor/koromatua of the TA declines to exercise the power in subsection (3)(c) in respect of that committee.

Appendix

Āpitihanga

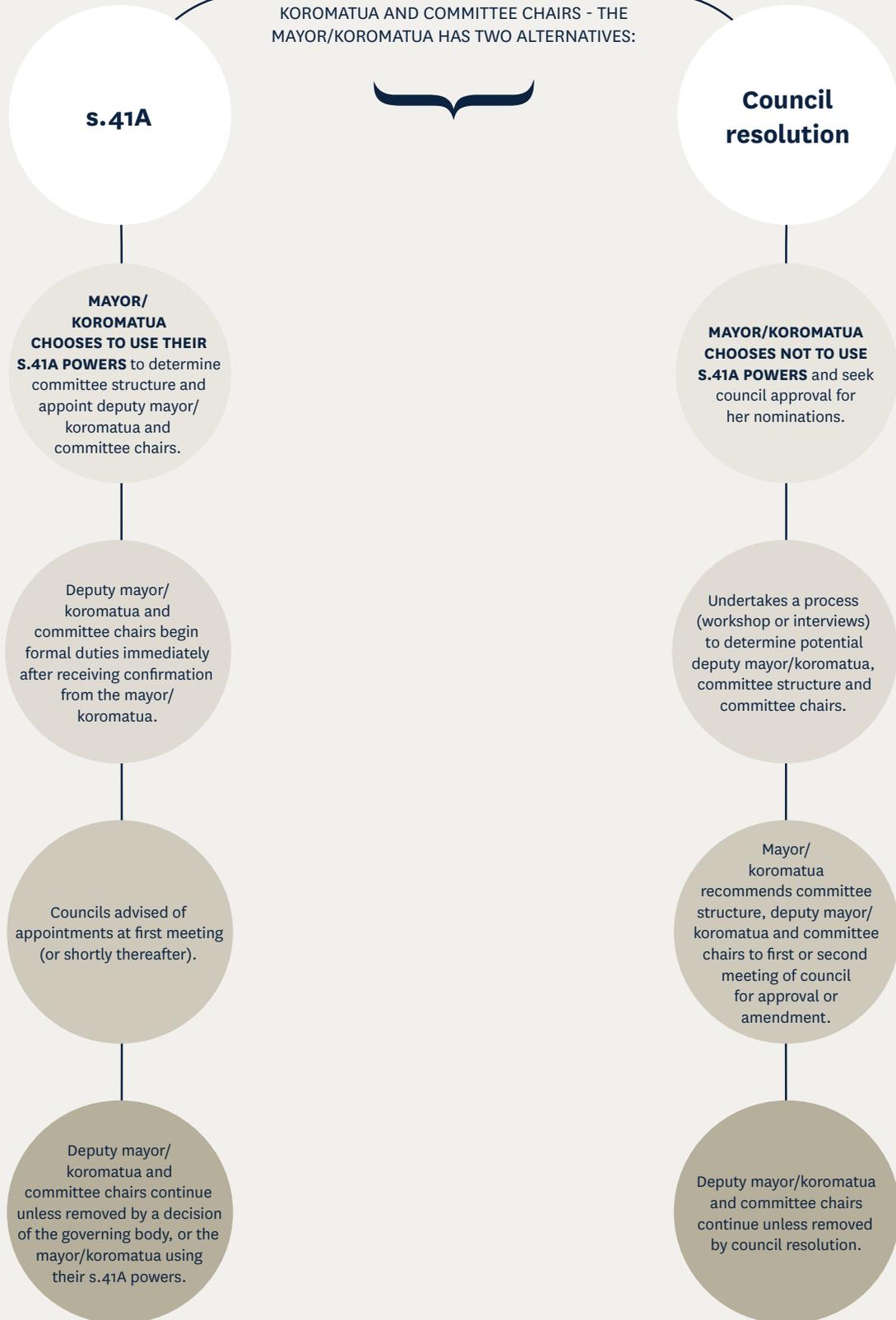


**Mayoral Powers
flow diagram >>**



Hoahoa rerenga
o te Mana
Whakahaere o te
Koromatua >>

AS SOON AS POSSIBLE AFTER AN ELECTION, THE CHIEF EXECUTIVE BRIEFS THEIR MAYOR/KOROMATUA ON OPTIONS FOR THE COMMITTEE STRUCTURE AND THE APPOINTMENT OF THE DEPUTY MAYOR/KOROMATUA AND COMMITTEE CHAIRS - THE MAYOR/KOROMATUA HAS TWO ALTERNATIVES:



Appendix

Āpitihanga

D.

**Portfolio holder
job description
(example) >>**



Te tūtohu mahi a
te kaipupuri kōpaki
mahi (he tauira) >>

Portfolio holder job description - Wellington City Council

// Te tūtohu mahi a te kaupupuri
kōpaki mahi – Te Kaunihera o
Pōneke

- » Ensure progress is made towards the Council's strategic priorities and projects within their portfolio responsibilities.
- » Play a strategic and policy leadership role in their areas of responsibility assisting the council to meet its strategic objectives.
- » Enhance relationships with key stakeholders.
- » Act as the Council's spokesperson and point of contact for those activities within their portfolio responsibility.
- » Collaborate with committee chairs and other portfolio leaders where objectives are shared.
- » Work effectively with council officers.
- » Attend any advisory groups or external appointments made and ensure an alternate is available if they cannot attend projects and activities.
- » As far as possible attend council launches of new activities and projects in their area of responsibility.
- » Ensure council's advisory groups have effective input into their areas of responsibility.
- » Meet regularly with the Mayor, Deputy Mayor, Chief Executive, Chair and senior staff.
- » Keep the Mayor informed of emerging issues.
- » Maintain a no-surprises approach for elected members and staff.
- » Raise issues of Council performance with assigned executive leadership staff member in the first instance, following up with the Chair, Mayor and CE if necessary.

The portfolio leader also facilitates informal policy discussion between elected members, public and officials on matters within their responsibility.

Portfolio topics – Hastings District Council

// Ngā kaupapa kōpaki – Te
Kaunihera ā-Rohe o Heretaunga

- » Long term financial planning
- » Safeguarding our money
- » Our places
- » Our economy
- » Protecting our communities
- » Our water
- » Planning our assets for tomorrow
- » Ambassador for Hastings
- » Community engagement
- » Our people
- » Partnerships and uplifting our communities
- » Our environment
- » Moving around and operations.

Appendix

Āpitihanga

E.

**Structures for
managing your
Chief Executive >>**



Ngā anga hei
whakahaere i tō
Tumu Whakarae >>

Under the Local Government Act 2002 (Act), every local authority must appoint a Chief Executive (CE). This Appendix looks at the types of structures a local authority may put in place to undertake performance reviews, and to deal with any other management issues that may arise in relation to the CE's employment and provides advice on establishing a CE performance committee.

Under clause 34(2) of Schedule 7 of the Act, the local authority and the CE must enter into a performance agreement. It is usual for a performance agreement to provide for periodic reviews and a structure will need to be put in place for the reviews to be completed. A local authority may wish to have a permanent structure in place to deal with any issues that arise in relation to the management of the CE.

Structures

If a local authority wishes to implement a formal structure, the two main options to choose from are a committee or a subcommittee⁷. A committee reports to the local authority. A subcommittee can report to another committee or to the local authority directly (clause 30 of Schedule 7 of the Act).

Each local authority has a certain amount of flexibility associated with its committee/subcommittee structures. A local authority is able to discharge or reconstitute a committee or subcommittee at any time. However, unless the local authority resolves otherwise, following a triennial general election, a committee or subcommittee will be deemed to be discharged on the coming into office of the newly elected members (clause 30 of Schedule 7 of the Act). **In this situation, we recommend that such a committee/subcommittee should be subject to a non-discharge resolution. It avoids the situation, where after the triennial general election, there is no direct liaison point for the CE.**

Similarly, it is desirable to have a standing committee or subcommittee rather than appoint an ad hoc committee each time an issue arises with a CE. A standing committee or subcommittee can build a more meaningful relationship with the CE, and this makes it more manageable to deal with issues in a timely manner if they arise.

Membership

The local authority may appoint or discharge any member of a committee or subcommittee. The minimum number of members for a committee is three and the minimum number of members for a sub-committee is two (clause 31(6) of Schedule 7 of the Act).

In the case of a committee, at least one member must be an elected member of the local authority (clause 31(4) of Schedule 7 of the Act). In the case of both a committee and a subcommittee, a person who is not an elected member may be appointed to the committee but only if, in the opinion of the local authority, that person has the skills, attributes, or knowledge that will assist the work of the committee or subcommittee (clause 31(3) of Schedule 7 of the Act).

The Act expressly prohibits an employee, acting in the course of their employment, from acting as a member of a committee unless that committee is a subcommittee (clause 31(4) of Schedule 7 of the Act).

It is up to each local authority to determine the size and membership of the committee or subcommittee. However, in this situation, a relatively small committee or subcommittee would seem appropriate where the body is dealing with the performance review and management issues of one employee albeit the CE.

The local authority may well want to consider whether or not it appoints a non-elected member to a committee or subcommittee. Any non-elected members would need to have relevant experience in such areas as executive employment issues and performance management, and provision will be needed for their remuneration.

Powers

The local authority needs to consider what delegations will be made to the committee or subcommittee. There are two options for a local authority. The committee/subcommittee can have delegated authority to carry out activities within its terms of reference, or alternatively, it can have the more limited power to recommend to the local authority a particular course of action. However, it should be noted that under clause 32(1)(e) of Schedule 7 of the Act, a local authority is not permitted to delegate the actual power to appoint a CE.

Examples of delegations could include:

- » Approving the employment agreement between the local authority and the CE and setting key performance indicators in a performance agreement.
- » Working with the CE on the implementation of the performance agreement.
- » Conducting any performance reviews required by the performance agreement.
- » Making decisions about the remuneration of the CE.
- » Conducting any statutory performance reviews under clauses 34 and 35 of Schedule 7 of the Act.
- » Deciding any other issues that may arise in relation to the employment or performance of the CE.
- » Fulfilling the local authority's contractual obligations to the CE.
- » Disciplinary or performance issues that may need to be addressed/investigated relating to the CE.

If external advisers are not members of the committee or subcommittee, then it would be appropriate for the committee/subcommittee to take advice from people who have relevant experience in executive employment issues and performance management. This should be provided for in the delegations to the committee/subcommittee. A financial limit may also be appropriate so that the committee/subcommittee may contract for advice up to a certain amount. If the power to take advice from external advisers is omitted from the delegations, the committee/subcommittee will have no power to seek external assistance as and when required.

Reporting to and involvement of full Council

The establishment of a committee or subcommittee does not mean that the full Council will not be involved in the performance review process for a CE, or have knowledge of various employment issues that have arisen between the Council and the CE. In this respect, we recommend that the committee/subcommittee reports to the full Council on a regular basis.

During the performance review process, it would also be appropriate for the committee or subcommittee to seek input from councillors who are not members of the committee on the performance of the CE.

Meetings

Meetings of the committee or subcommittee will need to be conducted in accordance with the Act, the Local Government Official Information and Meetings Act 1987 (LGOIMA), and the Council's Standing Orders. In addition:

- » A Chairperson will need to be appointed to the Committee or Subcommittee.
- » The Council will need to decide whether the committee or subcommittee meets on a regular basis or as and when required. If meetings are scheduled on a regular basis, this will provide an opportunity for the CE and the Council to discuss issues at regular intervals.

A further decision will need to be made as to whether particular meetings should be conducted with the public excluded. This would be the usual practice, but the local authority will need to meet the requirements of section 48 of the LGOIMA.

A common ground for excluding members of the public in this instance would be to protect the privacy of natural persons (sections 48(1)(a)(i) and 7(2)(a)). However, it is not possible to exclude members of the public on the ground of protecting the free and frank expression of opinions by or between, or to members or officers or employees, of a local authority in the course of their duty (sections 48(1)(a)(i) and 7(2)(f)).

Finally, it should be noted that under section 45(2) of the LGOIMA, any meeting of a local authority or of any committee or subcommittee of a local authority, at which no resolutions or decisions are made is not a meeting for the purposes of part 7 of the LGOIMA. This means part 7 will not apply if the committee/subcommittee and the CE get together simply for a general discussion.



