

Caretaker Policy

Policy Author	General Manager Corporate Services
Date of next review	June 2031

1. Statement of Intent

Council is committed to acting in the best interest of the community and to upholding the principles of honesty, integrity, and transparency. The intent of this Policy is to:

- implement the statutory caretaker period requirements under Section 91A of the *Local Government (Elections) Act 1999* (the Act)
- build and maintain community trust in decision making
- remove bias in decision making
- ensure that no candidate or group of candidates are provided with an advantage over other candidates.

1.1 Prohibition on designated decisions

The Council is prohibited from making a designated decision during an election period.

A designated decision is defined by the Act as a decision:

- (a) relating to the employment or remuneration of the Chief Executive Officer, other than a decision to appoint an acting Chief Executive Officer or to suspend the Chief Executive Officer for serious and wilful misconduct;
- (b) to terminate the appointment of the Chief Executive Officer;
- (c) to enter into a contract, arrangement or understanding (other than a contract for road construction, road maintenance or drainage works) the total value of which exceeds whichever is the greater of \$100,000 or 1% of the Council's revenue from rates in the preceding financial year, except if the decision:
 - i. relates to the carrying out of works in response to an emergency or disaster within the meaning of the *Emergency Management Act 2004*, or under Section 298 of the *Local Government Act 1999*;
 - ii. is an expenditure or other decision required to be taken under an agreement by which funding is provided to the Council by the Commonwealth or State Government or otherwise for the Council to be eligible for funding from the Commonwealth or State Government;
 - iii. relates to the employment of a particular Council employee (other than the Chief Executive Officer);
 - iv. is made in the conduct of negotiations relating to the employment of Council employees generally, or a class of Council employees, if provision has been made for funds relating to such negotiations in the budget of the Council for the relevant financial year and the negotiations commenced prior to the election period; or

- v. relates to a Community Wastewater Management Systems scheme that has, prior to the election period, been approved by the Council;

A decision of the Council includes a decision of a committee of Council or a delegate of Council (including Council staff and contractors working on behalf of Council).

A designated decision made by Council during an election period is invalid, except where an exemption has been granted by the Minister.

Any person who suffers any loss or damage as a result of acting in good faith on a designated decision made by Council in contravention of this Policy is entitled to compensation from the Council for that loss or damage.

1.2 Prohibition on the use of council resources

Council Members and workers are prohibited from using Council resources for the advantage of a particular candidate or group of candidates during the election period. During the election period, Council resources will be used for normal Council business only and will not be used in connection with any electioneering or campaign activity.

Council resources include but are not limited to: funds, employees, facilities, hospitality services, equipment, communications channels, events, media services, stationery, logos, letterhead and photographs.

For clarity, neither the *Local Government (Elections) Act 1999* nor this Caretaker Policy prohibits the Council from allowing the equal use of Council resources by all candidates for election.

2. Scope

This Policy applies to the Council, and Council employees throughout the election period for a general election.

3. Legislation and References

This Caretaker Policy should be read in conjunction with:

- *Emergency Management Act 2004*
- *Local Government Act 1999*
- *Local Government (Elections) Act 1999*
- *Local Government (Elections) Regulations 2025*
- City of Playford Global Glossary

This Policy should not be considered as the only document that may relate to conduct during an election period, other tiers of government, agencies or organisations may have legislation or policies that also apply.

4. Application

Chief Executive Officer	Ensure, as far as practicable, that all Council members and employees are informed of the application of this Policy prior to the commencement of the election period.
Manager Governance	Responsible for providing support to Council members and employees in the application of this policy during an election period.

5. Relevance to Risk Appetite Statement

Reputation

The City of Playford has a **LOW** appetite for negative perceptions that compromise its credibility and reputation.

This Policy ensures that decisions are made and resources are used in line with the legislated requirements during an election period and do not cause reputational damage.

Regulatory Compliance

The City of Playford has **ZERO TOLERANCE** for non-compliance with applicable legislation.

This Policy is a requirement of the *Local Government (Elections) Act 1999* and has been developed to meet the requirements of this Act.

6. Public Meeting of Candidates

The Council has determined (Council Resolution 6622) that a public meeting of candidates will not be held in respect of the next periodic election for the following reason:

- It is more appropriate for Council to remain at arms-length in the election process which allows individual candidates to inform the community of relevant issues, and to present their respective policies and positions in a format that best suits each candidate.

Certified by:



Mayor Glenn Docherty

7. Feedback

Your feedback on this Policy is invited and can be directed to the Manager Governance via email to governance@playford.sa.gov.au or by calling the Customer Contact Team on 8256 0333.

Administration use only

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Procedure link	N/A
Policy author	General Manager Corporate Services
Endorsed by	Council



Resolution no.	6622
Legal requirement	<i>Local Government (Elections) Act 1999</i>
Review schedule	4 years
Date of current version	June 2026
Date of next review	June 2031

Version history

Version no.	Approval date	Approval by	Change
1	9 March 2010	Ordinary Council – Resolution No. 1530	New Policy
2	31 January 2012	Ordinary Council – Resolution No. 623	
3	26 November 2019	Ordinary Council – Resolution No. 3838	Transferred to corporate policy template. Discretionary sections including major policy decisions, caretaker decisions, community engagement and information request requirements removed.
4	23 August 2022	Ordinary Council – Resolution No. 5106	Transferred to new policy template. Separated use of resources from designated decisions as it is now its own section under the legislation.
5	16 June 2026	Ordinary Council Resolution No. 6622	Scheduled review. Inclusion of statement outlining Council’s reasons not to hold a public meeting of candidates.

