



# SHIRE OF DUMBLEYUNG

## COUNCIL POLICY MANUAL

Adopted: 17 May 2018  
Motion 2018/522  
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OPERATIONAL

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## COUNCIL POLICY

**DATE PROPOSED:** 21 April 2016

**AUTHOR AND POSITION:** Matthew Gilfellon – Chief Executive Officer

### **1.1 AGED CARE HOUSING ELIGIBILITY CRITERIA**

That the following criteria be used to determine ranking of applicants for entry into any Council Aged Care Units in Dumbleyung and Kukerin where there have been more applications received than vacancies:

- Minimum age of 60 years;
- Ability to pay;
- IF on a Centrelink pension – direct payment from Centrelink;
- A medical certificate to ensure applicants are capable of maintaining the unit – reviewed bi-annually;
- Special circumstances – to be a decision of Council.

## **COUNCIL POLICY**

**DATE PROPOSED:**

15 April 2010

**AUTHOR AND POSITION:**

Henry Van Der Ende – Chief Executive Officer

### **1.2 ANNUAL REVIEW OF POLICIES**

Council policies may be amended or introduced at any time during a year by Councillors or staff with the understanding the official Annual Review of Policies be deemed to have occurred at the April Council meeting each year when, after due consideration of any issues raised, all policies shall be confirmed as current and correct.

## COUNCIL POLICY

**DATE PROPOSED:** 15 April 2010

**AUTHOR AND POSITION:** Henry Van Der Ende – Chief Executive Officer

### **1.3 ANZAC DAY WREATHS**

Enough wreaths be ordered and purchased from a 'local' florist for each year's ANZAC Day ceremonies at Dumbleyung and Kukerin where requested.

Wreaths required:

- 1 for each school
- Up to 2 for the RSL
- 1 for the Shire of Dumbleyung

Council will also:

- Contribute \$200 towards the cost of catering on ANZAC Day;
- Provide of a wreath for the Vietnam Veterans to be laid by them at the ANZAC Day ceremony;
- Arrange appropriate seating for veterans, attendees and VIP's at the ceremony.



## COUNCIL POLICY

**DATE PROPOSED:**

20 December 2018

**AUTHOR AND POSITION:**

Matthew Gilfellow – Chief Executive Officer

### **1.4 AUSTRALIA DAY**

#### **Australia Day Functions**

Australia Day functions shall be combined with the New Residents Reception and the event will be alternated between Dumbleyung and Kukerin unless otherwise decided and will be well promoted and advertised. Local groups to provide their information for distribution at the function to new residents.

#### **New Residents Reception**

New Residents Reception shall be combined with the Australia Day function and the event will be alternated between Dumbleyung and Kukerin unless otherwise decided and will be well promoted and advertised with the first such combined event being held in Kukerin. Local groups to provide their information for distribution at the function to new residents.

# COUNCIL POLICY

**DATE PROPOSED:** 17 May 2018

**AUTHOR AND POSITION:** Matthew Gilfellon – Chief Executive Officer

## 1.5 COMMUNITY ASSISTANCE

Council provides assistance to community groups and organisations on an ongoing basis. The basis for deciding upon which assistance to be provided is:

- All community groups and organisations are to be treated equally.
- Community groups and organisations must help in providing the assistance.

Specific ways in which Council provides assistance are:

- Shire staff and/or skilled Councillors are to operate Shire plant whilst the machine is being used at a Community Busy Bee.
- Community groups making applications for Department of Sport and Recreation/Lotterywest grants to ensure their financial situation and contributions to the project are in place and submitted in writing with the application documents.
- Kukerin Agricultural Society and the Dumbleyung-Kukerin St John Ambulance Sub-Branch be refunded their annual rates and refuse collection charges as a donation.
- That the unexpended balance of the Shires Annual Budget allocation as provided for Ambulance Assistance for the cost of fuel taken from the Shire Depot, be paid out at the end of each financial year to the Dumbleyung-Kukerin St John Ambulance Sub-Branch as a donation towards its operational or capital expenditure requirements.
- That Council contribute the cost of fuel for St John Ambulance Dumbleyung and Kukerin Sub Centres and make further financial contributions as requested in the financial budget process.
- That the photocopying costs of St John Ambulance be reimbursed by the shire due to the organisation being recognised as an emergency services organisation.
- Council will offer annual financial support to the Tarin Rock Tennis Club to a maximum of \$2000 towards its electricity costs.
- That Council, (1) pay accounts for vermin control at Kukerin and Dumbleyung Golf Clubs, and (2) pay for Caltrop control at Dumbleyung Golf Club, and (3) Caltrop at Kukerin Golf Club.
- A weekly rubbish removal during the golf season is to be undertaken at the Lake View Golf Club.
- That no hire shall be applied for the use of the swimming pool for the annual triathlon events and entry to the pool on the day for the duration of this event by the officials, competitors and spectators, shall be free.
- A free Family Season Pass is to be given to the designated Swimming Coach on an annual basis and on request from the designated Swimming Coach.
- That Council will provide to contribute in cash and/or in kind one-third of the total cost of community group projects **it supports** which are the subject of Department of Sport and Recreation CSRFF grant applications with the intention of encouraging a grant of similar ratio.

- That a budget allocation be made to provide busses from Kukerin Primary School and back for students to attend in-term swimming lessons.
- That the shire sponsors an end-of-year book award for each school within the shire of Dumbleyung
- That the shire provide in-kind assistance at the Kukerin Agricultural Society's Creekbed and Burnouts Busy Bee.

# COUNCIL POLICY

**DATE PROPOSED:**

20 November 2008

**AUTHOR AND POSITION:**

Ian Craven – Chief Executive Officer

## **1.6 COMPLAINT HANDLING**

### **POLICY STATEMENT**

That the Shire of Dumbleyung will provide a consistently high level of customer service and that a complaints system will be used to monitor that service.

### **OBJECTIVE**

The primary objective of this policy is to turn dissatisfied customers into satisfied customers.

The secondary objectives are:

1. To monitor performance.
2. Identify the need for improvement or new services.
3. To avoid potential litigation.

### **GUIDELINES**

The complaints procedure allows the customers/general public to provide written detail of their complaint.

All complaints received will be forwarded to the Chief Executive Officer.

A monthly report summarising any complaints received will be provided to Council via the Information Bulletin. Complaints relating to staff will be summarised to the Chief Executive Officer. Complaints referring to the Chief Executive Officer will be referred to the Shire President. Complaint letters received anonymously will not be processed.

### **COMPLAINTS PROCEDURE**

#### **Staff Receiving Complaints**

##### **1. Verbal Complaints**

Listen carefully and maintain a positive approach. Repeat your understanding of the problem to the customer to check that you have understood. Write this down to document the issue. If the complaint is unclear, it can be helpful to ask "What is it that you would like to happen?", or "How can we help you with your concern?"

Decide if there is any action you can take to resolve the complaint. If there is, inform the customer and resolve the issue. If you are unable to resolve this issue, advise the customer that a Council Officer will contact them within 5 working days. The officer will either obtain more information and/or advise when the matter will be resolved.

Ask the complainant if they would prefer to put their complaint in writing. Advise the complaint to the Chief Executive Officer.

## **2. *Written Complaints***

When letters of complaints are received they will be referred to the Chief Executive Officer. A letter will be sent advising that their complaint has been received and thanking them for providing feedback to Council. It will also advise that a Council officer will contact them within 5 working days. The officer will either obtain more information and/or advise when the matter will be resolved.

## **Resolving Complaints**

### **3. *Record of Complaint***

- a) The Chief Executive Officer will record the complaint and issue a complaints number and file in a Complaints Register.
- b) The Chief Executive Officer will assign the complaint to the relevant officer for resolution.

### **4. *Dealing with Complaints***

- a) The officer receiving the complaint will contact the customer and inform them what is happening to their complaint within 5 working days of receiving the complaint.
- b) If the complaint is resolved satisfactorily, record the action taken on the complaint and send it to the Executive Secretary for filing.

### **5. *Unresolved Complaints***

- a) If the complaint has not been resolved within 10 working days, the relevant officer will advise the Chief Executive Officer.
- b) The Chief Executive Officer will then contact the officer handling the complaint and determine what action can be taken to resolve the complaint.
- c) If the matter cannot be resolved at officer level, the matter will be referred to Council for resolution.
- d) Once Council has made a determination on the issue, the customer will be informed.
- e) A copy of the relevant page from the Minutes will be attached to the complaints notation/letter by the Chief Executive Officer and then processed through the Complaints Register.
- f) If the complaint is still unresolved, the customer should be informed the matter can be referred to an external body such as the Local Government Department or Ombudsman.

### **6. *Reviewing Complaints***

- a) On a monthly basis, a report of all complaints received and the action taken to resolve the complaints will be forwarded to Council via the Information Bulletin. It will list the nature of the complaint, date received, action taken to resolve the complaint, whether the complaint was verbal or written and the date the complaint was resolved.

## COUNCIL POLICY

**DATE PROPOSED:**

15 December 2016

**AUTHOR AND POSITION:**

Matthew Gilfellon – Chief Executive Officer

### **1.7 COMMUNITY ENGAGEMENT POLICY**

For the purposes of community engagement in order to prepare and review the Strategic Community Plan the following engagement activities are to be undertaken:

- Every two years a survey is to be undertaken to ascertain what the communities priorities are and how the community views the performance of Council and the shire. The community survey is to be conducted in line with the minor and major reviews of the Strategic Community Plan.
- Every four years community workshop(s) are to be undertaken to inform the community of the progress of the Strategic Community Plan and ascertain what the communities priorities are.

## **COUNCIL POLICY**

**DATE PROPOSED:** 21 April 2016

**AUTHOR AND POSITION:** Matthew Gilfellow – Chief Executive Officer

### **1.8 COUNCIL CATERING**

Council will pay catering costs for the Council meeting evening meals at either \$32 per head or at a total minimum payment of \$320.

Council will pay catering costs for December Christmas meeting at a cost of \$40 per head.

Expressions of interest for catering will be advertised and community organisations and sporting groups will be given first preference. If no interest is shown by community organisations or sporting groups then individuals may cater.

# COUNCIL POLICY

**DATE PROPOSED:** 21 April 2016

**AUTHOR AND POSITION:** Matthew Gilfellon – Chief Executive Officer

## **1.9 EMAIL POLICY**

### **1. Introduction**

Email (external/internal) forms part of the official business communication of the Shire of Dumbleyung, as such email is governed by the same legislative requirements (State Records Act 2000) as all records.

Email sent or received contains information about business activities and therefore can function as evidence of business transactions in a court of law; they are subject to legal processes such as discovery and subpoena. The records may also be required by Royal Commissions, auditors and other people/bodies to whom they may be subject.

Electronic messaging systems are communication devices like the telephone, facsimile or post, and as such cannot be isolated from the records management system.

### **2. Email as Official Records**

Email messages are official records of Council's business, legislation requires Council to be accountable for that business.

Transactions that provide evidence of business activities and are required for ongoing business should be documented in the records management system.

Email messages that document;

- What happened
- What was decided
- What advice was given
- Who was involved
- When it happened
- Order of events and decisions

should be printed out, with appropriate contextual details and attachments, and filed on Council's paper based files until electronic record keeping practices are developed.

### **3. Purpose of this Policy**

The purpose of this Policy is to ensure the proper use of the Shire of Dumbleyung's email system and applies to all Council employees, Councillors, contractors, consultants, temporary and casual staff, and other authorised personnel of the Shire of Dumbleyung.



Council makes electronic mail available to its staff so they may efficiently share and exchange information in the pursuit of Council's goals and objectives.

Council is a diversified organisation, where staff work varying hours and days, electronic mail allows Council staff to help overcome the barriers of time and space in communication.

#### **4. Policy Statement**

- a) Council's email system and the messages sent through it are part of the Council's formal communication network. This means Council records now include information kept in electronic form.
- b) Email messages must be kept if they provide evidence of Council's business and activities, are needed for use by others or affect the work of others. Staff sending and receiving emails are responsible for deciding if an email message is considered to be a Council record and making sure that these messages are documented or printed out and placed on the appropriate file to provide a formal record.
- c) Email messages which become Council records must be retained in accordance with the approved retention periods listed in the Local Government Disposal Schedule.
- d) Access to email is limited to Council staff, or other authorised persons, who have been given a user identification and password. Staff must not give their password to another staff member or member of public and must not access other staff members email without appropriate authority. Unauthorised access to programs or information will result in disciplinary action.
- e) The Email system is part of Council's computer network and all the information processes, transmitted or stored in the system are the property of Council.
- f) Email is a business tool. Staff must make sure that all email messages are brief, concise and business related and are kept in the system only as long as required.
- g) Email messages that are retained as Council records are accessible to the public under Freedom of Information and Privacy legislation.
- h) Email systems should not be assumed to be secure. Staff must be aware of the potential risks involved in sending confidential or sensitive information by email.

#### **5. Procedures for Use of Electronic Mail**

- a) Email should be treated with the same significance as the signed letter. Your password and the ability for you to send an email message has the same authority as signed correspondence.
- b) Email must be accessed at least once a day by each employee with access to a networked personal computer. Any unwanted email should be deleted.
- c) Staff can maintain their own email address book.
- d) Personal or private information such as personal notes or invitations, staff appraisals or job applications should not be included in an email message because it could be read by, or

misdirected to, unauthorised persons. Messages may also continue to exist long after the sender has deleted them. Deletion eliminates the message or file name from your computer directory but the information itself exists in the back-up system until it has been overwritten.

- e) If you send an email message with a Council document as an attachment, you must note the details of the source of the document on the attachment. These details should include the addressee, the sender and the date and time of dispatch and receipt. Such details can be recorded as a file note on the corresponding physical file, however it is preferred that a hardcopy of the email and attachment is placed on the file with the required details.
- f) Email messages that are retained as part of Council records should be saved as a Word document. The message will be able to be sent to the records management system for attachment to a file.
- g) Remember that email is admissible as evidence in court so good judgment must be used and thought must be invested into what is written.
- h) Make sure email etiquette is followed. Messages must be kept polite and do not write in upper-case as this is considered 'shouting'. Only send information that is of value to the receiver and do not make messages High Priority unless they are truly urgent.

## **6. Information Protection and Confidentiality**

All email accounts are the property of the Shire of Dumbleyung and are provided to employees to be used primarily for legitimate business purposes, unless employees have prior approval from the Chief Executive Officer.

Email accounts are installed on a needs basis and are not automatically installed for all staff. A memo from a Manager forwarded to Chief Executive Officer is required for email connection. Staff granted access are responsible for managing all relevant emails received.

All email accounts including the data and messages contained within or transmitted via them are the property of the Council and are primarily intended for business use only.

All employees are advised that they do not have any personal or proprietary rights over such email accounts.

Council cannot guarantee the privacy or confidentiality of any email message sent internally or externally.

Council reserves the right, at any time and without consent of the user, to inspect, monitor, examine, copy, store, forward, delete and disclose the contents of email messages, especially in relation to subpoenas and legal disclosures.

The Chief Executive Officer is the only employee authorised to undertake such procedures under strict disclosure conditions.

Any email information deemed important should be printed and, if required, an electronic copy maintained away from the email system.

Councillors and Council employees must safeguard Council information and information belonging to others such as Council customers and suppliers from unauthorised or accidental disclosure, modification, damage or destruction, consistent with Council Policy.

Council employees should notify the Chief Executive Officer of any unusual systems behaviour immediately as this may indicate security or virus related problems

Email records must remain accessible while they are required to meet business and accountability requirements.

Email records that will be incorporated into the Central Records management system must be protected from alteration or manipulation.

Access to email is limited to Council employees who have given authorisation to do so and who have been given a user identification and password.

Virus infection on email systems is becoming more prevalent, viruses are being sent over the internet on a daily basis. The virus scanner installed on the network should not be totally relied on as no scanning software can give 100% guaranteed protection.

Unless file attachments (especially sent over the internet) can be positively identified they should be totally deleted and NOT opened as they may contain viruses. Notify the Chief Executive Officer if you receive questionable attachments or are unsure of what to do.

Scanned pictures should not be used in any circumstances as they can be altered (cut and pasted) to give the appearance that a document was signed officially.

## **7. Inappropriate Usage of Email**

- a) Using email accounts for non-business purposes – i.e. ‘junk’ mail.
- b) Sending or distributing ‘chain’ letters, ‘hoax’ mail or for other mischievous purposes.
- c) Using email to solicit outside business ventures or actions in violation of Council Policy.
- d) Using email to distribute software which is inconsistent with any vendor’s licence agreement.
- e) Using email to request, access, transmit or convey fraudulent, illegal, offensive, threatening, abusive or harassing materials which violates Council’s Code of Conduct.
- f) Using language that may be offensive to another user i.e. profanity and obscenities.
- g) Use of email to harass, abuse, intimidate or interfere with the ability of others to conduct Council business.
- h) Unauthorised accessing of data to attempt to breach any security measures on the systems, attempting to intercept any data transmissions without authorisation.
- i) Sending email messages of a defamatory nature, email can be used as evidence in a court of law, Council can be held liable for published defamatory material.

- j) Use of email to disclose or transmit any classified, staff in confidence, commercial in confidence, restricted or sensitive material.
- k) The distribution of information via email (excluding business or personal messages i.e. birthday, baby birth or anniversary details) such as Trade Union or Community Group material must be authorised by the Chief Executive Officer.

#### **8. Violations of this Policy**

Council employees who violate any copyright or licence agreements are acting outside the scope of their employment terms and conditions and will be personally responsible for such infringements.

Council employees may be subject to limitation on their use of email as determined by the Chief Executive Officer.

The Chief Executive Officer will undertake periodic monitoring, auditing and activities to ensure staff compliance with the acceptable usage of email in reference to this Policy.

Use of the email system indicates consent to such activities.

Council employees who violate this policy will be subject to disciplinary action.

Violating this Policy may also contravene the law or relevant legislation and subject the employee/Council to criminal or civil actions.

This Policy is issued under the authority of the Chief Executive Officer and will be reviewed and amended as required.

## **1.10 EMPLOYEE ACKNOWLEDGEMENT, RECOGNITION AND GIFT GUIDELINES**

### **POLICY – STAFF**

Sub Section: Staff General

**Policy Number:** 1.10

**Policy Subject:** Employee Acknowledgement, Recognition and Gift Guidelines

**Policy Statement:** To provide guidelines for acknowledgement and recognition of employees including gift presentations.

**Objectives:** To provide a consistent and equitable approach to acknowledgement of staff occasions such as weddings, engagements, births, illness/accidents, deaths, work milestones and staff departures.

- Guidelines:**
1. ADMITTANCE TO HOSPITAL DUE TO ILL HEALTH OR ACCIDENT
    - > Flowers delivered to hospital to a maximum value of \$100 at the discretion of the Chief Executive Officer plus delivery as appropriate.
    - > Get well card from the President/Chief Executive Officer/Manager as appropriate.
  2. DEATH OF CURRENT EMPLOYEE
    - > Bereavement notice in the newspaper.
    - > Flowers delivered to family to a maximum value of \$100 at the discretion of the Chief Executive Officer plus delivery as appropriate.
    - > Attendance at funeral by relevant colleagues.
    - > Sympathy card to family from the President/Councillors.
    - > Sympathy card to family from the Chief Executive Officer and Staff.
    - > Paid attendance at the funeral during normal hours for the service only.
  3. DEATH OF EMPLOYEE'S HUSBAND, WIFE, CHILD OR PARTNER
    - > Bereavement notice in the newspaper.
    - > Attendance at funeral by relevant colleagues (if appropriate).
    - > Sympathy card to family from the President/Councillors & Staff.
  4. DEATH OF EX-EMPLOYEE (SERVICE OVER 10 YEARS)
    - > Bereavement notice in the newspaper.
    - > Attendance at funeral by relevant colleagues (if appropriate).
    - > Sympathy card to family from the President/Councillors & Staff.
  5. DEATH OF EMPLOYEE'S MOTHER, FATHER, BROTHER OR SISTER
    - > Attendance at funeral by relevant colleagues (if appropriate).
    - > Sympathy card to family from the President/Councillors & Staff.

## 6. DEATH (OTHER THAN PREVIOUSLY MENTIONED)

- > At the discretion of the President.

## 7. BIRTHS

- > Flowers delivered to hospital to a maximum value of \$100 at the discretion of the Chief Executive Officer plus delivery as appropriate.
- > Contributions to a present at staff discretion.

## 8. RECOGNITION ON DEPARTURE/RETIREMENT (OTHER THAN TERMINATIONS)

Service calculations exclude periods of leave without pay and maternity leave.

### One to Three Years

- > Card only.
- > Contributions to a present at staff discretion.

### Over Three Years

- > Card.
- > Contributions to a present at staff discretion.
- > Farewell function at the choice of departing employee (either no event or a function to the maximum value of \$200 at the discretion of the Chief Executive Officer).
- > Presentation of a gift voucher for \$75.
- > For each year over three (rounding up the year), \$25 will be added to voucher value.

### Over Ten Years

- > Card.
- > Contributions to a present at staff discretion.
- > Farewell function at the choice of departing employee (either no event or a function to the maximum value of \$200 at the discretion of the Chief Executive Officer).
- > Presentation of a certificate of service.
- > Presentation of a gift voucher for \$500.
- > For each year over ten (rounding up the year), \$25 will be added to voucher value.

### Over Fifteen Years

- > Card.
- > Contributions to a present at staff discretion.
- > Farewell function at the choice of departing employee (either no event or a function to the maximum value of \$200 at the discretion of the Chief Executive Officer).
- > Presentation of a framed certificate of service.
- > Presentation of a gift voucher for \$750.
- > For each year over fifteen (rounding up the year), \$25 will be added to voucher value.

#### Over Twenty Years

- > Card.
- > Contributions to a present at staff discretion.
- > Farewell function at the choice of departing employee (either no event or a function to the maximum value of \$200 at the discretion of the Chief Executive Officer).
- > Presentation of a framed certificate of service.
- > Presentation of a gift voucher for \$1,000.
- > For each year over twenty (rounding up the year), \$25 will be added to voucher value.

### 9. RECOGNITION ON LENGTH OF SERVICE

Service calculations exclude periods of leave without pay and maternity leave.

#### Ten (10) Years

- > Certificate presented at end of year Christmas function
- > Engraved Pen with name and length of service and identification that it is from the Shire of Dumbleyung or gift voucher to the value of \$200.

#### Fifteen (15) Years

- > Certificate presented at end of year Christmas function
- > Framed photo of Dumbleyung (Lake, Bluebird or appropriate associated photo) with plaque including name and length of service and identification that it is from the Shire of Dumbleyung or gift voucher to the value of \$300.

#### Twenty (20) Years

- > Certificate presented at an all staff function held in recognition of employee including an invitation to Councillors
- > Personalised clock with plaque including name and length of service and identification that it is from the Shire of Dumbleyung or gift voucher to the value of \$500.

#### Twenty-Five (25) Years

- > Certificate presented at an all staff function held in recognition of employee including an invitation to Councillors
- > Engraved Gold/White Gold Watch including name and length of service and identification that it is from the Shire of Dumbleyung or gift voucher to the value of \$1,000.

First Adopted: 15 August 2019

Last Review: 17 November 2020, 2020/xxx

## COUNCIL POLICY

**DATE PROPOSED:**

17 November 1994

**AUTHOR AND POSITION:**

Ian Craven – Chief Executive Officer

### ***1.11 FIRE SAFETY PRECAUTIONS DURING CHRISTMAS BREAK***

A water tank be fitted to and left full on a Shire truck in the Shire Depots during the annual Christmas/New Year break.



# COUNCIL POLICY

**DATE PROPOSED:** 17 May 2018

**AUTHOR AND POSITION:** Matthew Gilfellon – Chief Executive Officer

## **1.12 HALL BOOKINGS & HALL EQUIPMENT HIRE**

That five (5) days' notice is required for hall bookings and that the public be regularly reminded of this requirement with the exception of extraordinary events or functions.

That individuals and groups hiring hall equipment be charged the appropriate hire deposit in addition to the set hire fee as applicable.

### **HALL EQUIPMENT – OLD STOCK FOR EXTERNAL HIRE**

That only hall equipment items e.g. chairs, tables, crockery considered to be 'old stock' rather than 'new stock' be available for external hire, i.e. away from Shire owned property. Hirers shall return the equipment in good time or be fined accordingly.

### **HALL HIRE – DEPOSIT AND CONDITIONS**

That the deposits for hall hire where permits for liquor consumption have been issued, is as per the fees and charges. Otherwise the minimal bond set in the fees and charges is to apply, the bond is to be paid to the Shire Office or the Kukerin caretaker prior to the issue of keys, and that the building hired is to be clean and tidy in compliance of the following:

- All floors are vacuumed/mopped.
- All bench and table surfaces are wiped and clean.
- All urns are emptied.
- All rubbish is collected and deposited in outside bins.
- Spillage on all furniture is wiped prior to stacking chairs and tables away. Please ensure chairs and tables are left stacked neatly away where they came from.
- Any crockery and cutlery used is washed and put away.
- All ovens are cleaned after use.
- All decorations are removed.
- The bar area, if used, left in a clean and tidy state.
- All lights, heaters and air-conditioners to be turned off.
- All toilets are left in a clean and tidy state. Council's caretaker will mop the toilet area following the use of the facility.
- All doors, both internal and external, are locked before leaving.
- Additional cleaning costs will be recoverable from the hirer of the facility and/or deducted from bond monies held by the Council.
- The building be inspected prior/after use with the hirer by the Chief Executive Officer or delegated staff member.

## COUNCIL POLICY

**DATE PROPOSED:**

16 April 2015

**AUTHOR AND POSITION:**

Matthew Gilfellow – Chief Executive Officer

### **1.13 HOUSING – PICTURE HOOKS IN WALLS**

Council will allow hooks for pictures and photo frames on walls in housing according to the following list. All hooks will be installed by the Shire of Dumbleyung only.

- 1 hook in living room
- 1 hook in dining area
- 1 hook in kitchen
- 1 hook in each bedroom
- 1 hook in study
- 1 hook in theatre room

Where the living room, dining room and kitchen are separated into 3 distinct areas, a hook in each area is still allowed.

Existing hooks in properties will remain as is and no further hooks added unless areas specified above are missing the hooks.

# COUNCIL POLICY

**DATE PROPOSED:** 13 August 2015

**AUTHOR AND POSITION:** Zoey Eyre – Governance & Compliance Officer

## **1.14 INTEGRATED WORKFORCE PLANNING AND MANAGEMENT**

### **OBJECTIVE**

To demonstrate that the Shire is committed to ensuring that strategic, operational and legislative objectives areas met by effective workforce planning and resourcing to demonstrate compliance with the Integrated Planning requirements of the Local Government Act (1995) Regulation S5.56(2).

### **DEFINITION OF WORKFORCE PLANNING**

Workforce Planning is a continuous process of shaping the workforce to ensure it is capable of delivering organisational objectives into the future. It provides the framework for assessing the demand and supply of the workforce and aims to have the right people in the right place at the right time to affect the delivery of organisational goals, resourced through effective long term financial and business plans.

### **PRINCIPLES – FRAMEWORK – PROCESS**

The Shire considers workforce planning to be an essential management function in its operations. They recognise that the achievement of all goals and objectives are reliant on the appropriate capacity, skills, knowledge of the workforce.

Council is committed to resourcing workforce requirements through its integrated planning processes. Council also recognises that the responsibility for managing people lies with the person who has the executive responsibility for the objectives of the service/activity/function of their sector.

The Shire will ensure the Workforce Plan addresses current and future best practice human resource management practices that include:

- Effective and efficient recruitment and retention
- Role and responsibility definition and appropriate performance management
- Support and encouragement for staff to perform
- Staff training and development
- Legislative compliance
- Staff health and wellbeing (OSH)
- Flexibility in employment and work practices to meet organisational end employees needs

## **RESPONSIBILITY**

- Executive staff and supervisors have the responsibility and accountability for ensuring that all staff are managed appropriately within their own work areas.
- In each of these areas, current and future demand and supply should be assessed as part of the annual and strategic planning cycles.
- The CEO will ensure effective setting of KPI's and performance criteria for their staff that will meet relevant organisational objectives.
- Staff appraisals will incorporate training and development plans to ensure the current and future skills and knowledge needs are met wherever practicable, with gaps and omissions reported to the CEO or other designated officer for inclusion in the Workforce Planning process.
- The Governance and Compliance Officer will collect and monitor relevant workforce data, demographics and trends as part of the integrated planning cycle.
- All Elected Members and officers involved in organisational, operational or project planning will ensure that workforce implications are considered and included in all strategic or operational plans.

## **MONITOR AND REVIEW**

The Shire will implement a robust reporting and recording system that will be regularly monitored to ensure human resource supply and demand management is appropriately implemented and sustained across the organisation and there is ongoing identification of issues and trends.

Workforce Planning key performance indicators, relating to both organisational and personal performance will be developed, implemented and monitored by the Shire's Executive Staff and Council as appropriate and reported as required, being mindful of human resource management confidentiality requirements.

## COUNCIL POLICY

**DATE PROPOSED:**

21 November 2013

**AUTHOR AND POSITION:**

Matthew Gilfellon – Chief Executive Officer

### **1.15 LEASE OF HORSE Paddock**

Council leases the land known as the 'horse paddock' to community and sporting groups/organisations as a fundraising means for periods of three years at a time i.e. commencing 1<sup>st</sup> March in the first year and concluding 28<sup>th</sup> February in the third year. The lease is determined by expressions of interest and the lease is given on the proviso that once during the three years a legume crop is grown and include a one tonne per hectare lime program to be carried out within the first year of the three year lease.

## COUNCIL POLICY

**DATE PROPOSED:**

16 April 2015

**AUTHOR AND POSITION:**

Matthew Gilfellow – Chief Executive Officer

### **1.16 OFFICE HOURS & OFFICE CLOSURE DURING CHRISTMAS AND NEW YEARS HOLIDAYS**

The Shire of Dumbleyung office is to be open to the public between 0830 hours and 1630 hours Monday to Friday, excluding public holidays.

The Council office shall be closed for the three days between Christmas and New Year provided adequate emergency staff contact procedures are put in place and the three days are accounted for by the two previous public service holidays as provided in the Local Government Officers Award, Clause 27.7 – Days in Lieu and/or adjustment to Rostered Days off.

Where the three day closure between Christmas and New Year falls midweek and the office is to reopen for one working day only (e.g. the Friday) it will be at the discretion of the Chief Executive Officer as to whether the office will remain closed for this day also.

At the discretion of the Chief Executive Officer, the office will close at 12.00pm on Christmas Eve provided adequate notice is given to the public. A copy of the office closure notice to be supplied to the local police for their information.

# COUNCIL POLICY

**DATE PROPOSED:** 15 April 2010

**AUTHOR AND POSITION:** Henry Van Der Ende – Chief Executive Officer

## **1.17 OHS VOLUNTEER MANAGEMENT**

The Shire of Dumbleyung recognises the responsibility to ensure that the following points apply to the management of volunteers in the organisation. The Shire of Dumbleyung will maintain a register of volunteers to ensure they are covered by the organisation's insurance policy.

The Council will comply with the national standards for volunteer involvement, which represent and explain the tenets of best practice in the management of volunteers.

The following points identify policy considerations for volunteering involving organisations and can be addressed as part of the process to implement the national standards:

- Interview and employ volunteer staff in accordance with anti-discrimination and equal opportunity legislation;
- Provide volunteer staff with orientation and training;
- Provide volunteer staff with a healthy and safe workplace;
- Provide appropriate and adequate insurance coverage for volunteer staff;
- Not place volunteer staff in roles that were previously held by paid staff or have been identified as paid jobs;
- Differentiate between paid and unpaid roles;
- Define volunteer roles and develop clear job descriptions;
- Provide appropriate levels of support and management for volunteer staff;
- Provide volunteers with a copy of policies pertaining to volunteer staff;
- Ensure volunteers are not required to take up additional work during industrial disputes or paid staff shortage;
- Provide all volunteers with information on grievance and disciplinary policies and procedures;
- Acknowledge the rights of volunteer staff;
- Ensure that the work of volunteer staff complements but does not undermine the work of paid staff;
- Offer volunteer staff the opportunity for professional development;
- Reimburse volunteer staff for out of pocket expenses incurred on behalf of the organisation;
- Treat volunteer staff as valuable team members, and advise them of opportunities to participate in agency decisions;
- Acknowledge the contributions of volunteer staff.

## **SCOPE**

This policy applies to all management, employees, councillors and volunteers working on Shire activities or official Shire committees.

## **VOLUNTEER REGISTER**

A register will be kept. Volunteers between the ages of 16 and 80 are covered for personal accident insurance. If volunteers are outside this age group, contact will be made with the Local Government Insurance Services to seek approval for insurance cover.



## **COUNCIL POLICY**

**DATE PROPOSED:**

15 April 2010

**AUTHOR AND POSITION:**

Henry Van Der Ende – Chief Executive Officer

### ***1.18 PLANT HIRE PERIOD***

That the minimum hire period for manned Shire plant be 1 hour.

# COUNCIL POLICY

**DATE PROPOSED:** 18 April 2019

**AUTHOR AND POSITION:** Zoey Eyre – Governance & Compliance Officer

## 1.19 RECORD KEEPING

### INTRODUCTION

Recordkeeping is a major component of any local government and office activities. Ensuring that staff members are aware and up to date with appropriate recordkeeping policies and procedures is essential.

The Shire of Dumbleyung has developed their Recordkeeping Plan in accordance with State Records Commission specifications.

### POLICY

Council is to maintain a Recordkeeping Plan in accordance with the requirements of the State Records Act 2000.

### OBJECTIVE

The purpose of the Recordkeeping Plan is to define the principles that underpin the Shire's recordkeeping function and the roles and responsibilities of those individuals who manage or perform recordkeeping processes on behalf of the shire.

The Plan and its associated procedures establish a framework for the reliable and systematic management of Shire records in accordance with legislative requirements and best practice standards.

### PROCEDURES

The Shire of Dumbleyung's record management (filing) is the responsibility of the Administration Officer, delegated by the Chief Executive Officer.

The Shire of Dumbleyung's Recordkeeping System is based on the Keyword for Councils System.

Council records are classified as the following (and these include records provided by the Elected Members);

- Files and documents
- Email and other electronic records
- Handwritten notes and yellow stickers
- Telephone conversation records
- Audio and video recordings
- X-rays and photographs
- Maps, plans and drawings
- Anything with a unique identifier which relates to a Council function.

All records are corporate assets and therefore are owned by the Shire of Dumbleyung, not the individual employees.

Disposal and retention of records is to be conducted in accordance with the General Disposal Authority for Local Government Records.

### **Incoming Correspondence**

Incoming mail is opened daily, each item is to be date stamped and file reference given to it. If it is not known what file it should be allocated to, the appropriate office who deals with the correspondence must decide and label it accordingly.

Incoming correspondence (including emails and facsimiles) is registered on Synergy and appointed to the responsible officer.

Any monies received via mail are to be recorded in a register, sighted and signed by the Chief Executive Officer and then given to the Administration Officer (or relieving officer if AO is absent) for receipting. Invoices are given to Accounts Payable and are entered through Synergy Creditors for payment. Invoices are entered in an excel spreadsheet for incoming mail but not scanned through the Records Module.

All other correspondence (including emails and facsimiles), after being stamped, is to be received by the Chief Executive Officer and then disseminated to the relevant officers for their information and action. Once the correspondence has been dealt with, it should be placed in the filing tray for the Administration Officer to place in the relevant file.

In regard to the above, this means all business emails (not including spam, ephemeral or personal emails) must be registered on Synergy and printed and kept in a hard copy format in the filing system.

### **Outgoing Correspondence**

All outgoing mail is to be recorded in an excel spreadsheet saved Shire Data/Correspondence-Outgoing/Outgoing Mail/ and corresponding year.

Outgoing correspondence is registered through Synergy Records Module.

All outgoing business emails are to be printed and kept on the appropriate file as determined by the officer who created the document.

### **Electronic Records**

All electronic records that relate to Council's business activities are to be printed out (by whoever created them) and placed in the filing tray.

The creator of each record is to allocate the appropriate file title to the document and the Administration Officer is responsible for filing the document.

### **Website**

All website amendments/updates are made with Wix.

### **Daily & Weekly Backups of Computer System**

All backups are done and managed offsite with Wallis Computer Solutions.

### **Press Book**

When the following accounts arrive at the office, the Administration Officer is to photocopy the relevant advert/media article and paste it into the press book (making sure to record the newspaper and the date it was advertised).

- West Australian Local Government Association
- Narrogin Observer
- Great Southern Herald
- The West Australian
- The Weekend West

Once the advert/media article has been photocopied the relating newspaper can be disposed of.

### **Filing**

All items of correspondence, inwards and outwards, are to be filed by the Administration Officer.

Either the appropriate officer of the Administration Officer will award each item a file title from the Filing List according to what the correspondence is about and the correspondence will be filed in the related file.

The Corporate Coordinator is responsible for creating new hardcopy files in conjunction with Keywords for Council and Synergy. The Corporate Coordinator is also responsible for the closure of files no longer needed.

Any officer wishing to remove a file from the filing room must fill out the form pinned on the wall above the ledge in the filing room. Date, file title and name of officer must be recorded when taking the file out and on returning file, the date of return must be recorded as well.

### **Records Disposal**

When files are 'full' they are to be removed from the filing room and relocated in the Shire's archives room in the appropriate storage box (all boxes are labelled identically to the filing list). When a file is closed a file closed cover sheet giving subsequent file no. is inserted in the file.

All files are to be retained for a specified period of time in accordance with the General Disposal Authority for Local Government Records (GDA) as developed by the State Records Office of WA. Please refer to the GDA for further information on retention or disposal of archival records.

Records that are deemed to be of archival value are to be transferred to the State Records Office for preservation and accessibility by the public. For further information on transferring such records visit [www.sro.wa.gov.au/government/transferring.html](http://www.sro.wa.gov.au/government/transferring.html)

### **Metadata Management**

All file titles are created by the Corporate Coordinator only.

Incoming mail is to be registered in Synergy and the metadata captured is the date, correspondent, internal correspondent, reference numbers and subject of record. The record is then scanned and attached according to the record number assigned.

Outgoing mail is to be registered in the system:

Shire Data/Administration/Correspondence/Outgoing Mail and relevant year.

This spreadsheet is already set up so that each officer registering their mail to be sent is able to record the particulars as needed.

### **System Management**

The Corporate Coordinator is responsible for the management and maintenance of the IT system (per position description), Synergy.

The Corporate Coordinator is to set up and maintain access levels and passwords for all staff.

New staff are given relevant training as well as access to software suppliers user guides.

All staff are given ongoing training as required and can reference current user guides.

Administration responsibilities are as stated in position descriptions.

**Migration Strategy**

IT Systems are upgraded as necessary in consultation with software suppliers and hardware/network consultants.

Current information is to be carried over into new systems and/or old systems and maintained and accessible for a minimum of two years.

All information transferred to the new system is to be integrity checked to ensure data is correct by direct composition between source data and entered data.

Migrations are to be managed in accordance with State Records Policy 8: Policy for ongoing management of electronic records designated as having archival value and SRC Standard 8: Digital Recordkeeping.

## COUNCIL POLICY

**DATE PROPOSED:**

11 December 2013

**AUTHOR AND POSITION:**

Matthew Gilfellon – Chief Executive Officer

### **1.20 ROBERT AND DAPHNE MCINTYRE AWARD**

Following the Committee decision on the recipient of the Robert & Daphne McIntyre Award the following communication must take place in the prescribed timeframe where practicable:

- |   |                                    |
|---|------------------------------------|
| • A phone call to the award recipient           | The day following the meeting      |
| • A phone call to the unsuccessful interviewees | The day following the meeting      |
| • A letter to the award recipient               | Sent the day following the meeting |
| • A letter to each unsuccessful interviewee     | Sent the day following the meeting |

## COUNCIL POLICY

**DATE PROPOSED:** 15 June 2000

**AUTHOR AND POSITION:** Ian Craven – Chief Executive Officer

### ***1.21 SMOKING BAN – SHIRE PROPERTY AND VEHICLES***

Smoking is banned in the swimming pool compound and all Shire owned and controlled buildings and Shire vehicles and plant.

## COUNCIL POLICY

**DATE PROPOSED:**

15 April 2010

**AUTHOR AND POSITION:**

Henry Van Der Ende – Chief Executive Officer

### **1.22 USE OF COUNCIL EQUIPMENT**

That Council plant and equipment which is used for fire fighting purposes be made available for fire fighting and protective burning as required, subject to consultation with Council's senior management staff and the Chief Bush Fire Control Officer or a person acting in this position.

The operation of this equipment is to be conducted either by a Council employee, or in the case where a Council employee is not available, an operator who has been approved at the time of an incident by the Chief Executive Officer, Council's Manager of Works and Services, Works Supervisor, Chief Bush Fire Control Officer or Deputy Chief Bush Fire Control Officer.



## COUNCIL POLICY

**DATE PROPOSED:** 21 April 2016

**AUTHOR AND POSITION:** Matthew Gilfellon – Chief Executive Officer

### **1.23 BUDGET – OVER EXPENDITURE**

The Chief Executive Officer to consult with Council if he/she wishes to spend \$8,000 or 40% over specified budget items, and with the Finance and Audit Committee if he/she wishes to spend \$4,000 or 20% over specific budget items. All expenditure over \$1,000 must be in accordance with Councils Purchasing Policy.

## 1.24 CORPORATE CREDIT CARDS

### **POLICY – ADMINISTRATION/FINANCE**

Sub Section: Finance

**Policy Number:** 1.24

**Policy Subject:** Corporate Credit Cards

**Policy Statement:** To provide rules for the use and responsibilities of corporate credit cards by ensuring that operational and administrative costs and the risks associated with credit card use are minimised while providing cardholders with a convenient method of purchasing goods and services on behalf of the Shire.

**Objectives:** This policy applies to all officers issued with a corporate credit card. It documents the responsibilities attached to these cards and their acceptable use.

Authorised officers and limits are:

Chief Executive Officer	\$7,500
Manager of Finance	\$5,000
Manager of Works	\$5,000
Landcare Officer	\$1,000

**Guidelines:**

#### **Authority for Approval of Corporate Credit Cards**

The Council must approve the issue of a credit card to the Chief Executive Officer and authorised officers, and any change to the credit card limit.

The *Local Government Act 1995* does not allow for the issue of Corporate Credit Cards to elected members of Local Governments. Elected Members are entitled to allowances or the reimbursement of expenses incurred on Council business.

#### **Legislation**

The *Local Government Act 1995* does not specifically mention the use of Corporate Credit Cards by officers in a Local Government. However, Section 6.5(a) of the *Local Government Act 1995* requires the Chief Executive Officer to ensure that proper accounts and records of the transactions and affairs of the Local Government are kept in accordance with regulations. In addition, the *Local Government (Financial Management) Regulations 11(1)(a)* requires Local Government to develop procedures for the authorisation and payment of accounts to ensure that there is effective security and appropriate authorisation in place for the use of credit cards.

#### **Purchases and Use of Corporate Credit Cards**

Corporate Credit Cards shall only be used for purchases of goods and services in the performance of official duties for which there is a budget provision. Under no circumstances are they to be used for personal or private purposes or for the withdrawal of cash.

Where purchases are made over the telephone or on the internet, a tax invoice should be requested to support the purchase. If no invoice or receipt is available, as much detail about the transaction should be recorded and used to support the payment when required. (Date, Company, Address, ABN, amount any GST included).

### **Accounts and Settlement**

The tax invoice providing a brief description of the goods and services supplied and the supplier's ABN must be provided to the Creditors Officer along with the General Ledger/Job Number for payment allocation as soon as practicable after the credit card purchase is made. A credit card transaction slip is not acceptable to support the claim.

The provider of the credit card will recoup expenditure on a monthly basis via direct funds transfer from the Shire of Dumbleyung Municipal account and supply the Shire with a statement of account each month. The Creditors Officer will reconcile the statement to receipts on a monthly basis and forward to the cardholder to certify that the account details are correct. Authorised officers must have their supervisors approve the expenses by signing the statement before it is returned to the Creditors Officer. In the case of the Chief Executive Officer, the statement must be signed by the Manager of Finance or Manager of Works.

On return of the signed statement of account the Creditors Officer will process the direct funds transfer.

### **Card Lost or Stolen**

Cards that are lost or stolen must be reported immediately by the cardholder to the issuing bank. The Manager of Finance should be notified on the next working day so that the cancellation of the card may be confirmed, and a reconciliation of the card account performed.

### **Misuse of Corporate Credit Cards**

Cards which show unreasonable, excessive or unauthorised expenditure will be subject to audit and may result in the withdrawal of the card from the cardholder.

### **Recovery of Unauthorised Expenditure**

Unauthorised expenditure or expenditure of a private nature that is proved to be inappropriate will be recovered by deductions from the officer's salary.

### **Internal Review of the Corporate Credit Card System**

From time to time the Manager of Finance will review credit card use, to confirm compliance with policies and to identify any abnormal trends. The results of these reviews will be documented and retained.

### **Reward/Bonus Points**

Where the Corporate Cards carry rewards or bonus points, usually to encourage the use of the card by the issuing institution, these rewards or points will be accumulated in the name of the Shire of Dumbleyung. The Chief Executive Officer will decide how these points are to be utilised and may include a charitable, social or sporting distribution. Under no

circumstances are rewards or bonus points to be redeemed for an officer's private benefit.

### **Return of Cards**

When the Chief Executive Officer or other officer cease to occupy a position that is authorised to be issued with a corporate credit card, they must return the card to the Manager of Finance prior to vacating the position so that the card may be cancelled, and the account settled.

### **Finance Department Responsibilities**

The Manager of Finance is responsible for arranging the issue of the Corporate Credit Card on advice from the Chief Executive Officer.

The Finance Department's responsibilities in relation to the Corporate Credit Cards include:

1. Maintain a Card Register of all cardholders.
2. Arrange the issue/cancellation of the Corporate Credit Cards.
3. Arrange for all cardholders to sign the Credit Card User Instruction Agreement (see Appendix A) on receipt of the new card and ensure the signed agreement is filed in the Card Register.
4. Process payment of card expenditure on receipt of the card statement from the Bank.
5. To keep cardholders informed of any changes to policy and procedures on the use of the Corporate Cards.

### **Cardholders Responsibilities**

Officers who are issued with Corporate Cards must –

- (i) Ensure the care and safe keeping of the card.
- (ii) Adhere to the policy and procedures in relation to use of the card and its financial limits.
- (iii) Ensure receipts and tax invoices are received when the card is used and to produce them as evidence for settlement with the Bank.
- (iv) Ensure the monthly card statement is certified correct and approved for payment when received from the Creditors Officer.
- (v) Ensure relevant and correct expenditure account details (account numbers) are provided against each item of expenditure on the card statement to assist with the allocation of expenses and claims for the reimbursement of GST from the Australian Taxation Office.
- (vi) Provide an early response to enquiries that may be made by the bank, creditors or related parties.

First Adopted: 16 August 2018, 2018/576

Last Review: 17 December 2020, 2020/xxx

## APPENDIX A

To: \_\_\_\_\_

Title: \_\_\_\_\_

From: Manager of Finance

Date: \_\_\_\_\_

### CORPORATE CARD USER INSTRUCTIONS

You have been provided with a Shire of Dumbleyung Corporate Card in line with your official duties. The limit of this card is \$\_\_\_\_\_.

The following guidelines are provided for your information.

1. The card is issued in your name. It is a corporate card and all transactions made with it are the responsibility of the Shire of Dumbleyung.
2. The card is to be used for official expenditure in the performance of official duties for which there is Budget provision. Under no circumstances is it to be used for personal or private purposes.
3. Being in your name, you are responsible for the care and safe keeping of the card and therefore held accountable to the Shire for its proper use.
4. The card is not to be used to withdraw cash even for official functions.
5. Any unauthorised, excessive or unreasonable use of the card will result in an enquiry and appropriate disciplinary action.
6. When using the card, the holder is required to obtain Tax Invoices to support all purchases. A credit card statement or credit card transaction slip is not acceptable as support for purchases. (Only a Tax Invoice allows the Shire to reclaim the GST component of purchases from the Australian Taxation Office). A Tax Invoice should provide a description of the goods or services supplied, the supplier's Australian Business Number and identify any GST component of the amount paid.
7. The Tax Invoice is to be provided, along with appropriate expense accounts to charge the costs, to the Creditors Officer as soon as practicable after purchase.
8. When a Statement of Account is provided, you are required to certify the correctness of the expenditure and return the Statement to the Creditors Officer together with all supporting Tax Invoices.
9. If the card is lost or stolen, you must immediately notify the issuing bank. The Manager of Finance should be notified on the next working day.
10. The card must be returned to the Manager of Finance if you vacate the position either through resignation, retirement or the conclusion of the Service Contract.
11. Please acknowledge the above by signing and returning the duplicate copy of this statement to the Manager of Finance.

\_\_\_\_\_  
Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

# COUNCIL POLICY

**DATE PROPOSED:** 19 June 2014

**AUTHOR AND POSITION:** Matthew Gilfellon – Chief Executive Officer

## **1.25 INVESTMENT POLICY**

Council have adopted this Investment Policy in order to provide controls over the investment of surplus funds. The main objective of the investment of surplus funds is to increase the return on surplus funds without increasing the risk of the investment. It should be ensured that there is minimal risk placed on surplus funds in order to ensure that the capital is preserved.

Investments are to be placed in a term deposit with an authorised institution as defined in *Section 19C of the Local Government (Financial Management) Regulations 1996*.

When investing funds, including the rolling over of already established term deposits, officers are to follow the procedure as set out below:

1. Officers are to determine possible future requirements for the funds in order to determine the length of the deposit required. More than one term deposit may be established but term must be for no longer than one year.
2. Quotes are to be sought from three authorised institutions to determine the best available interest rate for each term deposit required.
3. Term deposit/s are to be established with the authorised institution/s offering the best interest rate.

Council prohibits the use of:

- Speculative financial instruments;
- The use of leveraging;
- The use of the investment portfolio for speculation;
- Any similar risk increasing instruments;
- Invest in bonds that are not guaranteed by the Commonwealth Government, or a State or Territory Government;
- Invest in bonds with a term to maturity of more than three (3) years;
- Invest in a foreign currency.

## 1.26 PURCHASES OF GOODS & SERVICES

### **POLICY – ADMINISTRATION/FINANCE**

Sub Section: Finance

**Policy Number:** 1.27

**Policy Subject:** *Purchases of Goods & Services*

**Objectives:** To provide guidelines in obtaining best value in procurement of goods and services to the Shire of Dumbleyung through the competitive process of calling for expressions of interest, public tenders and quotations.

**Policy Statement:** Purchase of Goods and Services - \$250,000 or more

All contracts for the purchase of goods and services with the value of \$250,000 or more shall be by public tender and made in accordance with the provisions for the *Local Government (Functions and General) Regulations 1996*.

Council will also enforce the following additional requirements:

- Acceptance of a tender for construction projects will be subject to the execution of a contract based on the standard contract supplied by the Master Builders' Association; and
- Any decision not to call tenders for Goods or Services valued at more than \$250,000 because of one of the exceptions listed in Regulation 11(2) shall be by Council resolution.

Where it is considered beneficial, tenders may be called in lieu of seeking quotations for purchases under the \$250,000 threshold.

#### Purchase of Goods and Services – \$50,000 – \$250,000

Goods valued at over \$50,000 and less than \$250,000 staff will seek three (3) written quotes from alternative suppliers.

The following conditions will also apply:

- Staff will allow a minimum of ten (10) working days for a quote to be provided. If more than ten (10) working days are provided, all suppliers will be allowed that same time to respond. Shorter periods to provide quotations may be approved by the CEO should circumstances require. These circumstances shall be documented.
- The request for quotation should include as a minimum the following:
  - o Written Specification
  - o Price Schedule
  - o Conditions of responding
  - o Validity period of offer

- Offer to all prospective suppliers at the same time any new information that is likely to change the requirements.
- Respondents should be advised in writing as soon as possible after the final determination is made and approved.
- If staff are unable to obtain three (3) written quotes this should be documented, and the purchase approved by the CEO.

#### Purchase of Goods and Services – \$5,000 – \$50,000

Goods and services valued at over \$5,000 and less than \$50,000 staff will obtain quotes from two (2) suppliers, whenever possible.

The following conditions will also apply:

- If staff are unable to obtain two (2) quotes this should be documented and **reported to a Manager/CEO for a decision on further action.**
- All quotations will be documented.

#### Purchase of Goods and Services – \$1,500 - \$5,000

Goods and services valued at up to \$5,000 may be purchased with a single satisfactory quotation.

#### Purchase of Goods and Services – up to \$1,500

Quotations are not required for items of minor recurrent nature such as groceries, stationery, hardware, mechanical, reticulation, consumables, etc.

Staff must be satisfied that the price is competitive.

#### Exemptions:

A quotation is to be obtained and a purchase order is required to be issued, except for –

- Reimbursement of expenses incurred by a Councillor or employee on approved Shire business, where receipts are provided or a statutory declaration is made eg: parking fees, taxi fares, meals.
- Non-contracted or non-contestable utilities (eg. electricity, water, telephone)
- Regulatory or statutory expenses of a periodic nature (eg. rates & taxes, insurance, licences, superannuation etc)
- Employee/elected member allowances.
- Other payments as determined by the Chief Executive Officer.

Examples include but are not limited to –

- All freight companies for delivery fees (below \$1,500)
- Fuel Card Purchases



Purchases of road making materials (fill, rock, gravel, water etc) from a landowner is exempt from the requirement to obtain quotes.

A specific exemption is the purchasing of fuel where a request for quotation will only operate for one (1) day and verbal quotations will be accepted.

Guidelines: Staff engaged in procurement should ensure that they obtain value for money and be accountable for their action.

If staff have any doubt about whether value for money is being obtained, additional quotes should be sought.

First Adopted: 21 November 2019, 2019/792

Last Review: 21 November 2019, 2019/792  
18 June 2020, 2020/906



## VERBAL AND WRITTEN QUOTATION FORM

For Quotes above \$1,500 (see Council Policy 1.27 on reverse)

### Shire of Dumbleyung

PO Box 99  
Dumbleyung WA 6350  
Phone: 08 9863 4012  
ABN: 76 703 105 276

PROCUREMENT DESCRIPTION

The following suppliers were asked to quote as per Policy 1.27 Purchases of Goods & Services

DATE	NAME AND CONTACT NUMBER OR EMAIL	TOTAL	VERBAL/WRITTEN

The recommended supplier is \_\_\_\_\_

Justification: \_\_\_\_\_

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

Purchase Order Issued: YES/NO

Purchase Order #: \_\_\_\_\_

Is the supplier/contractor a local business? YES/NO

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

Approving Officer

## COUNCIL POLICY

**DATE PROPOSED:**

15 September 2005

**AUTHOR AND POSITION:**

Ian Craven – Chief Executive Officer

### **1.27 RATING – CONTIGUOUS VALUATIONS**

Application to be made to the Valuer General's Office for contiguous use valuation on land.

#### **Group Valuations for Contiguous Unimproved Valuation Properties**

That application be made to the Valuer General's Department for contiguous use valuation on land/location/lots that can be demonstrated to be owned and operated as one unit.

Guidelines:

- a) Proponents wishing to seek a contiguous use valuation will be required to complete a Statutory Declaration to this effect, detailing the land/lots involved, the various ownership details and a statement as to who the 'ratepayer/owner' will be in the rate book/valuation register and for local government electoral voting entitlements.
- b) In the event that a parcel of land is sold or Council is made aware that land is on the 'market', then a group valuation ceases to exist and it is to be removed. The onus is on the landowner to advise Council of this event.

#### **Group Valuations for Contiguous Gross Rental Valuation Properties**

That application be made to the Valuer General's Department for contiguous use valuation on land/location/lots that can be demonstrated to be owned and operated as one unit.

Guidelines:

- a) Proponents wishing to seek a contiguous use valuation will be required to complete a Statutory Declaration to this effect, detailing the land/lots involved, the ownership details and the purpose of the land.
- b) In the event that a parcel of land is sold or Council is made aware that land is on the 'market' then the group valuation ceases to exist and is to be removed. The onus is on the landowner to advise Council of this event.

## COUNCIL POLICY

**DATE PROPOSED:**

17 September 2015

**AUTHOR AND POSITION:**

Matthew Gilfellon – Chief Executive Officer

### **1.28 SUNDRY DEBTORS**

Debts owed to the shire do have an effect on all ratepayers of the Shire of Dumbleyung as they must subsidise this non-payment. To ensure fairness, the following measures will be applied:

#### **Interest**

Interest at the rate of 11% is to be charged on all overdue Sundry Debts.

#### **Shire Services**

Any person with outstanding debts to the shire will be prevented from using any shire service that has a fee or charge associated with it. Where the debt is in relation to rates, this rule will apply to any person residing at the property on which the rates debt is owed.

#### **Library Debtors**

Any person who resides at an address of a person with a library debt shall also be prohibited from accessing shire services including library services.

Staff are to maintain a list of persons with outstanding debts, including persons who have had a debt written off, so that the above rules can be applied.

## 1.29 REGIONAL PRICE PREFERENCE

### **POLICY – ADMINISTRATION/FINANCE**

Sub Section: Finance General

**Policy Number:** 1.30

**Policy Subject:** Regional Price Preference

**Policy Statement:** In order to promote sub-regional development, the Shire of Dumbleyung will provide a price preference to local suppliers (located within the stipulated areas) when evaluating and awarding contracts with the Shire via the purchasing process. Any price preference provided will comply with part 4A of the Local Government (Functions and General) Regulations 1996 as amended.

**Objectives:**

1. Price preference will be given to all suppliers submitting quotations for the supply of goods and services to the Shire of Dumbleyung, unless Council resolves that this policy not apply to a particular purchase.
2. The following price preference will be given to suppliers submitting quotations for the purchase of goods and services for suppliers located within the Shire of Dumbleyung.

**2.1 Goods and Services – up to a maximum price of \$5,000 excluding GST.**

- 10% to all suppliers located within the Shire of Dumbleyung
- 5% to all suppliers sharing a common boundary with the Shire of Dumbleyung

**2.2 Goods and Services – from \$5,000 - \$50,000 excluding GST.**

- 7.5% to all suppliers located within the Shire of Dumbleyung
- 3.75% to all suppliers sharing a common boundary with the Shire of Dumbleyung

**2.3 Goods and Services – valued between \$50,000 - \$150,000 excluding GST**

- 5% all suppliers located within the Shire of Dumbleyung
- 2.5% to all suppliers sharing a common boundary with the Shire of Dumbleyung

3. Price Preference will only be given to suppliers located within the stipulated areas for more than six (6) months prior to the advertising date of the tender.

Located within the area stipulated is defined as a supplier having a physical presence in the way of a shop, depot, outlet, headquarters or other premises where the goods or services specifically being provided are supplied from. This does not exclude suppliers whose registered business is located outside the stipulated area but undertake the business from premises within the stipulated area. An example is a franchise of a multinational company.

4. Only those good and services identified, as being from a source located within the stipulated area will have the price preference applied when assessing the purchase.
5. Price is only one factor that the Shire considers when evaluating a purchase. There is nothing contained within this policy that compels the Shire to accept the lowest price or any tender based on price offered.
6. The quotation of any supplier shall be excluded by **any attempt by a supplier or employee to exploit the policy** to the advantage of either party.
7. The following classes of purchase are specifically excluded from the local price preference policy due to specialised skills, after sales support, special concessions to Council or other limiting factors.
  - 7.1 ANY tender called by the Shire of Dumbleyung whether required by regulation or not.
  - 7.2 The purchase of diesel or petroleum products in bulk.
  - 7.3 The ongoing changeover of Council vehicles.
  - 7.4 The purchase and maintenance of electronic equipment and software.

First Adopted: 21 November 2019, 2019/xxx

Last Review: 21 November 2019, 2019/xxx

## COUNCIL POLICY

**DATE PROPOSED:** 15 April 2010

**AUTHOR AND POSITION:** Henry Van Der Ende – Chief Executive Officer

### **1.30 CHEMICAL CONTAINERS – COUNCIL'S REFUSE SITES**

The Dumbleyung Shire will not permit agricultural chemical containers to be deposited at all Dumbleyung Shire refuse sites. To be disposed of in accordance with Drum Muster requirements.

## COUNCIL POLICY

**DATE PROPOSED:** 21 April 2016

**AUTHOR AND POSITION:** Matthew Gilfellon – Chief Executive Officer

### **1.31 SWIMMING POOL – HIRE OF PREMISES**

The swimming pool may only be hired by a community group or school, the hire charges that will apply are in accordance with Council's Budget.

The conditions applicable to such hire are:

1. The application form must be completed and lodged for approval during office hours with the required deposit and hire charge. The deposit will not be returned if the facility is not left in a clean and tidy condition.
2. Damage Deposit – as per the fees and charges (refundable).
3. Pool hire – if applicable.
4. Hours of hire – as approved.
5. Premises are to be left in a clean and tidy state.
6. Games room equipment to be returned to the storeroom.
7. No alcohol is to be consumed within the pool complex.
8. Under no circumstances are glass containers permitted within the grounds of the Dumbleyung Aquatic Centre.



## COUNCIL POLICY

**DATE PROPOSED:** 21 April 2016

**AUTHOR AND POSITION:** Matthew Gilfellon – Chief Executive Officer

### **1.32 SWIMMING POOL – SEASON TICKETS**

There will be no concessional entry to the pool without a valid pass being purchased for the current season.

Only children 17 years and under living under the same roof as their parents are eligible for inclusion in family season tickets.

## COUNCIL POLICY

**DATE PROPOSED:**

31 January 2008

**AUTHOR AND POSITION:**

Henry Van Der Ende – Chief Executive Officer

### **1.33 CEMETERY – GRAVE DIMENSIONS**

That all graves are to be dug to the dimensions of the cemetery template provided i.e. 240 x 100cm to a depth of 214cm unless requested by the undertaker to prepare a grave of larger dimensions. The casket is to be covered by filling in with a shovel and grave finished off with a shovel at a reasonable time after mourners left the cemetery.

## COUNCIL POLICY

**DATE PROPOSED:** 15 April 2010

**AUTHOR AND POSITION:** Henry Van Der Ende – Chief Executive Officer

### 1.34 CROSSOVERS AND DRIVEWAYS

Council will subsidise one standard crossover per lot to the landowner who applies in writing and will pay 50% of the cost of the standard crossover. This subsidy shall be applied only if the crossover is constructed in accordance with these specifications and is based on being 50% of the cost of a crossover to the minimum dimensions. Additional work (width, length, material) shall be at the sole expense of the landowner.

Payment of the subsidy shall be as per the following table and be reviewed annually.

CROSSOVER TYPE	SUBSIDY (GST EXCLUSIVE)
Urban Residential – sealed surface to sealed road – no culvert	\$900
Urban Residential – sealed surface to sealed road - culvert	\$1,400
Urban Commercial/Industrial – no culvert	\$1,000
Urban Commercial/Industrial - culvert	\$2,000
Rural – gravel surface to gravel road – no culvert	50% of actual cost, estimated by the Manager of Works and Services
Rural – gravel surface to gravel road - culvert	50% of actual cost, estimated by the Manager of Works and Services

*Note: A sealed surface may consist of sprayed bitumen, asphalt, concrete or brick paving.*

### PAYMENTS

Payments shall be made after completion of all works and inspection by a Council Officer, confirming compliance with Council's requirements.

## COUNCIL POLICY

**DATE PROPOSED:** 17 August 1989

**AUTHOR AND POSITION:** Ian Craven – Chief Executive Officer

### **1.35 FLOODWAY HEIGHT**

That where a floodway is to be constructed across a Shire road, the roadway is not to be more than 300mm below the natural surface of the surrounding land.

## COUNCIL POLICY

**DATE PROPOSED:** 16 April 2015

**AUTHOR AND POSITION:** Matthew Gilfellon – Chief Executive Officer

### **1.36 GRAVEL PIT FENCING STANDARD & RESTORATION**

That gravel pits be fenced applicable to the Rural Fencing Standard Policy.

All discontinued gravel pits are to be ripped and/or where possible overburden pushed back, and if located on private property the landowner is to be consulted in relation to restoration of the pit, and that if revegetation planting is agreed to, cost sharing 50/50 should be negotiated.

## **COUNCIL POLICY**

**DATE PROPOSED:** 17 March 2005

**AUTHOR AND POSITION:** Ian Craven – Chief Executive Officer

### ***1.37 HARVEST BANS – OUTSIDE WORKFORCE OPERATIONS***

That for the duration of a Harvest and Movement of Vehicles Ban the Shire's outside workforce shall cease all road works and any related activities which are likely to cause a bushfire.

## COUNCIL POLICY

**DATE PROPOSED:** 16 April 2015

**AUTHOR AND POSITION:** Matthew Gilfellon – Chief Executive Officer

### **1.38 PRIVATE WORKS**

All private works must abide by the following conditions:

- a) The private works request must be in writing on forms provided;
- b) Works valued over \$30,000 are to be referred to Council for consideration, projects requiring a decision between meetings over \$30,000 must be authorised by Shire President and Chief Executive Officer;
- c) Council's private works rates to be utilised in forming estimates;
- d) For public authorities e.g. Telstra, Main Roads etc an order number authorising the work must be received prior to the commencement of works.

## COUNCIL POLICY

**DATE PROPOSED:**

21 March 1985

**AUTHOR AND POSITION:**

Ian Craven – Chief Executive Officer

### ***1.39 ROAD CONSTRUCTION ON PRIVATE PROPERTY***

In the event of arrangements being made whereby a land owner permits Council to construct a road through private property, land is to be resumed prior to road works commencing and that Council shall meet the cost of necessary fencing and that the existing road reserve is to remain the property of Council.



## COUNCIL POLICY

**DATE PROPOSED:** 15 April 2010

**AUTHOR AND POSITION:** Henry Van Der Ende – Chief Executive Officer

### **1.40 ROAD SAFETY AUDIT**

That the Shire's road network be divided into four locality groups each covering approximately 25% of the Shire's roads as under;

- Group A – Nippering, Dongolocking, Bullock Hills
- Group B – Dumbleyung, Datatine, Nairibin
- Group C – Moulyinning, Kukerin South, Merilup
- Group D – North Moulyinning, Kukerin North, Tarin Rock

and a road safety audit be carried out by the Manager of Works or a suitably qualified person on all roads, footpaths, parks and gardens contained within each locality group every four years, the audit shall identify road safety risks, road condition, signage, guide posts and drainage for report to Council.

*Group A, B, C and D all audited January 2010*

# COUNCIL POLICY

**DATE PROPOSED:** 16 April 2015

**AUTHOR AND POSITION:** Matthew Gilfellow – Chief Executive Officer

## **1.41 ROYALTIES FOR GRAVEL AND SAND SUPPLIED**

### **LEGISLATION**

*Section 3.27 of the Local Government Act 1995 states (in part):*

*Particular things Local Government can do on land that is not Local Government property:*

- 1. A Local Government may in performing its general function, do any of the things prescribed in Schedule 3.2 even though the land on which it is done is not Local Government property and the Local Government does not have consent to do it.*
- 2. Schedule 3.2 may be amended by regulations.*
- 3. If Schedule 3.2 expressly states that this subsection applies, subsection (1) does not authorise anything to be done on land that is being used as the site or curtilage of a building or has been developed in any other way, or is cultivated.*

*Schedule 3.2:*

*Take from land any native growing or dead timber, earth, stone, sand or gravel that, in its opinion, the Local Government requires for making or repairing a thoroughfare, bridge, culvert, fence or gate.*

*Section 3.36 applies.*

### **COMPENSATION**

*Section 3.22 of the Local Government Act 1995 states (in part):*

*If a person who is:*

- 1. The owner of occupier of land granted in fee simple; or*
- 2. The occupier of land held under lease or on conditional terms of purchase from the Crown, except for pastoral or timber purposes, sustains damage through the performance by a Local Government of its function under this Act, the Local Government is to compensate the person if the person requests compensation unless it is otherwise expressly stated in subsection (5) or in Schedule 3.1 or Schedule 3.2.*

### **POLICY STATEMENT**

This policy is for use in obtaining road building materials from freehold land. It does not apply to other land such as Crown land, DEC land or pastoral leases.

## **INITIAL APPROACH TO LANDHOLDERS**

Where road building materials are required the Chief Executive Officer or his representative is to approach the landowner concerned at least one (1) month prior to the commencement of work with a request for the material.

A plan showing the block location of the material to be sourced is to be provided to the landholder.

Monetary compensation is to be determined at this time.

No other forms of compensation are available.

A notice of intended entry is not required under the Act, however some form of written acknowledgement should be provided.

## **DAMAGES**

The Shire will reinstate any fencing and access tracks damaged during the course of works.

## **EXCAVATION**

Existing access tracks where possible are to be utilised and will be maintained by the Shire for the duration of works and on completion.

Topsoil to a depth of approximately 80-100mm is to be removed and stockpiled.

Borrow pit to be a maximum distance of 15 metres from any boundary fence. (This will provide access to fences and where applicable will provide a bush buffer zone from road reserves.)

Gravel will be extracted to a maximum depth of one (1) metre, unless otherwise negotiated.

## **REHABILITATION**

Rehabilitation will commence within one (1) month of the end of the financial year on exhausted pits. Suitable soil from roadworks may be used to backfill the borrow pit. Borrow pit floor is to be ripped.

Top soil and other overburden is to be pushed back over the borrow pit. Inclines on sides of borrow pit are to be reduced to a suitable back slope. Other requirements are to be negotiated with the landholder in writing before commencement of works.

## **COMPENSATION**

Compensation will be made to the landowner as set in the fees and charges.

Calculation of gravel requirements will be based upon the physical dimensions of the excavation required (i.e. 100m x 100m x 1m =10,000 cubic metres).

## COUNCIL POLICY

**DATE PROPOSED:**

October 1999

**AUTHOR AND POSITION:**

Ian Craven – Chief Executive Officer

### **1.42 SEALING - INTERSECTIONS**

Bitumen sealing is to be carried out to a minimum length of 30 metres down all unsealed side roads intersecting with a road that is being sealed.

## COUNCIL POLICY

**DATE PROPOSED:**

20 November 2008

**AUTHOR AND POSITION:**

Ian Craven – Chief Executive Officer

### **1.43 SEALING GRAVEL ROADS NEAR DWELLINGS**

Any landholder within the Dumbleyung Shire who has a dwelling on a gravel road shall be entitled to a strip of bitumen 200m long and Shire standard width. The edge of the dwelling must be 50m or less from the centre of the road. The landholder will be responsible to pay half the costs of the bitumen and associated works.

## COUNCIL POLICY

**DATE PROPOSED:** 20 June 2019

**AUTHOR AND POSITION:** Zoey Eyre – Governance & Compliance Officer

### **1.44 STANDPIPE CHARGES – KUKERIN STOCK DAM**

That con-commercial standpipe charges at the Kukerin stock dam be one third of the Community Use Standpipe charges levied for scheme water from standpipes/

That commercial charges be levied as per Council's annual Fees and Charges.

Invoices less than \$5 are not to be issued.

*Note - Council's current charge for water removed from Water Corporation standpipes is set in the Schedule of Fees and Charges, so the current charge for water removed from Kukerin stock dam standpipe is also in the Fees and Charges.*

## COUNCIL POLICY

**DATE PROPOSED:** 16 April 2015

**AUTHOR AND POSITION:** Matthew Gilfellon – Chief Executive Officer

### **1.45 TREE PLANTER HIRE & CONDITIONS**

That when hiring out the Shire tree planters, priority is to be given to residents and/or groups located or residing within the Shire of Dumbleyung, and that persons and groups outside the Shire be only permitted to hire the planter on a daily basis.

That the policy relating to the conditions relating to the hire of the Shire tree planter units shall be as under:

The hirer hereby agrees to –

1. Pay the appropriate bond at the time of the booking.
2. Pay for any related damages/cleaning to the tree planter/hand planter that may be necessary following the use of the tree planter/hand planter that exceeds the bond.
3. ***Tree planter/hand planter must be returned to the Shire yard.***
4. The tree planter can only be transported during daylight hours.
5. The tree planter/hand planter must be free of soil and plant materials before it leaves the property and returned to the Shire.
6. If the tree planter/hand planter is not adequately cleaned on return to the Shire, the Shire will either:
  - a) Request that the machine be cleaned at the Shire's wash pad; or
  - b) Shire will undertake cleaning and deduct cleaning costs from deposit.
7. All repairs or maintenance needed to be carried out ***must*** be reported to the Shire prior to the collection of the deposit.
8. The tree planter must be returned at the hirer's earliest convenience as extra charges may apply on a per day basis.
9. Charges will apply to all days that the tree planter/hand planter is in the hirer's possession.
10. Indemnify the Shire of Dumbleyung against any accident or injury that may arise from the hiring of the machine/equipment.
11. Towing vehicle of the mobile tree planters to be limited to 130hp and speed to be not more than 5km per hour during planting operations.

## COUNCIL POLICY

**DATE PROPOSED:** 21 April 2016

**AUTHOR AND POSITION:** Matthew Gilfellon – Chief Executive Officer

### **1.46 WEATHER RELATED ROAD CLOSURES**

#### **OBJECTIVES**

To restrict the winter use of unsealed roads by certain vehicles to preserve the Shire's asset.

#### **POLICY**

Unless otherwise stated, Council shall practice its rights and obligations to partially or wholly close, and subsequently re-open, any road under its responsibility in accordance with provisions of the *Local Government Act 1995*, and the *Local Government (Functions and General) Regulations 1996*.

Specifically, Council may close unsealed roads to all vehicles greater than 3 tonnes gross when conditions arise where damage to the structure and or surface of the road is likely to occur. This would usually occur in winter after grading and when 10mm or more of rain is forecast.

Rain events greater than 10mm may require unsealed roads to be closed until road conditions are suitable, as determined by the Chief Executive Officer under Delegated Authority.

Notifications of weather related road closures will be made to adjoining Shires and notices will be posted at the Shire Administration Office.

Restricted Access Vehicle permit holders with current letters of approval from the Shire, local carriers and any other interested parties will be notified of weather related road closures by facsimile or SMS text message. A media release will be sent to media outlets.

Where Council is required to issue local public notice, the issue of local public notice shall be in accordance with *Section 1.7* of the *Local Government Act*. Where a road closure inadvertently exceeds a period of twenty-eight (28) days, the Council shall meet its obligations under *S1.7 & 3.50(4)* of the *Local Government Act 1995* and *S4, Part 2* of the *Local Government (Function and General) Regulations 1996*.



## COUNCIL POLICY

**DATE PROPOSED:** 21 April 2016

**AUTHOR AND POSITION:** Matthew Gilfellon – Chief Executive Officer

### **1.47 WILD OATS CONTROL – ROAD VERGES**

That landowners be permitted to spray wild oats, radish, turnip and other environmental/AgWA declared pest plants growing on Shire road verges using approved chemicals providing that indigenous flora and fauna species are protected, and in consultation with the Manager of Works.

*Note: This Policy should be read with the 'Code of Practice for Roadside Conservation During Road Construction and Road Maintenance'.*

# COUNCIL POLICY

**DATE PROPOSED:** 17 April 2008

**AUTHOR AND POSITION:** Henry Van Der Ende – Chief Executive Officer

## **1.48 BRIGADE VEHICLE USE FOR TRAINING PURPOSES**

That in order for Brigade vehicles to be made available for training purposes:

1. Brigade Fire Control Officer to be notified with contact details and expected time of use and location of training.
2. The following details be provided on the station whiteboard:
  - Who
  - Where
  - Contact number – mobile and 40CH channel
  - Time out and estimated return time
3. Ensure bush fire radio in truck is on.
4. Conduct a visual check and complete check list.
5. Disconnect charger/isolator switch.
6. Vehicle check:
  - Fuel, Water, Oil and Tyres
7. Pump check:
  - Fuel and Oil
8. Ensure water tank is full.

Prior to departure ensure:

1. All drivers have required HR licence.
2. Protective clothing for all operators.
3. Minimum of 2 able bodied operators or more required on fire permit
4. Fill in log book/sheet:
  - Vehicle odometers reading start
  - Vehicle odometers reading end
  - Purpose of the trip (training, hot fire, wild fire)

Upon return the following needs to be completed:

1. Check vehicle
2. Ensure water tank is full
3. Ensure fuel tank is full
4. Clean vehicle if necessary
5. Reconnect battery/charger isolator switch
6. Check vehicle for damage – report any to Shire
7. Erase information on white board

## COUNCIL POLICY

**DATE PROPOSED:** 17 May 2018

**AUTHOR AND POSITION:** Matthew Gilfellon – Chief Executive Officer

### **1.49 PROHIBITION OF BURNING, BURNING PERMITS AND HARVEST BANS**

#### **Burning Not Permitted – Good Friday and Easter Sunday**

Burning will not be permitted in the Shire of Dumbleyung on Good Friday and Easter Sunday and this will be advertised seasonally.

#### **Burning on Sundays During Restricted Burning Period**

That burning on Sundays within the Shire be permitted after 15th March each year, providing the landowner first obtains a permit to burn as per Section 18 of the Bush Fires Act 1954.

#### **Burning Permits - Withdrawals**

If Burning Permits are withdrawn for any reason the Fire Control Officer who issued the permit must be notified of its cancellation.

#### **Harvest Bans – Christmas Day and New Years Day**

That harvesting be banned in the Municipality on Christmas Day and New Year's Day and the public reminded by seasonal advertising.

## COUNCIL POLICY

**DATE PROPOSED:** 15 April 2004

**AUTHOR AND POSITION:** Ian Craven – Chief Executive Officer

### **1.50 BUSHFIRE CONTROL VOLUNTEERS – TRAINING COURSES**

That Council will endeavour to ensure that all local Bush Fire Control Officers and volunteers complete at least Modules 1-3 of FESA's Bush Fire Training Program before being allowed to attend fires.

# COUNCIL POLICY

**DATE PROPOSED:** April 1996

**AUTHOR AND POSITION:** Ian Craven – Chief Executive Officer

## **1.51 BUSHFIRE COSTS**

That where costs are incurred during extinguishing a bushfire, the fire report shall be considered by the Finance Committee to determine whether or not such costs may be recovered from the person responsible for starting the fire.

### **28. Occupier of land to extinguish bush fire occurring on his land**

1. a) *Where a bush fire is burning on any land –
  - i. At any time in any year during the restricted burning times; or
  - ii. During the prohibited burning times,and the bush fire is not part of the burning operations being carried on upon the land in accordance with the provisions of this Act, the occupier of the land shall forthwith, upon becoming aware of the bush fire, whether he has lit or caused the same to be lit or not, take all possible measures at his own expense to extinguish the fire.*
- b) *Where he requires assistance for the purpose he shall if practicable, without leaving the fire unattended, inform or cause to be informed the nearest available Bush Fire Control Officer, or Bush Fire Brigade Officer, of the existence and locality of the fire.*
2. *For the purposes of this section, a fire lit before the commencement of a period of prohibited burning times relating to the district where the fire is situated and which is still burning at the commencement of those prohibited burning times, is to be regarded as being a bush fire which is not part of the burning operation being carried on upon the land in accordance with the provisions of this Act.*

*Penalty \$10,000*

3. *Where the occupier of the land upon which a bush fire is burning fails to take measures to extinguish it as required by sub-section (1), a Bush Fire Liaison Officer, a Bush Fire Control Officer of any Local Government or an authorised CALM Act Officer employed in connection with any forest land which is within 3 kilometres of the land where the fire is burning, may enter upon the land where the fire is burning and take all proper measures to extinguish it.*

*Penalty \$5,000*

- a) *In so far as the measures taken by the Bush Fire Liaison Officer, Bush Fire Control Officer or authorised CALM Act Officer are necessitated by reason of the failure of the occupier of the land to comply with sub-section (1), any expenses incurred by the Bush Fire Liaison Officer, Bush Fire Control Officer or authorised CALM Act Officer, in taking measures to extinguish the fire, shall be a*

*debt owing by the occupier of the land to the Authority, Local Government or Executive Director of the Department of Conservation and Land Management, respectively.*

- b) The Authority, Local Government or Executive Director of the Department of Conservation and Land Management, as the case may be, may recover the expenses from the occupier in any court of competent jurisdiction.*

The incident controller in charge of combatting a bush fire may commit up to \$500 on any initial action considered necessary to control that fire without first seeking authorisation of the Shire President, Chief Executive Officer or Chief Fire Control Officer if the Chief Fire Control Officer is unavailable.

## COUNCIL POLICY

**DATE PROPOSED:**

15 September 2005

**AUTHOR AND POSITION:**

Ian Craven – Chief Executive Officer

### **1.52 FIREWOOD COLLECTION**

The public are permitted to collect firewood from roadside situations where Shire works have taken place resulting in heaps being pushed up. Timber so removed must be in sections no longer than 45cm long. Care must be taken to ensure that the surrounding flora and fauna is not disturbed and that parked vehicles are not likely to cause an accident. During summer months all precautions must be taken to ensure that fires do not occur. The Department of Environment and Conservation requires that trees that have fallen over naturally are not to be taken for firewood. Care must also be taken not to spread weed plants along the road elsewhere.

#### **PROCEDURE**

Written application to be made to the Shire Office.

## COUNCIL POLICY

**DATE PROPOSED:**

21 October 2004

**AUTHOR AND POSITION:**

Ian Craven – Chief Executive Officer

### **1.53 GOVERNANCE ARRANGEMENTS FOR THE FENCE ROAD DRAINAGE SCHEME**

Shire administers planning provisions for connections to the Fence Road arterial drainage system and all new drainage in the LGA (template for planning provisions and design of connections provided).

Proponents of new drainage should be advised that:

- New drains should be established where clearing of native vegetation is not required.
- Shire may assist proponent in determining appropriate locations for new connections to existing Fence Road arterial drainage system.
- Shire may require detail on proposed new drains including length, depth, alignment and profile.
- New drains connecting to the Fence Road arterial drainage system should be no more than 2m deep and graded to paddock level.
- All new drains will require details on surface water management, chutes, confluences, interceptor banks or levee banks.
- All new drains will require detail on soil and sediment control and removal or disposal of soil.
- The Shire may request proponent to undertake on site water quality testing and provide an indication of likely drainage water volumes that will be discharged from site.
- Construction should be undertaken by a skilled service provider.
- There may be limitations to new connections to the Fence Road arterial drainage system where those new drains may impact on the integrity of the receiving drain.
- Where proponents establish new connections to the Fence Road arterial drainage system, the proponent will be responsible for costs for construction and ongoing maintenance of the new section of drain.
- The Shire may seek to establish care and control of new drains that connect to the Fence Road arterial drainage system where those drains have a public benefit i.e. more than one owner or where those drains have an impact to the existing Fence Road.
- Landowners wishing to take water from the Fence Road arterial drainage system will be responsible for the costs to take water including construction of a levee bank, new dams, and pipe and pump supply.
- Landowners will be responsible for any damage caused to drainage infrastructure through the taking of water.
- Landowners must advise the Shire prior to taking water.
- Landowners are advised that the Fence Road arterial drainage water quality can be poor (highly acidic and high salinity) and may pose risk to stock and should not be used for human consumption. Landowners should determine water quality prior to taking water.
- Where landowners wish to access water they should only take water from the combined system by temporarily impeding water flow with manual placement of sluice boards on the upstream side of culverts in the combined surface and ground water system.



- Landowners are to check weather forecasts prior to taking water, ensuring large flows and resultant flooding will not be encountered when temporarily impeding water flow at culverts.
- Landowners must remove obstruction to flow once pumping is complete.
- Planning permission may be required if landowners want to divert surface water from modified surface water channels adjoining separated groundwater drains.

When constructing levee banks to divert surface water from the Fence Road arterial drainage system landowners will need to:

- Inform the Shire of proposed locations for construction of levee banks.
- Seek advice from the Shire regarding design and construction of levee banks.
- Obtain any required planning approvals (conditions for design and construction of levee banks may be provided by the Shire at that stage).
- Levee banks should be constructed using a skilled service provider.

Shire administers planning provisions for construction of new farm crossings on the Fence Road arterial drainage system.

Proponents for new drainage should be advised that:

- Shire may assist proponent in determining appropriate locations for new farm crossings on the existing Fence Road arterial drainage system.
- Any additional works proposed to be undertaken on the Fence Road arterial drainage system or future connections to the system that relate to incorporating, maintaining or replacing crossings or any other ancillary works will need be undertaken on advice from the Shire.
- Construction should be undertaken by a skilled service provider.
- Where there is public benefit i.e. the proposed crossing is on a new connection to the Fence Road arterial drainage system that crosses multiple properties the costs for construction of that crossing may be negotiated between the Shire and relevant landholders.

Fencing type will align with existing Council Local Law however location and alignment of fencing is covered through recommendations provided below:

- Shire recommends that all new drains (including new connections to the Fence Road arterial drainage system are fenced).

With relevance to the Fence Road arterial drainage system:

- All access point to the Fence Road arterial drainage system will require modified drop down fences.
- Landowners must prevent stock from entering the drainage easement except for the purposes of transferring stock across the easement erecting suitable standard of fencing and aligning with or as close to reasonably practical to the easement boundary.
- Existing fencing not currently located on the easement boundary when replaced will need to be erected to a suitable standard and aligning with or close as reasonably practical to the easement boundary.
- All new fencing along the Fence Road arterial drainage system shall not impede vehicular access to provide maintenance and must be at least 4-5 metres from the outside toe of the bank for both combined and separated system.

- Where alternative access points are required across the Fence Road arterial drainage system the landowner will be responsible for the costs to construct new crossings including costs for fencing.
- Landowners will be required to undertake ongoing minor maintenance of fences aligning the Fence Road arterial drainage system.
- The Shire will undertake removal of debris including burning in the drainage easement as part of its service standard for occasional maintenance.

Shire will ensure when burning in the drainage easement that:

- Deposited material is removed from culverts to a distance of 10m or greater from the end of the culvert pipes.
- Remove debris manually whenever possible (burning in the drain as last resort).

Template B – Proposed service standard for Shire Maintenance of the Fence Road arterial drainage scheme, adapted from appendix A-B pages 28-31 “Governance Arrangements for the Fence Road Drainage Scheme” document.

SERVICE STANDARD		SERVICE STANDARD	
Drainage system performance is reliable and efficient		Cooperative approach with landowners for drain maintenance	
<ul style="list-style-type: none"> <li>Maintain hydraulic efficiency and eliminate obstructions through undertaking inspections and preventative regular maintenance.</li> <li>Complete target of 100% of 55km mechanical cleaning and grade correction over seven years (i.e. 8km per year).</li> <li>Inspect infrastructure within drainage easement.</li> </ul>		<ul style="list-style-type: none"> <li>Landowners report maintenance requirements to the Shire by phone (08) 9863 4012 or in writing PO Box 99 Dumbleyung 6350, WA.</li> <li>Shire will provide maintenance service through prioritisation process.</li> </ul>	
REGULAR MAINTENANCE	TIMING AND RESPONSIBILITY	OCCASIONAL MAINTENANCE	TIMING AND RESPONSIBILITY
Inspection of all infrastructure	LDAC with Manager of Works and Services – annually	Removal of debris/silt from channel, culvert pipes and silt traps, and burning if required	Shire – as required
Mechanical cleaning and grade correction	LDAC with Manager of Works and Services – annual, 5 yearly, 7 yearly	Disposal of debris/silt	Shire – as required
Disposal of collected debris/silt	LDAC with Manager of Works and Services – annual	Stabilisation of rock protection	Shire – as required
Removal of silt from silt traps on separated system	LDAC with Manager of Works and Services – annual, 5 yearly, 7 yearly	Stabilisation of pipe inlets/outlets	Shire – as required
		Weed Control	Landowners – as required

SERVICE STANDARD		SERVICE STANDARD	
Drainage system is safe with hazards and risks managed.		Drainage system is understood and robust.	
<ul style="list-style-type: none"> <li>Hazards and risks will be identified through regular monitoring of the system and reports from landowners.</li> <li>The Shire will respond to any faults by undertaking a site inspection and provide any required remedial work within an appropriate time/period.</li> </ul>		<ul style="list-style-type: none"> <li>Shire will provide inspections for hazards and faults of 100% drainage system on an annual basis or as required throughout the year.</li> <li>Landowners may be required to provide details of rainfall, groundwater levels and flow throughout the year if available.</li> <li>Landowners will inform the Shire of any potential hazards as soon as reasonably practical, where those hazards may have an impact on the integrity of infrastructure, pose risk to health and safety of persons and stock.</li> <li>Shire will continue limited monitoring program from Dec 2010.</li> </ul>	
REMEDIAL MAINTENANCE	TIMING	MONITORING	TIMING
Repair of rock protection (head, side and base)	Shire – as required	Identify areas of erosion and scour.	LDAC with Manager of Works and Services – annual Landowner – as required
Repair external/internal levee banks	Shire – as required	Identify areas of sediment deposition.	LDAC with Manager of Works and Services – annual Landowner – as required
Incorporate additional infrastructure including chutes, culverts, pipes, confluence	Shire – as required	Determine the health of nearby vegetation.	LDAC with Manager of Works and Services - annual
Erosion control, including bed and bank stabilisation	Shire – as required	Identify areas of ponding.	LDAC with Manager of Works and Services – annual Landowner – as required
Sediment/debris removal (includes pipe infrastructure)	Shire – as required	Bed and bank stability and integrity of infrastructure (includes crossings and pipes).	LDAC with Manager of Works and Services – annual Landowner – as required
Realignment of drains	Shire – as required	Hazard identification (inspection of all infrastructure).	LDAC with Manager of Works and Services – annual Landowner – as required
Repairs to fencing	Landowner – as required (on advice from the Shire)	Water quality monitoring including grab sample monitoring for PH, (total acidity) DO% and conductivity.	LDAC with Manager of Works and Services – regular monitoring and event monitoring as required
		Landowner visual assessment of drainage system, and detail on rainfall, groundwater levels, flow and hazards.	Landowner – as required

## Planning Template for Connections to the Fence Road Arterial Drainage System

Pre-Planning	Long Term Feasibility	The following approvals may be required when planning for new connections to the Fence Road arterial drainage system	Project Planning	Governance	Contract Details (where Shire is the proponent)	Pre-Construction	During and Post Construction
Proponent/s to identify available information i.e. salinity mapping, previous monitoring (water quality, crop yields etc)	Proponent/s to consider at site and downstream maintenance issues	The proponent will require Planning Permission as per the Planning and Development Act 2005 and Town Planning Scheme (TPS). Contact the Shire for further information.	Proponent/s may be required to undertake a topographic survey	Shire may seek to include drainage works as part of existing drainage easement	Shire to consider appropriate Tender process	Identify buried services Dial Before You Dig 1100	Contractor to provide adequate site supervision
Proponent/s to obtain advice from skilled service provider	Proponent/s to consider ant at site and down stream access issues	Proponent may require approval under Section 18, Aboriginal Heritage Act 1972	Proponent/s may be required to dig trial holes	Proponent and Shire to determine appropriate funding mechanism for long term maintenance	Complete Tender request document	Site preparation	Shire to provide site inspections
Proponent/s to undertake concept design	Proponents to complete draft design (Shire has templates available for design of connections)	Where clearing native vegetation the proponent may require a Clearing Permit under Section 51E Environmental Protection Act 1986 (EP Act 1986). It is preferable that native vegetation is avoided when planning for the location of the drainage works.	Proponent/s may be required to measure and test groundwater quality	Shire may request fencing of new drainage works	Advertise Tender	Traffic management plan as required	Variations to contract to be provided in writing to the proponent and Shire
Proponent/s to determine funding source and identify available funding	Proponent/s identify building, road or rail infrastructure that could be impacted on	Where the proposal has the potential to have a significant impact on a matter of national environmental significance, including impact on world/national heritage sights, wetlands deemed significant, flora and fauna deemed significant, Commonwealth or State.	Proponent/s may be required to undertake catchment hydraulic modelling to test possible flow rates		Site visit	Start up meeting	Significant variations must also be notified in writing to the Commissioner of Soil and Land Conservation
Proponent/s to determine responsibility and costs for maintenance	Proponent to consider costs vs benefit of the proposed drainage works	Proponents will be required to enter a Notice of Intent to Drain (NOID), Soil and Land Conservation Act 1945, administered by the Commissioner of Soil and Land Conservation.	Proponent/s may be required to prepare monitoring plans		Tenders submitted and formal tender evaluation undertaken	Install any required monitoring infrastructure and undertake sampling	Shire and proponent/s to tour completed works
		Depending on the perceived level of environmental impact from the proposed drainage works, the proponent may need to produce an Environmental Impact Assessment Report as a requirement under the (EP Act 1986) or (EPBC Act 1999).	Proponent/s to complete final design				As constructed plans to be provided to stakeholders and Commissioner of Soil and Land Conservation

## COUNCIL POLICY

**DATE PROPOSED:** 20 July 2000

**AUTHOR AND POSITION:** Ian Craven – Chief Executive Officer

### **1.54 HARVEST OPERATIONS – MOBILE FIRE FIGHTING UNIT**

That pursuant to the power under the *Bush Fires Act 1954* it is compulsory that an operational mobile engine powered fire fighting pump unit with not less than 450 litres of water be in attendance during grain harvesting operations. Fire fighting units mounted on trailers must be connected to a towing vehicle at all times.

#### **REG.38A. Use of engines, vehicles, plant or machinery likely to cause bush fire**

1. *Where a Bush Fire Control Officer is of the opinion that the use or operation of any engines, vehicles, plant or machinery during the prohibited burning times or restricted burning times, or both, is likely to cause a bush fire, or would be conducive to the spread of a bush fire, the Bush Fire Control Officer may by notice or direction prohibit or regulate the carrying out of any activity or operation in a specified area either absolutely or except in accordance with conditions specified in the notice or direction or without the consent of the Local Government or Bush Fire Control Officer.*
2. *A notice or direction under sub-regulation (1) –*
  - a) *May be given by wireless broadcast or in writing;*
  - b) *Shall have effect for such period during the prohibited burning times or restricted burning times, or both, as is specified in the notice of direction;*
  - c) *May be varied or cancelled by a Bush Fire Control Officer by a subsequent notice or direction in the manner set out in that sub-regulation.*
3. *During any period for which a notice or direction under sub-regulation (1) has effect a person shall not, in any area specified in the notice or direction, operate or use any engines, vehicles, plant or machinery contrary to the notice or direction.*

*Penalty \$5,000*

4. *A person shall, when required by a Local Government, provide a plough or other specified machine, appliance or fire fighting equipment in or in the vicinity of any land or paddock where harvesting operations are being carried on.*

## COUNCIL POLICY

**DATE PROPOSED:**

20 November 2003

**AUTHOR AND POSITION:**

Ian Craven – Chief Executive Officer

### **1.55 ON FARM GRAIN DEPOT OR BUNKER**

Change to Shire Firebreak Regulations:

- h) On farm Grain Depots or Bunkers requirements for approval:
- 5. All inflammable material for a radius of 50 metres of where truck, loaders and engines are operating to be cleared.
- 6. The bunker or depot must be immediately adjacent to the farms main access road and/or shed areas.
- 7. The bunker or depot must be inspected by a local FCO before the 1<sup>st</sup> November each year and a fee of \$100 must be paid to the Shire Office – after which the registration will be listed.
- 8. During the loading and unloading there must at all times be an approved mobile fire fighting unit on hand, during harvesting and movement of vehicles in paddocks bans and this unit must escort the truck onto and off the property.

*Note: Firebreaks need not follow the perimeter of any paddock, but may follow contours.*

## **COUNCIL POLICY**

**DATE PROPOSED:** 17 May 2018

**AUTHOR AND POSITION:** Matthew Gilfellow – Chief Executive Officer

### ***1.56 ROADSIDE MEMORIALS POLICY & GUIDELINES***

Council adopts the Main Roads Roadside Memorials Policy and Guidelines.



## COUNCIL POLICY

**DATE PROPOSED:**

18 December 2003

**AUTHOR AND POSITION:**

Ian Craven – Chief Executive Officer

### **1.57 SUPER SPREADER VEHICLES**

Super spreader vehicles, slasher machines and mega mulchers are to be equipped with accessible fire extinguishers of 9 litre water capacity or equivalent as per the provisions of the *Bush Fires Act*, as under:

#### **38B. Use of plant or equipment by internal combustion engine**

1. *Where, in the opinion of the Bush Fire Control Officer, the operation of any power saw, bag loader or other plant or equipment activated by internal combustion engine on any land in the district may constitute a fire hazard, he may, by wireless broadcast from a radio station giving broadcast coverage to the district, by publication in a newspaper circulating in the district or by written notice or oral direction given to any person or persons, subject to such direction as may be given by the Local Government, prohibit the operation of any such power saw, bag loader or other plant or equipment, until further notice, unless the operator has first:*
  - a) *Provided, at the site of the operation, such fire fighting equipment, supply of water and other means of extinguishing fire as the Bush Fire Control Officer may, by the same means, direct; or*
  - b) *Fitted to the engine by which the power saw, bag loader or other plant or equipment is activated a spark arrester of a suitable design, maintained in a clean, sound and efficient condition.*
2. *Every person shall, before operating any power saw, bag loader or other plant or equipment activated by internal combustion engine on land of which any part is under crop, pasture or stubble or that is forest land, fit to the engine by which the power saw, bag loader or other plant or equipment is activated by a spark arrester of suitable design, maintained in a clean, sound and efficient condition.*
3. *Every person who operated any power saw, bag loader or other plant or equipment activated by an internal combustion engine:*
  - a) *Contrary to a prohibition given under sub-regulation (1); or*
  - b) *In contravention of sub-regulation (2),*  
*commits an offence.*

*Penalty \$5,000*

# COUNCIL POLICY

**DATE PROPOSED:**

15 June 2017

**AUTHOR AND POSITION:**

Matthew Gilfellon – Chief Executive Officer

## **1.58 RELATED PARTY DISCLOSURES**

### **Introduction**

All councils in Western Australia must produce annual financial statements that comply with Australian Accounting Standards.

From 1 July 2016, the Australian Accounting Standards Board has determined that AASB 124 Related Party Disclosures will apply to government entities, including local governments.

The objective of the accounting standard is to ensure that annual financial statements contain disclosures necessary for stakeholders to draw attention to the possibility that the financial position and financial performance may have been affected by transactions and outstanding balances with related parties.

Council recognises that Related Party transactions can present potential or actual conflicts of interest and may raise questions about whether they are in the best interests of the organisation.

It is therefore important that Key Management Personnel act honestly and with reasonable care and diligence whilst avoiding improper use of their position and information. It is equally important that Key Management Personnel of the Council are subject to a high level of accountability, including appropriate disclosure of their transactions with the Council in the annual financial statements.

### **Purpose**

The purpose of this policy is to define the parameters for Related Party Transactions and the level of disclosure and reporting required for Council to achieve compliance with the Australian Accounting Standard AASB 124 - Related Party Disclosures.

### **Policy Statement**

Related Party relationships are a normal feature of commerce and business. For example, entities frequently carry on parts of their activities through subsidiaries, joint ventures and associates. In those circumstances, there is the possibility of the entity having the ability to affect the financial and operating policies of Council through the presence of control, joint control or significant influence.

A related Party relationship could influence the normal business operations of Council. In some instances, Council may enter into transactions with a Related Party that unrelated parties would not. For example, goods are supplied to Council on terms that might not be offered to other customers. Also, transactions between Related Parties may not be made on the same terms as between unrelated parties.

The normal business operations of Council may be affected by a Related Party relationship even if Related Party Transactions do not occur. The mere existence of the relationship may be sufficient to affect the transactions of the Council with other parties. Alternatively, one party may refrain from trading with Council

because of the significant influence of another—for example, a local supplier may be instructed by its parent not to engage in supplying goods to Council.

For these reasons, knowledge of Council's transactions and outstanding balances (including commitments and relationships with Related Parties) may affect assessments of Council's operations by users of financial statements, including assessments of the risks and opportunities facing the Council.

#### 6.1 Identification of Key Management Personnel (KMP)

AASB 124 defines KMP's as "those persons having authority and responsibility for planning, directing and controlling the activities of the entity, directly or indirectly".

KMP's for the Council are considered to include:

- Councillors;
- Chief Executive Officer
- Managers

#### 6.2 Identification of Related Parties

A related party is a person or entity that is related to the entity that is preparing its financial statements.

For the purposes of this Policy, related parties of Council are:

- a) Entities related to Council;
- b) Key Management Personnel (KMP) of Council
- c) Close family members of KMP;
- d) Possible close family members of KMP's; and
- e) Entities or persons that are controlled or jointly controlled by KMP, or their close family members, or their possible close family members.

Also a person or entity is a related party of Council if any of the following apply:

- they are members of the same group (which means that each parent, subsidiary and fellow subsidiary is related to the others);
- they are an associate or belong to a joint venture of which Council is part of;
- they and Council are joint ventures of the same third party;
- they are part of a joint venture of a third party and council is an associate of the third party;
- they are a post-employment benefit plan for the benefit of employees of either Council or an entity related to Council;
- they are controlled or jointly controlled by Close members of the family of a person;
- they are identified as a close or possibly close member of the family of a person with significant influence over Council or a close or possibly close member of the family of a person who is a KMP of Council; or
- they or any member of a group of which they are a part, provide KMP services to Council.

#### 6.3 Identification of Control or Joint Control

A person or entity is deemed to have control if they have:

- a) power over the entity;
- b) exposure, or rights, to variable returns from involvement with the entity; and
- c) the ability to use power over the entity to affect the amount of returns.

To jointly control, a person or entity must have contractual rights or agreed sharing of control of the entity, which exists only when decisions about the relevant activities require the unanimous consent of the parties sharing control.

#### 6.4 Related Party Transactions Disclosures

All transactions between Council and related parties, whether monetary or not, are required to be identified. Such transactions may include:

- Purchase or sale of goods;
- Purchase or sale of property and other assets;
- Rendering or receiving services;
- Leases;
- transfers of research and development;
- transfers under licence agreements;
- transfers under finance arrangements (including loans and equity contributions in cash or in kind);
- provision of guarantees or collateral;
- commitments to do something if a particular event occurs or does not occur in the future, including executory contracts (recognised and unrecognised);
- Quotations and/or tenders;
- Commitments; and
- Settlements of liabilities on behalf of Council or by Council on behalf of the related party.

Ordinary Citizen Transactions are transactions provided on terms and conditions no different to those applying to the general public and which have been provided in the course of delivering public service objectives. Related party transactions excluded from disclosure requirements on the basis of Ordinary Citizen Transactions are;

- Any valid transaction, rates payment, fine, use of facility, attendance of function, service, benefit, discounts and fee waivers that are available to the party as an ordinary citizen and is available to any ordinary citizen in the same circumstance, and
- Any service or benefit occurring within normal employee, customer or supplier relationships and at arm's length; and
- are not material or significant;

Council must disclose all material and significant Related Party Transactions in its annual financial statements and include the following detail:

- (i) The nature of the related party relationship; and
- (ii) Relevant information about the transactions including:
  - a) The amount of the transaction;
  - b) The amount of outstanding balances, including commitments,
  - c) Provision for doubtful debts related to the amount of outstanding balances; and
  - d) The expense recognised during the period in respect of bad or doubtful debts due from related parties.

Materiality thresholds are reviewed annually as part of the audit process and reported related party disclosures will be in compliance with the framework of the Australian Accounting Standard AASB124 and other relevant standards, as required.

The following matters must be considered in determining the materiality and significance of any related party transactions:

- (i) Significance of transaction in terms of size;
- (ii) Whether the transaction was carried out on non-market terms;

- (iii) Whether the transaction is outside normal day-to-day business operations, such as the purchase and sale of assets;
- (iv) Whether the transaction is disclosed to regulatory or supervisory authorities;
- (v) Whether the transaction has been reported to senior management; and
- (vi) Whether the transaction was subject to Council approval.

Regard must also be given for transactions that are collectively, but not individually significant.

Disclosures that Related Party Transactions were made on terms equivalent to those that prevail in arm's length transactions can only be made if such terms can be substantiated.

#### 6.5 Procedures

The method for identifying the close family members and associated entities of KMP will be by KMP self-assessment. KMP have an ongoing responsibility to advise Council immediately of any Related Party Transactions.

The preferred method of reporting is for KMP to provide details of Related Parties and Related Party Transactions to the Governance and Compliance Officer on a Quarterly basis.

Information provided will be reviewed in accordance with the Council's operational requirements and held on a centralised register.

Should a KMP have any uncertainty as to whether a transaction may constitute a related party transaction they should contact the Governance and Compliance Officer or Chief Executive Officer for clarification.

#### 6.6. Privacy

Information provided by KMP and other related parties shall be held for the purpose of compliance with Council's legal obligation and shall be disclosed where required for compliance or legal reasons only.

#### 6.7. Review of Related Party Transactions

A review of KMP's and their related parties will be completed on adoption of this policy and then at intervals not exceeding twelve months.

This policy will also be reviewed when any of the following occur:

- a change of Councillors, Chief Executive Officer or other KMP;
- corporate restructure;
- the related legislation/documents are amended or replaced;
- other circumstances as determined from time to time by a resolution of Council; and
- as a result of changes to the OLG Local Government Code of Accounting Practice and Financial Reporting.

#### 6.8. Training and Communication

This policy will be provided to KMP in the initial awareness raising and data collection and as part of Councillor inductions.

#### **Definitions**

**"Act":** means the Local Government Act 1993.

**"AASB 124":** means the Australian Accounting Standards Board, Related Party Disclosures Standard.

**“Close members of the family of a person”:** are those family members who may be expected to influence, or be influenced by, that person in their dealings with the Council and include:

- (a) that person’s children and spouse or domestic partner;
- (b) children of that person’s spouse or domestic partner; and
- (c) dependants of that person or that person’s spouse or domestic partner.

**“Control”:** means the ability to direct the business’ activities of an entity through rights or exposure to returns from its involvement with the entity.

**"Entity":** can include a body corporate, a partnership or a trust, incorporated association, or unincorporated group or body.

**“Financial Benefit”:** A financial benefit includes giving a financial benefit indirectly through an interposed entity, making an informal, oral or non-binding agreement to give the benefit, and giving a benefit that does not involve paying money. Examples (not limited) of “giving a financial benefit” to a Related Party include the following:

- Giving or providing the Related Party finance or property.
- Buying an asset from or selling an asset to the Related Party.
- Leasing an asset from or to the Related Party.
- Supplying services to or receiving services from the Related Party.
- Issuing securities or granting an option to the Related Party.
- Taking up or releasing an obligation of the Related Party.

**"Key Management Personnel (KMP)":** - as defined in Section 6.1 of this Policy.

**"KMP Compensation":** means all forms of consideration paid, payable, or provided in exchange for services provided, and may include:

- Short-term employee benefits, such as wages, salaries and social security contributions, paid annual leave and paid sick leave, profit sharing and bonuses (if payable within twelve months of the end of the period) and non-monetary benefits (such as medical care, housing, cars and free and subsidised goods or services) for current employees;
- Post-employment benefits such as pensions, other retirement benefits, postemployment life insurance and post-employment medical care;
- Other long-term employee benefits, including long-service leave or sabbatical leave, jubilee or other long-service benefits, long-term disability benefits and, if they are not payable wholly within twelve months after the end of the period, profit sharing, bonuses and deferred compensation; and
- Termination benefits

**"Material":** (materiality) means the assessment of whether the transaction, either individually or in aggregate with other transactions, by omitting it or misstating it could influence decisions that users make on the basis an entity's financial statements. For the purpose of this policy, it is not considered appropriate to set either a dollar value or a percentage value to determine materiality.

**"Ordinary Citizen Transaction":** means a transaction that an ordinary citizen of the community would undertake in the ordinary course of business with Council.

**“Possible (Possibly) Close members of the family of a person”:** are those family members who could be expected to influence, or be influenced by, that person in their dealings with the Council and include:

- (a) that person’s brothers' and sisters';
- (b) aunts', uncles', and cousins' of that person’s spouse or domestic partner;
- (c) dependants of those persons' or that person’s spouse or domestic partner as stated in (b); and

(d) that person's or that person's spouse or domestic partners', parents' and grandparents'.

**“Related Party”**: defined in Section 6.2 of this Policy.

**“Related Party Transaction”**: - is a transfer of resources, services or obligations between Council and a related party, regardless of whether a price is charged.

**"Regulation"**: - means the Local Government (General) Regulation 2005

**“Senior Executive”**: means an employee of the Council who reports directly to the General Manager and whose position would be considered to be a senior position in the Council’s corporate structure.

**"Significant"**: (significance) means likely to influence the decisions that users of the Council’s financial statements make having regard to both the extent (value and frequency) of the transactions, and that the transactions have occurred between the Council and related party outside a public service provider/ taxpayer relationship.

**"Remuneration"**: means remuneration package and includes any money. Consideration or benefit received or receivable by the person but excludes reimbursement of out-of-pocket expenses, including any amount received or receivable from a related party transaction.

# COUNCIL POLICY

**DATE PROPOSED:** 17 May 2018

**AUTHOR AND POSITION:** Matthew Gilfellon – Chief Executive Officer

## **1.59 ELECTED MEMBER INDUCTION**

That upon the election of a new Councillor, the Chief Executive Officer make themselves available to perform a Councillor Induction. The induction can be modified as per the Chief Executive Officer, but a suggested outline be as follows:

### **Initial Session (Before First Council Meeting)**

- Declaration of office – When, Where, Making the Declaration
- Council Meeting Protocol and Standing Orders
- Disclosure of Interest and Conflicts of Interest
- Voting Requirements
- Importance of Honesty and Integrity
- Primary and Annual Returns
- Elected Members Fees and Expenses
- Role of Local Government
- Roles and Responsibilities
- Council Meetings
- Committee Meetings
- Role of Committees
- Other Meetings
- Agendas and Minutes
- Absence from Meetings
- Council Policies
- Induction/Training Courses Available
- How to Get Something Done
- Significant Events
- Briefing Notes
- How to Use iPad
- Other Councillors Names and Contact Details

### **Follow Up Session (Six Months After Election)**

- Insurance Coverage of Elected Members
- Defamation and Limited Privilege Protection
- Regional Meetings and Groups
- Integrated Plans
- Annual Budget
- Department of Local Government
- Obtaining Advice and Information



## 1.60 COMMUNITY TRANSPORT SERVICE

### **POLICY – EDUCATION, HEALTH AND WELFARE**

Sub Section: Other Health Services

**Policy Number:** 1.61

**Policy Subject:** Community Transport Service

**Policy Statement:** At the August 2018 Ordinary Meeting of Council, it was decided to fund a Community Transport Service from the Bain Estate Future Fund. This service is to operate for a two-year trial, with a review to be completed following the two-year period. A first review was conducted in February 2020.

**Objectives:** To provide a community driver transport service to allow residents to attend medical appointments outside of the Shire when they have no viable alternatives.

**Guidelines:** Client Eligibility

This service is available to all residents of the Shire for:

- Journeys to specialist medical appointments.
- Allied health appointments where the service is not available locally.
- Compassionate reasons (separate fees apply).

Clients under the age of 18 shall be required to have a guardian accompany them on the journey.

The Community Transport Service is **NOT** to be used when the client is eligible for WACHS transport services.

Compassionate reasons would apply for the following situations:

- Attendance at funerals
- Visiting a sick partner/relative

#### Driver's Eligibility

Drivers must:

- Hold a current 'C' class driver's licence
- Register as a shire volunteer
- Sign a confidentiality agreement
- Undertake an induction for any relevant OSH, to familiarise themselves with the car and basic procedures (e.g. refuelling, changing tyres) and procedures of how to access the vehicle
- Provide a Police check if required (at the discretion of the CEO)

- Be responsible for any illegal acts undertaken (e.g. speeding)
- Be responsible for any food or drink required while undertaking their duties

First Aid training is recommended but not essential.

#### Basic Procedures Before the Journey

- Client books their appointment for the middle of the day (or as close as possible).
- Client indicates requirement for a journey via the sign-up pad at the CRC.
- Coordinator finds a driver for the journey.
- Coordinator organises times and confirms the trip with the Client and Driver. Coordinator informs the Client of the required payment, made up of a standard fee and the PATS travel contribution (In September 2018 the standard fee was \$50. Approximate total charge will be Perth \$140, Bunbury \$135, Albany \$125, Wagin \$30, Katanning \$30, Narrogin \$30).
- Client gives payment for the journey to the Coordinator (cash only).

#### Basic Procedures on the Day

- Driver goes to the Dumbleyung St John Ambulance shed at the organised time, takes the car out and picks up the Client at the arranged point (may be the shed or home; discretion of the Driver is to be used).
- If a wheelchair, baby seat or other aid is required by the client, they are to provide it.
- Partners or guardians are allowed to accompany the Client.
- Driver takes the Client to the building where the appointment is booked. It is not a requirement of the Driver to take the Client to the appointment, though they are not prevented from doing so.
- The Driver parks the car or can use the car for up to 50km to conduct personal business (e.g. shopping).
- The Client pays for any parking fees associated with the appointment.
- Once the Client has finished their appointment, a call is made to the Driver who picks the Client up.
- The Driver takes the Client back to Dumbleyung.
- The Driver returns the car to the Ambulance Shed, finalises the form and locks the shed.

#### Basic Procedures After the Journey

- Following the use of the vehicle, the Coordinator (or representative), goes to the shed, fills the car up at the shire depot and cleans the vehicle.
- The Coordinator does a check of the vehicle to ensure roadworthiness and reports to the Shire anything that needs fixing or if a service is due.

- On an as needs basis, the Coordinator deposits the money from the trips to the Shire.

#### Requirement for Accommodation (not available for compassionate reasons)

- If an overnight stay is required, accommodation is to be offered to the Driver with the accommodation to be subsidised by the shire to a maximum value of \$100 for one night only. The subsidy will be reimbursed upon presentation of a valid receipt.
- The Client is responsible for making and paying for their own accommodation.
- Alternative accommodation arrangements (e.g. own accommodation, family or friend) for the Client and/or Driver can be made, but only with the consent of the Driver, unless the Client can make their own arrangements to travel between the place of appointment and accommodation. No subsidy will be provided for this option.

#### Coordinator's Role

The Coordinator is the liaison between the Client, Driver, CRC and the Shire. Their duties (or a representative of the Coordinator) include:

- Liaison between Client and Driver to set up the journey
- Driver induction
- Liaison with the CRC for any bookings
- Receiving money from the Client
- Following use of the vehicle, refuelling and cleaning the vehicle, checking the tyres, inspecting for damage and reporting total km's to the Shire

#### Shire's Responsibilities

The Shire will be the owner of the vehicle and pay for costs associated with the vehicle and the service. The Shire will also provide limited administration support to ensure the smooth running of the service.

The Shire shall provide a roadworthy vehicle with the following:

- First Aid Kit
- GPS
- RAC Membership
- ACROD Permit
- Mobile Phone
- Bain Estate Future Fund/Shire of Dumbleyung recognition signage
- Sign-up pad for the CRC
- Receipt book
- Volunteer forms
- Client forms

First Adopted: 20 September 2018, 2018/582  
Last Review: 23 July 2020, 2020/917

# COUNCIL POLICY

**DATE PROPOSED:** 20 June 2019

**AUTHOR AND POSITION:** Diana Marsh – Manager of Finance

## **1.61 ACCOUNTING POLICY**

### **Policy Objectives**

To provide a policy framework for the financial management of the Shire of Dumbleyung that secures the accuracy and reliability of accounting data, financial reporting and budgeting and ensures that all statutory obligations and Australian Accounting Standards are met.

### **Policy Scope**

This Policy covers accounting, budgeting, financial reporting and financial governance activities of the Shire. The Policy is to be read and implemented in conjunction with the Shire's other relevant policies, strategies, procedures and documents. This change to policy is effective from 1 July 2018 (financial year 2018-19 onwards).

### **Policy Statement**

#### **1. Responsibilities**

In accordance with the Local Government Act 1995 (The Act) and the Local Government (Financial Management) Regulations 1996 (The Regulations) the Chief Executive Officer (CEO) has a duty to ensure that proper accounts and records of the transactions and affairs of the local government are kept in accordance with the regulations. Efficient systems and procedures are to be established by the CEO of a local government and the CEO is to ensure that the resources of the local government are effectively and efficiently managed. Whilst the ultimate responsibility lies with the CEO, the CEO will appoint suitably qualified officers and contractors to assist and advise him/her in meeting these responsibilities.

#### **2. Accounting Framework**

Accounting records will be maintained on a full accrual basis and are based on historical costs, modified where applicable by the measurement at fair value of selected non-current assets, financial assets and liabilities.

Accounting for revenues and expenses, assets and liabilities and the form of presentation of financial statements will be carried out in accordance with all applicable Australian Accounting Standards Board Standards (The Standards) and the provisions of The Act and relevant Regulations. Where there is an inconsistency between The Standards and legislative requirements the legislation will prevail and the extent of the inconsistencies between the Standards and the legislation disclosed by way of notes.

The Shire's Annual Budget is used to determine the amount of revenue to be raised by way of rates and to demonstrate to ratepayers and citizens how the financial resources of the Shire will be deployed. The accounting framework should demonstrate transparent accountabilities for financial resources and establish

a clear link between the raising of revenue as demonstrated by the budget document and the expenditure of that revenue on activities that support the Shire's strategic direction and statutory obligations.

### **3. Financial Reporting**

Financial reporting is required to meet the internal organisational needs (Management Reporting), the Shire's statutory obligations (Statutory Reporting) and the reporting requirements of various other stakeholders such as the WA Grants Commission, other grantors and the Australian Bureau of Statistics (Special Purpose Reports). This will be achieved by production of the following reports.

#### **(a) Monthly Reporting**

Monthly reports will be provided to the Council in accordance with Section 6.4 (2) of The Act and Regulation 34 of The Regulations.

Sub-regulation 34(3) provides a choice as to how the information in a statement of financial activity may be shown i.e.:

- (a) according to nature and type classification; or
- (b) by program; or
- (c) by business unit i.e. Directorate/Service Area.

The Shire provides monthly financial reports to Council by Program and Sub Program. This is accompanied by a detailed report by Program on variances.

Sub-regulation 34(5) requires a local government to adopt a percentage or value, calculated in accordance with the AAS, to be used in statements of financial activity for reporting material variances. This will be undertaken when adopting the budget for each year.

Monthly reports will be prepared on a calendar month basis, and the reports will be presented at the next available Council meeting, allowing for a reasonable time for preparation of such reports.

#### **(b) Annual Reporting**

Section 6.4 of The Act requires annual financial reports to be prepared in the form prescribed, and submitted to its auditor by 30 September following each financial year. Regulations 36 to 50 inclusive of The Regulations contain specific provisions regarding the manner and form and prescribed information referred to in 6.4 above. The annual financial report will not be placed before the Council until it has been audited by the external auditor.

### **4. Budget and Budget Reviews**

The annual budget will be prepared in accordance with Section 6.2 of The Act and relevant Regulations. Regulations 22 through to 33 inclusive of The Regulations contain extensive prescriptions for the preparation of the Annual Budget as referred to in Section 6.2 (4)(g) of The Act.

The Act provides that the Budget shall be adopted by absolute majority decision of the Council, in the period 1 June in a financial year to 31 August in the next financial year. Whilst The Act requires that the Council will adopt an Annual Budget before the 31st of August, the Council will use its best endeavours to adopt the budget in July of each year to maintain liquidity in the Municipal Fund and reduce the need to seek financial accommodation via overdraft, thus eliminating overdraft interest expenses whilst maximising investment earnings on the Municipal Fund.

A comprehensive budget review will be undertaken at least once per annum in accordance with the provisions of The Regulations.

## **5. Reporting Revenue and Expenditure by Program, Sub Program and Nature and Type**

Reporting, of all revenue and expenses by “nature and type” shall be classified in accordance with Schedule 1 Part 2 of The Regulations.

## **6. Assets**

Assets will be recognised and reported at fair values in accordance with Regulation 17A of The Regulations and AASB 5, 13, 116 and 136 of The Standards.

### **(a) Capitalisation of Assets**

In accordance with The Regulations 17A(5) expenditure of a capital nature is recognised as an asset if the threshold value is \$5000 or greater. Expenditure below this threshold will be expensed.

### **(b) Portable and Attractive Assets.**

An asset below the threshold will be recorded in a separate Portable and Desirable Assets Register in accordance with The Regulations 17(B).

### **(c) Classes of Asset**

Asset classes are shown below:

- Land – freehold
- Land – vested in and under the control of Council
- Buildings – specialised
- Buildings – non-specialised
- Plant and equipment
- Roads
- Sewerage
- Parks and other improvements

### **(d) Fair Valuation**

Revaluation for Fair Value for financial reporting purposes and depreciation of assets will be carried out in accordance with the provisions of regulation 17A of the Regulations and AASB 113 and 116 of The Standards. A full revaluation of all applicable asset classes will be undertaken at least once every 5 years. However, when an asset class has significant changes in fair value, a revaluation will be undertaken on a more frequent basis.

The valuation methods are to be selected as appropriate in the circumstances and for which sufficient data is available to measure fair value. The availability of sufficient and relevant data primarily depends on the specific characteristics of the asset being measured. The valuation techniques selected by the Shire are consistent with one or more of the following valuation approaches:

- *Market approach* – uses prices and other relevant information generated by market transactions for identical or similar assets;
- *Income approach* – converts estimated future cash flows or income and expenses into a single discounted present value;
- *Cost approach* – reflects the current replacement cost of an asset at its current service capacity.

In accordance with AASB 13 the shire will disclose the fair value information by level of the fair value hierarchy which categorise fair value measurement as:

- *Level 1* - measurements based on quoted prices in active markets;
- *Level 2* – measurements base on inputs other than quoted prices included within level 1 that is observable for the asset, either directly or indirectly;
- *Level 3* – measurements are based on unobservable inputs for the asset.

#### **(e) Depreciation**

The annual depreciation charge will be recognised on a straight-line basis, based on effective useful lives after taking into account any residual values expected to be achieved at disposal and will be expensed to the appropriate depreciation expenses accounts.

Major depreciation periods are shown below:

- |  |                 |
|--|-----------------|
| • Buildings                                | 30 to 50 years  |
| • Plant and equipment                      | 5 to 15 years   |
| • Sealed roads and streets                 |                 |
| formation                                  | not depreciated |
| pavement                                   | 50 years        |
| seal                                       |                 |
| - bituminous seals                         | 20 years        |
| - asphalt surfaces                         | 25 years        |
| • Gravel roads                             |                 |
| formation                                  | not depreciated |
| pavement                                   | 50 years        |
| • Formed roads (unsealed)                  |                 |
| formation                                  | not depreciated |
| pavement                                   | 50 years        |
| • Footpaths                                | 20 years        |
| • Sewerage piping                          | 100 years       |
| • Water supply piping and drainage systems | 75 years        |
| • Parks and other improvements             | 10 to 20 years  |

The assets residual values and useful lives are reviewed and adjusted if appropriate at the end of each reporting period.

#### **(f) Accounting for Land Under Local Government's Control (including Land Under Roads)**

Regulation 16 of The Regulations prohibits local governments from recognising the value of Crown and vested land under its responsibility or care and control, unless it is operated by the local government as a golf course, showground, racecourse or other sporting or recreational facility of State or regional significance.

The Shire elects not to recognise the value of land under roads acquired on or before 30 June 2008 in accordance with AASB 1051. Land under roads acquired on or after 1 July 2008 is not included as an asset of the Shire in accordance with Regulation 16(a) which prohibits local governments from recognising crown land that is a public thoroughfare, the responsibility of which is vested in the local government.



**(g) Disposal of assets**

Disposal of assets will be treated in accordance with the Act, the Local Government (Functions and General) Regulations 30 and the provisions of AASB 116 of The Standards.

**(h) Inventories**

Accounting for inventories will be undertaken in accordance with AASB 102 of The Standards.

**7. Loans**

See Borrowings Policy 1.63

**8. Particular Purpose Cash Backed Reserves**

Reporting and treatment for all Reserves shall be classified in accordance with Regulation 38 of The Regulations. 'Particular' purpose reserve accounts that are cash backed will be established to:

- Save for a future purpose, contingency or losses arising from investment activities;
- Fund the replacement of infrastructure or assets that are being consumed by the current generation of ratepayers so as not to impose an undue financial burden on future generations of ratepayers who have not had the benefit of that consumption;
- To temporarily retain any surpluses or unspent funding that may arise from various activities to be used to in future years.

**9. Interest earned on Reserve Investments**

In order to help maintain the real value of the Reserve Accounts, interest earned from investing moneys held in Reserve Accounts is to be classified as operating revenue and then transferred to the particular Reserve Account in proportion to the average balance of the particular reserves over the interest earning period.

**10. Financial Instruments**

Financial instruments will be recognised, classified and measured in accordance with AASB 7 and AASB 139 of The Standards.

**11. Impairment of Assets**

Impairment of assets other than inventories will be treated in accordance with the provisions of AASB 136 of The Standards. All non-current assets are to be reviewed on an annual basis to determine whether there is any indication they may be impaired.

**12. Superannuation**

The Shire contributes to the Local Government Superannuation Scheme and to other Occupational Superannuation Funds on behalf of employees. These funds are defined contribution schemes and the Shire has no further liability in respect of these funds. Contributions to defined contribution plans are recognised as an expense as they become payable.

**13. Employee Benefits**

Employee benefits will be recognised and treated in accordance with the provision of AASB 119 of The Standards.

Liability for long service leave is calculated in accordance with the table shown.

Long Service Leave Adjustment		
	Entitlement	Probability
Year 1	1.3 weeks	0.15
Year 2	2.6 weeks	0.25
Year 3	3.9 weeks	0.40
Year 4	5.2 weeks	0.60
Year 5	6.5 weeks	0.80
Year 6	7.8 weeks	0.90
Year 7	9.1 weeks	1.00
Year 8	10.4 weeks	1.00
Year 9	11.7 weeks	1.00
Year 10	13.0 weeks	1.00

#### **14. Bad Debts Write Offs**

Debts (including rates and service charges) that are considered irrecoverable, or where the cost of recovery is uneconomic, may be written off under delegated authority 2.1.10 in accordance with the provisions of Sections 5.42(1) and 6.12(1) of the Local Government Act 1995. Delegated authority 2.1.10 empowers the Chief Executive Officer (CEO) to waive, grant concessions or write off in relation to any amount of monies owing to the Shire to a limit of \$100 for any one item. This cost is to be expensed against the budget area to which the revenue was originally credited.

#### **15. Fringe Benefits Tax**

The Shire will comply with Fringe Benefits Tax (FBT) legislative requirements whereby FBT is payable on benefits in place of, or in addition to, salary or wages of employees. Fringe benefits provided may also be required to be reported on employee's annual PAYG payment summaries. As the FBT year is not aligned with the financial year, the benefits reported on payment summaries is for the preceding FBT year, which runs from 1st April to 31st March.

#### **16. Good and Services Tax**

Goods and Services Tax (GST) will be treated in accordance with the provisions of UIG Interpretation 1031 of The Standards and the applicable tax laws set out by the Australian Taxation Office. Certain Australian taxes, fees and charges are exempt from GST. These are outlined in the Division 81 Fees and Charges Determination by the Commonwealth Treasurer. The Shire of Dumbleyung is a registered organisation for the purposes of GST, therefore GST is generally payable on most goods and services the Shire sells or supplies to others in the course of business (excluding input taxed and GST free supplies).

# COUNCIL POLICY

**DATE PROPOSED:** 20 June 2019

**AUTHOR AND POSITION:** Diana Marsh – Manager of Finance

## **1.62 BORROWINGS POLICY**

### **Objective**

To establish a set of principles for the efficient management of the Shire of Dumbleyung's existing and future debt, recognising that in order to ensure intergenerational equity in the funding of identified capital projects it may need to resort to the prudent use of borrowings.

### **Policy Scope**

This Policy relates to forms of financing which create a liability for a future repayment. It excludes financing in the form of operating leases, credit card facilities, short-term bank loan/overdraft for daily cash flow requirements, or hire purchase agreements.

### **Operating Expenditure**

The Shire will not borrow money (other than by way of the above exclusions) to fund operating expenditure. This type of expenditure should be funded through operating revenue streams such as rates, fees and charges or operating grants.

### **Recurrent Capital Expenditure**

The Shire will not borrow money or obtain debt finance (other than by way of the above exclusions) to fund the acquisition, replacement or renewal of assets that is expected to occur on an annual or similar basis at approximately the same level each year i.e. recurrent capital works. Examples of this type of expenditure are the roads programme, plant replacement, information technology and office equipment acquisitions and replacement. This type of expenditure should be funded through operating revenue streams such as rates, fees and charges or operating grants.

### **Paying off Loans in Advance**

Any borrowings can be paid off in advance in full where it can be demonstrated that there is a significant benefit to the Shire. Any retirement of debt will not occur without approval from Council. The final payment will include the principle outstanding, interest accrual to date and the premium cost for breaking the loan contract. The decision to pay off a loan will be based on economic viability and will be analysed on a case to case basis.

### **Borrowing Term**

The term of the borrowings shall be set having due regard to the economic life of the asset being acquired or constructed.

Should the Shire decide to borrow funds, the term of the borrowing shall generally not be greater than half the economic life of the asset being acquired or constructed. This is to enable the Shire to use the remaining economic half-life to set funds aside in reserves in order to renew or replace that asset should that be required at the end of its economic life.

### **Borrowing Ratios**

Prior to undertaking any borrowing the Shire shall review its Debt Service Cover Ratio and its Net Debt to Operating Revenue Ratio as per WA Treasury Corp Borrowing Guidelines in order to assess its capacity to pay and ensure that the community is not burdened with unnecessary risk.

### **Circumstances for Which Long Term Borrowing/Financing Will Be Considered**

The Shire will give favourable consideration to borrowing money for the acquisition or construction of an asset where:

- The asset to be acquired or constructed has been identified by Council to be of the highest priority as per the Long Term Financial Plan; or
- All alternative options for undertaking the project without borrowing have been investigated and proven less advantageous to the Shire; or
- Repayments will be met by a third party i.e. self-supporting loans; or
- The index of the cost of acquisition or construction is increasing at a rate that exceeds the cost of borrowing i.e. to “save” for the acquisition of construction will result in the actual cost being greater than the cost of borrowing the money and acquiring or constructing the asset today.

### **Statutory Limitations**

The policy will ensure that all borrowing transactions are conducted in accordance with relevant statutory requirements as contained in the Local Government Act 1995, the Local Government (Financial Management) Regulations 1996 and Australian Accounting Standards, whilst minimising the cost of the debt.

### 1.63 COVID-19 FINANCIAL HARDSHIP

#### **POLICY – OPERATIONAL**

Sub Section: Operational

**Policy Number:** 1.64

**Policy Subject:** COVID-19 Financial Hardship

**Policy Statement:** To give effect to our commitment to support the whole community to meet the unprecedented challenges arising from the COVID19 pandemic, the Shire of Dumbleyung recognises that these challenges will result in financial hardship for our ratepayers.

This Policy is intended to ensure that we offer fair, equitable, consistent and dignified support to ratepayers suffering hardship, while treating all members of the community with respect and understanding at this difficult time.

**Objectives:** This policy applies to:

1. Outstanding rates and service charges as at the date of adoption of this policy; and
2. Rates and service charges levied for the 2020/21 financial year.

It is a reasonable community expectation, as we deal with the effects of the pandemic that those with the capacity to pay rates will continue to do so. For this reason the Policy is not intended to provide rate relief to ratepayers who are not able to evidence financial hardship and the statutory provisions of the *Local Government Act 1995* and *Local Government (Financial Management) Regulations 1996* will apply.

**Guidelines:** **1. Payment difficulties, hardship and vulnerability**  
Payment difficulties, or short term financial hardship, occur where a change in a person's circumstances result in an inability to pay a rates or service charge debt.

Financial hardship occurs where a person is unable to pay rates and service charges without affecting their ability to meet their basic living needs, or the basic living needs of their dependants. The Shire of Dumbleyung recognises the likelihood that COVID19 will increase the occurrence of payment difficulties, financial hardship and vulnerability in our community. This policy is intended to apply to all ratepayers experiencing financial hardship regardless of their status, be they a property owner, tenant, business owner etc.

#### **2. Anticipated Financial Hardship due to COVID19**

We recognise that many ratepayers are already experiencing financial hardship due to COVID-19. We respect and anticipate the probability that additional financial difficulties will arise when their rates are received.

We will write to ratepayers at the time their account falls into arrears, to advise them of the terms of this policy and encourage eligible ratepayers to apply for hardship consideration. Where possible and appropriate, we

will also provide contact information for a recognised financial counsellor and/or other relevant support services.

### **3. Financial Hardship Criteria**

While evidence of hardship will be required, we recognise that not all circumstances are alike. We will take a flexible approach to a range of individual circumstances including, but not limited to, the following situations:

- Recent unemployment or under-employment
- Sickness or recovery from sickness
- Low income or loss of income
- Unanticipated circumstances such as caring for and supporting extended family

Ratepayers are encouraged to provide any information about their individual circumstances that may be relevant for assessment. This may include demonstrating a capacity to make some payment and where possible, entering into a payment arrangement. We will consider all circumstances, applying the principles of fairness, integrity and confidentiality whilst complying our statutory responsibilities.

### **4. Payment Arrangements**

Payment arrangements facilitated in accordance with Section 6.49 of the Act are of an agreed frequency and amount. These arrangements will consider the following:

- That a ratepayer has made genuine effort to meet rate and service charge obligations in the past;
- The payment arrangement will establish a known end date that is realistic and achievable;
- The ratepayer will be responsible for informing the Shire of Dumbleyung of any change in circumstance that jeopardises the agreed payment schedule.

In the case of severe financial hardship, we reserve the right to consider waiving additional charges or interest (excluding the late payment interest applicable to the Emergency Services Levy).

### **5. Interest Charges**

A ratepayer that meets the Financial Hardship Criteria and enters into a payment arrangement may request a suspension or waiver of interest charges. Applications will be assessed on a case by case basis.

### **6. Deferment of Rates**

Deferment of rates may apply for ratepayers who have a Pensioner Card, State Concession Card or Seniors Card and Commonwealth Seniors Health Care Card registered on their property. The deferred rates balance:

- remains as a debt on the property until paid;
- becomes payable in full upon the passing of the pensioner or if the property is sold or if the pensioner ceases to reside in the property;
- may be paid at any time, BUT the concession will not apply when the rates debt is subsequently paid (deferral forfeits the right to any concession entitlement); and
- does not incur penalty interest charges.

## **7. Debt recovery**

We will suspend our debt recovery processes whilst negotiating a suitable payment arrangement with a ratepayer. Where a ratepayer is unable to make payments in accordance with the agreed payment plan and the ratepayer advises us and makes an alternative plan before defaulting on the 3<sup>rd</sup> due payment, then we will continue to suspend debt recovery processes.

Where a ratepayer has not reasonably adhered to the agreed payment plan, then for any Rates and Service Charge debts that remain outstanding on 1 July 2021, we will offer the ratepayer one further opportunity of adhering to a payment plan that will clear the total debt by the end of the 2021/2022 financial year.

Rates and service charge debts that remain outstanding at the end of the 2021/22 financial year, will then be subject to the rates debt recovery procedures prescribed in the *Local Government Act 1995*.

## **8. Review**

We will establish a mechanism for review of decisions made under this policy, and will advise the applicant of their right to seek review and the procedure to be followed.

## **9. Communication and Confidentiality**

We will maintain confidential communications at all times and we undertake to communicate with a nominated support person or other third party at your request.

We will advise ratepayers of this policy and its application, when communicating in any format (i.e. verbal or written) with a ratepayer that has an outstanding rates or service charge debt.

We recognise that applicants for hardship consideration are experiencing additional stressors, and may have complex needs. We will provide additional time to respond to communication and will communicate in alternative formats where appropriate. We will ensure all communication with applicants is clear and respectful.

First Adopted: 21 May 2020, 2020/xxx

Last Review: 21 May 2020, 2020/xxx



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# STAFF

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# COUNCIL POLICY

**DATE PROPOSED:** 15 May 2014

**AUTHOR AND POSITION:** Mary-Ann Davidson – Payroll Officer

## 2.1 ABOVE AWARD ALLOWANCE POLICY

Council has adopted the Above Award Allowance Policy as allowed below with the policy to take effect from 1<sup>st</sup> July 2014. From 1<sup>st</sup> July 2014, the Shire will commence operating under the Local Government Industry Award 2010 and all new employees receive two additional days of annual leave to compensate for the removal of the two additional public holidays.

The above award allowance is set out as below:

	Minimum Base (Weekly) (1 July 2012)	Minimum Base (Annual)	Above	Award	Payment	
			Increment 1	Increment 2	Increment 3	Increment 4
Level 1	665.20	34590.40	5188.56	6918.08	8647.60	10377.12
Level 2	687.60	35755.20	5363.28	7151.04	8938.80	10726.56
Level 3	713.90	37122.80	5568.28	7424.56	9280.70	11136.84
Level 4	724.50	37674.00	7534.80	9418.50	11302.20	13185.90
Level 5	769.90	40034.80	8006.96	10008.70	12010.44	14012.18
Level 6	833.10	43321.20	8664.24	10830.30	12996.36	15162.42
Level 7	847.60	44075.20	8815.04	11018.80	13222.56	15426.32
Level 8	915.80	47621.60	9524.32	11905.40	14286.48	16667.56
Level 9	979.70	50944.40	10188.88	12736.10	15283.32	17830.54
Level 10	1070.90	55686.80	11137.36	13921.70	16706.04	19490.38
Level 11	1207.50	62790.00	12558.00	15697.50	18837.00	21976.50

The above award allowance will operate in addition to current Council policies that entitle staff to payments above the award.

## BACKGROUND

Local Governments previously operated under two State Government Awards, *Local Government Officers (WA) Award 1999* and *Municipal Employees (WA) Award*. The *Local Government Industry Award 2010 (LGIA)* is a national modern award that was drafted by the Australian Industrial

Relations Commission and registered with Fair Work Australia as part of the award modernisation process.

Currently the payroll system still reflects parts of the old Local Government Officers Award and the Municipal Employees Award. A review is required. The following will incorporate the new Local Government Industry Award. This policy applies to all full and part time employees on the *Local Government Industry Award 2010*. For each level there will be four increments of above award payments. These increments do not represent automatic progression, nor are they based on longevity of service. The increments are to represent the position held within the organisation and the performance of the individual employee.

As the previous awards allowed for two extra public holidays (which Council used between the Christmas & New Year period) we should also include two extra annual leave days into our new policy so no employee is negatively impacted with the change.

## COUNCIL POLICY

**DATE PROPOSED:** 21 April 2016

**AUTHOR AND POSITION:** Matthew Gilfellow – Chief Executive Officer

### **2.2     *ADDITIONAL SHIRE SUPERANNUATION CONTRIBUTIONS***

A matching Superannuation Bonus on a dollar for dollar basis up to 3% will be paid by Council on behalf of all Shire employees who volunteer to pay their own superannuation contribution up to 3%. This Shire contribution will be additional to the current SGC which Council is required to pay.

## COUNCIL POLICY

**DATE PROPOSED:** 19 June 2014

**AUTHOR AND POSITION:** Matthew Gilfellon – Chief Executive Officer

### **2.3 CONFERENCES, SEMINARS AND TRAINING COURSE – GENERAL STAFF ATTENDANCE**

The Chief Executive Officer has authority to approve staff attendance at conferences, seminars and training courses.

All approvals and funding of expenses shall be as per the following guidelines:

- a) To achieve uniform practice throughout the organisation.
- b) To reduce matters placed on Agenda's for Council consideration.
- c) To maximise training opportunities and therefore productivity and efficiency of staff.
- d) Minimise delay in accepting training opportunities.
- e) Expenditure shall be in accordance with Budget provisions.

Standards associated with the attendance of staff at intrastate conferences are:

1. Accommodation in the hotel or venue at which the conference/seminar/course is held, or other nearby venue. Staff must endeavour to achieve the best value for money accommodation at all times.
2. Reasonable meal costs and out of pocket expenses in any one year on verification of these expenses.

### **INTRODUCTION**

Attendance at Conferences, Seminars and Training Courses is considered to be a component of the ongoing education and training of Staff which results in a more efficient service to Council and the community. Such forums provide a means by which information and knowledge can be obtained from other organisations and bodies.

### **ATTENDANCE AT CONFERENCES, SEMINARS AND TRAINING COURSES**

1. During the budget preparation process, the Chief Executive Officer and each Executive Officer shall determine an allocation of funds sought for Conferences, Seminars and Training Courses.
2. Consideration will be given to:
  - a) The cost of each known Conference, Seminar and Training Course plus a contingency allowance for unforeseen events.
  - b) The duration of the event and expected period of absence.

- c) The benefit expected to be derived from attendance at such an event.
- 3. Such approval to attend is only to be granted if the relevant budget provides sufficient funds and the Conference, Seminar or Training Course is of particular relevance to Council's operations.
- 4. When special funding is required which is not included in the adopted budget for the financial year, the application must be submitted to Council through the Finance and Policy Committee with a report prepared by the Chief Executive Officer on the application.
- 5. In respect of employees attending approved Conferences, Seminars and Training Courses at Council's direction, the following expenses will be met by Council:
  - a) Registration fees.
  - b) Accommodation and reasonable meal costs, excluding alcohol.
  - c) Minor expenses such as taxis, telephone calls and laundry etc.
  - d) Travelling expenses.
- 6. In respect of Council staff who voluntarily wish to attend Training Courses to acquire additional skills and qualifications applicable to Council's work environment the following will apply:
  - a) Council at its complete discretion is willing to reimburse meals, travel and accommodation expenses on the following basis. This Policy is not intended to undermine or replace Council's obligations under the various awards where employees undertake training at the direction of Council.

## **ACCOMMODATION**

- a) Should a participant require accommodation then this will be available at a specified venue at Council's expense. Arrangements for these bookings will be made only by Council. Extras and telephone calls will be the participants responsibility except if calls are work related. A register of these calls must be kept to claim reimbursement.
- b) If a participant chooses to stay with relatives or friends there is no payment for accommodation.

## **TRAVELLING**

- a) Council will allow employees to travel to the course in work time i.e. if the course is to be held in Perth the employee can depart at 1pm on the day prior to the course in order to arrive at approximate normal finishing time. The same principal would apply for any other destination.
- b) All reasonable meal expenses will be reimbursed (receipts required – up to \$28 for an evening meal) and paid on return from Perth.
- c) Council may provide a vehicle for travel subject to availability.

If any employee wishes to utilise their own vehicle in preference to a Council vehicle, then only the work portion of the trip will be reimbursed.

# COUNCIL POLICY

**DATE PROPOSED:**

**AUTHOR AND POSITION:**

Ian Craven – Chief Executive Officer

## 2.4 EQUAL OPPORTUNITY

The Shire of Dumbleyung has in place a policy in respect to equal opportunity as follows:

“The Shire of Dumbleyung recognises its legal obligations under the *Equal Opportunity Act 1984* and will actively promote equal opportunity based solely on merit to ensure that discrimination does not occur on the grounds of gender, marital status, pregnancy, rare disability, religious or political circumstances.

All employment with this Council will be directed towards providing equal opportunity to all employees providing their relevant experience, skills and ability meet the minimum requirements of training.

All promotional policies and opportunities with this Council will be directed towards providing equal opportunity to all employees providing their relevant experience, skills and ability meet the minimum requirements for engagement.

The Shire of Dumbleyung will not tolerate harassment within its workplace. Harassment is defined as unwelcome offensive action or remarks concerning a person’s race, colour, language, ethnicity, political or religious circumstances, gender, marital status or disability.”

The Equal Employment Opportunity goals of the Shire of Dumbleyung are designed to provide an enjoyable, challenging, involving, harmonious work environment for all employees where each has the opportunity to progress to the extent of their ability.

The *Equal Opportunity Act 1984* states that it is an offence to actively discriminate against another person because of their:

- Race
- Sex
- Marital status
- Pregnancy
- Political conviction
- Religious conviction
- Impairments (whether physical, intellectual or physiological)
- Colour
- Sexual orientation
- Age
- Family responsibilities
- National extraction or social origin

In the areas of:

- Employment
- Education
- Provision of goods, services and facilities
- Accommodation
- Access to places and vehicles
- Clubs and sporting activities
- Application forms
- Insurance and superannuation schemes

It shall also be noted that the Equal Opportunity Act makes it unlawful to:

- Sexually harass an employee, co-workers, student or tenant
- Discriminate in advertisements
- Victimise a person who makes a complaint under the Act

Discrimination in employment is allowed where:

- The person does not have the ability to do the job
- Special services or facilities would be required causing the employer unjustifiable hardship
- Reasonable changes are made to terms and conditions of employment
- Having a disability is a genuine occupational qualification of the job
- Measures are taken to meet the special needs of people with disabilities
- Domestic work is carried out in a private household

## COUNCIL POLICY

**DATE PROPOSED:**

18 September 2003

**AUTHOR AND POSITION:**

Ian Craven – Chief Executive Officer

### 2.5 INJURY MANAGEMENT POLICY

#### INJURY MANAGEMENT AND REHABILITATION POLICY INTRODUCTION

In accordance with the intention of the *Workers Compensation and Rehabilitation Act 1981* and the *Rehabilitation Review 1997*, Council has developed and adopted an Injury Management and Rehabilitation Policy together with its associated procedures.

The main objectives of implementing any Injury Management and Rehabilitation Policy and Procedures are:

- To establish a systematic approach to an injury management and rehabilitation throughout the Shire of Dumbleyung immediately following work related illness, injury and disability.
- To establish that it is the responsibility of Council to ensure retraining options are available to employees who are identified as not being able to return to pre-injury duties.
- For Council to identify a person responsible for Injury Management Co-ordination, to oversee workplace based injury management and rehabilitation programs.
- To develop injury management and rehabilitation based best practice initiatives that best serve the Shire of Dumbleyung.

#### INJURY MANAGEMENT OVERVIEW

Injury management and rehabilitation is the planned and coordinated process of restoring the health and productivity of employees following the occurrence of a work related injury. The aim of injury management and rehabilitation is to achieve the best level of recovery and return to the workforce for the injured employee. Components of such a program may include:

- **Injury Management** – prompt medical diagnosis and treatment to maximise the rate and extent of recovery. Initial return to work guidelines established and implemented between worker, supervisor and doctor.
- **Rehabilitation** – In cases where recovery and return to work are not successful within two – four weeks from injury, an approved rehabilitation provider may become involved in the process. Involvement from the worker, supervisor and doctor remain essential to the process.



## **INJURY MANAGEMENT POLICY STATEMENT**

It is the Policy of Council, to make provision for the injury management and rehabilitation of all employees who have sustained a compensable work related illness, injury or disability.

In this context injury management is defined as:

“A workplace managed process incorporating Council and medical management from the time of injury to facilitate where practicable, efficient and cost effective maintenance in or return to suitable employment within Council.” – As required a rehabilitation provider may also be involved in the process.

To assist in the timely and effective injury management of employees, a Council injury management coordinator has been identified to oversee the injury management and rehabilitation practices within Council.

The principles and practices of the policy shall be adhered to by Council.

## COUNCIL POLICY

**DATE PROPOSED:**

18 September 2003

**AUTHOR AND POSITION:**

Ian Craven – Chief Executive Officer

### **2.6 OCCUPATIONAL HEALTH AND SAFETY**

Council recognises its Duty of Care in relation to its various employees and in recognition of the *Occupational Safety and Health Act 1984* is committed to the protection and well-being of employees whilst engaged in the performance of duties for Council. The elected Safety Officers shall have complete access to the Chief Executive Officer who shall inform Council of any matter which that officer is unable to resolve to the Safety Officer's satisfaction, and will;

1. Provide and maintain workplaces, plant and systems of work that do not expose employees to hazards.
2. Provide information, instruction, training and supervision so that employees can perform their work safely.
3. Consult and cooperate with safety and health representatives, if any, and other employees at the workplace, on occupational safety and health matters.
4. Provide employees with adequate protective clothing and equipment free of charge where hazards cannot be avoided.
5. Ensure safe use, cleaning, maintenance, transportation and disposal of substances and plant in the workplace.
6. Notify the Worksafe Commissioner of employee deaths in the workplace. Certain injuries and diseases listed in the Regulations must be reported.
7. An employer also owes these duties to any contractors or sub-contractors he or she engages, in relation to matters over which the employer has no control.

And except that;

1. Employees must take reasonable care to protect their own safety and avoid harming others.
2. An employee is any person under contract of employment, industrial traineeship or an apprenticeship. This responsibility applies to employees in senior management positions as much as it does to other staff.

3. Employees must cooperate with their employer on work related safety and health matters. This requirement recognises that most employees do not have control over their working environment. Employees must report to their employer any injuries and anything at the workplace they think could be hazardous, if they cannot fix it themselves.
4. Employees must follow instructions and training provided by their employers, use personal protective equipment provided as instructed, and not interfere with anything set up to ensure safety and health, or misuse or damage safety equipment.

## COUNCIL POLICY

**DATE PROPOSED:** 16 April 2015

**AUTHOR AND POSITION:** Zoey Eyre – Governance & Compliance Officer

### 2.7 OHS BULLYING IN THE WORKPLACE

The Shire of Dumbleyung considers workplace bullying unacceptable and will not tolerate it under any circumstances. Workplace bullying is behaviour that harms, intimidates, offends, degrades or humiliates an employee, possibly in front of other employees, clients or customers. Workplace bullying may cause the loss of trained and talented employees, reduce productivity and morale and create legal risks.

The Shire of Dumbleyung believes all employees should be able to work in an environment free of bullying. Managers and supervisors must ensure employees are not bullied.

The Shire of Dumbleyung has grievance and investigation procedures to deal with workplace bullying. Any reports of workplace bullying will be treated seriously and investigated promptly, confidentially and impartially. The Shire of Dumbleyung encourages all employees to report workplace bullying. Managers and supervisors must ensure employees who make complaints, or witnesses, are not victimised. Disciplinary action will be taken against anyone who bullies a co-employee. Discipline may involve a warning, transfer, counselling, demotion or dismissal, depending on the circumstances.

Bullying is defined as repeated and unreasonable behaviour directed towards an employee or a group of employees that creates a risk to health and safety. Unreasonable behaviour amounts to behaviour that a reasonable person in the circumstances would see as unreasonable including behaviour that is victimising, humiliating, intimidating or threatening.

Bullying is also unlawful under the *Occupational Safety and Health Act 1984 (WA)* and the *Occupational Safety and Health Regulations 1996 (WA)*.

Some examples of bullying include, but are not limited to:

- Loud, abusive or offensive language or comments;
- Yelling and screaming;
- Unjustified criticism and insults;
- Unjustified threats of dismissal or other disciplinary action;
- Acts of sabotaging another's work by withholding information which is required to fulfil tasks;
- Spreading malicious rumours or misinformation;
- Inappropriate comments about an employee's appearance, lifestyle or family;
- Deliberately excluding an employee from workplace meetings or activities;
- Hiding documents or equipment or withholding vital information required for effective work performance;
- Constantly changing targets or work deadlines;
- Setting tasks that are unreasonably below or beyond an employee's level of skill;
- Threats of assault or violence or actual violence;

- Teasing and practical jokes; and
- Isolating or ignoring an employee on a constant basis.

The contact person for bullying at this workplace is the Chief Executive Officer.

## COUNCIL POLICY

**DATE PROPOSED:** 20 April 2017

**AUTHOR AND POSITION:** Matthew Gilfellon – Chief Executive Officer

### **2.8 OUTSIDE STAFF AFTER PAYDAY REFRESHMENTS**

One carton of beer consisting of half a carton of mid strength and half a carton of full strength is to be supplied to the Shire staff each fortnightly pay day with the understanding that a responsible person such as a senior officer or the Works Supervisor, Plant Mechanic, Leading Hand or Councillor be present at the depot and in charge and make every effort to restrict the consumption of alcoholic drinks to two (2) per employee. Employees are encouraged to drink responsibly. Other gifted cartons of beer are to be consumed at the discretion of the Manager of Works and Services. Gifts must be disclosed in line with the gift rules as set out in the *Local Government Act 1995* and associated regulations.

# COUNCIL POLICY

**DATE PROPOSED:** 21 September 2006

**AUTHOR AND POSITION:** Ian Craven – Chief Executive Officer

## **2.9 PUBLIC INTEREST DISCLOSURE ACT 2003**

Support for the staff who make Public Interest Disclosures.

The Shire of Dumbleyung does not tolerate corrupt or other improper conduct, including the mismanagement of public resources, in the exercise of the public functions of the Shire of Dumbleyung and its officers, employees and contractors.

The Shire of Dumbleyung is committed to the aims and objectives of the *Public Interest Disclosure Act 2003*. It recognises the value and importance of contributions of staff to enhance administrative and management practices and strongly supports disclosures being made by its staff as to corrupt or other improper conduct.

The Shire of Dumbleyung will take all reasonable steps to provide protection to staff who make such disclosures from any detrimental action in reprisal for the making of a public interest disclosure.

The Shire of Dumbleyung does not tolerate any of its officers, employees or contractors engaging in acts of victimisation or reprisal against those who make public interest disclosures.

### **PURPOSE OF THIS POLICY**

These internal procedures provide for the manner in which the Shire of Dumbleyung will comply with its obligations under the *Public Interest Disclosure Act 2003*. They provide for the manner in which:

- Disclosures of public interest information shall be made to the Public Interest Disclosure Officer (PID Officer).
- The person from time to time holding or acting in the position of Chief Executive Officer is designated as the Public Disclosures Officer of the Shire of Dumbleyung.
- The PID Officer shall investigate the information disclosed, or cause that information to be investigated.
- The PID Officer may take action following the completion of the investigation.
- The PID Officer shall report to the informant as to the progress and outcome of that investigation and the action taken as a consequence.
- The confidentiality of the informant, and any person who may be the subject of a public interest disclosure, shall be maintained.
- Records as to public interest disclosures shall be maintained and reporting obligations complied with.

# COUNCIL POLICY

**DATE PROPOSED:**

20 November 2014

**AUTHOR AND POSITION:**

Zoey Eyre – Governance & Compliance Officer

## **2.10 RISK MANAGEMENT POLICY**

The Shire of Dumbleyung's Risk Management Policy documents the commitment and objectives regarding managing uncertainty that may impact the Shire's strategies, goals or objectives.

### **POLICY**

It is the Shire of Dumbleyung's Policy to achieve best practice (aligned with AS/NZS ISO 3100:2009 Risk Management), in the management of all risks that may affect the Shire, its customers, people, assets, functions, objectives, operations or members of the public.

Risk Management will form part of the Strategic, Operational, Project and Line Management responsibilities and where possible, be incorporated within the Shire's Integrated Planning Framework.

The Shire's Management Team will determine and communicate the Risk Management Policy, Objectives and Procedures, as well as direct and monitor implementation, practice and performance.

Every employee within the Shire of Dumbleyung is recognised as having a role in Risk Management, from the identification of risks, to implementing risk treatments and shall be invited and encouraged to participate in the process.

Consultants may be retained at times to advise and assist in the risk management process or management of specific risks or categories of risk.

### **OBJECTIVES**

The objectives of the Risk Management Policy are:

- Optimise the achievement of our vision, mission, strategies, goals and objectives.
- Provide transparent and formal oversight of the risk and control environment to enable effective decision making.
- Enhance risk versus return within our risk appetite.
- Embed appropriate and effective controls to mitigate risk.
- Achieve effective corporate governance and adherence to relevant statutory, regulatory and compliance obligations.
- Enhance organisational resilience.
- Identify and provide for the continuity of critical operations.



## **MONITOR AND REVIEW**

The Shire of Dumbleyung will implement and integrate a monitor and review process to report on the achievement of the Risk Management objectives, the management of individual risks and the ongoing identification of issues and trend.

This policy will be kept under review by the Shire's management team and its employees. It will be formally reviewed biennially.

## 2.11 COMMUNICATIONS AND SOCIAL MEDIA POLCY

### **POLICY – ADMINISTRATION/FINANCE**

Sub Section: Operations

**Policy Number:** 2.11

**Policy Subject:** Communications and Social Media Policy

**Policy Statement:** This policy establishes protocols for the Shire of Dumbleyung's official communications with our community to ensure the Shire of Dumbleyung is professionally and accurately represented and to maximise positive public perception of the Shire.

This policy applies to both communications initiated or responded to by the Shire with our community and Elected Members when making comment in either their Shire role or personal capacity

**Objectives:** To provide guidance to elected members and employees in the responsible use of social media in all forms and set down communication protocols.

**Guidelines:**

#### 1. Official Communications

The purposes of the Shire's official communications include:

- Sharing information required by law to be publicly available;
- Sharing information that is of interest and benefit to the Community;
- Promoting Shire events and services;
- Promoting Public Notices and community consultation / engagement opportunities;
- Answering questions and responding to requests for information relevant to the role of the Shire; and
- Receiving and responding to community feedback, ideas, comments, compliments and complaints.

The Shire's official communications will be consistent with relevant legislation, policies, standards and the positions adopted by the Council. Our communications will always be respectful and professional.

The Shire will use a combination of different communication modes to suit the type of information to be communicated and the requirements of the community or specific audience, including:

- Website;
- Advertising and promotional materials;
- Media releases prepared for the President to promote specific Shire positions;
- Social media; and
- Community newsletters, letterbox drops, and other modes of communications undertaken by the Shire's Administration at the discretion of the CEO.

## 2. Speaking on behalf of the Shire

The President is the official spokesperson for the Shire and may represent the Shire in official communications, including; speeches, comment, print, electronic and social media. [s.2.8(1)(d) of the *Local Government Act 1995*]

Where the President is unavailable, the Deputy President may act as the spokesperson. [s.2.9 and s.5.34 of the *Local Government Act 1995*]

The CEO may speak on behalf of the Shire, where authorised to do so by the President. [s.5.41(f) of the *Local Government Act 1995*]

The provisions of the *Local Government Act 1995* essentially direct that only the President, or the CEO if authorised, may speak on behalf of the Local Government. It is respectful and courteous to the President to refrain from commenting publicly, particularly on recent decisions or contemporary issues, until such time as the President has had opportunity to speak on behalf of the Shire.

Communications by Elected Members, whether undertaken in an authorised official capacity or as a personal communication, must not:

- bring the Shire into disrepute,
- compromise the person's effectiveness in their role with the Shire,
- compromise the effectiveness of the Shire;
- imply the Shire's endorsement of personal views, or
- disclose, without authorisation, confidential information.

Social media accounts or unsecured website forums must not be used to transact meetings which relate to the official business of the Shire.

Elected member communications must comply with the Code of Conduct and the *Local Government (Rules of Conduct) Regulations 2007*.

## 3. Responding to Media Enquiries

All enquiries from the Media for an official Shire comment, whether made to an individual Elected Member or Employee, must be directed to the CEO or a person authorised by the CEO. Information will be coordinated to support the President or CEO (where authorised) to make an official response on behalf of the Shire.

Elected members may make comments to the media in a personal capacity – refer to clause 7.1 below.

## 4. Website

The Shire will maintain an official website, as our community's on-line resource to access to the Shire's official communications.

## 5. Social Media

The Shire uses Social Media to facilitate interactive information sharing and to provide responsive feedback to our community. Social Media will not however, be used by the Shire to communicate or respond to matters that are complex or relate to a person's or entity's private affairs.

The Shire maintains the following Social Media accounts:

- Social networks such as Facebook;

- Media Sharing networks such as Instagram;
- Micro-blogging networks such as Twitter.
- Apps (applications) such as WIX.

The Shire can also update content to third party apps such as the WALGA app Localeye but does not maintain content on these apps.

The Shire may also post and contribute to Social Media hosted by others, so as to ensure that the Shire's strategic objectives are appropriately represented and promoted.

The Shire actively seeks ideas, questions and feedback from our community however, we expect participants to behave in a respectful manner. The Shire will moderate its Social Media accounts to address and where necessary delete content which is deemed to be Inappropriate content as soon as the Shire becomes aware or as soon as practicable once notified.

Where a third-party contributor to the Shire's social media account is identified as posting content which is deleted in accordance with the above, the Shire may at its complete discretion block that contributor for a specific period of time or permanently.

#### 5.1 Elected Member Social Media Official Accounts

Where an elected member chooses to use social media in fulfilling their role under section 2.10 of the *Local Government Act 1995*, he/she will moderate their own Social Media accounts to address and where necessary delete Inappropriate Content, with the exception of b), i), j) and l) as identified in the definition as soon as the elected member becomes aware or as soon as practicable once notified.

#### 5.2 Use of Social Media in Emergency Management and Response

The Shire will use Facebook to communicate and advise our community regarding Emergency Management.

### 6. Record Keeping and Freedom of Information

Official communications undertaken on behalf of the Shire, including on the Shire's Social Media accounts and third-party social media accounts must be created and retained as local government records in accordance with the Shire's Record Keeping Plan and the *State Records Act 2000*. These records are also subject to the *Freedom of Information Act 1992*.

### 7. Personal Communications

Personal communications and statements made privately in conversation, written, recorded email or posted in personal social media have the potential to be made public, whether it was intended to be made public or not. Therefore, on the basis that personal or private communications may be shared or become public at some point in the future, Elected Members and employees must ensure that their personal or private communications do not breach the requirements of this policy, the Code of Conduct and the *Local Government (Rules of Conduct) Regulations 2007*.

#### 7.1 Elected Member Statements on Shire Matters

An Elected Member may choose to make a personal statement publicly on a matter related to the business of the Shire. Any public statement made by an Elected Member, whether made in a personal capacity or in their Local Government representative capacity, must:

1. Clearly state that the comment or content is a personal view only, which does not necessarily represent the views of Shire;
2. Be made with reasonable care and diligence;

3. Be lawful, including avoiding contravention of; copyright, defamation, discrimination or harassment laws;
4. Be factually correct;
5. Avoid damage to the reputation of the local government;
6. Not reflect adversely on a decision of the Council;
7. Not reflect adversely on the character or actions of another Elected Member or Employee;
8. Maintain a respectful and positive tone and not use offensive or objectionable expressions in reference to any Elected Member, Employee or community member.

An Elected Member who is approached by the media for a personal statement may request the assistance of the CEO.

Comments which become public and which breach this policy, the Code of Conduct or the *Local Government (Rules of Conduct) Regulations 2007*, may constitute a serious breach of the *Local Government Act 1995* and may be referred for investigation.

#### Definitions

**Social Media** - Social media is a tool for communication and sharing of information.

#### **Inappropriate Content -**

- a) is offensive, abusive, defamatory, objectionable, inaccurate, false or misleading;
- b) is promotional, soliciting or commercial in nature;
- c) is unlawful or incites others to break the law;
- d) is overtly sexual or explicit;
- e) is threatening or describing violent events or behaviours;
- f) refers to or encourages the use of illegal drugs;
- g) is harassing or hateful to an organisation or person, including the Shire, our employees, stakeholders, associates and suppliers;
- h) contains information which may compromise individual or community safety or security;
- i) is repetitive material copied and pasted or duplicated;
- j) promotes or opposes any person campaigning for election to the Council, appointment to official office, or any ballot;
- k) violates intellectual property rights or the legal ownership of interests or another party; and
- l) contains inappropriate content or comments at the discretion of the Shire.

First Adopted: 20 February 2020, 2020/xxx

Last Review: 20 February 2020, 2020/xxx

## **2.12 CHRISTMAS BONUS**

### **POLICY – STAFF**

Sub Section: Staff General

**Policy Number:** 2.12

**Policy Subject:** Christmas Bonus

Policy Statement: To provide guidelines for the Christmas bonus paid to Shire employees.

Objectives: To provide a Christmas bonus for staff who meet the required eligibility criteria.

Guidelines: A bonus, limited to a maximum of \$750, shall be paid during December each year to all staff who meet the following criteria:

1. Must be a permanent employee (i.e. not being paid casual rates)
2. Work a minimum of 15 hours per week
3. Do not have a negotiated salary package (such as a contract)
4. Do not receive any allowance for coverage of rates.

Employees who are not full time, but meet the above criteria, are to receive the bonus on a pro-rata basis depending on length of service during that calendar year and hours worked per week.

First Adopted: 19 December 2019, 2019/xxx

Last Review: 19 December 2019, 2019/xxx

## COUNCIL POLICY

**DATE PROPOSED:**

**AUTHOR AND POSITION:**

Ian Craven – Chief Executive Officer

### **2.13 SEXUAL HARRASSMENT**

Council strongly supports the concept that every employee, elected member and member of the public employed by or engaged in business with the Council, has a right to do so in an environment which is free from sexual harassment and the Council is committed to providing such an environment.

Council considers sexual harassment to be an unacceptable form of behaviour which will not be tolerated and recognises that sexual harassment is unlawful.

Sexual harassment is any conduct of a sexual and/or sexist nature (whether physical, verbal or non-verbal) which is unwelcomed and unsolicited and rejection of which may disadvantage a person in their employment or their life in general. The following examples may constitute sexual harassment when they are considered offensive to an employee, elected member or member of the general public:

- Deliberate and unnecessary physical contact such as patting, pinching, fondling, kissing, brushing against, touching.
- Subtle or explicit demands for sexual activities or molestation.
- Intrusive enquiries into a person's private life.
- Uninvited and unwelcome jokes that have a sexual and/or sexist undertone.
- Unsolicited leers and gestures of a sexual nature and the display within the workplace of sexually offensive material.

Council recognises that sexual harassment can undermine health, performance and self-esteem of individuals and has the potential to create a hostile and intimidating environment. Council is therefore committed to any action which ensures the absence of sexual harassment in the workplace including general training of the workforce and specific training for officers identified to deal with complaints. Appropriate disciplinary action will be taken against any individual found to be engaging in such conduct.

Any complaints of sexual harassment made against another person associated with the Council will be viewed seriously, treated confidentially and thoroughly investigated by appropriately trained persons.

Any person making a claim of sexual harassment will be protected at all times. No transferring of staff or face to face meetings between the complainant and the person whose behaviour has been found to be unwelcome will occur without the prior consent of both parties.

An employee whose health and work performance has been affected by sexual harassment will not have their employment status or conditions disadvantaged in any way.

A formal complaints/grievance procedure is outlined hereunder and will be utilised to effectively resolve complaints of sexual harassment.

#### **PROCEDURE FOR COMPLAINTS/GRIEVANCE PROCEDURE FOR SEXUAL HARRASSMENT**

All complaints of sexual harassment will be treated confidentially and resolved promptly.

Wherever possible, the handling of complaints and resolution of such will be at the workplace where they occurred. Care will be taken throughout the investigation to ensure that neither the complainant nor the alleged harasser is victimised.

It is recognised that cases of sexual harassment may occur between supervisor and employee and as such, alternative methods of raising complaints are provided for by this procedure.

## **PROCEDURE**

1. A complaint of sexual harassment may be lodged with any of the following persons:
  - Immediate Supervisors (except where the person is the alleged harasser)
  - Department Director (except where this person is the alleged harasser)
  - A nominated Grievance Officer (if applicable)
  - Chief Executive Officer
  - Union Shop Steward
  - President (only if the alleged harasser is the Chief Executive Officer)
2. A person receiving a complaint of sexual harassment will:
  - Decide, in consultation with the complainant, whether the matter can be resolved at this level or whether it should be referred to a more senior level of management.
  - Assure the complainant that all details of the complaint will be treated confidentially and allow the person to decide on procedure.
  - Prepare a confidential report for the Chief Executive Officer on the nature of the complaint and ensure follow-up reports are provided until the matter is resolved.
  - Ensure no information regarding the complaint is discussed outside this procedure.
  - In a case where a union shop steward receives the complaint, the divisional manager and/or grievance officer is to be advised of the details of the complaint.
3. The person handling the complaint, whether it is the person who received the complaint or a more senior person, will, with the approval of the complainant:
  - As soon as possible, advise the alleged harasser of the nature of the complaint and provide an opportunity for that person to comment. Where appropriate the alleged harasser should be invited to discontinue any perceived unwelcome behaviour.
  - Advise the alleged harasser of the right to contact the Union for advice and representation.
  - Advise the alleged harasser that no disciplinary action will be taken without the person being given the opportunity to be heard.
  - Keep simple, brief notes of the facts of the interviews held with both the complainant and alleged harasser.
4. If it is not possible to resolve the complaint simply by discussion with the complainant and the alleged harasser.



- The matter will be investigated and where the complainant or the alleged harasser is a member of the Union, the Union may be party to the investigation.
  - All documents relating to the complaint will remain confidential and will not be produced or made available for inspection, except on the order of a Court or a request from the Commissioner of Equal Opportunity
5. During the period of the investigation of a case of serious sexual harassment:
- If requested by either party or by management, alternative working arrangements may be made, or the parties may be suspended on full pay during the course of the inquiry if deemed appropriate by the relevant persons.
6. If, following investigation and resolution, a complaint is judged to have foundation:
- Appropriate remedial action will be taken including where appropriate disciplinary/counselling action appropriate to the circumstances and/or seriousness of the matter.
  - A record of the detail of the disciplinary action will remain on the employee's personnel file for a period of 12 months, whereupon the record will be destroyed unless otherwise decided by the Chief Executive Officer.
7. If, following investigation, a complaint is judged to have foundation:
- The complainant will be counselled and if it is considered that the complaint was made frivolously or maliciously, disciplinary action may be taken against the complainant.
  - Continued reference to a complaint and its aftermath could be considered as either a continuing or new incident of harassment.

## COUNCIL POLICY

**DATE PROPOSED:**

21 April 2016

**AUTHOR AND POSITION:**

Calvin Shotter – Manager of Works & Services

### **2.14 SHIRE EQUIPMENT & SHIRE VEHICLES – PRIVATE USE BY COUNCIL STAFF**

#### **HEAVY**

All Council staff may use heavy plant and equipment at their place of residence within the shire for general maintenance work, free of charge except for fuel costs, on approval of application to the Chief Executive Officer or Manager of Works & Services. Special requests are to be considered by Council. Such examples of heavy equipment are the grader, loader, backhoe, skid steer and truck. The Manager of Works & Services to control such usage.

#### **LIGHT**

All Council staff may use light equipment within the shire for general maintenance work, free of charge except for fuel costs, on approval of application to the Chief Executive Officer or Manager of Works and Services. Such examples of light equipment are lawnmowers, whipper snippers and trailers. Old stock can be used for one off occasions. The Manager of Works and Services to control such usage.

#### **PRIVATE USE TERMS AND CONDITIONS**

All Council staff may use shire vehicles, utilities and trucks, free of charge except for fuel costs on approval of application to the Chief Executive Officer or Manager of Works and Services. Such use to be in own time not Council time and if staff intend to enter private property with such vehicles the permission from the landowner must be obtained. Out of Shire boundary use is to be referred to the Chief Executive Officer or Manager of Works and Services.

## COUNCIL POLICY

**DATE PROPOSED:**

24 July 2016

**AUTHOR AND POSITION:**

Calvin Shotter – Manager of Works & Services

### **2.15 SHIRE OUTSIDE STAFF HOURS**

That the outside workforce be allowed to work reasonable overtime on normal working weekdays with approval of the Works Supervisor.

Weekend works paid at normal overtime rates is limited to the following activities:

- Winter grading;
- Special Occasions;
- Emergencies; and
- When required to fit in with Contractors i.e. Tarring

All other weekend work must be taken as Time In Lieu at single time.

Only five (5) days of Time in Lieu can be accumulated at any time, then it must be taken. Time in Lieu cannot be paid out.

All overtime must be approved by the Chief Executive Officer or Manager of Works & Services.

Private Works should be scheduled into the normal working week.

## COUNCIL POLICY

**DATE PROPOSED:** 19 June 2014

**AUTHOR AND POSITION:** Matthew Gilfellon – Chief Executive Officer

### **2.16 STAFF RELOCATION EXPENSES**

Relocation expenses to a maximum sum of \$5,000 will be paid – 50% on commencement of employment and 50% after 12 months service (subject to negotiation for Senior Staff).

## COUNCIL POLICY

**DATE PROPOSED:** September 1999

**AUTHOR AND POSITION:** Ian Craven – Chief Executive Officer

### **2.17 STAFF SERVICE PAY**

The level of service pay for full time employees only and to include inside staff, except those on contract be:

After:	First year of service	\$10 per week
	Second year of service	\$13 per week
	Third year of service	\$17 per week
	Fourth year of service	\$20 per week
	Fifth year of service	\$24 per week
	Tenth year of service	\$27 per week
	Fifteenth year of service	\$30 per week

## COUNCIL POLICY

**DATE PROPOSED:** April 1997

**AUTHOR AND POSITION:** Ian Craven – Chief Executive Officer

### **2.18 STAFF VOLUNTEERS – WAFB, AMBULANCE AND BUSH FIRE BRIGADE**

Staff who are members of essential volunteer organisations such as the above mentioned, be allowed to attend the organisations training courses and/or emergencies in Council time without less pay or leave if they are held during the working hours for up to 3 days per annum (unless otherwise approved by Council), with an option to come to Council for authorisation for more.

## COUNCIL POLICY

**DATE PROPOSED:**

15 April 2010

**AUTHOR AND POSITION:**

Henry Van Der Ende – Chief Executive Officer

### **2.19 UNIFORMS – COUNCIL ADMINISTRATION STAFF**

Council will pay up to a maximum of \$400 towards the cost of an approved Corporate uniform per year, providing that permanent staff from the Council offices, library shall wear that uniform. It is acknowledged that the full uniform cannot be worn every day, however clothing of an equivalent standard should be worn on other days.

#### **GUIDELINES**

Payments in accordance with this Policy will also apply by negotiation to Executive Officers including the Chief Executive Officer.

#### **NOTE**

This allowance is based on the protective clothing allowance paid to MEU staff.

## COUNCIL POLICY

**DATE PROPOSED:** 16 April 2015

**AUTHOR AND POSITION:** Matthew Gilfellow – Chief Executive Officer

### **2.20 WORKS STAFF UNIFORM**

That Council will provide clothing to all works staff in accordance with the award, incorporating reflective colours that meet the Australian Standards.

Each employee is to be provided with a uniform kit to the value of \$400 (as authorised) by the Manager of Works and Services) that includes:

- 3 pairs of pants (not ¾ length), replaced yearly
- 3 long sleeve shirts (safety variety with reflectors), replaced yearly
- 1 jumper (safety variety with reflectors), replaced on an as needs basis
- 1 rain coat (safety variety with reflectors), replaced on an as needs basis
- 5 pairs of work socks same colour as pants, replaced yearly
- Safety boots issued upon start as required and replaced on an as needs basis
- 1 wide brim hat replaced on an as needs basis

Staff who arrive at work not wearing the required uniform will be directed to return home to change before being allowed into the workplace and this time will be considered as leave without pay on the employees timecard. An employee is allowed to enter the workplace without the required uniform where a medical certificate is provided with a reason justifying for non-compliance, or extenuating circumstances considered acceptable by the Works Supervisor.

The uniform purchased will be replaced on either an as needs basis or on a yearly basis as outlined above.

### **OBJECTIVE**

To provide a safe and adequate uniform for all Works Staff that incorporates Occupational Health and Safety Standards protecting the employee from the sun and other environmental conditions relating to the work performed.



## **2.21 STAFF LEAVE PROVISIONS DURING A PANDEMIC**

### **POLICY – STAFF**

Sub Section: Staff General

**Policy Number:** 2.21

**Policy Subject:** Staff Leave Provisions During a Pandemic

**Policy Statement:** It is acknowledged that during a pandemic there are likely to be employees who may need to take extended periods of leave due to personal ill health or in order to care for vulnerable family members including: children, elderly, disabled or those with pre-existing medical conditions.

**Objectives:** To determine the conditions for payment to employees who are absent from work during a pandemic.

**Guidelines:** Under its general duty of care, the Shire must ensure that all employees attending work are fit to undertake the duties and responsibilities of their position. Managers may require an employee to leave the workplace if they believe the employee is not fit for work and/or to obtain a medical certificate to confirm fitness to return to work following a period of ill health or absence to care for family members to avoid transmission of infection).

Employees who are absent due to ill health or caring responsibilities will be paid in accordance with the relevant industrial instrument and this policy. These include:

1. Personal (Sick or Carer's) leave entitlements
2. Accrued annual or long service leave entitlements
3. Additional hours accrued in lieu of overtime or through flexible working arrangements
4. Pro-rata annual leave (up to four weeks maximum, pro-rata for part time employees)
5. Leave without pay (Sickness benefits may be available via Centrelink)
6. Work from home (where applicable and approved) subject to a review at the end of two weeks

When all leave entitlements have been exhausted and/or working from home arrangements are not reasonable or practical, the employee may be granted leave without pay. Alternately, where the employee can demonstrate that taking unpaid leave will result in hardship, other (discretionary) options may be considered.

In relation to discretionary options, the Chief Executive Officer (CEO), or a person appointed by the CEO, will determine applications on a case by case basis.

Discretionary options may include:

1. Taking annual leave or personal leave in advance (up to a maximum of two weeks, pro-rata for part time employees) to be deducted from future accruals until repaid or deducted from the termination pay where the employee ceases employment prior to accruing sufficient entitlements
2. Other arrangements as determined by the CEO or a person appointed by the CEO

First Adopted: 16 April 2020, 2020/xxx

Last Review: 16 April 2020, 2020/xxx

## 2.22 GRIEVANCES

### **POLICY – STAFF**

Sub Section: Staff General

**Policy Number:** 2.22

**Policy Subject:** Grievances

**Policy Statement:** To provide all employees with the ability to raise a grievance or complaint with respect to their employment via an impartial internal process.

**Objectives:** This policy aims to ensure that grievances and complaints are resolved in a timely, fair and transparent manner in accordance with the principles of natural justice.

**Guidelines:** This policy applies to grievances raised by employees, contractors and volunteers engaged or appointed by the Shire of Dumbleyung in relation to employment or workplace related matters. This policy does not apply to complaints about the Chief Executive Officer (CEO).

### DEFINITIONS

Complaint	The grievance relating to employment or workplace matters raised by the complainant.
Complainant	An employee, contractor or volunteer who raises a complaint.
Respondent	An employee, contractor or volunteer who is alleged to have acted in a manner the subject of the complaint.
Support Person	A person chosen by the complainant and respondent to attend meetings with them, where practicable. The role of a support person is not to advocate on behalf of anyone, but to provide emotional and practical support.
Witness	A person, including an employee, who is requested by the Shire of Dumbleyung to assist the process by providing relevant information regarding the complaint.

#### **1. What to do if you have a complaint**

If the complainant believes they are the subject of behaviour that is inconsistent with the Shire of Dumbleyung's Code of Conduct, policies and procedures, the complainant may raise a complaint by following the process in the Grievance Procedure.

#### **2. If a complaint is about the CEO**

If the complaint is about the CEO, the Grievance Policy and Procedure does not apply. A complaint about the CEO must be raised directly with the President.

#### **3. Key principles in the complaint resolution process**

The following principles are necessary for the fair investigation and resolution of a complaint:

**Confidential** – Only the employees directly investigating or addressing the complaint will have access to the information about the complaint. The Shire of Dumbleyung may inform or appoint a third party to investigate or advise on the investigation. All parties involved in dealing with a complaint are required to keep the matter confidential, including the complainant, respondent and witnesses. Information will only be placed on an employee's personal file if they are disciplined as a result of the complaint. This requirement does not preclude a complainant, respondent, witness or the Shire of Dumbleyung from seeking legal, financial or other professional advice;

**Impartial (fair/unbiased)** – Both parties will have an opportunity to put their case forward. No assumptions will be made, and no action will be taken until available and relevant information has been collected and considered by either an impartial employee of the Shire of Dumbleyung or an externally appointed investigator;

**Sensitive** – The Shire of Dumbleyung will endeavor to ensure employees who assist in responding to complaints are trained to manage complaints sensitively and administer a process that is free of coercion or intimidation;

**Timely** - The Shire of Dumbleyung aims to deal with all complaints as quickly as possible and in accordance with any legislative requirements;

**Documented** – All complaints and investigations will be documented. In formal grievance processes, records will be kept of all documents collected and drafted as part of that process. For more informal processes, a file note or note in a diary will be sufficient;

**Procedural Fairness** – The principles of procedural fairness provide that:

- a respondent has the right to respond to the allegations before any determination is made;
- a respondent against whom an allegation is made has the right to be told (where possible and appropriate) who made the allegation;
- anyone involved in the investigation should be unbiased and declare any conflict of interest;
- decisions must be based on objective considerations and substantiated facts;
- the Complainant and Respondent have the right to have a support person present at any meetings where practicable.
- the Respondent is advised of the details (as precisely and specifically as possible) of any allegations when reasonably practicable;
- a Respondent is entitled to receive verbal or written communication from the Shire of Dumbleyung of the potential disciplinary outcome if the allegations arising from the complaint are proven;

- the Respondent is given an opportunity to respond to any allegations made against them by a Complainant;
- any mitigating circumstances presented to the Shire of Dumbleyung through the grievance process are investigated and considered;
- any witnesses who can reasonably be expected to help with an inquiry or investigation process should be interviewed; and
- all interviews of witnesses are conducted separately and confidentially.

#### **4. Outcome of a complaint**

If a complaint against a respondent is substantiated, there are a number of possible outcomes as detailed in the Grievance Procedure.

#### **5. Victimisation of complainant, respondent or witness**

A complainant, respondent or witness should not be victimised for making a complaint, being the subject of a complaint or providing information about a complaint. Anyone responsible for victimising a complainant, respondent or witness may be subject to disciplinary action, including but not limited to termination of employment.

#### **6. Reporting obligations**

The Shire of Dumbleyung must comply with its obligations to report minor or serious misconduct to either the Public Sector Commission or Corruption and Crime Commission in accordance with the *Corruption, Crime and Misconduct Act 2003* (WA).

Employees must also be aware of and adhere to any obligations pursuant to the *Public Interest Disclosure Act 2003* (WA).

First Adopted: 17 December 2020, 2020/xxx

Last Review: 17 December 2020, 2020/xxx

The Shire of Dumbleyung is committed to providing employees with a Grievance Procedure, which is based on the principle of fairness outlined in the Grievance Policy, to be used in the resolution of any complaint. The aim of this procedure is to resolve a complaint as quickly and confidentially as possible.

## **1. Application**

This procedure applies to grievances raised by employees, contractors and volunteers engaged or appointed by the Shire of Dumbleyung in relation to employment or workplace related matters. This procedure does not apply to the Chief Executive Officer.

## **2. Definitions**

Terms are defined in the Grievance Policy.

## **3. First step in making a complaint**

### **3.1 Self-resolution or dealing with concern directly**

A complainant should attempt to resolve the issue directly with the respondent concerned in the first instance. The complainant should identify the specific conduct of the complaint, explain the impact of that conduct on the complainant, and request that the conduct stops. In some circumstances, the respondent may be unaware that their behaviour offends the complainant. These actions should be taken as soon as possible.

### **3.2 Complainant is uncomfortable with direct approach**

If a complainant is not comfortable attempting to resolve the issue directly with the respondent, if their attempts to resolve the issue are unsuccessful or if the issue is serious, the complainant should seek guidance from the Payroll & Rates Officer on the options available to the complainant.

The complainant will have the choice whether to proceed with or withdraw their complaint. If the Shire of Dumbleyung deems the complaint to be sufficiently serious, it may continue to investigate the complaint even if it has been withdrawn, to ensure the Shire complies with its legislative obligations.

## **4. Informal complaint procedure**

### **4.1 When can a complaint be managed informally?**

A complaint can be dealt with on an informal basis where:

- the allegations are not serious, for example interpersonal conflict or a minor breach of Shire of Dumbleyung's policies and procedures
- the complainant is reluctant to lodge a formal complaint, or

- the complainant and the respondent work together closely on a regular basis and the preservation of the employment relationship is paramount.

#### 4.2 Process to follow

The informal complaint procedure may be approached as follows:

- the complainant should approach their line manager or the Payroll & Rates Officer to outline their concerns, the desired outcome and any ideas for resolution of the complaint
- the complainant's line manager or the Payroll & Rates Officer will explain the various options open to the complainant for the resolution of the complaint, and
- if the complainant chooses to proceed with the complaint, the Payroll & Rates Officer can either:
  - arrange for a mediation between the complainant and the respondent
  - meet with the complainant and the respondent separately to discuss the issues and explore possible solutions, and/or
  - write to the complainant and the respondent to obtain further information about the complaint and to explore potential solutions.

#### 4.3 Outcomes

If the matter is resolved to the satisfaction of all parties, the matter will be concluded.

If the matter is not resolved, the line manager and the Payroll & Rates Officer will determine what further action is required.

All meetings with the complainant and the respondent should be documented and any correspondence between the parties should be retained on a confidential basis by the Payroll & Rates Officer.

### 5. Formal complaint procedure

#### 5.1 When must a complaint be managed formally?

A complaint must be dealt with through the formal complaint procedure where:

- the complaint involves serious allegations, including but not limited to, sexual harassment, discrimination, criminal conduct, serious or multiple breaches of Shire of Dumbleyung's policies and procedures, or breach of the *Local Government Act 1995*
- the complaint involves a particularly sensitive or personal matter, or
- a formal complaint procedure is deemed appropriate in the circumstances by the line manager and the Payroll & Rates Officer.

#### 5.2 What should a formal complaint include?

A formal complaint should be made in writing and include the following information:

- the complainant's name and contact details
- details of the specific incident or issue being complained about including the time, date, location and what was said or done
- if the complaint is about a person, the identity of the respondent and their relationship to the complainant
- the names of any witnesses who were present during the specific incident or who have first-hand knowledge of the issue being complained about
- the outcome the complainant is seeking, and
- any action that has already been taken in an effort to resolve the issue.

### 5.3 Preliminary inquiries

Before commencing a formal investigation, the line manager or the Payroll & Rates Officer may conduct a preliminary inquiry.

The purpose of a preliminary inquiry is to:

- obtain details about the complaint and assess the seriousness of the allegations
- determine the level of factual dispute
- assess whether there is sufficient evidence to proceed to a formal investigation, and
- determine whether the Shire of Dumbleyung should proceed with an investigation or refer the matter to an external authority.

It may be appropriate to refer a matter to an external authority where the alleged conduct is potentially of a criminal nature, breaches the *Local Government Act 1995* or may need to be dealt with by the Corruption and Crime Commission.

### 5.4 Investigation procedure

#### 5.4.1 External investigator

If necessary, the line manager and the Payroll & Rates Officer may require a formal investigation to be conducted. The Shire of Dumbleyung can elect to appoint a person from outside the Shire to conduct the formal investigation or an appropriate Shire of Dumbleyung employee may conduct the investigation.

#### 5.4.2 Role of an investigator

The role of an investigator is to collect information about the complaint and make findings about whether any allegations are substantiated. The investigator is responsible for ascertaining facts, reviewing documentation, interviewing parties and making a determination about whether or not the allegations are substantiated. In conducting an investigation, the investigator should comply with



the Grievance Policy, particularly the principles of procedural fairness. The depth and scope of the investigation will depend on the nature of the complaint, however, as a general guide the following should be covered by the investigation report:

- the circumstances of any allegations made
- a list of allegations made by the complainant, the respondent's response to the allegations and whether any of the allegations are substantiated
- outline where any policies or legislation have been breached
- evidence related to the complaint include any documentation such as emails, letters and witness statements, and
- any mitigating circumstances that have been presented through the investigation on behalf of the respondent.

## **6. Outcome and action**

### **6.1 Substantiated complaints and potential outcomes**

The potential outcomes that may be sought if a complaint has been investigated and substantiated will depend on the nature of the complaint. Some possible outcomes include the following:

- an apology from the respondent to the complainant (written or verbal)
- agreement from the respondent that the behaviour will not be repeated
- a respondent may be issued with a verbal or written warning
- transfer, demotion or termination of the respondent's employment
- counselling for the complainant and/or respondent
- a mediation between the complainant and respondent
- implementation of a training program, or
- changes to the Shire of Dumbleyung's policies.

### **6.2 Disciplinary action**

The outcome of the investigation will dictate whether disciplinary action is taken. What disciplinary action is taken is a matter of discretion for the Shire of Dumbleyung and must be considered in accordance with the Disciplinary Policy.

### **6.3 Performance concerns**

If the complaint involves a performance issue, the line manager of the respondent may commence a formal or informal performance management process with the respondent or discipline the respondent in accordance with the Disciplinary Policy.

## **7. Vexatious or malicious complaint**

If a complaint is found to be deliberately vexatious or malicious after an investigation, the complainant may be subject to disciplinary action, including but not limited to, termination of employment.

## **8. Other resources**

An investigation into a complaint may require the Shire of Dumbleyung to utilise resources from outside the organisation to help resolve the situation, including:

- an Employee Assistance Program
- use of an independent investigator, or
- use of an independent mediator.

## **9. Variation to this procedure**

This procedure may be amended from time to time. The Shire of Dumbleyung's employees will be notified of any variation to this procedure by the normal correspondence method.



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# COUNCIL

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### 3.1 BAIN ESTATE FUTURE FUND

#### **POLICY – COUNCIL**

Sub Section: Members of Council

**Policy Number:** 3.1

**Policy Subject:** Bain Estate Future Fund

**Policy Statement:** This policy is established in order to provide a governance structure for the Bain Estate Future Fund.

The intention of Council is for the Bain Estate Distribution to be used for the benefit of the shire over a thirty year period of time. The aim is to distribute the money to the community in similarly equal distributions over the thirty year period, taking into account the time value of money.

Council wish for the distribution to be made to the community, taking into account Council's long held principle that those coming to Council should come with something in their hand.

The amount available to be distributed each year will be determined through the annual budget process, taking into account past decisions and the current financial climate. Applications to the fund will be closed the first week in April. These will be processed and taken to the May Ordinary Meeting of Council. Applicants will be informed of the outcome following the meeting and staff will then work with successful applicants to ensure the funds are used in the right manner.

- |                                  |   |
|----------------------------------|---|
| • 1 <sup>st</sup> July each year | Applications open   |
| • 1 <sup>st</sup> week in April  | Applications close  |
| • 2 <sup>nd</sup> week in April  | Ranking of applications by staff  |
| • 3 <sup>rd</sup> week in April  | Council to view applications at the April Information Session. Applicants must be available to attend, to present their project and answer questions if required. |
| • 3 <sup>rd</sup> week in May    | Applications presented at May Council meeting   |
| • 3 <sup>rd</sup> week in June   | Applicant advised of Council Decision on their application  |

**Guidelines:** In May 2013 the Shire of Dumbleyung was the sole beneficiary to the Estate of Ian Bain. The will contained a wish that the money be used to assist sporting groups, emergency organisations and hospital services within the shire; however the wish does not impose an obligation to restrict spending to these three areas. Therefore there is no legal restriction on what the money can be spent on.

While the estate was being settled, Council started investigating and discussing the best way to ensure the largest community benefit from the

estate. Council settled upon setting up a 'future fund' so that the money could be used for the benefit of many generations of persons living in the Shire of Dumbleyung. Council took this idea to the community in 2014, who strongly supported the idea, with a preference for the fund lasting over a 30 year timeframe.

The first round of the future fund was run in 2015, the year in which the estate was finalised. This was a smaller pilot round which allowed Council to ensure that the future fund process ran in a straightforward manner.

The following principles have been developed by Council to guide the distribution of the Bain Estate Future Fund.

Principle 1 –

Matching funds from the application are required. The level of matching funds required will be dependent on the ability of the applicant to raise funds.

Principle 2 –

Projects that come under recreation, health or emergency service will gain in preference.

Principle 3 –

Projects that align with the shire's strategic plans will gain in preference.

Principle 4 –

The ability of the applicant to fund any future requirements of the project or the need to draw on the fund in the future will be taken into consideration.

Principle 5 –

The fund is not to be used for shire capital or maintenance costs of roads, plant and equipment, footpaths, depot & administration buildings, housing, shire employee costs, overheads or plant operating costs.

First Adopted: 19 December 2019, 2019/xxx

Last Review: 19 December 2019, 2019/xxx

### **3.2 COUNCIL MEETINGS**

#### **POLICY – COUNCIL**

Sub Section: Members of Council

**Policy Number:** 3.2

**Policy Subject:** Council Meetings

Guidelines:

1. Council Meetings commence at 3.30pm every month.
2. No regular Council Meetings will be held in the month of January unless urgent matters arise.
3. Council holds one Council Meeting a year in Kukerin, preferably in April and publicised in the Kukerin Library and Kukerin School.

First Adopted: 19 December 2019, 2019/xxx

Last Review: 19 December 2019, 2019/xxx

## COUNCIL POLICY

**DATE PROPOSED:** 17 May 2018

**AUTHOR AND POSITION:** Matthew Gilfellon – Chief Executive Officer

### **3.3 COUNCIL MEETINGS – MEAL INVITATION**

Council staff and their partner are to be invited to attend the meal after Council meetings at the discretion of the Chief Executive Officer and in consultation with the Shire President.

Letters from Council to deserving persons within the Shire may include an invitation to attend a Council dinner. There is to be a section in the Forum for Council to discuss appropriate candidates.

## COUNCIL POLICY

**DATE PROPOSED:** 20 June 1985

**AUTHOR AND POSITION:** Ian Craven – Chief Executive Officer

### **3.4 COUNCILLOR NAME BADGES**

Each Councillor to have two name badges, one of which to be kept in the Council Chambers for use when necessary.



## COUNCIL POLICY

**DATE PROPOSED:**

20 November 2008

**AUTHOR AND POSITION:**

Ian Craven – Chief Executive Officer

### **3.5 COUNCILLOR'S REQUESTS AND WORKS REQUESTS**

- a) All general enquiries for works maintenance made by Councillors are to be directed to the Chief Executive Officer or relevant Executive Officers for advice.
- b) Works request for maintenance works in either roadworks or building maintenance be filled out in the Works Request Book or by notice faxed or handed in to the Shire Office.

#### **PROCEDURE**

- 1. Staff to be made aware of this requirement.
- 2. Works Requests:
  - a) The request for minor maintenance jobs should be filled out and faxed to the office or handed in at the front counter. The Chief Executive Officer will refer such requests to the Manager of Works for all outside works maintenance and other Senior Staff for all building maintenance.
  - b) The officer in charge will inspect the request or complaint and place it on the list of maintenance works according to priority.
  - c) In general, the request form should not be used for special works requests such as having a specified section of road reconstructed or a culvert installed.
  - d) Special works requests or major works should be discussed with the Manager of Works.

## **COUNCIL POLICY**

**DATE PROPOSED:**

18 February 1994

**AUTHOR AND POSITION:**

Ian Craven – Chief Executive Officer

### **3.6 COUNCILLORS REPORTS**

Councillor's reports to Council be written and submitted in time for inclusion in the meetings Agenda whenever possible.

## **COUNCIL POLICY**

**DATE PROPOSED:** 20 October 2016

**AUTHOR AND POSITION:** Matthew Gilfellon – Chief Executive Officer

### **3.7 COUNCILLOR TRAINING COURSES AND OTHER EVENTS**

Councillors are to be entitled to full financial support as approved by Council to attend Councillor development courses and other events specifically designed for Councillors.

## **COUNCIL POLICY**

**DATE PROPOSED:** July 1999

**AUTHOR AND POSITION:** Ian Craven – Chief Executive Officer

### **3.8 CONFERENCE EXPENSES FOR PARTNERS**

Council will pay for delegate's partners programs at conferences.

## COUNCIL POLICY

**DATE PROPOSED:** 17 May 2018

**AUTHOR AND POSITION:** Matthew Gilfellon – Chief Executive Officer

### **3.9 CODE OF CONDUCT**

That the WALGA executive model Code of Conduct for Elected Members, Committee Members and Employees is to be adopted.

## COUNCIL POLICY

**DATE PROPOSED:** 15 April 2010

**AUTHOR AND POSITION:** Henry Van Der Ende – Chief Executive Officer

### **3.10 ELECTED MEMBERS – TRAVELLING ALLOWANCES**

Travelling expenses are to be reimbursed to Council members as adopted in Council's Budget. This reimbursement is to apply to the following meetings:

- Council Meetings
- Council Committee Meetings
- WALGA Central Country Zone
- Regional Road Group
- Other meetings as approved by Council

# COUNCIL POLICY

**DATE PROPOSED:** 20 April 2017

**AUTHOR AND POSITION:** Matthew Gilfellow – Chief Executive Officer

## **3.11 FREEDOM OF INFORMATION STATEMENT**

This information statement is published by the Dumbleyung Shire Council in accordance with the requirements of the *Freedom of Information Act 1992 Part 5, Section 94*.

The Dumbleyung Shire Council is pleased to comply with the legislation and welcomes enquiries.

The public will be informed of the existence of the Information Statement at least every 12 months.

### **1. Structure and Functions of Council**

The Shire of Dumbleyung is constituted under the *Local Government Act 1995* as amended and is empowered by the said Act to carry out the functions of a municipality as stated in the Act.

Council consists of nine Councillors who elect a Shire President. Full Council is the decision making body on all policy matters.

Ordinary meetings of the full Council are held on the third Thursday of each month at 2pm with the following exceptions:

- The December Council meeting commences at 3pm as per Council Policy – Council Meeting Commencement Time.
- There is no Council meeting held in January unless necessary as per Council Policy – Council Meetings in January.

Members of the public are welcome to attend as observers.

### **2. Standing Committees**

Council have the following Committees:

- Finance and Audit Committee
- Works and Engineering Committee
- Designated Staff Committee
- Town Planning, Heath and Building Committee
- Kukerin Townscape, Tourist and Tidy Towns Committee
- Kukerin Sewerage Scheme Committee
- Historical Committee
- Dumbleyung Hospital Watch Committee

### **3. Advisory Committees**

Council have established the following advisory Committees and have delegates to them:

- Local Emergency Management Committee
- Bush Fire Advisory Committee
- Robert and Daphne McIntyre Award Advisory Committee

### **4. Working Parties and Groups**

Council have delegates to the following community and regional groups:

- Central Country Zone WALGA
- WALGA, annual and other conferences
- Regional Road Group Lakes Sub-Group
- Stubbs Park Board of Management
- Nenke Park Board (Kukerin Agricultural Society)
- School Bus Committee (Dumbleyung and Kukerin)
- Rye Grass Toxicity Committee
- Land Drainage Advisory Working Group
- Rural Water Council Committee
- Local Government Grain Freight Group

### **5. Council Agendas and Minutes**

Agendas of all full Council meetings are available to those who attend Council meetings and the Minutes of the meetings are available for public inspection at the Shire Office and can also be subscribed to annually.

### **6. Delegation of Authority**

The Chief Executive Officer and other Shire officers have delegated authority from Council to make decisions on a number of specified administrative and policy matters. These delegated authorities are listed in Council's Policy Manual and are reviewed periodically by Council.

Council makes decisions which direct and/or determine its activities and functions. These decisions include the approval of works and services to be undertaken and the resources which are to be made available to undertake such works and services.

Decisions are also made to determine whether or not approvals are to be granted for applications from residents and others for various forms of development. These decisions are in accordance with legislative requirements of ordinary business of Councils, as per the *Local Government Act 1995*.

### **7. Statement of Objective**

The Shire of Dumbleyung is devoted to providing high quality services to the community via the various service orientated programs that it has formulated, listed under Section 9.

### **8. Mission Statement**

The Council will strive to provide the community with the necessary services and facilities to meet the needs of the residents that will enable them to enjoy a pleasant and healthy way of life.



## **9. Services to the Community**

Full Council makes decisions on policy issues relating to services that are provided for members of the public. The services Council currently provide include the following:

- Roads/footpaths/kerbing/drainage/bridges
- Traffic Control
- Refuse collection and disposal
- Recycling Service
- Parks, gardens and reserves
- Community halls
- Community recreation grounds and pavilions
- Child health and medical services
- Animal control
- Fire protection and prevention
- Environmental health
- Street lighting
- Litter bins
- Public conveniences
- Playground equipment
- Library facilities
- Building controls
- Planning controls
- Health controls
- Community housing
- Caravan parks
- Standpipes
- Noxious weeds and vermin control

## **10. Public Participation**

### **10.1 Council Meetings**

Members of the public have a number of opportunities to put forward their views on particular issues to Council.

- ***Elected Members***  
Members of the public can contact their elected members of Council to discuss any issue relevant to Council.
- ***Written Requests***  
A member of the public can write to Council on any Council policy, activity or service.
- ***Deputations***  
With the permission of the Shire President, a member of the public can address the Council for a period of time determined by Council on any issue relevant to Council.
- ***Written Petitions***  
Can be addressed to Council on any matters within Council's jurisdiction.

- ***Presentations***

Can be made to Council, where prior notification has been given to Council and approval received, on any issue relevant to Council.

- ***Question Time***

Members of the public can attend monthly full Council meetings and pose questions during public question time as provided for in the Standing Orders.

## **10.2 Community Consultation**

The Dumbleyung Shire Council consults with its residents on particular issues which affect them. The following is an example:

*Bushfire Fire Break Order*

*A survey/questionnaire was sent to all rural landholders to obtain their view on voluntary/compulsory firebreaks, before setting the 1994-1995 regulations.*

## **11. Access to Council Documents**

### **11.1 Documents available for Inspection**

In accordance with *Section 5.94 of the Local Government Act 1995*, the following documents are available for public inspection at the Council office free of charge or can be viewed on Council's website. Members of the public may purchase copies of these documents at the current rates as charged by Council for photocopies:

- Council Minutes
- Policy Manual
- Annual Council Budget
- Annual Report
- Council Local Laws
- Allowances and Benefits
- Rates Book and Property Register
- Electoral Roll
- Register of public streets and roads
- Local Government Act
- Vouchers and payments
- Code of Conduct
- Register of Financial Interests
- Schedule of Fees and Charges
- Plan for the Future
- Minutes of Electors Meeting
- Notice papers and Agendas

*Section 5.95 of the Local Government Act 1995* provides that certain information is excluded from public inspection.

Requests for other information not included in *Clause 11.1* above, will be considered in accordance with the provisions of the *Freedom of Information Act 1992*. Under this legislation an application fee and a search fee must be submitted with the completed request application form unless the information requested is personal information about the applicant or the applicant has been granted an exemption.

## COUNCIL POLICY

**DATE PROPOSED:** 20 May 2004

**AUTHOR AND POSITION:** Ian Craven – Chief Executive Officer

### **3.12 HONORARY FREEMAN OF THE MUNICIPALITY**

Council may confer the title of “Honorary Freeman of the Municipality” upon:

1. A Councillor or Ex-Councillor, after the completion of at least 20 years of service during which time he/she has served as a Shire President or Deputy President or otherwise demonstrated exemplary and committed devotion to the Council.;
2. A community member, after the completion of at least 30 years of exemplary and committed devotion to the community which has been well recognised by Council and the general community.
3. Council’s decision to confer the title must be made by an absolute majority vote.
4. The award is to recognise the commitment and service of recipients so honoured, to the Council and community.

## COUNCIL POLICY

**DATE PROPOSED:**

20 November 2014

**AUTHOR AND POSITION:**

Matthew Gilfellon – Chief Executive Officer

### **3.13 HONORARY CITIZENSHIP**

#### **OBJECTIVES**

To provide guidelines for the conferral of the Honorary Citizenship of the Shire of Dumbleyung.

#### **POLICY STATEMENT**

Honorary Citizenship may be granted to an individual who is considered to be especially admirable or worthy of the distinction. It is a symbolic honour; the recipient does not receive any rights, privileges or duties typically held by an Australian citizen. Current and ex-citizens of the Shire of Dumbleyung are not eligible for this award.

#### **SELECTION CRITERIA**

The following guidelines apply to the selection of the recipients of Honorary Citizenship of the Shire of Dumbleyung:

- The individual must have attained a high level of achievement and service in business, educational or cultural activity relating to the Shire of Dumbleyung.
- The individual must have made significant and meritorious contributions through their profession or qualifications to a field or cause relating to the Shire of Dumbleyung.
- The individual is an international visitor of note, or
- Granting of the Honorary Citizenship is in the interests of the Shire of Dumbleyung.

#### **DECISION MAKING**

Nomination must be in writing to Council. Worthy candidates will be made by an absolute majority decision of Council.

The nominee's acceptance of the Honour is to be confirmed prior to its public announcement.

A formal certificate will be presented to the accepting recipient.

## COUNCIL POLICY

**DATE PROPOSED:** 24 July 2014

**AUTHOR AND POSITION:** Matthew Gilfellon – Chief Executive Officer

### **3.14 LANDCARE CO-ORDINATOR**

1. That the Dumbleyung Shire pledges its support financially and administratively to the continued employment of a Landcare Coordinator for this shire.
2. That the Dumbleyung LCDC Committee and Dumbleyung Landcare Zone provide direction to the shire on what landcare activities are to be pursued.
3. That management of the Landcare Coordinator is to sit with the Chief Executive Officer or supervisor nominated by the Chief Executive Officer in the shire's organisational structure.
4. Application for funding of landcare activities is to be performed in the name of the Dumbleyung LCDC on the proviso that upon receipt of the funds, the money will be transferred to the shire to ensure adequate support and supervision of the controls of the expenditure of the funds is maintained.
5. That all activities of the Landcare Coordinator, including the expenditure of landcare funds, are to be subject to the relevant processes and procedures of the shire.
6. That the administrative component of any Landcare funds received be transferred to the Landcare Development Reserve in order to ensure contributions to the Landcare Coordinator position are maintained into the future.
7. That the average of the previous five financial years transfers in to the Landcare Development Reserve be budgeted to be removed from the Landcare Development Reserve in order to maintain an even contribution to the Landcare Coordinator position.
8. That a financial report(s) containing the following items be provided to the Dumbleyung LCDC and Dumbleyung Landcare Zone for consideration at Dumbleyung LCDC and Dumbleyung Landcare Zone Meetings:
  - Details of expenses associated with the provision of a Landcare Coordinator.
  - Income, including trust transfers, associated with the provision of a Landcare Coordinator.
  - Up to date income and expenditure of Landcare projects, displaying the income and expenditure for each project.

## COUNCIL POLICY

**DATE PROPOSED:**

15 April 2010

**AUTHOR AND POSITION:**

Henry Van Der Ende – Chief Executive Officer

### **3.15 REGIONAL COOPERATION**

Council supports the concept of regional cooperation and actively pursues resource sharing as strategy to improve the sustainability of the Shire of Dumbleyung.

## COUNCIL POLICY

**DATE PROPOSED:** 17 May 2018

**AUTHOR AND POSITION:** Matthew Gilfellon – Chief Executive Officer

### **3.16 SENIOR STAFF**

The Chief Executive Officer, Manager of Works & Services and Manager of Finance are designated senior employees as per *Section 5.37 of the Act*.

#### **CHIEF EXECUTIVE OFFICER - APPOINTMENT**

The Designated Staff Committee shall prepare a short list of candidates. Council shall conduct the interview and appoint the successful candidate.

## COUNCIL POLICY

**DATE PROPOSED:** 20 July 2000

**AUTHOR AND POSITION:** Ian Craven – Chief Executive Officer

### **3.17 TOWNSCAPE BUDGET ALLOCATION**

Annual Budgets are to contain a cash item in the proportion of Dumbleyung \$15,000 and Kukerin \$10,000 for miscellaneous works associated with townscaping. Unspent monies will be carried forward.



## COUNCIL POLICY

**DATE PROPOSED:**

15 February 2007

**AUTHOR AND POSITION:**

Ian Craven – Chief Executive Officer

### **3.18 WATER PIPES UNDER ROADS**

To place a pipe under Council's roads the following conditions must be met:

1. Written application for approval to undertake specified works to be made to Council prior to commencing such works.
2. White posts marked "water pipe" must be in place on each side of the road.
3. Road surfaces must be replaced as specified by Manager of Works and Services.
4. Owner/applicant must accept all liability which may result from operations.
5. The water pipe is to be encased in a second pipe and be located 45cm below the table drain.
6. Any works not meeting these standards or deemed to be a safety hazard to general road users shall be repaired or removed at applicants cost within 3 days.
7. Any pipe with a diameter greater than 200mm may need to be referred to the Manager of Works for approval.

### 3.19 CONTINUING PROFESSIONAL DEVELOPMENT

#### **POLICY – MEMBERS OF COUNCIL**

Sub Section: General

**Policy Number:** 3.19

**Policy Subject:** Continuing Professional Development

**Policy Statement:** To recognise the importance of providing Elected Members with the knowledge and resources that enables them to fulfil their role in accordance with statutory compliance and community expectations and make educated and informed decisions.

**Objectives:** To ensure that Elected Members receive appropriate information and training to enable them to understand and undertake their responsibilities and obligations.

**Guidelines:** Pursuant to s5.126 of the *Local Government Act 1995* and Part 10 Training s35 of the *Local Government (Administration) Regulations 1996*, Elected Members must complete the course titled Council Member Essentials which incorporates the following training units:

- a) Understanding Local Government;
- b) Conflicts of Interest;
- c) Serving on Council;
- d) Meeting Procedures; and
- e) Understanding Financial Report and Budgets.

Council's preferred provider for the training is Western Australian Local Government Association (WALGA).

All units and associated costs will be paid for by the Shire and must be completed within 12 months of the Elected Member's election. The training is valid for a period of five years.

Additionally, the Shire will publish on the Shire's website (within one month after the end of the financial year as per s5.127 of the *Local Government Act 1995*), the training undertaken by all Elected Members.

It is Council's preference that the training is undertaken via the eLearning method which is the more cost-efficient form of delivery. However, it is acknowledged that there may be Elected Members who prefer to receive training face-to-face and/or opportunities to attend training which is being delivered in the region or in the Perth metropolitan area.

#### **Procedures**

Considerations for approval of the training or professional development activity include:

- a) The costs of attendance including registration, travel and accommodation, if required;
- b) The Budget provisions allowed and the uncommitted or unspent funds remaining;
- c) Any justification provided by the applicant when the training is submitted for approval;
- d) The benefits to the Shire of the person attending;
- e) Identified skills gaps of elected members both individually and as a collective;
- f) Alignment to the Shire's Strategic Objectives; and
- g) The number of Shire representatives already approved to attend.

Consideration of attendance at training or professional development courses, other than the online Council Member Essentials, which are deemed to be approved, are to be assessed as follows:

- h) Events for the Shire President must be approved by the Deputy Shire President, in conjunction with the CEO; and
- i) Events for Elected Members must be approved by either the Council or the Shire President, in conjunction with the CEO.

Note: any expenditure commitments associated with training or professional development must be performed by and authorised through the CEO.

First Adopted: 19 March 2020, 2020/xxx

Last Review: 19 March 2020, 2020/xxx

### 3.20 ATTENDANCE AT EVENTS

#### **POLICY – MEMBERS OF COUNCIL**

Sub Section: General

**Policy Number:** 3.20

**Policy Subject:** Attendance at Events

**Policy Statement:** As required under the *Local Government Act 1995*, this policy addresses attendance at any events, including concerts, conferences, functions or sporting events, whether free of charge, part of a sponsorship agreement, or paid for by the Shire of Dumbleyung. The purpose is to provide transparency about the attendance at events by Elected Members, the Chief Executive Officer (“CEO”) and all employees of the Shire of Dumbleyung.

**Objectives:** To provide guidance to Elected Members and employees when an invitation to an event, function, or other hospitality occasion, ticketed or otherwise, is provided free of charge.

**Guidelines:** This policy applies to Elected Members, the CEO and all employees of the Shire of Dumbleyung (“the Shire”) in their capacity as an Elected Member or employee of the Shire.

Elected Members, the CEO and Managers occasionally receive tickets or invitations to attend events to represent the Shire to fulfil their leaderships roles in the community. The event may be a paid event, a ticket/invitation may be gifted in kind, or it may be a free/open invitation event for the community in general.

#### **INVITATIONS**

- All invitations or offers of tickets for an Elected Member, CEO or employee to attend an event should be in writing and addressed to the CEO.
- Any invitation or offer of tickets not addressed to the CEO is not captured by this policy and must be disclosed in accordance with the gift and interest provisions of the *Act*.
- The following events are to be considered pre-approved by the Shire:
  - a) Advocacy, lobbying of Members of Parliament or Ministerial briefings (Elected Members and CEO only);
  - b) Meetings of clubs or organisations within the Shire;
  - c) Any free event held within the Shire;
  - d) Australian or Western Australian Local Government events;
  - e) Events hosted by clubs or not for profit organisations within the Shire to which the Shire President, Elected Member, CEO or employee has been officially invited;
  - f) Shire hosted ceremonies and functions;
  - g) Shire hosted events with employees;

- h) Shire run tournaments or events;
- i) Shire sponsored functions or events;
- j) Community art exhibitions within the Shire or district;
- k) Cultural events/festivals within the Shire or district;
- l) Events run by Local, State or Federal Government;
- m) Events run by schools within the Shire;
- n) Major professional bodies associated with Local Government at a Local, State or Federal level;
- o) Opening or launch of an event or facility within the Shire or district;
- p) Recognition of service events within the Shire or district;
- q) Where the Shire President, Elected Member or CEO representation has been formally requested.

### APPROVAL OF ATTENDANCE

In making a decision on attendance at an event that has not been pre-approved, Council will consider:

- a) Who is providing the invitation or ticket to the event;
- b) The location of the event in relation to the Shire (within the district or out of the district);
- c) The role the Elected Member or CEO when attending the event (participant, observer, presenter) and the value of their contribution;
- d) Whether the event is sponsored by the Shire;
- e) The benefit of Local Government representation at the event;
- f) The number of invitations/tickets received; and
- g) The cost to attend the event, including the cost of the ticket (or estimated value of the event per invitation) and any other expenses such as travel and accommodation.

Decisions to attend events that are not pre-approved in accordance with this policy will be made by simple majority of Council.

### APPROVAL OF ATTENDANCE

1. Where an invitation or ticket to an event is provided free of charge, the Shire may contribute to appropriate expenses for attendance, such as travel and accommodation, for events outside the district if the Council determines attendance to be of public value.
2. For any events where a member of the public is required to pay, unless previously approved and listed in this policy, Council will determine whether it is in the best interests of the Shire for an Elected Member, CEO or another officer to attend on behalf of Council.
3. If the Council determines that an Elected Member or CEO should attend a paid event, the Shire will pay the cost of attendance and reasonable expenses such as travel and accommodation.
4. Where partners of an authorised Shire representative attend an approved event, any tickets for that person will be paid for by the Shire.

First Adopted: 23 July 2020, 2020/916

Last Review: 23 July 2020, 2020/916

### **3.21 ELECTED MEMBERS ACKNOWLEDGEMENT, RECOGNITION AND GIFT GUIDELINES**

#### **POLICY – GOVERNANCE**

Sub Section: Members of Council

**Policy Number:** 3.21

**Policy Subject:** **Elected Members Acknowledgement, Recognition and Gift Guidelines**

**Policy Statement:** To provide guidelines for acknowledgement and recognition of elected members including gift presentations.

**Objectives:** To provide a consistent and equitable approach to acknowledgement of elected member occasions such as weddings, engagements, births, illness/accidents, deaths, service milestones and staff resignations.

**Guidelines:**

1. ADMITTANCE TO HOSPITAL DUE TO ILL HEALTH OR ACCIDENT
  - > Flowers delivered to hospital to a maximum value of \$100 at the discretion of the President plus delivery as appropriate
  - > Get well card from the President/Councillors/Chief Executive Officer as appropriate
2. DEATH OF CURRENT ELECTED MEMBERS
  - > Bereavement notice in the newspaper.
  - > Flowers delivered to family to a maximum value of \$100 at the discretion of the President plus delivery as appropriate
  - > Attendance at funeral by relevant colleagues
  - > Sympathy card to family from the President/Councillors
  - > Sympathy card to family from the Chief Executive Officer and Staff
  - > Paid attendance of staff at the funeral during normal hours for the service only (at the discretion of the Chief Executive Officer)
3. DEATH OF ELECTED MEMBER'S HUSBAND, WIFE, CHILD OR PARTNER
  - > Bereavement notice in the newspaper
  - > Attendance at funeral by relevant colleagues (if appropriate)
  - > Sympathy card to family from the President/Councillors/Chief Executive Officer
4. DEATH OF EX-ELECTED MEMBER (SERVICE OVER 10 YEARS)
  - > Bereavement notice in the newspaper.
  - > Attendance at funeral by relevant colleagues (if appropriate)
  - > Sympathy card to family from the President/Councillors/Chief Executive Officer

5. DEATH OF ELECTED MEMBER'S MOTHER, FATHER, BROTHER OR SISTER

- > Attendance at funeral by relevant colleagues (if appropriate)
- > Sympathy card to family from the President/Councillors/Chief Executive Officer

6. DEATH (OTHER THAN PREVIOUSLY MENTIONED)

- > At the discretion of the President

7. BIRTHS

- > Flowers delivered to hospital to a maximum value of \$100 at the discretion of the President plus delivery as appropriate
- > Contributions to a present at elected member discretion

8. RECOGNITION ON DEPARTURE (RESIGNATION/END OF TERM)

This is covered under the *Local Government Act 1995* s5.100A Gifts to council members, and *Local Government (Administration) Regulations 1996* s34AC Gifts to council members, when permitted etc. The prescribed amount is currently a minimum of \$100 per year of service up to a \$1,000 total maximum.

Under Four Years

- > Card only
- > Contributions to a present at elected member discretion

Over Four Years (At Least One Full Four Year Term)

- > Card
- > Contributions to a present at elected member discretion
- > Farewell function to be as part of a Council dinner or function (at the discretion of the President)
- > Presentation of a gift voucher for \$100 per year of service

Over Ten Years

- > Card
- > Contributions to a present at elected member discretion
- > Farewell function at the choice of departing elected member (either no event or a function to the maximum value of \$500 at the discretion of the President)
- > Presentation of a certificate of service
- > Presentation of a gift voucher for \$1,000 (minus value of function)

Over Twenty Years

- > Card
- > Contributions to a present at elected member discretion
- > Farewell function at the choice of departing elected member (either no event or a function to the maximum value of \$500 at the discretion of the President)
- > Presentation of a framed certificate of service
- > Presentation of a gift voucher for \$1,000 (minus value of function)



## 9. RECOGNITION ON LENGTH OF SERVICE

Any recognition of length of service will be via the Western Australian Local Government Association (WALGA) awards system

First Adopted: 15 August 2019

Last Review: 17 December 2020, 2020/xxx