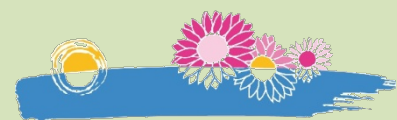




POLICY MANUAL

UPDATED MAY 2019 WITH NEW POLICY
NO:7008



WESTERN AUSTRALIA'S
WILDFLOWER COUNTRY



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1000 - MEMBERS

1001 ANNUAL ELECTORS MEETING

That this meeting be scheduled prior to 31st October annually, subject to receipt of Auditor's Report.

1002 COUNCIL ELECTIONS—VOTING IN PERSON

Conduct of Local Government Elections will be held on a “voting in person” type election with Council’s CEO to be the returning officer.

1003 ELECTION TO COMMITTEES

Nomination of Councillor/s to Positions in Council/Committees - Prior to any nomination being made the person being nominated be advised of the proposal, and appointment to the position will be subject to the approval of the nominee.

1004 CONFERENCE AND MEETINGS

Nominations

Any Councillor who wishes to represent Council at such an event shall request nomination at a Council meeting.

Council shall decide by resolution to nominate such representatives as Council may consider is appropriate.

1005 COUNCIL EXPENSES

Any Councillor who actually incurs travelling expenses by providing transport to attend a meeting of Council shall be entitled to expenses paid at the ruling rate per kilometre as set by Council for travel from the normal place of residence to the place of meeting only.

Any Councillor officially representing Council at a meeting, conference or in other official capacity, where travel, travel and accommodation, or other expenses specially approved by Council, are actually incurred, shall be entitled to have those expenses refunded.

In the case of travel by motor vehicle it is to be paid at the ruling rate per kilometre as set by Council.

In the case of other types of travel, the actual cost of the travel.

In the case of accommodation, the actual cost of accommodation at an approved hotel or motel.

Other expenses as specially approved.

Local Government Week

Any Councillor, the CEO, and their partners, may attend the annual WALGA Conference and annual Local Government Week fixture. Cost of registration, accommodation and meals is to be met by Council, provided such expenditure is under the terms and conditions of the Local Government Act. Transportation and incidental expenses are to be the responsibility of individual Councillors. Should a Councillor withdraw their registration past the last cancellation date any costs incurred by Council that cannot be recouped from the event organizers shall be reimbursed to Council by that Councillor.



1006 COUNCIL FORUM AND NETWORKING MEETING

Council Forum

A Council Forum session will be held each month either prior to or after the Ordinary Council Meeting. All Councillors and Senior staff attend the Forum to have frank/open discussion concerning matters raised by all those in attendance.

e.g. to work through policies which require preparing or updating and which are to be listed on a future Agenda. To undertake this in a structured meeting procedure would be very time consuming.

Guidelines

1. There will be no set Agenda prepared for the forum, however, to allow everyone to come somewhat prepared the following headings will be utilised:
 - Topics requested for discussion at session
 - Topics carried over from last session for discussion
 - Topics for discussion at a future session
2. This does not restrict any matter from being raised by a Councillor or staff member on the day of the forum.
3. There will be no members of the public or press allowed at the Council Forum.
4. There are no Minutes kept for the Council Forum, however briefing notes will be taken.
5. There will be no decision/resolution/voting at these Forums. It is designed to discuss issues and provide guidance and/or clarification.
6. Any item that requires a decision of the Council will be listed on a future Agenda within a report with an Officer Recommendation.
7. Discussion will be conducted in a structured and orderly manner and directed through the Chair.

Networking Meeting

Each Month Council will hold a Networking Meeting two weeks prior to the Ordinary Council Meeting. This meeting runs along similar lines to the Council Forum however the Networking Meeting provides Council with an opportunity to address issues at a more strategic level such as planning and development.

1007 REFRESHMENTS

Introduction:

To provide direction to the President and Chief Executive Officer in the provision of refreshments during Ordinary, Special and Annual Electors Meetings of Council, Civic Functions, Receptions General, Specific Functions, Ceremonies and General Hospitality.



Guidelines:

1 Ordinary, Special and Annual Electors Meetings of Council

At the discretion of the President the President may authorise the provision of refreshments after the closing of Ordinary, Special and Annual Meetings of Council.

2 Civic Function and Receptions – General

At the discretion of the President and Chief Executive Officer, the President may host civic functions and receptions with refreshments for visiting dignitaries, local residents who are recipients of awards or prizes from the Shire of Three Springs, and visitors from other local authorities from Australia and overseas. The date, time and invitation list shall be determined by the President, in conjunction with the Chief Executive Officer.

In the absence of the President, the Deputy President may carry out Civic and Ceremonial duties on behalf of the Shire of Three Springs, in accordance with s5.34 of the Local Government Act 1995.

3 Specific Function and Ceremonies

3.1 Annual Staff Christmas Function

During December each year, Council shall conduct a Staff Christmas Function with the appropriate level of refreshments.

The list of invitees shall include but not be exclusive to the following:

- a) Current Elected Members, and their partners including pre-school and school age children.
- b) The Chief Executive Officer, Executives, Managers and staff of the Shire of Three Springs and their partners including pre-school and school age children, and:
- c) Guests

3.2 Official Openings of Council Facilities

At the discretion of the President and Chief Executive Officer, the President may host receptions with refreshments to commemorate the Official Openings of Council facilities. The invitation list shall be at their discretion but is to include all current Elected Members and Freemen of the Shire of Three Springs.

3.3 General Entertainment and Hospitality

The provision of Entertainment and Hospitality including refreshments can only apply where approval has been given by the President or the Chief Executive Officer.

Examples of where approval is considered appropriate would include:

- (a) Entertaining official visitors to the Shire of Three Springs
- (b) Workshops and Seminars involving Councillors and Staff
- (c) Employee farewell functions



(d) To enhance relationships between the Council, its stakeholders or employees.

Alcohol should only be available for the purpose of hospitality and supplied in modest amounts.

2000 - ADMINISTRATION

2001 LEGAL REPRESENTATION – COSTS INDEMNIFICATION

1. Introduction

This policy is designed to protect the interests of Council members and employees (including past members and former employees) where they become involved in civil legal proceedings because of their official functions. In most situations the Local Government may assist the individual in meeting reasonable expenses and any liabilities incurred in relation to those proceedings.

In each case it will be necessary to determine whether assistance with legal costs and other liabilities is justified for the good government of the district. This policy applies in that respect.

2. General Principles

- a) The Local Government may provide financial assistance to members and employees in connection with the performance of their duties provided that the member or employee has acted reasonably and has not acted illegally, dishonestly, against the interests of the local government or otherwise in bad faith.
- b) The Local Government may provide such assistance in the following types of legal proceedings:
 - i) proceedings brought by members and employees to enable them to carry out their local government functions (e.g. where a member or employee seeks a restraining order against a person using threatening behaviour);
 - ii) proceedings brought against members or employees [this could be in relation to a decision of Council or an employee with aggrieves another person (e.g. refusing a development application) or where the conduct of a member or employee in carrying out his or her functions is considered detrimental to the person (e.g. defending defamation actions)]; and
 - iii) statutory or other inquiries where representation of members or employees is justified.
- c) The Local Government will not support any defamation actions seeking the payment of damages for individual members or employees in regard to comments or criticisms leveled at their conduct in their respective roles. Members or employees are not precluded, however, from taking their own private action. Further, the Local Government may seek its own advice on any aspect relating to such comments and criticisms of relevance to it.
- d) The legal services the subject of assistance under this policy will usually be provided by the Local Government's solicitors. Where this is not appropriate for practical reasons or because of a conflict of interest then the service may be provided by other solicitors approved by the Local Government.

3. Applications for Financial Assistance

- a) Subject to item (e), decisions as to financial assistance under this policy are to be made by the Council.



- b) A member or employee requesting financial support for legal services under this policy is to make an application in writing, where possible in advance, to the Council providing full details of the circumstances of the matter and the legal services required.
- c) An application to the Council is to be accompanied by an assessment of the request and with a recommendation which has been prepared by, or on behalf of, the Chief Executive Officer (CEO).
- d) A member or employee requesting financial support for legal services, or any other person, who might have a financial interest in the matter, should take care to ensure compliance with the financial interest provisions of the Local Government Act 1995.
- e) Where there is a need for the provision of urgent legal services before an application can be considered by Council, the CEO may give an authorisation to the value of \$5,000 provided that the power to make such an authorisation has been delegated to the CEO in writing under section 5.42 of the Local Government Act 1995.
- f) Where it is the CEO who is seeking urgent financial support for legal services the Council shall deal with the application.

4. Repayment of Assistance

- a) Any amount recovered by a member or employee in proceedings, whether for costs or damages, will be off set against any moneys paid or payable by the Local Government.
- b) Assistance will be withdrawn where the Council determines, upon legal advice, that a person has acted unreasonably, illegally, dishonestly, against the interests of the Local Government or otherwise in bad faith; or where information from the person is shown to have been false or misleading.
- c) Where assistance is so withdrawn, the person who obtained financial support is to repay any moneys already provided. The Local Government may take action to recover any such moneys in a court of competent jurisdiction.

2002 ADVERTISING AT THREE SPRINGS OVAL

That Council support advertising at the Three Spring's Oval with the understanding that should the advertising signs fall in a state of disrepair then the Club responsible for such be required to remove the sign/s.

2003 PRESS RELEASE AND MEDIA STATEMENTS

All official press releases and media statements will be made by the Shire President and/or the CEO (as delegated by the Shire President), or the Deputy President in the absence of either of the aforementioned. Where possible, a file of all such releases or statements be maintained and be available for reference by Council.

2004 RECOGNITION OF PASSING OF COMMUNITY MEMBER

On the advice of the death of a past or present resident of the Shire of Three Springs, Council will arrange a card to be forwarded to the family from the President, Councillors and staff in recognition of the deceased's contribution to the Shire. As deemed appropriate, on a case by case basis, Council may decide to be represented at a funeral service and/or provide a floral tribute.



2005 HISTORICAL COMMITTEE

That Council support the establishment of the Three Spring's Historical Committee and offer support where available.

2006 PARTICIPATION AND COMMUNITY ENGAGEMENT GROUP (TS PACE)

That Council support the establishment of Tidy Towns Committee within the Shire of Three Springs, and offer support where available.

2007 TOURISM AND PROMOTIONAL COMMITTEE

That Council support the establishment of Tourism Promotional Committee within the Shire of Three Springs, and offer support where available.

2008 STREET STALL PERMITS

That the Chief Executive Officer be authorised to issue permits for Street Stalls, ensuring that dates do not clash and that the permission of the Business Proprietor (outside of which the stall will be held) is held by the applicant.

2010 SPORTS GROUND COMMITTEE

That Council support the establishment of a Sporting Advisory Committee to help plan and co-ordinate maintenance and upgrade of facilities within the Shire of Three Springs, and offer support where appropriate.

2011 COMPLAINTS HANDLING

Policy Objectives

A complaint handling system is an organized way of responding to, recording, reporting and using complaints to improve service to the community.

The complaint handling system includes procedures for customers to make complaints and guidelines for officers to resolve complaints.

Definitions

Complaint

is defined as being an expression of dissatisfaction about the standard of service, actions or lack of action by the Council or its staff, affecting an individual customer or group of customers.

First Tier

First tier officers are officers empowered by the CEO to resolve complaints wherever possible at first contact.



Second Tier Second tier complaints are to be referred to the CEO or relevant Executive Officer who is to deal with the unresolved complaint.

Third Tier The third tier is the Complaint Review Group whose purpose is to conduct an informal investigation with regard unresolved complaints. The Complaint Review Group will comprise of President (or his/her delegate), Deputy President (or his/her delegate), CEO and relevant Executive Officer.

Please note the following will not be registered as complaints:

- ◆ Requests for services
- ◆ Requests for information or explanation of Policies or procedures
- ◆ Lodging of an appeal in accordance with a standard procedure or policy.

Policy

1. The Three Springs Council shall deal with all complaints efficiently and effectively in the following manner:
 - (a) Front line officers (first tier) will assist complainants in the case of minor complaints and respond within seven (7) working days, detailing action taken or likely to be taken to resolve the issue.
 - (b) In the case of more serious complaints, or the complaint being outside the front line officer's delegated authority, the complaint is to be referred to second tier officers with the complainant being informed of the name of the investigating officer. The investigating officer is to advise the complainant within seven (7) working days of the status of the investigation and anticipated completion date.
 - (c) Serious complaints involving personal injury, inappropriate behaviour of officers (i.e. rudeness, discrimination or harassment), a breach of the law or financial implications and complaints which involve the need for a detail knowledge of the Three Springs Council's operations and procedures shall be directed to the CEO with an initial acknowledgment being forwarded to the complainant within seven (7) working days.
 - (d) Any appeal against a response to a complaint being received from the first and second tier officers shall be referred to the Complaints Review Group for resolution.
 - (e) If a complaint requires extended research/investigation, the complainant is to be advised and kept informed of progress every 21 days.
 - (f) A register of complaints will be kept by a nominated officer and those not responded to within the guidelines outlined above, will be referred to the CEO.
2. Complaints shall be in writing (including fax and email), addressed to the CEO and signed by the complainant with his/her address before formal action is taken. Telephone complaints will not be accepted as it is too reliant on the officer to interpret the complaint.
3. Training will be provided to staff responsible for receiving and/or resolving complaints and those responsible for management and processing more serious complaints will be provided with more specialised training in conciliation, mediation and investigation.
4. The Complaints Review Group will be responsible for dealing with those complaints where the customer remains dissatisfied with decisions of the first and second tier officers.



5. In cases where the customer does not accept the outcome achieved by the Shire by way of its complaints procedures, the complainant is to be advised of the alternatives available to have the matter reviewed by another body (Ombudsman, Crime & Corruption Commission, Department of Local Government & Regional Development, etc.)

This policy is supported by administrative guidelines as documented in Appendix C

2012 INFORMATION TECHNOLOGY

This document outlines the conditions governing use of all Information Technology (IT) facilities provided by the Shire of Three Springs to Staff and Councilors including portable devices. It applies to Elected Members, staff and to others to whom access to IT facilities has been provided. Deliberate and/or continued non-compliance with this Policy may result in disciplinary action and/or termination.

This Policy details:

- The conditions of use of Information Technology facilities

1. General Use

This document describes the Shire of Three Springs conditions governing use of all Information Technology (IT) facilities (including computers, computer peripherals, voice mail, software, facsimile machines, fixed and mobile telephones, and any other equipment related to the storage and/or distribution of electronic data) provided by the Shire of Three Springs. All employees and Elected Members requiring the use of IT facilities must sign a form as an acceptance of the terms and conditions described in this document.

- 1.1 These conditions apply to all Elected Members, staff and others to whom access to Shire of Three Springs' IT facilities has been provided.
- 1.2 The Shire of Three Springs reserves the right to, without notice, modify, upgrade, withdraw or otherwise alter any facilities provided.
- 1.3 The Shire of Three Springs has ownership of all files and e-mail messages stored on Shire computers and reserves the right to examine all computer data and software on its facilities and to monitor usage in order to ensure compliance with this Policy.
- 1.4 Users must respect the resource limitations of the IT facilities provided. Resources are not infinite.
- 1.5 Any facilities provided to users are for the business purposes of the Shire of Three Springs. The Shire of Three Springs will not be responsible for meeting any costs resulting from the use of facilities for unauthorised non-business related purposes.
- 1.6 The facilities may be approved for use, by staff, for the purpose of the genuine business of community Clubs or organisations. To allow this, a written request from the Club or group must be submitted to the Chief Executive Officer who will decide upon the matter, and the volume of use to be permitted. If approved, the club or group will be advised accordingly. A separate letter will be provided to the Officer, who will be required to complete an appropriate form pertaining to the use of the facility.



- 1.7 The Shire of Three Springs supports only those facilities provided by the Shire of Three Springs for business purposes. Hardware, software, operating systems and networking protocols not in use at the Shire of Three Springs are not supported.

2. Storage

- 2.1 Any storage of corporate data on desktop computers or other portable devices is discouraged as this data is not backed up. Users will be responsible for any loss of data stored on these media.
- 2.2 Duplication of data is to be avoided.
- 2.3 It is the responsibility of users to store (or save) their documents on a regular basis as computer systems by their nature are not fault tolerant.

3. Installing Unauthorised Software or Files

- 3.1 Users must not purchase, install, copy or use any software without prior authorisation from IT Services.
- 3.2 The use of any files that are subject to Copyright regulations that have not been authorised in writing for use by the Copyright owner are not permitted to be used on Shire of Three Spring's systems.
- 3.3 The installation and use of third party "screen savers" is not permitted.

4. Access to Computer Facilities

- 4.1 Users may use only those facilities which they have been properly authorised to use by the CEO. Authorisation must be provided to the CEO in writing before access is provided and/or modified.
- 4.2 Users may not use any of the facilities provided by the Shire of Three Springs in such a way as to reflect poorly upon the Shire either in part or as a whole.
- 4.3 The playing of games on Council computers is not permitted.
- 4.4 Where the use of any IT facility is governed by a password then the password must not be inappropriately divulged to any other person.
- 4.5 Users must take every reasonable precaution to ensure that their passwords, accounts, software and data are adequately protected.
- 4.6 Any computer account or facility allocated to a user is for their exclusive use. The user must not allow another person to use it without appropriate authorisation from the Manager of Administration and Customer Service.
- 4.7 Users will comply with any directive (verbal, written or electronic) from the Manager of Administration and Customer Service relating to access to IT facilities or the application of software updates.
- 4.8 Users must treat IT facilities with respect. Any willful damage sustained to equipment will result in the costs of repair being sought from the user of the equipment. Any damage sustained to equipment as a result of neglect may result in the costs of repair being sought from the user of the equipment.
- 4.9 Food and beverages should not be consumed in close proximity to IT equipment. (Lunch should be consumed in the Council function room.)
- 4.10 Users must be aware that the use of mobile computing facilities may result in significant communications costs. When users do not have access to local call connections to the Shire, on-



line time should be kept to a minimum. The Shire of Three Springs will not be responsible for any excessive costs incurred.

- 4.11 Remote access to Shire of Three Springs IT facilities is provided on a needs basis. Those seeking such access will need approval in writing from the CEO. Users with remote access must take extra care in relation to security issues and report any breaches (or perceived breaches) of security immediately to the CEO.
- 4.12 Council reserve the right to perform system maintenance tasks outside regular Administration Centre working hours. Where abnormal maintenance tasks are planned notification of the anticipated down time will be communicated if possible. If staff have a particular need for after-hours access to IT facilities they should liaise with the CEO to arrange access options.

5. Security

- 5.1 Regardless of the prevailing security, or lack of security, users shall not access any data or software except data or software that belongs to the user or has been provided for their use.
- 5.2 Users must not attempt to rename, delete, or modify the data of another user without prior authorisation from the Manager of Administration and Customer Service, except in the following circumstances:
 - for data or files stored on a shared network facility or transferred in/out via a shared network facility.
 - under direction of their supervising officer(s) to amend data or files stored in a personal directory.
- 5.3 Anti-virus software protection is provided at both server and desktop level. If a user suspects that their machine has become infected with a virus (or similar type entity) it should be reported immediately to the CEO.
- 5.4 Users are encouraged to log out of their workstations when they are not in use. If users are aware that they are going to be away from their workstation for a period of at least thirty (30) minutes they should log out of the network.
- 5.5 Users should correctly shut their computer systems down before finishing work each day.
- 5.6 Users must report to the CEO, without delay, any breaches (either real or perceived) of security.

6. Software Copyright/License Regulations

Under Australian Law all software is copyright by the author whether it explicitly contains copyright notice or not. You must be aware of, and abide by, the relevant provisions of the Copyright Act as they apply to computer software including the following:

- Computer facilities provided by the Shire of Three Springs must not be used to make illegal copies of software;
- Users must comply with the conditions of the software license;
- Illegal software must not be installed on Shire of Three Spring's computer systems.

7. Regulating Internet Browsing Usage

- 7.1 Provision of internet browsing facilities to a user's personal computer must be approved by the CEO.



7.2 Internet users must be aware that their use of the medium will be monitored and as such all use of internet browsing facilities must be for the Shire of Three Springs business purposes only. For example, sites including but not limited to, those of the following nature must not be accessed:

- Games
- Sports
- Shopping
- Share Trading
- Entertainment
- Adult Entertainment
- Pornography
- Personal Internet E-mail (such as Hotmail or Yahoo)
- Newsgroups
- Chat Rooms/Channels

Deliberate and/or continued access to sites such as those listed above and other inappropriate sites, will be a disciplinary matter.

7.3 Users must not plagiarized works that are found on the Internet.

7.4 Internet users should not download large files (in excess of one (1) megabyte) unless absolutely necessary. If necessary, they must be downloaded at a time agreed with by the CEO.

7.5 The Shire of Three Springs will not be responsible for any unauthorised financial obligations arising through the use or misuse of the Internet.

8. Provision of Electronic Mail (E-Mail) Services

E-mail should not be used as a substitute for formal written correspondence on Shire of Three Spring's letterhead when letterhead is required. E-mail messages are official corporate documents and are legally binding.

8.1 The majority of users of computer facilities will be provided with an e-mail address (where a need is identified) and are able to send and receive e-mail correspondence.

8.2 The e-mail address of e-mail users identifies the user as working for the Shire of Three Springs. Users should communicate via electronic mail as they would in a public forum.

8.3 E-mail messages of a corporate nature that leave the Shire of Three Springs destined for an external organisation are public records. Any corporate e-mail messages that officers receive are also public record.

8.4 E-mail users must not post chain letters or engage in "spamming". Spamming is the sending of an annoying or unnecessary (i.e. non-business related) message to a large number of recipients.

8.5 Virus warnings will be issued by IT services. If you receive a virus warning by e-mail it should be forwarded to IT services so that its authenticity can be determined. Warnings should not be forwarded to any other e-mail user unless authorised by IT services.

8.6 E-mail users must check their e-mail frequently, delete any unnecessary messages promptly and manage their e-mail files wisely.

8.7 E-mail users must not use obscene, profane, lewd, inflammatory or threatening language. E-mail users must not make or engage in personal, prejudicial, slanderous, libelous or discriminatory attacks, remarks, statements or messages.



- 8.9 E-mail users must not harass other persons. Harassment is acting in a manner that distresses or annoys another person. If an employee is told by a person to stop sending them messages of this nature, the employee must stop.
- 8.10 E-mail users must not knowingly or recklessly post false or defamatory information about a person or organisation.
- 8.11 If you receive or continue to receive e-mail of a nature that does not comply with this Policy, or includes non-business related file attachments such as, but not limited to, sound files, games, presentations, images or movie clips, the sender of the message(s) should be instructed to stop sending them immediately and the messages deleted. The sending (or forwarding) of such non-business related email attachments is not permitted.
- 8.12 The use of real-time messaging services such as ICQ is not permitted.

9. Voice Mail

Voice Mail is a corporate resource for business use and serves to provide a minimum level of customer service when a telephone is unattended. Where possible telephones should be diverted to another officer.

The system should be used for its intended purpose and not used as a means of avoiding answering telephone calls.

The legitimate use of Voice Mail is for cases where staff are out of their offices for short periods where phone calls would go unanswered. Voice Mail should not be used to take calls when staff are on leave.

Users must work with each other to minimise the reliance on Voice Mail as much as possible. This will serve to ensure that a high level of customer service is maintained.

10. Hardware

All hardware devices provided to staff and councilors remain the property of the Shire of Three Springs including all data stored on the device. All usage is to be in accordance with the IT provisions contained in this policy. Hardware includes but is not limited to Laptops, Tablets (iPad) etc

11. Social Media

Social media allows users to connect with vast numbers of people via internet and mobile based channels. On a professional level organisations are able to engage with multiple stakeholders at great speed, while on a personal level users are able to interact and share opinions with each other. The use of social media by employees at home and at work can have the potential to expose employers to legal liabilities if the risks are not managed. Accordingly, public organisations require a policy to control and monitor the use of social media to mitigate against any risk exposure, while providing an avenue to engage and interact with the community and stakeholders if this avenue of communication is chosen as a means of communication.

At this point in time (1 July 2015) the Shire of Three Springs has chosen not to specifically seek engagement with the community through the use of social media, instead relying on its website and more traditional forms of communication. This policy hence concentrates solely on the personal use of social media. Internet browsing usage and the use of social media in the workplace is addressed in item 7 of this policy.



The Shire of Three Springs acknowledges that employees use social media in a personal capacity. Whilst this may be in the employee's own time, it may have implications on the employer. Employees must ensure that their personal comments on any social media site do not compromise the capacity for them to perform their public role including action which may bring themselves or the Shire of Three Springs into disrepute.

- Employees must not disclose Council confidential information.
- Employees who engage in work related discussion groups outside of work must make it clear that the views they express are personal, and not those of the Shire of Three Springs.
- Employees using social media in a personal capacity are not to make statements on social media that cause, or have significant potential to cause, embarrassment or distress to Councillors or fellow employees of the Shire.
- Personal use of social media during work hours is limited to recognised breaks and not using Council owned devices."

12. Disciplinary Measures and Termination of Employment

Any breach of this Policy will lead to disciplinary action against the employee, which may result in termination of employment.

Employees should also be aware that breaches of this Policy may incur legal action pursuant to the Copyright Act 1968, Sexual Discrimination Act 1984 and Equal Opportunity Act 1984.



2013 PETROLEUM, MINING AND EXTRACTIVE INDUSTRIES

The Shire of Three Springs supports the expansion of industry that helps deliver economic prosperity to its residents however, in providing this support Council supports every effort being undertaken to ensure that the initial assessment as well as compliance and monitoring of any activity is carried out at a level that protects the amenity of the natural and built environment and that of residents.

Objectives:

- To ensure that local values relating to lifestyle and quality of life, including public health, amenity, biodiversity, water (both surface and ground), and other economic sectors (such as agriculture and tourism) are adequately considered and protected from the development or expansion of any extractive industry activity in the Shire of Three Springs.
- To ensure that any future or existing extractive industry activity is thoroughly assessed, monitored and managed effectively to meet all conditions of development consent, and endeavour to continuously improve operational practices to reduce environmental impacts wherever practical.
- To ensure petroleum and mining companies build a commitment to best practice standards for petroleum and mining activity in the Shire of Three Springs, and actively participate in local communities.

Guidelines:

The principal role for Council is to advocate on behalf of the Shire of Three Springs and its residents. Council is not the determining authority for mining applications, but no other organisation has the interests of the residents of the Shire of Three Springs as its principal focus.

The primary economic land use within the Shire of Three Springs is food production through agriculture.

The Shire of Three Springs residents and businesses are dependent on access to clean groundwater. The protection of water resources and infrastructure (including groundwater aquifers, catchment and recharge areas, rivers, creeks, lakes, wetlands, dams, wells and bores) from pollution or overuse is therefore of paramount importance to the sustainability of the local economy and residents in the region.

The Shire of Three Springs contains areas of natural vegetation that are unique and of global ecological significance. These areas not only provide a basis for nature-based tourism industries, but are worthy of protection in their own right in order to support the maintenance of ecosystem services including clean air, water and biological diversity.



Large areas within the Shire of Three Springs are subject to petroleum exploration leases and there is limited existing petroleum production within the Shire. The exploration and production of these on-shore resources is likely to require hydraulic fracture stimulation (fracking) technology which is new to the Shire.

In respect to current and future proposals for on-shore petroleum or other extractive industries, Council will –

1. Effectively consult residents within the Shire regarding on-shore petroleum developments and represent the concerns and interests of these residents in decision making on all matters relating to these developments;
2. Assume a leadership role in negotiating with the State Government and resource companies to ensure that any petroleum or mineral resource projects in the Shire provide benefit to the community, and individuals within the community where appropriate;
3. Ensure that the protection of the health of residents and the protection of groundwater resources is afforded the highest priority in decision making by the Shire;
4. Support and advocate for the rights of residents with the Shire to clean water, clean air, and enjoyment of land without pollution or nuisance;
5. Support and advocate for the existing economic land uses within the Shire to continue to operate unhindered by impacts of petroleum or extractive industries;
6. Facilitate an open dialogue and discussion with the community of all stakeholders, based on the sharing of accurate information to encourage an informed debate about issues relating to mining.

Council support for specific onshore petroleum development or exploration proposals

1. Council does not support further petroleum resource development within the Shire (including exploration) which has not first undergone thorough and independent assessment of environmental, health, agricultural and socio-economic impacts (including cumulative impacts) by the Environmental Protection Authority, Department of Health and other relevant agencies.
2. The Shire of Three Springs will consider each proposal for petroleum resource development or exploration within the Shire by applying the following criteria for decision making. To be supported by the Shire, exploration and development must –
 - Undertake thorough community consultation and achieve demonstrated broad community support for development;
 - Maintain and protect the amenity and character of the Shire, and its existing residents and land uses;
 - Ensure zero impact on groundwater resources used for drinking, agriculture or other existing uses, including the catchment and recharge areas for these resources;



- Ensure zero impact on the health of residents within the Shire;
 - Ensure that the impacts on Council infrastructure are adequately compensated for in the immediate and future life of that asset, and that the full costs are recovered for any additional infrastructure required;
 - Provide full transparency to the community regarding all environmental compliance and monitoring data, including air quality and groundwater monitoring results, chemicals used, and any other relevant information which must be disclosed in a timely manner;
 - Accept a “presumption of liability” for any groundwater pollution that is detected in the vicinity of oil and gas extraction operations and which can reasonably be associated with those operations;
 - Provide guarantees of full reparation and remediation of groundwater, land, infrastructure, public health or other unplanned impacts that arise from the development.
3. The Shire of Three Springs is not willing to provide its support or assistance to proponents or other parties (including the State Government) who seek to undertake or promote petroleum activities within the Shire that do not meet these standards.

2014 PROVISION OF RECORDS TO POLICE (CCTV)

Background

Council was successful in attracting funding for the installation of two CCTV cameras in October 2014. The first camera is located overlooking the main intersection of town and the public toilets corner of Railway Road and Maley Street. The second is located at the Sports Pavilion at the Town Oval.

The cameras are solar powered, require minimal maintenance and will take continuous footage based on a movement sensor. The footage overwrites after approximately 1.5 days. The footage is not monitored unless there is a complaint or reason to believe an offence has occurred.

The most common (and only so far) call for footage has been from the Police with around 5 incidents resulting in requests for footage over the first 9 months of operation – all from the Town Centre camera.

At this point in time (1 July 2015) only the DCEO and CDO have been shown how to retrieve footage however this should extend to other officers to ensure that there is always someone available if footage is needed to be retrieved. A procedure on the retrieval of footage has been written and is in the DCEO office with the hardware and equipment needed to obtain the footage.

Implementation

When a request is received from the Police for CCTV footage the following is to occur -

1. Verify the identity of the officer if unknown. Take details of the requested information including alleged offence (if able to be provided) and the time frame requested.



2. If the matter is very urgent, and they want to wait, do the search immediately. If a lengthy search is required, take their contact details and call when it's ready.
3. Bear in mind that their investigations may be very time sensitive, and that footage is only current for 1.5 days.
4. Determine if it is still images or video required.
5. Retrieve the data as requested – note it will automatically create a file in the CCTV area C:ivms4200/Date depending on whether a still image is taken (Capture) or a video.
6. Once the data is stored this represents a Shire record and what the police obtain is considered a copy provided with consent. Contact the police who can access the data by having it emailed to them, or if too large they are to attend the office and are to be provided with a USB with the data on it. They can then make a copy at their premises and return the USB. Note – Externally provided USBs are not to be used due to the threat of computer virus from unknown sources – even if it is the Police. Any USB device provided by Council is to be scanned when returned for any potential computer virus from an external source.
7. In the C:ivms4200/Date file add a simple Word document which includes the details relating to the request – Time/Date/Requesting Officer and any other relevant information relating to the request. This is retained as a record on the server.
8. The Shire of Three Springs accepts no liability for any misuse of data once it is copied by the Police, or legal proceeding that may result from the Police accessing and using in any prosecution CCTV footage from the Shire of Three Springs cameras.
9. This policy is to be acknowledged by the Three Spring Police prior to Camera Footage being accessed.



3000 - FINANCE

3001 SIGNIFICANT ACCOUNTING POLICIES

The Significant Accounting Policies are inserted as an Appendix to this manual.

3002 INVESTMENTS

3002.1 OVERVIEW

The purpose of this document is to ensure:

- Council conforms with its responsibilities under: -
 - *Local Government Act 1995* – Section 6.14;
 - *The Trustees Act 1962* – Part III Investments;
 - *Local Government (Financial Management) Regulations 1996* – Regulations 19, 28 and 49
 - Australian Accounting Standards
- That Council has in place a current set of policies and delegations for its Officer's responsible for the investment of Council held funds.
- Adherence to the guidelines and procedures outlined in this document by all officers with delegated authority to invest/control Council funds.

3002.2 OBJECTIVE

- Preservation of Capital.
- To take a conservative approach to investments, but with a focus to add value through a prudent investment of funds.
- To achieve an adequate level of diversification to spread risk.
- To achieve a high level of security.
- To have ready access to funds for day-to-day requirements.

3002.3 DELEGATED AUTHORITY

- Officers authorised to make investment decisions and sign investment lodgment's, withdrawals etc., are outlined below and must be named in Council's Delegated Authority Register.
- In case of annual leave or absence, the Chief Executive Officer may approve delegations for relieving persons, under advice to Council.
- Any investments made under delegated authority are to comply with the Authorised Investments List.
- Decisions in excess of \$750,000 unauthorized investments or for terms > 12 months should be referred to Council.



Limit	Activity	Delegated Authority To Open and Operate Account
Investment decision (within Limit) <\$750,000	Investment Decision	Chief Executive Officer (Investment Advisor may be consulted)
	Place Investments	Chief Executive Officer Joint with Manager of Finance
	Transfer Investments to the Municipal Account	Manager of Finance joint with Senior Finance and Admin Officer
Investment decision (exceeding Limit) > \$750,000	Investment Decision	Council Resolution by Absolute Majority (Investment Advisor may be consulted)
	Place Investments	Shire President and Chief Executive Officer
	Transfer Investments to the Municipal Account	Shire President and Chief Executive Officer

3002.4 PRUDENT PERSON STANDARD

The Council and delegated investment officer have fiduciary responsibilities under Section 6.14 of the Local Government Act and therefore risks must be kept to a minimum and the investment managed with the care, diligence and skill that a prudent person would exercise. In this respect, the schedule of Authorised Investments and limits applying are to be adhered to. Officer shall disclose any conflict of interest to the CEO.

3002.5 AUTHORISED INVESTMENTS

Without approval from Council, investments are limited to: -

- (a) State/Commonwealth Government Bonds;



- (b) Interest Bearing Deposits;
- (c) Bank accepted/endorsed bank bills;
- (d) Bank negotiable Certificate of Deposits; and
- (e) Investments fixed for greater than 12 months are to be approved by Council, reviewed on a regular basis and invested for no longer than 3 years.

3002.6 PROHIBITED INVESTMENTS

- (a) Derivative based instruments;
- (b) Principal only investments or securities that provide potentially nil or negative cash flow;
- (c) Stand alone securities issued that have underlying futures, options, forwards contracts and swaps of any kind; and
- (d) Investments into listed Australian shares, listed Property Trusts and Unlisted property without Council’s specific approval.
- (e) This policy also prohibits the use of leveraging (borrowing to invest).

3002.7 RISK MANAGEMENT CONTROLS

Risk Management Controls include:-

- Delegated Authority to invest;
- Documented investment procedures;
- Investment Register to be maintained which includes control procedures to identify the nature and location of all investments and the transactions related to each investment.
- Maturity of investments to be monitored at least monthly;
- Monthly statements to be received from counterparties;
- Monthly bank reconciliations to be prepared for each account;
- Monthly report to Council; and
- Investments obtained are to comply with the following three key criteria:

a) Portfolio Credit Framework - limits overall credit exposure of the portfolio.

The following credit framework limits the percentage of the portfolio exposed to any particular credit rating category.

S&P Long Term Rating	S&P Short Term Rating	Direct Investment Maximum %	Managed Funds Maximum %
AAA	A-1+	100%	100%
AA	A-1	100%	100%
A	A-2	60%	80%



b) Counterparty Credit Framework - limits exposure to individual counterparties/institutions.

S&P Long Term Rating	S&P Short Term Rating	Direct Investment Maximum %	Managed Funds Maximum %
AAA	A-1+	45%	50%
AA	A-1	35%	45%
A	A-2	20%	40%

c) Term to Maturity Framework - limits based upon maturity of securities.

Overall Portfolio Term to Maturity Limits	
Portfolio % < 1 year	100% Max. And 40% Min.
Portfolio % > 1 year	60%
Portfolio % > 3 years	35%
Portfolio % > 5 years	25%

3002.8 INVESTMENT ADVISOR

It may be appropriate to seek external advice from an investment advisor and if so this person must be: -

- An independent person who has no conflict of interest in relation to investment products recommended;
- Approved by Council; and
- Licensed by the Australian Securities and Investment Commission.

3002.9 REPORTING AND REVIEW

- (a) Documentary evidence must be held on file for each investment and an investment register maintained by filing the monthly investment report to council in the Register.



- (b) The investment policy will be reviewed annually or as required in the event of legislative changes.
- (c) A monthly report must be provided to council detailing the investment portfolio.
- (d) The annual financial report is to include information on earnings from investments as specified by Financial Management Regulation (FMR) 49.

3002.10 LIQUIDITY

- (a) Liquidity ratio - at least 70% of total investment portfolio must be liquefiable within ten (10) days.
- (b) Maturity and Cash flow to be monitored to ensure cash funds are available to meet commitments.

3002.11 SEPARATE AND COMMON ACCOUNTS

- (a) Separate accounts must be established the following purposes: —
 - Money required to be held in the municipal fund;
 - Money required to be held in the trust fund; and
 - Money required to be held in reserve accounts.
- (b) Money from different accounts may be placed in a common account for investment purposes.
- (c) Interest earned on each individual "Reserves/Restricted Assets" will be applied to that particular account

3003 BUDGET

Preparation

All projects which Councillors wish to be considered in the budget deliberations should be submitted to the Chief Executive Officer by the 30 May.

The Chief Executive Officer is to submit a draft budget to the July meeting, it being acknowledged that estimates of receipts will be subject to variation depending on Government grants.

Council aims to settle the budget and strike the rate by July 31.

3004 DONATIONS

3004.1 DONATIONS AND GRANTS – LOCAL NATURE

Council shall consider requests for donations that are not part of normal budgetary considerations on their individual merit however, generally will decline appeals for donations:

- of a state or National nature
- if they are not concerned or connected with the local area

Exceptions to the above will be:

- Disaster or emergency appeals.

3004.2 RETURNED SERVICES LEAGUE-ANZAC DAY CEREMONY

Council is to supply the refreshments for the Anzac Day functions and also provide the use of the Recreation Centre or Pavilion at no charge.

3004.3 SUPPORTS THE NORTH MIDLAND SHOW

Upon receipt of their request, Council will donate an amount up to that allocated in the annual budget to this group to be used as prize money.



3004.4 CHRISTMAS LIGHTS COMPETITION

Council will provide a range of prizes for the Annual Three Springs Christmas Lights Competition.

3004.5 SUPPORTS THE MID-WEST GROUP OF AFFILIATED AGRICULTURAL SOCIETIES

Upon receipt of their request, this Council donate an amount up to that allocated in the annual budget to this group.

3004.6 SUPPORTS THE THREE SPRINGS WILDFLOWER SHOW

Upon receipt of their request, Council will provide the use of the Recreation Centre or Pavilion at no charge.

3004.7 SUPPORTS THE FRIENDS OF THE NORTH MIDLANDS HEALTH SERVICE

Upon receipt of their request, Council will provide the use of the Recreation Centre or Pavilion at no charge.

3005 CASH CONTRIBUTIONS/SELF SUPPORTING LOANS TO CLUBS/ORGANISATIONS AND SUPPORT TO NEW BUSINESSES IN THREE SPRINGS

Any application made to Council from any Club, or Organisation, seeking the provision of a cash contribution or self-supporting loan shall be in accordance with, as well as accompanied by, the following information

- as a general principle, funds for any project will only be considered where maximum Government (State and Federal) funding has been obtained, the Club, or Organisation, is ineligible for Government funding, or Government funding has been refused (in whole or part).

Council will be seeking evidence of procurement of, or attempted procurement of, Government grant monies.

- it must be demonstrated that Council funding is necessary to the success of the project;
- funds will only be permitted to be used for projects upon land under the care, or control, of Council, unless it otherwise determines;
- detailed project financial information including budget estimates, quotes etc. accompanied by project drawings and specifications, to a satisfactory standard, must be provided;
- detailed financial information about the Club or Organisation will also need to be provided. Such information will need to include financial statements.

Where Council considers the information as provided in accordance with the above to be satisfactory, the provision of any funds will be in accordance with the following;

- payment will only be made at the conclusion of the project, and then only in strict accordance with the determination as to amount and conditions as set by Council; unless otherwise agreed upon;
- Council reserves the right to approve/decline any application irrespective of previous decisions of a similar nature and no prior decision in any way or manner can be construed as setting a precedent.

In the case of new businesses established in Shire owned premises, Council will consider offering assistance including free rent and utility subsidies.



Where a business is conducted from within Council owned buildings a written lease agreement will be entered into.

Any business that seeks exemption from lease payments and this is granted will need to re-apply to Council on an annual basis for continuation of that exemption.

3006 DEBT COLLECTION

3006.1 RATES

1. Rate Notices shall be sent out to all ratepayers as soon as possible after the budget has been set and Installment Notices at the specified dates.
2. The Chief Executive Officer is authorised to undertake legal action for the recovery of all current and arrears rates and charges remaining outstanding either after the 35 days where no installment option has been implemented and where installments are not adhered to, exercising discretion on the amount owed and/or term outstanding when initiating such legal action. Such legal action for rates recovery can be either through the local Court or by Council Solicitors or Collection Agents as the case may warrant when all other reasonable attempts at collection have been exhausted.
3. The Chief Executive Officer is to bring to Council's attention any rates which remain unpaid for three years for a determination on selling the land for the recovery of rates in accordance with the provisions of the Local Government Act 1995.
4. That the Chief Executive Officer be authorised to utilise the services of a Debt Collector for the recovery of outstanding rates.

3006.2 SUNDRY DEBTORS

1. The Chief Executive Officer is authorised to undertake legal action for the recovery of Sundry Debtors, including the use of a Debt Collector if considered necessary, following the expiration of 30 days after the debt was incurred.
2. The Chief Executive Officer is authorised to request pre-payment for the incurring of any debt if it is felt that there is doubt as to the debt not being able to be recovered.
3. That Council require all debt collection costs, including those incurred by the use of a Debt Collector, to be paid for by the debtor before the debt is extinguished.



3007 PURCHASING POLICY

3007.1 PURCHASE OF GOODS AND SERVICES

PURCHASE OF GOODS AND SERVICES – \$150,000 or more

All contracts for the purchase of goods and services with a value of \$150,000 or more shall be in accordance with the provisions of the Local Government (Functions and General) Regulations 1996.

Council will also enforce the following additional requirements:

- That suitable local suppliers shall be notified that the tender has been advertised. Such notice will be given as soon as possible after the advertisement appears in the newspaper.
- 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.
- Council's Buy Local Policy will apply to the consideration of tender submissions.

Any decision not to call tenders for Goods or Services valued at more than \$150,000 because of one of the exceptions listed in Regulation 11(2) shall be by Council Resolution.

Before calling for tenders the CEO shall investigate whether the goods or services requested:

- Are available via a joint purchasing arrangement through WALGA,
- May be combined with the requirements of other Local Governments in the North Midlands Region to obtain better value for money.



PURCHASE OF GOODS AND SERVICES – Less than \$150,000

Before seeking quotes staff shall investigate whether the goods or services requested:

- Are available via a joint purchasing arrangement through WALGA.

Goods valued at over \$5,000 and less than \$150,000 staff will obtain 3 written quotes from alternative suppliers. The following conditions will also apply:

- All suitable local suppliers will be invited to submit a quotation even if there are more than 3 suitable suppliers,
- Staff will allow a minimum of 3 working days for a quote to be provided. If more than 3 days are provided all suppliers will be allowed that same period to respond,
- If staff are unable to or there is valid reason (uniqueness of goods or services, distance to quote, emergency services, trade services, trusted local or successful previous supplier etc) not to obtain 3 written quotes this should be documented and the purchase approved by the CEO.

Goods and services valued at over \$1,000 and less than \$5,000 staff will obtain verbal quotes from 3 alternative suppliers.

- All suitable local suppliers will be invited to submit a quotation even if there are more than 3 suitable suppliers,
- If staff are unable to or there is valid reason (uniqueness of goods or services, distance to quote, emergency repairs, trade services, trusted local or successful previous supplier etc) not to obtain 3 written quotes this should be documented.

Goods and services valued at up to \$1,000 may be purchased with a single satisfactory quotation. Staff should ensure that local suppliers are considered first and that value for money is being obtained. If there is any doubt about whether value for money is being obtained, additional quotes should be sought. Suppliers should be aware that price might be only one of a number of criteria used to determine the best value for money for the Shire of Three Springs.

3007.2 AUTHORISED PURCHASING OFFICERS

The officers are appointed as authorised purchasing officers within the following ranges:

- Community Emergency Services Manager \$0 - \$200
- Building Maintenance Officer, Senior Finance & Administration Officer \$0 - \$500
- Works Supervisor \$0 - \$1,000
- Manager of Finance \$0 - \$50,000
- Chief Executive Officer \$0 - \$99,999

Where an officer requires goods and services above their approved limit the purchase order is to be countersigned by their line supervisor or the Chief Executive Officer.



3007.3 PURCHASING POLICY - OCCUPATIONAL SAFETY AND HEALTH

Many Hazards need not enter the workplace. Items that are purchased must be assessed for their design safety and health features and other implications such as cleaning, maintenance and re training staff in their use prior to their being purchased. It is the policy of the Shire that items being purchased shall be assessed as to their potential health affect on the workforce, consideration by the Manager and Supervisors and/or OSH Committee must occur to prevent hazards entering the workplace.

Purchasing items refers to all items that impact on the safety and health of employees. This includes new and second hand items chemicals, dangerous goods, plant and equipment.

Purchases should be made after conducting a risk assessment as per the checklists as attached in Schedule 2:

- OSH PURCHASING & RISK ASSESSMENT OF NEW PLANT OR EQUIPMENT FORM
- OSH PURCHASING & RISK ASSESSMENT OF NEW MOBILE PLANT FORM

Only purchases that have been selected against the above criteria shall be brought into the workplace.

Non-Standard Items

Purchases of non-standard items that impact on the workplace shall be, subject to a risk assessment based on the above criteria by the OSH Coordinator. T

This risk assessment should also include the environmental impact of plant and equipment, eg. damage to roads, accessibility e.g. roundabouts, product life cycle, and capital replacement, maintenance costs, cleaning costs and training costs.

New building plans of Shire Buildings shall be assessed by the OSH Coordinator in consultation with employees to ensure OSH considerations have been met.

Commissioning of Plant, Equipment and Buildings shall include the OSH Coordinator and employee representation in the process.

OSH Approval is required on purchase orders and requisitions independent of any financial approval and before the order is placed with the suppliers.



3008 REGIONAL PRICE PREFERENCE – LOCAL GOODS AND SERVICES

Purpose

The policy is designed to meet the following objectives:

- To contribute to regional sustainability by supporting local businesses; and
- To provide the best value for money for the Shire of Three Springs.

Interpretation

Local Business – is a business that maintains its primary place of business in the Shire of Three Springs or has 80% of its business activity in the Shire of Three Springs.

Sub Regional Business – is a business that maintains its primary place of business in the sub-Region, or has 80% of its business in the sub-region. For the purposes of this policy, sub regional businesses are those located within Shires of the North Midlands Zone of WALGA.

Regional Business – is a business that maintains its primary place of business in the region or has 80% of its business activity in the region. For the purposes of this policy the region consists of those Shires located within the State development commission regions of Mid-West.

Policy

When comparing bids from suppliers of Goods and Services, prices will be reduced for evaluation purposes only, as set out in the table below:

Goods and Services (Excluding Works)

Supplier	% Reduction	Maximum Differential
Local Business	10%	\$5,000
Sub Regional Business	4%	\$2,000
Regional Business	2%	\$1,000

Works – Total Bid Price

Supplier	% Reduction	Maximum Differential
Local Business	5%	\$5,000
Sub Regional Business	2%	\$2,000
Regional Business	1%	\$1,000

Works – Local Content (In addition to Total Bid Price Reduction)

Supplier	% Reduction	Maximum Differential
Local Business	5%	\$5,000
Sub Regional Business	2%	\$2,000
Regional Business	1%	\$1,000



3009 CORPORATE CREDIT CARD

Introduction

A corporate credit card will be issued to certain Senior Officers of the Shire of Three Springs to expedite authorised business expenditures on behalf of the Shire, therefore improving administrative practices and the effective cash management of the Shire.

Definitions

Credit Cards – Is defined as a facility allowing the cardholder to pay for goods and services on credit.

Business Expenses – Is defined as any expense necessary to the conduct of the business or is allowed under the terms of the employee’s contractive employment with the Shire or relevant Council policies.

Personal Expense – Is defined as any expense not of a business nature.

Issue of Credit Cards and Limits

Council shall provide credit cards to the following positions, for the listed credit limit amounts

Chief Executive Officer	\$8000
Manager of Finance	\$3000

All new and existing cardholders shall be provided with a copy of the policies in relation to the use of credit cards and will be required to sign a statement in acknowledgement of such upon issue of their first card.

If the cardholder should lose or misplace their card, they must personally and immediately report it to the bank of issue.

The card is to be withdrawn in the event that the Officer’s employment ceases.

Corporate Credit Card Purchasing

The Officer is only to use the corporate credit card for business expense purchasing of goods and services on behalf of the Shire of Three Springs.

Cash withdrawals are strictly prohibited.

The corporate credit card credit limit will be set by Council and reviewed at least once a year at the time all policies and procedures are reviewed.

Personal expenditure on the Shire of Three Spring’s corporate credit card is strictly prohibited.

All purchase by the Shire of Three Spring’s corporate credit card must be accompanied by an appropriate tax invoice/receipt to ensure the Shire is able to claim all input tax credits in accordance with the requirements with the Australian Taxation Office.



In the event individual invoices/receipts are not available then the corporate credit card statement of expenditure is to be utilised to claim income tax credits under the condition that this statement complies with the Australian Taxation Office requirements.

Reporting Requirements

The Shire of Three Spring's corporate credit card statement of expenditure is to be endorsed by the Officer as all expenditure items listed on the statement being authorised and undertaken by him/her.

The endorsed credit card statement of expenditure is to be included with the financial reports presented to Council in the Agenda's for the Ordinary Meetings of Council for Council information.

General Conditions

The Officer must surrender the Shire of Three Spring's credit card upon termination of his/her services within the Shire of Three Springs or when resolved to do so by Council.

All Corporate credit card incentives (e.g. *fly buys*) are not to be acquired or accumulated by the Officer for his/her personal use of gain.

Any such credit card incentives associated with the Shire of Three Spring's corporate credit are to be utilised for the benefit of the Shire of Three Spring's business expense operations only.

All expired Shire of Three Spring's corporate credit cards are to be destroyed by the Chief Executive Officer upon receipt of a new or replacement card.

Any breach of this policy is to be reported to Council for information and action if deemed necessary.

Non Compliance with Directions on Use

Where it is deemed that the cardholder has not acted within the guidelines provided above, the alleged infraction will be referred to the Chief Executive Officer, or in the case of the CEO as the cardholder, to the Shire President, who will have the matter investigated and implement whatever action is considered appropriate. This may involve the use of the card being withdrawn from that Officer, and/or direct disciplinary action to be taken against the Officer.

3010 RELATED PARTY DISCLOSURE

POLICY INTENT

The purpose of this policy is to provide guidance to Council to achieve compliance with the *Australian Accountant Standard AASB 124 – Related Party Disclosures*.

The Standard requires that all local governments disclose in their Annual Financial Reports, related party relationships, transactions and outstanding balances.



POLICY SCOPE

This policy applies to Related Parties of Council and their transactions with Council.

POLICY BACKGROUND

All councils in WA must produce annual financial statements that comply with the Local Government Act 1995 and Local Government (Financial Management) Regulations 1996 and the Australian Accounting Standards.

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

The objective of the standard is to ensure that an entity's financial statement contain disclosures necessary to draw attention to the possibility that its financial position and financial performance may have been affected by the existence of related parties and transactions.

POLICY STATEMENT

1. IDENTIFICATION OF RELATED PARTIES AND TRANSACTIONS

A related party is a person or entity that is related the Council

For the purpose of this policy, related parties of Council are;

- A subsidiary, associate or joint venture of Council
- Key Management Personnel (KMP)
- Close family members of KMP
- Any entities controlled or jointly controlled by KMP or their close family members

1.1 Subsidiary, associated or joint venture of Council

These are entities that are controlled by Council, jointly controlled by Council or over which Council has significant influence.

For the purpose of this policy, Council have only one entity in this category.

1.2 Key Management Personnel (KMP)

Key Management Personnel (KMP) are, persons having authority and responsibility for planning, directing and controlling the activities of Council either directly or indirectly.

KMP's for the Council are considered to be;

- Councillors (including the President)
- Chief Executive Officer
- Deputy CEO
- Managers including Works Supervisor
- A person acting in the Chief Executive Officer or Senior position (that are not already identified as a KMP).



Council requires all KMP's to fill out a Related Party Declaration form (as per **Appendix 1**) identifying the following;

- their close family members
- entities that they control or are associated with; and
- entities that their close family members control or jointly control

Declarations are required annually each financial year. Should an individual's circumstances materially change in the year a new declaration must be completed.

1.3 Close family members of KMP

Close family members are people who may be expected to influence or be influenced by, that person in their dealings with Council and include;

- that person's children and spouse or domestic partner
- children of that person's spouse or domestic partner
- dependants of that person or that person's spouse or domestic partner

KMP shall identify close family members through the Related Party Declaration form

1.4 Entities controlled or jointly controlled by KMP or their close family members

Entities include companies, trust, joint ventures, partnerships and non-profit associations such as sporting clubs.

Key management personnel shall identify all entities through the Related Party Declaration form.

Transactions between Council and related parties, whether monetary or not, are required to be identified. The types of transactions may include;

- Grants and Subsidy payments made to associated entities of Council
- Non-monetary transactions between Council and related parties
- Goods and services provided by Council to related parties
- Purchase of materials and services from related parties
- Compensation made to key personnel
- Fees and charges charged to related parties
- Infrastructure contributions and application fees from related parties
- Guarantees given or received
- Provision of doubtful debts related to the amount of outstanding debts
- Purchase or sale of property and other assets to related parties
- Employee expenses for close family members of key management personnel
- Lease agreements for housing rental to related parties

2. ASSESSMENT OF RELATED PARTY TRANSACTIONS AND DISCLOSURES

Once the related party transactions have been identified they will be analysed by the Manager Finance. Where transactions are found to be of material or significant nature, they will be disclosed in the financial statements.



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

- Significance of transaction in terms of size
- Whether the transaction was carried out on non-market terms
- Whether the transaction is outside normal day-to-day business operations, such as the purchase and sale of assets
- Whether the transaction is disclosed to regulatory or supervisory authorities
- Whether the transaction has been reported to senior management
- Whether the transaction was subject to Council approval.

Transactions or balances that occur within an **ordinary citizen transaction** shall be excluded from the detailed disclosures.

2.1 Ordinary Citizen Transaction (OCT)

Transactions with related parties of Council which are of a nature that any ordinary citizen would undertake will not be captured and reported. These transactions are not material transactions because of their nature. However, if the OCT occurs on terms and conditions that are different to those offered to the general public the transaction may become material and subsequently disclosed.

Ordinary Citizen Transactions shall include:

- Use of Council facilities, equipment and services in accordance with Council's fees, charges and policies;
- Payment of rates and charges;
- Attendance at Council functions and activities that are open to the public;
- Payment of fines and other penalties on normal terms and conditions; and
- Related party transactions occurring during the course of delivering Council's public service objectives and which occur on no different terms to that of the general public

Amendments to transactions classified as Ordinary Citizen Transactions may be identified from time to time and this policy will be amended accordingly.

3 KEY TERM DEFINITIONS

Related Party Transaction - is a transfer of resources, services or obligations between the Council and a related party, regardless of whether a price is charged

Related Party - as defined in Section 1.0 of this policy.

Entities – as defined in Section 1.4 of this policy.

Key Management Personnel - as defined in Section 1.2 of this policy

Close family members of a person - are those family members who may be expected to influence or be influenced by, that person in their dealings with Council and include;

- at person's children and spouse or domestic partner
- children of that person's spouse or domestic partner
- dependants of that person or that person's spouse or domestic partner

Materiality - means the assessment will be assessed on a case by case basis assessing if the amount and/or



nature of the transaction would be considered beneficial to the related party.

Ordinary citizen transactions - means a transaction that an ordinary citizen of the community would undertake in the ordinary course of business with Council.

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, 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, post-employment life insurance and post-employment medical care;
- Other long-term employee benefits, including long-service leave 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, bonuses and deferred compensation;
- Termination benefits; and

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.

4 REVIEW POLICY

It is the responsibility of the Finance Manager to monitor the adequacy of this policy and approve appropriate changes.

5 RELATED DOCUMENTS

Local Government Act 1995
Local Government Financial Management Regulation 1996
AASB 124 Related Party Disclosures
AASB 10 Consolidated Financial Statement AASB 11
Joint Arrangements

Policy structure: 3000 - Finance
Policy number: 3010 - Related Party Disclosure Policy (New)
Policy adoption date: 19th September 2018



4000– PERSONNEL

4001 EQUAL EMPLOYMENT OPPORTUNITY STATEMENT

The Shire of Three Springs (Council) aims to provide an environment of fairness and equity in its workplace. Council believes that equal opportunity creates a more harmonious and productive workplace, which not only benefits Council, but also, the wider community.

Council considers it the right of every individual to carry out their job in an environment which promotes job satisfaction, maximizes performance and provides economic security. Such an environment is dependent of it being free from all forms of harassment, discrimination and victimisation.

Council operates under the following State and Federal Legislation (as amended):

- The Fair Work Act 2009
- The WA Equal Opportunity Act 1984
- The Racial Discrimination Act (Cth) 1976
- The Sex Discrimination Act (Cth) 1984
- The Human Rights and Equal Opportunity Commission Act (Cth) 1987
- The Disability Discrimination Act (Cth) 1992

In accordance with the WA Equal Opportunity Act 1984, the Shire of Three Springs shall develop and maintain an Equal Opportunity Management Plan.

DEFINITIONS

Discrimination is treating someone unfairly due to their race, sex, marital status, pregnancy, impairment, religious or political conviction, age, family responsibility or family status. These grounds may change as legislation is amended.

Harassment is defined as any unwelcome, offensive comment or action relating to the grounds of discrimination. It is behaviour towards another employee that is offending, humiliating or intimidating. It shall not be condoned and if necessary, disciplinary action shall be taken.

Any individual who experiences harassment should immediately make it clear to the person(s) concerned that such behaviour is unwelcome. However, if the individual has difficulty in doing this, then assistance should be sought from others to meet with the person(s) concerned.

Council will exercise the conditions and requirements of its Equal Opportunity Diversity Plan.

(See Appendix A for Equal Opportunity Diversity Plan)



4002 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 recognizes 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 unwelcome 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 recognizes 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 or 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 has been adopted (see Appendix B) and will be utilised to effectively resolve complaints of sexual harassment.

The Chief Executive Officer is to be the nominated Grievance Officer.



4003 APPOINTMENTS

The Senior Executive Staff shall consist of Chief Executive Officer, Manager of Finance and Works Supervisor. Any recommendations to increase staff levels are to be submitted to Council with full details to justify such increase.

4004 MEDICAL AND POLICE CLEARANCE CERTIFICATES – APPOINTMENTS

All applicants for any Council position are to be advised that appointment will be subject to the appointee obtaining a satisfactory Medical Certificate at Council's cost, with the Medical Examiner being advised of the duties and activities for the position and the requirement for a current National Police Clearance. Council will reimburse the cost of obtaining a National Police Clearance.

4005 SUPERANNUATION

Council contribution to staff superannuation shall be at 9% of salary (or as legislation decrees) plus up to 3% matching contribution if employee contributes, or as negotiated in the contract of employment.

4006 PROFESSIONAL DEVELOPMENT

Council supports the training and professional development of elected members and staff to meet identified needs and adequately carry out their duties and further develop their careers.

Council also acknowledges the value of staff attending conferences and the CEO will consider each request for such attendance on its merits.

Council will make adequate provision in the annual budget for costs incurred as per policy in the provision of training/professional development and conference attendance. Attendances to be within budget unless approved by Council.

4006.1 PAYMENT OF EXPENSES

Where an officer is authorised to attend a conference or course, Council shall pay for fees, travelling and accommodation costs.

Where an officer is required to travel on approved Council business, Council shall pay travelling and accommodation costs.

Travelling costs shall be:

- In the case of travel by motor vehicle, travel shall be in a Council vehicle unless agreed between Council and the officer.

A condition of agreement will be that in the absence of the above the following applies:

- In the case of travel by motor vehicle (other than Council's), travelling expenses means fuel and oil costs only,
- In the case of other types of travel, the actual cost of travel.



4006.2 STUDY LEAVE

Support through study leave and financial assistance up to an amount of \$2000 may be provided to approved employees undertaking external study in areas relevant to the Shire.

4007 CORPORATE UNIFORMS

Council supports the wearing of a Corporate Uniform for Council's Administrative Staff. Council will purchase agreed uniform clothing with staff permitted to reimburse expenditure above the annual allocation by way of salary deductions arrangements.

4008 EMERGENCY SERVICES LEAVE

It is recognised that the participation of employees in volunteer emergency organisations is a positive and often vital role, particularly in smaller remote communities such as those in the Three Springs Shire. Employees seeking leave to participate in a volunteer emergency service organisation under this Policy must provide certification that they have become members of a recognised volunteer service organisation.

Objective

To recognise that members of recognised emergency service organisations employed by the Three Springs Shire Council can access a reasonable amount of additional leave for that purpose.

Procedure

1. Paid leave of up to 38 hours per calendar year will be granted to employees who are members of an approved volunteer emergency service organisation (such as St John Ambulance or Bush Fire Brigade) for the purpose of participating in training or service, at the discretion of the employee's Supervisor. This leave will be in addition to annual leave entitlements.
2. Service or training in excess of 38 hours per calendar year is subject to the approval of the Chief Executive Officer and is conditional upon the likely disruption to the employee's work.
3. Paid leave granted under this Policy will be treated as continuous service for the purposes of calculating annual leave, long service leave, sick leave or any other entitlements. Unpaid Leave will be treated as leave without pay.
4. Employees requiring to take Emergency Service Leave are to provide reasonable notification to the Shire of Three Springs, and have the leave approved by their Manager.
5. Employees granted paid leave under this Policy shall be paid for time absent from duty up to the total of ordinary time usually worked in that day or period during the emergency, but not including time in excess of ordinary working hours, weekends or public holidays.

Responsibility

Supervisors are required to approve Emergency Service Leave and ensure that appropriate documentation is supplied by the employee. Council will subsidise staff uniforms up to \$400.00 per annum (or as per negotiated in employment contracts) for recognised corporate uniforms subject to the uniform being worn.



4009 MOTOR VEHICLES

4009.1 COUNCIL VEHICLES ISSUED TO STAFF

The following staff shall have Council vehicles issued to them under the following conditions:

1. Chief Executive Officer – as per negotiated salary package.
2. Manager of Finance – as per negotiated salary package.
3. Works Supervisor – as per negotiated salary package.
4. Building Maintenance Officer, Mechanic and Gardener – commuting use only
5. That those Officers entitled to private use of Councils' vehicles be required to charge all fuels and oils through Councils' accounts and be responsible for all amounts relevant to the private use of such vehicles as per employee contracts.

4009.2 CARE OF VEHICLES

As a general condition all officers with a vehicle in their care are required to clean the vehicle regularly in his/her own time and cost and garage it in a secure place.

4009.3 COMMUTER USE

The CEO shall be authorised to allow temporary commuter use of a vehicle.

Commuter use being defined as use of a motor vehicle to and from a place of residence to work during the absence of any of the abovementioned officers, or when considered necessary in the interests of Council operations.

In recognition of its interest in the welfare of its employees, the Council authorises the CEO or Acting CEO, or in his absence the Works Supervisor to allow after hours personal usage of plant to employees subject to the following:

- Usage will be permitted within the Three Springs townsite area, to those employees who are conversant with the operating capabilities of the plant that they propose to use and subject to their signing an agreement to accept full responsibility for any loss or damage to that plant caused by other than fair wear and tear and is not to be utilised for obtaining any personal financial gain from a third party.
- Where the use, or intended use, of plant is likely to conflict with usage by Council of that plant, then permission will not be given.
- Unless specific justification can be provided to show otherwise, usage of Shire plant is restricted to certain items of machinery, as determined by the CEO.
- Specific justification will also have to be shown of the need for any usage outside of the Three Springs town site.

4009.4 USE OF COUNCIL'S VEHICLES BY COUNCILLORS/STAFF/THIRD PARTIES

During June each year Council is to make persons who are authorised to drive its vehicle aware of the following exclusions and advise them that failure to advise Council of matters likely to be affected by these exclusions could lead to Council's Insurer subrogating Council's right of recovery against the driver in the event of an accident where any of these exclusions apply.

Exclusions included in Council's Motor Vehicle Policy;

Loss, damage or liability caused whilst the vehicle is being driven by or in charge of any person;



- a) Under the influence of intoxicating liquors and/or drugs, or
- b) In connection with the relevant accident, subsequently convicted of or issued with an infringement notice for:
 - i) Driving under the influence of alcohol, drugs, or alcohol and drugs, or
 - ii) Driving while the percentage of alcohol in the blood exceeds that permitted by the law of any State or Territory, or
- iii) Refusing to provide or allow the taking of a sample of breath, blood or urine for the preliminary testing or for analysis by law or any State or Territory for the purpose of ascertaining the percentage of alcohol in the blood.

Providing that this Exclusion shall not apply to indemnity and/or insurance provided on behalf of any other person or party if such person or party proves that he did not consent to the vehicle being driven by or being in charge of the person in control of the vehicle at the time of the accident.

- 1 During June each year each Employee/Councillor/Third Party are to be directed to provide to Council a copy of proof of a current valid Driver's License.
- 2 During June each year each employee/Councillor/Third Party be advised that they must advise Council in writing at the time of the occurrence, of any driving offence, suspension, infringement, cancellation, special conditions or other action that may adversely affect Council's insurance Policy.
- 3 Following any report received, under paragraph 3 above, the Chief Executive Officer be authorised to review and, if considered necessary, refuse the Employees/Councillors/Third Party's privilege of the use of Council vehicles. The advice of Council's Insurers will then be sought to clarify Council's position.
- 4 Failure by any Employee/Councillors/Third Parties to produce proof of a current valid Driver's License may result in that Employees/Councillors/Third Party's privilege of the use of Council vehicles being withheld until such proof can be provided.

4009.5 PERSONS ELIGIBLE TO DRIVE COUNCIL VEHICLES

Private usage vehicles can be driven from time to time by the spouse or partner of the Council employee allocated the use of the vehicle.

Any person who is the holder of an appropriate current driver's license may also drive a private usage vehicle so long as they are accompanied by an authorised officer.

Commuter use vehicles may only be driven by the nominated driver.



4009.6 DISQUALIFICATION OR CONVICTION

Introduction

An employee is required to notify their supervisor/manager at the earliest opportunity when they lose their license.

An employee who has lost their license must not operate any Local Government vehicle. Any employee who does operate a vehicle whilst not in possession of a current driver's license will face disciplinary action. Driving a Local Government Vehicle whilst not possessing a current driver's license is violating the law and can potentially be invalidating the Local Government's vehicle Insurance Policy.

Where an employee has lost their driver's license and it is a requirement of the position that they hold a current, C, LR or MR Class license, then the employee's immediate Supervisor and/or Chief Executive Officer shall formulate a strategy to deal with the situation based on the individual merits of the case.

Drugs and Alcohol; "any employee convicted of an alcohol or other drug offence while drive a Shire vehicle places themselves at serious risk of dismissal, particularly where such conviction results in the loss of the employee's motor driver's license and the license is an essential element of the employee's term of employment".

Factors that shall be taken into account include:

- The extent to which the employee is required to use the Local Government's vehicles in performing the functions of their role;
- The reason for loss of license;
- Whether alternative duties/suitable vacancies are available;
- The employee's length of service, work performance and behaviour record; and
- The length of time before the employee will gain an extraordinary license/regain their driver's license.

Procedure

Depending on the merits of any particular case, the following strategies may be implemented:

- The employee shall perform alternative duties which do not require a driver's license within their current section/division;
- The employee shall be redeployed elsewhere within the Local Government;
- The employee shall apply for and be granted annual leave, long service or leave without pay; and
- The employee's services shall be terminated.

The Chief Executive Officer shall have the final say as to whether employment shall continue. However, the affected employee shall be advised of their right to contest any such decision through the appropriate dispute resolution process.

Should an employee's services be terminated that person may reapply for employment should a suitable vacancy be advertised once they have regained their licence.



Any redeployment to an alternative position shall be for a limited time period until the employee's license is reinstated. However, an employee may remain in the alternative position if the Local Government believes that the employee will re-offend during work time and compromise the Local Government's duty of care to the community.

An employee will receive the relevant rate of pay under their award for the alternative position during this period.

Due to the employer's duty of care to the community, those people who have previously lost their license due to a drink driving charge may be required at the discretion of the Chief Executive Officer to undergo a breath test before and after the use of a vehicle.

4009.7 INSURANCE CLAIMS

Condition 1 - If a Council vehicle is involved in an accident while being driven by the employee or another person authorised by the employee, and that person is convicted of that offence, the employee may, in the event that Council's Insurer disclaims liability, be responsible for all costs incurred.

Condition 2 - In the case of an accident, should Council's Insurer refuse indemnity due to the action or condition of the driver, the driver may be liable for all costs resulting from the accident associated with the claim.

Subject to the above conditions, Council shall be responsible for the payment of all costs in respect of any accident occurring whilst a vehicle is being used for business or authorised private use.

4010 COUNCIL CLEANER – USE OF OWN VEHICLE

That the Shire Cleaner be provided with a weekly fuel subsidy whilst using their own vehicle to complete the duties of that position. The amount of the subsidy is to be set each year as part of the budget deliberations.

4011 PAYMENTS TO EMPLOYEES IN ADDITION TO CONTRACT OR AWARD

The Shire of Three Springs does not support any payment to employees either under Contract or Award other than that specifically set out in that Contract or Award when such employees finish with this Council.

If the Council consider an individual case appropriate, it will exercise its power under Section 5.50 (2) of the Local Government Act 1995 whereby if so resolved by Council Local Public Notice will be given in relation to any such additional payments to any specific employees.



4012 ACCRUED HOURS

Accrued hours are aimed at increasing an employee's access to flexible working hours and maximizing operational productivity of teams.

Accrued hours are additional hours that employees work which they may 'save' to use as time off as approved leave at a later date.

All full-time and part-time employees will be given reasonable opportunity to accrue hours.

If employees work reasonable additional hours/overtime they can negotiate with their supervisor whether they accrue the hours. These hours must be noted on the employee's time sheet as accrued hours and calculated by the payroll function.

Some examples of how accrued hours can be worked are outlined below:

- An employee can accrue 7.6 accrued hours each month and negotiate with the relevant supervisor to take these hours as a day off (accrued day).

Accrued hours can be taken off in conjunction with other forms of leave.

Accrued hours will be capped at 38 hours.

Once the 38 hour cap has been achieved, a supervisor may request in writing for an employee to utilize some or all of the hours accrued.

The employee and supervisor are required to reach a mutual agreement about when the accrued hours can be taken as leave.

Where operational requirements prevail, the cap of 38 hours may be extended with the written permission of the CEO. Payroll will not credit above the cap without written permission from the CEO.

The supervisor and the employee will work together to ensure that the employee does not exceed their cap.

Accrued hours cannot be cashed in. The Shire encourages employees to use accrued hours to achieve life balance.

All casuals are excluded from this Clause.



4013 PERFORMANCE MANAGEMENT

Introduction

In order to maintain the highest standards in all areas it is essential that the behaviour of all staff members reflects the values of respect for other people, impartiality, honesty and integrity and that staff members are competent in the performance of their duties. Managing poor performance or inappropriate behaviour in the workplace can also prevent low morale amongst other employees.

Performance management ensures that not only are the business requirements of Council met, but employees are informed about what is expected of them and in particular what is acceptable behaviour in the workplace.

RESPONSIBILITIES

1. It is the responsibility of Supervisors to monitor performance and implement performance management and improvement measures when required.
2. It is the responsibility of employees to make every effort to improve unsatisfactory work performance or conduct when a need has been identified and co-operate with their supervisor to implement improvement programs.

DISCIPLINARY PROCEDURE

Managing performance effectively may often eliminate the need for disciplinary action, however sometimes despite all efforts, disciplinary action will be required.

The incremental approach of three formal warning emphasises the increasing seriousness of the matter and provides time for improvement. However, in serious cases of misconduct an employee may be summarily dismissed at any stage if the circumstances are of such a serious nature to warrant it.

Step 1 Counselling and First Warning

The employee is to be counselled regarding their poor performance or conduct, as follows;

The Supervisor is to:

- State the standard of work or conduct expected
- State where the employee is failing to meet these standards
- Discuss with the employee the reason/s for the poor performance or conduct
- Allow the employee a right of reply and provide consideration of their reply.
- Inform the employee of the consequence if the issue is not resolved
- Reach an agreement with the employee on an improvement plan and review period
- Prepare a written record of the discussion, improvement plan and agreed review period. The employee signs this record, adds any relevant comments and signs. The written record shall be kept on the



employee's personnel file and employee is entitled to sight and sign the written record and add any comments regarding its content.

Step 2- Second Written Warning

Counselling occurs again as above. If unsatisfactory work performance or conduct reoccurs, the employee is to be given a formal letter of warning (**Second Warning**)

Step 3 - Third and Final Written Warning.

Counselling occurs again, as above. If the employee's unsatisfactory work performance or conduct continues or resumes, a written third and final warning is to be given to the employee stating that if the issue is not immediately resolved further disciplinary action will be taken.

If the employee's actions are unlawful the matter may be reported to the police, the Independent Commission against Corruption or other relevant agency.

Step 4- Final Actions

After complying with the above procedure, Council may:

- Demote the employee to a lower paid position
- Suspend an employee without pay from work for a specified period of time.
- Terminate the employment of the employee.

4014 PERFORMANCE REVIEW

ANNUAL REVIEWS

Annual reviews will be conducted in the period between July and September each year. At the assessment the supervisor and the employee will review and discuss the employee's performance over the preceding twelve months and the supervisor will determine if the employee is to maintain their current salary level, be recommended for a salary increase or requires further training.

As part of the review process the supervisor and employee will set future expectations and goals for the next twelve months. If required additional training and development needs will also be identified.

Upon completion of the assessment the supervisor is to forward all relevant documentation to the CEO for approval. The CEO will review all performance review information to ensure the process has been completed to an acceptable standard.

Every attempt will be made to pay approved increases as soon as possible following successful completion of the review process.



MID YEAR REVEIWS

Mid-year reviews will be conducted in between January and March each year. The purpose of this review is to assess core values, discuss progress to date, provide support and feedback and identify any issues or concerns. If organization priorities change it may also be necessary to amend performance objectives set at the annual review to reflect changing conditions.

NOTE; An employee who has been the subject of disciplinary action during the period since the last review will not normally be considered for a step increase or bonus payment.

TRAINING AND DEVELOPMENT

Supervisors and staff will jointly identify training and development needs and opportunities. These may include any shortfall in skills or performance; specific needs to maintain current skills, development of new skills to achieve agreed objectives and job specific criteria.

It should however be noted that an employee's inability to meet required standards may not always be a training and development need but rather a performance management issue. In this case strategies to deal with poor performance should be adopted.

4015 GIFTS (NON STAFF)

Where Trainees or Work Experience students perform non remunerated work for the Shire the CEO may authorise a gift to the value of \$50.00 which may include the provision of a meal.

4016 REMOVAL EXPENSES

As per Employment conditions, the removal expenses will be paid to Senior Staff based on the lowest of three quotes, up to a maximum of \$4,000, and on the condition that the applicant will repay 50% of that cost if the employment is terminated for any reason within six months.

4017 PERSONAL LEAVE

Employees who are claiming Personal Leave for absences of more than 1 day (consecutively) are required to produce evidence that will satisfy a reasonable person that the absence is justified.

Should there be reason to request a higher level of evidence, such as a consistent pattern of absence, the Chief Executive Officer or delegated officer may request this.

Satisfactory evidence of absence from work on Personal Leave is in the form of a Medical Certificate provided by a doctor or Statutory Declaration.



5000 – HOUSING

5001 ALLOCATIONS OF STAFF HOUSING

When Council Housing becomes available it will firstly be offered to Council Staff and the Chief Executive Officer is given the power to approve all housing allocations. Should Council Staff not require housing assistance, then the vacant residence/s is to be offered for lease by advertisement at the current market rental value.

5002 RESIDENTIAL RENTALS/LEASES

All residential rentals/leases will be covered by a written agreement in accordance with the Residential Tenancies Act and will include a bond. The bond amounts are to be set by Council for both Council employees and private tenants and be reviewed annually.

Council employee tenants are to be given the option of paying the bond amount by installment deductions from their pay.

5003 TELEPHONES IN COUNCIL AND STAFF HOUSES

Payment of telephone expenses in staff residences will form part of contract negotiations with individual staff members.

5004 WATER CONSUMPTION FOR STAFF OCCUPYING COUNCIL RESIDENCES

That Council will pay all water rates and portion of consumption charges for staff occupying Council residences up to an agreed amount as part of its operating maintenance. Water consumption charges limited to \$750.00 per annum (Based on \$28.85 per fortnight).

5005 WATER CHARGES FOR STAFF OCCUPYING NON-COUNCIL RESIDENCES

That Council as part of its operating maintenance will pay water rates together with water consumption charges incurred by staff whilst occupying non-Council property up to a maximum of \$1,300.00 per annum (Based on \$50.00 per fortnight).

5006 WATER CHARGES FOR NON-STAFF OCCUPYING COUNCIL PROPERTY

Council will meet the cost of the annual water and sewerage rates as part of its operating maintenance programme.

5007 PRIVATE RENTAL SUBSIDY FOR STAFF OCCUPYING NON-COUNCIL HOUSING

That Council pay a subsidy allowance to a maximum of \$100.00 per week to staff occupying non-Council housing to compensate for non-supply of Council house. This subsidy not provided to staff who vacate or do not wish to occupy allocated Council house.

6000 – COUNCIL BUILDINGS, RESERVES, PARKS & GARDENS

6001 SWIMMING POOL



6001.1 ADMISSIONS TO SESSIONS

Patrons using the pool must pay the normal admission fees for each session. Normally a “session” is one whole day. The manager reserves the right to charge where he/she cannot identify whether a person has previously paid an admittance fee to that session.

6001.2 ADMITTANCE AGE INTO SWIMMING POOL

That any child under 8 must be accompanied by a person of 16 years or over or hold a swimming competency certificate of Level 6 or better.



6001.3 CHILDREN SEASON TICKET

Applies to all persons under the age of 17 years provided they do not meet the following situations;

- a) They are employed.
- b) They are in receipt of unemployment benefits.

6001.4 FAMILY SEASON TICKET

To cover two adults and all children except those children who are in receipt of unemployment benefits, are employed or have attained the age of 17 years of age.

6001.5 PRIVATE HIRE OF SWIMMING POOL

Private hire of the pool is by arrangement only with the Pool Manager and Chief Executive Officer.

The Chief Executive Officer be authorised to consider and decide on all applications for use of the Swimming Pool subject to;

- 1. No Alcohol to be allowed on the premises,
- 2. The Pool Manager to be in attendance at all times,
- 3. The grounds and facilities to be left in the state they were found.

That if the pool is booked for private functions and the weather is very hot and the pool would normally stay open, the Chief Executive Officer may use his discretion in allowing the pool to remain open to the General public.

If the pool remained open to the general public no extra charge would be levied on the private user.

6001.6 SWIMMING POOL KIOSK

The Pool Manager will be granted permission to operate the kiosk at the swimming pool as a part of their employment agreement.

The nature of items to be sold to be limited to soft drinks, tea and coffee, ice-creams, confectionary and pre-packaged food.

The facilities are not to the standard to allow for the preparation of other types of food and also the preparation of this type of product is seen as a potential distraction to the main role of the employee as Pool Manager.

6001.07 SMOKING

Smoking is only permitted in designated open air areas as determined by the Swimming Pool Manager and Environmental Health and Building Officer.

6002 HALLS AND SPORTS PAVILION HIRE

The following rules and application form shall apply to hirers of the Three Springs Sports Pavilion and Community Hall:



**SHIRE OF THREE SPRINGS
PAVILION/HALLS
APPLICATION FOR HIRE AND
PERMISSION TO CONSUME AND/OR SELL LIQUOR**

APPLICANT: _____

ADDRESS FOR SERVICE OF ACCOUNT: _____

NAME OF CONTACT: _____

TELEPHONE NO: _____

HIRE

VENUE: _____

DATE: _____

TIME: _____

PURPOSE: _____

LIQUOR PERMIT

VENUE: _____

DATE: _____

START TIME: _____ **FINISH TIME:** _____

If you are SELLING liquor, have you applied for a permit from the Department of Racing, Gaming and Liquor

CERTIFICATION

I hereby certify that I am fully aware of the hire conditions as shown on the rear of this form.

Signature: _____ Date: _____

OFFICE USE ONLY

Application Approved/Disapproved

C.E.O. _____ Date: _____



SHIRE OF THREE SPRINGS

THREE SPRINGS SPORTS PAVILION & COMMUNITY HALL

To the Hirer,

Following are the conditions of hire of any facility at the Three Springs Recreation Centre and Town Hall.

1. All hire charges must be paid at the Shire Office before keys will be issued.
2. If a key(s) is lost, the relevant lock(s) will have to be renewed and the actual cost of this replacement will be the responsibility of the hirer.
3. It is the responsibility of the hirer to ensure that the conduct of the persons present at the time of their function is orderly.
4. It is illegal to consume liquor on any part of the building and grounds without the prior written approval of the Council. An additional license must be obtained from the Police Station for the sale of liquor.

Liquor Consumption Conditions

- a) Compliance with all liquor laws and regulations relating to the consumption of liquor;
 - b) Ample soft drink is to be available for minors and non-drinkers; and
 - c) Police approval having been obtained to continue after midnight.
5. The cleaning of all facilities used is the responsibility of the hirer, however if the premises have been left in an untidy state and Council is required to clean them, costs involved in such cleaning will be payable by the hirer. Sticky tape is not to be used on walls.
 6. At the discretion of the Council the cost to repair any damage/loss caused by any reason other than normal wear will be added to the hire or rental charge.
 7. No spiked shoes or boots or the like to be worn in any part of the building except the two main change rooms and public toilets.
 8. Recreation Centre - kitchen boiling water unit must be turned off and drained immediately after the event.
 9. Crockery and Cutlery Hire
Breakages and losses - the cost of all replacements is the responsibility of the hirer.
 10. Tables and Chairs
Tables or chairs are not to be removed from inside the building. All tables and chairs must be stacked in an orderly manner and not left out after the event.
 11. The building must be left locked up and with all lights switched off.



SPECIFIC REQUIREMENTS

- Wine glasses can be made available upon request.
- Supply own tea towels if required.
- Turn fridge off and leave one door open.
- Make sure all cupboards are properly locked.
- Do not take anything from the catering cupboard home. **REMEMBER** the next person to use the cupboard will expect to find everything there. (Bring your own containers for left-overs).
- Please leave ovens wiped out and stove tops and all bench tops wiped clean.
- Sweep and wash floor.
- Please leave Pie Warmer wiped clean, also the Hot Food Display.
- Do not leave any food or drinks in the Cool Room after your function is over and then forget about it.
- Leave Cool Room clean and locked.
- Bar area - leave glasses and jugs washed and put back in trays.
- Lock up all toilets after your function is over.
- Turn air conditioner off.
- Turn lights off.
- Sporting bodies - Please vacuum floor.
-

6003 PICKING WILDFLOWERS

Collection of flora (including fire wood) from land under control of Council (i.e. road reserves, vested reserves, freehold, etc.) is prohibited unless:

- Approval granted subject to applicant obtaining approval from the Department of Environment and CALM,
- Collection of flora must be undertaken in accordance with the Environmental Protection Act and Regulations Information on Legislative requirements can be obtained from Department of Environment.



7000 – INFRASTRUCTURE

7001 VEHICLE REPLACEMENT PROGRAM

The CEO, in conjunction with the Works Supervisor and Council, shall prepare a replacement program to allow economical replacement of plant and vehicles. The replacement program will be evaluated and/or amended by Council when considering the Plan for the Future and be considered in conjunction with the annual budget.

7002 CROSSINGS

Except in the case of a Government authority or department, where a proper work authority shall be sufficient, where Council agrees to undertake the construction of crossings it will require prepayment by the owner/occupier for their 50% contribution.

Crossings are to be constructed to the standard specifications as set out by Council. In the case of above standard crossings, prepayment of 75% of the additional cost estimate is required, with the balance being finalised on the completion of works. Council shall determine the number of crossovers it can cater for in any one year, dependent upon budgeting and works program restraints.

Council policy is to comply with requests for crossovers on a 'first come, first served' basis, within the budget constraints and consideration of Council's works program as determined by the CEO and/or Works.

Where a second crossover is to be installed by the Council the total cost is to be met by the land owner.

This policy does not apply when crossovers are installed as part of Council's footpath installation program.

7003 PIPES ACROSS ROADS

Conditions under which pipes will be allowed to be placed beneath roadways are as follows:

1. Pipe shall be a minimum of 450 mm below the surface of a road, depending on pipe specifications,
2. The applicant or subsequent owner to be responsible for the cost of repair or replacement when the pipe has been damaged during the carrying out of roadworks,
3. The applicant or subsequent owner shall remove the pipe when directed to do so by the Council,
4. Written application must be lodged with Council requesting authorisation and providing a map of where pipes will cross the road prior to any works beings commenced,
5. Works shall be carried out in accordance with Council's requirements and at the owners' costs,
6. The road surface is to be reinstated to Council's satisfaction and at the owner's cost.

7004 GATES

Conditions under which approval will be given to erect a gate upon a road are as follows:

1. The structure is to be maintained in a condition satisfactory to the Council,
2. The structure is to be removed by the applicant or subsequent owner when directed to do so by the Council,
3. Approval of gates shall include the installation of a swinging gate for vehicle access and a large opening gate for machinery access.

7005 SALT DRAIN/ROAD RESERVE CROSSINGS



1. General

When property owners, as financial ratepayers of the Shire of Three Springs, wish to construct deep drains through low-lying farmland in order to reduce, block or eliminate the effect of salt on their land within the Shire and as a result of such proposed drainage scheme, the construction of a culvert (or culverts) is required through designated road reserves. Council *may* assist in the funding of such culvert crossings providing certain criteria are met. Those criteria are:

- 1.1 The request for approval and/or assistance must be before Council no later than April 30 of any financial year, so that due consideration may be given for possible inclusion in the next financial year's budget, if approved. Applications that do not meet the deadline *may* be considered by Council only after all prior applications have been processed. The request must include a scaled locality map showing the position(s) of the drainage scheme, the proposed culvert crossing(s), flow direction and downstream properties that may be affected.
- 1.2 The applicant must be prepared to pay all material costs involved in the construction of the culvert(s) including any equipment hire and freight costs and when a request has been approved by Council for assistance. A pre-payment of the materials cost may be requested. Such pre-payment must be lodged with the CEO within two calendar months of notification of approval.
- 1.3 The standard of culvert construction required will be as set by Council.
- 1.4 Council will only assist in the funding of culvert construction where Council's workforce is capable of doing the work within their normal allocated roadwork's program. Heavy demand for salt drain culvert construction during any financial year and/or impossible construction conditions, even for a scheduled construction time, may result in curtailment of Council assistance without obligation except for *possibly* refunding materials costs.

2. Council's Contribution to Culvert Construction

- 2.1 Council will organise material requirements utilising its purchasing power.
- 2.2 The adequate signing for traffic control and supervision of construction.
- 2.3 Handling, laying, backfilling (including the mixing of cement stabilised material) and compaction.
- 2.4 Road surface reinstatement.
- 2.5 Supply and erection of guide posts (if required).
- 2.6 Construction of aprons and headwalls where the depth between existing road level and the mean culvert invert level does *not* exceed 1.5 metres.

Where the depth below the existing road level and the mean culvert invert level does exceed 1.5 metres, the proponent may be requested to either:

- supply sufficient total pipe length and other materials and/or provide additional equipment (hire) to enable the actual culvert to span the full width of the road reserve so that culvert headwall and apron construction will be entirely the proponent's responsibility,
 - supply sufficient total pipe length and material and/or provide additional equipment (hire) to allow for a longer culvert to be constructed that will enable the surrounds of the culvert entry/exit to be simply battered with a minimum of cement stabilised material and without headwall and apron constructions
- 2.7 Culvert maintenance only.



- 2.8 The maximum value of Council's contribution towards salt drain culvert construction will be per culvert and/or per farming property unless Council considers otherwise and will be reviewed on an individual application basis.

3. Procedure

- 3.1 All applications are to be received by the CEO complete with all supporting documentation.
- 3.2 The application is referred to the Shire Engineer for evaluation, and any recommendation in respect thereof is placed before the next available meeting of Council for determination.
- 3.3 Council at that meeting will deal with the application and may grant approval or otherwise, including referring it for budget consideration.

Note: This policy may be altered by Council from time to time without notification or obligation.

7006 ROADSIDE VEGETATION POLICY

This policy is subject to the clearing of roadsides under the Environmental Protection Act.

Trees and scrub shall be removed as necessary for cuts, fills and general drainage works. However, every care shall be taken to preserve trees and scrub where ever possible.

7006.1 ROADWORKS

1. Trees and scrub shall be removed and kept clear to the top of the back slope of the table drain.
2. Some selective clearing may be done on the inside of curves of restricted radii to improve visibility.
3. Roadside burning shall be discouraged and only carried out in exceptional circumstances with permission of Council.
4. Heavy wood growths on road shoulders may be slashed or treated with chemicals recommended by the Department of Agriculture and Food WA.
5. Fire hazards resulting from heavy wood growth on natural treeless areas and where no wildflowers grow may be slashed if adjacent to cropped areas upon notification of Council.
6. Town site streets and footpaths may be treated with chemicals recommended by the Department of Agriculture and Food WA.

7006.2 GENERAL

1. No firebreaks shall be constructed on road reserves. Provision of firebreaks is to be considered when fence is set back.
2. Reinstatement of trees with introduced varieties may be considered for rural areas damaged during construction.
3. In town site areas trees shall be planted on opposite side of the roadway to existing power lines. Trees growing to a maximum height of 4-5 metres are to be planted where ever possible.
4. Chemicals shall be used on declared plants.
 - a) If a landowner is having problems with native vegetation growing through their fence they are permitted to prune a branch or limb causing the problem but will not be entitled to clear a strip outside their boundary on the road reserve.
 - b) The Three Springs Shire Council agrees to make available, free of charge, Council plant and operator during normal working hours to any landowner who wishes to either clear a fence line or rip land in preparation for re-vegetation under the following conditions:-



- (i) The road is considered by Council to be of such a narrow width that any future roadwork enhancements will result in the clearance of a majority of vegetation from this road reserve.
 - (ii) That the landowner is prepared to set his fence back a recommended minimum of 20 metres from the roads centre and re-vegetate this section of land; or
If the fence is to remain where it is, the landowner is prepared to re-vegetate a corridor inside his fence line of a recommended minimum of 20 metres from the roads centre.
 - (iii) Such work will be carried out at Council’s convenience and where practicable be incorporated into the roadworks program for this location or when plant is within close proximity to the location in question.
 - (iv) Such work will be carried out within Council budgeting constraints for roadworks during that particular financial year.
 - (v) All land will remain in the ownership of the original landowner when a fence set-back procedure is undertaken unless otherwise negotiated by Council and the Landowner where there will be no change to existing land title.
The original boundary fence line is to be delineated to ensure it can easily be identified where Council and landowner responsibilities are.
- c) The landholder shall not be entitled to remove any trees or scrub from the road reserve under either of these options.

6. Maintenance of the road reserve trees or scrub shall be the responsibility of the Council.

7006.3 TREE PLANTING

- 1. No trees are to be planted on road reserves without Council approval.
- 2. No tree planting will be permitted on twenty metre wide road reserves.
- 3. Trees must not be planted under Western Power power lines or over Telstra cables.
- 4. No trees are to be planted within 9 metres of the outside of the road pavement.
- 5. Trees should not be planted within five metres of the top of the back cut of the table drain.
- 6. Trees planted on road reserves become Council property and may be removed at any time at Council’s discretion if the trees become a hazard or interfere with future road works.
- 7. Where trees are planted on a private basis the planting, watering and maintenance of the trees is entirely the responsibility of the adjoining landholder who undertakes the planting.

The entire Road Verges Policy shall be administered at the discretion of the CEO.

7007 ASSET MANAGEMENT POLICY

7007.1 PURPOSE

The purpose of this Policy is to provide the basis for and to guide the strategic management of the Shire’s infrastructure assets in order to deliver the Shire’s long term strategic objectives.

The purpose will be achieved by

- a) Developing and implementing an Asset Management Strategy;
- b) Preparing and maintaining an Infrastructure Asset Management Plan;
- c) Preparing operations and maintenance plans for each infrastructure asset class;
- d) Maintaining up to date and validated Asset Management Systems; and processes that are aligned and integrated with the Shire’s business practices



7007.2 SCOPE

This Policy applies to all the infrastructure assets owned by Three Springs Shire Council. The asset types covered are as follows:-

<u>Roads assets comprising:</u>	<u>Buildings comprising:</u>
Sealed and unsealed roads Bridges Culverts Railway Crossings Road signs/features Floodways Kerbing Footpaths	Recreation Council/depot Public/Civic Housing
<u>Other assets comprising:</u>	
Public/Civic assets Recreation assets Council assets Airport	

7007.3 OBJECTIVE

The objective of this Policy is to provide a consistent framework that is aligned and integrated with the Shire’s business practices and is consistent with the State Government’s Integrated Planning and Reporting requirements such that:

- a) Infrastructure assets are managed in accordance with the requirements of relevant legislation;
- b) Infrastructure assets are managed in accordance current best practice, taking affordability into account;
- c) A “whole of life” approach is taken to operational, maintenance, renewal and acquisition plans;
- d) Funding levels to ensure that infrastructure assets deliver the required Levels of Service are identified and reported;
- e) Levels of Service and risks are taken into account in the development of operational, maintenance, renewal, and acquisition plans;
- f) The performance of infrastructure assets is measured and reported against the required levels of service and associated target performance levels;
- g) Infrastructure assets are accounted for in accordance with the requirements of the appropriate accounting standards and reporting requirements.

7007.4 ORGANISATIONAL CONTEXT

The Shire’s most recent Strategic Plan (Plan for the Future 2009/10 - 2011/12) includes the following Strategic Goals and associated objectives which form the basis for the development for the Shire.



Goal 1 - Community Partnerships

Objective:

To promote a strong and cohesive community that has the capacity to co-ordinate its efforts and work in harmony for the benefit of the Shire as a whole.

Goal 2 - Infrastructure

Council Roads Objective:

To construct, maintain and improve the quality and useful economic life of the road infrastructure system in the most efficient manner possible, pursuant to the level of funding provided by Council each year.

Plant Replacement Objective:

The timely purchase and replacement of vehicles, plant and equipment in accordance with predetermined acquisition and replacement programmes;

Minimising vehicle replacement costs;

Optimising the performance of the plant fleet.

Council Buildings and Equipment Objective:

To provide planned maintenance and upgrading of Council owned buildings, including staff and other housing, administration centre and works depot;

Obtain funding to assist with the development of additional housing.

Goal 3 - Community Facilities

Objective:

To provide planned maintenance and upgrading of Council's recreational facilities including the swimming pool, football oval and pavilion, hard courts, community hall, parks, gardens and streetscape.

Goal 4 - Health Facilities

Objective:

Continued maintenance and improvements to all facilities provided by Council for the provision of health professionals including the medical centre, dental surgery and other wellbeing facilities.

Goal 5 - Corporate Governance

Objective:

To provide good strategic decision-making, governance, leadership and professional management.



To plan for the increased level of resources that will be required for Council to achieve its strategic objectives and to monitor the implementation policies and planning for the future.

Asset Management plays an important role in the development and management of the Shire. Asset Management contributes to the achievement of all the above goals and objectives, particularly in relation to the infrastructure, community facilities and health facilities.

7007.5 PRINCIPLES

The Shire is the owner of public assets and is responsible for the sustainable management of them and to provide for their replacement or renewal.

Asset management is a structured process which seeks to ensure best value for money from assets to deliver the strategic objectives of the Shire and which informs the operations and maintenance, renewal, disposal and acquisition of assets with an overall objective to optimize service delivery and manage related risks and costs over the asset's life cycle.

Infrastructure assets are fundamental to the Shire's overall service delivery.

The Shire recognises Asset Management as a core activity. Accordingly, every employee of the Shire is either directly or indirectly involved in the management of Shires' assets.

This Policy supports the Shire's intent to raise its Asset Management Practice to a level that is best practice, subject to affordability, through the provision of assets and their timely maintenance and renewal at appropriate levels to meet service needs.

The Shire recognises that its assets incur ongoing operating costs and require maintenance and the replacement of components to ensure that they remain serviceable throughout their life. Some assets may also be disposed of. This combined cost, together with the capital cost of asset acquisition is termed 'lifecycle cost'. This Policy supports the Shire's commitment to ensure that the Levels of Service delivered by the assets are achieved at the best lifecycle cost.

The Shire also acknowledges through this Policy that the acquisition of new assets will take into account the full cost of acquisition, operation, maintenance, renewal and disposal over its life cycle. Accordingly, the future cost impact of new assets will be fully considered as part of any new asset approval.

In undertaking asset management of the infrastructure assets, we will:-

- Develop an Infrastructure Asset Management Strategy and a life-cycle based Infrastructure Asset Management Plan in accordance with this Policy and review them every 4 years;
- Ensure that the Infrastructure Asset Management Strategy and the Infrastructure Asset Management Plan are aligned to the Shire's Strategic Plan and to the State Governments Integrated Planning and Reporting Requirements;
- Determine future levels of service taking consultation with the community and affordability into account;



- Make decisions regarding asset operations and maintenance, renewal, disposal and acquisitions taking levels of service and affordability into account and based on lifecycle costs;
- Ensure compliance with relevant accounting standards;
- Ensure that all relevant legislation is taken into account;
- Collect, store, manage and analyse data on asset utilization, performance and condition and utilize the data to inform operations and maintenance, renewal, disposal and acquisition plans;
- Manage the risks of injury, liability and asset failure through risk and condition assessments;
- Carry out demand forecasting to inform operations and maintenance, renewal, disposal and acquisition plans;

- Develop Long Term Financial Plans on the basis of funding the asset operations and maintenance, renewal, disposal and acquisitions plans in accordance with this Policy;
- Taking affordability into account, ensure that best practice asset management practices and systems are employed to support the management of the Shire's infrastructure assets.

7007.6 ROLES AND RESPONSIBILITIES

Councillors:

Adopt the Infrastructure Asset Management Policy;

Adopt the Infrastructure Asset Management Strategy;

Adopt the Infrastructure Asset Management Plan;

Support the use of asset management planning throughout the organization;

Make decisions regarding infrastructure assets in accordance with the Infrastructure Asset Management Policy, Strategy and Plan.

Chief Executive Officer:

Develops and maintains the Infrastructure Asset Management Policy;

Develops and maintains the Infrastructure Asset Management Strategy;

Develops and maintains the Infrastructure Asset Management Plan;

Ensures alignment between the Infrastructure Asset Management Policy, Strategy and the Asset Management Plan with other policies and processes in the organization;

Ensures compliance with legislative requirements;

Ensures infrastructure assets are managed in accordance with Infrastructure Asset Management Policy, Strategy and Plan;

Supports the use of asset management planning throughout the organization;

Facilitates best practice asset management.

7007.7 REVIEW OF POLICY

This policy will be reviewed in conjunction with the review of the Infrastructure Asset Management Strategy and Infrastructure Asset Management Plan.



7008 LIGHTING MANAGEMENT POLICY

PREAMBLE:

The Shire of Three Springs (“the Shire”) Lighting Management Policy outlines the commitment and objectives regarding management of current and proposed lighting within the Shire as it seeks to develop Astrotourism to diversify the regional economy, grow tourism and create jobs.

POLICY

This Policy will assist the Shire to consider the impacts of lighting associated with rural, urban or other development including roads, industry and buildings when considering replacing existing lighting infrastructure, installing new lighting infrastructure and planning new developments. The Shire may impose conditions in relations to the design of light fittings, shielding of light, the design and operation of development and hours of lighting operation to manage contribution to artificial skyglow.

It is the Shire’s policy to implement the following good lighting design principles to maintain and improve the quality of the dark night sky in its efforts to develop Astrotourism within the region.

The principles can be applied to any situation where protecting and conserving the night sky is important. Application of the principles benefit not only Astrotourism, but also astronomy, heritage, human health, safety, energy, wildlife, environment and ecological values.

BACKGROUND

The inappropriate or excessive use of artificial light is known as light pollution. The International Dark Sky Association (IDA) states that components of light pollution include:

- Skyglow – brightening of the night sky over inhabited areas
- Glare – excessive brightness that causes visual discomfort
- Light trespass – light falling where it is not intended or needed
- Clutter – bright, confusing and excessive groupings of light sources

Skyglow impacts the view of the night sky. The International Astronomical Union describes that “wasteful light from artificial sources emitted upward (at horizontal angles and higher) is scattered by aerosols such as clouds and fog or small particulates like pollutants in the atmosphere. This scattering forms a diffuse glow that can be seen from very far away. Skyglow is the most commonly known form of light pollution.”

Good lighting design principles are important considerations to manage skyglow to enable Astrotourism development. The Shire acknowledges Astrotourism activities can be of benefit economically and to the wider community. Astrotourism can:

- Increase visitor numbers, overnight stays and visitor spending;
- Diversify and increase employment;
- Increase regional economic development opportunities for Aboriginal Astronomy enterprise, tourism business and private investment in assets such as accommodation;
- Grow community capacity; and
- Raise the awareness within a community to apply for accreditation through the IDA International Dark Sky Places (IDSP) Program, founded in 2001.

The Shire also acknowledges that regional Western Australia has comparative international advantages for Astrotourism activities. These include:

- Low levels of artificial light pollution;
- Clear and dry skies
- Southern Hemisphere night sky location;
- International space science projects such as the \$1.3B Square Kilometre Array radio telescope.



8000 – OCCUPATIONAL SAFETY AND HEALTH

GENERAL

Council and staff are committed to complying with the requirements of State, and National Occupational Safety and Health Legislation and to providing a safe and healthy work Environment, so far as practicable, for all employees, contractors and visitors. To achieve this, the Council will provide the time and resources required to minimise risks.

Safety is considered a shared responsibility with the success of the safety program objectives of this Policy, management is committed to regular consultation with employees to ensure that this Policy operates effectively and that safety and health.

8000.1 SMOKING POLICY

Smoking is prohibited in all Council Buildings and vehicles.

This Policy will apply to all staff, Councillors, and members of the public utilizing Council buildings or vehicles.

8000.2 FITNESS FOR WORK

Introduction

The Shire of Three Springs has a responsibility to maintain a safe and healthy workplace. The Shire will take all reasonable steps to ensure that no-one is exposed to unnecessary risk arising from impaired work performance as a result of any of the following:

- Alcohol and other drug use;
- Emotional stress/overload;
- Fatigue/illness;
- Psychological impairment.

When a manager or supervisor has reason to suspect that an individual's work performance is impaired by substance related problems the manager is required to address the issue with the employee concerned. The employee will be entitled to natural justice and procedural fairness including:

- The right to explain or defend their position;
- The right to be accompanied by a friend or advocate;
- The opportunity to address any issues identified.

Employees experiencing problems with alcohol or other drugs, are encouraged to:

- Discuss this with their manager; and/or
- Seek counseling or treatment.

The Shire of Three Springs is committed to a zero tolerance of alcohol and drugs in the workplace and will conduct random drug and alcohol screening to ensure compliance.



Employees displaying impaired work performance as a result of issues other than alcohol and or illicit drug use will be counselled on performance and, if appropriate, be offered alternate duties and requested to seek medical advice.

This policy applies to all Shire of Three Springs premises and work sites, including mobile plant and vehicles and applies to all employees including office and managerial staff.

Principles

Employee Responsibilities

Employees have a responsibility to ensure that when they attend work they are fit to undertake that work without impairment. This includes ensuring:

- That they are not affected by alcohol or illicit drugs;
- That they are not impaired by prescription or over the counter medication;
- They are not affected by fatigue as a result of illness or lifestyle issues;
- They are not impaired by emotional or personal problems.

If an employee has a problem that will result in impairment they have a duty to ensure that they do not put themselves or others at risk and take appropriate steps to ensure that the problem is addressed.

Employees should seek advice or alternative treatment options if medication affects their capacity to perform their duties. If no alternative is available it may be necessary to get an appropriate medical certificate and take sick leave.

Employees also have a responsibility to take appropriate action if they become aware that someone else in the workplace is affected by some impairment.

Employer Responsibilities

The Shire of Three Springs, through its elected members, CEO, senior staff and supervisors has a responsibility to ensure it maintains a safe and healthy workplace. The Shire has a responsibility to address any impairment by its employees that may put that employee or any other person at risk.

The Shire also has a responsibility to ensure that any employee found or suspected of being impaired in their capacity to perform their duties is afforded natural justice and procedural fairness.

Procedures

Alcohol or drug issues

If a manager or supervisor has reasonable ground to believe that alcohol or drugs (including prescription or over the counter medications) affect an employee, either through observation or the results of a random test, the employee will be sent home immediately and may not return to work that day.

The next working day the manager or supervisor will:

- Meet with the employee (the employee may bring a friend or advocate to the meeting);
- Discuss the situation and give the employee the opportunity to state their case;



- Consider solutions including access to counseling if appropriate;
- Initiate disciplinary action with the CEO.
- Disciplinary action may include:
- A formal written warning for a first offence
- Dismissal for a second offence

Other issues affecting fitness for work

A manager or supervisor may identify that an employee's performance is impaired in some way by:

- Disclosure by an employee or family member;
- Report from another staff member;
- Observation of performance, or an increase in errors or mistakes.

Where the supervisor or manager has reason to believe that an employee's capacity to perform their duties the supervisor or manager will:

- Meet with the employee in private (the employee may bring a friend or advocate to the meeting);
- Discuss the issue and identify causes;
- Work with the employee to identify possible solutions;
- Provide reasonable access to any available paid or unpaid leave;
- Consider alternative duties if appropriate;
- Provide access to counseling.

Instant Dismissal

The following actions will result in dismissal without notice:

- Cultivating, selling or supplying drugs at work or during working hours or from a Shire residence or property;
- Unauthorized consumption of illicit drugs or alcohol at work or during working hours including meal breaks;
- Committing a second breach of the drug and alcohol provisions of this Policy;
- Refusing a random drug or alcohol test.



Performance Issues

These procedures are not intended to address general decline in performance unless there is some external factor affecting fitness for work. General performance issues will be dealt with through normal supervision, performance management and performance review processes.

8000.3 PRESCRIPTION GLASSES

Safety Prescription Glasses

Reimbursement for shatterproof/scratch resistant lens is available for staff who require eye protection in the workplace and are also required to wear prescription glasses. A maximum of one claim per year up to a maximum of \$250 will be allowed. Council will replace safety prescription glasses damaged as a direct result of carrying out Council business.

Prescription Glasses

Employees are eligible to claim a subsidy for the cost of purchasing optical aids such as glasses or contact lenses. Eligible staff receive 50 per cent of their out-of-pocket expenses up to a maximum of \$125.



9000 – TOWN PLANNING

GENERAL

Extractive Industry Policy

Comment: Extractive Industry is generally associated with the extraction of raw materials such as sand, gravel, clay, rock, soil, stone, and may include the storage, treatment, and in some cases manufacturing of products from such materials. An Extractive Industry is an 'AA' use (discretionary use of Council after advertising) in 'General Farming' zone. Therefore the purpose of this policy is to detail the specific requirements and minimum standards for the establishment of an 'Extractive Industry' in 'General Farming' zone.

Scheme provisions:
Clause 3.2, Zoning and Development Table, and Clause 7.6.

Other references:

Special procedural considerations:
Applications are required to be advertised for a period of 21 days pursuant to clause 6.2 of the Town Planning Scheme, including referral to the Department of Industry and Resources, Department of Environment and Conservation, and Aboriginal Affairs Department for comment.

Policy statement:

1. The extraction of basic raw materials to a depth of 1.0 metre or less to be used for improvements the same farming property or for municipal purposes, including the building of roads, is exempt from obtaining planning consent.
2. Extractive industry will only be approved where Council is satisfied that the proposal will not result in unacceptable environmental impacts as a result of noise, dust, lightspill, odour, visual intrusion or contamination.
3. No extractive industry will be approved until such time as Council has received advice from the Indigenous Affairs Department and Department of Environment and Conservation in relation to heritage and flora and fauna issues respectively. An extractive industry will not be approved if there are substantiated objections from either of these agencies.
4. An application for an extractive industry will not be favourably considered by Council unless the following information has been submitted with the application for planning consent form:



- ◆ A surveyed plan of the site showing the proposed area of extraction in relation to topographical features, area of remnant vegetation, existing and proposed access and internal roads, existing buildings, proposed stock pipe area and setback distances from property boundaries;
 - ◆ A cross section of the proposed extraction area showing the depth of extraction, height and battering of the pit walls and face, and access ramp/area;
 - ◆ A rehabilitation plan for the area of extraction prepared in accordance with DEC guidelines showing the re-contouring of the land and areas of re-planting.
 - ◆ Written submission detailing the type and quantity of material to be mined, stages of extraction (if applicable), depth of extraction, life expectancy of the resource, specific hours of operation; number of vehicular movements per week and machinery to be used.
5. Depending on the nature of the proposed extractive industry, local wind, topography and vegetation conditions, setback distances from site boundaries and existing watercourse or bodies may need to be increased. When determining such setbacks Council shall consider existing and potential land-uses on adjoining and nearby properties.
6. Council may require the preservation and/or planting of a vegetated buffer strip ensuring that the extraction activities are adequately screened from the road and adjoining properties.
7. Where an extractive industry has direct access to a sealed road and the projected number of vehicle movements from the site would justify such a requirement (as determined by Council), the Council may require crossover and vehicle access areas within 50 metres of the road to be constructed with a stable, impervious surface, with stormwater runoff being controlled.
8. Where an extractive industry is being developed with or without direct access to a sealed road, the Council may require assistance to upgrade and maintain the road/s that will be affected by heavy vehicle movements associated with the extractive industry. Such upgrading contributions may be financial or in-kind and shall be calculated on a case-by-case basis.
9. The Council will not support the operation of extractive industry outside of the following hours, unless it can be demonstrated the proposed extraction area/activity is at least 1000 metres from the closest neighbouring residence upon which the Council may entertain extended operating times:
- ◆ Monday to Saturday - 7.00 am to 6.00 pm;
 - ◆ Sundays and Public Holidays - no operations.



10. The Extractive industry will generally be approved for a one year period from the date of issue. Operations that continue beyond one year's duration will be subject to a renewed application for planning consent on an annual basis.

For large scale mining operations an extended period of approval may be entertained by Council, based on individual merit.

11. Should there be any conflict between this Policy and the Shire of Three Springs Town Planning Scheme No.1, the Town Planning Scheme shall prevail.

Adopted by Council: 18th May 2011



10000 – BUILDING

GENERAL

That Council adopts a Policy that all class 1 buildings are at least 300 millimetres above the crown of the road at its nearest street frontage.

Adopted by Council: February 2011

Other Building Requirements:

- A) Council will allow dwellings to be constructed in brick, rammed earth, timber/metal frame, other acceptable masonry material and new transportable designed structures. Council will not permit the relocation of a second-hand unless the structure was originally designed as a transportable building and Council has given planning approval prior to its consideration on the issue of a building license.
- B) Under roof garages and carports shall be constructed of the same material as the dwelling. Outbuildings (garden sheds, etc.) are to be constructed from colourbond and/or zincalume material and located so as to be in accordance with setbacks specified in the scheme.
- C) Verandah supports should be the same material as the house.
- D) Fences shall be masonry, the same material as the house walls, or of a material approved by Council to match neighbour's fences, or to create an aesthetically pleasing contrast with the house.
- E) Roofs shall be tiled or colourbond metal deck or zincalume.
- F) Metal deck roofs and cladding for houses and ancillary buildings (sheds) must be of a muted colour, for example colourbond metal deck or zincalume.
- G) Driveways and crossovers are to be constructed with concrete or brick paving.
- H) Solar collections should be installed in the plane of the roof and no roof mounted external tanks will be allowed.
- I) Council may require a bond against the owner or builder prior to development where there is potential for destabilization of adjoining private property or reserve land.
- J) Council must approve any proposed fill above natural ground level.
- K) Rain water tanks shall be located out of public view.
- L) Clothes drying areas should be located out of public view.
- M) All roof run off is to be contained on site into soak wells or rainwater tanks, or channeled to the road to avoid erosion.



11000 – RISK MANAGEMENT POLICY

11000.1 PURPOSE

The Shire of Three Springs (“the Shire”) Risk Management Policy documents the commitment and objectives regarding managing uncertainty that may impact the Shire’s strategies, goals or objectives.

11000.2 POLICY

It is the Shire’s Policy to achieve best practice (aligned with AS/NZS ISO 31000:2009 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 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.

11000.3 DEFINITIONS (FROM AS/NZS ISO 31000:2009)

RISK: Effect of uncertainty on objectives.

Note 1: An effect is a deviation from the expected – positive or negative.

Note 2: Objectives can have different aspects (such as financial, health and safety and environmental goals) and can apply at different levels (such as strategic, organisation-wide, project, product or process).

RISK MANAGEMENT: Coordinated activities to direct and control an organisation with regard to risk.

RISK MANAGEMENT PROCESS: Systematic application of management policies, procedures and practices to the activities of communicating, consulting, establishing the context, and identifying, analysing, evaluating, treating, monitoring and reviewing risk.



11000.4 RISK MANAGEMENT OBJECTIVES

- Optimizes 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 organizational resilience.
- Identify and provide for the continuity of critical operations

11000.5 RISK APPETITE

The Shire quantified its risk appetite through the development and endorsement of the Shire's Risk Assessment and Acceptance Criteria. The criteria are included within the Risk Management Procedures and are subject to ongoing review in conjunction with this policy.

All organisational risks to be reported at a corporate level are to be assessed according to the Shire's Risk Assessment and Acceptance Criteria to allow consistency and informed decision making. For operational requirements such as projects or to satisfy external stakeholder requirements, alternative risk assessment criteria may be utilised, however these cannot exceed the organisations appetite and are to be noted within the individual risk assessment.

11000.6 ROLES, RESPONSIBILITIES & ACCOUNTABILITIES

The CEO is responsible for the allocation of roles, responsibilities and accountabilities. These are documented in the Risk Management Procedures (Operational Document).

11000.7 MONITOR & REVIEW

The Shire 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 trends.

This policy will be kept under review by the Shire's Management Team and its employees. It will be formally reviewed two years.

APPENDICES

APPENDIX A EQUAL OPPORTUNITY DIVERSITY PLAN

COUNCIL'S OBLIGATIONS

The Shire of Three Springs has a legal obligation to make sure that the Council is free from discrimination and harassment.

The following Laws state this requirement:

- The WA Equal Opportunity Act 1984
- The Racial Discrimination Act (Cth) 1976
- The Sex Discrimination Act (Cth) 1984
- The Human Rights and Equal Opportunity Commission Act (Cth) 1987
- The Disability Discrimination Act (Cth) 1992

Council also has a moral obligation to ensure its' staff are not subjected to other forms of harassment. All employees are expected to treat each other with consideration and respect at all times.

RESPONSIBILITIES

The overall responsibility for monitoring the effectiveness, the policy and management plan lies with the Chief Executive Officer, however Council recognises that equal opportunity is the responsibility of everyone in the Council, and as such will ensure that advice on equal opportunity matters is available on an on-going basis to all staff.

The co-ordination of the equal opportunity function within Council is primarily the responsibility of the CEO.

The **Chief Executive Officer** is responsible for:

- The maintenance of equal opportunity statistics;
- The distribution and maintenance of the EO & Diversity Plan;
- Ensuring that the EO & Diversity Plan is in accordance with legislative requirements;
- The identification, organisation and evaluation of equal opportunity training to meet Council's equal opportunity and diversity goals;
- Ensuring recruitment and selection procedures for Council are not discriminatory;
- Providing advice and/or assistance to employees who feel they are being discriminated against or harassed;
- Coordinating investigations for a discrimination or harassment complaint;
- Recording informal and formal allegations;
- Making and carrying out training recommendations.

Other employees within Council have responsibilities for ensuring the implementation of equal opportunity. These employees include Managers, Supervisors and individual employees.

Managers and Supervisors are responsible for:

- Promoting the aims and objectives of the equal opportunity policy and objectives;
- Ensuring that staff of their sections participate in equal opportunity training;
- Ensuring that Supervisors fulfill their responsibilities in regards to equal opportunity;
- Ensuring that staff of the section (or who they supervise) are acting in a non-discriminatory manner, free of harassment;
- Ensure that all new staff of the section (or who they supervise) attend Council's induction training;
- Ensuring that all new staff of the section (or who they supervise) have equal access to employment and training opportunities subject to individual, section and corporate priorities.

All employees of Council are responsible for:

- Treating all work colleagues equally, in a non-discriminatory manner and with consideration and respect;
- Undertaking equal opportunity training provided by Council.

APPROACH

The strategy that Council will implement to achieve the EO and Diversity Management Policy includes:

1. Devise policies and procedures to meet the legislative requirements;
2. Communicate those policies and procedures to the staff of Council;
3. Collect and record appropriate information;
4. Review human resources practices within the Council (including recruitment techniques, selection criteria and training) with a view to identifying any discriminatory practices;
5. Set goals against which the success of the plan can be assessed;
6. Appoint appropriate Council staff to be responsible for the above.

PURPOSE

The purpose of this plan is to create an environment of equal opportunity and diversity to achieve good working relationships.

The goals of this plan are as follows:

1. Council will actively work to raise the level of awareness of Equal Opportunity and Diversity principles and practices within Council;
2. Council will actively promote an environment for all staff that is free of discrimination and harassment;
3. Council will enable all staff to apply equally for all positions within Council, for which they are qualified, through its commitment to their support, provision of career planning and development, advice and assistance;
4. Council will recognise the diverse cultural needs of employees and the community.

WORKPLACE BULLYING POLICY

PURPOSE

The Shire of Three Springs is committed to providing a safe and healthy work environment in which all workers are treated fairly, with dignity and respect. Bullying is a risk to the health and safety of the workplace. It is unacceptable and will not be tolerated by insert name.

This policy outlines the Shire of Three Springs commitment to a safe workplace and is aimed at ensuring, so far as it reasonably can, that employees are not subjected to any form of bullying while at work. It also details the legal responsibilities of insert name and employees in relation to preventing bullying in the workplace.

COMMENCEMENT OF POLICY

This policy will commence on 28/10/2015. It replaces all other bullying policies (whether written or not).

SCOPE

This policy covers all employees and workers of Shire of Three Springs (whether full-time, part-time or casual) and all persons performing work at the direction of, in connection with, or on behalf of Shire of Three Springs (for example contractors, subcontractors, agents, consultants, and temporary staff) (collectively “**workplace participants**”).

This Policy extends to all functions and places that are work related, for example, work lunches, conferences, Christmas parties and client functions. This Policy does not form part of any employee’s contract of employment. Nor does it form part of any contract for service.

LEGAL RESPONSIBILITIES

Everyone at the workplace has a legal responsibility to prevent bullying from occurring.

Under relevant health and safety legislation (the “Legislation”) insert name has the primary duty to eliminate or minimise, as far as reasonable practicable, the risks to health and safety in the workplace. This duty includes the implementation of strategies to prevent workplace bullying. This policy will assist insert name comply with its legal responsibilities.

Workplace participants are also required under the Legislation to take reasonable care for their own health and safety, as well as that of others at insert name’s workplace. All workplace participants must also comply with any reasonable instruction given by insert name.

WHAT IS WORKPLACE BULLYING?

Workplace bullying is repeated, unreasonable behaviour, directed towards a worker or a group of workers that creates a risk to health and safety. It includes both physical and psychological risks and abuse.

'Repeated behaviour' refers to the persistent nature of the behaviour and can refer to a range or pattern of behaviours over a period of time (for example, verbal abuse, unreasonable criticism, isolation and subsequently being denied opportunities – ie. a pattern is being established from a series of events).

'Unreasonable behaviour' means behaviour that a reasonable person, having regard to all the circumstances, would expect to victimise, humiliate, undermine or threaten another person.

EXAMPLES OF WORKPLACE BULLYING

Bullying behaviours can take many different forms, from the obvious (direct) to the more subtle (indirect). The following are some examples of both direct and indirect bullying:-

Direct bullying:

abusive, insulting or offensive language

spreading misinformation or malicious rumours

behaviour or language that frightens, humiliates, belittles or degrades, including over criticising, or criticism that is delivered with yelling or screaming

displaying offensive material

inappropriate comments about a person's appearance, lifestyle, their family or sexual preferences

teasing or regularly making someone the brunt of pranks or practical jokes

interfering with a person's personal property or work equipment, or

harmful or offensive initiation practices.

Indirect bullying:

unreasonably overloading a person with work, or not providing enough work

setting timeframes that are difficult to achieve, or constantly changing them

setting tasks that are unreasonably below, or above, a person's skill level

deliberately excluding or isolating a person from normal work activities

withholding information that is necessary for effective work performance

deliberately denying access to resources or workplace benefit and entitlements, for example training, leave

deliberately changing work arrangements, such as rosters and leave, to inconvenience a particular worker or workers

The above examples do not represent a complete list of bullying behaviours. They are indicative of the type of behaviours which may constitute bullying and therefore unacceptable to insert name.

A single incident of unreasonable behaviour does not usually constitute bullying. However, it should not be ignored as it may have the potential to escalate into bullying behaviour.

A person's intention is irrelevant when determining if bullying has occurred. Bullying can occur unintentionally, where actions which are not intended to victimise, humiliate, undermine or threaten a person actually have that effect.

Bullying in the workplace is harmful not only to the target of the behaviour but damages insert name's culture and reputation. It is unacceptable and will not be tolerated.

WHAT DOES NOT CONSTITUTE WORKPLACE BULLYING?

Managing staff does not constitute bullying, if it is done in a reasonable manner. Managers have the right, and are obliged to, manage their staff. This includes directing the way in which work is performed, undertaking performance reviews and providing feedback (even if negative) and disciplining and counselling staff. Examples of reasonable management practices include:

- setting reasonable performance goals, standards and deadlines in consultation with workers and after considering their respective skills and experience

- allocating work fairly

- fairly rostering and allocating working hours

- transferring a workplace participant for legitimate and explained operational reasons

- deciding not to select a workplace participant for promotion, following a fair and documented process

- informing a workplace participant about unsatisfactory work performance in a constructive way and in accordance with any workplace policies or agreements

- informing a workplace participant about inappropriate behaviour in an objective and confidential way

- implementing organisational changes or restructuring, and

- performance management processes.

WHAT STEPS WILL (INSERT NAME) TAKE TO PREVENT WORKPLACE BULLYING?

(Insert name) will take all reasonable steps to prevent bullying through a risk management process. This process includes, but is not limited to:

- identification of bullying risk factors- these are things and situations which could contribute to bullying such as the way in which staff are managed, or organisational change such as redundancies (refer to the common risk factors set out below);

assessment of the likelihood of bullying occurring from the risk factors identified and their potential impact on the workplace participants or workplace;

eliminating the risks, as far as reasonable practicable, or controlling, or minimising, them as far as reasonable practicable;

reviewing the effectiveness of the control methods put in place and the process generally; and

training workplace participants about bullying, how to deal with it and its impact on the workplace.

Insert name will use the Workplace Bullying Assessment Checklist to facilitate the risk management process. This checklist has been developed to assist insert name to identify, assess, eliminate and/ or control bullying in the workplace, taking into account the common risk factors (refer below).

WHAT ARE SOME OF THE COMMON RISK FACTORS WHICH MAY LEAD TO BULLYING?

Bullying can result from a number of different factors in a workplace, from the general culture to poor management skills. Some risk factors which make bullying more likely to occur are:

Organisational change - i.e. significant change in the workplace that may lead to job insecurity for example, restructure and redundancy, introduction of technology, change in management.

The culture – insert name’s values, views and beliefs can either expressly or implicitly encourage bullying behaviours, for example, when a company promotes aggressive behaviour as a means of ensuring its workers are performing their roles, or adopts a culture in which it is acceptable to ignore such behaviours.

Negative leadership styles – such as strict, autocratic management styles, which do not allow for flexibility or involvement by employees; or passive, ‘laissez-faire’ management styles which are characterized by a tendency to avoid decisions, inadequate supervision and little guidance to workers.

Inappropriate systems of work – this includes excessive workloads, unreasonable timeframes, uncertainty about roles and how they should be performed, and lack of employee support.

Poor work relationships –this can be characterized by poor communication between staff and management, or negative relationships with supervisors or colleagues, excessive criticism by manager and the exclusion or isolation of workers.

Workforce characteristics – a company’s workforce can be made up groups of workers who may be at a higher risk of bullying because of certain characteristics: for example, young workers, new workers, apprentices, injured workers, workers in a minority group because of their race, disability, religion, gender or sexual preference.

Insert name will consider these factors when undertaking its risk management process.

COMPLAINT PROCEDURE

If a workplace participant feels that they have been bullied, they should not ignore it.

Any bullying issue should be brought to insert name's attention as soon as possible. There are a number of options available to workplace participants.

CONFRONT THE ISSUE

If a workplace participant feels comfortable doing so, they should address the issue with the person concerned. A workplace participant should identify the bullying behaviour, explain that the behaviour is unwelcome and offensive and ask that it stop.

This is not a compulsory step. If a workplace participant does not feel comfortable confronting the person, or the workplace participant confronts the person and the behaviour continues, the worker should report the issue to their manager. If the manager is the alleged perpetrator, then the matter should be reported to a senior manager, or to Manager or immediate supervisor.

If at any time, a workplace participant is unsure about how to handle a situation they should contact Manager or immediate supervisor for support and guidance.

REPORT THE ISSUE

There are two complaint procedures that can be used to resolve bullying complaints: informal and formal (detailed further below). The type of complaint procedure used depends on the nature of the complaint that is made. The aim is to ensure that workplace participants are able to return to a productive and harmonious working relationship as soon as possible.

INFORMAL COMPLAINT PROCEDURE

Under the informal complaint procedure there are a broad range of options for addressing the complaint. The procedure used to address the issue will depend on the individual circumstances of the case. The manager or Manager or immediate supervisor will determine which process to follow. The possible options include, but are not limited to, the manager or Manager or immediate supervisor:

discussing the issue with the person against whom the complaint is made; and/or

facilitating a meeting between the parties in an attempt to resolve the issue and move forward.

The informal complaint procedure is more suited to less serious allegations that if founded, may not warrant disciplinary action being taken.

FORMAL COMPLAINT PROCEDURE

The formal complaint procedure involves the workplace participant making a written complaint and a formal investigation of that complaint. It is appropriate for more serious allegations, or if senior management are involved. Formal investigations may be conducted by insert name or by an external investigator appointed by insert name.

An investigation generally involves collecting information about the complaint and then making a finding based on the available information as to whether or not the alleged behaviour occurred. Once a finding is made, insert

name or the external investigator will make recommendations about what actions should be taken to resolve the complaint and any appropriate disciplinary action.

If Company considers it appropriate for the safe and efficient conduct of an investigation, workers may be required not to report for work during the period of an investigation. Insert name may also provide alternative duties or work during the investigation period. Generally, workplace participants will be paid their normal pay during any such period.

DEALING WITH BULLYING COMPLAINTS

In handling bullying complaints, insert name will adopt the following principles:

Take all complaints seriously

Act promptly

Not victimise any person who makes a complaint, any person accused of bullying, or any witnesses

Support all parties

Be impartial

Communicate the investigation or complaint process to all parties involved, including estimating length of time for resolution

Maintain confidentiality - insert name will endeavour to maintain confidentiality as far as possible. However, it may be necessary to speak with other workers in order to determine what happened, to legal representatives or insert name's senior managers. It will also be necessary to speak to those against whom the complaint has been made in order to afford fairness. All workplace participants involved in the complaint must also maintain confidentiality, including the workplace participant who lodges the complaint. Spreading rumours or gossip may expose the workplace participant responsible to a defamation claim

Act appropriately - if a complaint is made and it appears that bullying has occurred, insert name will endeavour to take appropriate action in relation to the complaint

Keep records – documentation is essential. A record of all meetings and interviews stating who was present and agreed outcomes should always be maintained

POSSIBLE OUTCOMES

The possible outcomes of an investigation will depend on the nature of the complaint. Where an investigation results in a finding that a person has engaged in bullying behaviour, that person will be disciplined. The type and severity of disciplinary action will depend on the nature of the complaint and other relevant factors. Where the investigation results in a finding that the person complained against has engaged in serious misconduct, this may result in instant dismissal. Any disciplinary action is a confidential matter between the affected worker/s and insert name.

Insert name may take a range of disciplinary action. Examples include, but are not limited to:

- providing training to assist in addressing the problems underpinning the complaint
- monitoring to ensure that there are no further problems
- implementing a new policy
- mentoring and support from senior manager
- requiring an apology or an undertaking that certain behaviour stop
- changing work arrangements
- transferring to another work area
- issuing a written warning (this can be a first or final warning depending on the circumstances)
- dismissal

MANAGEMENT'S ROLE

Managers and supervisors have a key role in the prevention of workplace bullying.

Managers and supervisors must:

- ensure that they do not bully employees, other managers or supervisors, clients or customers
- ensure that they do not aid, abet or encourage other persons to engage in bullying behaviour
- ensure all staff who report to them are aware and understand this policy and their responsibility to comply with it
- ensure that all staff who report to them understand that any bullying in any form is unacceptable and will not be tolerated by insert name
- act promptly and appropriately if they observe bullying behaviours
- ensure that all staff who report to them understand that they should report any bullying behaviour
- ensure all staff who report to them are aware and understand the complaint procedures
- act promptly if a complaint is made. If this is not possible, or is inappropriate, inform the Manager or immediate supervisor as soon as possible

WORKPLACE PARTICIPANT'S ROLE

All workplace participants must:

- understand and comply with this policy

sign the workplace participant acknowledgement to this policy

ensure they do not engage in any conduct which may constitute bullying towards other workplace participants, customers/clients or others with whom they come into contact through work

ensure they do not aid, abet or encourage other persons to engage in bullying behaviour

follow insert name's complaint procedure if they experience bullying

report any bullying they see occurring to others in the workplace in accordance with this policy

maintain confidentiality if they are involved in the incident complained of

BREACH OF THIS POLICY

Insert name takes very seriously its commitment to providing a safe and healthy work environment, free from bullying. All workplace participants are required to comply with this policy.

If an employee breaches this policy, they may be subject to disciplinary action. In serious cases this may include termination of employment. Agents and contractors (including temporary contractors) who are found to have breached this Policy may have their contracts with insert name terminated or not renewed.

If a person makes a false complaint, or a complaint in bad faith (e.g. making up a complaint to get someone else in trouble, or making a complaint where there is no foundation for the complaint), that person may be disciplined and may be exposed to a defamation claim.

MORE INFORMATION

If a workplace participant is unsure about any matter covered by this policy, or requires more information about workplace bullying they should seek the assistance of their manager, or of Manager or immediate supervisor. They may also wish to seek external advice from the relevant regulatory authority, such as WorkCover/WorkSafe/SafeWork.

REVIEW

This procedure will be reviewed annually during the WHS Audit Program, through consultation with employees and health and safety representatives, or when legislative requirements change, or in the event of a serious occurrence involving bullying.

Variations

Insert name reserves the right to vary, replace or terminate this policy from time to time.

POLICY VERSION AND REVISION INFORMATION

Policy Authorised by: Sylvia Yandle

Title: Chief Executive Officer

Policy Maintained by: Sylvia Yandle

Current version: Version June 2016

Title: Chief Executive Officer

Review date: 15/06/2016

WORKPLACE PARTICIPANT ACKNOWLEDGEMENT

I acknowledge:

- *receiving the Workplace Bullying Policy;*
- *that I should comply with the policy; and*
- *that there may be disciplinary consequences if I fail to comply, which may result in the termination of my employment.*

Your name:

Signed:

Date:



GOAL ONE

Goal: Council will work to actively raise the level of awareness of Equal Opportunity and Diversity principles and practices within Council.

Objective	Strategy	Performance Measure	Responsible Officer	Time Frame
Dissemination of Information which addresses Equal Opportunity and Diversity issues	Place information on staff notice boards Internal circulation Discussion at staff meetings	Audits of material on notice boards, memos distributed and minutes of staff meetings	Chief Executive Officer	Ongoing
All staff and Councillors are aware of their responsibility for Equal Opportunity and Diversity issues	Provide training and/or information sessions to all staff Include Equal Opportunity and Diversity information during induction of new employees	Training completed within time frame Equal opportunity and diversity included in induction checklist	Chief Executive Officer	Ongoing



GOAL TWO

Goal: Council will actively promote an environment for all staff that is free of discrimination and harassment.

Objective	Strategy	Performance Measure	Responsible Officer	Time Frame
All Council policies and practices support the application of Equal Opportunity and Diversity principles	Selection criteria to include an item on Equal Opportunity and Diversity Review of Council policies	Audit of position descriptions Council policies reviewed and recommendations made if required	Chief Executive Officer	Ongoing Review completed by June of each year
All staff have access to equity procedures	Implement an issue handling policy Nominate an Equity Officer	Equity policy implemented Equity Officer nominated in policy	Chief Executive Officer	Ongoing
Employment of staff to be fair and equitable	Review Selection and Recruitment Manual	Audit of manual to ensure it incorporates the principles fairness and equity, and reflects current	Chief Executive Officer	Annually Ongoing



Objective	Strategy	Performance Measure	Responsible Officer	Time Frame
	Provide information to interview panel members at commencement of process	legislative requirements Chief Executive Officer to ensure that panel members are informed and all Equal Opportunity and Diversity procedures are followed during the employment process	Chief Executive Officer	
Staff have access to information about their rights, responsibilities and their legislative obligations to ensure that no discriminatory practices develop or are promoted	Information on Equal Opportunity and Diversity issues is readily available to all staff Staff are aware of contact person should they require advice or assistance regarding discrimination or harassment	Training provided to all staff on equal opportunity and diversity Information provided in training sessions	Chief Executive Officer Chief Executive Officer	Ongoing Ongoing



GOAL THREE

Goal: Council will enable all staff to apply equitably for all positions within Council, for which they are qualified, through its commitment to their support, provision of career planning and development, advice and assistance.

Objective	Strategy	Performance Measure	Responsible Officer	Time Frame
All staff will have access to and be encouraged to take advantage of training and staff development opportunities relevant to their and Council needs	Training and development requirement identified through performance appraisal process, supervisor and organisational needs	Training needs identified during performance appraisals	Chief Executive Officer	Ongoing
	Training needs co-ordinated, monitored and evaluated through organisation training plan	Training plan is implemented and continuously evaluated through reporting to CEO on an annual basis	Chief Executive Officer	Annually
	Staff given equal opportunity to relieve in higher positions and provided with multi-skilling when required	Higher duty and multi-skilling experience recorded in performance appraisals	Chief Executive Officer	Ongoing reporting
	When reviewing positions investigate the possibility of alternate work arrangements	Review of positions prior to advertising	Chief Executive Officer	Ongoing



GOAL FOUR

Goal: Council will recognise the diverse cultural needs of employees and the community.

Objectives	Strategy	Performance Measure	Responsible Officer	Time Frame
Council will implement a cultural awareness program	Cultural awareness training to be provided to staff	Training provided to staff and documented in HR training records database	Chief Executive Officer	Ongoing



APPENDIX B COMPLAINTS/GRIEVANCE PROCEDURES

Introduction

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 are 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 person:
 - Immediate Supervisor/Manager (except where this person is the alleged harasser)
 - A Nominated Grievance Officer (if applicable)
 - Chief Executive Officer
 - Union Shop Steward
 - Mayor/President (only if the alleged harasser is the Town/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 their 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 a Union, the Union will be party to the investigation.
 - All documentation 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.

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 personal file for a period of 12 months, whereupon the record will be destroyed unless otherwise decided by the Town/Chief Executive Officer.

7. If, following investigation, a complaint is judged to have no 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 referred to a complaint and its aftermath could be considered as either a continuing or new incident of harassment.



NOTICE OF COMPLAINT/COMPLIMENT

This form is to be used to bring to the attention of Councillors or staff any matter of Complaint or Compliment.

Name of Complainant: _____

Address of Complainant: _____

Phone: _____ Fax: _____

Details of complaint/compliment: (please provide as much detail as possible concerning your complaint/compliment. e.g. if it is concerning a road, include the name of the road, location and nature of complaint/compliment.

Signed by complainant/Councillor: _____

OFFICE USE ONLY

Action taken to rectify complaint _____

Date completed _____ Signed by officer _____

Referred to Council Yes/No



APPENDIX C COMPLAINTS HANDLING GUIDELINES

Note: –All actions taken in response to complaints must be documented at each tier for later analysis

First Tier – Front Line Officers

Level of Authority:

1. Authority to resolve mistakes that have no cost (present or future) to Council;
2. Authority to apologise for errors as long as the admission is not an admission of liability on the Shire's behalf.

Apology:

A sincere apology for errors can be a potent weapon in resolving complaints! If an apology is warranted, it should be given immediately in a sincere manner. If not warranted, an apology for the situation arising that has caused the person to complain can be given without accepting blame for the organisation.

When to refer a complaint on to second tier officer:

- ◆ When the complaint is about your own conduct and you are not confident that you can (or should) deal with it fairly or when the complainant requests it be dealt with by another Officer.
- ◆ When the complaint is outside your delegated authority or area of expertise.
- ◆ When an Officer is alleged to have committed a criminal offence, acted corruptly or engaged in other serious or controversial conduct, the matter is to be referred immediately to the CEO.

When a complaint is referred on, ensure the Officer is fully briefed on the substance of the complaint so as to alleviate frustration by the complainant of having to explain the matter a second time.

Second Tier – CEO or relevant Executive Officer

Level of Authority:

1. Authority to review actions of first tier officer decisions.
2. Authority to conciliate within the limits of their delegation.
3. Authority to revoke instructions or orders when within their delegated authority (providing it is not ultra vires) and the circumstances warrant such revocation.

Review:

A review by the Officer by reconsidering the original decision or action and then instigating corrective action where appropriate is the easiest of the review options available. If a review is not an option, then the next phase should be conciliation.

Conciliation:

Complaints about personnel, especially rudeness or other improper conduct complaints, often are more conducive to semi-formal conciliations.

The aim is to prevent the complaint from escalating into a larger and more time-consuming dispute. Often prompt attention to a complaint may be better received and may result in conciliation being achieved to the satisfaction of the parties in a short period of time.

If the matter is complicated and emotions play a substantial part, the elapsing of time can assist in allowing tempers to cool, advice to be obtained and alternatives to be investigated and considered.

When not to undertake conciliation:

- ◆ The complaint is complex



- ◆ The facts are likely to be in dispute and investigation may be needed
- ◆ Disciplinary action is a strong possibility
- ◆ The outcome the complainant is demanding cannot be provided by the conciliator
- ◆ Questions of precedence for the organisation may be involved.

Third Tier – Complaints Review Group

The Complaints Review Group consists of the CEO, appropriate Executive Officer(s) and the Shire President (or his/her delegate) and the Deputy Shire President (or his/her delegate). The Complaints Review Group may co-opt externally when considered appropriate.

The Group's role is to:

1. Consider any appeal by complainants to decisions made by officers at the first and second tier level.
2. Consider any serious complaints involving personal injury, inappropriate behaviour, a breach of the law or financial implications and complaints that require a detailed knowledge of the Council's operations and procedures.
3. Direct complaints about a decision of Council where due process has not been followed, corrupt conduct, criminal actions or serious improper conduct, to an external body for investigation.
4. Advise the CEO of the appropriate action to be taken as a result of an investigation.
5. The Complaints Review Group may instruct the CEO to refer the complaint to an external body such as the Ombudsman's office, Crime & Corruption Commission, Police Department, Department of Local Government & Regional Development, etc.

STEPS FOR INVESTIGATION BY EXECUTIVE OFFICERS

1. Check if there are any previous complaints from this person.
2. Contact the complainant to:
 - ◆ Clarify the complaint
 - ◆ Clarify the outcome sought
 - ◆ Check whether they need support of any kind - whether they have poor sight, hearing or a language difficulty, and what they need to understand the discussion properly
 - ◆ Explain the investigation procedure
3. The investigating officer is to brief himself/herself on the relevant legal and administrative background of the complaint.
4. Assess whether the complaint procedure is the most appropriate way of handling the complaint. If not, discuss alternatives with the complainant (i.e.; appeals to tribunals, legal action or Police).
5. Consider whether the complaint could be resolved without further investigation.
6. If the complaint is about proposed action by the Council, consider whether the action should be deferred while the complaint is investigated.
7. Obtain all relevant documents (ensuring you see the originals, not copies). They may include files, log books and timesheets. Get copies of all the documents reasonably required.
8. Establish the relevant sequence of events from the files and also the names of the officers/members most directly involved in the complaint.
9. Prepare a line of questioning for each person to be interviewed:
 - ◆ Use open, not leading questions
 - ◆ Don't express opinions in words or by your body language
 - ◆ Ask single, not multiple questions
10. Arrange the order of interviews so that where you need to establish normal procedures, you do this first from the most senior officers and end with the officers most directly involved in the complaint.



11. Inform those to be interviewed that they can be accompanied by a friend or union representative, provided the friend is not in a supervisory position over the interviewee. Explain the complaint clearly to them.
12. Consider whether you need a witness for a particularly difficult interview.
13. Interviews should be conducted in an informal and relaxed manner, but persist in your questions if necessary. Don't be afraid to ask the same question more than once. Make notes of answers or tape the interview, whichever is most appropriate.
14. Try to separate "hearsay" evidence from fact by asking interviewees how they know a particular fact.
15. Deal with conflicts of evidence by seeking corroborative evidence. If this is not available, then as an exceptional measure, consideration can be given to organising a confrontation between the conflicting witnesses.
16. At the end of the interview, summarise the main points covered by the interviewee and ask if he/she has anything to add.
17. Make a formal record of the interview from your written notes as soon as possible after the interview while your memory is fresh. Never leave it longer than the next day.
18. Draft a report setting out the evidence obtained, without including your own opinions and circulate this for comment to all those interviewed, including the complainant, unless there are special reasons not to do so.
19. Consider comments and amend the report as necessary, adding conclusions and if appropriate, a suggested remedy for the complainant.



COMPLAINTS/ISSUES/GRIEVANCES REGISTER

No	Name of Complainant	Details	Date Received	Responsible Officer	Action Taken	Date Completed



APPENDIX D CODE OF CONDUCT

1. Conflict and Disclosure of Interest

- a) Members and staff will ensure that there is no actual (or perceived) conflict of interest between their personal interests and the impartial fulfilment of their professional duties.
- b) Staff will not engage in private work with or for any person or body with an interest in a proposed or current contract with the Local Government, without first making disclosure to the Chief Executive Officer. In this respect, it does not matter whether advantage is in fact obtained, as any appearance that private dealings could conflict with performance of duties must be scrupulously avoided.
- c) Members and Staff will lodge written notice with the Chief Executive Officer describing an intention to undertake a dealing in land within the municipality or which may otherwise be in conflict with the Council's functions (other than purchasing the principal place of residence).
- d) Members and Staff who exercise recruitment or other discretionary function will make disclosure before dealing with relatives or close friends and will disqualify themselves from dealing with those persons.
- e) Staff will refrain from partisan political activities which could cast doubt on their neutrality and impartiality in acting in their professional capacity. An individual's rights to maintain their own political convictions are not impinged upon by this clause. It is recognised that such convictions cannot be a basis for discrimination and this is supported by anti discriminatory legislation.

1.2 Pecuniary Interest

Members and staff will adopt the principles of disclosure of pecuniary interest as contained within the Local Government Act.

1.3 Disclosure of Interest

- a) Members and appropriate staff will disclose, in a written return or at the relevant meeting, the interests which might be in conflict with their public or professional duties.
- b) Whenever disclosure is required, recommended in this Code, or otherwise seems appropriate, it will be made promptly, fully, and in writing within the register provided.

2. PERSONAL BENEFIT

2.1 Use of Confidential Information

Members and staff will not use confidential information to gain improper advantage for themselves or for any other person or body, in ways which are inconsistent with their obligation to act impartially, or to improperly cause harm or detriment to any person or organisation.

2.2 Intellectual Property

The title to intellectual property in all duties relating to contracts of employment will be assigned to the Local Government upon its creation unless otherwise agreed by separate contract.

2.3 Improper or Undue Influence

Members and staff will not take advantage of their position to improperly influence other members or staff in the performance of their duties or functions, or in order to gain undue or improper (direct or indirect) advantage or gain for themselves or for any other person or body.



2.4 Gifts and Bribery

- a) Members and staff will not seek or accept (directly or indirectly) from any person or body, any immediate or future gift, reward or benefit (other than gifts of a token kind, or moderate acts of hospitality) for themselves or for any other person or body, relating to their status with the Local Government or their performance of any duty or work which touches or concerns the Local Government.
- b) If any gift, reward or benefit is offered (other than gifts of a token kind, or moderate acts of hospitality), disclosure will be made in a prompt and full manner and in writing to the appropriate register.
- c) Value of a “token gift” is not to exceed \$100.00.

3. CONDUCT OF MEMBERS AND STAFF

3.1 Personal Behaviour

- a) Members and staff will:
 - i) Act, and be seen to act, properly and in accordance with the requirements of the law and the terms of this Code;
 - ii) Perform their duties impartially and in the best interests of the Local Government uninfluenced by fear or favour;
 - iii) Act in good faith (i.e. honestly, for the proper purpose, and without exceeding their powers) in the interests of the Local Government and the community;
 - iv) Make no allegations which are improper or derogatory (unless true and in public interest) and refrain from any form of conduct, in the performance of their unofficial or professional duties, which may cause any reasonable person unwarranted offence or embarrassment;
 - v) Always act in accordance with their obligation of fidelity to the Local Government; and
 - vi) Members will represent and promote the interests of the Local Government.

3.2 Honesty and Integrity

Members of staff will;

- i) Observe the highest standards of honesty and integrity, and avoid conduct which might suggest any departure from these standards;
- ii) Bring to the notice of the Mayor/President any dishonesty or possible dishonesty on the part of any other member, and in the case of an employee to the Chief Executive Officer;
- iii) Be frank and honest in their official dealing with each other.

3.3 Performance of Duties

- i) While on duty, staff will give their whole time and attention to the Local Government’s business and ensure that their work is carried out efficiently, economically and effectively, and that their standard of work reflects favourably both on them and on the Local Government;
- ii) Members will at all time exercise reasonable care and diligence in the performance of their duties, being consistent in their decision making but treating all matters on individual merits. Members will be as informed as possible about the functions of the Council, and treat all members of the community honestly and fairly.

3.4 Compliance with Lawful Orders

- a) Members and Staff will comply with any lawful order given by any person having authority to make or give such an order, with any doubts as to the propriety of any such order being taken up with the superior of the person who gave the order and, if resolution cannot be achieved, with the Chief Executive officer;



- b) Members and Staff will give effect to the lawful policies of the Local Government, whether or not they agree with or approve them.

3.5 Administrative and Management Practices

Members and staff will ensure compliance with proper and reasonable administrative practices and conduct, and professional and responsible management practices.

3.6 Corporate Obligations

a) Standard of Dress

Staff are expected to comply with neat and responsible dress standards at all times. Management reserves the right to raise the issue of dress with individual staff.

b) Communication and Public Relations

- i) All aspects of communication by staff (including verbal, written or personal), involving Local Government's activities should reflect the status and objectives of that Local Government. Communications should be accurate, polite and professional;
- ii) As a representative of the community. Members need to be only responsive to community views, but to adequately communicate the attitudes and decisions of the Council. In doing so Members should acknowledge that:
- as a member of the Council there is respect for the decision making processes of the Council which are based on a decision of the majority of the Council;
 - information of a confidential nature ought not be communicated until it is no longer treated as confidential;
 - information relating to decisions of the Council on approvals, permits and so on ought only be communicated in an official capacity by a designated officer of the Council;
 - information concerning adopted policies, procedures and decisions of the Council is conveyed accurately.

3.7 Relationships between Members and Staff

An effective Councillor will work as part of the Council team with the Chief administrator and other members of staff. That teamwork will only occur if Members and Staff have a mutual respect and cooperate with each other to achieve the Council's corporate goals and implement the Council's strategies. To achieve that position Members need to:

- accept that their role is a leadership, not a management or administrative one;
- acknowledge that they have no capacity to individually direct members of staff to carry out particular functions;
- refrain from publicly criticising staff in a way that casts aspersions on their professional competence and credibility.

3.8 Appointments to Committees

As part of their representative role members are often asked to represent the Council on external organisations. It is important that members;

- clearly understand the basis of their appointment; and
- provide regular reports on the activities of the organisation.

3.10 Declaration by members whether they have given due consideration to all matters contained in the Agenda presently before the meeting.

This declaration will be asked of all elected members at the commencement of each meeting of Council, and it will be the responsibility of the individual Councillor to have recorded any declaration other than the Councillor complies with the statement.

4. DEALING WITH COUNCIL PROPERTY

4.1 Use of Local Government Resources



Members and staff will;

- i) be scrupulously honest in their use of Local Government's resources and shall not misuse them or permit their misuse (or the appearance of misuse) by any other person or body;
- ii) use Local Government resources entrusted to them effectively and economically in the course of their duties; and
- iii) not use Local Government's resources (including the services of Council Staff) for private purposes (other than when supplied as part of a contract of employment), unless properly authorised to do so, and appropriate payments are made (as determined by the Chief Executive Officer).

4.2 Travelling and Sustenance Expenses

Members and staff will only claim or accept travelling and sustenance expenses arising out of travel related matters which have a direct bearing on the services, policies or business of the Local Government in accordance with Local Government policy and the provision of the Local Government Act.

4.3 Access to Information

- i) Staff will ensure that members are given access to all information necessary for them to properly perform their functions and comply with their responsibilities as members.
- ii) Members will ensure that information provided will be used properly and to assist in the process of making reasonable and informed decisions on matters before the Council.



APPENDIX E ELECTORAL CODE OF CONDUCT

INTRODUCTION

This code of conduct contains the principles and standards we are to apply in performing Electoral Officer duties.

Elections are the very foundation of our democratic society and vigilance is required in preserving the integrity of the electoral process.

Elections can also be an emotional experience for winning and losing candidates and a fertile area for disputation if cause exists. All candidates are entitled to expect that we will so conduct ourselves as to ensure the election outcome is a true expression of the will of the electorate.

An Election is also an opportunity for personal contact with a big number of the Shire's customers. Casting a vote will be one of the few direct contacts some will have with the Shire during the course of the year. Our goal should be to project an image of professionalism, impartiality and friendliness.

The charter for this Code of Conduct is contained in Elections Regulation 8, which provides –

- 1) This regulation applies to the ordinary elections to be held in 1999 and to each subsequent election.
- 2) The RO for any election to which this regulation applies is to prepare or adopt an electoral code of conduct for the election which aims to ensure that all Electoral Officers act:
 - a) lawfully;
 - b) professionally;
 - c) fairly and impartially;
 - d) with honesty and integrity; and
 - e) without any conflict of interest, in relation to the Election.
- 3) The RO is to provide each Electoral Officer with a copy of, or access to a copy of, the Electoral Code of Conduct.
- 4) An Electoral Officer is to observe and comply with the Electoral Code of Conduct.

This Code of Conduct is a living document in that it will be examined by us each year to ensure that the guidance contained therein remains relevant and attuned to on-the-job experiences. Your contribution to this on-going review will be appreciated and in the interim, do not hesitate to raise, either directly with the RO or through an appropriate forum, ethical issues impacting on our role as Electoral Officers.

Our Commitment

Act Lawfully

We will –

- complete the Form 1 Declaration before acting
- prepare so that we are familiar with the Act and Regulations, and the duties expected of us: ask questions so that uncertainties are resolved before election day
- exercise care in carrying out duties and making decisions: penalties for electoral offences are high
- abide by the detail of the Act, Regulations, and instructions issued, in performing all duties
- maintain surveillance to ensure security of election papers and secrecy of the ballot
- report offences to the appropriate authority.

We will not –

- make improper use of official information for the gain or detriment of any person, or falsify reports.



Act Professionally

We will –

- dress in a manner which depicts the professional position we hold open on time
- behave in a consistently ethical, competent and reliable manner
- be familiar with the Local Government Act and Regulations
- obey promptly any lawful instruction of supervising officer
- assist and cooperate with other staff
- observe “no smoking” policies of the Shire

Act Fairly and Impartially

We will –

- act impartially to serve the common good, while recognising that equity can involve treating people differently according to their circumstances
- be polite and sensitive to customer needs : explain the reason for decisions
- be alert to any attempt by candidates/scrutineers to gain an unfair advantage and report any questionable activities in this regard to the appropriate authority
- Refrain from making comments of a party political nature, or about candidates or local referendum issues, or policies of the Council.

We will not –

- Solicit or accept gifts, fees, favours or remuneration of any kind, from a candidate or person assisting a candidate.

Act with Honesty and Integrity

We will –

- advise if we cannot allow a vote, and why
- have available a supply of Enrolment Eligibility Claim forms
- invite aggrieved person to exercise their rights of appeal or complaint
- explain processes and procedures.

Duty of Care

As Electoral Officers we must exercise a duty of care in order to fulfil our obligations effectively and without causing harm.

Such a duty of care includes –

- ensuring the efficient and effective use of the resources placed at our disposal;
- being accountable for the use of those resources; and
- setting an example by supporting and monitoring ethical behaviour.

Act with No Conflict of Interest

Electoral Officers are to act without conflict of interest.

Generally, a conflict of interest exists if the relationship between a prospective Electoral Officer and a candidate is such as could influence, or be seen by others to influence, the partiality with which electoral provisions are administered.

Examples of “closely associated” relationships an officer could have to a candidate where a conflict of interest might arise include:



- A spouse (includes defacto) of the candidate
- A parent of a candidate
- A close relative of a candidate
- A partner of a candidate
- An employee of a candidate
- A trustee, if a candidate is a beneficiary
- Associated through his/her spouse who is living with the officer and is –
 - (a) parent of a candidate living with them
 - (b) partner of a candidate
 - (c) an employee of a candidate or
 - (d) a trustee, if a candidate is a beneficiary

If any officer has such a “close association” or is the director of a company associated with a candidate they must disclose the relevant detail to the RO and accept that person’s judgment as to whether or not the ‘interest’ should preclude their engagement as an Electoral Officer.



APPENDIX F DRUG AND ALCOHOL POLICY

Policy Statement

The Shire of Three Springs's Commitment

The **Shire of Three Springs** and its employees must take all reasonable care not to endanger the safety of themselves or others (including customers) in the workplace. Alcohol and other drug usage become an occupational safety and health issue if a worker's ability to exercise judgment, coordination, motor control, concentration and alertness at the workplace is impaired. For the purposes of this policy, the term "employee/s" shall extend to cover contractors, volunteers and any person performing work for or with the **Shire of Three Springs** in any capacity.

The **Shire of Three Springs** is committed to providing the safest possible workplace for its employees and to achieve the highest standards of safety and health, all employees are encouraged and expected to be free of alcohol and or other drugs in excess of specified standards whilst at work. The underlying principles of the **Shire of Three Springs** are fairness and transparency and providing a safe workplace that promotes and protects the well-being of all employees within the **Shire of Three Springs**.

The Individual's Responsibility

Under the *Occupational Safety and Health Act 1984* (the OSH Act), workers must take reasonable care of their own safety and health and not endanger the safety and health of others at the workplace. The consumption of alcohol and/or drugs while at work is unacceptable (the hazard extends to being adversely effected, possibly as a result of the night before in addition to consumption as work), except in relation to any authorised and responsible use of alcohol at workplace social functions.

Employees are required to present themselves for work and remain, while at work, capable of performing their work duties safely. An employee who is under the influence of alcohol and/or drugs at the workplace, or is impaired, may face disciplinary action including possible termination of employment.

Permitted Blood Concentrations

Alcohol: BAC (Blood Alcohol Content) for any person engaged in work must be 0.0mg/L

Drugs: as per Australian Standard for illicit drugs.

All employees are expected to comply with the **Shire of Three Springs's** Code of Conduct at all times. They should carry out their duties in a professional, responsible and conscientious manner and refrain from any conduct (including alcohol abuse or substance misuse) which could adversely affect their personal work performance or the safety and well-being of others.

Reporting Requirements

Under the Occupational Safety and Health Act 1984, Employees must report to their employer any situation where they genuinely believe that an employee may be affected by alcohol and/or other drugs, as this presents a hazard in the workplace.



Drug Use on the Premises

Employees who buy, take, or sell drugs on **Shire of Three Springs** premises, may be found to have engaged in serious misconduct. Such behaviour may result in disciplinary action up to and including dismissal and may be referred to the relevant authorities.

Prescribed and Over the Counter Medications:

The Employee must follow the instructions in respect of prescribed or over the counter medications. If the medication affects their ability to perform a task they must advise their supervisor or manager. Employees taking prescribed or over the counter medication must not commence duties if their doctor or pharmacist indicates that it would not be safe to do so.

The categories of drugs and substances prohibited by the **Shire of Three Springs** are outlined as per the Australian Standard AS 4308 for drugs of abuse.

Consumption of Alcohol on the Premises

Except in situations where the **Shire of Three Springs** holds a function on the premises and alcohol is provided, employees must not bring in and/or consume/or sell alcohol in the workplace. Routine shire endorsed activities are, but not limited to, Council meeting attendance, Christmas parties, leaving and work anniversary parties, project conclusion and routine social club functions/meetings.

Drug/Alcohol Treatment Programs

Where an employee acknowledges that they have an alcohol or drug problem and are receiving help and treatment, the Local Government will provide assistance to the employee.

- The **Shire of Three Springs** will allow an employee to access any accrued personal or annual leave they are undergoing treatment and;
- The **Shire of Three Springs** will take steps to return an employee to their employment position after completion of the treatment program, if practicable in the circumstances.

Where an employee acknowledges that they have an alcohol or drug problem and are receiving help and treatment, the line manager or members of senior management, will review the full circumstances and agree on a course of action to be taken. This may include redeployment to suitable alternative employment, or possible termination from employment if the employee is unable to safely carry out the requirements of their role.

Responsibilities

The **Shire of Three Springs** considers that the use of alcohol or other drugs is primarily a health issue for individual employees, however, where an employee's performance or conduct affects his/her health and safety, and/or others in the workplace, the **Shire of Three Springs** is committed to appropriately managing the issue.

A likely outcome of any breach of this policy will be disciplinary action (up to and including termination of employment), however the **Shire of Three Springs** may also manage the issue by:

- Providing appropriate education and training to employees;
- Providing professional counselling and support where needed.

Managers' Responsibilities - Consumption of Alcohol at Work Sponsored Functions



Team managers shall:

- Ensure cessation of all:
 - Physical and computer based work;
 - Use of equipment and machinery (including plant and mobile plant);
 - Dealing with enquiries and advisory functions to the members of the public
- Encourage their people to make alternative arrangements for transport to and from work prior to the function;
- Ensure that the following is made available: - Low alcohol beer, soft drinks and water - Beverages: Tea, Coffee and Food;
- If the manager believes a person may be over the BAC 0.05 limit, assist the person with safe transport home (including contacting a family member or arranging a taxi); and
- If the manager has to leave the function early, appoint a delegate to oversee the rest of the function.

Pre-Employment Medical Tests

As part of the recruitment selection criteria, preferred candidates for employment positions may be required to attend a medical assessment which includes drug and alcohol testing.

Identification of Impairment & Testing

If the ***Shire of Three Springs*** has reasonable grounds to believe that an employee is affected by drugs and/or alcohol it will take steps to address the issue.

Reasonable grounds may include (but are not limited to), where an employee's coordination appears affected, has red or bloodshot eyes or dilated pupils, smells of alcohol, acts contrary to their normal behaviour, or otherwise appears to be affected by drugs and/or alcohol.

Testing may be carried out as a result of all incidents (including, but not limited to near miss, injury, property damage, and personal altercations.

Random testing may also be conducted. Random testing may utilise a variety of methods for randomly selecting names such as software, lottery of selection through coloured marbles in a bad drawn by each employee. All staff on site must participate in random selection.

If the ***Shire of Three Springs*** suspects that an employee is under the influence of drugs and/or alcohol it may pursue any or all of the following actions:

- Direct an employee to attend a medical practitioner and submit to a medical assessment to determine whether the employee is fit to safely perform their duties;
- Require that an employee undergo drug and alcohol testing administered by a representative of the Shire of Three Springs. (The Shire of Three Springs person conducting the testing must be appropriately trained/qualified). A non-negative oral drug test result, administered by a trained Shire representative may result in a referral to an independent NATA (National Association of Testing Authorities) accredited laboratory nominated by the Shire for a urine test confirmation.
- Direct an employee to go home.

A medical assessment may include a drug and/or alcohol test. Testing shall be conducted in accordance with the Australian Standard AS/NZS 4308:2008 - Procedures for specimen collection and the detection and quantitation of drugs of abuse in urine.



In circumstances where an employee indicates the consumption of prescription or pharmacy drugs, the **Shire of Three Springs** may request further information from the medical practitioner conducting the assessment about the effects and proper usage of the prescription or pharmacy drugs being taken. The **Shire of Three Springs** may direct the employee to go home following the medical assessment until it can be established that they are fit to undertake their duties.

If an employee refuses to attend a medical examination or refuses to submit to an alcohol or drug test, the employee will be immediately directed to go home. Refusal to attend a medical assessment or refusal to go home constitutes a breach of this policy and may result in disciplinary action being taken against the employee up to and including the termination of employment.

The following steps are to be taken where an employee who has submitted to a medical assessment returns a positive test result for alcohol and/or drugs:

- The employee tested and the supervisor (or respective employer) will be informed of the result;
- A disciplinary discussion will take place in accordance with the disciplinary policies and procedures of the **Shire of Three Springs**.

An employee who returns a positive test will be in breach of this policy. A breach of this policy may result in disciplinary action being taken against the employee up to and including the termination of employment.

Self-Testing

The shire will make self-testing available.

Alcohol

Breathalyser devices will be available for all workers to self-test prior to engaging in shire work. The Breathalyser will be kept either within the Shire Administration or the Works Managers Office and can be requested for use by any worker prior to their shift commencing. The test results will be known only to the individual and will not be recorded. Where an individual decides not to attend work as a result of the test the absence will be taken as unpaid leave and documented and recorded by the shire as "unpaid leave due to self- testing".

Drugs

Any worker can volunteer to have an independent Drug Analysis conducted prior to engaging in work for the shire. The worker must contact their line supervisor to request a voluntary test (at their own expense). The line supervisor will then arrange to have the confidential test conducted by either an independent NATA accredited laboratory or use approved self-testing kit under the supervision of trained shire employee.

The tests results will be known only to the individual and will not be recorded. Where an individual decides not to attend work as a result of the test the absence will be taken as unpaid leave and documented and recorded by the shire as "unpaid leave due to self- testing".

If a pattern is perceived, or significant concern raised with an employees' self-tests occasioning the use of unpaid leave, the shire may review the employees frequency of absenteeism and/or risk of the behaviour in disciplinary terms and over all work performance.

Education, Training & Awareness

Employees who recognise that they have a drink or drug problem, or that they are at risk of developing one, are encouraged to come forward so that they can be assisted to get the appropriate help.

The **Shire of Three Springs** engages the services of an external Employee Assistance Provider who can provide the organisation's people with free and confidential counselling.



Consequences of Breaching this Policy

An employee engaged by the **Shire of Three Springs** who breaches the provisions of this policy may face disciplinary action including possible termination of employment.

Subsequent consequences aside from potential discipline to positive test and non-negative tests (for Drugs)

- Non negative drug test result: Pay will continue until the National Association of Testing Authorities (NATA) Laboratory analysis result is confirmed; disciplinary action cannot progress until a positive result is proven and on confirmation pay may cease. The employee cannot return to work until an independent test (NATA) verifies the result is negative, at which point from return to work (subject to disciplinary action) pay may resume.
- A positive Blood Alcohol Concentration (BAC) reading may require the employee to be sent home and subject to a disciplinary procedure. Pay may cease until the employee presents for work the next work day and produces a clear reading.
- Any person yielding a positive Drug test result (i.e. NATA Laboratory confirmed positive reading) for drugs or a reading above zero on the calibrated hand held BAC test for alcohol may be automatically tested the next three screening sessions (making them subject to compulsory rather than random).

Variation to this Policy

This policy may be cancelled or varied from time to time. All the organisation's employees will be notified of any variation to this policy by the normal correspondence method.

Related Corporate Documents

- Disciplinary Policy
- Grievances, Investigations, & Resolutions Procedure (where applicable)
- Absenteeism Policy



SCHEDULE 1

Checklists and Forms for Purchasing of Plant and Equipment

OSH PURCHASING & RISK ASSESSMENT OF NEW MOBILE PLANT OR EQUIPMENT FORM	
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Prior to purchasing an item for the first time, the authorised officer shall consider items on the following checklist:

PRE-PURCHASING HEALTH & SAFETY CONSIDERATIONS	ARE THESE APPLICABLE?	VERIFICATION FOLLOWING RECEIPT OF ORDER
MANUAL HANDLING		
Does Component removal require lifting assistance eg. Tyres, bucket		
Suitable handles to access/egress cab		
Non-slip tread to steps		
CHEMICALS		
Are MSDS sheets and labels provided		
ERGONOMICS		
Operator seat is adjustable		
Seat belts adjustable and in good condition		
NOISE		
Noise emitted less than 85 dB(A)		
EMERGENCY		
Isolation switch or emergency stop control in place		
Fire extinguishers accessible, in good condition and tagged.		
Radio/communications in place		
GENERAL		
Does product meet appropriate Australian Standards		
Is plant registered?		
Is specific training required to use the equipment		
Personal protective equipment required		
Instruction manuals, safe operating procedures provided		
What are cleaning & maintenance requirements		
Can the supplier provide ongoing service & maintenance		
Roll over protection adequate		
Controls labelled		
Guarding in place around moving parts, pinch points and electrical sources		
Safe Weight Limits displayed		
CONSULTATION may be necessary with the end user where there is potential for health & safety risk to employees. (Safety and Health Representative, Operator)		
CONSULTATION WITH:	Date	Outcome



OSH PURCHASING & RISK ASSESSMENT OF NEW PLANT OR EQUIPMENT FORM	
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Prior to purchasing an item for the first time, the authorised officer shall consider items on the following checklist:

PRE-PURCHASING HEALTH & SAFETY CONSIDERATIONS	ARE THESE APPLICABLE?	VERIFICATION FOLLOWING RECEIPT OF ORDER
MANUAL HANDLING		
Is weight, shape or size potentially hazardous		
If > 16 kg: Suitable handles for 2 person lift Lifting devices required/available		
Delivery instructions stipulate delivery to point of use		
CHEMICALS		
Is this the least hazardous substance available		
Are MSDS sheets and labels provided		
ERGONOMICS		
Furniture- does this allow staff to work with minimum of bending, twisting or repetitive movement		
Computer equipment ergonomically designed		
NOISE		
Noise emitted less than 85 dB(A)s		
GENERAL		
Does product meet appropriate Australian Standards		
Is machinery appropriately guarded, and has emergency stop controls		
Is specific training required to use the equipment		
Personal protective equipment required		
Instruction manuals, safe operating procedures provided		
What are cleaning & maintenance requirements		
Can the supplier provide ongoing service & maintenance		
CONSULTATION may be necessary with the end user where there is potential for health		



& safety risk to employees		
CONSULTATION WITH:	Date	Outcome

RISK ASSESSMENT OF NEW PLANT OR EQUIPMENT

DETAILS OF PLANT OR EQUIPMENT

Description: _____

Brand: _____ Model No: _____

Supplier: _____ Assessment Date: _____

DETAILS OF RISK ASSESSMENT

Hazard Identification:

The plant has been assessed to ensure that all possible risks to employees from the use of the plant are recognised and taken into account prior to the use of it. The potential hazards found were:

Hazard Assessment:

The hazards have been assessed to determine the likelihood and severity of injury. The likelihood and severity of injury are:

Hazard Control:

Possible courses of action to minimise all risk associated with the use of the plant. Control measures implemented:

Supervisor: _____ Date: _____

OSH Rep or Machinery Operator: _____ Date: _____