

Policy Development Guidelines



Produced by the Local
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Policy Development Guidelines

Introduction

Policy development is a key function of local government. Policies and procedures provide the framework within which an organisation operates. For local government, they define what the municipality does and how to do it.

Having clear policies offers clarity and helps Councils operate more effectively as an organisation. It means there will be fewer misunderstandings or debates about what to do in particular situations.

For those policies which will affect ratepayers, it is good practice for both staff and the community to be involved in the development of policies through consultation. However, the final decision about the content and how it works in practice is for the Council itself to decide.

Developing and implementing policy is a process of continuous improvement; there is never a moment when local government stop developing and reviewing policies.

These *Policy Development Guidelines* outline a process that can be used by local government to develop policies, using the format adopted for policies within the Local Government Natural Resource Management (NRM) Policy Manual.

The broad process outlined below has been adapted from a series of existing templates, guidelines and Business Management Systems. It is designed to be readily adapted to suit local governments own policy development processes, and adopted into Business Management Systems, if desired.

It is by no means an exhaustive list, nor is it intended to prescribe the techniques that should be employed, since the details of the process should suit the issue being addressed, the stakeholders affected and the overall policy objectives.

Definitions

For the purposes of this document, and to assist contextualisation of the role of a 'policy' relative to other documents, the following definitions apply:

Policy: A decision or course of action to address a problem, issue or change.

Guidelines: Principles that set standards that support the course of action.

Process: A series of actions to produce the desired change.

Procedure: An established method for progressing an action.



Stages of Policy Development

The policy development process can be conceived of as a cycle as shown in Figure 1.

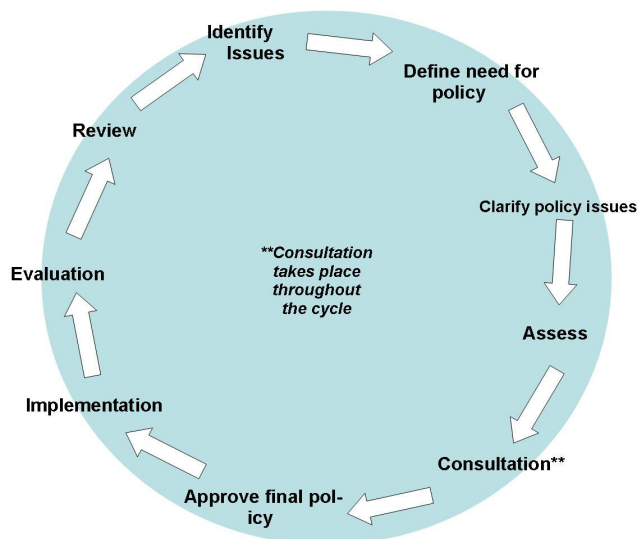


Figure 1: Policy Development Cycle

To expand, the cycle should move through a series of stages, represented diagrammatically in Figure 2, below:

Stage 1: Issue Identification and Policy Definition - Scoping

The first question to ask in the policy process is whether the issue requires a new policy or is better addressed through other means. If a new policy is required, a synopsis – or, in the case of significant issues, a discussion paper – should be prepared that identifies:

- the need for the policy, the issues being addressed and the intended policy objectives;
- major benefits, costs and risks involved;
- consistency with related policies and whole-of-government policies;
- the target audience and key stakeholders;
- the authority required to formally initiate the policy development process and approve the final document (e.g. CEO and Council endorsement);
- the timetable for the policy process including the documents to be produced and other key deliverables;
- responsibility for leading the policy development process and people to be involved in its development, such as the development of a policy team;
- consultation arrangements to be adopted at various stages in the policy development process – identifying how key stakeholders, such as senior management, Councillors and the community, will be involved. For further information on consultation, see *Stage 2 (a)* below;
- resources required for policy analysis and consultation within the desired timeframe;
- implementation issues which will need to be addressed; and

A briefing note outlining the need for the proposed policy should be presented to Senior Management or Council for resolution to proceed with the development of the policy.

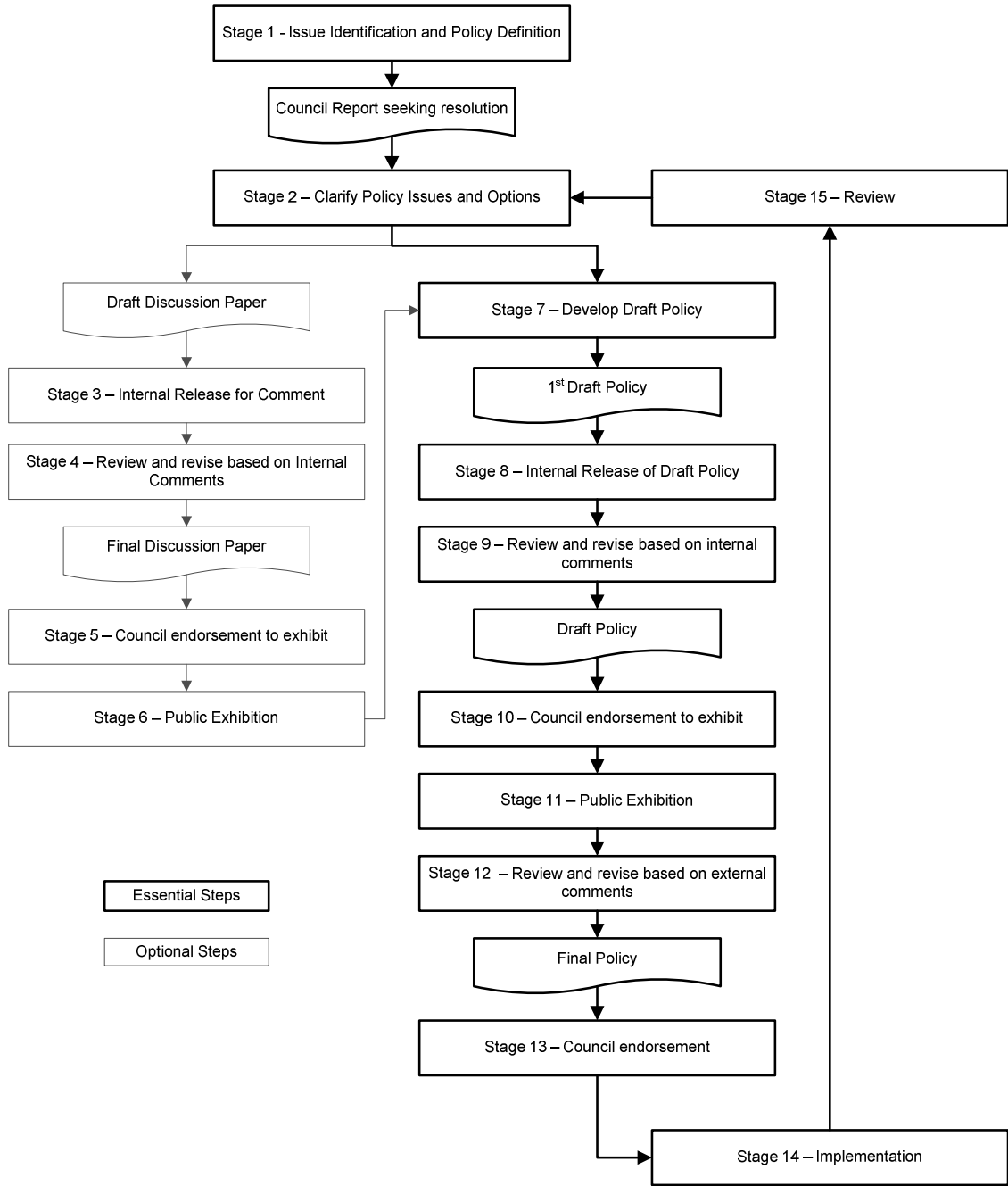


Figure 2: Policy Development Stages

Stage 2: Clarify Policy Issues and Options

Work in this stage should be guided by a small Project Team or Steering Committee with representation from each of the Business Areas within Council and other agencies if required. The involvement of representatives from across Council is particularly important as it is through such involvement from the outset that whole-of-Council ownership of the policy is taken.



The issue clarification and option review stage is crucial to the success of the policy development process. It is the stage when key issues and objectives are clarified, strategies are developed and the feasibility of options tested. Attention should be given to:

a) *Consultation:*

The Project Team manages the consultation arrangements approved in Stage 1.

It is important that the aims and objectives of consultation are clearly identified and communicated with stakeholders before proceeding with the consultation process so they are aware of why they are being consulted, how the consultation process will work, and how much influence they can realistically hope to have in decision-making.

The techniques used should clarify the perspectives of those affected by a policy and ensure the stakeholders and public have effective and appropriate input into developing policies.

The process and strategy for consultation should be identified in the initial scoping paper.

b) *Qualitative and quantitative analysis:*

An environmental scan should be undertaken to establish a baseline of information against which to measure performance of the final policy, and to test the feasibility of options.

c) *Involvement and input by the various service areas:*

Services covered by the policy need to be involved in developing and testing feasibility of options. This provides an opportunity to identify the implications of policy options in terms of potential changes in service processes or operations.

d) *Implementation:*

This step should start to identify an effective implementation strategy. Financial and staffing implications, if any, need to be defined. Legislative requirements also need to be identified and considered.

*** Stage 3: Internal Release of Discussion Paper**

This stage involves approval to release a discussion paper for internal stakeholder consultation. It is recommended that a workshop-style event be held with relevant staff, including senior management, to provide feedback on the draft discussion paper, prior to development of the final paper.

*** Stage 4: Review and revise Draft Policy and Discussion Paper based on internal comments**

The Project Team assesses the comments on the draft discussion paper and prepares a final paper.

*** Stage 5: Council approval to exhibit Discussion Paper for comment publicly**

This stage involves Council approval to release the final discussion paper to the community for comment.

*** Stage 6: Public Exhibition of Discussion Paper**

* *Note:* Stages 3 - 6 above are optional – they need only apply if a Draft Discussion Paper is prepared.

Stage 7: Policy Team Develop Draft Policy

The Policy Team convenes to develop the draft policy based on preferred options identified by the project team and/or outcomes of public consultation on the discussion paper.

Stage 8: Internal Release of Draft Policy

This stage involves release of the draft policy for internal staff review and comment *.

Stage 9: Review and revise Draft Policy based on internal comments

The Project Team would assess the comments on the draft policy and prepare a revised policy.



Stage 10: Council approval to exhibit Draft Policy for public comment

This stage involves Council approval to release the draft policy to the community for comment, prior to development of the final policy *.

Stage 11: Public Exhibition of Draft Policy

Make the draft policy available for viewing at relevant locations such as local government administrative offices, public libraries or any other relevant venue.

Stage 12: Review and revise Draft Policy based on external comments

The Project Team would assess the comments on the draft policy and then prepare a final policy.

* *Note:* If the revised draft contains a substantially new policy direction, circulate the revised draft for further comment, and incorporate the additional comments as appropriate.

Stage 13: Council endorsement of Final Policy

The final policy should be submitted to the Council for endorsement.

Stage 14: Implementation

Preparation for the implementation of the policy should occur throughout the policy development process. The mechanisms for implementing the policy need to be developed and tested through the consultation and analysis undertaken in earlier stages.

The final policy should include an implementation plan that identifies performance measures, key deliverables and responsibilities for implementation.

Stage 15: Evaluation and review

The final stage involves the monitoring and review of the policy. Implementation will benefit from clarifying the reporting arrangements and performance measures against which the policy will be monitored.

This stage closes the policy cycle and contributes to issue identification and ongoing refinement of policies in response to changing circumstances. Policies should identify when and how they will be reviewed to determine whether they are still required, whether they need refinement or whether a new policy is required.

The above stages are an ideal model. The actual policy processes will vary depending on the scope and complexity of the issue, changes in circumstances and priorities over the cycle and feed back from consultation that requires local government to revisit issues or options.

Depending on the stage in the policy process and the intended audience, the level of detail and abstraction in policy documents will vary from those that set out broad objectives and principles, to those that contain more detailed service or departmental-specific proposals.

Source: New South Wales Department of Health (1998) *Policy Development Guidelines*; State Health Publication No. (PDD) 980044



Policy Process Planning Template

Predevelopment Phase

1) Issue identification

What is the issue you feel you need to address by creating a policy?

2) Identify an owner

A specific individual needs to have responsibility for the content and accuracy of information within the policy. Different offices can own pieces of the policy or procedures, but one individual should be designated with the overall responsibility to create and maintain the information. The owner should push and track policy development.

Who should be the owner of the policy? _____

3) Assemble a team to develop the policy

Policies and procedures will often be used by a wide variety of groups. To develop accurate and complete documents, consider the expertise needed to develop a well informed policy. Depending on the issue, consider involving staff from a range of service areas within Council, including representatives from divisions that will use the policy and be affected by it. This will greatly improve the quality and may assist with buy-in.

Who should be on the writing team? _____

Development Phase

4) Agree on common definitions and terms

What terms will need to be clarified and defined as part of this policy? _____

5) Determine a common format

If your Council has a policy format already, briefly note the sections here. Alternatively, please refer to the "Policy Template" provided within this document.



6) Draft the language of the policy and the supporting sections using the “Policy Writing Template” or your Council’s template

7) Organise process for external release of Draft Policy, request for comment period and subsequent review

When?

After securing approval for the final draft, how long will your request for comment period be?

Where/how will you announce this?

8) Incorporate comments, obtain final approval, and release

9) Plan communication, publicity, and education

Where will you announce the new/updated policy?

How will you provide education/training about the policy?

Maintenance Phase

10) Develop a plan for active maintenance and review

Owners of policy may not have the time or inclination to keep the information current. A methodology and training process needs to be in place to assist them. New developments in document management software can help in this area. Audits can often identify information that needs updating. There is no quicker way to lose the confidence of your users than to have information that is obsolete and no longer applicable.

Who will ensure that policies are actively maintained and reviewed?

How often will your policies be reviewed for possible updating?

What process will be used when a policy comes up for review? [Hint: you may choose to start over again at the top with step 1.] _____



11) Encourage feedback

The people who use the policies can help keep them accurate. Users are often the first to notice that information is outdated. Having an easy and visible way to invite feedback will assist in the maintenance process. User involvement will also help communicate the message to users that their help is welcomed and that they have an opportunity and perhaps even an obligation to keep information current. Users know what works and what doesn't. They can often offer suggestions for improvement.

What method will users use to report feedback?

How will feedback be solicited or encouraged? _____

Who will keep track of feedback and suggestions for improvement as they are received or discovered? _____

12) Archive Changes and Date New Releases with an "Effective Date"

Where will archived copies of versions be maintained? _____

13) Measure outcomes

Consider developing a measure to quantify the usefulness of the policies, such as the number of hits on the web site or logging phone calls on questions or suggestions for improvement. For critical issues, an internal or external audit may provide feedback on the extent of compliance with the policy or procedures.

How will you measure outcomes? _____

Source: Based on the Association of College and University Policy Administrators Policy Development Process at <http://process.umn.edu/acupa/projects/process/>



Policy Contents

Background

This statement may include descriptions of the following where relevant:

- historical context;
- background in regard to the need for such a policy e.g. legal or regulatory requirements and/or ministerial directives;
- context in which this policy has arisen including e.g. a description of the conflict or problem the policy will resolve (recognising the legitimate interests of all parties);
- policy development process (including consultation undertaken); and
- what amendments have been made, if this is an amendment to an existing policy?

Policy Outline

- Operation of this Policy.
- Statement of Intent.
- Definitions.
- Policy Objectives.
- Application of the Policy.
- Acknowledgement.
- Review.

Operation of this Policy

This section should include a description of:

- a) what planning, management and operational aspects or activities the policy applies to; and
- b) what specific area within the municipality it applies, if applicable.

For example, for foreshore management:

“This policy applies to foreshore planning and management activities undertaken by [*Council Name*], including development, provision of native vegetation buffers, and protection and restoration of foreshores”.

Statement of Intent

This should state the explicit intent of the policy and its overall scope. It should also include a list of relevant State and/or Federal legislation with which the policy complies, or alignment with any existing standards. It should also outline the benefits to be accrued from the implementation of the policy.

For example, using the *Local Government Landscaping with Local Plants Local Planning Policy* from the Local Government NRM Policy Manual to highlight:

“It is the intent of this policy to promote to [*Council Name*] staff and councillors, residents and developers (urban, commercial and industrial) the use of local native species in landscaping and the protection of existing vegetation. This policy complements, and is consistent with existing standards and specifications for landscaping.



Major benefits to be accrued from implementation of this policy are three-fold;

- (1) reduce requirements for both water and fertiliser, which contributes to the improvement of downstream water quality;
- (2) create habitat for native fauna, and enhance biodiversity values in local government areas; and
- (3) preserve, create and maintain the natural characteristics of the local environment through vegetation protection and revegetation”.

Definitions

This section should list ONLY unique, unfamiliar, technical terms or terms with special meanings to assist the reader’s understanding of the basic policy. Terms should be listed in alphabetical order.

Policy Objectives

These are broad, clear authoritative statements of what the policy aims to achieve. The objectives should provide clear direction to staff as to the particulars of what is intended be achieved through the policy.

To highlight, with reference to the *Local Government Landscaping with Local Plants Local Planning Policy* from the Local Government NRM Policy Manual:

“This Landscaping Policy is for Council, developers and property owners to:

- a) Increase the use of local native plants in landscaping across public and private land.
- b) Ensure that landscaping is more sustainable by:
 1. Reducing the amount of irrigation water required;
 - ii) Reducing the amount of fertiliser required, and to minimise nutrient export to groundwater, wetlands and the Swan Canning river system;
 - iii) Reducing threats to biodiversity by avoiding plant selection that may lead to future environmental weed problems;
 - iv) Preserving and enhancing the identity and ‘sense of place’ for the local community through appropriate landscaping; and
- c) Enhance local biodiversity by conserving existing native vegetation areas and by restoring and creating new native vegetation areas to create habitat for indigenous fauna.”

Application of the Policy

This section should explain procedures regarding how to perform activities or tasks, in order to carry out the intent of the policy. It should identify performance measures, timelines and key deliverables, and clarify responsibilities for implementation.

Formal guidelines may need to be developed to support the implementation of the policy, depending upon the issue being addressed.

Acknowledgement

This section should acknowledge the sources used in the development of this policy.



Review

This statement should outline the procedures for review of the policy. In normal circumstances the responsible officer should be notified 6 months prior to the expiry date as a reminder to advise that the policy requires review. Policies that ensue as a consequence of legislation should be reviewed annually to assure legislative compliance.



Policy Template

Introduction

Policy Outline

1. Operation of this Policy
2. Statement of Intent
3. Definitions
4. Policy Objectives
5. Application of the Policy
6. Acknowledgement
7. Review

1. Operation of this Policy

This policy applies to...

2. Statement of Intent

It is the intent of this policy to promote to [*Council Name*] staff and councillors [*and other relevant audience*]...

3. Definitions

4. Policy Objectives

5. Application of the Policy

6. Acknowledgement

7. Review



References

Association of College and University Policy Administrators Policy Development Process.

URL: <http://process.umn.edu/acupa/projects/process/>

EMRC (2000) *Business Management System Operations Manual*; EMRC, Belmont WA.

EMRC (2007) *Foreshore Management Policy and Guidelines for Local Government*; EMRC, Belmont WA.

EMRC (2007) *Local Government Landscaping with Local Plants Local Planning Policy*; EMRC, Belmont WA.

New South Wales Department of Health (1998) *Policy Development Guidelines*; State Health Publication No. (PDD) 980044