

Kangaroo Island Citizens' Jury

What is the most appropriate citizen based governance model for the delivery of government services on Kangaroo Island?

Report to the Government of South Australia and the
Kangaroo Island Futures Authority

September 2014

Preamble

The KI Citizens Jury 2014 was convened in July 2014. The Jury met over two months and four separate sessions. The Jury considered a raft of information and input from various sources, and had the opportunity to learn from other island and remote communities models to assist their work. In undertaking their deliberations, the Jury were assisted by independent facilitator Emily Jenke.

The Jury were resourced by the Kangaroo Island Futures Authority, namely through the input of Sue Arlidge. Resourcing assistance was provided by Kathie Stove and Jeanette Gellard.

The general consensus of the Jury was that Kangaroo Island desperately needed a new way forward to ensure its prosperity and future viability. The Jury's recommendations begin with this premise: that Kangaroo Island needs a change in the way its governance is structured.

The Jury benefitted greatly from the work of the KI Citizens Jury in 2013, which explored the many complexities and issues facing the Island in some detail. The 2013 Jury made some high level recommendations which enabled the KI Jury of 2014 to focus on the big picture of governance.

The Jury sat during the time when the KI Draft Commissioner Bill was making its way through a parliamentary process. A suite of community discussions were held on KI during early 2014, and the information gathered during these workshops was available and accessed by the Jury. Overwhelmingly, these workshops (and subsequent report) highlighted community support for the concept of the Commissioner. The Jury formed and present their recommendations with the assumption that there will be a Kangaroo Island Commissioner appointed in coming months. They have taken the opportunity to provide recommendations regarding the role and function of the Commissioner in the scope of their work.

There have been reams of paper produced about Kangaroo Island, and the many unique and complex social, economic and environmental issues faced by the community. Throughout the Jury process, the Jury had access to a dropbox folder, wherein there were over 50 reference documents available to them.

The Jury also had access to critical people on KI, who helped to frame their task and also challenge their thinking. These people included Mayor of KI Jayne Bates, Deputy Mayor of KI Peter Clements, EO/DON of Kangaroo Island Hospital Nigel Jefford, and Penny Holloway (CEO of Lord Howe Island). On their last sitting day, the Jury was supported and often challenged by Governance expert Kate Costello from Governance Matters.

The Citizens Jury listened, created, reflected and deliberated for many hours about the appropriate governance model for KI. It was hard work, and they rose to the task. This report is presented to the Government of South Australia from the Citizens' Jury of Kangaroo Island 2014.

Recommendations

1. The Jury supports the appointment of a Kangaroo Island Commissioner.
2. The Jury recommends that a new model of Governance is developed for Kangaroo Island.
3. The Jury believes that the Island needs a whole of Island plan, with a big vision, and recommends a KI Plan is developed in complete collaboration with Islanders.
4. The Jury recommends the formation of a KI Board to ensure the massive success of Kangaroo Island through delivery of the KI Plan.
5. The Jury recommends that the Board is populated by people with the right skills, diversity and competencies to ensure the massive success of KI and is not a representatively elected body.
6. The Jury recommends that the Board operate under a 'Charter of Citizen Participation' to actively engage in a strategic sense with the community and provide ways for the community to participate in its work.
7. The Jury recommend that all government agencies are mandated to deliver on the targets within the KI Plan. Alignment is critical, so therefore the Jury recommends that existing state and local government governance structures are aligned in due course.
8. The Jury recognises that there are already well organised, high functioning community and government structures in place to deliver projects and focus on specific work. The Jury recommends that where there is an obvious lead entity/body which can deliver on parts of the KI Plan that this occurs.
9. The Jury is excited to recommend that the Board nomination process is conducted by year 10-12 students through Kangaroo Island schools, to ensure young people are engaged in the strategic future of KI.

1. The Jury supports the appointment of a Kangaroo Island Commissioner.

The Jury welcome the intent and the purpose of the Commissioner as described in the Draft Commissioner Bill . The jury took the strong and productive feedback given to the government from the community regarding the function and role of the Commissioner and felt that this was an important step forward.

The Jury have a vision for the type of role the Commissioner might undertake and this includes:

- Acting as a broker or facilitator for the people and future of Kangaroo Island
- Acting as a 'sometimes case worker' – monitoring government agency performance, leading and coordination of government services on KI
- Advocate for Kangaroo Island in SA, nationally and beyond
- Being directed by the community through the Kangaroo Island Plan, which will align with the strategic directions of the state of SA
- Fulfilling this role by serving as chairperson on the governing body of KI, the newly formed KI Board

2. The Jury recommends that a new model of Governance is developed for Kangaroo Island.

The Jury fully agree that governance on KI needs to change to ensure the Island benefits from future opportunities and prospers. Jury members are disengaged with the existing governance structures and welcome the opportunity to provide an alternative model.

Overwhelmingly, jurors observed existing governance on the island as being generally silo' d and lacking in cohesion under one single strategic vision.

Contrary to the original brief for the Jury, the Jury recommends that a new governance model must have a whole of Island focus. It must:

- Enable the pursuit of the Island's strategic future
- Maximise whole of island opportunities that work across government, private and community sectors
- Better connect KI to the state, country and the world

This model must have elasticity and the ability to change, to ensure it is appropriate for the needs of the KI Community and further developed with Island engagement.

3. The Jury believes that the Island needs a whole of Island plan, with a big vision, and recommends a KI Plan is developed in complete collaboration with Islanders.

Lacking on Kangaroo Island at the present time is a place for a BIG VISION for the Island. There are multiple plans, with many visions, but there is no over-arching plan for Kangaroo Island.

Hence, the Jury recommend that a KI Plan is developed.

The KI Plan is envisioned by the Jury as working in a similar way to the SA Strategic Plan. It will set the big vision for KI, and outline a suite of targets which will achieve that vision. It will also set milestones for achievement and to monitor performance.

The Jury imagines that that plan will be owned by the people of KI, and lead by the newly formed KI Board (see recommendation #?). Importantly, the plan will be the instrument which aligns the delivery of government services. In doing so the plan itself must align with the state strategic directions.

To be owned by the people of Kangaroo Island, the KI Plan must be developed in full collaboration with Islanders. This plan, with this big vision will transform the future prospects of Kangaroo Island.

4. The Jury recommend the formation of a KI Board to ensure the massive success of Kangaroo Island through the delivery of the KI Plan.

To bring the KI Plan to life, the Jury recommends the establishment of a Board for the Island. The delivery of the KI Plan would be the Board's primary responsibility.

The Jury imagine this Board to be a Board of the People – and it must have a Whole of Island perspective. Operationally, the Jury has not provided any recommendations about how the Board is resourced, legislated and operates. The Jury's focus has been on the strategic, big picture function of the Board and ensuring that it

Must actively engage in a strategic sense with the community, and provide good mechanisms where quality engagement can occur through a Code of conduct, Charter of citizen participation, etc

The Board must demonstrate understanding of the community issues enough to be able to make informed strategic decisions that align with the KI Plan. The Board must have access to technical expertise (Government and private) and allow input from the ground-up.

The Board should report to the Community once a year.

This Board would consist of 9 people, with the KI Commissioner as non-voting Chair. The Jury anticipates that the Board entity would be enshrined in legislation, with Board members being paid at standard government rates.

Legal Owners

The Jury discussed the 'entity' under which the Board would operate, and importantly who 'owns' that entity. The Jury were adamant that Islanders must be legal owners, with the Board operating in their best interest. The Jury defined Islanders as being any resident, or any ratepayer or any landholder or any registered KI business/entity. All islanders are entitled to nominate to sit on the Board. In the event that voting occurs to select Board members, each Islander would have one vote per natural person.

The Jury recommend that Board members serve a maximum of 2 three year terms. There should be a staggered membership with an establishment term of 4 years. Nominations should occur once a year. It is anticipated that the nominations committee consider the return membership of talented people as required.

What comes first, the plan or the Board?

The jury expect that the most logical approach would be for the Board to be appointed as the first piece of business under the new governance structure. The Board would then be charged with developing a KI Plan – which might take up to 2 years. The engagement and participation of Islanders and South Australians in the development of this plan must be broad, deep and complete.

Once launched, the plan will become the mechanism for all 'work' and effort. It will have targets established across multiple themes. And an invitation would be open for government, not-for profits, the private sector and everyday people to contribute to the implementation of the plan.

Participatory budgeting could be considered to engage Islanders in budgetary decisions and priorities.

How the Board delivers the KI Plan...

The Jury were inspired by other regions which have regional plans that work, in particular the Geelong G21 program. The Jury imagine a structure which has 'themes, clusters or focus areas' (G21 refer to them as 'pillars') that align with the strategic plan. These clusters would come together, made up of interested people and entities which can lead the work required under that cluster.

Each cluster would determine the priority project areas (of community and state significance) which meet the targets set out in the KI Plan. Each cluster would have access to resources and expertise to help them to achieve the massive success of that focus area.

The Jury recognises that there are already well organised, high functioning community and government structures in place to deliver projects and focus on specific work. The Jury recommends that where there is an obvious lead entity/body which can deliver on parts of the KI Plan that this occurs. Government agencies would be expected to participate actively in these clusters.

"Innovation Month"

At the same time each year, the public will have the opportunity to pitch ideas to the KI Board for their consideration. Over a weekend, an Island 'jam' could unfold, where the Board allow the community to pitch innovative ideas for funding. From the Board's budget, there could be an allowance (ie \$1m) set aside for projects emanating from this process.

5. The Jury recommends that the Board is populated by people with the right skills, diversity and competencies to ensure the massive success of KI and is not a representatively elected body.

Kangaroo Island has a long history of an activated and passionate community. This has often helped to mobilise people and resources to benefit the Island, whilst it has sometimes caused polarisation amongst disparate interest groups.

The Jury believe that a new approach is required for the appointment of the KI Board.

The Jury believe that the KI Board should not be a representative body in its own right – instead it should have access to the multiple representative groups who have important roles to play on KI.

The Jury would like to see a Board membership that has the right people for the task – they must have the right mindset, competencies and skills to steer KI boldly into the

future. They also must, where possible show diversity across age, gender and geographic location.

The Jury discussed at length where to find these people – and after much debate agreed that there were many 'right people' on the Island! The Jury have recommended that from the 8 Board seats available, at least 6 should be Islanders, with the other two able to be sourced from outside the region to ensure the right skill and competency base, as co-opted members.

By the 'right people', the Jury define this as being people who:

- have the ability to lead the strategic direction of KI;
- offer independence of thinking;
- have emotional intelligence;
- have competency in the right strategic skill set, financial management, strategic role of a governing body;
- behave in a way that benefits the Board and the KI Community

6. The Jury recommends that the Board operate under a 'Charter of Citizen Participation' to actively engage in a strategic sense with the community and provide ways for the community to participate in its work.

Central to the recommendations stemming from the KI Citizens Juries of 2013 and 2014, are a strong belief that citizens should be at the centre of decision making that affects their lives.

The Jury have recommended that good mechanisms be in place to ensure citizens can participate (as they choose) in all aspects of community life on KI. The Jury spent a great deal of their time understanding democratic models for decision making, and have a wealth of ideas regarding how good citizen participation can look.

For this report however, the Jury are recommending that the Board operate under a Charter of Citizen Participation or a Code of Conduct for Citizen Participation. This should ensure that any activities by the Board model a high level of contemporary engagement practice ensuring inclusion and participation.

7. The Jury recommend that all government agencies are mandated to deliver on the targets within the KI Plan. Alignment is critical, so therefore the Jury recommends that existing state and local government governance structures are aligned with the Boards work as soon as practicable.

The Jury propose that change also be considered to existing governance structures on Kangaroo Island, namely the KI Council and Government Boards and Committees which exist on the Island.

For this new model to work, it is critical that true alignment of government activity occurs seamlessly and simply.

The Jury recommend, that existing Government Boards and Committees are merged into this new model as soon as possible, particularly for the strategic work that they undertake. The Jury expect that the work undertaken by staff of government agencies would largely remain unchanged, with the one difference being that they worked for the delivery of the Kangaroo Island Plan.

An example: KI NRM

In recent years, KI has experienced a cascade of planning processes. It has not been uncommon for the KI NRM Board to be undertaking an NRM Planning Process alongside the KI Council undertaking Strategic Planning processes. All of these plans, while they mention other agencies, do not practically deliver joint whole of island outcomes as intended.

Under this model it is possible that the KI NRM Board (Board members) may no longer exist - their work in setting the strategic direction for the Islands Natural Resources would become a function of the KI Board. It would be expected that the KI NRM Plan would also align with the targets in the new KI Plan. This alignment would be achieved through the input into the KI Plan from those 'experts' in NRM matters.

Throughout their deliberations, the Jury heard many examples of the dilemma's facing the Kangaroo Island Council. The Jury have been very well supported in their deliberations from the KI Council represented by Mayor Jayne Bates and Deputy Mayor Peter Clements.

The Jury are aware that the KI Council is facing an enormous financial viability challenge in the short term, due to the low rate payer funding base. This will become more and more constrictive in the future for the Council in their capacity to deliver services to the people of Kangaroo Island.

The Jury believe that the KI Board could replace the elected member function of Council quite easily and naturally. However the jury have been unable to resolve the dilemma of how to deliver the services supplied by local government.

8. The Jury wants to ensure young people are engaged in the strategic future of KI. The Jury recommend that the Board nomination process is conducted by Young Islanders.

Fundamental to this final, and most exciting recommendation, is the involvement of young Kangaroo Islanders in the future of their region.

Foremost in the Jury's thoughts and contribution throughout the entire process, has been the need to connect with young people – to give them a say in how their community is run and to instil a sense of pride and belonging. Most jurors (including the three youth jurors) recounted tales of disengaged young people on KI who may spiral into unemployment and depression, or simply leave the Island in search of new and inspiring opportunities.

The Jury make this recommendation with an intent to re-connect young people to the future of their Island.

The Jury accepts that young people do not have the time, resources and sometimes inclination to participate in the governance requirements of KI. The Jury also reflected that society does not design governance in which they can easily participate.

The Jury recommend that the nominations process be undertaken by the youth of Kangaroo Island, through their school curriculum. This nominations process should involve the development of a Nominations Committee.

The Jury imagine a nominations process which is run by year 10-12 students of Kangaroo Island schools. This nominations process could initially be supported by people from other regions in SA who could mentor or scrutineer the nominations. Young people would seek Expressions of Interest from Islanders, and would be responsible for putting forward suitable candidates. In the case of suitable candidates exceeding the number of Board positions available, the students would oversee the election process.

It is hoped that this process could align with learning outcomes embedded in school curriculum. It is also anticipated that resources would be made available to assist the nominations program to effectively run in schools.