

SHIRE OF CUBALLING

POLICY MANUAL

April 2024

1.GENERAL ADMINISTRATION	4
1.1IMPORTANT RECORDS - SAFEKEEPING	4
1.2AGREEMENTS AND DOCUMENTS - COUNCIL SEAL	4
1.3SOCIAL MEDIA POLICY	5
1.4RECORDS MANAGEMENT POLICY	16
1.5LEGAL REPRESENTATION COSTS INDEMNIFICATION	18
1.6SHIRE ADMINISTRATION SERVICES – CHRISTMAS NEW YEAR PERIOD.....	20
1.7PROVISION OF REFRESHMENTS	21
1.8MEDIA STATEMENTS AND PUBLIC RELATIONS	22
1.9INTERNAL CONTROL POLICY	23
1.10LEGISLATIVE COMPLIANCE POLICY	24
2.FINANCE	26
2.1LOCAL PURCHASING POLICY	26
2.2PURCHASING POLICY	27
2.3RATES DEBTOR COLLECTION.....	31
2.4SUNDRY DEBTOR COLLECTION.....	33
2.5SELF SUPPORTING LOANS	33
2.6INVESTMENT POLICY	34
2.7PURPOSE & FUNDING OF RESERVE ACCOUNTS.....	36
2.8EARLY PAYMENT RATES DISCOUNT	36
2.9CREDIT CARDS.....	37
2.10FUEL CARDS	39
2.11ASSET MANAGEMENT	41
2.12RESERVE FUND INTEREST	41
2.13CONTIGUOUS VALUATIONS	41
2.14PAYMENT OF UTILITY ACCOUNTS VIA CREDIT CARD.....	43
2.15FINANCIAL HARDSHIP.....	43
2.16LOCAL EVENT AND PROJECT (LEAP) GRANT PROGRAM.....	46
2.17RATES PRIZE ELIGIBILITY	47
2.18FRAUD AND CORRUPTION PREVENTION POLICY	47
2.19SETTING A RESERVE PRICE FOR THE SALE OF PLANT ASSETS BY AUCTION	48
2.20RELATED PARTY DISCLOSURES	48
2.21PETTY CASH AND CASH HANDLING POLICY	51
3.COUNCIL	54
3.1WEST AUSTRALIAN WILDFLOWER FLORAL EMBLEM.....	54
3.2USE OF THE SHIRE OF CUBALLING LOGO	54
3.3PARTICIPATION IN LOCAL ANZAC DAY CEREMONIES	54
3.4AUSTRALIAN FLAG	54
3.5COUNCIL MEETING AGENDA	55
3.6USE OF COUNCIL CHAMBERS.....	55
3.7FUNCTIONS UPON RETIREMENT OF COUNCILLORS.....	55
3.8PRESENTATIONS FOR ELECTED MEMBER SERVICE	56
3.9COUNCIL MEETINGS	56
3.10COUNCILLOR EXPENSES.....	56
3.11COUNCILLOR ATTENDANCE AT CONFERENCES, SEMINARS OR WORKSHOPS.....	57
3.12TABLET DEVICES FOR COUNCILLOR USE.....	58
3.13AUSTRALIA DAY CITIZENSHIP AWARDS.....	60
3.14CONTINUING ELECTED MEMBER PROFESSIONAL DEVELOPMENT.....	61
3.15ELECTED MEMBER, CHIEF EXECUTIVE OFFICER AND EMPLOYEE ATTENDANCE AT EVENTS POLICY	63
3.16AUSTRALIAN CITIZENSHIP CEREMONIES	66
3.17PUBLIC QUESTION TIME – MANAGEMENT	67
3.18CODE OF CONDUCT BEHAVIOUR COMPLAINTS MANAGEMENT POLICY	69
3.19 CHILD SAFE AWARENESS POLICY	78
4.STAFF	82
4.1PRIVATE USE OF SHIRE LIGHT VEHICLES	82
4.2USE OF SHIRE INFORMATION TECHNOLOGY (IT) FACILITIES FOR STAFF.....	83
4.3STAFF - ATTENDANCE AT ARMY RESERVE	88
4.4SUPERANNUATION - COUNCIL CONTRIBUTION	89

4.5	CONFERENCE ATTENDANCE - STAFF	89
4.6	STAFF GRATUITY PAYMENTS.....	89
4.7	SERVICE ALLOWANCE	90
4.8	PAYMENT OF ADVERSE WORKING CONDITIONS ALLOWANCE	91
4.9	POLICE CLEARANCE/MEDICAL EXAMINATION – NEW EMPLOYEES.....	91
4.10	ADMINISTRATIVE STAFF UNIFORMS	91
4.11	WORKPLACE INCENTIVE – FLU NEEDLE	92
4.12	WORKS STAFF UNIFORM.....	92
4.13	EDUCATION, TRAINING AND DEVELOPMENT	93
4.14	STAFF LEAVE ENTITLEMENTS.....	95
4.15	STAFF TIME IN LIEU ENTITLEMENTS.....	95
4.16	STAFF PRESENTATIONS ON RESIGNATION.....	96
4.17	JOB INTERVIEW EXPENSE REIMBURSEMENT.....	96
4.18	SMOKE FREE WORKPLACE.....	97
4.19	CONFERENCE EXPENSES - STAFF	98
4.20	PAYMENT TO EMPLOYEES WHO ARE ABSENT FROM WORK DURING A PANDEMIC	99
4.21	DISCIPLINARY POLICY	99
4.22	ALCOHOL AND OTHER DRUGS	101
4.23	STAFF RELOCATION EXPENSES.....	104
4.24	TEMPORARY EMPLOYMENT OR APPOINTMENT OF CEO	105
4.25	PROBATIONARY PERIOD FOR NEW EMPLOYEES.....	107
5.	ROADS AND ENGINEERING	109
5.1	SAND DRIFT	109
5.2	PEDESTRIAN ACCESS	109
5.3	STORM WATER DISPOSAL - PRIVATE DEVELOPMENTS	109
5.4	PRIVATE WORKS.....	110
5.5	ACQUISITION OF ROAD MAKING MATERIALS.....	110
5.7	MANAGER WORKS & SERVICES PLANT REPORT	111
5.8	CABLE LAYING	111
5.9	PROPERTY ACCESS AND CROSSOVERS.....	111
5.10	HEAVY VEHICLE OPERATIONS.....	116
5.11	ROAD RESERVE VEGETATION AND CLEARING.....	119
5.12	PROVISION OF BUSINESS SIGNS	119
5.13	ACCESS TO COUNCIL RESERVES TO COLLECT FLORA AND FAUNA SPECIMENS.....	119
5.14	USE OF COUNCIL PLANT BY COMMUNITY ORGANISATIONS	120
5.15	IMPOUNDING AND DISPOSAL OF ABANDONED VEHICLES	120
5.16	USE OF VARIABLE MESSAGE BOARD.....	122
6.	BUSH FIRE CONTROL	124
6.1	FIRE REPORTS	124
6.2	INSPECTION/PROSECUTIONS - FIREBREAKS.....	124
6.3	HARVEST BAN TO INCLUDE MOVEMENT OF MACHINERY AND VEHICLES IN PADDOCKS	125
6.4	USE OF SHIRE PLANT DURING HARVEST AND MOVEMENT OF VEHICLE BANS.....	125
6.5	WEATHER INSTRUMENTS.....	125
6.6	CLOVER BURNING.....	125
6.7	BREACHES OF HARVEST AND MOVEMENT OF VEHICLES IN PADDOCKS BANS UNDER THE BUSH FIRES ACT 1954 AND BUSH FIRES REGULATIONS 1954	126
6.8	SAFETY AND HEALTH RELATING TO VOLUNTEER BUSH FIRE FIGHTERS.....	126
6.9	FIRE SITUATIONS	127
6.10	EMPLOYEE VOLUNTEER INPUT TO FIRE BRIGADES AND AMBULANCE SERVICES DURING WORKING HOURS.....	128
6.11	BUSH FIRE ADVISORY COMMITTEE	129
7.	COUNCIL BUILDINGS.....	130
8.	RECREATION	132
8.1	MEMORIALS ON LOCAL GOVERNMENT PROPERTY	132
9.	HEALTH	134
9.1	CARAVAN HABITATION ON GENERAL AGRICULTURE ZONED RURAL LAND	134
9.2	RUBBISH ON ROADS AND VACANT LAND	134
10.	BUILDING	135

10.1	BUILDING LICENSE - CANCELLATION	135
10.2	BUILDING LICENSE - EXPIRY	135
11.	OCCUPATIONAL SAFETY AND HEALTH.....	136
11.1	OCCUPATIONAL SAFETY & HEALTH POLICY	136
11.2	EQUAL OPPORTUNITY IN THE WORKPLACE	137
11.3	INJURY MANAGEMENT AND REHABILITATION POLICY	137
11.4	RISK MANAGEMENT POLICY.....	138
11.5	DASH CAM USE	139
11.6	CCTV USE.....	140

1. GENERAL ADMINISTRATION

1.1 Important Records - Safekeeping

Rescinded: 17th April 2024

1.2 Agreements and Documents - Council Seal

Statement

The common seal of the Shire of Cuballing is to be affixed to:

- a. Any local law adopted by Council
- b. Any transfer of land document
- c. Any document which confers a lease of land
- d. Any document from another party which specifically requires the seal.

Objective

Under *section 2.5(2)* of the *Local Government Act 1995* – “The local government is a body corporate with perpetual succession and a Common Seal”.

Section 9.49 states – “A document, is, unless this Act requires otherwise, sufficiently authenticated by a local government without it’s Common Seal if signed by the CEO or an employee of the local government who purports to be authorised by the CEO to so sign. ”Section 9.49 provides that a common seal is not needed to authenticate documents if they are signed by the CEO or an officer authorised by the CEO. The act does not stipulate any circumstances where the common seal must be used.

The *Shire of Cuballing Standing Orders Local Law* provides as follows:

19.1 The Council’s Common Seal

- (1) The CEO is to have charge of the common seal of the Local Government and is responsible for the safe custody and proper use of it.
- (2) The common seal of the Local Government may only be used on the authority of the Council given either generally or specifically and every document to which the seal is affixed must be signed by the President and the CEO or a senior employee authorised by him or her.
- (3) The common seal of the local government is to be affixed to any local law which is made by the local government.
- (4) Any person who uses the common seal of the Local Government or a replica thereof without authority commits an offence.

Penalty \$1,000

Council notes that the Local Law may be repealed when the standard meeting rules are regulated as part of the Local Government Act Reforms.

Resolution No: 9.2.6

Resolution Date: 21st April 2016
Amended: 17th April 2024:

1.3 Social Media Policy

Statement

1. INTRODUCTION

Purpose

The purpose of this guideline is to provide assistance to Shire of Cuballing staff to interact with the community through official social media channels using a risk-management approach.

Scope

This document is primarily to provide guidance to staff that are using social media as a community engagement tool on behalf of the Shire of Cuballing. This guideline relates to the Official Use of Social Media Policy. This guide also provides advice to staff on personal use of social media in relation to Shire activities, decisions and policies.

The following are out of scope of the guideline

- Political use of social media by elected representatives and candidates
- Personal access to social media where the individual is representing themselves and not the Shire of Cuballing, on issues unrelated to Shire activities
- Use of social media for internal purposes (staff engagement and internal communications)

2. BACKGROUND

The Shire of Cuballing is committed to implementing e-government technologies, utilizing online platforms to enhance the conduct of Shire Business. As part of this suite of tools the Shire supports the use of social media platforms as a means of communicating and interacting with the community.

The significant uptake and innovative functionality of social media offers many benefits, however its uncontrolled use also presents many risks. This guideline has been developed to assist staff to realise the benefits of social media use while identifying the risks and potential mitigation measures.

3. WHAT IS SOCIAL MEDIA?

Social media is an umbrella term covering websites, technology, applications or tools that enable active and participatory publishing and interaction between individuals over the internet.

Social media can be characterized by:

- Relationships
- User participation
- User-generated content
- Collaboration
- Multi-directional conversations
- Highly accessible and scalable publishing
- 24/7 operation and availability

How social media can be used at the Shire of Cuballing

Social media can be used as a channel by the community to access the Shire and vice versa. For the Shire of Cuballing, social media represents a channel by which audiences can be harnessed to support or deliver a wide range of activities including:

- Community engagement
- Marketing and communications
- Policy development and implementation
- Service delivery
- Market/community research

Risks

The official use of social media has the potential to compromise compliance with the Shire's legislative obligations, particularly with respect to accessibility, privacy and record keeping. Content contributed to official social media pages may infringe upon the rights of others in areas such as defamation, intellectual property and fraud. Due to the seriousness of these risks, the official use of social media could be subject to a risk assessment if deemed necessary by the Management team. Appendix A provides an implementation checklist which covers the major risk factors identified in this guideline. Prior to the establishment of official social media accounts, officers must conduct a risk assessment, ensure appropriate documentation of requirements is in place and mitigating actions are established.

4 TYPES OF SOCIAL MEDIA USE

Official use of social media

The document provides guidance on the selection, establishment and management of official social media accounts. Official use of social media is any use of a Shire of Cuballing managed social media account, profile or presence by an authorised user. Comments made through official social media accounts are representative of the Shire of Cuballing and are made only by those authorized to do so. Uses can include: publishing messages, uploading content (text, images, video) and responding to communications from others.

Professional use of social media

Professional use of social media is based on an individual's area of expertise and association with other practitioners in that field. The acceptable standard of behaviour for professional use of social media can be likened to that for officers who have been invited to speak at conferences for professional organisations or other networking events.

Personal use of social media

Personal use of social media is defined as individual or private use and not attributable as an official or professional use.

Further guidance

The Shire of Cuballing Code of Conduct provides general guidance on standards of behaviour for Shire staff. Shire of Cuballing *Policy 4.2 Use of Shire Information Technology (IT) Facilities for Staff* document provides guidance on the acceptable use of IT facilities provided by the Shire of Cuballing, including use of the internet. This document provides more specific guidance related to social media and does not in any way alter the contents or effect of the aforementioned documents.

5 WHAT IS ONLINE COMMUNITY ENGAGEMENT?

Online community engagement is any form of community engagement that occurs in an online channel. Opportunities to engage online are shaped by the technologies available and

community preferences for how they want to be engaged. Currently, members of the Shire of Cuballing community have demonstrated a strong appetite for engagement on Facebook. The evolution of the online environment means that individuals are now creators of content rather than passive receivers giving rise to numerous new ways of consulting and interacting with citizens and communities in ways that can facilitate dialogue, creativity, collaboration and participation.

6 SOCIAL MEDIA GOVERNANCE

Official agency accounts using social media tools represent the public face of the Shire in those environments. Consequently, it is recommended that the selection, establishment and use of social media accounts has strategic, tactical or operational intent and is subject to the following checks prior to approval by the Chief Executive Officer:

- The social media tool proposed is suitable for the circumstances and is capable of delivering the outcomes required.
- Appropriate security precautions have been adopted.
- The creation of access to and closure of official social media accounts is governed by the Corporate Services team and access details are listed in the social media register.
- Social media activities will be monitored appropriately, including out of hours, where it is required.
- House rules governing the site have been developed with respect to the ability of the owner to respond to and interact with the public, appropriateness of content and deletion/banning of inappropriate content or behaviour.

From an access and equity perspective, social media should not be used as the sole means of communication. Use of social media should be built into communication plans or strategies for the particular event, project or policy that is being promoted. Social media should be treated the same as other communication channels and incorporated in strategies as one of a suite of effective communication tools.

Content posted to social media should undergo the same checks and balances as content in other channels including:

- Risk assessments.
- Adherence to communications strategies and community engagement guidelines.
- Privacy and defamation legislation.
- Information security and confidentiality rules.
- Shire communications style guide and tone.

Success measures

Social media accounts should be subject to the same measures of success as other communication activities with respect to whether or not they are achieving the business objectives. Those who are carrying out the social media activities on behalf of the organisation are responsible for gathering those metrics which have been agreed for their specific channel and providing that data regularly.

7 ESTABLISHING MEANINGFUL, MANAGEABLE SOCIAL MEDIA PRESENCES

Social media presences must have clear business objectives. The focus of the Shire's social media presence is to strategically build a strong social media footprint with a focus on fostering ongoing relationships with general customer groups.

The Shire's social media accounts should broadly complement each other in terms of audience reach and messaging. Where multiple accounts are proposed with similar audiences and posts, they will be denied and merged or included in the general Shire page.

Where a separate account is approved, its messages will not be duplicated on the Shire of Cuballing page.

8 COMMITTING TO ONGOING RELATIONSHIPS

Establishing an official social media account creates an expectation of ongoing dialogue and engagement with the Shire. Before establishing social media accounts, departments must assign appropriate resources in preparation for the continuing relationship expectations of the community. Officers with access to official social media accounts should be appropriately skilled in the use of social media and briefed on their role and responsibilities.

Using social media successfully requires strong relationship management through a consistent approach in the way in which the Shire conducts itself through social media accounts. This means having an understanding of the Shire's reputation and reputational risks, always presenting the same persona and using a consistent voice when speaking on behalf of the Shire. When multiple officers are representing the Shire through the same account they must share an understanding of the Shire's style and tone.

Consideration should be given to the potential issues and discussion that may arise when engaging with the community through official social media accounts. Officers representing the agency should be equipped with the knowledge, skills and understanding of their role in representing the agency. Officers should be aware of issues including privacy, defamation, online bullying, trolling, and intellectual property before activating official social media accounts.

Managing expectations

When establishing social media presences, officers must clearly define the way in which the pages will and will not be used. To be clear and transparent in the operation of social media pages, clear statements of service levels in the form of "house rules" should be included on the sites. Standard House Rules for Shire of Cuballing Facebook pages are included in Appendix B.

Some things to consider in managing the expectations of users include

- Be timely and consistent with responses
- Where individual responses on social media are not appropriate develop standard responses directing people to other channels such as phone numbers, complaints processes, or web feedback forms.
- Develop standard responses in support of moderation, for example "Posts containing offensive language are deleted as they breach the terms and conditions of this service."
- Use account settings that limit the opportunities for contributors to submit offensive materials, such as blocking posts containing offensive words and preventing posting of hyperlinks and video.
- Ensure that even if the responsible officer is away that social media sites are updated and monitored in line with the stated House Rules

Responding within social media

Responding to comments within social media is an official communication from the Shire and the choice to respond should be based on deliberate decision making that considers the expectations of users of the service as well as the risks associated with individual instances and issues.

In addition to considering the risk of responding, officers should also consider the risks of not responding. Social media is an inherently interactive medium and user expectations will likely be high in terms of responsive access to the Shire via social media. Whilst these expectations

can be mitigated to some degree by clear statements, actions and house rules, there is often a benefit to engaging early and directly when issues emerge in order to clarify and diffuse issues.

As a general rule, officers responsible should provide information to customers where asked on social media. Where comments are in breach of the house rules or terms and conditions (e.g. defamatory, offensive etc.) the responsible officer should delete them and post the standard response. For comments that are negative, raise difficult issues or may be considered official complaints, the Corporate Services team should be notified and will provide an appropriate response through the Shire of Cuballing avatar.

Moderation

Agencies have a responsibility to moderate content or messages submitted through social media to protect against issues like offensive language, bullying or that may breach service terms and conditions and the law. Agencies also have a responsibility to ensure social media is used in a genuine way, meaning that where users are empowered to make comment or publish content, their posts should not be edited where valid criticism or an alternate point of view (e.g. political or ideological) is expressed.

Facebook now has very strong moderation and profanity blocklists that can be implemented. This does not reduce the need for staff moderation to prevent bullying, privacy breaches and defamation issues.

Monitoring social media activities

Responding in a timely manner, particularly to critical issues, requires that staff monitor the activities on their official accounts, tools and websites (similar to the way mainstream media is monitored). The Corporate Services team will monitor all accounts to some extent during business and after hours, as well as monitoring the key opinion pages in the region.

The management of all issues on social media will be conducted by the Corporate Services team and will be documented in a social media issues register to maintain consistency of response and to support record keeping.

9 TRANSPARENCY WHEN USING SOCIAL MEDIA

The Shire must be fully transparent in its interactions within social media, including the addition and removal of content. Any officer responding to or posting new comments should identify the comment as an official response from the Shire.

When publishing using social media, agencies should identify the account as an official Shire presence. For example, an officer seeking to respond to a post on an official account should not do so using a personal account. The response should come either directly from the page or from the Shire of Cuballing avatar.

Other ways to identify and convey the official status of Shire social media presences include:

- Use of Shire of Cuballing corporate identity and branding.
- Links between the Shire website and the social media account.

10 POLICY AND LEGISLATIVE REQUIREMENTS

Information Security

Information security is a necessary part of managing social media use at the Shire. To ensure proper management of Shire social media presences, a central register of social media accounts will be maintained and will include the account's purpose, officers with access

permission and password and access details. Accounts will be set up to allow a range of user's access to the same account in order to schedule posts and monitor activities.

Intellectual property

The Shire owns all work produced by Shire employees and most work produced by contractors. As such Shire documents that are available to the public can be freely published and shared on social media. There are a number of potential intellectual property risks with respect to publishing the work of others on Shire social media pages which include:

- Sharing content without acknowledging the original author.
- Posting photos without consent from the photographer, participants or photo agency.
- Copying work such as songs, movies, software or articles without authorization to do so.

Record Keeping

Official communications and interactions by the Shire may be considered to be public record, irrespective of the technology or medium used to generate, capture, manage, preserve and access those records. Records created through the social media are required to be captured and saved in accordance with the legislative requirements of the State Records Act 2000.

The same standards of record keeping apply to social media activities as to other methods of communication. The general records management process for social media shall be:

- Posts on a Shire page that result in an action being required by the shire shall be documented by screenshot and saved, including any commentary that results.
- Important responses to a member of the public via social media will be documented by screenshot and saved.
- Each Facebook presence will be given its own records folder in which to save screenshots.

Information management

It is to be expected that Shire social media accounts will be relied upon as authoritative sources of Shire information. Accordingly, it is vital that social media content aligns with that which is available through other official channels.

It is preferable that social media is not the primary information source. Instead, social media broadcasts or discussions should be based upon or direct users to a Shire managed point of truth. Shire websites, customer service points or collateral are the preferred points of truth and social media posts relating to specific departmental information should reflect or direct users to the best source of truth. Until the source of truth is public (i.e. published on the Shire website or via another channel) social media posts should only refer to the issue in limited circumstances. Some examples of these circumstances are:

- Emergency management situations where other channels are not accessible
- Launches and project/program information where there is a communications plan that specifically identifies social media as the lead channel either for a soft launch or because of evidence based market research
- Giveaways and competitions being run solely on social media

Defamation

Defamation is the injury to another person's reputation either directly or implied through the publication of words or sounds. It does not matter if the defamation was unintentional. Some of the potential risks are

- Making false accusations about an individual on a public forum which cannot be substantiated "e.g. the owner of XYZ business is corrupt and their products are rubbish".
- Defamation action may be brought not only against the original publisher but also against anyone who takes part in the publication or re-publication of the material.

Avoiding defamation

- Do not post information online that is a rumour, confidential or negative in relation to a business or individual.
- Monitor official social media sites for posts that may be defamatory, particularly when individuals (including Shire staff) are named.
- Avoid re-posting or sharing posts that pertain to individuals or businesses that may be unsubstantiated, rumour or are negative.

Privacy

Social media by its nature can result in the disclosure of personal information in a public way. Privacy is a major concern for social media users and is subject to significant amounts of legislation.

Photos

If photos are to be used on social media accounts, consent must be obtained previously from the individuals depicted (or their parent or guardian). This can be through a general opt-out consent statement on RSVPs, event registration forms and other materials; however the statement must specifically reference social media.

Consultation

Social media should not be relied upon to be the sole method of consultation and gathering feedback for Shire activities. Many users will prefer methods of consultation that maintain some anonymity, whether that be responding by private message, contributing to an online forum, filling in a feedback form or by another mechanism. Social media sites should provide links to these other means of consultation so as not to exclude people, in the same way that at a public meeting, other options for contributing to the discussion are offered.

Things to remember about social media

Posts are viewable around the world instantly. Posts on social media are immediate and visible around the world. The Shire's credibility is at stake and as such all posts should be accurate, approved and proof read for spelling and grammar errors. To assist with this, a process of scheduling posts in advance should be adopted, giving the Corporate Services team the opportunity to vet the content and tone prior to the post going live.

Advertising and uncontrolled content may be placed around official Shire content

Viewers may associate advertising appearing around Shire content as Shire endorsed products. Similarly, content submitted by other parties may appear alongside Shire content, even if it is contrary to or inconsistent with Shire messages.

Other users

There is no way to control other users' content or what they will do with Shire content. It is neither practical nor desirable for the Shire to approve all posts to its social media sites. As such, content needs to be monitored frequently to ensure inappropriate content is not placed on Shire sites and that Shire content is not hijacked by users. Where users have taken Shire content and used it in a negative way or out of context, the Corporate Services team should be notified to take action.

Deleting content

Removed or deleted content may remain in searches or backup files indefinitely. Except in cases where House Rules have been breached, deletion may not always be the best option

as content may have already been viewed by users. Furthermore, there are many examples of organisations that have deleted content which has then made the issue at hand go viral.

11 BUSINESS PLAN

Business plans for the use of social media tools should be added to existing marketing, communications and engagement plans. The following issues should be broached in a social media business plan

Finding the right audience

- What aspects of your message will attract the target audience and what will they want to know from you?
- What type of language does the target audience use and how do they communicate with each other?
- Understand how the particular social media tool works, what functionalities will and will not be used, how users respond and what is acceptable behaviour on that site.
- Ensure you have an understanding of the terms of use for the social media site before creating an account.

Predicting the audience's problems

- Be aware of what issues may come up or questions the audience may ask and answer these questions through your message. Being ahead of the audience will build numbers.
- Providing evidence or further information to your message will allow the audience to investigate and interact more thoroughly with the message (e.g. link to website/source documentation).
- Find creative ways to carry the message and show the audience why the message is important or relevant to them.

Plan who is responsible and schedule content

Decide who will be responsible for

- Maintenance of each account.
- Updating.
- Monitoring.
- Developing and approving content.

Schedule time for these duties – do not assume that they will just happen

Develop a content plan

- The key to a successful social media presence is having constant, relevant and engaging content.
- For a social media page to be effective there should be a minimum of three content posts and a maximum of eight content posts during the business week. Where important events occur outside of business hours arrangements should be made for scheduled posts or live posts from the event.
- The schedule of content updates should be devised on a weekly basis and should be flexible to allow for posts on emergent issues.
- Content that invites users to offer comment or content of their own is important to maintain users; however posts of this kind should be spaced appropriately.
- Facebook analytics should be monitored regularly to assess the types of posts that gain the most and least traction.
- A content planning template with example posts is attached in Appendix D.

12 RESOURCES

Each social media presence should have at least one officer dedicated to its content production, monitoring and upkeep. It is preferable to have more than one officer assigned to each site. Facebook now has the capacity to allow multiple authors to post to a single account which can assist in spreading the resources throughout the organisation. Those posting to social media sites should be trained in the Shire's tone, style and social media etiquette.

APPENDIX A – SOCIAL MEDIA IMPLEMENTATION CHECKLIST

The Official Use of Social Media Policy requires that the following is completed and signed off by the Chief Executive Officer prior to the creation of official social media presences.

Social media tool selection:

Formal governance arrangements for official use of social media
How does the social media tool align with the organisation’s strategic direction (operational plans etc)?
What is the purpose of the social media account?
How will the Shire of Cuballing corporate identity be represented?
What are the measures of the success for the account?
How does the proposed account fit within any community engagement or communications plans?
Creation of and access to social media accounts
Has the site been registered with Community Services and entered into the social media register (including access details)?
Who has authority to represent the Shire through the site?
Has a content calendar been developed for approval by the CEO?
How often will content be posted?
Who will add new content?
Who will administer comments and responses? (must occur at least once per day)
How will posts and comments be records managed?
Monitoring of social media activities
What critical topics or issues could be expected to arise when engaging the community through this channel?
What level of oversight do you expect the CEO to have of your social media presence?
What is your out of hours response plan?
Do you have procedures in place for dealing with: <ul style="list-style-type: none"> • Moderation of posts (including timely removal of breaches of house rules). • Record keeping. • Intellectual property infringements. • Bullying/trolling.
Do you have a system in place to ensure all images used on the site are free from copyright and have full consent from all persons depicted, especially children?
Equity considerations
What other channels will be used in conjunction with social media to ensure an equitable distribution of information?

APPENDIX B – SHIRE OF CUBALLING FACEBOOK HOUSE RULES

Introduction

Welcome to the Shire of Cuballing's official Facebook page. We are now using social media platforms such as Facebook to share news events and information with our community. Our aim is to engage with our residents and to deliver relevant information in a fast and cost effective way.

Respecting Other Users

These Guidelines are to help foster a community dialogue that is respectful and that allows everyone visiting our page to share and express their opinions in a constructive way. Posts or comments which do not comply with these Guidelines and Facebook's Terms, will be deleted and the instigator may also be banned from further posts on our page.

The Shire of Cuballing and the Administrators of our page, reserve the right to remove without notice or justification any posts which are deemed

- Discriminatory in any way.
- Obscene or offensive.
- Defamatory.
- Overtly sexual or explicit.
- Threatening or describing violent events or behaviours.
- Refers to or encourages the use of illegal drugs.
- Illegal or encouraging of illegal behaviours (including the violation of current Australian copyright laws).
- Harassing or hateful to an organisation or person, including the Shire of Cuballing, our employees, stakeholders, associates and suppliers.
- Discusses Local Government Elections and candidates.
- Spam, repetitive and non-relevant.
- Selling or advertising by commercial enterprises.

Responding to You

The Shire's Admins regulate our pages. However, at the Shire's discretion not every individual post will be responded to and we reserve the right to respond within one working day. Comments will be responded to during normal business hours between 9am and 4:30pm Monday to Friday.

If you are posting queries or information that requires a formal response or action from the Shire, please either use our email or postal address to contact us.

Disclaimer

The Shire of Cuballing, its staff and contractors are not liable for the accuracy or authenticity of the content of our Facebook page.

The information provided is for information purposes only and visitors to the page are responsible for assessing the relevance and accuracy of our site as well as any external linked sites.

The Shire of Cuballing, its staff and its contractors are not liable for any financial or other consequences arising from the inappropriate, improper or fraudulent use of the information or data on this page.

Modifying the material on this page in any way by unauthorised persons is strictly prohibited. Authorised persons include current Shire appointed admins.

Under Australian copyright legislation, apart from the purposes of study and research, no material on the page may be reused or redistributed without acknowledgement and without first obtaining the written permission of the Shire.

The act of the Shire of Cuballing 'following' or 'liking' an individual person, group, organisation, business, event or location through the social media platforms does not indicate the Council or the Shire of Cuballing endorses the views, products, services or activities pertaining to the 'followed' or 'liked' group,

business or entity. We are not necessarily directly affiliated with and do not endorse any advertisement that may appear when viewing our page, unless stated otherwise.

For more information about these guidelines and posting on our page, please telephone the Shire Office on 08 9883 6031 or email cdo@cuballing.wa.gov.au.

Resolution No: 9.2.6
Resolution Date: 21st April 2016
Affirmed: 17th April 2024

1.4 Records Management Policy

Statement

Documents, images and other media created, received or used by Elected Members, Shire Staff, Volunteers and external service providers in the normal course of business are the property of the Shire. The Shire's official Records constitute its corporate memory, and as such are a vital asset for ongoing operations, and for providing evidence of business activities and transactions.

Under current records-related legislation such as the *State Records Act*, the *Freedom of Information Act* the Shire of Cuballing is obliged to maintain record keeping systems for the creation and control of the Shire's records. The systems have to ensure that the Shire's records accurately and adequately record the performance of its functions and are able to contribute towards informed decision-making at the Shire of Cuballing.

This policy applies to all records, which are created or received by the Shire of Cuballing (or on behalf of, regardless of their media, date of creation or storage location. Complete and accurate records of all business decisions and transactions are to be recorded in the Shire's records keeping system both in respect to their content and context. The records are to be managed in accordance with the relevant legislation, the Shire's Recordkeeping Plan and Council policy and procedures.

Records Creation

All Elected Members, staff and contractors will create full and accurate records in the appropriate format, of the Shire's business decisions and transactions to meet all legislative, business, administrative, financial, evidential and historical requirements.

Records Capture and Control

All records created and received in the course of Shire of Cuballing business are to be captured at the point of creation, regardless of the format, with required metadata, into appropriate record keeping and business systems that are managed in accordance with sound record keeping principles.

Records Protection and Security

All records are to be managed and adequately protected and stored according to whether they are significant or insignificant records or vital records, and in accordance with their security classification definitions.

Retention / Disposal actions

All records within the record keeping system maintained by the Shire of Cuballing are to be disposed of in accordance with the State Records Office's General Disposal Authority for Local Government Records.

Records transfer

Records are only to be transferred according to legislative requirements and the transfer is to be recorded in the relevant record keeping system. This includes records transferred off site for storage and eventual disposal.

Access to Records

Access to Shire records by staff and contractors will be in accordance with designated access and security classifications. Access to the Shire's records by the general public will be in accordance with the *Freedom of Information Act 1992* and the Shire's policy on Freedom of Information. Access to the Shire's records by elected members will be through the CEO in accordance with the *Local Government Act 1995*.

RESPONSIBILITIES

All employees, external service providers and volunteers have a responsibility to create, capture and manage appropriately the complete and accurate records of the Shire of Cuballing business, including records of decisions made, actions taken and transactions of daily business in accordance with the records management program, this policy and Council's records management procedures and processes.

The Chief Executive Officer:

Chief Executive Officer is to ensure that an organisational system for capture and management of records is maintained that is compliant with legislative requirements and best practice standards.

Elected Members:

Elected members must create and keep records of communications or transactions, which convey information relating to the Shire's business or functions. These records should be forwarded to the Shire's administration for capture into the official recordkeeping system.

External service providers will be responsible for:

- Ensuring that complete records are accurately created and managed properly and adequately record evidence of the business activities of the work functions for which they are responsible. This applies to both hardcopy and electronic information, including email, images, plans and web based content;
- Complying with the requirements of the Act, and any other applicable legislation with requirements pertaining to recordkeeping;
- Respecting and protecting the confidentiality of these Records from unauthorised access and release of information, and
- Ensuring that these Records are returned to Council upon completion or termination of the Contract or work.

Objective

This policy establishes a framework for best practice management and consistency in the keeping of information in the form of documents, images, plans and web based content in both hard copy and electronic environment, in order to meet evidentiary, legislative and good governance accountabilities.

ELECTRONIC DOCUMENT RECORDS MANAGEMENT SYSTEM

The Shire may purchase or acquire an Electronic Document Records Management System (EDMRS) to assist with the capture and storage of records. Any EDMORS will be subject to the following constraints or requirements;

- **The System will mirror the Keywords for Councils subject classification system;**
- **Electronic records will be sentenced on creation using the General Disposal Authority for Local Government;**
- **Will allow for the capture of email communications;**
- **Will provide for the retention and classification of documents within the legacy systems;**
- **Will automate version control for key documents;**
- **Will include provision for minimum daily back ups**
- **Where documents are stored in the cloud they will be stored on Australian based servers.**

Resolution No: 2021/010
 Resolution Date: 17th February 2021
 Amended: 17th April 2024

1.5 Legal Representation Costs Indemnification

Statement

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.

General Principles

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.

The local government may provide such assistance in the following types of legal proceedings:

1. Proceedings brought by members and employees to enable them to carry out their local government functions (eg where a member or employee seeks a restraining order against a person using threatening behaviour);
2. Proceedings brought against members or employees (this could be in relation to a decision of Council or an employee which aggrieves another person eg. 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 (eg. defending defamation actions); and
3. Statutory or other inquiries where representation of members or employees is justified.

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 levelled 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.

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.

Applications for Financial Assistance

Subject to a requirement for urgent legal services, decisions as to financial assistance under this policy are to be made by Council.

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.

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).

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*.

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*.

Where it is the CEO who is seeking financial support for the legal services the Council shall deal with the application.

Repayment of Assistance

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.

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.

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.

Objective:

The Department of Local Government in Circular No. 11/2000 recommended that local governments adopt a policy on legal representation and costs indemnification, to assist where a member or employee is threatened with legal action, taken to court or where they require court action to carry out their functions.

Resolution No: 9.2.6
Resolution Date: 21st April 2016
Affirmed: 17th April 2024

1.6 Shire Administration Services – Christmas New Year Period

Statement

Council will not provide services from the Shire Administration Centre from the period commencing on Christmas Day each year until and including the New Years Day public holiday.

In addition should there be only 1 day following the New Years Day Public Holiday to a weekend, Council will extend the closure to include that day.

Guidelines

For this extended period, Council will require that staff use leave allocations in the following order:

1. approved Public Holidays;
2. any rostered days off if available or other types of accrued leave that exists; and then
3. accrued annual leave.

Objective:

Council is seeking to balance the reduced demand from the public for administration services over the Christmas/New Year period and the high staff demand for leave at this time.

Resolution No: 9.2.6
Resolution Date: 21st April 2016
Affirmed: 17th April 2024

1.7 Provision of Refreshments

Objective

The purpose of this policy is to outline the process for provision of refreshments.

Statement

Refreshments may be provided at:

- Ordinary and Special Meetings of Council and Special and Annual Electors Meetings of Council;
- civic functions and receptions; and
- ceremonies, functions and events held or hosted by Council;

will be provided at the discretion of the Chief Executive Officer in liaison with the President.

The provision of alcohol should be complementary to the event and should only be available in moderate amounts.

Guidelines

Refreshments includes all food and drink provided in the course of a Council event. Food and drink may include the provision of alcohol where deemed appropriate.

1. Ordinary and Special Meetings of Council and Special and Annual Electors Meetings of Council

The Chief Executive Officer may authorise the provision of refreshments at Ordinary and Special Meetings of Council and Special and Annual Electors Meetings of Council at their discretion.

2. Civic functions and receptions

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 Cuballing and for visitors from other local authorities from Australia. The date, time and invitation lists shall be determined by the Chief Executive Officer in liaison with the President.

3. Ceremonies, functions and events held or hosted by Council

3.1 Annual Christmas Function

During December each year, Council will conduct a Christmas Function attended by staff and Councillors and their partners and pre-school or school-age families. The Chief Executive Officer in liaison with the President may invite other people with links to Council.

3.2 Official Openings of Council Facilities

At the discretion of the Chief Executive Officer, the Shire may host receptions with refreshments to commemorate the official opening of Council facilities. The date, time and invitation lists shall be determined by the Chief Executive Officer in liaison with the President.

3.3 General Entertainment and Hospitality

The provision of entertainment and hospitality, including refreshments, can only apply where the approval has been given by the Chief Executive Officer.

Examples where approval is considered appropriate would include:

- Council public events including the Australia Day Breakfast, Anzac Day, Cuballing Kids Day and the like;
- entertaining official visitors to the Shire of Cuballing;
- workshops, meetings or seminars held in the Shire of Cuballing that involve Councillors and/or staff; and
- Employee or elected member farewell functions.

Resolution No: 2019/102
Resolution Date: 18 September 2019
Amended: 17th April 2024

1.8 Media Statements and Public Relations

Objective

The purpose of this policy is to outline the process for media statements and public relations. **Statement**

Publicity of Shire of Cuballing activities will be by the authority of the President or, where the President agrees, the Chief Executive Officer.

Media releases and statements are to be confirmed by the President prior to distribution.

A record of all publicity statements release shall be maintained in the Council record system.

Marketing

The Chief Executive Officer or individual staff authorised by the Chief Executive Officer may prepare and distribute material:-

- Promoting Shire events or activities
- Publicising Council decisions or projects
- Inviting public comment as part of consultation processes
- Routine engagement through social media

Only the President, or with the President's agreement, the Chief Executive Officer may speak on behalf of Council.

Objective

To clarify communication protocols.

Adopted: 17 March 2021

Resolution No: 9.2.6

Resolution Date: 2021/029

Amended: 17th April 2024

1.9 Internal Control Policy

Objective

To evidence the Shire of Cuballing's commitment to appropriate and effective internal controls and their importance to the organisation through the implementation of policies, procedures and processes designed to promote compliance, encourage effective and efficient operations and to protect the Shire's assets as follows:

- a) implement and maintain risk management activities to consider and address the risk of loss caused by fraud, error and/or misstatement;
- b) protect the shire's assets, including people, property, reputation, finances, and information;
- c) continually monitor, review and address gaps/weaknesses with internal controls in place;
- d) ensure appropriateness of internal controls to meet compliance with regulations, good governance principles and achievement of strategic objectives; and
- e) maintain adequate safeguards and supervision to any update or changes to established internal controls.

Statement

The Shire is committed to maintain an emphasis on integrity, ethical values and competence. The Council is responsible for mandating that a strong internal control framework be implemented to ensure Council objectives are achieved efficiently and effectively and the principles of good governance are applied throughout the organisation.

The Chief Executive Officer is responsible for developing and maintaining an internal control framework and will report periodically through the Audit Committee on the appropriateness, effectiveness, monitoring and evaluation of internal controls. All employees are accountable for documenting and implementing systems, controls, processes and procedures in their own area of responsibility and will play a part in the internal control framework.

Elements of an Internal Control Framework:

The essential elements and examples of an effective internal control framework includes:

1. Control environment
 - Structure and culture of Council
 - Senior management compliance

- Proper tone at the top
2. Risk Assessment
 - Risk identification and evaluation
 - Assessment of impact and likelihood
 - Implementing safeguards to treat risks
 3. Control activities
 - Delegations of Authority
 - Policies and procedures
 - Trained and properly qualified staff
 4. Information and communication
 - IT Controls
 - Liaising with auditors and legal advisors
 - Consultation and organisational communication
 5. Monitoring
 - Review process eg. Internal audits
 - Self-assessment and continuous improvement
 - Evaluation and reporting

Monitoring, Reviewing and Reporting:

Procedures are to be established to allow for the appropriate development, review, amendment and authorisation of internal control documentation (such as processes and checklists). This is intended to reduce the risk of breakdowns in controls through unilateral undocumented changes to authorised establish procedures.

Internal controls will be reviewed and assessed through risk management activities aligned with the Risk Management Policy and strategy and reported through the appropriate channels as detailed in these documents.

In line with Regulation 17 of the *Local Government (Audit) Regulations 1996*, the Chief Executive Officer is required to report on a review of risk management, internal controls and legislative compliance every three calendar years. This is in addition to the three yearly review required by *Regulation 5(2)(c)* of the *Local Government (Financial Management) Regulations 1996* which also includes a review of the Shire’s financial internal controls.

Amendments to this Policy

Amendments to this policy require a simple majority decision of Council.

Adopted: 17th April 2024
 Resolution No.: 2024/30

1.10 Legislative Compliance Policy

Objective

To ensure the Shire upholds its commitment to meet a high level of compliance with legislative requirements applying to local government and takes any necessary action to rectify any breach as soon as reasonable.

Statement

The Shire will have appropriate processes and structures in place to ensure that legislative requirements are achievable and are integrated into the operations of the organisation.

These processes and structures will aim to

- a) Develop and maintain a system for identifying legislation applicable to the Shire's activities;
- b) Assigning responsibilities for ensuring that regulatory obligations are fully considered and implemented;
- c) Provide training for staff, elected members, volunteers and other applicable people in the legislative and regulatory requirements affecting them;
- d) Provide individuals with the resources to identify and remain up-to-date with new legislation;
- e) Establish a mechanism for reporting non-compliance;
- f) Review accidents, incidents and other non-compliance and report through risk management processes to mitigate against future occurrences;
- g) Review audit reports, incident reports, complaints and other information to assess how the systems of compliance can be improved;
- h) Establish an internal audit function to provide an independent and objective evaluation of the Shire's internal procedures and controls.

Guidelines

Elected Members and Committee Members

Councillors and Committee members have a responsibility to be aware of and to abide by legislation applicable to their role.

Chief Executive Officer

The Chief Executive Officer should ensure that directions relating to compliance are clear, unambiguous and applicable legal requirements for each activity they are responsible for administering are identified. All staff are to be given the opportunity to be regularly informed, briefed, updated and/or trained about key legal requirements relative to their position description, utilising available resources to accomplish this.

Employees

Employees have an obligation to seek information and guidance on legislative requirements applicable to their area of work and to comply with the legislation. Employees are responsible for reporting any areas of non-compliance they become aware of.

Adopted: 17th April 2024
Resolution No. 2024/30

1.11` Cyber Security Policy

Policy Statement

The Shire of Cuballing will take all steps that are reasonably practicable for an organisation of its size to mitigate against cyber attacks or security breaches.

Risk Profile

The Shire of Cuballing is a small local government with a relatively small budget. If it experiences a cyber attack it is likely that it will be opportunistic rather than targeted. This description equates most closely to the Australian Signals Directorate Maturity Level 1.

The focus of this maturity level is malicious actors who are content to simply leverage commodity tradecraft that is widely available in order to gain access to, and likely control of, a system. For example, malicious actors opportunistically using a publicly-available exploit for a vulnerability in an online service which had not been patched, or authenticating to an online service using credentials that were stolen, reused, brute forced or guessed.

Generally, malicious actors are looking for any victim rather than a specific victim and will opportunistically seek common weaknesses in many targets rather than investing heavily in gaining access to a specific target. Malicious actors will employ common social engineering techniques to trick users into weakening the security of a system and launch malicious applications. If accounts that malicious actors compromise have special privileges they will exploit it. Depending on their intent, malicious actors may also destroy data (including backups).

Policy

The Shire of Cuballing will ensure that it achieves the appropriate level of control as set out in Appendix 1 to implement the Essential 8 response for Maturity Level 1. We will aspire to reach Maturity Level 2 by 30 June 2026. This will be achieved through:

- Working closely with external ITC contractor to ensure appropriate controls are in place;
- Ensuring staff and Councillors are trained to ensure good cyber awareness and hygiene;
- Implementing appropriate position based access controls;
- Maintaining and testing business continuity plans;
- Participating in the Australian Signals Directory Cyber Hygiene Improvement Program (CHiPs).

Adoption

Resolution No: 2024/64.
Resolution Date: 17th July 2024

Cyber Security Policy

APPENDIX1 – Essential 8 Maturity Model Level 1

Mitigation Strategy	Description
<p>Patch applications</p>	<p>An automated method of asset discovery is used at least fortnightly to support the detection of assets for subsequent vulnerability scanning activities.</p>
	<p>A vulnerability scanner with an up-to-date vulnerability database is used for vulnerability scanning activities.</p>
	<p>A vulnerability scanner is used at least daily to identify missing patches or updates for vulnerabilities in online services.</p>
	<p>A vulnerability scanner is used at least weekly to identify missing patches or updates for vulnerabilities in office productivity suites, web browsers and their extensions, email clients, PDF software, and security products.</p>
	<p>Patches, updates or other vendor mitigations for vulnerabilities in online services are applied within 48 hours of release when vulnerabilities are assessed as critical by vendors or when working exploits exist.</p>
	<p>Patches, updates or other vendor mitigations for vulnerabilities in online services are applied within two weeks of release when vulnerabilities are assessed as non-critical by vendors and no working exploits exist.</p>
	<p>Patches, updates or other vendor mitigations for vulnerabilities in office productivity suites, web browsers and their extensions, email clients, PDF software, and security products are applied within two weeks of release.</p>
	<p>Online services that are no longer supported by vendors are removed.</p>
	<p>Office productivity suites, web browsers and their extensions, email clients, PDF software, Adobe Flash Player, and security products that are no longer supported by vendors are removed.</p>
<p>Patch operating systems</p>	<p>An automated method of asset discovery is used at least fortnightly to support the detection of assets for subsequent vulnerability scanning activities.</p>
	<p>A vulnerability scanner with an up-to-date vulnerability database is used for vulnerability scanning activities.</p>

Mitigation Strategy	Description
	A vulnerability scanner is used at least daily to identify missing patches or updates for vulnerabilities in operating systems of internet-facing servers and internet-facing network devices.
	A vulnerability scanner is used at least fortnightly to identify missing patches or updates for vulnerabilities in operating systems of workstations, non-internet-facing servers and non-internet-facing network devices.
	Patches, updates or other vendor mitigations for vulnerabilities in operating systems of internet-facing servers and internet-facing network devices are applied within 48 hours of release when vulnerabilities are assessed as critical by vendors or when working exploits exist.
	Patches, updates or other vendor mitigations for vulnerabilities in operating systems of internet-facing servers and internet-facing network devices are applied within two weeks of release when vulnerabilities are assessed as non-critical by vendors and no working exploits exist.
	Patches, updates or other vendor mitigations for vulnerabilities in operating systems of workstations, non-internet-facing servers and non-internet-facing network devices are applied within one month of release.
	Operating systems that are no longer supported by vendors are replaced.
Multi-factor authentication	Multi-factor authentication is used to authenticate users to their organisation's online services that process, store or communicate their organisation's sensitive data.
	Multi-factor authentication is used to authenticate users to third-party online services that process, store or communicate their organisation's sensitive data.
	Multi-factor authentication (where available) is used to authenticate users to third-party online services that process, store or communicate their organisation's non-sensitive data.
	Multi-factor authentication is used to authenticate users to their organisation's online customer services that process, store or communicate their organisation's sensitive customer data.
	Multi-factor authentication is used to authenticate users to third-party online customer services that process, store or communicate their organisation's sensitive customer data.

Mitigation Strategy	Description
	<p data-bbox="541 293 1449 387">Multi-factor authentication is used to authenticate customers to online customer services that process, store or communicate sensitive customer data.</p> <p data-bbox="541 443 1428 537">Multi-factor authentication uses either: something users have and something users know, or something users have that is unlocked by something users know or are.</p>
<p data-bbox="199 584 515 645">Restrict administrative privileges</p>	<p data-bbox="541 584 1385 651">Requests for privileged access to systems, applications and data repositories are validated when first requested.</p> <p data-bbox="541 701 1477 768">Privileged users are assigned a dedicated privileged account to be used solely for duties requiring privileged access.</p> <p data-bbox="541 817 1444 907">Privileged accounts (excluding those explicitly authorised to access online services) are prevented from accessing the internet, email and web services.</p> <p data-bbox="541 956 1449 1052">Privileged accounts explicitly authorised to access online services are strictly limited to only what is required for users and services to undertake their duties.</p> <p data-bbox="541 1102 1420 1169">Privileged users use separate privileged and unprivileged operating environments.</p> <p data-bbox="541 1218 1305 1285">Unprivileged accounts cannot logon to privileged operating environments.</p> <p data-bbox="541 1335 1422 1402">Privileged accounts (excluding local administrator accounts) cannot logon to unprivileged operating environments.</p>
<p data-bbox="199 1440 464 1469">Application control</p>	<p data-bbox="541 1440 1209 1469">Application control is implemented on workstations.</p> <p data-bbox="541 1518 1477 1585">Application control is applied to user profiles and temporary folders used by operating systems, web browsers and email clients.</p> <p data-bbox="541 1635 1420 1731">Application control restricts the execution of executables, software libraries, scripts, installers, compiled HTML, HTML applications and control panel applets to an organisation-approved set.</p>
<p data-bbox="199 1776 448 1836">Restrict Microsoft Office macros</p>	<p data-bbox="541 1776 1385 1843">Microsoft Office macros are disabled for users that do not have a demonstrated business requirement.</p> <p data-bbox="541 1892 1477 1921">Microsoft Office macros in files originating from the internet are blocked.</p> <p data-bbox="541 1971 1228 2000">Microsoft Office macro antivirus scanning is enabled.</p>

Mitigation Strategy	Description
	Microsoft Office macro security settings cannot be changed by users.
User application hardening	Internet Explorer 11 is disabled or removed.
	Web browsers do not process Java from the internet.
	Web browsers do not process web advertisements from the internet.
	Web browser security settings cannot be changed by users.
Regular backups	Backups of data, applications and settings are performed and retained in accordance with business criticality and business continuity requirements.
	Backups of data, applications and settings are synchronised to enable restoration to a common point in time.
	Backups of data, applications and settings are retained in a secure and resilient manner.
	Restoration of data, applications and settings from backups to a common point in time is tested as part of disaster recovery exercises.
	Unprivileged accounts cannot access backups belonging to other accounts.
	Unprivileged accounts are prevented from modifying and deleting backups.

2. FINANCE

2.1 Local Purchasing Policy

Statement

1. The region referred to in this policy relates to include the district of the Shires of Wandering, Williams, Narrogin, Pingelly, Brookton, Wickepin and Wagin and the Town of Narrogin.
2. A price preference will apply to all tenders invited by the Shire of Cuballing for the supply of goods and services and construction (building) services, unless Council resolves that this policy not apply to a particular tender.
3. The following levels of preference will be applied under this policy:

Where purchase is less than < \$10,000 (excluding GST)
 - 3% - to businesses located within the Shire of Cuballing
 - 2% - to businesses located within region specified in Policy Statement No. 1.
Where purchase is > \$10,000 but < \$50,000 (excluding GST)
 - 2.5% - to businesses located within the Shire of Cuballing.
 - 1.5% - to businesses located within region.
Where purchase is > \$50,000 (excluding GST)
 - 2% - to businesses located within the Shire of Cuballing.
 - 1% - to businesses located within the region.
4. The maximum price reduction allowed for the levels of preference in paragraph 3 above will be \$50,000.
5. The levels of preference outlined in paragraph 2 above, will only apply to businesses that have been located within region as specified for at least six (6) months prior to the date of seeking quotations.
6. Only those goods and services identified in the quotation as being supplied locally or regionally (regardless of their origin) will be included in the discounted calculation that forms a part of the assessment of a quotation.
7. It should be noted that price is only one factor to be considered when the Shire of Cuballing assesses quotations. Value for money principles will be used to achieve the best possible outcome for every dollar spent by the Shire. This is achieved by assessing all costs and benefits rather than simply selecting the lowest purchase price.

Resolution No: 9.2.6
Resolution Date: 21st April 2016
Affirmed: 17th April 2024

2.2 Purchasing Policy

Objective

To deliver a best practice approach and procedures to internal purchasing activities and ensure compliance with:-

- the *Local Government Act 1995* and the *Local Government (Functions and General Regulations 1996)*;
- Ensure compliance with the *State Records Act 2000* and associated record management practices;

Apply fair and equitable competitive purchasing processes that ensures transparency, avoidance of conflicts of interest and bias in all procurement.

Statement

1.1 Ethics & integrity

The Shire's Codes of Conduct applies to all purchasing activities and decision making. Elected Members and employees are to observe the highest standards of ethics and integrity and act in an honest and professional manner at all times.

1.2 Value for Money

Value for Money is achieved through the critical assessment of price, risk, timeliness, environmental, social, economic and qualitative factors to determine the most advantageous supply outcome that contributes to the Shire achieving its strategic and operational objectives. The Shire should apply value for money principles when assessing purchasing decisions and acknowledges that the lowest price may not always be the most advantageous.

1.3 Purchasing Thresholds

This table prescribes Purchasing Value Thresholds and the applicable purchasing practices which apply to the procurement of goods and/or services (including options to extend) is, or is expected to be:

Purchase Value Threshold	Purchasing Practice Requirement
Up to \$10,000	Quotations are not required for items of a minor recurrent nature. These purchases would include groceries, stationery, hardware, minor mechanical and trade repairs, and consumables. One written or verbal quote is required for purchases valued up to \$10,000. Staff will use professional discretion and occasionally undertake market testing to ensure value for money is achieved. The responsible employee must be satisfied that the price is competitive. A minimum of one written quotation is to be sought and appropriately recorded.

	Confirmed via Purchase Order or Contract/Agreement
\$10,001 - \$50,000	<p>Obtain two (2) verbal or written quotations from two (2) suitable suppliers:-</p> <p>If the officer is unable to obtain two (2) quotes, this should be documented and purchase approved by a superior officer or the CEO.</p> <p>All quotations will be appropriately recorded and confirmed via Purchase Order or Contract/Agreement</p>
\$50,001 to \$250,000	<p>Obtain three (3) written quotations from alternative suppliers, with the following conditions applying:</p> <ul style="list-style-type: none"> • Staff will allow a minimum of 10 working days for a quote to be provided. If more than 10 working days is provided, all suppliers will be allowed the same time to respond. Shorter periods will only be permitted with CEO approval should circumstances require. • The request for quotation should include as a minimum the following: <ul style="list-style-type: none"> ○ Written specification ○ Price schedule ○ Conditions of responding ○ Validity period of offer. • Offer to all prospective suppliers at the same time any new information that is likely to change the requirements. • Respondents should be advised by writing as soon as possible after the final determination is made approved. • If an Officer is unable to obtain 3 written quotes this should be documented and the purchase approved by the CEO. • For the purchasing of WALGA Services, a minimum of one (1) written quotation is to be sought and. <p>All quotations will be appropriately recorded. Confirmed via Purchase Order or Contract/Agreement</p>
\$250,001 and above	<p><u>Tender Exemption</u></p> <p>If goods or Services are available under Tender Exempt arrangements i.e. WALGA PSA, CUA or other tender exempt under <i>F&G Reg.11(2)</i> the following process will apply:</p> <ul style="list-style-type: none"> • Obtain three (3) written quotations from alternative suppliers • Staff will allow a minimum of 10 working days for a quote to be provided. If more than 10 working days is provided, all suppliers will be allowed the same time to respond. Shorter periods will only be permitted with CEO approval should circumstances require.

	<ul style="list-style-type: none"> • The request for quotation should include as a minimum the following: Written specification <ul style="list-style-type: none"> o Price schedule o Conditions of responding o Validity period of offer. • Provide to all prospective suppliers at the same time any new information that is likely to change the requirements. • Respondents should be advised by writing as soon as possible after the final determination is approved. • Purchase will be referred to Council for decision, unless prior delegation provided to Chief Executive Officer. <p><u>If No Tender Exemption Applies:</u></p> <p>Conduct a public tender process in accordance with the provisions of the <i>Local Government Act 1995</i> and relevant Shire Policy and procedures.</p> <p>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.</p>
<p>LGIS Services Section 9.58(6)(b) Local Government Act</p>	<p>The suite of LGIS insurances is established in accordance with s.9.58(6)(b) of the <i>Local Government Act 1995</i> and are provided as part of a mutual, where WALGA Member Local Governments are the owners of LGIS Therefore, obtaining LGIS insurance services is available as a member-based service and is not defined as a purchasing activity subject to this Policy.</p> <p>Should Council resolve to seek quotations from alternative insurance suppliers, compliance with this Policy is required.</p>
<p>Emergency Purchases</p>	<p>To be approved by the President or by the Chief Executive Officer under delegation and reported to the next available Council Meeting.</p> <p>An emergency purchase is defined as an unanticipated purchase which is required in response to an emergency situation as provided for in the Act. In such instances, quotes and tenders are not required to be obtained prior to the purchase being undertaken.</p>

1.1. Utilising Purchasing Practice When Not Required to Do So

Staff engaged in procurement should ensure that they obtain value for money and be accountable for their actions. If staff have any doubt about whether value for money is being obtained, additional quotes should be sought.

Where it is considered beneficial to the Shire of Cuballing, an employee may utilise a purchasing practice to complete a purchase of a value less than the threshold. For example:

- tenders may be called in lieu of seeking quotations for purchases under the \$250,000 threshold; or
- Additional quotations may be sought for a purchase under the \$10,000 threshold

1.4 Contracts

The shire is to ensure that any goods, services or works required that are within the scope of an existing contract are to be purchased under that contract.

The Shire is required to maintain a register for all current contracts above \$20,000, with details of key information, including at least, contract name, contract awarded to, start and end date, contract value, contract term and details of any variations or extensions. The Deputy CEO is responsible for the regular review and update of the register.

The Chief Executive Officer is responsible and is required to carry out assessment of current contractor performance before any contract extension is considered.

1.5 Sole Supplier

The procurement of goods and/or services available from only one private sector source of supply (i.e. manufacturer, supplier or agency) is permitted without the need to call competitive quotations provided that there is genuinely only one source of supply. Every endeavour to find alternative sources is to be made. Written confirmation of this should be kept on file for later audit.

1.6 Anti-Avoidance

The Shire will not conduct two or more contracts of a similar nature for the purpose of "splitting" the value of the contracts to take the value of consideration below the particular purchasing threshold or to avoid the need to call Public Tender.

1.7 Sustainable Procurement

Sustainable Procurement is defined as the procurement of goods and services that have a lower environmental footprint or higher positive social impact.

Sustainable procurement will be measured through assessment of value for money to ensure that wherever possible our suppliers demonstrate outcomes which contribute to improved environmental, social and local economic outcomes.

Requests for Quotation and Tenders may include a request for information from Suppliers regarding their sustainable practices and/or demonstrate that their product or service offers enhanced sustainability benefits. Advantages will be weighed against price when determining value for money.

1.8 Record Keeping

Records of all quotes, written and verbal, and all tender documents must be retained in accordance with the Shire's Record Keeping Policies.

Resolution Number: 2022/90
Resolution Date: 17th August 2022
Amended: 17th April 2024

2.3 Rates Debtor Collection

Statement

1. Final Notice

Final Notices are issued during a period about 14 days after the due date of a notice for payment of rates. Such notices are issued where no or insufficient payment has been received, or where there is no current valid instalment option.

Final Notices indicate that:

- rates are now in arrears;
- penalty interest is being charged at the rate adopted by Council; and
- if payment is not received within 7 days legal action may be taken without further notice, which will add extra costs onto the outstanding amount.

Ratepayers with rates remaining unpaid after the expiry period shown on the Final Notice will be sent a final demand letter, requiring payment in full in seven days or entry into a written payment agreement with seven days or the debt will be referred to Council's collection agency.

Ratepayers who have made contact with Council seeking deferment of payment of rates and/or payment by instalment method or are the subject of a Written Payment Agreement, be exempt from legal action for recovery of outstanding monies unless the payment schedule has been defaulted.

2. Written Payment Agreements Instalments

There are ratepayers who have not paid their rates in total, or the first instalment by the due date and have not paid their outstanding rates within 7 days of the final notice.

The Shire will accept by application a written alternative payment schedules where a written agreements specifying the dates and the amounts that are to be paid may be made is prepared.

Failure by the ratepayer to adhere to the payment schedule will result in the issue of a correspondence advising that a payment has been missed and requiring either payment in full in seven days or entry into a new written payment agreement with seven days or the debt will be referred to Council's collection agency.

Where a ratepayer fails to adhere to a payment schedule on more than two occasions in one financial year, the opportunity to enter into a third written payment agreement will not be offered again.

3. Issue of Summons or Referral to Debt Collection Agency

Rates remaining unpaid after the expiry period shown on the Final Notice or correspondence will either have a summons issued by Council's Rates Officer or be referred to Council's Debt Collection Agency for recovery.

4. Subsequent Legal Proceedings for Debt Recovery

Where a summons has been issued and remains outstanding, action will be taken to pursue that summons by whatever means necessary to secure satisfaction of the debt.

The steps to be followed for legal proceedings will be to

1. issue a General Procedure Claim (summons),
2. if not paid then a Property Sale and Seizure Order (PSSO) will be issued.

If a debt is unable to be cleared through these steps, Council approval will be sought to pursue a PSSO for Land.

Where a PSSO for Land is unsuccessful or unviable, a 3 year Land Sale as per the Local Government Act 1995 (LGA) will be pursued.

The costs of any court proceedings incurred as a result of recovery will be applied to the rates account.

Legal proceedings will cease if a ratepayer pays all of the outstanding debt or enters into a written payment plan that is accepted by Shire staff. Council will accept a payment plan where the payment plan will result in the timely discharge of a debtors' total account.

5. Right to Appeal

Each ratepayer's right to appeal in accordance with the provisions of the LGA shall not be relinquished by anything in this policy.

Resolution No: 2017/133
Resolution Date: 21st December 2017
Affirmed: 17th April 2024

2.4 Sundry Debtor Collection

Statement

1. Invoice/Infringement Notices

An invoice/infringement notice will be issued requiring payment within at most 30 days by the due date from the date of issue.

The Shire will accept a written alternative payment schedule where a written agreements specifying the dates and the amounts that are to be paid is prepared. Failure by the applicant to adhere to the payment schedule will result in the issue of a letter requiring the total amount outstanding to be paid immediately.

2. Final Statement

A final statement will be issued for all sundry debtor accounts in arrears 30 days requesting payment within 7 days.

3. Letter of Demand

Should debts remain unpaid after the expiry date shown on the Final Statement, a letter of demand will be issued requiring payment within 7 days.

4. Legal Action

Should the debt still remain unpaid, it will be examined for the purpose of determining whether a summons will be issued. Costs incurred as a result of the issue of a summons will be applied to the debtors' account. Following the issue of a summons, a reasonable offer to discharge a debtors' account will not be refused. Where a summons has been issued and remains outstanding, action will be taken to pursue that summons by whatever means necessary to secure satisfaction of the debt. This may include the issue of a Warrant of Execution against goods if necessary.

5. Further Works or Sales

Where a debt remains outstanding over 30 days, Council will not complete further works or sales with that debtor until the outstanding debt is paid.

Resolution No: 9.2.6
Resolution Date: 21st April 2016
Affirmed: 17th April 2024

2.5 Self Supporting Loans

Statement

Each request for self supporting loans will be considered on its merits and, if deemed necessary, the organisation may be asked to provide guarantors or other acceptable security

In the event of Council agreeing to make available loan funds on a self-supporting basis to any district organisation Council reserves the right to control and/or carry out any of the following:

1. The preparation of the plans and specifications of the proposed works.
2. The calling of tenders for the proposed works.
3. The letting of the Contract.

4. The preparation and signing of the contract documents.
5. Sole supervision of the proposed works.
6. Sole authorisation of the expenditure of funds for the proposed works, whether it be to the contractor or sub-contractor.
7. Any other condition that Council sees necessary to apply to the proposed works, because of some curious circumstances which may exist.

Resolution No: 9.2.6
 Resolution Date: 21st April 2016
 Affirmed: 17th April 2024

2.6 Investment Policy

Statement

The objective of this policy is to ensure that:

- 1
 - a) The Council conforms with its fiduciary responsibilities under Section 6.14 of the Local Government Act and Section 18 (1)(a) of the Trustees Act 1962 (the 'Prudent Person' rule);
 - b) At all times, the Council has in place a current set of policies and delegations for its Investments Officers (Delegation number F2); and
 - c) Adherence to the guidelines by all officers with delegated authority to invest / control surplus funds.
 - d) This Policy is to be made available to all employees involved in daily investment decisions.
 - e) Notwithstanding the provisions of this Policy, the general financial management obligations imposed under the *Local Government Act 1995* and the *Local Government (Financial Management) Regulations 1996* should at all times be complied with.
- 2 Prudent Person Rule
 - 2.1 The investment options available to local government authorities in Western Australia were altered in June 1997 with changes to the Trustees Act. With the passage of changes to the Trustees Act, the list of prescribed investments has been removed and replaced by the Prudent Person rule.
 - 2.2 The main features of the prudent person rule include:
 - a) Exercising the care, diligence and skill that a prudent person would exercise in managing the affairs of other persons; and
 - b) A duty to invest funds in investments that are not speculative or hazardous.
 - 2.3 In exercising powers of investment, there are important matters for consideration:
 - a) The purpose of the investment and the needs and circumstances;
 - b) The nature of the investment and the risks involved;
 - c) The availability of alternative investments;

- b) The desirability of diversifying investments and the nature of and risk associated with existing investments;
- c) The need to maintain the real value of capital and income; The risk of capital or income loss or depreciation;
- d) The potential for capital appreciation;
- e) The likely income return and timing of the income return;
- f) The length of the term of the proposed investment;
- g) The liquidity and marketability of the proposed investment;
- h) The aggregate value of the investment;
- i) The effect of the proposed investment in relation to the tax liability (if any);
- j) The likelihood of inflation affecting the value of the proposed investment; and
- k) The costs of making the proposed investment; the results of a review of existing investments.

3 Investment Objectives

- 3.1 To add value through prudent investment of funds.
- 3.2 To have ready access to funds for day-to-day requirements, without penalty.

4 Authority to Invest

- 4.1 The Shire of Cuballing's surplus funds are to be invested in term deposits or negotiable certificates of deposit with the following banks in Australia including:
 - a) Commonwealth Bank of Australia
 - b) National Australia Bank
 - c) Westpac Bank
 - d) ANZ Bank; and
 - e) Bankwest

Any proposal to invest funds in another institution, for whatever reason, is to be referred to the Council.

- 4.2 For ease of operations, the bank holding Council's operational funds will be the preferred institution for investment activities.
- 4.3 Investments from the municipal, loan, reserve and trust accounts are to be kept separate and distinct.
- 4.4 Funds may be invested for a term of up to twelve (12) months based on predicted cash flow requirements.
- 4.5 The Deputy Chief Executive Officer places, withdraws or re-invests surplus funds jointly with the Chief Executive Officer in accordance with the Chief Executive Officer's delegation.
- 4.6 The Council elects to pay for the cost of securing the Federal Government Guarantee on funds if such a guarantee is available.
- 4.7 In accordance with Financial Management Regulation 19C the Shire of Cuballing will not undertake any of the following investment activities:
 - a) Lodge deposits with an institution except an authorised institution;

- b) deposit funds for a fixed term of more than 12 months;
- c) invest in bonds that are not guaranteed by the Commonwealth Government, or a State or Territory government;
- d) invest in bonds with a term to maturity of more than 3 years; or
- e) invest in a foreign currency.

5 Review and Reporting

- 5.1 A cash flow report is to be monitored by the Deputy Chief Executive Officer at least weekly to ensure cash funds are available to meet commitments.
- 5.2 Investments will be managed actively as they mature with reviews by the Deputy Chief Executive Officer on a monthly basis.
- 5.3 For audit purposes, certificates must be obtained from the bank confirming the amounts of investment held on the Council's behalf at 30 June each year.

Objective:

To document and provide the necessary information for the delegated officers to invest surplus funds.

Resolution No: 9.2.6
 Resolution Date: 21st April 2016
 Amended: 17th April 2024

2.7 Purpose & Funding of Reserve Accounts

Resolution No: 2017/133
 Resolution Date: 21st December 2017
 Rescinded: 17th April 2024

2.8 Early Payment Rates Discount

Statement

Council will provide an Early Payment Discount for rates paid before the close of business 21 days after the date of issue of Rates Notices.

Guidelines

A discount on rates will be given in the following circumstances;

1. Payments by cheque, cash, eftpos or credit card received and receipted before close of business on the due date;
2. BPAY payments processed before close of business on the due date by the merchant; and
3. Other direct debits cleared to the Shire of Cuballing's bank account before close of business on the due date.

Council will set the rate discount percentage when adopting Council's Annual Budget.

Council's close of business is 4.30 pm.

Resolution No: 9.2.6
Resolution Date: 21st April 2016
Affirmed: 17th April 2024

2.9 Credit Cards

Objective

The objectives of the Policy are:

- a) to reduce the reliance on Council representatives carrying cash Council cheques;
- b) To reduce the reliance on Councillors and Council staff making payments on behalf of Council;
- c) To reduce the need for recouping of expenditure incurred on behalf of Council by Councillors and staff;
- d) To provide a modern, professional and documented payment means when incurring expenditure on behalf of Council.

Statement

The aim of the Shire of Cuballing Corporate Credit Card Policy is to establish rules for their use and responsibilities of cardholders using the Shire's corporate credit cards.

The policy ensures that operational and administrative costs and the risks associated with credit card use are minimised while providing cardholders with a convenient method of purchasing goods and services on behalf of the Shire.

Authority for Use of Corporate Credit Cards

Shire of Cuballing Corporate Credit Cards may be issued to the Chief Executive Officer or to authorised purchasing officers as delegated under the powers of Delegation Number F11. The limit per credit card per officer is to be no more than \$10,000.

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

Guidelines

The *Local Government (Financial Management) Regulation 11(1)(a)* requires Local Government to develop procedures for the authorisation and payment of accounts to ensure that there is effective security and appropriate authorisation in place for the use of credit cards.

In accordance with *Regulation 13A* of the *Local Government (Financial Management) Regulations 1996*, details of credit card payments will be presented to Council each month.

Resolution No: 2020/18
Resolution Date: 18th March 2020
Amended: 17th April 2024

2.10 Fuel Cards

Statement:

Shire of Cuballing Corporate Fuel Cards may be used to purchase fuel where it is inappropriate or inconvenient to use the Shire's normal payment systems.

The preference should always be to use the Shire's normal payment systems including purchase systems established with local businesses for purchases of fuel.

Guidelines

Approved Fuel Card Provider

The Shire of Cuballing's Fuel Cards are to be issued by its local, bulk fuel supplier.

Authority for Approval of Corporate Credit and Fuel Cards

The Chief Executive Officer will approve the issue of all Corporate Credit Cards and Fuel Cards.

Issue of Fuel Cards

Fuel Cards may be issued to the following members of staff:

1. Chief Executive Officer
2. Deputy Chief Executive Officer
3. Manager Works and Services

A fuel card may be issued for the specific use of individual vehicle by volunteers or staff when that Shire vehicle is used for official duties.

Use of Fuel Cards

The use of fuel cards by employees is restricted to fuel purchases only.

Objective:

To provide details for the use, allocation, control and safe custody of corporate fuel cards.

The policy looks to ensure that operational and administrative costs and the risks associated with credit card use are minimised while providing cardholders with a convenient method of purchasing goods and services on behalf of the Shire.

Resolution No: 9.2.6
Resolution Date: 21st April 2016
Affirmed: 17th April 2024

ATTACHMENT 1

FUEL CARDHOLDER AGREEMENT

I, _____ acknowledge and accept the conditions listed below which govern the use of the Shire of Cuballing Fuel Card:

CONDITIONS OF USE:

- Ensure the Fuel Card is maintained in a secure manner and guarded against improper use.
- The fuel card is to be used only for Shire of Cuballing official activities, there is no approval given for any private use whatsoever.
- All documentation regarding a fuel card transaction is to be retained by, or provided to, the cardholder and produced as part of the reconciliation procedure.
- The use of the fuel card shall not be tied to any type of reward system that provides cardholders with any personal benefit or reward.
- Observe all cardholder responsibilities as outlined by the card provider.
- Purchases on the fuel card are to be made in accordance with the Shire of Cuballing's Purchasing Policy.
- Monthly reconciliation of fuel card purchases is to be completed on the supplied template within seven (7) days of the date of the credit card statement being issued.
- Transactions will be supported by a GST invoice stating the type of goods purchased, amount of goods purchased and the price paid for the goods. The receipt shall meet the requirements of the Goods and Services Tax Act 1999 to enable a GST rebate to be applied.
- Lost or stolen cards shall be reported immediately to the card provider and Deputy CEO.
- The fuel card is to be returned to the Deputy CEO on or before the employee's termination date with a full acquittal of expenses.

Failure to comply with any of these requirements could result in the card being withdrawn from the employee. In the event of loss or theft through negligence or failure to comply with the Shire of Cuballing Fuel Card Policy any liability arising from the use of the card may be passed to the cardholder.

The use of a Shire of Cuballing Fuel Card is subject to the provisions of the Code of Conduct of the Shire of Cuballing. Serious transgression of the above listed responsibilities or the Code of Conduct may result in an appropriate referral under the Corruption and Crime Commission Act 2003 and/or termination of employment.

Name: _____ Position: _____

Signed: _____ Date: _____

2.11 Asset Management

Statement

Council is committed to implementing a systematic asset management methodology in order to apply best case practices across all areas of the local government. Asset maintenance, acquisition and disposal should be managed in accordance with Council's service delivery priorities and ensure long term sustainability.

When considering Asset Management, Council will be guided by the following key principles:

- Prior to purchase, renewal or major works on an Asset, critically consider Council's need and the viability of the expenditure
- Consider "whole life" cost of the Asset and its incorporation into Council's Long Term Financial and Asset Management Plans
- Ensure that Asset Management decisions are financially sustainable for Council's reality
- Consult with community and key stakeholders to ensure that service levels being delivered are as desired
- Ensure all Asset information is up to date to ensure that all planning and decision making is based on accurate information in both the short and long term
- Allocate appropriate resources to ensure that the maximum life is achieved for each asset and represents value for money
- Continually seek opportunities to maximise asset use and value to the community

Objective

To provide an overall framework to guide the consistent strategic management of Council's Assets. This Policy will be complimented by an Infrastructure Management Plan.

Resolution No: 9.2.6
Resolution Date: 21st April 2016
Affirmed: 17th April 2024

2.12 Reserve Fund Interest

Statement

Council shall accumulate any interest earned on a reserve fund balance in that Reserve Fund Account.

Resolution No: 9.2.6
Resolution Date: 21st April 2016
Affirmed: 17th April 2024

2.13 Contiguous Valuations

Statement

Definitions

"Contiguous" means:

- a) Where survey boundaries abut or adjoin;
- b) Where locations or lots are separated by a road, drain or watercourse reserve, they may be deemed contiguous; or
- c) In exceptional circumstances, some properties may be deemed by the Valuer General to be contiguous, even though their boundaries do not strictly adjoin. In such cases the matter should be referred to the Valuer General or appropriate Chief Valuer, who may be guided by advice provided by the local government.

"Same Ownership" means

- a) Same names as per Certificate of Title; and/or
- b) Ratepayers name for recording on the Valuation Rolls, advised by the local government authority

Principles

Group Valuations for Contiguous Unimproved Valuation (UV) Properties

That where a ratepayer applies to have their currently separately valued properties assessed for contiguous valuation, application be made to the Valuer Generals Office on land/location/lots that meet all of the following requirements;

1. That land/location/lots are contiguous;
2. That the land/location/lots are used for one purpose; and
3. That the land/location/lots are under the same ownership/ management.

and must provide the following documentation:

1. A statutory declaration detailing the land is used for one purpose, ownership details, and a statement of who the ratepayer will be in the rate book; and
2. Copies of Certificates of Titles, Lease Documents or a statement from all 'Title Holders' confirming that the land is under one management.

Group Valuations for Contiguous Gross Rental Valuation (GRV) Properties

That where a ratepayer applies to have their currently separately valued properties assessed for contiguous valuation, application be made to the Valuer Generals Office on land/location/lots that meet all of the following requirements;

1. That land/location/lots are contiguous;
2. That the land/location/lots are used for one purpose; and
3. That the land/location/lots are under the same ownership/ management

And must provide the following documentation:

1. A statutory declaration detailing the land is used for one purpose; and
2. Copies of Certificates of Titles.

Guidelines

To be exercised in accordance with the valuation of Land Act 1978, Sections 4 (1), 18, 23 and that final approval is granted by the Chief Executive Officer.

Objective

This policy provides guidance and clarity on the treatment of contiguous valuation of land requests for UV and GRV of properties made to the Valuer Generals Office.

Resolution No: 9.1.4

Resolution Date: 15 December 2016
Affirmed: 17th April 2024

2.14 Payment of Utility Accounts via Credit Card

Definitions

- “Credit Card” is defined as a facility allowing the cardholder to pay for goods and services on credit.
- “Utility Account” is defined as any expense that is deemed a utility including water, telephone and electricity.

Related Policy: 2.9 Credit Cards

Statement

Shire of Cuballing Corporate Credit Card may be used to make payment on the Shire’s utility accounts.

Council aims to support local business’s whenever possible. One such instance is the payment of utility accounts in person at the Cuballing Post Office.

The preference should always be to use the Shire’s normal payment systems including purchase systems established with local businesses.

In the instance that it is not possible to pay utility accounts at a local business using the Shire’s normal payment system then the utility account may be paid via credit card.

Credit card use is to be in accordance with Council Policy 2.9 *Credit Cards*.

Objective

The policy ensures that the Shire has the ability to make payments on the Shire’s utility accounts using a local business whenever possible.

Resolution No: 2020/18
Resolution Date: 18th March 2020
Affirmed: 17th April 2024

2.15 Financial Hardship

Objective

To give effect to our commitment to support the whole community to meet the ongoing and far reaching challenges arising from the COVID-19 pandemic, the Shire of Cuballing recognises that these challenges may result in financial hardship for some of our ratepayers.

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

Scope

This policy applies to the ratepayers who have an outstanding rates and service charges debt.

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

Statement

1. Payment difficulties, hardship and vulnerability

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

Financial hardship occurs where a person is unable to pay rates and service charges without affecting their ability to meet their basic living needs, or the basic living needs of their dependants. The Shire of Cuballing recognises the likelihood that COVID-19 will increase the occurrence of payment difficulties, financial hardship and vulnerability in our community.

This policy is intended to apply to all ratepayers experiencing financial hardship regardless of their status, be they a property owner, tenant, business owner etc.

2. Anticipated Financial Hardship

The Shire of Cuballing recognises that many ratepayers may already be experiencing financial hardship. The Shire respects and anticipates the probability that additional financial difficulties will arise when their rates are received.

The Shire of Cuballing will write to ratepayers at the time their account falls into arrears, to advise them of the terms of this policy and encourage eligible ratepayers to apply for hardship consideration.

Where possible and appropriate, the Shire will also provide contact information for a recognised financial counsellor and/or other relevant support services.

3. Financial Hardship Criteria

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

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

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

4. Payment Arrangements

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

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

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

5. Interest Charges

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

6. Deferment of Rates

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

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

7. Debt recovery

The Shire of Cuballing will suspend debt recovery processes whilst negotiating a suitable payment arrangement with a debtor. Where a debtor is unable to make payments in accordance with the agreed payment plan and the debtor advises the Shire and makes an alternative plan before defaulting on the third due payment, then the Shire of Cuballing will continue to suspend debt recovery processes.

Where a ratepayer

1. has not reasonably adhered to an agreed payment plan; or
 2. has a rates and service charge debt that remains outstanding after two years;
- the Shire of Cuballing will commence debt recovery procedures prescribed in the *Local Government Act 1995*.

8. Review

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

9. Communication and Confidentiality

The Shire of Cuballing will maintain confidential communications at all times and the Shire of Cuballing undertakes to communicate with a nominated support person or other third party at the debtor's request.

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

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

Resolution No: 2021/98
Resolution Date: 15th September 2021
Affirmed: 17th April 2024

2.16 Local Event And Project (LEAP) Grant Program

Statement

The LEAP Grant Program seeks to provide financial support to local service, community and sporting organisations to provide facilities and events for local residents.

The total contribution from LEAP to an event or project is a maximum of \$2,000.

Organisations may be granted more than one LEAP application within a financial year but the total of amounts approved are not to exceed \$2,000 in total.

Council will provide financial support under LEAP on a 50% (LEAP)/ 50% (organisation) basis.

An organisation is to contribute to their event or project:

- at least half of the organisations total contribution is to be a cash contribution (ie the cash contribution will be equal to half the amount requested from LEAP); and
- in-Kind works of up to half of the applicant's total required contribution may be considered by Council as part of the applicant's contribution.

Eligible events and projects include:

1. capital projects that have an anticipated life span of over 5 years,
2. events that are open to participation of the community as a whole; and/or
3. any other project approved by Council that befits the "Spirit" of LEAP.

Events and projects that are not eligible applications include:

1. consumables or general maintenance;
2. disposable items;
3. retrospective funding; and/or
4. any application Council considers is not in the "Spirit" of LEAP

Completed application forms should be submitted to Council for consideration a minimum 4 weeks before the event or project funding is required.

At the project completion a LEAP acquittal form must be completed to finalise the funding agreement which is included on the application form.

Objective

To establish guidelines for the distribution of funds received from receipts of advertising in Cuby News newsletter to local service, community and sporting organisations.

Resolution No: 2020/74
Resolution Date: 22nd July 2020
Affirmed: 17th April 2024

2.17 Rates Prize Eligibility

Statement

In order to qualify for any rates incentive prize, payment of rates must be processed prior to close of business hours on the due date.

1. Entry to any prize draw will not be allowed after this time and date in any circumstances.
2. The monetary value of any rates incentive prizes offered are to be determined in the relevant Budget.
3. Prizes are to be selected by random number process within 2 weeks of the due date.
4. Shire of Cuballing staff are not eligible to participate.
5. Shire of Cuballing Councillors are not eligible to participate.

Objective

To clarify complying eligibility for rate incentive prize.

Resolution No: 2021/029
Resolution Date: 17th March 2021
Affirmed: 17th April 2024

2.18 Fraud and Corruption Prevention Policy

Statement

1. The Shire of Cuballing is committed to providing ethical and accountable leadership and decision making.
2. The Shire of Cuballing has a zero-tolerance approach to misconduct, fraud and corruption. The Shire of Cuballing is committed to maintaining high standards of professional and ethical conduct by supporting strategies that prevent, detect and respond to misconduct, fraud and corruption.

3. All Elected members and staff have a key responsibility to safeguard against damage and loss through fraud, corruption or misconduct and have an obligation to support efforts to reduce associated risk by behaving with integrity and professionalism in undertaking their duties.
4. The Shire expects its elected members and staff to act in compliance with the Codes of Conduct and behave ethically and honestly when performing their functions and during their interactions with each other, the community and all stakeholders of the Shire.
5. All suspected instances of fraudulent or corrupt conduct are to be thoroughly investigated and the appropriate reporting, disciplinary, prosecution and recovery actions initiated.
6. The Shire of Cuballing may seek to recover any losses incurred from misconduct, fraud or corruption activities, after considering all relevant issues.
7. The Chief Executive Officer is to ensure that a Fraud and Corruption Prevention Plan is developed, reviewed by the Audit Committee, and adopted by Council at least once every two years.
8. This policy is to be read in conjunction with the Shire of Cuballing Fraud and Corruption Plan.

Resolution No: 2021/007
Resolution Date: 17th February 2021
Affirmed: 17th April 2024

2.19 Setting a Reserve Price for the Sale of Plant Assets by Auction

Statement

The Shire of Cuballing supports the use of public auction as a method of sale for plant assets.

Where a plant asset is offered for sale by public auction, the reserve price for such a sale will be the value of the proposed sale that is included in the Council's Annual Budget.

Guidelines:

1. Where the sale of a plant asset is not included in Council's Annual Budget, Council approval is required for the sale of that asset by public auction.
2. Council approval is required for the reserve price for a sale of a plant asset to be different to the value of the proposed sale included in Council's Annual Budget.

Resolution No: 2021/090
Resolution Date: 18th August 2021
Affirmed: 17th April 2024

2.20 Related Party Disclosures

Background

The scope of AASB 124 Related Party Disclosures was extended in July 2015 to include application by not-for-profit entities, including local governments. The operative date for Local Government is 1 July 2016, with the first disclosures to be made in the Financial Statements for year ended 30 June 2017. This policy outlines required mechanisms to meet the disclosure requirements of AASB 124.

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

The disclosure requirements apply to the existence of relationships regardless of whether a transaction has occurred or not. For each financial year, the Shire of Cuballing must make an informed judgement as to who is considered to be a related party and what transactions need to be considered, when determining if disclosure is required.

The purpose of this procedure is to stipulate the information to be requested from related parties to enable an informed judgement to be made.

Identification of Related Parties

AASB 124 provides that the Shire of Cuballing will be required to disclose in its Annual Financial reports, related party relationships, transactions and outstanding balances.

Related parties includes a person who has significant influence over the reporting entity, a member of the Key Management Personnel (KMP) of the entity, or a close family member of that person who may be expected to influence that person. KMP are defined as persons having authority and responsibility for planning, directing and controlling the activities of the entity, directly or indirectly.

For the purposes of determining the application of the standard, the Shire of Cuballing has identified the following persons as meeting the definition of Related Party:

- an elected Council member;
- a person employed under section 5.36 of the *Local Government Act 1995* in the capacity of Chief Executive Officer, Deputy Chief Executive Officer or Manager;
- close members of the family of any person listed above, including that person's child, spouse or domestic partner, children of a spouse or domestic partner, dependents of that person or person's spouse or domestic partner; and
- entities that are controlled or jointly controlled by a KMP or their close family members. entities may include companies, trusts, joint ventures, partnerships and non-profit associations such as sporting clubs.

The Shire of Cuballing will therefore assess all transactions made with these persons or entities.

Identification of Related Party Transactions

A Related Party Transaction is a transfer of resources, services or obligations between the Shire of Cuballing (reporting entity) and the related party, regardless of whether a price is charged.

For the purposes of determining whether a Related Party Transaction has occurred, the following transactions or provision of services have been identified as meeting this criteria:

- Paying rates;
- Fines;

- Use of Shire of Cuballing owned facilities such as Recreation Centre, parks, ovals and other public open spaces (whether charged a fee or not);
- Attending Council functions that are open to the public;
- Employee compensation whether it is for KMP or close family members of KMP;
- Application fees paid to the Shire of Cuballing for licences, approvals or permits;
- Lease agreements for housing rental (whether for a Shire of Cuballing owned property or property sub-leased by the Shire of Cuballing through a Real Estate Agent);
- Lease agreements for commercial properties;
- Monetary and non-monetary transactions between the Shire of Cuballing and any business or associated entity owned or controlled by the related party (including family) in exchange for goods and/or services provided by/to the Shire of Cuballing (trading arrangement);
- Sale or purchase of any property owned by the Shire of Cuballing, to a person identified above;
- Sale or purchase of any property owned by a person identified above, to the Shire of Cuballing;
- Loan Arrangements; and
- Contracts and agreements for construction, consultancy or services

Some of the transactions listed above, occur on terms and conditions no different to those applying to the general public and have been provided in the course of delivering public service objectives. These transactions are those that an ordinary citizen would undertake with Council and are referred to as an Ordinary Citizen Transaction (OCT).

Where the Shire of Cuballing can determine that an OCT was provided at arms length, and in similar terms and conditions to other members of the public and, that the nature of the transaction is immaterial, no disclosure in the annual financial report will be required.

Disclosure Requirements

For the purposes of determining relevant Related Party Transactions, KMP will be required to complete a Related Party Disclosures - Declaration form for submission to financial services.

Ordinary Citizen Transactions (OCTs)

Ordinary Citizen Transactions (OCTs) are transactions provided on terms and conditions no different to those applying to the general public and which have been provided in the course of delivering public service objectives, are unlikely to influence the decisions that users of the Council's financial statements make.

Council declares that:

1. Paying Rates;
2. Fines;
3. Use of Shire of Cuballing owned facilities such as Recreation Centre, Civic Centre, library, parks, ovals and other public open spaces (whether charged a fee or not); and
4. attending Council functions that are open to the public;

are OCTs and have been provided to KMP, as defined in AASB124 on the same terms and conditions that apply to the general public and have been provided in the course of delivering public service objectives and are unlikely to influence the decision that users of Council's financial statements make.

Disclosure of the declared OCTs will not be required in the quarterly Related Party Disclosures - Declaration form.

Related Party Transactions Disclosure

Where these services were not provided at arms length and under the same terms and conditions applying to the general public, elected Council members and KMP will be required to make a declaration in the Related Party Disclosures - Declaration form about the nature of any discount or special terms received.

All Related Party Transactions are to be declared in the Related Party Disclosures - Declaration form.

Frequency of disclosures

Elected Council members and KMP will be required to complete a Related Party Disclosures - Declaration form each quarter.

Disclosures must also be made:

- by KMP who are Councillors immediately prior to any ordinary or extraordinary election; and
- by KMP who are staff immediately prior to the termination of employment.

Confidentiality

All information contained in a disclosure return, will be treated in confidence. Generally, related party disclosures in the annual financial reports will be reported in aggregate and as such, individuals are not specifically identified. Notwithstanding, management is required to exercise judgement in determining the level of detail to be disclosed based on the nature of a transaction or collective transactions and materiality. Individuals may be specifically identified, if the disclosure requirements of AASB 124 so demands.

Materiality

Management will apply professional judgement to assess the materiality of transactions disclosed by related parties and their subsequent inclusion in the financial statements. In assessing materiality, management will consider both the size and nature of the transaction, individually and collectively.

Resolution No: 2021/115
Resolution Date: 20th October 2021
Affirmed: 17TH April 2024

2.21 Petty Cash and Cash Handling Policy

Purpose

The purpose of the Petty Cash policy is to provide guidelines for the use and safeguarding of petty cash funds, cash floats and cash equivalents.

Policy

1. Petty Cash

Petty cash may be used for reimbursement of minor business-related expenditure where payment through the accounting system is not justified. Petty cash may not be used to cash cheques or provide cash advances. Borrowing money from petty cash is absolutely prohibited.

The CEO will determine how the amount of the petty cash float, and this may be varied from time to time.

The amount of individual reimbursement should not exceed \$100 without the approval of the CEO. All requests for reimbursement will be accompanied by appropriate evidence such as:

- a tax invoice
- a cash register docket
- a receipt

If the evidence of an individual transaction is lost or missing, reimbursement may be claimed based on a statutory declaration.

The Petty Cash float will be reconciled on each occasion when the float is replenished to ensure that the total of vouchers reimbursed and cash held equal the value of the cash float. The DCEO may conduct a random check of the vouchers held and cash on hand at any time, but at least once per year.

The Petty Cash will be stored securely in a locked cash box in the safe. The key to the cash box will be held by the Administration Officer.

2. Cashier Float

A cash float will be provided for the operation of the Shire's Cashier Services. The amount of the cash float will be approved by the CEO and may be varied from time to time.

The cash float will be reconciled at the end of each business day. The cash float will be held in the cash drawer and secured in the safe overnight together with any takings awaiting banking. The DCEO may conduct a random check of the cash float at any time, but at least once per year.

3. Coles Card

The only major supermarket locally is Coles, Narrogin. The expedite minor purchases staff will purchase a Coles Card. When not in use the Coles Card will be securely stored in the Petty Cash Box. This card operates in the same way as petty cash:

- A Coles card is issued for free and \$500 cash will be credited to the card;
- The card will be used for minor purchases at Coles;
- Purchase receipts will be reconciled against the available balance to ensure that the combined amounts equal the cash float on the card; and
- When the balance available is less than \$100, a new card will be purchased;

- The new card will be purchased for the difference between the remaining balance and \$500
- At no time will the available balance exceed \$500.

The DCEO may conduct a random check of the Coles Card reconciliation at any time, but at least once per year.

4. Cash Floats for Events

The CEO may approve a cash float for use at Council and community events. The amount of the float and administrative procedures will be determined at the time of each event. The cash will not exceed \$1,000. The CEO may approve the use of the Shire's Electronic Funds Transfer – Point of Sale (EFTPOS) facility at events.

The float and any takings will be reconciled as soon as reasonably practicable after the conclusion of the event.

5. Banking of Cashier Takings

Cashier receipts are to be regularly deposited at the Narrogin Branch of the National Australia Bank. Banking should be undertaken regularly to minimise the risk of holding large amounts of cash and to expedite the clearance of cheques.

Banking must be undertaken at least twice per week, or more frequently where there are significant cash or cheque payments, for example when rates or rate instalments fall due. Significant cash for the purpose of this policy is \$5,000 or more.

When depositing takings at the bank staff should be aware of surroundings to ensure that takings may be safely taken from the car to the bank. If making more than one stop in Narrogin, the banking should be completed first.

Resolution No. 2022/91
Resolution Date: 17th August 2022
Affirmed: 17th April 2024

3. COUNCIL

3.1 West Australian Wildflower Floral Emblem

Statement

The Shire has adopted “Dryandra” as a plant representative of this area.

Resolution No: 9.2.6
Resolution Date: 21st April 2016
Affirmed: 17th April 2024

3.2 Use of the Shire of Cuballing Logo

Statement

That local community groups and business entities be permitted to use the Shire of Cuballing emblem for the promotion of Cuballing provided it is used in its original design and its original colour or black and white format.

Permission must first be obtained from the Chief Executive Officer, who shall ensure that the item to be endorsed is acceptable.

Resolution No: 9.2.6
Resolution Date: 21st April 2016
Affirmed: 17th April 2024

3.3 Participation in local ANZAC Day Ceremonies

Statement

Representatives of the Shire of Cuballing will lay wreathes on behalf of Council at the Cuballing and Popanyinning Anzac Day Dawn Memorial Services held on 25th April each year.

Resolution No: 9.2.6
Resolution Date: 21st April 2016
Affirmed: 17th April 2024

3.4 Australian Flag

Statement

The Australian Flag will be flown on the Council Administration Centre flagpole every working day of the year.

On any day of any funeral held within the Shire or on the day of the funeral of a present or former Cuballing resident, or any other proclaimed day, the Chief Executive Officer will authorise the flag to be flown at half-mast.

Resolution No: 9.2.6

Resolution Date: 21st April 2016
Affirmed: 17th April 2024

3.5 Council Meeting Agenda

Statement

No business shall be included on an agenda, or dealt with by Council at a Council meeting, unless accompanied by a written report from the appropriate officer together with a recommendation(s).

1. The Officers' reports are to substantially follow the recommended format in the guide prepared by the Department of Local Government for the Preparation of Agendas & Minutes.
2. The Officers' reports and recommendations are to be included in the minutes of the meeting at which they are presented.
3. Council agendas will be available for Councillors with the provision of 72 hours notice preceding the Council meeting day.

Matters that require a Council Resolution must be received not less than 10 days prior to the next Ordinary Council Meeting for inclusion in that Meeting's agenda.

Resolution No: 9.2.6
Resolution Date: 21st April 2016
Affirmed: 17th April 2024

3.6 Use of Council Chambers

Resolution No. 2024/30
Rescinded Date: 17th April 2024

3.7 Functions upon Retirement of Councillors

Statement

Council will recognise Councillors who have completed at least six years service as a Councillor of the Shire of Cuballing by way of a reception or official dinner.

Should two or more Councillors retire at the same time, a single reception or official dinner will recognise the service of all of the retiring Councillors.

Resolution No: 9.2.6
Resolution Date: 21st April 2016
Affirmed: 17th April 2024

3.8 Presentations for Elected Member Service

Statement

Council will recognise Councillors who have completed service as a Councillor of the Shire of Cuballing by way of an appropriate gift costing up to

1. \$150 for retiring or defeated Councillors who have completed at least six years service; and
2. \$300 for retiring or defeated Councillors who have completed at least ten years service

Upon retirement all Councillors, regardless of length served, shall be presented with their name plate.

Resolution No: 9.2.6
Resolution Date: 21st April 2016
Affirmed: 17th April 2024

3.9 Council Meetings

Resolution No. 2024/30
Rescinded Date: 17th April 2024

3.10 Councillor Expenses

Statement

1. Where a Councillor is authorised to attend a conference, meeting, course or other legitimate Council business, the Shire of Cuballing will pay for travel costs incurred in attendance. The costs of travel include:
 - in a Councillors vehicle can be reimbursed by Councillors through their quarterly meeting expense claim forms;
 - will be paid directly by Council where specific bookings and/or reservation are required. Examples of this would be travel by airline.

2. Where a Councillor is authorised to attend a conference, meeting, course or other legitimate Council business, the Shire of Cuballing will pay for suitable accommodation. This accommodation:
 - will be at the conference venue where ever possible; and
 - may be jointly used by the partner and/or family of Councillor where there is to be no extra charge for doing so;

If a Councillor chooses to stay with relatives or friends in lieu of accommodation at a hotel or motel, an allowance of \$100 per night may be provided. Councillors shall claim this allowance in writing, in advance if required.

3. Where a Councillor is authorised to attend a conference, meeting, course or other legitimate Council business, the Shire of Cuballing will pay expenses incurred at the Council provided accommodation venue up to \$150 per day. These expenses may

include, but is not limited to including, but not limited to meals, telephone expenses and parking;

4. Where a Councillor is authorised to attend a legitimate conference, meeting, the Shire of Cuballing will pay expenses incurred for attending a conference dinner or an alternative function that is organised as part of the conference or meeting. The expense of such a conference dinner or alternative function may be directly paid by Council or a Councillor will provide written justification of the cost and/or necessity of the expense and a receipt of purchase of the expense.
5. Where a Councillor is authorised to attend a conference, meeting, course or other legitimate Council business, the Shire of Cuballing will pay incidental expenses incurred as part of the attendance. These expenses may include but is not limited to expenses including taxi, train or bus fares or expenses incurred outside an accommodation venue. A Councillor will provide written justification of the cost and/or necessity of the expense and a receipt of purchase of the expense.

Resolution No: 2019/102
Resolution Date: 18th September 2019
Affirmed: 17th April 2024

3.11 Councillor Attendance at Conferences, Seminars or Workshops

Objective

Council supports and, wherever possible, will take advantage of appropriate training and networking opportunities for Councillors

Statement

In attending Conferences, Seminars or Workshops priority is to be given to:

1. the attendance of any new Councillor at any induction or training course specifically organised for the benefit of new Councillors.
2. any course or seminar that is specifically relevant to Councillors and the Shire of Cuballing;
3. Conference, seminars, courses or meetings organised by organisations of which Council is a member or has an interest in. Priority for attendance of these events will given to Council's appointed representatives to those organisations.
4. All Councillors and the CEO and their partners are entitled to attend the WALGA State Conference.

The CEO will determine the attendance of a Councillor at a conference, seminar, training course or meeting. In making this determination, the CEO will consider:

1. the perceived value of the attendance of a Councillor to the Shire of Cuballing; and
2. the costs of a conference, seminar, training course or meetings and the availability of a budget allocation. All costs including travel (motor vehicle, air fares, train, etc.), accommodation, meals, related conference registration and any other costs will be considered; and
3. any other matter deemed significant by the CEO.

After the decision of a CEO on attendance, a Councillor may request that Council make a determination on a Councillors attendance. Attendance at conferences in other States requires the prior approval of Council.

A verbal report on the conference attendance is to be provided to Council during the next Council Briefing Session, with this report to be in writing if requested by the Shire President.

Resolution No: 2017/133
Resolution Date: 21st December 2017
Affirmed: 17th April 2024

3.12 Tablet Devices for Councillor Use

Statement

Provision of Digital Tablet Devices to Councillors

The Shire of Cuballing is committed to providing efficient and effective means of supporting elected members in the decision making processes of the Council. Council business papers are provided to Councillors in hard copy paper format as a primary source of advice and information.

The Shire also maintains a digital business paper system which delivers agendas, minutes and other business papers via digital tablet devices. Tablet devices may be provided to Councillors for the purpose of accessing Council business papers through the Shire's specified digital business paper system.

Councillors may receive business papers in three ways –

- a. Paper only.
- b. Both Paper and the digital business paper system.
- c. Digital business paper system only.

Where a Councillor elects to receive only digital business papers, the Councillor must demonstrate to the satisfaction of the Chief Executive Officer a moderate level of competency in using both the allocated digital tablet device and the digital business paper system.

A Councillor vacating office after serving at least one 4 year term of office may either assume ownership of the device or hand the device back to the Shire.

Conditions of Use

1. At all times the Shire issued tablet shall remain the property of the Shire of Cuballing and is subject to this tablet usage policy, Council IT Usage Policy and the Code of Conduct.
2. The Shire reserves the right to require the return of a tablet at any time for any reason. If the return of a tablet is requested it must be returned within 24 hours of the request being made.
3. Councillors issued with a tablet are expected to understand the conditions of use, exercise the same care, security and careful use of the tablet as if it were their own property.
4. Tablets must not be left unattended in motor vehicles at any time.
5. Tablets must never be checked-in as baggage on an aircraft and must always be taken on board as hand luggage.

6. Malfunctions or any other technical problems with tablets should be reported immediately by the user to the Deputy Chief Executive Officer so that steps can be taken to have the problem rectified by an approved technician as quickly as possible. Under no circumstances is the user of a tablet to organise repairs to a tablet directly with the manufacturer.
7. Lending a tablet to any third party is strictly prohibited.
8. The Shire of Cuballing will supply and maintain appropriate virus scanning software on the device. The use of unauthorised software is strictly prohibited. Unauthorised software may be deleted from an individual's iPad.
9. The misuse or serious abuse of the tablet will result in it being returned to the Shire, this includes activities such as:
 - a. Violating copyright
 - b. Intentionally sending viruses or destructive content
 - c. Sending and/or disclosing of inappropriate content (i.e. illegal, immoral, offensive or obscene material, pornographic, erotic images, race or religious based material),
 - d. Sending material that uses offensive language, sending, disclosing and/or distributing personal or confidential information held by Council.
 - e. Sending, disclosing and/or distributing slanderous and/or defamatory material.
 - f. Sending emails as a form of harassment, bullying or threatening behaviour.
 - g. Make disparaging or any adverse comment about Council, any policy or decision of Council or any of Council's related employees, contractors and other Councillors.
 - h. Any act that contravenes a law or is a criminal offence.
 - i. Any act that may have a negative impact to Council.

Use of Digital Tablet Devices by Councillors

A Councillor provided with a Shire owned digital tablet device is responsible for keeping the device in good working order. A Councillor is to use his or her own personal account to access the tablet operating system platform supported by the Shire, e.g. iTunes, Microsoft account, Google account.

With the exception of accessing the Shire's wireless internet system which is available at the Administration Office, a Councillor is responsible for the cost of accessing wireless internet at his or her home and other locations.

Replacement of Digital Tablet Devices for Councillors

The tablet device is provided for the Councillor's continuous term of office and will only be replaced –

- a. when a change in City business systems or technology warrants; or
- b. when the functionality of the device and applications impairs effective communication;
- or
- c. through accidental loss or breakage.

A Councillor must ensure that any personal information or software applications on the digital tablet device is removed or backed up prior to replacement.

Personal use of the tablet by Councillors is permitted so long as local government business takes precedence.

Support of digital tablet devices allocated to Councillors

A Councillor provided with a Shire owned digital tablet device is responsible for keeping the device in good working order. Any loss of, or damage to the device must be reported

immediately to the Deputy Chief Executive Officer, who will assess whether repairs need to be undertaken and/or a replacement device arranged.

A standard suite of operational software applications will be installed on Councillor digital tablet devices. Other applications may be installed by a Councillor at his or her own cost.

The Shire will provide training to a Councillor to develop their competencies in the use of the allocated digital tablet device.

Records Management Procedures

All emails sent from a tablet are subject to the same records keeping requirements as hard copy documents. Users are to ensure that emails are managed according to the Shire's Records Keeping Plan, State Records Office guidelines and in accordance with internal records procedures. Emails that constitute a record are to be sent to the Administration (Records) Officer or the relevant administration officer for registration into the Shire's electronic records management system.

Objective:

To set guidelines on the proper use of a Shire of Cuballing issued tablet device for Councillor use.

Resolution No: 2017/133
Resolution Date: 21st December 2017
Affirmed: 17th April 2024

3.13 Australia Day Citizenship Awards

Statement

Each year Council will consider awarding a Shire of Cuballing Citizenship Award to a local citizen and a local community group who have made a noteworthy contribution during the current year or over a number of years through active involvement to the community of the Shire of Cuballing.

Guidelines

Eligibility Criteria

- Nominees should reside or work principally within the Shire of Cuballing making the award.
- Awards may not be granted posthumously in recognition of recent achievements.
- A person may receive an award on more than one occasion in recognition or involvement in an alternative initiative.
- Unsuccessful nominees may be nominated in future years.
- Sitting members of State, Federal and Local Government are not eligible.
- Staff of the Shire of Cuballing are not eligible

Nominations

- Nominations will be sought by local advertisement through October to December
- Each nomination shall be made in writing.

- A form will be made available to assist with nominations providing the required information but this form is not to be an absolute requirement of nominating.
- No Award to be presented when the judges believe the nominees are not of a sufficiently high standard to deserve the honour.
- The Shire of Cuballing may also make nominations based on local knowledge and experience

Selection Criteria

The winners will have been judged to have shown active citizenship and:

- made a significant contribution to the local community; and/or
- demonstrated leadership on a community issue resulting in the enhancement of community life; and/or
- lead a significant initiative which has been brought about positive change and added value to community life; and/or
- shown inspiring qualities as a role model for the community.

Selection Process

At their annual December Ordinary Meeting the Council will choose the nominations to receive the Shire of Cuballing Citizenship Awards.

The names of the award recipients will be embargoed until a formal announcement has been made.

It is not necessary for Council to make an award in each or any category in each year.

Presentation

The Shire President, or his/her nominee, shall present the Shire of Cuballing Citizenship Awards will be presented at the annual Australia Day event each year.

Objective:

To establish guidelines for the conduct of the annual Australia Day Citizenship Awards.

Resolution No: 2019/145
 Resolution Date: 19th December 2019
 Affirmed: 17th April 2024

3.14 Continuing Elected Member Professional Development

Statement

This policy is adopted under the provisions of Section 5.129 of the Local Government Act.

The Shire of Cuballing recognises the importance of providing Elected Members with the knowledge and resources that will enable them to fulfil their role in accordance with statutory compliance and community expectations and make educated and informed decisions.

Pursuant to the *Local Government Act 1995*, Elected Members must complete Council Member Essentials which incorporates the following training units:

- a) Understanding Local Government.
- b) Conflicts of Interest.
- c) Serving on Council.
- d) Meeting Procedures and Debating; and
- e) Understanding Financial Report and Budgets.

Council's preferred provider for the training is the Western Australian Local Government Association (WALGA).

All units and associated costs will be paid for by the Shire and must be completed within the year immediately following the elected Member's election. The training is valid for a period of five years.

The Shire of Cuballing will publish, on the Shire's website, training undertaken by all Elected Members within one month after the end of the financial year pursuant to *Local Government Act 1995*.

It is Council's preference that the training is undertaken via the eLearning method which is the more cost-efficient form of delivery. It is acknowledged however that there may be Elected Members who prefer to receive training face-to-face and/or opportunities to attend training which is being delivered in the region or in the Perth metropolitan area.

A Council Member will be entitled to claim for each day of attendance at an approved professional development activity an amount equivalent to that paid for attendance at a Council Meeting. This is in addition to any reimbursement of expenses or travel costs. For the avoidance of doubt this payment does not extend to the attendance at conferences.

Guidelines

Considerations for approval of the training or professional development activity include:

- The costs of attendance including registration, travel and accommodation, if required.
- The Budget provisions allowed and the uncommitted or unspent funds remaining:
- Any justification provided by the applicant when the training is submitted for approval.
- The benefits to the Shire of the person attending.
- Identified skills gaps of elected members both individually and has a collective.
- Alignment to the Shire's Strategic Objectives; and
- The number of Shire representatives already approved to attend.

Consideration of attendance at training or professional development courses, other than the online Council Member Essentials, which are deemed to be approved, are to be assessed as follows:

- Events for the Shire President must be approved by the Deputy Shire President, in conjunction with the CEO; and
- Events for Councillors must be approved by either the Council or the Shire President, in conjunction with the CEO.

No training or reimbursement of expenses will be approved where a Councillor:

- During the three months immediately prior to the end of the Council Members term.
- After a Council Member has delivered their resignation.
- While a Council Member is suspended.

Any expenditure commitments associated with training or professional development must be authorised through the CEO.

Objective:

To ensure that Elected Members of the Shire of Cuballing receive appropriate information and training to enable them to understand and undertake their responsibilities and obligations.

Resolution No: 2020/24
 Resolution Date: 18th March 2020
 Amended: 21st August 2024

3.15 Elected Member, Chief Executive Officer and Employee Attendance at Events Policy
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Objective

This policy addresses attendance at any events, including concerts, functions or sporting events, whether free of charge, part of a sponsorship agreement, or paid by the Local Government. The purpose of the policy is to provide transparency about the attendance at events of Elected Members, the Chief Executive Officer (CEO) and other employees.

Statement

The Shire of Cuballing is required under the *Local Government Act 1995* to approve and report on attendance at events for Elected Members and the Chief Executive Officer. The purpose of this policy is to outline the process associated with attendance at an event.

Attendance at an event in accordance with this policy excludes the gift holder from the requirement to disclose a potential conflict of interest if the ticket is above \$300 or less (either one gift or cumulative over 12 months from the same donor) also does not need to be disclosed as an interest.

Note:

1. If an Elected Member receives a ticket in their name, in their role as an Elected Member, of \$300 or greater value, they are still required to comply with normal gift disclosure requirements.

2. While the law permits gifts greater than \$300 to be accepted by the Chief Executive Officer (but not other employees), in their role with the Shire, the Chief Executive Officer and all other employees are prohibited from accepting any gift greater than \$300, unless from the Shire as the organiser of the event or as a gift pursuant to *Section 5.50* of the *Local Government Act 1995* (gratuity on termination).
3. If the Chief Executive Officer or an employee receives a ticket in their name, in their role as an employee, of between \$50 and \$300, they are required to comply with normal gift disclosure requirements and the Code of Conduct regarding notifiable and prohibited gifts.
4. An event does not include training, which is dealt with separately via Policy 4.19_ Conference Expenses – Staff.
5. Nothing in this Policy should be construed as diminishing the role of the Chief executive Officer in approving attendance at activities or events by other employees that in the opinion of the CEO, are appropriate, relevant and beneficial to the Shire of Cuballing and its employees.

Definitions

Elected Members includes the Shire President and all Councillors.

District: is defined as the Wheatbelt Region of Western Australia.

In accordance with *Section 5.90A* of the *Local Government Act 1995* an *event* is defined as a:

- concert;
- conference;
- function;
- sporting event; or
- occasions prescribed by the *Local Government (Administration) Regulations 1996*.

Scope

This policy applies to Elected Members, the Chief Executive Officer and all employees of the Shire of Cuballing (“the Shire”) in their capacity as an Elected Member or employees of the Shire.

Elected members, the Chief Executive Officer and employees may occasionally receive tickets or invitations to attend events to represent the Shire to fulfil their leadership roles in the community. The event may be a paid event or a ticket/invitation may be gifted in-kind, or it may be to a free/open invitation event for the community in general.

1. Pre-Approved Events

In order to meet the policy requirements tickets and invitations to events must be received by the Shire (as opposed to in the name of a specific person in their role with the Shire).

Individual tickets and associated hospitality with a dollar value above \$500 (inclusive of GST and if relevant, travel) provided to the Shire are to be referred to Council for determination.

The Shire approves attendance at the following events by Elected Members, the Chief Executive Officer and employees of the Shire:

- a. advocacy lobbying or Ministerial briefings (Elected Members, the Chief Executive Officer only);
- b. meetings of clubs or organisations within the Shire of Cuballing;
- c. any free event held within the Shire of Cuballing;
- d. Australian or West Australian Local Government events;
- e. events hosted by Clubs or Not for Profit Organisations within the Shire of Cuballing to which the Shire President, Elected Member, Chief Executive Officer or employee has been officially invited;
- f. Shire of Cuballing hosted ceremonies and functions;
- g. Shire of Cuballing hosted events with employees;
- h. Shire of Cuballing run tournaments or events;
- i. Shire of Cuballing sponsored functions or events;
- j. community art exhibitions;
- k. cultural events/festivals;
- l. events run by a Local, State or Federal Government;
- m. events run by schools and universities within the region of the Shire of Cuballing;
- n. major professional bodies associated with local government at a local, state and federal level;
- o. opening or launch of an event or facility within the Shire of Cuballing;
- p. recognition of Service event's;
- q. RSL events; and
- r. where Shire President, Elected Member or Chief Executive Officer representation has been formally requested.

All Elected Members, the Chief Executive Officer and employees are entitled to attend a pre-approved event.

If there is a fee associated with a pre-approved event, the fee, including the attendance of a partner, will be paid for by the Shire by way of reimbursement, unless the event is a conference or training event in which attendance dealt with under clause 4 of this policy.

In addition to the above pre-approved events, Elected Members may also attend a paid event held within the Shire of Cuballing, to be paid for by the Shire of Cuballing by way of reimbursement, other than the following events:

- a. party political events and fundraisers;
- b. social events;
- c. entertainment events with no link to the Shire of Cuballing; or
- d. events that primarily benefit Elected Members in a personal capacity or in a role other than their role at the Shire of Cuballing.

If there are more Elected Members than tickets provided then the Chief Executive Officer shall allocate the tickets.

2. Approval Process

Where an invitation is received to an event that is not pre-approved, it may be submitted to the CEO for approval prior to the event as follows:

- The CEO will determine whether to approve all such attendances.
- Where the invitation is to the CEO, the CEO will consult with the Shire President.

- The CEO may refer any invitation to Council for decision.

Where an Elected Member has an event approved through this process and there is a fee associated with the event.

Where the Chief Executive Officer or employee has an event approved through this process and there is a fee associated with the event, then the cost of the event is to be paid for out of the Shire's relevant budgeted expenditure.

Considerations for approval of the event include:

- any justification provided by the applicant when the event is submitted for approval;
- the benefit to the Shire of the person attending;
- the budget allocation to Members Training & Conference;
- alignment to the Shire's Strategic Objectives; and
- the number of Shire representatives already approved to attend.

3. Non-Approved Events

Any event that is not pre-approved, is not submitted through an approval process, or is received personally is considered a non-approved event.

- If the event is a free event to the public then no action is required;
- If the event is ticketed and the Elected Member or Chief Executive Officer pays the full ticketed price and does not seek reimbursement then no action is required; and
- If the event is ticketed and the Elected Member or Chief Executive Officer pays a discounted rate, or is provided with a free ticket(s), then the recipient must disclose receipt of the tickets, and any other associated hospitality, within 10 days.

4. Conference Registration, Bookings, Payment and Expenses

Shall be dealt with in avoidance with Council Policies:

- 3.10 Councillor Expenses
- 3.11 Councillor Attendance at Conferences, Seminars or Workshops
- 4.19 Conference Expenses - Staff

5. Dispute Resolution

The CEO is the final decision maker in relation to staff attendance. If a Councillor or the President is dissatisfied with the CEO's decision, Council may be requested to decide.

Associated Procedures

Organisations that desire attendance at an event by a particular person(s), such as the President, Deputy President, Elected Member, Chief Executive Officer or particular officer of the Shire, should clearly indicate that on the offer, together what is expected of that individual, should they be available, and whether the ticket is transferable to another Shire representative.

Tickets that are provided to the Shire of Cuballing without denotation as to who they are for, will be provided to the Chief Executive Officer and attendance determined by the Chief Executive Officer in liaison with the Shire President, based on relative benefit to the organisation in attending the event, the overall cost in attending the event in inclusive of travel

or accommodation, availability of representatives, and the expected role of the relevant Elected Member or employee.

Resolution No: 2020/73
Resolution Date: 22nd July 2020
Amended: 17th April 2024

3.16 Australian Citizenship Ceremonies

Statement

That with regard to the conduct of Australian Citizenship Ceremonies in the Shire of Cuballing, Council authorises:

1. the Shire President, or the Chief Executive Officer will conduct Australian Citizenship Ceremonies in the Shire of Cuballing in line with the instrument of delegation by the Minister for Immigration, Citizenship and Multicultural Affairs;
2. the Chief Executive Officer to determine:
 - a) the timing and venue of a Australian Citizenship Ceremony in liaison/consultation with the person to be granted their Australian citizenship; and
 - b) the Shire President conduct the Australian Citizenship Ceremony;
3. in the event that the Shire President is not available at the time or date determined under Clause 2, the Chief Executive Officer will conduct the ceremony; and
4. the attire of attendees at Australian Citizenship Ceremonies in the Shire of Cuballing should reflect the significance of the occasion and at least smart casual dress or national/cultural dress is deemed to be acceptable

Resolution No: 2020/111
Resolution Date: 21st October 2020
Amended: 17th April 2024

3.17 Public Question Time – Management

Statement

Questions Asked Verbally

- 1 Members of the public are invited to ask questions at Council Meetings.
- 2 Questions asked at an ordinary Council meeting can relate to matters that affect the operations of the Shire of Cuballing. Questions asked at a Special Meeting of the Council must relate to the purpose for which the meeting has been called.
- 3 A register will be provided for those persons wanting to ask questions to enter their name. Persons will be requested to come forward in the order in which they are registered, and to give their name and address.
- 4 Persons are encouraged to provide a written copy of their question to allow staff to use this copy in the preparation of the minutes of the meeting.

- 5 Public question time will be limited to two minutes per member of the public, with a limit of two questions per member of the public.
- 6 Statements are not to precede the asking of a question during public question time.
- 7 Members of the public are encouraged to keep their questions brief to enable everyone who desires to ask a question to have the opportunity to do so.
- 8 Public question time will be limited to the legislative minimum of fifteen minutes and may be extended in intervals of up to ten minutes by resolution of the Council, but the total time allocated for public questions to be asked and responses to be given is not to exceed forty five (45) minutes in total. Public question time is declared closed following the expiration of the allocated time period, or earlier than such time where there are no further questions.
- 9 Questions are to be directed to the Presiding Member and should be asked politely in good faith and are not to be framed in such a way as to reflect adversely or be defamatory on a particular Elected Member or Shire employee. The Presiding Member shall decide to:
 - Accept or reject any question and his/her decision is final;
 - Nominate a member of the Council and/or Shire employee to respond to the question;
 - Take a question on notice. In this case a written response will be provided as soon as possible, and included in the agenda of the next Council meeting.
- 10 Where an elected member is of the opinion that a member of the public is:
 - asking a question at a Council meeting, that is not relevant to the operations of the Shire of Cuballing; or
 - making a statement during public question time;they may bring it to the attention of the meeting.
- 11 Questions and any response will be summarised and included in the minutes of the Council meeting.
- 12 It is not intended that question time should be used as a means to obtain information that would not be made available if it was sought from the Shire's records under *Section 5.94 of the Local Government Act 1995* or the *Freedom of Information (FOI) Act 1992*. Where the response to a question(s) would require a substantial commitment of the Shire's resources, the Chief Executive Officer (CEO) will determine that it is an unreasonable impost upon the Shire and refuse to provide it. The CEO will advise the member of the public that the information may be sought in accordance with the FOI Act 1992.

Questions in Writing – (Residents and/or ratepayers of the Shire of Cuballing only)

- 1 Only Shire of Cuballing residents and/or ratepayers may submit questions to the Shire in writing.
- 2 Questions submitted to an ordinary Council meeting can relate to matters that affect the operations of the Shire of Cuballing. Questions submitted to a Special Meeting of the Council must relate to the purpose for which the meeting has been called.

- 3 The Shire will accept a maximum of 5 written questions per Shire of Cuballing resident/ratepayer. To ensure equality and consistency, each part of a multi-part question will be treated as a question in its own right.
- 4 Questions lodged by 9.00 am on the day immediately prior to the scheduled Council meeting will be responded to, where possible, at the Council meeting. These questions, and their responses, will be distributed to Elected Members and made available to the public in written form at the meeting.
- 5 The Presiding Member shall decide to accept or reject any written question and his/her decision is final. Where there is any concern about a question being offensive, defamatory or the like, the Presiding Member will make a determination in relation to the question. Questions determined as offensive, defamatory or the like will not be published. Where the Presiding Member rules questions to be out of order, an announcement to this effect will be made at the meeting, including the reason(s) for the decision.
- 6 The Presiding Member may rule questions out of order where they are substantially the same as questions previously submitted and responded to.
- 7 Written questions unable to be responded to at the Council meeting will be taken on notice. In this case, a written response will be provided as soon as possible and included on the agenda of the next Council meeting.
- 8 A person who submits written questions may also ask questions at a Council meeting and questions asked verbally may be different to those submitted in writing.
- 9 Questions and any response will be summarised and included in the minutes of the Council meeting.
- 10 It is not intended that question time should be used as a means to obtain information that would not be made available if it was sought from the Shire's records under Section 5.94 of the *Local Government Act 1995* or the *Freedom of Information (FOI) Act 1992*. Where the response to a question(s) would require a substantial commitment of the Shire's resources, the Chief Executive Officer (CEO) will determine that it is an unreasonable impost upon the Shire and refuse to provide it. The CEO will advise the member of the public that the information may be sought in accordance with the *FOI Act 1992*.

DISCLAIMER

Responses to questions not submitted in writing are provided in good faith and as such, should not be relied upon as being either complete or comprehensive.

Objective:

To establish Procedures for the conduct of Public Question Time during Council and/or Committee Meetings.

Public Question Time is a means by which the public can seek responses from their council about issues affecting the local government that are of concern to them. It assists the public to be better informed about the governing of their district and it provides the local government with a mechanism to identify issues of importance in their community.

The *Local Government Act* provides that time is to be allocated for the asking of and responding to questions raised by 'members of the public'. This means any member of the public. It does not apply only to members of the public who reside in the district or who are electors.

Although a local government must respond to a question, the *Local Government Act* does not intend that a local government provides an answer to every question where the question is outside the legislation or deemed unreasonable. There are many circumstances where this may occur i.e. offensive or defamatory questions, questions that relate to the personal affairs or actions of council members or employees, letters relating to confidential matters, identical questions asked that have been satisfactorily responded to previously.

Resolution No: 2021/029
Resolution Date: 21st March 2021
Affirmed: 17th April 2024

3.18 Code of Conduct Behaviour Complaints Management Policy

Objective

To establish, in accordance with *Clause 15(2)* of the Local Government (Model Code of Conduct) Regulations 2021 and *Shire of Cuballing Code of Conduct* for Council Members, the procedure for dealing with complaints about alleged breaches of the behaviour requirements included in *Division 3* of the *Shire of Cuballing Code of Conduct* for Council Members, Committee Members and Candidates.

To give effect to the Shire of Cuballing's commitment to an effective, transparent, fair and accessible complaints handling process that supports high standards of behaviour of Council Members, Committee Members and Candidates.

Scope

This Policy applies to complaints made in accordance with Clause 11 of the Shire of Cuballing Code of Conduct for Council Members, Committee Members and Candidates.

This Policy applies to Council Members, Committee Members, Candidates and any person who submits a complaint in accordance with this Policy.

DEFINITIONS

Act means the *Local Government Act 1995*.

Complaints Officer means a person authorised in writing by Council resolution or by the CEO exercising delegated authority under clause 11(3) of the Code of Conduct to receive complaints and withdrawals of complaints. The role of the Complaints Officer is addressed in Part 2.1 of this Policy.

Breach means a breach of Division 3 of the Shire of Cuballing Code of Conduct for Council Members, Committee Members and Candidates.

Candidate means a candidate for election as a Council Member, whose nomination has been accepted by the Returning Officer under s.4.49 of the Act, but does not include a Council Member who has nominated for re-election. A person is a Candidate from the date on

which their nomination is accepted, until the Returning Officer declares the election result in accordance with s.4.77 of the Act.

Candidate Complaint means a Complaint alleging a Breach by a Candidate. Candidate Complaints are dealt with in Part 3.2 of this Policy.

Code of Conduct means the Shire of Cuballing Code of Conduct for Council Members, Committee Members and Candidates.

Committee means a committee of Council, established in accordance with s.5.8 of the Act.

Committee Member means a Council Member, employee of the Shire of Cuballing or other person who has been appointed by the Council to be a member of a Committee, in accordance with s.5.10(1) of the Act. A person is a Committee Member from the date on which they are appointed, until their appointment expires or is terminated by Council resolution.

Complaint means a complaint submitted under Clause 11 of the Code of Conduct.

Complainant means a person who has submitted a Complaint in accordance with this Policy.

Complaint Assessor means a person appointed by the Complaints Officer in accordance with Part 2.2 and Part 3.8 of this Policy.

Complaint Documents means the Complaint Form and any supporting information, evidence, or attachments provided by the Complainant.

Complaint Form means the form approved under clause 11(2)(a) of the Code of Conduct by Council resolution.

Council means the Council of the Shire of Cuballing.

Council or Committee Meeting means a formal meeting of the Council or a Committee that is called and convened in accordance with the Act. It does not include informal meetings, such as workshops or briefings.

Council Member means a person who is currently serving a term of office as an elected member of the Council in accordance with the Act.

Finding means a finding made in accordance with clause 12(1) of the Code of Conduct as to whether the alleged Breach has or has not occurred.

Plan means a Plan that may be prepared and implemented under clause 12(4)(b) of the Code of Conduct, to address the behaviour of the person to whom the complaint relates (the Respondent), if a Finding has been made that a Breach has occurred.

Response Documents means the response provided by the Respondent to the Complaint, and includes any supporting information or evidence that is supplied.

Statement

1 Principles

1.1 Procedural fairness

The principles of procedural fairness, or natural justice, will apply when dealing with a Complaint under this Policy. In particular:

- the Respondent will be afforded a reasonable opportunity to be heard before any findings are made, or a plan implemented;
- the decision maker should be objective and impartial, with an absence of bias or the perception of bias; and
- any findings made will be based on proper and genuine consideration of the evidence.

1.2 Consistency

The application of this Policy should lead to consistency in process and outcomes. While each Complainant and Respondent will be dealt with according to their circumstances, and each Complaint considered and determined on its merits, similar circumstances will result in similar decisions.

1.3 Confidentiality

The Shire of Cuballing will take all reasonable steps to maintain confidentiality when dealing with the Complaint, in order to protect both the Complainant and Respondent.

Council Members, Local Government employees and contractors who have a role in handling a specific complaint will be provided with sufficient information to fulfil their role. They must manage this information securely, and must not disclose or inappropriately use this information.

Complainants will be advised of the level of confidentiality they can expect, and that breaches of confidentiality on their part may prejudice the progress of their Complaint.

1.4 Accessibility

The Shire of Cuballing will ensure that information on how to make a complaint, including this Policy, is available at the Shire of Cuballing's Administration Building and on the Shire of Cuballing's website. The Shire of Cuballing will make information available in alternative formats if requested.

Any person wishing to make a complaint may contact the Complaints Officer if they require assistance in completing the complaint form or otherwise navigating the complaints process.

2. Roles

2.1 Behaviour Complaints Officer

The Complaints Officer is authorised in accordance with clause 11(3) of the Code of Conduct to accept complaints and withdrawal of complaints.

The Complaints Officer is not an advocate for the complainant or the respondent. The Complaints Officer provides procedural information and assistance to both Complainant and Respondent.

The Complaints Officer will liaise with and provide administrative support to a Complaint Assessor appointed under this Policy.

The Complaints Officer will facilitate the calling and convening of Council meetings if required.

In undertaking their functions, the Complaints Officer will apply the Principles of this Policy.

2.2 Complaint Assessor

The Complaint Assessor is appointed by the Complaints Officer in accordance with Part 3.8 of this Policy.

The Complaints Officer may elect to perform the role of Complaint Assessor, or alternatively to appoint a third party Complaint Assessor who will undertake the functions specified in this Policy. In undertaking their functions, the Complaint Assessor will apply the Principles of this Policy.

If a third party Complaint Assessor is appointed, then the Complaint Assessor will liaise with the Complaints Officer to manage the administrative requirements of dealing with the Complaint in accordance with this Policy.

3 Procedure

3.1 Making a complaint

Any person may make a Complaint alleging that a Council Member, Committee Member or Candidate has behaved in a way that constitutes a breach of Division 3 of the Code of Conduct - clause 11(1) of the Code of Conduct.

A Complaint must be made within one (1) month after the alleged Breach - clause 11(2)(c) of the Code of Conduct.

A Complaint must be made by completing the Behaviour Complaint Form in full and providing the completed forms to the Behaviour Complaints Officer.

A Complaint must be made in accordance with the Behaviour Complaint Form and specify which requirement(s) of the Code of Conduct is alleged to have been breached.

A Complaint is required to include the name and contact details of the Complainant therefore anonymous complaints cannot be accepted.

Where a Complaint Form omits required details, the Complaints Officer will invite the Complainant to provide this information in order for the Complaint to be progressed.

Where a Complaint is made more than 1 month after the alleged breach, the Complaints Officer will give the Complainant written notice that the Complaint cannot be made - clause 11(2)(c) of the Code of Conduct.

3.2 Candidate Complaints

A Complaint in relation to a Candidate must be made in accordance with 3.1, above, but cannot be dealt with unless the Candidate is subsequently declared elected as a Council Member.

Within 7 days after receiving a Candidate Complaint, the Complaints Officer will provide written notice:

- To the Complainant confirming receipt, and advising of the procedure for candidate complaints; and

- To the Respondent, including a summary of the complaint, and advising of the procedure for candidate complaints.

No action will be taken until the results of the election are declared by the Returning Officer. If the respondent is elected, then the complaint will be dealt with in accordance with this Policy. Timeframes that would otherwise commence on the receipt of a Complaint will be taken to commence on the election date.

If the Respondent is not elected, the Complaints Officer will provide the Complainant with notice that the Respondent has not been elected and that the Complaint cannot be dealt with - clause 15(1) of the Code of Conduct.

3.3 Withdrawing a Complaint

A Complainant may withdraw their Complaint at any time before a Finding has been made in relation to the Complaint - clause 14 of the Code of Conduct.

A Complainant may withdraw a Complaint by advising the Complaints Officer in writing that they wish to do so.

After receiving a written withdrawal of the Complaint, the Complaints Officer will take all necessary steps to terminate the process commenced under this Policy.

3.4 Notice to Complainant

Within 7 days after receiving a Complaint, the Complaints Officer will provide written notice to the Complainant that:

- confirms receipt of the Complaint;
- outlines the process that will be followed and possible outcomes;
- explains the application of confidentiality to the complaint;
- includes a copy of this Policy; and
- if necessary, seeks clarifications or additional information.

If the Complaint Form indicates that the Complainant agrees to participate in Alternative Dispute Resolution, the Complaints Officer will advise the Complainant of the process in accordance with Part 3.6 of this Policy.

3.5 Notice to Respondent

Within 14 days after receiving a Complaint, the Complaints Officer will provide written notice to the Respondent that:

- advises that a Complaint has been made in accordance with the Code of Conduct and this Policy;
- includes a copy of the Complaint Documents;
- outlines the process that will be followed, the opportunities that will be afforded to the Respondent to be heard and the possible outcomes;
- includes a copy of this Policy; and
- if applicable, advises that further information has been requested from the Complainant and will be provided in due course.

If the Complainant has agreed to participate in Alternative Dispute Resolution, the Complaints Officer will ask the Respondent if they are also willing to participate in accordance with Part 3.6 of this Policy.

3.6 Alternative Dispute Resolution

The Shire of Cuballing recognises that Alternative Dispute Resolution may support both parties reach a mutually satisfactory outcome that resolves the issues giving rise to the Complaint. Alternative Dispute Resolution requires the consent of both parties to the Complaint and may not be appropriate in all circumstances.

To commence the process, the Complaints Officer will, as the first course of action upon receiving a complaint, offer the Complainant and the Respondent the option of Alternative Dispute Resolution. If both parties agree to participate in Alternative Dispute Resolution, the Complaints Officer will pause the formal process.

The objective of Alternative Dispute Resolution will be to reach an agreed resolution that satisfies the Complainant that the formal process is no longer required, allowing them to withdraw the Complaint, in accordance with Part 3.3 of this Policy. For example, an offer by a Respondent to issue a voluntary apology in response to a Complaint, even in the absence of a request from the Complainant, qualifies for consideration as Alternative Dispute Resolution.

If Alternative Dispute Resolution is commenced, both the Complainant and Respondent may decline to proceed with the process at any time. The process may also be terminated on the advice of a third party who is providing assistance to the Local Government, such as a facilitator or mediator.

If Alternative Dispute Resolution is terminated or does not achieve an agreed outcome that results in the withdrawal of the Complaint, the Complaints Officer will resume the formal process required under this Policy.

3.7 Order of Complaints

Complaints will normally be dealt with in the order in which they are received.

If more than one Complaint is received that relates to the same alleged behaviour, the Complaints Officer may decide to progress those Complaints concurrently.

3.8 Appointment of Complaints Assessor

If Alternative Dispute Resolution is not commenced, is terminated or does not achieve an agreed outcome resulting in the withdrawal of the Complaint, the Complaints Officer will appoint a suitably qualified and experienced Complaint Assessor, in accordance with the Shire of Cuballing's Purchasing Policy.

The Complaints Officer will endeavour to appoint a Complaint Assessor within a reasonable period. The Complaints Officer will provide written notice of the appointment to the Complainant and the Respondent.

3.9 Search of Local Government Records

The Complaint Assessor may request the Complaints Officer to search for any relevant records in the Shire of Cuballing's Record Management System.

In particular, if the behaviour is alleged to have occurred at a Council or Committee Meeting, the Complaints Officer will be requested to identify any Local Government records that provide evidence that may support a decision as to whether:

- the behaviour occurred at a Council or Committee Meeting;

- the behaviour was dealt with by the person presiding at the meeting; and/or
- the Respondent has taken remedial action in accordance with the Shire of Cuballing Standing Orders Local Law 2014.

The Complaints Assessor must provide the Respondent with a copy of any records that are identified. In addition, where a clarification or additional information has been sought from the Complainant by either the Complaints Officer or the Complaint Assessor, copies must also be provided to the Respondent.

3.10 Assessment of the Complaint

The Complaint Assessor will undertake an assessment of the Complaint in accordance with the process outlined in the Notices given under Part 3.4 and Part 3.5 of this Policy.

The Complaint Assessor must ensure that the Respondent is provided with a reasonable opportunity to be heard before forming any opinions, or drafting the Complaint Report or recommendations.

3.11 Complaint Report

The Complaint Assessor will prepare a Complaint Report that will:

- outline the process followed, including how the Respondent was provided with an opportunity to be heard;
- include the Complaint Documents, the Response Documents and any relevant Local Government Records as attachments; and
- include recommendations on each decision that may be made by the Complaints Committee; and
- include reasons for each recommendation, with reference to Part 4 of this Policy.

If the Complaint Report recommends that a Plan is prepared and implemented in accordance with clause 12(4)(b) of the Code of Conduct and Part 4.4 of this Policy, the Complaint Report must include a Proposed Plan.

The Respondent will be provided with a draft copy of the Complaint Report and provided with an opportunity to make submissions prior to the Complaint Report being finalised for presentation to Council.

The Complaint Assessor will liaise with the Complaints Officer to include the Complaint Report in the Agenda for a Council meeting. The Complaints Officer will be responsible for preparation of an Officer Report with the Complaint Report provided as a confidential attachment. The recommendations of the Complaint Report will be provided as the Officer Recommendations.

3.12 Consideration by Council

Complaint Reports will be considered by Council at its next available ordinary meeting.

The Agenda will be prepared on the basis that the part of the meeting that deals with the Complaint Report will be held behind closed doors in accordance with s.5.23(2) of the Act.

In accordance with the Department of Local Government, Sport and Cultural Industries' Guidelines on the Model Code of Conduct for Council Members, Committee Members and Candidates, all council members (including the Complainant and Respondent) are required to disclose an Impartiality Interest before debate commences.

The Council will consider the Complaint Report and attachments and give due regard to the recommendations.

In accordance with *Regulation 11(d)(a)* of the Local Government (Administration) Regulations 1996, reasons for any decision that is significantly different from the Officer Recommendation must be recorded in the meeting minutes.

If the behaviour that is the subject of the Complaint is alleged to have occurred at a Council or Committee Meeting, the Council will determine whether or not to dismiss the Complaint in accordance with Clause 13 of the Code of Conduct and Part 4.2 of this Policy.

If the Council dismisses a Complaint, the Complaints Officer must give the Complainant and the Respondent written notice of the decision and the reasons for the decision in accordance with clause 13(2) of the Code of Conduct. This concludes the process for this Complaint.

If the Complaint is not dismissed, the Council will consider the Complaint and make a Finding as to whether the alleged Breach that is the subject of the Complaint has or has not occurred, in accordance with clause 12 of the Code of Conduct and Part 4.3 of this Policy.

If the Council finds that the alleged Breach **did not** occur, the Complaints Officer must give the Complainant and the Respondent written notice of the Finding and the reasons for the Finding in accordance with clause 12(7)(a) of the Code of Conduct. This concludes the process for this Complaint.

If the Council finds that the alleged breach **did** occur, the Committee will decide whether to take no further action in accordance with clause 12(4)(a) of the Code of Conduct or prepare a plan to address the behaviour in accordance with clause 12(4)(b) of the Code of Conduct and Part 4.4 of this Policy.

If the Council decides to take no further action, the Complaints Officer must give the Complainant and the Respondent written notice of this decision and the reasons for the Finding in accordance with clause 12(7)(a) of the Code of Conduct. This concludes the process for this Complaint.

If the Council decides to prepare a Plan, the Committee will first consult with the Respondent in accordance with clause 12(5) of the Code of Conduct. The Council will consider any submissions made by the Respondent before preparing and implementing a Plan.

3.13 Compliance with Plan Requirement

The Complaints Officer will monitor the actions in timeframes set out in a Plan.

Failure to comply with a requirement included in a Plan is a minor breach under section 5.105(1) of the Act and clause 23 of the Code of Conduct.

The Complaints Officer must provide a report advising Council of any failure to comply with a requirement included in a Plan.

4. Decision Making

4.1 Objective and Principles

All decisions made under this Policy will reflect the Policy Objectives and the Principles included in Part 1 of this Policy.

4.2 Dismissal

The Council must dismiss a Complaint in accordance with clause 13(1)(a) and (b) of the Code of Conduct if it is satisfied that -

- (a) the behaviour to which the Complaint relates occurred at a Council or Committee Meeting; and
- (b) either —
 - (i) the behaviour was dealt with by the person presiding at the meeting; or
 - (ii) the Respondent has taken remedial action in accordance with the Shire of Cuballing Standing Orders Local Law 2014.

4.3 Finding

A Finding that the alleged breach has occurred must be based on evidence from which it may be concluded that it is more likely that the breach occurred than that it did not occur - *clause 12(3) of the Code of Conduct*.

This may involve first considering whether the behaviour occurred, on the balance of probabilities, and then whether that behaviour constituted a breach of a requirement of Division 3 of the Code of Conduct.

4.4 Action

In deciding whether to take no further action, or prepare and implement a Plan, the Complaints Committee may consider:

- the nature and seriousness of the breach(es);
- the Respondent's submission in relation to the contravention;
- whether the Respondent has breached the Code of Conduct knowingly or carelessly;
- whether the Respondent has breached the Code of Conduct on previous occasions;
- likelihood or not of the Respondent committing further breaches of the Code of Conduct;
- personal circumstances at the time of conduct;
- need to protect the public through general deterrence and maintain public confidence in Local Government; and
- any other matters which may be regarded as contributing to or the conduct or mitigating its seriousness.

4.5 Plan Requirements

The Proposed Plan may include requirements for the Respondent to do one (1) or more of the following:

- engage in mediation;
- undertake counselling;
- undertake training;
- take other action the Council considers appropriate (e.g. an apology).

The Proposed Plan should be designed to provide the Respondent with the opportunity and support to demonstrate the professional and ethical behaviour expected of elected representatives expressed in the Code of Conduct.

The Proposed Plan may also outline:

- the behaviours of concern;
- the actions to be taken to address the behaviour(s);

- who is responsible for the actions;
- any assistance the Local Government will provide to assist achieve the intent of the Plan; and
- a reasonable timeframe for the Plan action(s) to be addressed by the Respondent.

Resolution No: 2021/141
 Resolution Date: 16th December 2021
 Affirmed: 17th April 2024

3.19 Child Safe Awareness Policy

Statement

The Shire of Cuballing supports and values all children and young people. The Shire makes a commitment to support the safety and wellbeing of all children and young people, including protection from abuse. This Child Safe Awareness policy is one of the ways The Shire demonstrates its commitment to being child safe and a zero-tolerance approach to child abuse.

This policy aims to reduce the risk of harm and child sexual abuse in our communities by encouraging child safe environments to be created and maintained. The Shire is committed to encouraging local organisations to be child safe and ensure children are safe and empowered.

This *Child Safe Awareness Policy* has been developed in response to recommendation 6.12 of the *Royal Commission into Institutional Responses to Child Sexual Abuse* and recognises that the Shire of Cuballing is uniquely placed within the local community to demonstrate leadership by supporting organisations to be child safe and to protect children and young people from harm and/or abuse. The Shire will promote the safety and wellbeing of children across the community.

Consistent with the *National Principles for Child Safe Organisations* and *Commonwealth Child Safe Framework*, this policy provides a framework that outlines the role of the Shire in supporting local organisations to be child safe through access to resources, awareness raising and sharing relevant information.

Scope

The safety and wellbeing of children is everyone's responsibility. This Child Safe Awareness policy applies to all, employees, volunteers, trainees, work experience students, interns, and anyone else who undertakes work on behalf of the Shire, regardless of their work related to children or young people. It applies to occupants of Shire of Cuballing facilities and venues, including visitors, contractors and suppliers.

Definitions

Abuse: Abuse is an act, or a failure to act, towards or on behalf of a child that may result in harm. It can occur on one occasion or multiple occasions. Sometimes the impact of multiple events leads to harm that becomes cumulative in nature. Types of abuse include physical, emotional and sexual abuse, and neglect.

Child/Children: Means a person under 18 years of age, and in the absence of positive evidence as to age, means a person who appears to be under 18 years of age.

Child Safe Organisation: is defined in the Royal Commission Final Report as one that:

- creates an environment where children's safety and wellbeing are at the centre of thought, values, and actions
- places emphasis on genuine engagement with and valuing of children and young people
- creates conditions that reduce the likelihood of harm to children and young people
- creates conditions that increase the likelihood of identifying any harm, and
- responds to any concerns, disclosures, allegations, or suspicions of harm.

Note: in the context of local governments, this would involve referring concerns to the Department of Communities or WA Police to respond as appropriate.

Implementation of the National Principles for Child Safe Organisations give effect to the above.

Child safe: For the purpose of this policy, child safe means protecting the rights of children and young people to be safe by taking actions that can help prevent harm and abuse.

Harm: Harm, in relation to a child, means any detrimental effect of a significant nature on the child's wellbeing, whether caused by a single act, omission or circumstance; or a series or combination of acts, omissions or circumstances.

Wellbeing: Wellbeing of children and young people includes the care, development, education, health and safety of children and young people.

Policy Principles

- The rights of children and young people are upheld.
- Children and young people are respected, listened to, and informed about their rights.
- Children and young people have the fundamental right to be safe and cared for.
- Children and young people have the right to speak up, be heard and taken seriously without the threat of negative consequences.
- The safety and best interests of children and young people are a primary consideration when making decisions that concern them.
- Access to trusted and reliable information, including the National Principles for Child Safe Organisations, helps support organisations to understand what they must do to help reduce the risk of harm and abuse.
- Communities are informed and involved in promoting the safety and wellbeing of children and young people including protection from harm.
- Collaboration with the community and our partners promotes the safety, participation and empowerment of all children and young people.

Policy Functions

The Shire of Cuballing will ensure the following functions of this policy are resourced and assigned to the relevant officers for implementation.

- Developing a process to deliver child safe messages (for example at [Local Government] venues, grounds and facilities or events).

- Connecting and supporting local community groups, organisations, and stakeholders to child safe resources (including culturally safe and inclusive resources).

Responsibilities

The Shire of Cuballing has a leadership role in our community to support relevant organisations to be child safe and promote child safe practices.

Although the Shire is not legally responsible for providing oversight of compliance with child safe practices, it will take any reasonable steps to engage with persons who utilise Shire of Cuballing facilities to operate in alignment with the Child Safe Awareness policy.

The Shire will determine which roles across the organisation will directly support the implementation of the Child Safe Awareness policy.

Related Legislation and Policy

Include here a list of any legislation or policy frameworks that inform local government requirements, for example:

- Child Care Services Act 2007
- Children and Community Services Act 2004
- Civil Liability Act 2002
- Corruption, Crime and Misconduct Act 2003
- Equal Opportunity Act 1984
- Freedom of Information Act 1997
- Local Government Act 1995
- National Principles for Child Safety Organisations
- Parliamentary Commissioner Act 1971
- Public Interest Disclosure Act 2003r
- Public Sector Management Act 1994
- United Nations Convention on the Rights of the Child (CRC)
- Work Health and Safety Act 2020
- Working with Children (Criminal Record Checking) Act 2004

Review

This policy will be reviewed every two years or upon the introduction of other relevant policy or legislation related to the safety and wellbeing of children and young people.

Resolution No: 2023/56
Resolution Date: 30 June 2023
Affirmed: 17th April 2024

4. STAFF

4.1 Private Use of Shire Light Vehicles

Statement

Senior staff, as a part of their salary package, are able to negotiate private use of the Council vehicle assigned to their position.

This private use is to have the following restrictions:

1. The vehicle is not to be driven further east than the state border (Unless prior agreement has been granted by Council).
2. The vehicle is not to be driven further north than Carnarvon (Unless prior agreement has been granted by Council).
3. A fuel card may be provided for every vehicle owned by Council with private use privileges. Fuel for the vehicle is to be purchased locally or using this fuel card or a Council credit card if provided.
4. Every Council vehicle is to be available for Council purposes at times when the employee is at work.
5. If the vehicle is to be used outside of working hours for private use Council's employee is to be preferred driver at all times unless due to tiredness or some other reason that may impair the judgment of the employee when driving. In this case the authorised driver may request another person to complete the journey (this person may not be an authorised officer of Council) with employee as a passenger in the vehicle.
6. Unlimited private of the vehicle extends to the Spouse or Partner of the Executive outside of work hours. All normal restrictions apply. Spouses and Partners are not however entitled to sign for fuel at Council's supplier. This must be completed by the employee.
7. Persons under the age of 21, Learner Drivers or probationary drivers are not permitted to drive a Council vehicle under any situation due to insurance, unless the driver is a "Direct Employee" of Council.
8. Should an employee reside outside the Shire of Cuballing, either upon commencement or at some other time of their employment, Council may only permit private use of a Council vehicle if the new residence is located within 50 kilometres of the Cuballing townsite.

Objective:

To establish a guideline for the use of Council Administration vehicles outside of work hours.

Resolution No: 9.2.6
Resolution Date: 21st April 2016
Affirmed: 17th April 2024

4.2 Use of Shire Information Technology (IT) Facilities for Staff

Statement

1 General Use

The Shire of Cuballing reserves the right to, without notice, modify, upgrade, withdraw or otherwise alter any facilities provided.

The Shire of Cuballing 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.

Users must respect the resource limitations of the IT facilities provided. Resources are not infinite.

Any facilities provided to users are for the business purposes of the Shire of Cuballing. The Shire will not be responsible for meeting any costs resulting from either the misuse of facilities or the use of facilities for non-business related purposes.

The Shire of Cuballing supports only those facilities which it provides for business purposes. Hardware, software, operating systems and networking protocols not in use at, or provided and approved by, the Shire of Cuballing Deputy CEO, are not supported.

2 Storage

All corporate information including correspondence, minutes of meetings, memos, file notes and reports (other than those generated through the Shire's databases) are to be stored in the Records Keeping System. This is consistent with the legislative requirements of the State Records Act 2000.

E-mails and faxes, sent and received, and of corporate nature must be captured and stored in the Records Keeping System. This is consistent with the legislative requirements of the State Records Act 2000.

Corporate documents must not be stored on desktop computers or on portable media (i.e.: floppy disks, CDs, DVDs). There are appropriate methods for storing draft and 'working' documents within the Records Keeping System. Network drives are provided for non-corporate documents only and only limited quotas are allowed. It is the responsibility of each staff member to understand what documents should be stored in the Records Keeping System, this information can be obtained from the Records Department.

Only the network drives and corporate systems are backed up. 'C' drives and other Local drives are not backed up and users will be responsible for any loss of data stored on this drive or on portable media.

Duplication of data is to be avoided.

3 Installing Unauthorized Software or Files

Users must not purchase, install, update, copy or use any software without prior written consultation with the Deputy CEO.

All software and updates are to be evaluated by the Deputy CEO for compatibility with the Shire's existing hardware and software, software licensing agreements, copyright and other intellectual property rights, availability of budget funds, and virus protection.

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 or stored on the Shire of Cuballing systems.

The installation and use of third party "screen savers" is not permitted.

4 Access to Computer Facilities

Users may use only those facilities, which they have been properly authorised to use by the relevant Manager/Director. Authorisation must be provided to IT Services in writing before access is provided and/or modified.

Users may not use any of the facilities provided by the Shire of Cuballing in such a way as to reflect negatively upon the Shire either in part or as a whole.

Users may not use any of the facilities provided to them by the Shire of Cuballing in such a way as to achieve personal gain or to earn income external to their employment at the Shire.

The playing of games on Shire computers is not permitted.

Where the use of any IT facility is governed by a password, the password must not be inappropriately divulged to any other person.

Users must take every reasonable precaution to ensure that their passwords, accounts, software and data are adequately protected. We recommend that no passwords are written down and kept at or near a user's desk.

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 Deputy CEO or CEO.

Users will comply with any directive (verbal, written or electronic) from Deputy CEO relating to access to IT facilities.

Users must treat IT facilities and telephones with respect. Any wilful 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 or replacement being sought from the user of the equipment.

Food and beverages should not be consumed in close proximity to IT equipment.

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 Cuballing may not be responsible for any excessive costs incurred.

Remote access to the Shire of Cuballing IT facilities is provided on a needs basis. Those seeking such access will need approval in writing from the Deputy 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 IT Services, and must use passwords with at least 8 characters and must contain a mixture of upper and lower case alpha characters and numbers.

The Shire of Cuballing reserves 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 has a particular need for after hour's access to IT facilities they should liaise with the Deputy CEO in advance to arrange access options.

5 Security

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 have been provided for their use, or is stored on a shared medium for which they have been granted access.

Users must not attempt to rename, delete, or modify the data of another user without prior authorisation from the Deputy CEO, 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.

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 Deputy CEO.

Users are encouraged to log out of their workstations when they are not in use.

Users should correctly shut their computer systems down before finishing work each day, unless otherwise requested by the Deputy CEO.

Users must report to the Deputy CEO, without delay, any breaches (either real or perceived) of security.

6 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 is 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.

7 IT Support

The Shire of Cuballing outsources the management of its IT systems on an as needed basis. Users must understand that they should not contact any IT support directly, rather refer the matter the Deputy CEO who will assess and arrange for support as required.

8 Internet and E-mail

The provision of Internet browsing facilities to a user must be authorised in writing by the Deputy CEO or CEO.

E-mail users must check their e-mail frequently, delete any unnecessary messages promptly and manage their e-mail files wisely. Limits are set on mailbox sizes; therefore users should make sure e-mails are registered into the Records Keeping System.

When commencing leave, staff should utilize the ability of the email software to forward incoming mail to the person who is acting in the position during their absence.

Outlook Calendars are regarded as a management tool and should be made available for other staff to review. Personal appointments can be marked 'Private' so reviewers may not see the details of the content.

9 What is Acceptable Use in Regards to Internet and E-Mail?

Subject to the balance of this policy, employees may use the Internet access provided by the Shire of Cuballing for:

- Work-related purposes;
- Sending and receiving personal email messages, provided that if email messages are sent with a Shire of Cuballing email address in the from: or Reply-To: header, a disclaimer shall accompany the email to the effect that the views of the sender may not represent those of the Shire of Cuballing;
- Accessing the World Wide Web including social networking websites for limited personal purposes during an employee's normal lunch breaks;
- Utilizing any other Internet service or protocol for personal purposes after obtaining permission in writing, to do so, from the Shire's Deputy CEO; and
- E-mail messages of a corporate nature that leave the Shire of Cuballing destined for an external organisation are public records and must be captured in the Records Keeping System. Any corporate e-mail messages that officers receive must also be captured in this manner. If the user is unclear of how to capture the correspondence in the Records Keeping System themselves such messages should be forwarded to Records staff to facilitate this legislative (State Records Act 2000) requirement.

Use under Section 9 of this policy is conditional upon in each case that the personal use is moderate in time, does not incur cost for the Shire and does not interfere with the employment duties of the employee or his or her colleagues.

10 What is Not Acceptable Use in regards to Internet and E-mail?

Except in the course of an employee's duties or with the express permission of the Shire, the Internet access provided by the Shire may not be used for:

- Personal commercial purposes;
- Sending unsolicited bulk email such as advertising or announcements that are not related to Council business to any group;

- Sending any e-mail that is inappropriate, for example, e-mails that contains pornographic material, profanity, racial and sexual discrimination, forwarding of hoaxes, chain-mail, spam, harassing colleagues or knowingly sending or forwarding virus-infected e-mails;
- Disseminating confidential information of the Shire of Cuballing;
- Any illegal purpose;
- Knowingly causing interference with or disruption to any network, information service, equipment or any user thereof;
- Disseminating personal contact information of officers or employees of the Shire without their consent;
- Knowingly causing any other person to view content which could render the Shire liable pursuant to equal opportunity or sexual discrimination legislation at the suit of that person; or
- Knowingly downloading or requesting software or media files or data streams that are not related to Shire business;
- Sending e-mails that has documents attached, to multiple users within Council. Documents of corporate value should be registered in the Records Keeping System, and can be referred to in e-mails. If a document is not of corporate value it can be stored on the Shared drive and referred to in an e-mail;
- The use of real-time messaging services such as ICQ or MSN or Yahoo.
- Web sites including but not limited to those of the following nature:
 - Games.
 - Personal Shopping / Auctions.
 - Entertainment.
 - Adult Entertainment.
 - Pornography.
 - Personal Internet E-mail (such as GMail, Hotmail or Yahoo).
 - Chat Rooms / Channels.
 - Social networking sites for personal purposes (such as Facebook or Twitter).

11 Example of Disclaimer to be used

This e-mail message, including any attached files, is private and may contain information that is confidential. Only the intended recipient may access or use it. If you are not the intended recipient please delete this e-mail and notify the sender promptly. The views of this sender may not represent those of the Shire of Cuballing. The Shire uses virus-scanning software but exclude all liability for viruses or similar defects in any attachment.

12 Consequences of Unacceptable Use

The Shire of Cuballing may monitor logs of Internet usage which may reveal information such as which Internet servers (including World Wide Web sites) have been accessed by employees, and the email addresses of those with whom they have communicated. The Shire of Cuballing will not, however, engage in real-time surveillance of Internet usage, will not monitor the content of email messages sent or received by its employees unless a copy of

such message is sent or forwarded to the company by its recipient or sender in the ordinary way, and will not disclose any of the logged, or otherwise collected, information to a third party except under compulsion of law.

Responsibility for use of the Internet that does not comply with this policy lies with the employee so using it and such employee must indemnify the Shire of Cuballing for any direct loss and reasonably foreseeable consequential losses suffered by the Shire by reason of the breach of policy.

The Shire of Cuballing will review any alleged breach of this Acceptable Use Policy on an individual basis. If the alleged breach is of a very serious nature which breaches the employee's duty of fidelity to the Shire, the employee shall be given an opportunity to be heard in relation to the alleged breach and if it is admitted or clearly established to the satisfaction of the Shire the breach may be treated as grounds for dismissal.

Council reserves the right to refer an employee's use of Shire IT facilities to an appropriate law enforcement agency for alleged illegal use.

Otherwise, an alleged breach shall be dealt with as follows:

- Initially, the employee shall be informed of the alleged breach, given an opportunity to respond to the allegation, and if it is not satisfactorily explained, be asked to desist from or where applicable to remedy the breach.
- If the breach is not desisted from or remedied, The Shire of Cuballing may either withdraw the employee's access to the Internet or provide a first warning to the employee, to which the employee shall have an opportunity to respond.
- If the infringing conduct continues the employee may be given a second and a third warning, to each of which he or she shall have an opportunity to respond.
- If a breach is committed after the third warning the employee may be dismissed.

Objective:

This policy outlines the conditions governing the use of all Information Technology (IT) facilities provided by the Shire of Cuballing to ensure it is used in an appropriate manner.

The policy applies to staff and to others to whom access to IT facilities has been provided.

Resolution No: 9.2.6
Resolution Date: 21st April 2016
Affirmed: 17th April 2024

4.3 Staff - Attendance at Army Reserve

Statement

That it be the policy of Council to maintain the salaries and wages of any of its employees who are engaged on armed services reserve duties

Resolution No: 9.2.6
Resolution Date: 21st April 2016

Affirmed: 17th April 2024

4.4 Superannuation - Council Contribution

Statement

Council may contribute at a matching rate of 1.0 times the employees additional contributions up to a maximum of 6% for all employees who are voluntary self-contributing members of a Superannuation Scheme. This includes approved salary sacrificing arrangements between Council and an employee.

Resolution No: 9.2.6
Resolution Date: 21st April 2016
Affirmed: 17th April 2024

4.5 Conference Attendance - Staff

Statement

Senior Staff are permitted to attend at least one annual conference each year of their professional organisation or other conference considered to provide appropriate professional development, at the discretion of the CEO, or in the case of the CEO, by the Shire President. Applications are to be submitted to the Chief Executive Officer in writing.

The CEO, or in the case of the CEO the Shire President, will determine the attendance of a Staff Member at a conference, seminar, training course or meeting. In making this determination, the CEO, or Shire President will consider:

1. the perceived value of the attendance of attendance to the professional development of the Staff Member and the Shire of Cuballing; and
2. the costs of a conference, seminar, training course or meetings. All costs including travel (motor vehicle, air fares, train, etc.), accommodation, meals, related conference registration and any other costs will be considered; and
3. any other matter deemed significant by the CEO or Shire President.

Attendance at conferences in other States requires the prior approval of Council.

At least a verbal report on the conference attendance is to be provided to Council during the next Council Briefing Session, with this report to be in writing if requested by the CEO or in the case of the CEO the Shire President.

Resolution No: 2017/133
Resolution Date: 21st December 2017
Affirmed: 17th April 2024

4.6 Staff Gratuity Payments

Statement

Council may consider the payment of gratuity to a terminating employee who has given loyal and dedicated service to the Shire, which is in addition to that stipulated by an Award or contract with the employee. Such a payment is at the sole discretion of Council.

As a general guide, the gratuity may be in the order of -

- Over 5 and less than 10 years service - \$75 per year of service
- More than 10 years service - \$100 per year of service

The gratuity will not exceed 50% of the employee's annual salary or wage being paid at termination.

The gratuity may be in cash or in kind.

In deciding if a gratuity shall be paid, Council will take into consideration the service record of the employee, in particular the number of entitled sick days the employee has not used. Particular attention will be paid to the employee's attitude towards the Council's objectives and the willingness to contribute towards those objectives without necessarily expecting recognition or reward.

Objective

To ensure all Local Government staff are familiar with the legislative requirements regarding gratuities for the formal recognition of satisfactory and extended service by Local Government employees.

Resolution No: 9.2.6
Resolution Date: 21st April 2016
Affirmed: 17th April 2024

4.7 Service Allowance

Statement

All staff employed by the Shire of Cuballing shall be entitled to receive a Service Allowance, in accordance with the following:

1. Staff employed for a minimum period of six (6) months to receive a Service Allowance of \$150 per annum (**\$2.88 per week**), paid on a fortnightly basis;
2. After two (2) years' service, a bonus of \$7.00 per week;
3. After five (5) years' service, a bonus of \$10.00 per week;
4. After ten (10) years' service, a bonus of \$15.00 **week**;
5. After fifteen (15) years' service a bonus of \$20.00 per week;

All employees will receive a \$100 Christmas bonus which will be paid as part of their final pay of the calendar year.

Resolution No: 2022/126
Resolution Date: 16th November 2022
Affirmed: 17th April 2024

4.8 Payment of Adverse Working Conditions Allowance

Statement

That the Adverse Working Conditions Allowance – Level 1, payable under the *Local Government Industry Award*, be paid to eligible employees whilst on annual leave and long service leave.

Objective:

To clearly indicate when the Industrial Allowance is to be paid if employees' are absent from work due to leave entitlements.

Resolution No: 9.2.6
Resolution Date: 21st April 2016
Affirmed: 17th April 2024

4.9 Police Clearance/Medical Examination – New Employees

Statement

That all new employees of the Shire of Cuballing be required to undergo a medical examination and obtain a current (not more than 3 months old at time of presentation) Police Clearance, prior to taking up their appointment. The Shire will reimburse costs associated with obtaining a current clearance and medical examination.

Objective:

To ensure that all new employees are medically fit and are suitable to undertake the duties of the position for which they are under consideration.

Resolution No: 9.2.6
Resolution Date: 21st April 2016
Affirmed: 17th April 2024

4.10 Administrative Staff Uniforms

Statement

That Administrative staff employed under the *Local Government Industry Award*, be provided uniforms, in accordance with the following:

1. Upon commencement Council will provide uniforms selected by the employee of a value up to \$500; and
2. Council will provide uniforms up to a value of \$300 annually.

Guideline

Only permanent full time and permanent part time employees who have satisfactorily completed any probationary period are eligible.

Administrative staff, who have a clause relating to the provision of uniforms in their contract, are excluded from this policy.

In this policy “uniforms” is defined as the FBT exempt Local Government uniform arranged by WALGA.

Nothing in this policy restricts staff from purchasing or wearing their own, additional office attire if they choose.

Objective

To encourage administration staff to wear uniforms so that they promote a professional appearance to the general public.

Resolution No: 2017/133
Resolution Date: 21st December 2017
Affirmed: 17th April 2024

4.11 Workplace Incentive – Flu Needle

Statement

That Council reimburses the difference between the amount repaid by Medicare and the doctor’s account to any employee electing to have a flu needle, on presentation of the doctor’s account and Medicare statement.

Objective

To encourage less absenteeism therefore reduce the need to employ casuals and maintain staff morale.

Resolution No: 9.2.6
Resolution Date: 21st April 2016
Affirmed: 17th April 2024

4.12 Works Staff Uniform

Statement

That staff uniforms be provided to all works staff incorporating reflective colours that meet the Australian Standards.

Each employee is to be provided with a uniform kit that includes:

- 3 pairs of long pants (Safety Variety with reflectors) – Replaced on an as needs basis
- 5 long sleeve shirts (Safety Variety with reflectors) - Replaced on an as needs basis
- 2 Jumpers (Safety Variety with reflectors) - Replaced on an as needs basis

- 1 Rain Coat (Safety Variety with reflectors) - Replaced on an as needs basis
- Safety Boots issued upon start if required - Replaced on an as needs basis
- 1 Wide Brim Hat - Replaced on an as needs basis

Uniforms will be replaced upon presentation of old uniforms.

Staff who arrive at work not wearing the provided uniform will be directed to return home to change before being allowed into the workplace and this time will be considered as leave without pay on the employee's time card. Continuation of this behaviour will result in the workplace relation agreement being terminated.

An employee is allowed to enter the workplace without the required uniform where a medical certificate is provided with a reason justifying for non-compliance, or extenuating circumstances considered acceptable by the Works Supervisor.

Objective

To have staff wear uniforms so that they promote an acceptable uniform appearance to the general public and meet safety standards

Resolution No: 9.2.6
 Resolution Date: 21st April 2016
 Affirmed: 17th April 2024

4.13 Education, Training and Development

Statement

Professional Qualifications

The Shire of Cuballing supports career path progression. Managers have an ongoing responsibility to consider the training and development needs of their employees and to identify deficiencies and emerging skills gaps.

In all instances, staff must seek approval prior to commencing studies. Subject to prior approval, the fees for relevant professional education may be met or subsidised by the Shire on the following basis:

- The course must be relevant to the employee's position and assist in achieving the objectives of the key responsibility areas of the position description.
- The course must be of benefit to the Shire either in the employee's current role or future area of work.
- The Shire is committed to providing options for permanent employees to improve their skills.
- In instances where the proposed training is deemed to have a greater benefit to the employee than the Shire, the employee will be expected to make a contribution towards the cost of the training. This contribution will be at the discretion of the CEO. For example, if it is considered that the employee and the Shire will both benefit by 50%, the employee will be expected to contribute 50% of the cost of the training.
- Employees must pay for the approved unit(s) up front and pass the unit(s) prior to requesting reimbursement of fees.
- The Shire of Cuballing may consider reimbursement of non tuition fees such as books up to a maximum of \$200 per semester.

- Student fees, parking and incidental expenses are the responsibility of the student and do not qualify for assistance under this Guideline.
- When an Employee is required to attend an examination held during normal working hours for a subject receiving assistance under this Guideline, paid leave will be granted for the time of the examination as well as one half day prior to the examination for study.
- Staff must be mindful of the fact that achieving a higher level of qualification does not automatically entitle the staff member to a higher classification.
- Termination Clause – if the Shire agrees to cover the cost of elective education, it is on the condition that the staff member undertakes to remain in the employment of the Shire of Cuballing for a period of twelve (12) months from the successful completion of the course. All staff receiving assistance under this Guideline will be required to sign an undertaking to repay fees should the staff member leave within twelve (12) months. This undertaking will also give the Shire the right to deduct any such monies from the final payment. The reimbursement sum will be based on a sliding scale of eight percent (8%) per month.

Training

Training expenditure will be allocated according to the needs of the Shire and reviewed on an annual basis.

The CEO will have final arbitration over training priorities according to the Shire's strategic requirements.

Managers have an on-going responsibility to consider and identify the training and development needs of their employees through the performance and development review process. Any training approval must be considered in conjunction with the training plan established at the employee's performance review.

The Shire of Cuballing will actively encourage employees to attend training courses or further education to enhance skill levels, as required by the staff review process.

Guidelines

The Shire of Cuballing is supportive of reimbursing Study Expenses, within budgetary constraints, for employees who are undertaking studies relevant to their Shire of Cuballing role and responsibilities. All permanent employees are eligible for consideration for study assistance. Permanent part time employees are eligible for consideration on a pro-rata basis.

A Training Plan will be formulated each year during the Annual Performance Review process, or in the case of new appointments, proposed training will be agreed upon at the time of appointment. Training assistance required must be identified during the performance appraisal process so that budgetary allowance can be made for the following financial year.

Education (being the acquisition of general, tertiary and professional skills and qualifications) is the responsibility of the individual employee. This does not preclude the Shire from assisting an employee (eg assistance with tertiary fees) but such assistance is extended at the discretion of the Shire and is not an employee right.

Training (being the extension and/or enhancement of skills and knowledge to enable employees to be more effective in their jobs and/or to provide for future progression) is the joint responsibility of the Shire and the employee.

A maximum of \$3,000 per annum may be paid by the Shire for approved training or education.

Associated Procedure – Employee Study Assistance

1. Applications for study assistance must be submitted to the relevant Executive Manager prior to commencement of study.
2. The Executive Manager will review the application and make a recommendation to the Chief Executive Officer.
3. Approval of study assistance shall be at the discretion of the Chief Executive Officer. Approval to be provided to the staff member in writing.

Objective

The Shire of Cuballing encourages employees to pursue professional/personal development by enhancing skills, qualifications and knowledge required to:

- Meet the key responsibilities of their position.
- Achieve the Shire's strategic and operational objectives.
- Maximise personal and professional potential.
- Reduce personnel turnover and maintain high morale levels through providing satisfying and challenging professional growth opportunities.
- Enable the Shire of Cuballing to continually improve the level of advice and standard of service provided to the Shire of Cuballing community.

Resolution No: 9.2.6
Resolution Date: 21st April 2016
Affirmed: 17th April 2024

4.14 Staff Leave Entitlements

Statement

Employees shall be entitled to Annual and Long Service Leave consistent with the provisions of employment contracts and any relevant employment Award and *Local Government (Long Service Leave) Regulations*.

All employees shall take annual leave and long service leave within one year from the date in which it is accrued unless with the written permission of the Chief Executive Officer.

Objective

To clearly indicate employee leave entitlements.

Resolution No: 9.2.6
Resolution Date: 21st April 2016
Affirmed: 17th April 2024

4.15 Staff Time in Lieu Entitlements

Statement

Employees shall be entitled to take time off instead of paid overtime consistent with the provisions of the relevant employment Award or their employment contract with the Shire.

Employees will not accrue more than five days (38 hours) worth of Time in Lieu before taking time off.

Objective

To clearly outline employee entitlements for the accrual and use of time in lieu.

Resolution No: 9.2.6
Resolution Date: 21st April 2016
Affirmed: 17th April 2024

4.16 Staff Presentations on Resignation

Statement

The Shire of Cuballing may make a contribution towards the purchase of a gift and/or function for any employee voluntarily leaving the employ of Council in accordance with the following table

Years of Service	Council Contribution
0<5 years	Nil
Each subsequent year	\$50 per year

The Shire of Cuballing may upon termination will provide light refreshments and drinks up to the value with the following table. Wherever possible every effort will be made to combine two or more staff members functions for cost effectiveness.

Years of Service	Council Contribution
0<2 years	Nil
2<5 years	\$100
5<10 years	\$400
10<20 years	\$1,000
>20 years	\$2,000

Resolution No: 9.2.6
Resolution Date: 21st April 2016
Affirmed: 17th April 2024

4.17 Job Interview Expense Reimbursement

Statement

The Shire of Cuballing will not reimburse interview expenses of job applicants.

Resolution No: 9.2.6
Resolution Date: 21st April 2016
Affirmed: 17th April 2024

4.18 Smoke Free Workplace

Purpose

The Shire of Cuballing promotes good health and healthy lifestyle choices for all employees and also has an obligation to ensure compliance with legislatively imposed requirements associated with smoking restrictions.

The Shire recognises that individuals have the right to make a personal choice to smoke, however, is committed to ensuring that persons within the workplace are not exposed to the hazards of tobacco smoke.

Scope

This Policy applies to all Shire staff, volunteers, work experience students, labour hire workers and contracted services providers and extends to all enclosed workplaces, including plant and vehicles, as well as enclosed public places that are owned, rented or leased by the Shire.

Definitions

Tobacco smoke includes that generated by cigarettes, cigars, pipes or “E–cigarettes”

An enclosed workplace means that as defined in the Occupational Safety and Health Regulations 1996 (WA), Regulation 3.44AA.

An enclosed public place means that as defined in the Tobacco Products Control Regulations 2006 (WA), Regulation 8.

Policy

Smoking is prohibited within the following designated areas:

- Enclosed workplaces
- Enclosed public places
- Within five metres of any air intake, window or entrance to Shire of Cuballing buildings, owned, rented or otherwise controlled by the Shire
- Shire vehicles or mobile plant, including when there is a sole occupant
- In the presence of non–consenting persons at the workplace
- Areas identified through the display of “No Smoking” signage

The use of electronic cigarettes or other vapourising devices intended for the delivery of nicotine or other substances is considered as smoking and also subject to prohibition requirements in areas so designated.

All waste products from smoking shall be disposed in a safe manner and shall be ensured to be fully extinguished prior to disposal.

All forms of tobacco advertising, promotion, sponsorship and sale of tobacco products are prohibited at Shire workplaces.

Products that are prepared and labelled for human therapeutic use, such as nicotine replacement gum, lozenges, patches and inhalers are exempt from these guidelines.

The Shire encourages employees who are considering quitting smoking to utilise available support services including:

- Make Smoking History website
- Quitline – 13 78 48
- The Shire Employee Assistance Program
- LGIS Health and Wellness Services – (08) 9483 8826

Resolution No: 2017-68
 Resolution Date: 20th July 2017
 Affirmed: 17th April 2024

4.19 Conference Expenses - Staff

Statement

1. Where a Staff Member is authorised to attend a conference, meeting, course or other legitimate Council business, the Shire of Cuballing will pay for travel costs incurred in attendance. The costs of travel include:
 - in a private vehicle can be reimbursed by Staff through a written claim. Priority is to use a Council vehicle for such travel;
 - will be paid directly by Council where specific bookings and/or reservation are required. Examples of this would be travel by airline or booking a hire car.
2. Where a Staff Member is authorised to attend a conference, meeting, course or other legitimate Council business, the Shire of Cuballing will pay for suitable accommodation. This accommodation:
 - will be at the conference venue where ever possible; and
 - may be jointly used by the partner and/or family of Councillor where there is to be no extra charge for doing so;

If a Staff Member chooses to stay with relatives or friends in lieu of accommodation at a hotel or motel, an allowance of \$100 per night will be provided. Staff members can submit a written claim.
3. Where a Staff Member is authorised to attend a conference, meeting, course or other legitimate Council business, the Shire of Cuballing will pay expenses incurred at the Council provided accommodation venue up to \$150 per day. These expenses may include, but is not limited to meals, telephone expenses and parking;
4. Where a Staff Member is authorised to attend a legitimate conference, meeting, the Shire of Cuballing will pay expenses incurred for attending a conference dinner or an alternative function that is organised as part of the conference or meeting. The expense of such a conference dinner or alternative function may be directly paid by Council or a Staff Member will provide written justification of the cost and/or necessity of the expense and a receipt of purchase of the expense.
5. Where a Staff Member is authorised to attend a conference, meeting, course or other legitimate Council business, the Shire of Cuballing will pay incidental expenses incurred as part of the attendance. These expenses may include but is not limited to expenses including taxi, train or bus fares or expenses incurred outside an accommodation venue. A Staff Member will provide written justification of the cost and/or necessity of the expense and a receipt of purchase of the expense.

Resolution No: 2019/102

Resolution Date: 18 September 2019
Affirmed: 17th April 2024

4.20 Payment To Employees Who Are Absent From Work During A Pandemic

Purpose

It is acknowledged that during a Pandemic there are likely to be 'waves' of infection and it is reasonable to anticipate that high numbers of employees may need to take extended periods of leave due to personal ill health or in order to care for vulnerable family members.

Statement

Employees who are absent due to ill health or caring responsibilities will be paid in accordance with the relevant industrial instrument and Shire Policy, Practice or Procedure. These options include:

1. Personal (Sick or Carer's) leave entitlements.
2. Accrued annual or long service leave entitlements.
3. Additional hours accrued in lieu of overtime or through flexible working arrangements.
4. Leave without pay (Sickness Benefits may be available via Centrelink).
5. Work from home in accordance with the Working from Home Procedure (subject to review at the end of two weeks).

When all leave entitlements have been exhausted and/or working from home arrangements are not reasonable or practical, the employee may be granted leave without pay. Alternatively, where the employee can demonstrate that taking unpaid leave will result in hardship, other (discretionary) options may be considered.

Discretionary options may include:

1. Taking annual or sick leave in advance (up to a maximum of two weeks, pro-rata for part time employees) to be deducted from future accrual until repaid or deducted from the termination pay where the employee ceases employment prior to accruing sufficient entitlements; or
2. Other arrangements as determined by the CEO or a person appointed by the CEO.

Guidelines

In relation to discretionary options, the Chief Executive Officer (CEO), or a person appointed by the CEO, will determine applications on a case by case basis.

Resolution No: 2020/25
Resolution Date: 19th March 2020
Affirmed: 17th April 2024

4.21 Disciplinary Policy

Statement

This policy may be used as guidance for the process or manner in which the Shire of Cuballing may discipline an employee because for their poor performance or inappropriate conduct in and circumstances that can be connected to, or impact on the Shire.

This policy does not form part of any employee's contract or employment.

Grounds for disciplinary action

Disciplinary action may be taken in response to any;

- a) Unsatisfactory performance;
- b) Wilful or serious misconduct;
- c) Other disciplinary action; and
- d) Reporting obligations

Disciplinary procedure

Depending on the circumstances, it may be necessary to conduct an investigation into certain incidents and/or allegations that have been raised. This may involve collecting relevant data and interviewing relevant employee's as well as material witnesses.

Suspension

In some instances, poor performance or misconduct may be serious enough to present a risk to the Shire's operations, employees or ratepayers. In these circumstances, an employee may be suspended from employment on ordinary pay whilst an investigation into the poor performance or misconduct is undertaken.

Interview

If on the basis of the investigation, the Shire of Cuballing believes that there is a case to be answered by the employee, the employee may be asked to attend a formal meeting to address the areas of concern.

The procedure in these circumstances may involve:

1. The employee being given notice of the meeting;
2. The employee being given a reasonable opportunity to have a support person present at the meeting;
3. Putting the issue(s) of concern or allegations to the employee;
4. Giving the employee an opportunity to respond to the concerns or allegations;
5. The Shire considering the employee's response;
6. The Shire determining whether the concern(s) or allegations have been substantiated on the balance of probabilities; and
7. If it is determined that all or some of the concerns or allegations are substantiated, the Shire will make a decision about what, if any, disciplinary action is appropriate in the circumstances.

Disciplinary Action

Any disciplinary action taken by the Shire of Cuballing against an employee will vary from case to case. This may include a consideration of whether the employee has received any prior verbal or written warnings in relation to their performance or conduct.

Examples of disciplinary action which may be taken by the Shire include, but are not limited to:

1. Training
2. Informal counselling
3. Verbal warning
4. Written warning
5. Final written warning; and
6. Dismissal, including summary dismissal in circumstances of serious or willful misconduct.

Confidentiality

Disciplinary discussions and meeting (and their outcomes) are confidential. They are not to be discussed with co-workers. Failure to maintain the confidentiality of performance management discussions is a breach of this policy and may result in disciplinary action.

Resolution No: 2021/029
Resolution Date: 21 March 2021
Affirmed: 17th April 2024

4.22 Alcohol And Other Drugs

Scope

This policy applies to all Shire of Cuballing personnel including Councillors, employees, contractors, consultants & volunteers.

Definitions:

Shire Environment – This includes Shire of Cuballing property and any official venue the Shire of Cuballing may use for a Shire of Cuballing sponsored functions or event.

Other Drugs – for the purposes of this policy other drugs may include, but is not limited to:

- Cannabis;
- Opiate analgesics, such as heroin, pethidine or methadone;
- Stimulants;
- Amphetamines;
- Cocaine;
- Hallucinogens;
- Designer drugs such as ecstasy;
- Medications - prescribed or over the counter; or
- Inhalants such as petrol glue or solvents;

but this policy does not cover nicotine in the Shire of Cuballing environment.

Statement

1. The Shire of Cuballing 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 becomes 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.
2. The Individual's Responsibility
 - a) 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.

- b) The consumption of alcohol and/or drugs while at work is unacceptable, except in relation to any authorised and responsible use of alcohol at workplace social functions.
 - c) 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.
3. Reporting Requirements
Employees must report to their employer any situation where they genuinely believe that another employee may be affected by alcohol and/or other drugs.
4. Drug Use on the Premises
- a) Employees who buy, take, or sell drugs on Shire of Cuballing premises, may be found to have engaged in serious misconduct. Such behaviour may result in disciplinary action up to and including dismissal.
 - b) Employees who have been prescribed medication/drugs by a medical practitioner that could interfere with their ability to safely carry out their role must inform their Manager or Shire administration and disclose any side effects that these medication/drugs may cause.
5. Consumption of Alcohol on the Premises
Except in situations where the Shire of Cuballing holds a function on the premises and alcohol is provided, employees must not bring in and/or consume alcohol in the workplace.
6. Drug/Alcohol Treatment Programs
- a) Where an employee acknowledges that they have an alcohol or drug problem and are receiving help and treatment, the Shire of Cuballing will provide assistance to the employee;
 - b) The Shire of Cuballing will allow an employee to access any accrued personal or annual leave they are undergoing treatment;
 - c) The Shire of Cuballing will take steps to return an employee into their employment position after completion of the treatment program, if practicable in the circumstances; and
 - d) 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.
7. Managers' Responsibilities - Consumption of Alcohol at Work Sponsored Functions
Managers shall –
- a) encourage their people to make alternative arrangements for transport to and from work prior to the function;
 - b) ensure that the following is made available: - Low alcohol beer, soft drinks and water - Beverages: Tea, Coffee and Food;
 - c) 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); and
 - d) if the manager has to leave the function early, appoint a delegate to oversee the rest of the function.

8. 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.
9. Identification of Impairment & Testing
- a) If the Shire of Cuballing has reasonable grounds to believe that an employee is affected by drugs and/or alcohol it will take steps to address the issue.
 - b) 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.
 - c) If the Shire of Cuballing suspects that an employee is under the influence of drugs and/or alcohol it may pursue any or all of the following actions –
 - i) 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;
 - ii) require that an employee undergo drug and alcohol testing administered by a representative of the Shire of Cuballing;
 - iii) direct an employee to go home.
 - d) 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.
 - e) In circumstances where an employee indicates the consumption of prescription or pharmacy drugs, the Shire of Cuballing 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 Cuballing may direct the employee to go home following the medical assessment until it can be established that they are fit to undertake their duties.
 - f) 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.
 - g) 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 -
 - i) The employee tested and the supervisor (or respective employer) will be informed of the result;
 - ii) A disciplinary discussion will take place in accordance with the disciplinary policies and procedures of the Shire of Cuballing.
 - h) 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.
10. Education, Training & Awareness
- a) 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.
 - b) The Shire of Cuballing engages the services of an external Employee Assistance Provider who can provide the organisation's people with free and confidential counselling.
11. Consequences of Breaching this Policy
- a) An employee engaged by the Shire of Cuballing who breaches the provisions of

this policy may face disciplinary action including possible termination of employment.

b) Where appropriate, actions may be referred to Police or other external agency.

12. 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.

Resolution No: 2021/029
Resolution Date: 17th March 2021
Affirmed: 17th April 2024

4.23 Staff Relocation Expenses

Statement

The Shire of Cuballing may provide relocation assistance of selected staff from their existing place of residence to Cuballing on appointment to the Shire.

Guidelines

1. The Chief Executive Officer may consider the position to which Staff Relocation Expenses will be offered.
2. Staff Relocation Expenses will be paid to a maximum of \$2,500.
3. Staff Relocation Expenses will be paid on commencement of employment only.
4. Staff Relocation Expenses will NOT be paid on termination of employment under any circumstances.
5. Staff Relocation Expenses are limited to the removal of household and personal effects.
6. At least three competitive written quotes must be obtained and forwarded to the Chief Executive Officer for selection.
7. The Chief Executive Officer may elect to issue a purchase order or reimburse the employee on production of receipts.
8. Reasonable travelling expenses may be considered on application to the Chief Executive Officer.
9. Staff Relocation Expenses will NOT be paid for the expense of relocating motor vehicles, trailers, boats, caravans, livestock or pets.
10. Should an employee who has received Staff Relocation Expenses resign within:
 - a. 12 months of commencement then that employee will be required to reimburse Council for all relocation expenses paid; and
 - b. 24 months of commencement then that employee will be required to reimburse Council for 50% relocation expenses paid.

Resolution No: 2021/029
Resolution Date: 21st April 2021
Affirmed: 17th April 2024

4.24 Temporary Employment or Appointment of CEO

Objective

To establish policy, in accordance with Section 5.39C of the *Local Government Act 1995* ('the Act'), that details the Shire of Cuballing's processes for appointing an Acting or Temporary Chief Executive Officer (CEO) for periods of less than 12 months of planned or unplanned leave or an interim vacancy in the substantive office.

Scope

This policy applies to the statutory position of Chief Executive Officer (CEO) of the Shire of Cuballing.

Statement

1. Definitions:
 - Acting CEO* means a person employed or appointed to fulfil the statutory position of CEO during a period where the substantive CEO remains employed, but is on planned or unplanned leave.
 - Temporary CEO* means a person employed or appointed to fulfil the statutory position of CEO for the period of time between the end of the substantive CEO's employment and the appointment and commencement of a newly appointed substantive CEO.
2. Acting and Temporary CEO Requirements and Qualification
 - (1) When the CEO is on planned or unplanned leave, or the CEO's employment with the Local Government has ended, an Acting or Temporary CEO is to be appointed in accordance with this Policy to fulfil the functions of CEO as detailed in Section 5.41 of the *Local Government Act 1995*, and other duties as set out in the Act and associated Regulations.
 - (2) Through this policy and in accordance with section 5.36(2)(a) of the Act, the Council determines that employees appointed to the substantive position(s) of Deputy Chief Executive Officer (DCEO) and Manager Works and Services (MWS) are considered suitably qualified to perform the role of Acting CEO.
 - (3) A person appointed to act in the position of DCEO or MWS is not included in the determination set out in Clause 2 (2).
3. Appoint Acting CEO – Planned and unplanned leave for periods up to 4 weeks
 - (1) The CEO is authorised to appoint the DCEO or MWS in writing as Acting CEO, where the CEO is on planned or unplanned leave for periods not exceeding 4 weeks, subject to the CEO's consideration of the DCEO and MWS's performance, availability, operational requirements and where appropriate, the equitable access to the professional development opportunity.

- (2) The CEO must appoint an Acting CEO for any leave periods greater than 48 hours and up to 4 weeks.
 - (3) The CEO is to immediately advise all Council Members when and for what period of time the DCEO or MWS is appointed as Acting CEO.
 - (4) If the CEO is unavailable or unable to make the decision to appoint an Acting CEO in accordance with (2), then the DCEO or MWS will liaise with the Shire President to coordinate the calling and conduct of a Special Meeting of Council to facilitate an Acting CEO appointment.
 - (5) Council may, by resolution, extend an Acting CEO period under subclause (4) beyond 4 weeks if the substantive CEO remains unavailable or unable to perform their functions and duties.
4. Appoint Acting CEO for extended leave periods greater than 4 weeks but less than 12 months.
- (1) This clause applies to the following periods of extended leave:
 - Substantive CEO's Extended Planned Leave which may include accumulated annual leave, long service leave or personal leave; and
 - Substantive CEO's Extended Unplanned Leave which may include any disruption to the substantive CEO's ability to continuously perform their functions and duties.
 - (2) The Council will, by resolution, appoint an Acting CEO for periods greater than 4 weeks but less than 12 months, as follows:
 - a. Appoint one employee, or multiple employees for separate defined periods, as Acting CEO to ensure the CEO position is filled continuously for the period of extended leave; or
 - b. Conduct an external recruitment process in accordance with clause 5(1)(c)(iii).
 - (3) The President will liaise with the CEO, or in their unplanned absence the DCEO to coordinate Council reports and resolutions necessary to facilitate an Acting CEO appointment.
 - (4) Subject to Council's resolution, the President will be authorised to execute in writing the Acting CEO appointment with administrative assistance from the DCEO.
5. Appoint Temporary CEO – Substantive Vacancy
- (1) In the event that the substantive CEO's employment with the Shire of Cuballing is ending, the Council when determining to appoint a Temporary CEO may either:
 - a. by resolution, appoint DCEO or MWS as the Temporary CEO for the period of time until the substantive CEO has been recruited and commences their employment with the Local Government; or
 - b. by resolution, appoint DCEO or MWS as the interim Temporary CEO for the period of time until an external recruitment process for a Temporary CEO can be completed; or
 - c. by resolution, following an external recruitment process in accordance with the principles of merit and equity prescribed in section 5.40 of the Act, appoint a Temporary CEO for the period of time until the substantive CEO

has been recruited and commences employment with the Local Government.

- (2) The President will liaise with the DCEO to coordinate Council reports and resolutions necessary to facilitate a Temporary CEO appointment.
- (3) The President will be authorised to execute in writing the appointment of a Temporary CEO in accordance with Councils resolution/s, with administrative assistance from the DCEO.

6. Remuneration and conditions of Acting or Temporary CEO

- (1) Unless Council otherwise resolves, an employee appointed as Acting CEO shall be remunerated at the cash component only of the substantive CEO's total reward package.
- (2) Council will determine by resolution, the remuneration and benefits to be offered to a Temporary CEO when entering into a contract in accordance with the requirements of Sections 5.39(1) and (2)(a) of the Act.
- (3) Subject to relevant advice, the Council retains the right to terminate or change, by resolution, any Acting or Temporary CEO appointment.

Resolution No: 2021/080
Resolution Date: 21st July 2021
Affirmed: 17th April 2024

4.25 Probationary Period for New Employees

Objective

To provide direction in relation to applicable probation periods for Shire of Cuballing employees.

Statement

1. Start of employment relationship

Probation periods are to be implemented at the start of the employment relationship for all permanent full time and part time staff. They give the Shire and employee an opportunity to check if the employee is suitable for the role they've been engaged to perform.

2. Length of probation

A minimum probation period of 3 months will be applied to all new employees.

At the end of the probation period the Shire may:

- Confirm the employee's appointment;
- Terminate the employee's appointment; or
- With the agreement of the staff member extend the probation period for up to an additional 3 months, but no more than 6 months in total.

If the probation period is extended the employee should be advised of what performance criteria will be used to determine whether the appointment will be confirmed. Extension of probation should only be considered where the Shire has a reasonable degree of confidence that decrements may be addressed in the extended probation period.

3. Employee entitlements during probation

While on probation, employees continue to receive the same entitlements as someone who is not on a probation period. This includes the entitlements in the *Minimum Conditions of Employment Act 1993*.

If hired on a full-time or part-time basis, an employee on probation is entitled to accrue and access their paid leave entitlements, such as annual leave and sick leave.

If an employee's appointment is not confirmed at the end of the probation period, they are still entitled to:

- receive notice when employment ends.
- have their unused accumulated annual leave hours paid out.

Application

This policy applies to all staff. Where there is any inconsistency between this policy and a written contract of employment, the contract will prevail to the extent of any inconsistency.

Resolution No: 2023/70
Resolution Date: 19 July 2023
Affirmed:: 17th April 2024

5. ROADS AND ENGINEERING

5.1 Sand Drift

Statement

Council will act to prevent, reduce or repair damage and nuisance caused by sand drift from private property by the following steps:

1. Once such a problem in any location becomes obvious, a letter will be sent to the owner of the land from which sand or loose material is originating, to deal with sand drifts and requesting that person to immediately take steps to prevent further sand drift from their property.
2. If no satisfactory action is taken by the land owner 12 months after Council has informed the owner of the seriousness of the situation, then action may be taken by Council.

Objective

All Council actions will be aimed at preventing sand drift, as well as reducing and repairing the effects of sand drift by the co-operative actions of Council and private property owners.

Resolution No: 9.2.6
Resolution Date: 21st April 2016
Affirmed: 17th April 2024

5.2 Pedestrian Access

Statement

No person, nor organisation shall be permitted to sell, display or offer goods or services in any public access way, street or footpath, except by prior agreement of the Chief Executive Officer or his/her nominee.

Resolution No: 9.2.6
Resolution Date: 21st April 2016
Affirmed: 17th April 2024

5.3 Storm Water Disposal - Private Developments

Statement

Where the topography, general site conditions and/or nature of development precludes on site storm water disposal, any expense incurred by Council in providing a storm water disposal system over and above that normally required for the effective disposal of storm water collected from within the boundaries of the street will be recovered from the developer.

Resolution No: 9.2.6
Resolution Date: 21st April 2016
Affirmed: 17th April 2024

5.4 Private Works

Statement

Council will only undertake private works as approved by the Chief Executive Officer or Manager Works and Services in the following circumstances:

1. for ratepayers where the value of works billed is likely to be under \$2,000 and does not detract from Councils normal works programming;
2. direct requests from developers/individuals when local contractors either have not accepted the contract or are unable to do so'
3. for sporting and local non-profit organisations; and
4. direct requests from Government Departments.

Council employees are permitted to hire Councils Plant & Equipment. In these circumstances all cost of hire is to be charged at normal adopted rates.

Council staff are not permitted private use of Council's plant or equipment that is not available for hire. This includes use of such plant or equipment on Council owned or rented residential property.

Guidelines:

Where private works are to be carried out,

1. the estimated cost of the works requested, shall be pre-assessed and provided to the resident, ratepayer or business ordering the private works; and
2. the resident, ratepayer or business will acknowledge their acceptance of that estimated cost in writing prior to the works commencing.

Resolution No: 218/34
Resolution Date: 19th April 2018
Affirmed: 17th April 2024

5.5 Acquisition of Road Making Materials

Statement

Road making materials, normally gravel or sand, would be taken from reserves under Council's control whenever possible.

Where the required quantity, quality or type of material is unavailable from Council controlled areas and the materials may be more conveniently available from private properties, the following would be the normal procedure:

1. Calculate total requirement for project or yearly requirement of material from proposed pit.
2. Request authority to search for materials from owners. Use of entry powers or compulsory acquisition is to be a last resort.
3. If suitable material is located, an agreement will be reached with the owner as to compensation for materials removed and to the rehabilitation completed by Council.

4. Council will pay a royalty for material extracted from private landholders' pits rather than complete works in kind. Council will set this royalty fee as part of the budget process.
5. Works to re-habilitate the gravel pit once materials have been removed shall take place and will take the form of such works agreed on before material extraction takes place.

These works may include:

- a. fencing,
 - b. tree planting
 - c. deep ripping,
 - d. stockpiling of original topsoil and spreading after the extraction is completed,
 - e. levelling,
6. Priority must be given at all times to reasonable negotiation to reach an amicable agreement mutually acceptable to Council and the private property owner prior to the commencement of extraction.

Resolution No: 9.2.6
Resolution Date: 21st April 2016
Affirmed: 17th April 2024

5.7 Manager Works & Services Plant Report

Statement

A summary of Mileage/hours for each major plant or vehicle shall be recorded and included in the Manager Works & Services Plant Report.

Resolution No: 9.2.6
Resolution Date: 21st April 2016
Affirmed: 17th April 2024

5.8 Cable Laying

Statement

Where Council's reserves or road reserves are to be disturbed for cable laying, this work shall be carried out by a ditch witch and not ripped by a bulldozer

Resolution No: 9.2.6
Resolution Date: 21st April 2016
Affirmed: 17th April 2024

5.9 Property Access and Crossovers

Statement

1. Definition

A "crossover" is the part of a driveway between the property boundary and the edge of the road carriageway.

2. Urban (Town Site) Crossovers

Council will contribute

1. up to \$125 or 50% of the cost, whichever is the lesser, towards a new gravel crossover which requires no pipes; OR
2. up to \$250 or 50% of the cost, whichever is the lesser, towards a new gravel crossover with < 225mm diameter pipes.

All other costs shall be borne by the landowner. In new subdivisions, the total cost of crossovers shall be borne by the developer.

Documentary evidence of expenditure and digital photographic record of works required to claim subsidy.

If crossover not constructed to relevant standards as listed then no subsidy is payable. A crossover may need to be removed at the installer's expense and replaced if not constructed to specified standards.

3. Rural Crossovers

Council will subsidise the construction of one cross-over (up to the width of 12 m) per location. The length of cross-overs; the provision of culverts; and the general standard of construction will be at the discretion of Council - with each case being treated on its merits.

Council's subsidy shall be 50% of the cost of construction where the cost of construction includes Shire staff labour, Shire staff labour overheads, Shire plant costs and the full cost to Council of materials including, but not limited to, pipes, signs and white posts required in the construction.

Any additional cross-overs required by the property owner shall be provided at his/her own cost.

In new rural subdivisions, the total cost of crossovers shall be borne by the developer.

If required the minimum culvert pipe diameter shall be 225mm, however the Manager Works & Services will determine if a larger diameter pipe is required

When determining the location of a crossover within the property boundary, for safety reasons it is imperative that road users can see a vehicle on the crossover in time to stop in an emergency, and that the driver of a vehicle on the crossover can see approaching road user in enough time to be able to judge whether it is safe to enter the road.

Where sight distance is restricted, the crossover shall be positioned to give the best possible sight distance.

The following factors may determine the crossover location where there is ample sight distance.

➤ Vegetation

Clearing of native vegetation shall be minimised, taking into account other factors. Clearing for safe sight distance may occur if necessary.

➤ Drainage

Drainage requirements shall be taken into account. If it is possible to locate the crossover on a crest of a hill, it may be possible to avoid the cost of drainage and also achieve maximum sight distance.

➤ Other

Other factors, such as existing services, may also be considered when determining the location of crossovers.

4. *Maintenance Costs*

Landowners are responsible for the maintenance of their crossovers. Council may require a landowner to repair a crossover by issuing a written notice. If the repairs are not carried out within a reasonable period of time, Council may arrange to have the repairs completed and recover the costs from the landowner.

5. Applications for Crossovers

Applications shall be made in writing by the landowner to Council before any crossover is constructed, and Council shall respond, either disallowing or approving the crossover, and setting conditions if appropriate. This applies to any crossover, whether a Council contribution is sought or not.

Council approval to any application shall have a two year limit, following which the landowner must reapply if the crossover is not constructed within two years from approval.

Upon completion, the landowner shall provide a copy of the invoice if they have requested a Council contribution. No contribution will be paid if the landowner has not put in an application and received Council approval prior to the crossover being constructed.

Urban crossovers shall be constructed of 150mm compacted thickness of gravel and commercial crossovers shall be constructed of 200mm compacted thickness of gravel. Compaction shall be effected by rolling the gravel in damp condition in order that it is firm enough to not be able to be kicked out or likely to cause wheel spin.

No change shall be made to the existing road drainage (alignment of levels) without prior agreement from Council.

Crossovers must be constructed to Council's standard to qualify for a Council contribution.

6. Entry Statements or Retaining Walls

All structures other than standard precast culvert headwalls, shall be approved by Council prior to construction. Following approval, the structure becomes the responsibility of the owner, i.e. Council will not accept responsibility for any liable event, costs or maintenance of this structure.

7. Cross Over Requirements

GENERAL REQUIREMENTS

	Single Residential	Grouped Housing Multiple Dwellings	Light Industrial Commercial	Heavy Duty
Width @ property line Min Max	2.7 6m	3m (up to 4 units) 4m (4+ units)	6m 11m	6m 11m
Width @ road edge or kerb Min Max	3.7m 7m	4m 5m	7m 12m	7m 12m
Minimum setback from property line on intersecting street	6m	7.5m	10m	10m
Angle to road edge or kerb	90 degrees			
Ratio of flaring to road edge or kerb	2 : 1			
Minimum step up from road level road edge	20mm Only applies to Brick, Concrete and Bitumen driveways			
Minimum setback from light poles and boundaries	500mm			

SPECIFIC INSTALLATION REQUIREMENTS
(to be read in concert with general requirements)

Driveway Type	Single Residential	Grouped Housing – Multiple Dwellings	Light Industrial – Commercial	Heavy Traffic
Gravel Driveway	150mm gravel compacted and water bound in 50mm layers	Not permitted for ROW construction or common property Driveways in grouped or multiple dwelling development	200mm gravel compacted and water bound in 50mm layers	300mm gravel compacted and water bound in 50mm layers
Bitumen	Preparation as per gravel driveway except to be finished with two coats of sprayed bitumen with 6 to 10mm blue metal aggregate	Not permitted Common Property Driveways in grouped or multiple dwelling development	Preparation as per gravel driveway except to be finished with two coats of sprayed bitumen with 6 to 10mm blue metal aggregate	
Concrete Driveway	100mm thick mass on a minimum of a 150mm compacted sand bed (compact in layers not exceeding 75mm. Control joints to be @ maximum 3m centres at a ratio not exceeding 2:1. Expansion joints required at property boundary, at any intersection with a public pathway, concrete kerb and any service boxes (Telstra, Water Corporation that may be located in driveway)		100mm concrete reinforced with F62 mesh on a 150mm compacted road base. Expansion joints required at property boundary, at any intersection with a public pathway, and concrete kerb.	To be engineer designed
Brick	50mm block paver on 200mm compacted sand bed Compact in layers not exceeding 75mm) Header courses required at property boundary, at any intersection with a public pathway, concrete kerb and any service boxes (Telstra, Water Corporation that may be located in driveway) Expansion joint required at point of intersection between paving and street kerbs + public paths Pavers to have concreted edge restraint and at the property boundary, and junctions with paths & kerbs		To be engineer designed	To be engineer designed

Objective:

To provide details on crossover requirements and definition

Resolution No: 9.2.3
 Resolution Date: 16 June 2016
 Affirmed: 17th April 2024

5.10 Heavy Vehicle Operations

Statement

That Council supports Restricted Access Vehicles, including road trains and B Doubles, to service local industry throughout the Shire of Cuballing provided the roads to be used are deemed suitable.

Council will support the following access to roads with the Shire of Cuballing

Road Name	RAV Class	Intersection From	Intersection To	Conditions
Cuballing East Road	6	Campbell St	Wickepin Boundary	Unconditional Access
Wandering – Narrogin Road	4	Wandering LGA Boundary	Narrogin LGA Boundary	Unconditional Access
Bunmulling Road	4	Northam – Cranbrook Rd	Stratherne Rd	LVCA Type 1
Congelin – Narrogin Road	4	Nebrikinning Rd	Williams LGA Boundary	LVCA Type 1
Cuballing West Road	4	Campbell St & Dungog St	Wandering – Narrogin Rd	LVCA Type 1
Gaths Road	4	Stratherne Rd	Murbys Rd	LVCA Type 1
Halls Road	4	Wardering Rd	Narrogin – Kondinin	LVCA Type 1
Murbys Road	4	Pauley Rd	Nottles Rd	LVCA Type 1
Pauley Road	4	Cuballing East Rd	Wickepin LGA Boundary	LVCA Type 1
Popanyinning East Road	4	Reed Road	Wickepin LGA Boundary	LVCA Type 1
Popanyinning West Road	4	Northam – Cranbrook Rd	Wandering LGA Boundary	LVCA Type 1
Springhill Road	4	Bow St & Darcy St	Wandering – Narrogin Rd	LVCA Type 1
Stratherne Road	4	Northam – Cranbrook Rd	Wickepin LGA Boundary	LVCA Type 1
Wardering Road	4	Cuballing East Rd	Wickepin LGA Boundary	LVCA Type 1
Webbs Road	4	Stratherne Rd	Yornaning East Rd	LVCA Type 1
Williams Road	4	Howard Street	Wandering – Narrogin Rd	LVCA Type 1
Yornaning East Road	4	Northam – Cranbrook Rd	Stratherne Rd	LVCA Type 1
Yornaning West Road	4	Cowcher St	Wandering – Narrogin Rd	LVCA Type 1
Batts Road	4	Pennys Rd	Williams Rd	LVCA Type 2
Boundary Road	4	Dowling St	Popanyinning West Rd	LVCA Type 2
Bradford Exchange Road	4	Congelin – Narrogin Rd	Bradford Road	LVCA Type 2
Brands Road	4	Wandering – Narrogin Rd	Stevens Rd	LVCA Type 2
Calcoran Road	4	0.75km west Of Reeds Rd	1.3km East Of Reeds Rd	LVCA Type 2
Chopping Road	4	Neamutin Rd	Wickepin Pingelly Rd	LVCA Type 2

Road Name	RAV Class	Intersection From	Intersection To	Conditions
Chungamunning Road	4	Northam – Cranbrook Rd	Springhill Road	LVCA Type 2
Contine Siding Road	4	Congelin – Narrogin Rd	Curries Rd	LVCA Type 2
Cook Road	4	Neamutin Rd	Popanyinning East Rd	LVCA Type 2
Curries Road	4	Contine Siding Rd	Dryandra Rd	LVCA Type 2
Dart Road	4	Murbys Rd	Wickepin LGA Boundary	LVCA Type 2
Dents Road	4	Northam – Cranbrook Rd	0.75km East Of Youngs Rd	LVCA Type 2
Dews Road	4	Bunmulling Rd	Stratherne Rd	LVCA Type 2
Dixons Road	4	Stratherne Rd	Nottles Rd	LVCA Type 2
Draper Road	4	Popanyinning East Rd	For 0.85 Km	LVCA Type 2
English Road	4	Popanyinning East Rd	Wickepin Pingelly Rd	LVCA Type 2
Fitts Road	4	Wandering Narrogin Rd	Grout Rd	LVCA Type 2
Forestry Road	4	Yornaning West Rd	Pennys Rd	LVCA Type 2
Fourteen Mile Brook Road	4	Congelin – Narrogin Rd	Contine Siding Rd	LVCA Type 2
Francis Road	4	Popanyinning East Rd	For 0.37 Km	LVCA Type 2
Grout Road	4	Springhill Rd	Cuballing West Rd	LVCA Type 2
Haslams Road	4	Williams Rd	For 1.8 Km	LVCA Type 2
Karping Road	4	Northam – Cranbrook	For 1.8 Km	LVCA Type 2
Kerruish Road	4	Pingelly – Wickepin Rd	Townsend Rd	LVCA Type 2
Knights Ln	4	Cuballing West Rd	Yornaning West Rd	LVCA Type 2
Langes Road	4	Northam – Cranbrook Rd	Williams Rd	LVCA Type 2
Leesons Road	4	Pauley Rd	Modra Rd	LVCA Type 2
Lol Gray Soak Road	4	Wandering Narrogin Rd	Pennys Rd	LVCA Type 2
McGowans Road	4	Williams Rd	For 1.7 Km	LVCA Type 2
Melchiorre Road	4	Congelin – Narrogin Rd	For 4.35 Km	LVCA Type 2
Merwanga Road	4	Williams Rd	Pingelly LGA Boundary	LVCA Type 2
Modra Road	4	Leeson Rd & Leesons Rd	Pauley Rd	LVCA Type 2
Napping Pool Road	4	Pingelly LGA Boundary	Popanyinning West Rd	LVCA Type 2
Neamutin Road	4	Pingelly LGA Boundary	Stratherne Rd	LVCA Type 2
Nebrikinning Road	4	Wandering – Narrogin Rd	Congelin – Narrogin Rd	LVCA Type 2
Noels Road	4	Cuballing East Rd	Wardering Rd	LVCA Type 2
Nottles Road	4	Wickepin LGA Boundary	Stratherne Rd	LVCA Type 2
Oakleigh Road	4	Williams Rd	Batt Rd	LVCA Type 2
Parsons Road	4	Stratherne Rd	Cuballing East Rd	LVCA Type 2
Pattullo Road	4	Popanyinning West Rd	For 4.35 Km	LVCA Type 2
Pennys Road	4	Wandering – Narrogin Rd	Popanyinning West Rd	LVCA Type 2
Reeds Road	4	Popanyinning East Rd	Pingelly LGA Boundary	LVCA Type 2
Rifle Range Road	4	Popanyinning West Rd	For 1.05 Km	LVCA Type 2
Schoolars Road	4	Northam – Cranbrook Rd	For 1.75 Km	LVCA Type 2
Shaddicks Road	4	Popanyinning East Rd	Bunmulling Rd	LVCA Type 2
Short Road	4	Cuballing East Rd	For 3.07 Km	LVCA Type 2
Spriggs Rd	4	Narrogin LGA Boundary	For 0.58 Km	LVCA Type 2
Stevens Road	4	Wandering – Narrogin Rd	Wandering LGA Boundary	LVCA Type 2
Strahans Road	4	Cuballing East Rd	Leesons Rd	LVCA Type 2
Tanners Road	4	Pingelly LGA Boundary	Popanyinning East Rd	LVCA Type 2
Taylors Road	4	Stratherne Rd	For 2.55 Km	LVCA Type 2
Townsend Road	4	Stratherne Rd	Kerruish Rd	LVCA Type 2
Tulletts Road	4	Popanyinning West Rd	For 2.14 Km	LVCA Type 2
Turners Road	4	Wandering – Narrogin Rd	Fourteen Mile Brook Rd	LVCA Type 2
Wades Road	4	Wardering Rd	Narrogin – Kondinin	LVCA Type 2

Road Name	RAV Class	Intersection From	Intersection To	Conditions
Walsh Road	4	Pauley Rd	Gaths Rd	LVCA Type 2
Youngs Road	4	Yornaning East Rd	Dents Rd	LVCA Type 2
Alton Street	4	Campbell St	Beeston St	LVCA Type 1
Austral Street	4	Campbell St	Brundell St	LVCA Type 1
Campbell Street	4	Cuballing West Rd & Dungog St	Northam – Cranbrook Rd & Cuballing East Rd	LVCA Type 1
Cowcher Street	4	Northam – Cranbrook	For 0.75km	LVCA Type 1
Darcy Street	4	Springhill Rd	Northam – Cranbrook	LVCA Type 1
Howard Street	4	Francis St	Williams Rd	LVCA Type 1
Knight Street	4	Rose St	Colin St	LVCA Type 2
Rose Street	4	Francis St	Condor St	LVCA Type 2

Conditions of Use on Local Roads

The conditions that Council will seek to impose on use of local roads will be:

1. Unconditional access. Roads with these conditions would be of the higher standard and good condition. These routes would be made available to all vehicles and should be expected to be used as through routes for vehicles from outside the shire;
2. Low Volume Conditional Access (LVCA) Type 1. These roads would be of a decent standards and relatively good condition. It is Council's desire to have these roads made available for local traffic to allow economic freight use by local residents and ratepayers. The conditions for use of these roads include:
 - Not to be used as a through route. For local delivery and pickup only;
 - Current written approval from the Shire of Cuballing, endorsing use of the road, must be obtained, carried in the vehicle and produced upon request;
 - Operation is not permitted while the school bus is operating on the particular road. Operators must contact the relevant schools directly for school bus timetables; or where direct contact can be made with the school bus driver, operation is permitted once the school bus driver confirms all school drop-offs / pick-ups have been completed on the particular road;
 - Headlights must be switched on at all times; When travelling at night, the RAV must travel at a maximum speed of 40km/h and display an amber flashing warning light on the prime mover;
 - No operation on unsealed road segment when visibly wet, without road owner's approval; and
 - Direct radio contact must be maintained with other RAV's to establish their position on or near the road (suggested UHF channel 40).
3. Low Volume Condition Access (LVCA) Type 2. These roads can be of a low standard. It is Council's desire to have these roads made available for local traffic to allow economic freight use by local residents and ratepayers. The conditions for use of these roads include:
 - All conditions stipulated for Low Volume Conditional Access Type 1 roads; and
 - Road not to be entered until driver has established by radio contact that there is no other RAV on the road travelling in the oncoming direction; and
 - The RAV must not exceed a speed of 40 km/h.

Objective:

To control the use of local roads by Restricted Access Vehicles so as to limit damage to roads and to ensure the safety of road users where possible.

Resolution No: 2019/45
Resolution Date: 15th May 2019
Affirmed: 17th April 2024

5.11 Road Reserve Vegetation and Clearing

Statement

Adjoining land owners are permitted to clear trees and vegetation within one and a half (1.5) metres of the fence line to allow access, fence erection and maintenance.

Upon request from an adjoining land owner, Council staff will provide written notice to the land owner of the approval to clear trees and vegetation within one and a half (1.5) metres of a fence line.

Objective:

The object of this Policy is to ensure representative stands of remnant vegetation remain and wherever possible long term trees, grass trees and undergrowth be left undisturbed

Resolution No: 9.2.6
Resolution Date: 21st April 2016
Affirmed: 17th April 2024

5.12 Provision of Business Signs

Statement

That Council will permit requests for business to erect white on blue directional signs showing the location of their business subject to:

1. The business paying for the cost of the signs, including any poles brackets;
2. The business paying for the cost of Council staff to erect the sign.

Objective:

1. To establish a direction concerning how the costs shall be shared between the applicant and the Shire.
2. To remove the necessity for each application to be referred to Council.

Resolution No: 9.2.6
Resolution Date: 21st April 2016
Affirmed: 17th April 2024

5.13 Access to Council Reserves to Collect Flora and Fauna Specimens

Statement

Council will consider giving access to collect seed, flora specimens and fauna in land vested in Council for non-profit groups whose activities will provide a benefit to the local area.

In accessing Council's reserves, permission will be given subject to the following conditions:

- permission will only be granted for periods up to one year at any one time. This should not discourage applications for subsequent periods;
- sighting by Council of proof of current public liability insurance of at least \$5 Million;
- adherence to DPaW Guidelines on native seed collection;
- appropriate hygiene measures be followed at all times to prevent the spread of plant disease and weeds;
- all care be taken to avoid the disturbance of fauna habitat;
- all care be taken to avoid any disturbance that may lead to soil degradation;
- all staff are to wear high visibility safety clothing; and
- any stationary vehicles are to use revolving amber flashing lights.

Objective:

Council manages a range of property with natural vegetation including nature reserves vested in Council and road reserves. These plants are a valuable resource and this policy seeks to guide Council's responsible management.

Resolution No: 9.2.6
Resolution Date: 21st April 2016
Affirmed: 17th April 2024

5.14 Use of Council Plant by Community Organisations

Statement

Council will permit the use of Council plant to be used for no cost for the purposes of local non-profit organisations subject to the following conditions:

1. that the plant is only to be operated by a suitably trained and experienced Council employee;
2. that the plant is available and is not required by Council for any other purpose.
3. Council will not transport plant for this purpose;
4. that the local non-profit organisation has sought written permission at least seven days in advance; and
5. that the use does not continue for longer than six hours.

Objective:

To establish a guideline for the use of Council Plant by non-profit organisations.

Resolution No: 9.2.6
Resolution Date: 21st April 2016
Affirmed: 17th April 2024

5.15 Impounding and Disposal of Abandoned Vehicles

Statement

Council imposes the following conditions and requires the following procedures to be adhered to when dealing with "abandoned vehicles".

1. If the vehicle is on private property, the owner of that property can ask Council to remove a vehicle from their property. Council will charge a fee for this service.
2. If the vehicle is not on private property, then Council will remove the vehicle and pay for the costs of removal.
3. The vehicle will then be relocated to the Shire Depot compound until Council can determine if the vehicle is abandoned.

The procedure for handling abandoned vehicles is:

1. Staff will take photograph of the vehicle that has been identified as possibly abandoned.
2. Staff will search vehicle for owner identification, being aware of hazards, 'sharps', chemicals etc.
3. Place sticker on window of vehicle advising 'Reported to Shire',
4. Staff will arrange removal within 24 hours, noting investigation number, time and date etc.
5. After 24 hours have passed from the sticker being placed on the vehicle window, Council will remove the vehicle to the Shire Depot compound.
6. Council will contact the Police to obtain authority to search for the identity of the vehicle's owner, by:
 - a. Registration search on the vehicle – search required of DPI Licensing system to determine owner; or
 - b. Where no registration plates are on the vehicle, obtain engine number (VIN) from the vehicle and search DPI Licensing system to determine owner.
7. If the owner is identified within 7 days from the above searches, then Council will give notice to the person advising that the vehicle may be collected from the refuse site during hours of operation and to pay the costs incurred by Council in carrying out the removal, impounding and keeping of the vehicle. (Form 10.18B)
8. If after carrying out the above searches Council is unable to determine the owner of the vehicle within 7 days, then the vehicle is declared either:
 - a. an "abandoned vehicle wreck". Council can sell a vehicle if it has not been collected within 7 days of this declaration under *S3.47(2)(b)* of the *Local Government Act 1995*. An "abandoned vehicle wreck" means a vehicle that is under *S3.40A(5)* of the *Local Government Act* is:
 - i. "not operational" – the vehicle is not registered, or Council is not in possession of the keys for a vehicle; and
 - ii. The owner of the which has not been identified; and
 - iii. The value is less than \$200 in accordance with *regulation 29A* of the *Local Government (Functions and General) Regulations 1996*, the prescribed manner in which that value is to be calculated is that the value is to be based on the local private sale value of a vehicle of the same, or a similar, model, year and condition; or
 - b. An "impounded vehicle", as it has a market value of \$200 or more and requires impoundment for a minimum of 2 months.
9. Ranger to remove plates (if any) and hand into Licensing section at Shire Office.
10. The vehicle will be disposed of as outlined in determination of the market value shown below.

Estimated Market Value	Method of Advertising	Action
\$1 - \$500	Notices seeking offers for purchases shall be displayed on the Shire of Cuballing's notice boards, Facebook and on the website.	Any vehicle not purchased will be disposed of at the Cuballing Transfer Station.

Estimated Market Value	Method of Advertising	Action
\$501 - \$5,000	Notices seeking offers for purchases shall be advertised with local public notice and displayed on the Shire of Cuballing's notice boards, Facebook and on the website.	Any vehicle not purchased will be disposed of at the Cuballing Transfer Station.
\$5,001 +	Items shall be tendered as per the requirements of S3.58 of the <i>Local Government Act 1995</i> .	Any vehicle not purchased will be disposed of at the Cuballing Transfer Station.

Objective:

To provide a policy that deals with the removal, impounding and disposal of abandoned vehicles.

Resolution No: 2017-13
Resolution Date: 16th February 2017
Affirmed: 17th April 2024

5.16 Use of Variable Message Board

Statement

Council permits the use of the Shire of Cuballing's Variable Message Board (VMB) to:

1. display safety and directional messages associated with works on Shire of Cuballing roads or public lands;
2. display general road safety messages on Shire of Cuballing and state roads within the Shire of Cuballing;
3. display public safety messages in the event of an emergency or disaster within or nearby to the Shire of Cuballing;
4. promote and advertise of events to be conducted by the Shire of Cuballing to be held within the Shire of Cuballing;
5. promote messages associated with health or public safety campaigns of state or federal governments or semi-government agencies, where, in the opinion of the Chief Executive Officer, there is benefit of such messages to the residents and/or ratepayers of the Shire of Cuballing;
6. promote and/or advertise events to be held within the Shire of Cuballing conducted by local, not for profit, community groups based within the Shire of Cuballing. These events could be fund raising events for the local, not for profit, community groups based within the Shire of Cuballing;

Guidelines

- The Shire of Cuballing Chief Executive Officer will set the priority for the display of competing messages. Council believes that the display of safety and directional

messages associated with works on Shire of Cuballing roads or public lands is the primary purpose of the VMB and therefore its primary purpose.

- Local, not for profit, community groups based within the Shire of Cuballing seeking to advertise their activities on the VMB to plan competing uses of the VMB.
- Although a Local, not for profit, community groups based within the Shire of Cuballing may request a certain location for the display of the VMB, the final decision on the location of the VMB will be made by Shire of Cuballing staff taking into account public safety, road safety and any other matter deemed relevant by Shire staff.
- The Shire of Cuballing Chief Executive Officer will approve all messages displayed. The Shire of Cuballing Chief Executive Officer, at his/her discretion, may choose to not display messages that could be considered obscene, rude, insensitive, political, otherwise controversial or not in the public interest.
- Only Shire staff will be involved in the setup and ongoing management of the VMB. Any attempt to meddle with, alter or damage the VMB in any way will be treated as vandalism by the Shire of Cuballing, may involve the police and could result in the ceasing of any promotional activity.

Resolution No: 2021-26
Resolution Date: 17th March 2021
Affirmed: 17th April 2024

6 BUSH FIRE CONTROL

6.1 Fire Reports

Statement

The Chief Bush Fire Control Officer or Fire Control Officer in the area will submit written reports of any wild fires

Resolution No: 9.2.6
Resolution Date: 21st April 2016
Affirmed: 17th April 2024

6.2 Inspection/Prosecutions - Firebreaks

Statement

In the event of inspections of firebreaks taking place in the Shire of Cuballing the following policy of procedure is followed:

1. The Fire Break inspection to commence no later than seven days after the 1st November.
2. The Fire Break inspection is to be completed within two days, weather permitting.
3. The Fire Break inspection to be carried out in accordance with Council Policy and supply a report to the Chief Executive Officer, who will act according to Item 4 and/or Item 5.
4. Council will write to property owners who in the last five years have complied with Council's Fire Break Order, advising that the property does not comply with Council's fire break notice and they have seven days to have their property meet the requirements of Council's Fire Break Order.

After that seven days expires another property inspection will occur. Council will write to the property owners whose properties still do not comply stating that:

- a. The property does not comply with Council's fire break notice;
- b. Council will complete the fire breaks on the offending property and charge the property owners for that work.

Council will also issue and Infringement Notice and fine for the property owner for not complying with Council's Fire Break Notice.

5. Council will write to property owners who in the last five years have on occasion NOT complied with Council's Fire Break Order, stating that:
 - a. the property does not comply with Council's fire break notice;
 - b. Council will complete the fire breaks on the offending property and charge the property owners for that work.

Council will also issue and Infringement Notice and fine for the property owner for not complying with Council's Fire Break Notice.

Resolution No: 9.2.6
Resolution Date: 21st April 2016
Affirmed: 17th April 2024

6.3 Harvest Ban to Include Movement of Machinery and Vehicles in Paddocks

Statement

Harvesting Bans include a Ban on the Movement of Machinery and Vehicles in Paddocks, and this is to be included on the Harvest Ban Notice.

Resolution No: 9.2.6
Resolution Date: 21st April 2016
Affirmed: 17th April 2024

6.4 Use of Shire Plant During Harvest and Movement of Vehicle Bans

Statement

At times of harvest and movement of vehicle bans, Shire staff will cease road construction and maintenance activities other than activities deemed to be emergency.

Resolution No: 9.2.6
Resolution Date: 21st April 2016
Affirmed: 17th April 2024

6.5 Weather Instruments

Statement

That the Chief Bush Fire Control Officer and Fire Control Officers are to be issued with instruments to determine the weather conditions as required.

Resolution No: 9.2.6
Resolution Date: 21st April 2016
Affirmed: 17th April 2024

6.6 Clover Burning

Statement

The permitted time for a clover burn shall be at the discretion of the Permit Issuing Officer, provided the burning shall not be commenced before 2.00 pm on the day.

Resolution No: 9.2.6
Resolution Date: 21st April 2016
Affirmed: 17th April 2024

6.7 Breaches of Harvest and Movement of Vehicles in Paddocks Bans under the Bush Fires Act 1954 and Bush Fires Regulations 1954

Statement

Where a resident does not comply with the requirements of a Harvest and Movement of Vehicles in Paddocks Bans, Council shall:

- 1st Offence
Letter of Warning
- 2nd Offence and subsequent Offences
Infringement Notice and Fine issued under the provisions of the Bush Fires Act 1954, Bush Fires Regulations 1954 and the Bush Fires (Infringement) Regulations 1978; and
- 3rd and subsequent Offences
Infringement Notice and Fine and/or Prosecution under the provisions of the Bush Fires Act 1954, Bush Fires Regulations 1954 and the Bush Fires (Infringement) Regulations 1978.

Staff may refer to Council a recommendation that a single significant breach or a continuing repeat offender for prosecution under the provisions of the Bush Fires Act 1954, Bush Fires Regulations 1954 and the Bush Fires (Infringement) Regulations 1978.

Resolution No: 9.2.6
Resolution Date: 21st April 2016
Affirmed: 17th April 2024

6.8 Safety and Health Relating to Volunteer Bush Fire Fighters

Statement

The Shire of Cuballing recognises the extremely valuable contribution that volunteer Fire Fighters make to the community.

It is the policy of Council to ensure that volunteer Fire Fighters are provided with safe working equipment, the safest work systems practicable and to minimise the frequency of accidents and injury.

Council recognises that both the Shire and volunteer Fire Fighters have a responsibility for safety and health.

COUNCIL RESPONSIBILITIES

The Shire of Cuballing will make all practicable efforts to:

- instruct volunteer Fire Fighters in safe working practices.
- ensure that brigade equipment is in safe working order.
- encourage the use of a proper standard of protective clothing and equipment appropriate to the task.
- ensure that volunteers have ready access to first aid facilities.
- investigate accidents and potential safety and health risks and take appropriate remedial action.
- provide a mechanism for joint Shire/Bush Fires Board/Volunteer consultation on safety matters; and
- review the effectiveness of volunteer Fire Fighters training, safety and health policies as necessary.

VOLUNTEER RESPONSIBILITIES

The Shire of Cuballing Bush Fire Volunteers will make all practicable efforts to:

- to maintain an adequate standard of physical fitness for their role in the Volunteer Bush Fire Brigade;
- to acquaint themselves with safe working procedures;
- to identify safety and health hazards and report these to senior officers;
- to observe safe working practices and avoid unnecessary risks and be responsible for their own safety.
- to ensure they dress appropriately for firefighting and make proper use of personal protective equipment whenever necessary, and when required to do so.

Council acknowledges that the occupational risks inherent in fire fighting and other emergency duties undertaken by volunteer Fire Fighters are significant and the possibility of serious injury is high. Strict adherence to safety guidelines and procedures in these circumstances is not always possible, however, it is the intention of Council to develop and implement safety and training policies to minimise the occurrence of injury to volunteer Fire Fighters both on the fire ground, and in the performance of all other duties.

Resolution No: 9.2.6
Resolution Date: 21st April 2016
Affirmed: 17th April 2024

6.9 Fire Situations

Statement

The Shire of Cuballing will:

1. Respond to calls from the Incident Controller controlling fires in the Shire of Cuballing or within close proximity of the Shire of Cuballing;
2. Provide graders and other plant and equipment (with operators) as expediently as possible to attend fires within the Shire of Cuballing and in surrounding Shires when fires are in close proximity to the Shire boundaries;
3. Have graders and other plant and equipment fueled and prepared for immediate response during any Shire of Cuballing shutdown period over late December and January;
4. Roster staff leave arrangements to ensure that a competent grader operator is on duty during normal working hours throughout the year.
5. Authorise overtime, at any time and when necessary, for staff using Shire plant and equipment who are adequately trained and who are willing to attend fires, to do so;
6. The Shire of Cuballing will utilise plant and equipment at fires, under the direction of the incident controller subject to the following conditions:
 - Adequate duty of care is exercised to minimise the risk of injury to staff and damage to machines; and
 - Machines are accompanied by four wheel drive support vehicles, capable of quickly evacuating the fire scene if the safety of staff is threatened.

Resolution No: 9.2.6
Resolution Date: 21st April 2016
Affirmed: 17th April 2024

6.10 Employee Volunteer Input to Fire Brigades and Ambulance Services during Working Hours

Statement

The Shire of Cuballing will permit employees to leave their workplace to render voluntary emergency assistance to a fire brigade or ambulance service, and will reimburse the employee at his ordinary rate of pay for the time so absent subject to the following conditions:

1. The emergency service is a bona fide organisation, properly constituted for its function and the employee is a member of that organisation;
2. The employee is qualified to perform the functions being asked of him by the emergency service;
3. The employee recognises and acknowledges that upon leaving his workplace the Council's duty of care is suspended until such time as he returns to the workplace, and that whilst he is absent he is not afforded the protection of Council's employee indemnity insurance;
4. The Shire is indemnified against any claim which may arise by the employee out of his voluntary activities;
5. Payment of wages is only applicable for the ordinary hours of work during which the employee is absent;
6. The employee shall not leave his place of employment without notifying either the Manager of Works and Services or the Chief Executive Officer, of his impending time of departure and his time of return.
7. Any time spent away on voluntary emergency activities for which the employee's ordinary rate of pay has been applied, shall be charged out to the appropriate section of the Shire's accounts for such emergency service.

Objective

Council recognises that without volunteers, in country areas these important emergency services would not be delivered. It therefore considers that the community expects Shire employees, as much as any others, to have the opportunity to contribute their time to these services during as well as out of working hours.

Resolution No: 9.2.6
Resolution Date: 21st April 2016
Affirmed: 17th April 2024

6.11 Bush Fire Advisory Committee

Objective

To regulate the holding of the meetings of the Bush Fire Advisory Committee to provide advice on Bush Fire prevention and management to Council.

Statement

The Bush Fire Advisory Committee shall include

1. Fire Control Officers appointed by the Shire of Cuballing; and
2. representatives of the Shire of Cuballing appointed by Council.

Bush Fire Advisory Committee Meetings shall be held at least bi-annually.

The Bush Fire Advisory Committee will make recommendations to Council upon:

1. The appointment of Fire Control Officer's for the upcoming season fire, including the appointment of the Chief Bush Fire Control Officer and Deputy Chief Bush Fire Control Officer;
2. A suitable fire break notice for adoption by Council;
3. Any other bush fire matter that Council request the Bush Fire Advisory Committee to provide advice upon; and
4. Any bush fire matter that the Committee wish Council to consider.

Guidelines

The Chief Bush Fire Control Officer shall chair meetings of the Bush Fire Advisory Committee unless the meeting votes to elect an alternative chairperson.

The Bush Fire Advisory Committee shall meet in the Council Chambers wherever possible.

The Bush Fire Advisory Committee should meet at least twice each year in April and September with:

- the April Meeting making recommendations to Council on the appointment of Fire Control Officers for the next fire season; and
- the September Meeting making recommendations on a Fire Break Order for the Shire of Cuballing for that fire season.

Representatives from the Department of Fire & Emergency Service and the Department of Biodiversity, Conservation and Attractions should be invited to attend each Bush Fire Advisory Committee Meeting.

Resolution No: 2019/42
Resolution Date: 15th May 2019
Affirmed: 17th April 2024

7. COUNCIL BUILDINGS

7.1 Camping on Council Property

Statement

Background

The Shire recognises the value of tourism to the local economy both to support existing businesses and encourage new business.

It is noted that under the Caravan and Camping Regulations people may park a caravan or other vehicle without permission in any roadside rest area. This includes roadside rest areas in the approaches to Cuballing and in the Popanyinning town centre.

It is further noted that the Shire may give written permission (which can be by way of a sign) for people to park a caravan or other vehicle for up to 3 days on any Shire controlled property.

Free Camping on Council Property

The Shire will allow camping without a permit in the following areas:

1. Popanyinning Recreation Ground .
2. Yornaning Dam
3. The designated rest area opposite the Cuballing Roadhouse

Camping in these areas is conditional on

1. Campers must obey signs and only camp in designate areas;
2. Camping is permitted for no more than 3 consecutive nights;
3. Camping is only permitted in a self-contained, camping trailer, caravan or motor home, manufactured for the purpose of camping. Self-contained means having adequate toilet and bathing facilities built into the camping trailer, caravan or motor home.
4. Camp fires are only permitted in accordance with local signage.

Charged Camping on Council Property with a Permit

The Shire recognises that there may be events or occasions where a more formalised camping arrangement is required. The Shire will permit camping with a permit on selected Council properties:

1. for activities conducted by local community based non-profit community groups; or
2. as part of a local event or activity.

The Shire will allow camping with a permit in the following areas:

1. Cuballing Recreation Ground;
2. Popanyinning School Site;
3. Cuballing Hall;
4. Popanyinning Hall;
5. Cuballing Rifle Club;

Camping in these areas, with a permit, is conditional upon:

1. Obtaining a permit at least one week prior to establishing a campsite;
2. Camping can only be permitted for up to 3 consecutive nights. Council may consider applications for extended periods on an individual basis, with prior notice of at least a month;
3. Camping is only permitted in a swag, tent, camping trailer, caravan or motor home, manufactured for the purpose of camping;
4. Camp fires may be permitted with specific approval. Applications should indicate the request for approval of a camp fire with the permit application. Shire staff may seek the opinion of Shire of Cuballing Bush Fire Brigade volunteers in considering a request for a camp fire;
5. Payment of the Council fee for camping on Shire of Cuballing property.
6. Mobile power generators external to the vehicle should only be used up to two hours to top-up internal batteries and not operating before 7am or after 9pm.
7. Externally strung washing lines are not permitted.
8. If dogs accompany campers the Dog Act 1976 and the Shire of Cuballing Dog Local Law applies.

Permits may include additional conditions on each permit to camp on Shire property that addresses factors unique to each location such as:

- Rubbish disposal or waste management;
- Parking or driving on areas of the property;
- Times when noise should be minimised;
- Use of the Shire buildings or facilities on the property.

The Shire will apply the designated fee in the Shire of Cuballing adopted schedule of Fees and Charges for Charged Camping on Council Property with a Permit.

For large groups the CEO may negotiate an all up fee to take account of the number of caravans or campsites and access to Council facilities by campers.

Other Camping Options

The Shire may consider applications for camping on other Shire of Cuballing property on an individual basis, with prior notice of at least a month.

Other facilities may be available for camping for events at the discretion of the lessee. These facilities include:

- The Dryandra Regional Equestrian Centre
- The Cuballing Golf Club

The Dryandra Woodlands National Park also offers camping and accommodation options for visitors. The Laze Away Caravan Park just south of Popanyinning is a full service caravan park.

Resolution No: 2022/114
Resolution Date: 19th October 2022
Affirmed: : 17th April 2024

8. RECREATION

8.1 Memorials on Local Government Property

Objective

To provide clear administrative guidelines for dealing with private memorials or commemorative plaques on Local Government Property.

Statement

1. Memorial Plaques

The installation or erection of memorial plaques on Local Government Property is generally not supported unless it is to be located upon a suitable piece of park furniture that is donated (eg park seat, table setting or the like). The plaque is to be located upon the donated furniture.

The furniture is to be of a type and style approved by Council and the donor is to meet all costs associated with its purchase, delivery and installation. The siting of donated memorial furniture will be as approved by Council.

The inscription plaque shall be no greater than 100mm x 100mm and be made of brass or bronze

No memorials are to be erected on Council property without approval. Any memorials that are erected without approval may be removed without reference to the person erecting the memorial.

2. Maintenance of Memorials

Council bears no responsibility for the maintenance of memorials in parks, except to the extent of its general obligation in relation to maintenance of its property and the improvements thereon.

If plaques are stolen, replacement will be at the expense of the original donor.

If the furniture or feature upon which the plaques is erected become unserviceable or a hazard for whatever reason, it shall be removed. Replacement of a feature or furniture will be at the discretion of Council, and replacement will not necessarily contain the memorial plaque.

If, for operational reasons, it is determined that an existing memorial needs to be relocated, this action will be at the discretion of Council. Generally a new site will be selected for the memorial near to its original site, unless:

- the original memorial is no longer serviceable;
- the original memorial has become a hazard for whatever reason; or
- no suitable near site for its relocation can be identified.

Guidelines

This policy has no application to Memorials which serve a wide community purpose such as war memorials, or signage erected indicating place names that have been approved by a nomenclature advisory board of WA.

Memorials serve an important role for sections of the community, however unless a memorial serves a broad community interest (eg war memorials) it is not appropriate that the Community take on responsibility for the installation, maintenance and upkeep of such installations.

Further, any approval to have any form of memorial on public land does not infer any ongoing rights for proprietorship. A memorial generally will be able to remain whilst it does not interfere with the broader community interest.

Broadly the term that a memorial will be permitted to remain at the site it is located will be determined but the service life of the object upon which it is located and the operational needs of Council.

Resolution No: 2020/35
Resolution Date: 15th April 2020
Affirmed: 17th April 2024

9. HEALTH

9.1 Caravan Habitation on General Agriculture Zoned Rural Land

Statement

A temporary dwelling (caravan) may be permitted on General Agriculture zoned land subject to written application being made by the landowner and approval being granted by Council.

Resolution No: 9.2.6
Resolution Date: 21st April 2016
Affirmed: 17th April 2024

9.2 Rubbish on Roads and Vacant Land

Statement

Rubbish and garden refuse dumped on private land will be investigated under the Health Act By-laws. Rubbish dumped or littered on roadways, public thoroughfares and Council reserves will be investigated under the *Local Government Act* and *Litter Act*. In both instances, where satisfactory evidence is available, action will be taken

Resolution No: 9.2.6
Resolution Date: 21st April 2016
Affirmed: 17th April 2024

10. BUILDING

10.1 Building License - Cancellation

Statement

Following the issue of a building license and payment of the prescribed fees thereof, upon written advice from the builder that he will not proceed with the buildings, the Shire may cancel the building license and refund one half of the prescribed fees paid.

Resolution No: 9.2.6
Resolution Date: 21st April 2016
Affirmed: 17th April 2024

10.2 Building License - Expiry

Statement

Where a building is not substantially commenced within one year of the date of issue of the license and where the builder applies for an extension without the payment of further fees.

Where the extension applied for is more than six months and up to twelve months, the Council is authorised to issue a new license upon payment of the prescribed fees.

In the event of the Building Surveyor not being prepared to approve the application it shall be referred to the Building Committee (when appointed) or Council for consideration.

Resolution No: 9.2.6
Resolution Date: 21st April 2016
Affirmed: 17th April 2024

11. OCCUPATIONAL SAFETY AND HEALTH

11.1 Occupational Safety & Health Policy

Statement

The Shire of Cuballing is committed to continual improvement of our Occupational Safety and Health (OSH) performance with a goal of eliminating work-related injury and illness by:

- Developing and promoting a safety culture where best practice initiatives are entrenched in daily business activities and safety is considered a shared responsibility.
- Complying with all legislative obligations, all applicable standards relating to our activities, and all other regulatory requirements to which the organisation subscribes.
- Provision and maintenance of a safe workplace and associated systems of work.
- Proactive identification and control of workplace hazards.
- Including OSH responsibilities and duty of care into all activities and roles within the organisation.
- Providing all employees, contractors and site visitors with adequate resources, information, education, training and supervision to meet occupational safety and health responsibilities.
- Reporting key OSH performance measures and establishing measurable objectives to ensure effectiveness and suitability.
- Consulting and communicating with employees and other appropriate parties in order to enhance the effectiveness of the OSH management system.
- Encouraging our suppliers and service providers to make similar commitments.
- Periodically reviewing the Occupational Safety and Health policy and supporting systems.

Managers and supervisors shall ensure that people under their direction, including employees, contractors and visitors are made aware of, and comply with, all applicable requirements of legislation, appropriate standards, policies, procedures and programs. They shall ensure that any incidents, exposures, hazards and OSH concerns within the workplace are reported and addressed in a timely manner.

Resolution No: 9.2.6
Resolution Date: 21st April 2016
Affirmed: 17th April 2024

11.2 Equal Opportunity in the Workplace

Statement

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

All employment training with the Shire of Cuballing will be directed towards providing equal opportunity to all employees provided their relevant experience, skills and ability meet the minimum requirements for such training.

All promotional policies and opportunities with this Shire of Cuballing will be directed towards providing equal opportunity to all employees provided their relevant experience, skills and ability meet the minimum requirements for such promotion.

All offers of employment within this Shire of Cuballing will be directed towards providing equal opportunity to prospective employees provided their relevant experience, skills and ability meet the minimum requirements for engagement.

This Shire of Cuballing will not tolerate harassment within its workplace. Harassment is defined as any unwelcome, offensive action or remark concerning a person's race, colour, language, ethnicity, political or religious convictions, gender, marital status or disability.

The equal employment opportunity goals of this Shire of Cuballing are designed to provide an enjoyable, challenging, involving, harmonious work environment for all employees where each has the opportunity to progress to the extent of their ability.

This policy applies to all Councillors, employees, customers or clients, contractors, volunteers and visitors to any Shire of Cuballing work site.

Resolution No: 9.2.6
Resolution Date: 21st April 2016
Affirmed: 17th April 2024

11.3 Injury Management and Rehabilitation Policy

Statement

It is a policy of the Shire of Cuballing:

- To make provision for the injury management and rehabilitation of all workers who have sustained a compensable work related illness, injury or disability.
- To treat all workers with dignity and respect.
- To guarantee that all information is treated with sensitivity and confidentiality.
- To return the injured worker to the fullest capacity for gainful employment of which they are capable.

With this in mind, Council adopts the 'Key Principals of Injury Management', as identified by WorkCover. They are:

- Recognition that employers and injured workers are the primary stakeholders within the workers' compensation system.

- Maintenance in or a safe return to work is the expected outcome.
- Medical practitioners and employers play a central decision making role in the return to work of injured workers.
- The focus of all services should be workplace based.
- The injury management process should be transparent, cost efficient and effective.
- Early intervention and pro-active injury management is critical in achieving return to work goals.
- When vocational rehabilitation is required, all parties are involved in a process that is transparent and requires joint decision-making.

To assist in the timely and effective injury management of employees, the employer has appointed the Deputy Chief Executive Officer to the role of Workplace Injury Management Coordinator as part of their duties, to implement and monitor the injury management and rehabilitation procedures. This appointment is in the knowledge that Municipal WorkCare Scheme employs a dedicated Injury Management Advisor to assist and guide this individual. Further to this, the Scheme's claims Team Leader, appointed to the employer, is available to discuss any issues related to the management of the worker's claim.

Resolution No: 9.2.6
 Resolution Date: 21st April 2016
 Affirmed: 17th April 2024

11.4 Risk Management Policy

Objective

To encourage an integrated, effective and organisation wide approach to risk management within the Shire of Cuballing, facilitating value creation and protection.

Statement

Council is committed to the use of risk management in the course of achieving its strategic objectives and delivery of services to the community. Management of risk is considered the responsibility of all elected members, employees and contractors, and is to be integrated throughout the Shire.

A Risk Management Strategy is to be maintained and implemented utilising the Principles, Framework and Process as defined within AS/NZS ISO 31000:2018 Risk Management - Guidelines.

Risk Tolerance and Appetite:

Risk tolerance or risk appetite refers to the amount and type of risk that the Shire is willing to take in order to meet its strategic objectives. As a public body, there is an expectation the Shire will maintain an inherent low appetite for risk and as a consequence adopt policies and maintain systems and procedures to create value and protect the Shire, and its stakeholders.

Council's risk tolerance and appetite is articulated with the Risk Management Strategy and any change to the level of risk tolerance and appetite within the Strategy can only be made with Council approval.

Risk Management Commitment:

Council will maintain a continual commitment to risk management through the appropriate allocation of resources to facilitate application of the principles, framework and process as defined within AS/NZS ISO 31000:2018, through the Risk Management Strategy. The Risk Management Strategy will assist the organisation to integrate risk management into decision making and operational activities, across the organisation. This commitment will work towards:

- aligning the objectives, culture and strategy of the Shire with risk management;
- addressing and recognising all obligations (including voluntary commitments) of the Shire;
- communicating the risk appetite of the Shire to guide the establishment of risk criteria, to all employees, contractors and elected members and stakeholders;
- promoting and conveying the value of risk management across the Shire;
- encouraging methodical monitoring of risks; and
- ensuring that the Risk Management Governance Framework remains relevant to and considers the context of the organisation.

Resolution No: 2021/120
Resolution Date: 20th October 2021
Amended: 15th May 2024

11.5 Dash Cam Use

Statement

All Council owned vehicles have been equipped with dashcams for safety in the event of an accident either involving a Shire vehicle or as a witness.

Where installed, all vehicles are required to have the dashcam plugged in and operating while in use.

Any errors or faults in the devices should be reported to the Manager of Works and Services for review immediately.

Data collected by the dashcam can be used for:

- In the event of an accident, the data can be reviewed to determine information for the insurance report, including at fault
- Dangerous driving behaviour detected by other drivers and Shire employees may be provided to Police at managements discretion
- Any other purpose as decided by Shire management

Data recorded on the dashcam will not be kept unless needed as detailed above, where it will be stored on the Shire server. If data forms part of a police investigation, data will be kept for 7 years after investigation or court proceedings are completed whichever is later in accordance with the State Records Office General Disposal Authority. Where no further action is needed, the data will be destroyed 7 days after the footage was taken.

Data collected by the dashcams is a record of the Shire of Cuballing and can only be used by management consent. Any distribution for any other purpose, including private use, is liable for disciplinary action.

Objective:

To provide an overall framework to guide the consistent application of data collected by dashcams installed in Council plant.

Resolution No: 2017/133
Resolution Date: 21st December 2017
Affirmed: 17th April 2024

11.6 CCTV Use

Statement

Council may choose to install CCTV cameras outside public buildings in the interest of public safety and crime reduction. Any place where a camera may be installed will be sign posted as such to advise members of the public that they may be recorded. CCTV may capture staff performing work tasks at public buildings, but is not intended for workplace surveillance.

Any errors or faults in the devices should be reported to the Manager of Works and Services for review immediately.

Data collected by the CCTV cameras can be used for:

- In the event of an incident, the data can be reviewed to determine information for the insurance report or if further action is needed;
- In the event of a crime, the data may be provided to Police at managements discretion;
- Any other purpose as decided by Shire management.

Data recorded on the CCTV cameras will not be kept unless needed as detailed above, where it will be stored on the Shire server. If data forms part of a police investigation, data will be kept for 7 years after investigation or court proceedings are completed whichever is later in accordance with the State Records Office General Disposal Authority. Where no further action is needed, the data will be destroyed 7 days after the footage was taken.

Data collected by the CCTV cameras is a record of the Shire of Cuballing and can only be used by management consent. Any distribution for any other purpose, including private use, is liable for disciplinary action.

Objective

To provide an overall framework to guide the consistent application of data collected by CCTV cameras that may be installed outside Shire owned public buildings.

Resolution No: 2017/133
Resolution Date: 21st December 2017
Affirmed: 17th April 2024