



Hawkesbury City Council

attachment 1
to
item 110

Draft Seal of Council Policy
for Public Exhibition

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time: 6:30 p.m.



Hawkesbury City Council
Policy

DRAFT
Seal of
Council Policy

Hawkesbury City Council

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1.0 PURPOSE

The purpose of the Policy is to describe Council's principles regarding the use of the Council Seal, and to instruct Council officials regarding the appropriate use of the Seal.

2.0 OBJECTIVES

- a) To protect the integrity of Council's Seal and ensure that it is used appropriately.
- b) To provide guidelines to staff who may be affixing the Seal to Council documents.

3.0 MAKING AND ADOPTION OF THE POLICY

This Policy is made in response to a recommendation of the Commercial Leases and Property Management Review completed in November 2017.

4.0 REPORTING REQUIREMENTS

Council keeps a Register of documents to which the Seal has been affixed. The Register contains the following information:

- Title of document
- Date of Council resolution
- Date Seal was affixed
- Name of the other entity party to the agreement
- Status (ongoing, one-off, other related matters, etc.)

The Register is supervised by the Manager of Corporate Services and Governance.

5.0 OTHER GOVERNMENT POLICY PROVISIONS

- Local Government Act 1993
- Local Government (General) Regulation 2005
- Interpretation Act 1987
- Council's Affixing the Council Seal Procedure

6.0 APPROVAL ARRANGEMENTS

A decision to affix Council's Seal to a document can only be made by a resolution of Council. It is not a decision that can be delegated.

7.0 DEFINITIONS

In this Policy, the following definitions apply:

Council means the Hawkesbury City Council

Council Officials means Councillors, members of the staff of Council, committee members, contractors, consultants and volunteers representing Council in an official capacity.

Council Seal means the official mark of Council which is embossed onto a document to prove that that document is officially endorsed by resolution of the Council.

8.0 ROLES AND RESPONSIBILITIES

Authorised Officer	Roles and Responsibilities
Mayor	<ul style="list-style-type: none"> • Witness affixation of Council's Seal to documents when required, such as affixation to the General Manager's employment contract.
Councillors	<ul style="list-style-type: none"> • Adopt recommendations to affix Council's Seal to documents when the Seal is required.
General Manager	<ul style="list-style-type: none"> • Ensure that when Council's Seal is required, the recommendation that the Seal be affixed to a document is included in the Council report before publication of the Business Paper. • Sign Council documents and ensure that the Seal is affixed to those documents. • Witness affixation of Council's Seal to documents when required. • Act as the official custodian of the Seal.
Directors	<ul style="list-style-type: none"> • Sign memorandum authorising that Sealed documents are in order before the documents are signed by the General Manager and Mayor.
Manager Corporate Services and Governance	<ul style="list-style-type: none"> • Review this Policy at appropriate times in accordance with the requirements of the Policy and changes to relevant legislation. • Supervise the Seal Register.
Property Services Coordinator	<ul style="list-style-type: none"> • Prepare memorandum to Director, General Manager and Mayor requesting signature and permission to affix Seal to Council documents. • Access the Council safe and affix the Seal to Council documents when required. • Ensure that the Seal Register is filled in appropriately.
Tendering and Contracts Officer	<ul style="list-style-type: none"> • Prepare Council reports for Tender and Contracts documents, including recommendation to affix Council's Seal. • Refer Tender and Contracts documents to Property Services Coordinator for affixation of the Seal.

9.0 CONDITIONS OF THE USE OF THE SEAL

- 1) Hawkesbury City Council maintains a corporate Seal which is affixed to certain legally binding documents as proof of Council's endorsement through Council resolution.
- 2) If a document is to be sealed, the Council resolution must state that the Seal is to be affixed to the required documents. Any document to which the Council Seal is to be affixed must be specifically referenced by title in the Council resolution.
- 3) The General Manager is the official custodian of the Seal, and will provide authorisation for Council staff to affix the Seal once a resolution of Council has been achieved.
- 4) The Seal is located in a locked box within the document safe in Council's Customer Service Section.
- 5) The key for the locked box is supervised by the Property Services Coordinator, who is also responsible for physically affixing the Seal and completing the Seal Register.
- 6) Council's Seal will be used only for documents that relate to the business of Council. These will normally only include:
 - a. Documents relating to the exercise by Council of its functions in relation to the purchase, exchange, leasing, disposal of, and otherwise dealing with, real property.
 - b. The Contract of Employment for the General Manager.
 - c. Arrangements or contracts from state or federal government departments where they have requested the agreements or contracts be under seal.
 - d. Planning agreements.

- e. Tenders and contracts with private entities.
- 7) Sanctions for a breach of this Policy will be determined in accordance with Council's Code of Conduct.

10.0 REVIEW OF THIS POLICY

This Policy will be reviewed when changes to related legislation occur.

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