



Office of the Information Commissioner
Queensland

Publishing information about council meetings and discretionary funds

Report No. 1 to the Queensland Legislative Assembly for 2023-24

Acknowledgement of Country

The Office of the Information Commissioner acknowledges Aboriginal and Torres Strait Islander peoples as the First Australians and recognises their culture, history, diversity and their deep connection to the land, waters and seas of Queensland and the Torres Strait. We acknowledge the traditional custodians of the lands on which we operate and wish to pay our respects to their Elders past, present and emerging.



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November 2023

Mr Peter Russo MP
Chair
Legal Affairs and Safety Committee
Parliament House
George Street
Brisbane QLD 4000

Dear Mr Russo

I am pleased to present '*Publishing information about council meetings and discretionary funds*'. This report is prepared under section 131 of the *Right to Information Act 2009* (Qld).

The report outlines how well certain Queensland local governments meet the obligation to publish information about:

- council meetings, and
- decisions to budget discretionary funds for use by councillors and councillors' allocation of those funds to the community.

In accordance with subsection 184(5) of the *Right to Information Act 2009* (Qld), I request that you arrange for the report to be tabled in the Legislative Assembly.

Yours sincerely



Stephanie Winson
Information Commissioner (Acting)



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Summary

Queenslanders want access to government information. A significant majority of community survey respondents in Queensland think it is important that the public can access government-held information that affects the community.¹

The *Right to Information Act 2009* (Qld) recognises the need for openness and accountability.² The Act promotes open government, including a free flow of information between all sectors of government and the community. This increases community awareness of and participation in democratic processes. It leads to more informed government decision-making.

At the local government level, two key types of information support community involvement in and transparency of government decision making:

- Council meetings – when council meetings are being held, what is discussed, how to observe or participate and the nature of council decisions.
- Councillor discretionary funding – available funds and councillors' allocation of funds to community organisations.

The *Local Government Act 2009* (Qld) and *Local Government Regulation 2012* (Qld) require local governments to make a range of information or documents publicly available about council meetings and councillor discretionary funding. These minimum reporting requirements are part of the foundation for open and accountable local government.

Key findings, conclusions and recommendation

This online desktop audit found that the six local governments we assessed:

- meet and exceed publication requirements for council meetings
- generally meet publication requirements for councillor discretionary funding.

1 Woolcott Research and Engagement and the Office of the Information Commissioner Queensland (June 2021) 'Cross Jurisdictional Information Access Study (Queensland)', page 4. Available at https://www.oic.qld.gov.au/__data/assets/pdf_file/0008/49994/cross-jurisdictional-information-access-study-2021-qld.PDF. Respondents were asked 'How important is it to you that you have a right to access government information?' 48 percent said it was very important and 38 percent said it was important, a total of 86 percent of respondents.

2 *Right to Information Act 2009*, available at <https://www.legislation.qld.gov.au>.

The local governments inform the community about upcoming and finalised council decisions. They help people to observe meetings. Four local governments assist people to take part in meetings. This is active open government.

There are opportunities for local governments to do more to make people aware of the availability of councillor discretionary funds, and find out where the funds have gone.

We have made one recommendation to all local governments about allocation notices. A stringent approach to informing the community about recipients will enhance public confidence in the transparency of local government and the probity of councillor decision-making.

Council meetings

The legislation requires local governments to inform the public in advance about the dates and times of council meetings, and meeting agendas, including any related reports. After a council meeting, local governments must publish minutes of council meetings. The six audited local governments meet these requirements.

All local governments publish recordings of the council meetings. Five local governments livestream the meetings. These practices promote public awareness.

While not a requirement of the *Local Government Act 2009*, it is good practice for local governments to promote public participation at council meetings. Four local governments actively use their websites to advise the public how to participate in council meetings, for example to address the meeting or ask questions.

Decisions to budget discretionary funds for councillor use

A local government may budget funds that councillors can use at their discretion to support the community. The *Local Government Regulation 2012* sets out the requirements for making the public aware of the decision to budget for discretionary funds that are available for councillor use and accounting for how councillors allocated the funds.

In 2023-24, two of the six audited local governments budgeted for councillor discretionary funds. Both local governments generally meet all publishing requirements of the *Local Government Regulation 2012*, including advising people of the availability of funds, and how councillors allocated the funds.

One local government has not published the name of each organisation or individual receiving funds. This is an important issue for local government accountability and

public scrutiny of public spending decisions. We have made a recommendation to all local governments to ensure they publish this information.

Local governments should advise the community at the start of a financial year about the availability of councillor discretionary funds, whether there are funds budgeted or not.

Four local governments did not budget for councillor discretionary funding and did not provide advice about this decision at the start of the financial year. Three of these local governments commented on it in their annual reports at the end of the financial year.

We encourage all local governments to consider advising the public about the availability of councillor discretionary funding either in their budget papers or on their website at the start of each financial year.

We encourage all local governments to adopt good practices. We make one recommendation to all local governments to ensure they meet all legislative publishing requirements.

We recommend that local governments name all recipients of councillors' discretionary funds in their published allocation notices.



1. Context

In Queensland there is a commitment to open and transparent government.³ The local government principles⁴ include ‘...transparent and effective processes, and decision-making in the public interest’.

When the published information is easy to find, easy to use, meaningful and timely, it builds trust and confidence in government agencies. It also contributes to increased community participation in government debate and processes of government decision making, leading to better community outcomes.

Legislative basis for openness in government

The Preamble to the *Right to Information Act 2009* describes Parliament’s reasons for passing this law, which includes informing the community of government operations and increasing community participation in decision-making. The local government principles, in the Queensland’s *Local Government Act 2009*, reflect and reinforce these aims for local governments. Relevant extracts from the legislation are in the appendix.

The *Local Government Act 2009* and *Local Government Regulation 2012* prescribe information that local governments must make publicly available to promote openness, good government and meaningful community engagement.

Our audit

The Office of the Information Commissioner is an independent statutory body established under the *Right to Information Act 2009*. It is the role of the Information Commissioner to promote greater access to government-held information and champion good information privacy practices. The Information Commissioner has specific performance monitoring functions, which include audit and reporting on agency compliance with the *Right to Information Act 2009*.

This audit is a desktop audit in which we identified the information local governments must make available to the public about their council meetings and the decisions to budget discretionary funds for use by councillors. We examined six local governments’ websites to assess the extent to which they meet these requirements.

3 ‘Open and transparent government’, available at <https://www.qld.gov.au/about/rights-accountability/open-transparent>. *Right to Information Act 2009*, available at <https://www.legislation.qld.gov.au>.

4 Section 4(2) *Local Government Act 2009*, available at <https://www.legislation.qld.gov.au>.

We also looked at whether the information they made available to the public is:

- easy to find – on the website
- easy to use – in an accessible format and easy to read
- up to date – published promptly and within legislated timeframes
- useful – meaningful, explanatory and in compliance with the legislation.

Chapters 2 and 3 of this report present our findings. We assessed the publications from the perspective of a member of the public searching online. It is important to note the scope limitations of this audit:

- **This is a desktop audit conducted wholly online. We did not interview people or assess internal documents.**
- **We did not assess the published information for completeness or accuracy.**
- **Any comment on published information is for illustrative purpose only.**
- **The audit is about meeting the publication requirements, not identifying the root causes of publication decisions.**

2. Publishing information about council meetings

Introduction

Council meetings are the principal decision-making forum for a local government. Local governments use council meetings to set policies, adopt corporate plans, approve and adopt budgets, and make local laws. Council and standing committee meetings are open to the public, but can be closed if the council resolves to do so for specific reasons allowed in the legislation.⁵

In order for a member of the public to follow or participate in a local government's council meeting, they need to know when the meeting is, what it will be about and how to observe or take part.

The *Local Government Act 2009* (the Act) and *Local Government Regulation 2012* (the Regulation) outline a range of information or documents councils must publish, or make publicly available, about their meetings and decisions. The legislation also prescribes the timeframes for making this information publicly available.

In this desktop audit, we identified these requirements and examined whether the local governments were meeting the associated publication requirements. We also assessed whether the information is:

- easy to find – on the website
- easy to use – in an accessible format and easy to read
- up to date – published promptly and within legislated timeframes.

In these types of audits, we sometimes also assess the usefulness of publications, for example if publications incorporate legislatively required inclusions. We did not explore this aspect in this audit.

Conclusion

The six audited local governments publish information about their council meetings openly. The approach they take informs the public how to find out about council meetings in advance, find out what the councils decided and hold councils to account.

⁵ Sections 254I and 254J *Local Government Regulation 2012*, for example industrial matters affecting employees, section 254J(3)(b), available at <https://www.legislation.qld.gov.au>.

These local governments promote open and accountable government by:

- publishing their councils' meeting schedule, agenda with related reports, and meeting minutes, as required by the legislation
- making these publications easy to find on their websites, in user friendly formats, and in good time
- making it easy for members of the community to attend or observe the meeting so that they can easily find out and understand what is discussed.

Our audit reveals that the local governments go beyond legislative requirements to support community participation. For example, five local governments livestream meetings and four local governments explain how the public can address council meetings or ask questions. Local governments that encourage participation in council meetings contribute to a healthier representative, democratic government.

Findings

Easy to find

Under the Regulation, Queensland local governments must:

- publish the days and times (meeting schedule) of ordinary meetings on their websites⁶
- make publicly available the agenda, including any related reports to the extent they are not considered confidential to the council⁷
- make a copy of the minutes of the meeting available to the public.⁸

The Regulation requires the meeting schedule to be published on the local government's website. It does not prescribe the way local governments must make their meeting agenda and minutes available to the public. All six local governments use their websites to meet the regulatory publishing requirements. This is an open and accessible method of informing the public.

The six local governments have a dedicated webpage for their council meetings. For each local government, the pathway to their council meetings webpage is easy to find. All local governments include a link to the webpage under the 'About Council' section of their website's menu.

6 Section 254B(1) and (2) *Local Government Regulation 2012*, available at <https://www.legislation.qld.gov.au>.

7 Section 254D(1), (2) and (3) *Local Government Regulation 2012*, available at <https://www.legislation.qld.gov.au>.

8 Section 254F(6) *Local Government Regulation 2012*, available at <https://www.legislation.qld.gov.au>.

We noted the local governments published more information than legislatively required to support public participation in council discussions and decision making. This proactive approach aligns with the aims of the *Right to Information Act 2009*.

For example, all six local governments promote on their council meeting webpages that council meetings are open to the public to attend.⁹ An example of such a notice is in the box below.

All Council meetings are open to the public as part of Council's commitment to transparent decision making and engagement with our community.

Another example is recording or livestreaming council meetings for those people who are unable to attend a council meeting in person.

All six local governments record their council meetings and make them available to the public via their council meeting webpages. They include access to recordings of current and past council meetings.

Five of the six councils inform the public that their council meetings are livestreamed and include information on how to access the livestream.



Four of the five councils include direct access to their livestreaming service. One council informs the public that a livestream of council meetings is available from the council's Facebook page but does not include a direct link to the page. One council's meeting webpage informs the public that it does not currently livestream council meetings.

It is good practice to allow the public the opportunity to participate. And the Regulation specifically enables councils to allow such participation by audio link or audio visual link.¹⁰

⁹ Section 254I *Local Government Regulation 2012* only requires local councils to have open meetings. Local governments go beyond the requirement and promote the meetings as open. Available at <https://www.legislation.qld.gov.au>.

¹⁰ Section 254K *Local Government Regulation 2012*, available at <https://www.legislation.qld.gov.au>.

Four local governments include information on their meetings webpage informing members of the public how they can address council meetings or ask questions at council meetings. Two local governments do not provide this information.

Of the four local governments promoting participation:

- three visibly promote public participation in council meetings on their meeting webpage
- one does not make this information prominent on its meetings webpage.

It includes information about participating in council meetings in its standing orders, a PDF document available from the council meetings webpage. This means that although council publishes the information online, it is not easy to find. Individuals may not be aware of the location of the information. They have to read the standing orders to learn that they could apply to address council at a council meeting. Using the webpage would be a better approach, as it would improve accessibility for people relying on assistive technology to read websites.

We encourage all local governments to use their webpages to inform the public about how to take part in council meetings and to promote public participation in council meetings. We also encourage the use of formats that make the information accessible.

Easy to use

The council meeting agendas, related reports, and minutes of council meetings are easy to use for all the audited local governments.

All audited local governments publish their agendas, related reports, and minutes online in PDF machine readable format that is easy to search and read.

Four local governments include council agendas and related reports within a single PDF document. While in each case the document contains a large volume of pages, the 'Contents' menu within the PDF document makes information easy to identify and navigate to, regardless of the document's size.

Two local governments publish related reports as separate PDF attachments to the agenda on their website. This approach makes it easy for a member of the public to identify and access the information that is of interest to them.



One local government publishes their council meeting agenda with related reports and minutes of meeting in two formats – PDF and HTML.

Publishing in HTML supports those in the community who rely on assistive technologies like screen readers to access information about council meetings and to participate in local community debate and decisions of council.

Up to date

Under the Regulation, local governments must make information about council meetings available to the public within specified timeframes.

A local government must:

- at least once a year publish the days and times of its ordinary meetings on its website¹¹
- make publicly available the agenda, including any related reports on the next business day after notice of the meeting is given to councillors¹²
- make publicly available a copy of the meeting minutes by 5 pm on the tenth day after the meeting is held, unless the minutes are confirmed earlier.¹³

All six local governments publish a schedule of council meetings for the year as prescribed by the Regulation.

Local governments must make their meeting agenda and related reports available to the public by 5 pm on the next business day after notice of the meeting is given to the councillor. Local governments must give each councillor notice of the meeting at least two days before the meeting. This means that the local government must make council meeting agendas and reports available to the public at least a day before the council meeting.

¹¹ Section 254B(1) *Local Government Regulation 2012*, available at <https://www.legislation.qld.gov.au>.

¹² Under section 254C(1) of *Local Government Regulation 2012*, councils must give notice of each council meeting to councillors at least 2 days before the day of the meeting, unless it is impracticable to give the notice before that time. Available at <https://www.legislation.qld.gov.au>.

¹³ Section 254F(6) *Local Government Regulation 2012*, available at <https://www.legislation.qld.gov.au>.

We reviewed the website information for the months of September and October 2023. All six local governments met this requirement by publishing the meeting agenda and related reports on their website at least two days prior to their council meeting.

Under the Regulation, local governments must make a copy of the council minutes available to the public no later than 10 days after the meeting was held. All local governments subject to our audit had published on their website a copy of their meeting minutes within the 10 days prescribed.

3. Publishing information about discretionary funds for councillor use

Introduction

Under the *Local Government Act 2009* (the Act) and *Local Government Regulation 2012* (the Regulation), each financial year a local government may budget for discretionary funds that are made available to councillors to use for community purposes.¹⁴

The community purposes for which discretionary funds can be made available are the following:

- capital works of the local government that are for a community purpose
- to a community organisation (a group or individual whose primary object is not to make a profit) for a community purpose
- other community purposes.¹⁵



Examples of councillor allocation of discretionary funds are:

- security screens at a boat club
- venue hire and signage for a charity fun run
- upgrading park facilities.¹⁶

Local governments should ensure the community is well-informed about the availability or non-availability of councillor discretionary funding. This enables the community to find out what funding is available, seek funding for a community project and scrutinise the councillors' allocation of funding.

In October 2019, the Crime and Corruption Commission (CCC) released its report into the probity of councillors' use of discretionary funds.¹⁷ The CCC's audit of five local

14 Section 109 (2) *Local Government Act 2009* and Section 201B(1) *Local Government Regulation 2012*, available at <https://www.legislation.qld.gov.au>.

15 Section 202(1) *Local Government Regulation 2012*, available at <https://www.legislation.qld.gov.au>.

16 These examples are taken from audited local government websites.

17 Crime and Corruption Commission, Queensland, '*Probity in councillors' use of councillor discretionary funds: An audit of councils and the local government department: Summary audit report* (October 2019).' Available at <https://www.ccc.qld.gov.au>.

government authorities focused on their management of risk and probity in dispensing discretionary funds.¹⁸ The CCC also commented on the importance of transparency:

*Robust council policies and procedures with respect to councillor discretionary funds which promote transparency and accountability can be an effective tool to mitigate against many of the inherent risks associated with the administration of these funds.*¹⁹

Our focus is to promote openness and transparency of local government's allocation and councillor's use of discretionary funds by encouraging good publishing practices.

We look at legislated publication requirements for:

- availability notices (information about the funds councillors may spend)
- allocation notices (information about the way the funds were spent).

We also examine whether information about council's use of discretionary funds is:

- easy to find and locate
- easy to use (accessible formats, easy to read, easily to search or filter)
- up to date (published promptly)
- useful (complies with legislated requirements for publication).

Conclusions

The audited local governments are generally compliant with legislative requirements for publishing information about councillors' discretionary funds. One local government meets all requirements to inform the public. The other five could publish more information to raise community confidence about the availability and use of councillor discretionary funds.

For example, one local government did not name funding recipients in all cases. This is a significant gap in public information. The legislation requires notices about allocation of funds (including identification of recipients) to be published.²⁰ This requirement advances transparency and accountability because it enables the community to hold the councillors to account.

18 The CCC audited a sample of local governments different to the sample we audited.

19 Crime and Corruption Commission, Queensland, 'Probity in councillors' use of councillor discretionary funds: An audit of councils and the local government department: Summary audit report (October 2019).' Page 5. Available at <https://www.ccc.qld.gov.au>.

20 Section 202A(2) *Local Government Regulation 2012*, available at <https://www.legislation.qld.gov.au>.

Four local governments did not budget for discretionary funds. Three local governments did not advise the community until the end of the financial year and one appears not to have advised the community. This is not sufficient to ensure the community is aware at the earliest opportunity whether councillor discretionary funds are available.

These local governments need to do more to ensure they have published sufficient information to promote community confidence in the transparency and accountability of councillor discretionary funding.

Findings – notices of availability of discretionary funds

A local government must publish a notice stating the total amount budgeted for councillors' use as discretionary funds. The legislation prescribes information the notice must include about the budgeted funds.

Easy to find and up to date

Section 201B(4) of the Regulation mandates publication requirements and timeframes:

A local government must, within 20 business days after adopting its budget for a financial year, make publicly available a notice (the availability notice) stating—

(a) the total amount budgeted for the financial year as the local government's discretionary funds;

In this online audit, commencing outside the budget period, we were unable to assess whether local governments publish an availability notice within 20 business days of adopting the budget. However, we can comment more generally about how easy it is to find online publications and their currency.

Two local governments have budgeted funds for councillors' discretionary use in the 2023-24 financial year. They both include an availability notice on their grants funding webpage.

The availability notice for one local government is easy to find. The second local government's availability notice is not as easy to find. This is because the local government gives the funding a different title from that used in the Act and the Regulation. As a result, a member of the public will need to read through all the various grant funding programs offered by this local government to identify what has been budgeted for councillor discretionary funding.

None of the audited local governments publish information about their decision to budget or not budget councillor discretionary funding in their 2023-24 budget papers.

We looked at past years to identify timing of publications if the local government does not budget for discretionary funds. We assessed the publications against the requirement that the local government should publish a notice about the total amount budgeted for discretionary funds within 20 business days of adopting the budget, even if the total amount budgeted is zero.

Three local governments noted in their 2021-22 annual reports that they had not budgeted discretionary funds in that year.²¹ It was not within 20 business days of the budget. The fourth local government did not provide any information about councillor discretionary funds.

A local government might not budget for councillor discretionary funds because it has decided instead to provide funds through a community grants program.

We note that the CCC report into councillors' use of discretionary funds stated:

Overall, the CCC recommended that, instead of having the funds at the discretion of councillors, the funds could be moved into specific community grants programs that have more robust guidelines such as the use of a weighted criteria to assess the applications and the amounts to allocate.²²

All six audited local governments operate community grants programs.

Easy to use

The published notices on the availability of discretionary funds for the two local government websites are easy to use.

One local government's notice is incorporated into the webpage text so is easy to use. The other local government attaches the notice to their grants webpage in machine readable format that is easy to search and read.

21 Three local governments included the statement in their 2021-22 annual reports, which were the most recently published annual report for each council at the time of our audit.

22 Crime and Corruption Commission, Queensland, 'Probity in councillors' use of councillor discretionary funds: An audit of councils and the local government department: Summary audit report (October 2019).' Page 23. Available at <https://www.ccc.qld.gov.au>.

Useful

The local government's notice on the availability of discretionary funds must include prescribed information.²³ The two local governments meet these requirements, as depicted in Figure 1.

Figure 1 – Local government publication of availability notices

Required publication	Local Government 1	Local Government 2
the total amount budgeted for the financial year as the local government's discretionary funds.	✓	✓
the prescribed amount for the local government for the financial year (0.1 percent of the local government's revenue from general rates for the previous financial year)	✓	✓
the total amount of discretionary funds allocated to each councillor for <ul style="list-style-type: none"> capital works of the local government that are for a community purpose other community purposes 	✓	✓
the amount of discretionary funds budgeted for use by each councillor for the financial year for <ul style="list-style-type: none"> capital works of the local government that are for a community purpose other community purposes 	✓	✓
information about how community organisations and individuals may apply.	✓	✓

Source: Office of the Information Commissioner

The application process for each local government varies.

The CCC report into the use of councillor discretionary funds included a guidance note, stating that local governments should develop guidelines for councillor discretionary funding, including development of an application form, the supporting documents

²³ Section 201B(4) in the *Local Government Regulation 2012*, available at <https://www.legislation.qld.gov.au>.

required and procedures for assessing, recommending and approving discretionary funding.²⁴

One local government requires organisations and individuals to complete an application form and supply documentation in support of the application. Its dedicated webpage advises when the funding program opens and closes. It also publishes a guideline to assist applicants when making an application.

The other local government only requires the organisation or individual member of the community to email their divisional councillor.

Findings – allocation notices

When a councillor allocates an amount of discretionary funds to a community project, they must give a notice about the allocation to the Chief Executive Officer. The local government must publish the allocation notice on its website.²⁵

Two local governments publish allocation notices on webpages dedicated to councillor discretionary funding. Four local governments do not publish allocation notices. This requirement does not apply to them because they did not budget discretionary funds for use by councillors in the audited period.

Easy to find

The ease of finding the allocation notices mirrors the ease of finding the availability notices.

One local government uses the terminology of the Act and the Regulation and so the allocation notices are easy to find.

One local government uses their own terminology, so the allocation notices are not as easy to find. However, once found, the relevant information is all on one webpage on the local government's website.

Easy to use

The allocation notices published on the two local governments' websites are generally easy to use. The local governments publish their councillor discretionary funding allocation notices in machine readable formats that are easy to search and read.

24 Crime and Corruption Commission, Queensland, '*Probity in councillors' use of councillor discretionary funds: An audit of councils and the local government department: Summary audit report* (October 2019).' Page 25. Available at <https://www.ccc.qld.gov.au>.

25 Section 202A(2) *Local Government Regulation 2012*, available at <https://www.legislation.qld.gov.au>.

One local government publishes a single notice listing each of the allocations made by each of its councillors. This format makes it easy to see recipients of each allocation.²⁶

The other local government publishes individual allocation notices in a list. The title of each notice is generic, for example, ‘*Notice of allocation - <name of councillor>*’.

This is compliant but not easy to use. The public needs to open each notice individually to find out what it is. A person might need to open several notices to find a specific notice. It would be better to give each allocation notice a meaningful title, so that a member of the public can identify individual allocations by looking at the list.

Useful

The local government’s allocation notice must include prescribed information.²⁷ The two local governments generally meet these requirements, as per Figure 2, with one exception.

Figure 2 – Local government publication of allocation notices

Required publication	Local Government 1	Local Government 2
the amount allocated	✓	✓
the date funds were allocated	✓	✓
the way in which the amount was allocated; for example, for capital works of the local government that are for a community purpose	✓	✓
the name of the person or organisation receiving the allocation	✓	Sometimes
the purpose for which the amount was allocated, including sufficient details to identify how the funds are to be spent.	✓	✓

Source: Office of the Information Commissioner

26 Our assessment is based on the council’s 2022-23 allocation notice as this was the most recently available notice published on their website at the time of our audit.

27 Section 202A(1) in the *Local Government Regulation 2012*, available at <https://www.legislation.qld.gov.au>.

One local government includes the name of the recipient in some instances but not others. Local governments should in all instances include the name of the recipient as required by the Regulation.

We recommend that local governments name all recipients of councillors' discretionary funds in their published allocation notices.

Although not required, both local governments' notices also included the name of the councillor.

The local government is also required to list details of all grants to community organisations from councillor discretionary funds in its annual report for the financial year.²⁸

Both local governments have published details of grants to community organisations from councillor discretionary funds in their annual reports.

Three of the four local governments who had not budgeted for councillor discretionary funding in the financial year included a statement in their annual report advising they had not allocated councillor discretionary funds.

Up to date

A local government must publish an allocation notice on its website within seven business days after receiving a notice of allocation from a councillor.²⁹

We only reviewed the local government websites, and did not examine internally held documents, for example, notices of allocation that councillors sent to chief executive officers. As a result, we were unable to assess whether the two local governments who have a councillor discretionary funds program published councillor notices within seven days.

28 Department of State Development, Infrastructure, Local Government and Planning, '*Councillor Discretionary Funds Guideline*', available at <https://www.statedevelopment.qld.gov.au>.

29 Section 202A(1) *Local Government Regulation 2012*, available at <https://www.legislation.qld.gov.au>.

4. Appendix – Excerpts from legislation³⁰

The *Right to Information Act 2009* states that Parliament's reasons for the Act were to recognise that in a free and democratic society:

- (c) the community should be kept informed of government's operations, including, in particular, the rules and practice followed by government in its dealings with members of the community; and*
- (d) openness in government enhances the accountability of government; and*
- (e) openness in government increases the participation of members of the community in democratic processes leading to better informed decision-making; and*
- (f) right to information legislation contributes to a healthier representative, democratic government and enhances its practice; and*
- (g) right to information legislation improves public administration and the quality of government decision-making³¹*

Queensland's *Local Government Act 2009* reflects and reinforces these aims for local governments in five principles:

The local government principles are—

- (a) transparent and effective processes, and decision-making in the public interest; and*
- (b) sustainable development and management of assets and infrastructure, and delivery of effective services; and*
- (c) democratic representation, social inclusion and meaningful community engagement; and*
- (d) good governance of, and by, local government; and*
- (e) ethical and legal behaviour of councillors, local government employees and councillor advisors.³²*

³⁰ The excerpts from the legislation are the italicised text. The introductory sentences paraphrase the legislation.

³¹ Preamble, *Right to Information Act 2009*, available at <https://www.legislation.qld.gov.au>.

³² Section 4(2), *Local Government Act 2009*, available at <https://www.legislation.qld.gov.au>.