

GLENORCHY CITY COUNCIL
ATTACHMENTS
MONDAY, 15 JANUARY 2018



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COMMUNITY

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CHILD CARE CONNECTIONS



ABANDONED CHILD POLICY

File Ref: Child Care Connections Policies
 Author: Child Care Connections Management
 Department: Community and Customer Service – Child Care Connections

Background

Parents/legal guardians nominate a time of collection when they enrol their children into a Child Care Connections Service. A child is considered 'abandoned':

- (a) If he/she has not been collected within 1 hour of the end of a session and there has been no advice from either the parent or legal guardian of the child.
- Or
- (b) If he/she has not been collected by the closing time of the service and there has been no contact from either the parent or legal guardian of the child.

Policy Statement

Child Care Connections must ensure that abandoned children are referred on to the Child Safety Service after all attempts have been made to contact parents and emergency contacts previously nominated by the parents.

Source: Child Safety Service - Department of Health and Human Services Tasmania - www.dhhd.tas.gov.au/children/child_protection_services

Education and Care Services National Regulations: Regulation 84

National Quality Area 2: Children's Health and Safety

National Quality Area 5: Relationships with Children

National Quality Area 7: Leadership and Service Management

Review: 2 years

Status: *CURRENT*

CHILD CARE CONNECTIONS



ABANDONED CHILD PROCEDURE

1. Where a child has not been collected within 1 hour of the arranged time or at the service's closing time, the Responsible Person of the service must call all of the emergency contact numbers on the child's file to arrange for the child to be collected.
2. A late fee is to be charged per the service's fee schedule.

If the service cannot locate an authorised person to collect the child, the Responsible Person in Charge must notify the Child Care Delivery Coordinator and then Child Safety Service on 1300 737 639.

1. A copy of the personal details of the child (e.g. home address, phone numbers, allergies etc.) must be given to the representative of the Child Safety Service on the collection of the child.
2. If the service has closed for the day, the educator or where possible two educators are to remain with the child and provide reassurance until the representative from the Child Safety Service arrives.

POLICY DOCUMENT CONTROL SHEET

Policy Name: Abandoned Child

Department: Community and Customer Service – Child Care Connections

Reviewed by (Name and Job Title of officer)	Nature of Amendment (List changes made to Policy)	Date Council Endorsed Amendment
Child Care Connections Team	Reviewed Jan 2004	2/1/2004
Child Care Connections Team	Changes reflect new research findings, stakeholder views and input or issues in health and child development.	21/8/2006
		Date Child Care Connections Team Endorsed Amendment
Child Care Connections Team	Changes to the source. No other changes necessary	30/11/2008
Child Care Connections Staff, families & carers	Changes to the source. No other changes necessary	01/09/2010
Child Care Connections Staff, families and Educators	Changes to terminology	July 2012
Child Care Connections team, management and families	Updated source Changes in terminology & removal of FDC references. Included reference to National Quality Standards	July 2014
Child Care Connections team, management and families	Updated Council Department name	June 2016
Child Care Connections team, management and families	Updated Child Safety Services Name Change	January 2018

CHILD CARE CONNECTIONS



ADMINISTRATION OF FIRST AID POLICY

File Ref: Child Care Connections Policies
Author: Child Care Connections Management
Department: Community and Customer Service – Child Care Connections

Background

Maintaining the health and safety of children is an integral part of providing quality education and care. Accessible first aid equipment is vital to each service as is qualified educators who can administer first aid wherever required.

Duty of care is the responsibility or duty to take reasonable care.

Service providers and educators have a duty of care to the children in their care, their fellow educators and others on the premises, and must do whatever a reasonable person (with similar experience, and qualifications/training) would do or not do, in the same situation.

“First Aid incidents are often unpredictable and occur in all workplaces across all industries. Whether you are working in a high or low risk workplace, preparedness ensures you minimise your risk and are adequately prepared to deal with First Aid emergencies or in some cases enables you to avoid them all together”
(www.redcross.org.au/first-aid-in-the-workplace.aspx)

Policy Statement

Child Care Connections must ensure that the National Quality Standard is met by ensuring that educators are supported to access approved first aid training and have accessible current first aid equipment on site, and available when on excursions.

Child Care Connections educators must be supported to undertake and maintain Senior First Aid, CPR annual updates, Anaphylaxis and Emergency Asthma Management training.

Source: www.redcross.org.au

Education and Care Services National Regulations: Regulation 168

National Quality Area 2: Children's Health and Safety

National Quality area 7: Leadership and Management

Cross Reference: Students Policy and Volunteers Policy

Review: 2 years

Status: CURRENT

CHILD CARE CONNECTIONS



ADMINISTRATION OF FIRST AID PROCEDURES

- Employees employed at Level 3 or above or who hold a position deemed to require a First Aid qualification will be reimbursed for course fees and be paid to attend First Aid, CPR, Asthma and Anaphylaxis training organised by the Child Care Delivery Co-ordinator.
- If the educator does not wish to participate in the Child Care Connections course and attends a different course then their course fees (but not their salary) may be reimbursed at the discretion of the Coordinator.
- Educators employed as CSW Level 1 or 2 and other educators including Administration staff will be encouraged to attend First Aid training, CPR updates, Asthma and Anaphylaxis training.
- The Child Care Delivery Coordinator must organise First Aid Training, Asthma, Anaphylaxis and CPR updates on an annual basis.
- The cost of First Aid training and payment of wages to eligible employees must be budgeted into the services annual budgets.
- First Aid courses must not take the place of Competency Based Training.
- First Aid kits must be kept up to date and be accessible to educators in each service. All educators, including casuals must be made aware of their location.
- Any employee without a First Aid qualification must not be permitted to administer first aid treatment to an injured child.
- Students or volunteers must not be permitted to administer first aid treatment to an injured child.

POLICY DOCUMENT CONTROL SHEET

Policy Name: Administration of First Aid

Department: Community and Customer Service - Child Care Connections

Date Policy Approved by Council: 2/1/2004

Reviewed by (Name and Job Title of officer)	Nature of Amendment (List changes made to Policy)	Date Council Endorsed Amendment
Child Care Connections Team	Reviewed June 2003	
Child Care Connections Team	Changes reflect new research findings, stakeholder views and input or issues in health and child development.	21/8/2006
		Date Child Care Connections Team Endorsed Amendment
Child care Connections Team	Changes to reflect the inclusion of Emergency Asthma management and Anaphylactic training and Senior First Aid for FDC carers. Changes include the provision of First Aid Kits in vehicles and on excursions or outings	30/11/2008
Child Care Connections Team, management & families	Changes to wording. Updated Local Government (Community Services) Award 2002.	
Child Care Connections Team, Management & families	Updated source & terminology Removal of FDC references Included references to National Quality Standards	June 2014
Child Care Connections Team, Management & families	Changes to wording and included reference to students & volunteers. Updated Department name	January 2016
Child Care Connections Team, Management & families	Updated terminology Updated training requirement	January 2018

CHILD CARE CONNECTIONS



ADMINISTRATION OF MEDICATION POLICY

File Ref: Child Care Connections Policies
Author: Child Care Connections Management
Department: Community and Customer Service – Child Care Connections

Background

“When an education and care service accepts the responsibility for the administration of medication to children attending the service, the service will owe a **duty of care** to those children to ensure that reasonable care is taken. The duty is to ensure, in the absence of the parent/legal guardian, that the child is given the correct dosage of medication at the correct time, according to the prescribed instructions.” (Guidelines for administration of medication in Education and Care Services: (Tasmanian Poisons Regulations 2008), December 2017)

Definitions

Parent means the parent, guardian or other representative nominated by the parent or guardian.

Medical Practitioner/Doctor are interchangeable terms in this context. They would normally be General Practitioners or Paediatricians or pharmacists.

For the purpose of this policy and its intent naturopaths, herbalists and other alternative health care providers are not considered to be Medical Practitioners/Doctors.

Pain Relief means any preparation that is dispensed under a trade name but is in fact Pain Relief e.g. Panadol, Panamax, Nurofen

Policy Statement

Child Care Connections believe:

Children who are ill or infectious need to be cared for at home

- A policy for the administration of medication is necessary to protect the rights of educators, parents, and children where there is no other alternative and where they have a condition that doesn't require exclusion from the child care service.
- The *Poisons Regulations 2008* specify that the educator administering the medication must do so in accordance with the authority of the Nominated Supervisor. This means there must be a process in place where the Nominated Supervisor authorises administration of medication by educators who have demonstrated that they can manage the responsibility of administering the medication. Providing the authority does not mean that the Nominated Supervisor has to provide direct oversight of each administration of medication.

- Where a child self-administers medicine there must be written instructions from a medical practitioner, including the expected level of supervision.
- Children have the right to have medication that is required, provided it is administered safely and appropriately.
- Educators have the right to have a policy and procedure so they can store, record and administer medication to children in care safely and appropriately.
- Parents have the right to be confident that medication required by their children will be administered safely and appropriately whilst they are in care.
- Parents are responsible for providing medication required by the child.
- That the ongoing training of educators in relation to the administration of medication is essential.
- Educators must not act outside what they are trained to do or can be reasonably expected to do.
- Educators must use their discretion to call the ambulance and implement emergency procedures where necessary.
- In situations where invasive, complex or injected medications are required a plan for their administration must be organised in conjunction with the Nominated Supervisor, the parent and the doctor. This also applies to situations where the giving of injections or the use of medication may be required in response to an expected life threatening situation. Educators must be trained in such circumstances.
- Certain medications are so common and routinely used that parental permission can be gained to cover the period of the care arrangement on the:
 - Centre Enrolment Consent FormThese medications include teething gel, sunscreen, Ventolin, nappy rash treatments e.g. Sudocream and Paracetamol. (Panadol)
Note that the blanket consent for the Administration of Paracetamol in the case of fever or pain is permission to administer one dose only, as per the enrolment agreement.

Paracetamol is not intended to be used as the main treatment of fever, illness or teething. Fever is a normal response to fighting infection and administering Paracetamol can mask a serious illness. Children must remain away from care until they can maintain a normal body temperature without the aid of Paracetamol or similar medication.

The Nominated Supervisor or the Responsible Person In Charge can authorise administration of Paracetamol (1 dose only) for the relief of fever or pain if it is required for the child's wellbeing.

If the decision is made to administer Paracetamol to the child, the child's parents/guardians must be notified and arrangements made to collect the child as soon as possible.

- Child Care Connections will not take responsibility in the event that a medical condition or allergy has not been disclosed.
- Families are provided with, and explained about, the Medical Conditions policy upon disclosure of a medical condition or allergy.

Source: Guidelines for administration of medication in Education and Care Services: Tasmanian Poisons Regulations 2008). December 2017

The Royal Children Hospital Melbourne website. Kids Info factsheets – Fever in Children.

Education and Care Services National Regulations: Regulation 90-96

National Quality Framework: Quality Area 2: Children's Health and Safety

Cross Reference – Medical Conditions Policy, Excursion Policy, Management of Asthma in Children, Infectious Diseases

Review 2 Years

Status: *CURRENT*

CHILD CARE CONNECTIONS



ADMINISTRATION OF MEDICATION PROCEDURES

1. It is preferred that parents make arrangements to come into the service to administer medication. If this is not possible the service can arrange to administer the medication, but only where:

- Parents/guardians have completed, in conjunction with a medical practitioner/pharmacist, a Medication Consent Form. This form must be signed by parents and the nominated practitioner.
(These forms can be obtained from the Service and it is recommended that parents keep a supply at home.) A letter from the nominated Practitioner detailing the child's name, what the illness is, the name of the medication, dosage and frequency requirements and any possible side effects is also acceptable.
- Parents/guardians must sign the individual child's Medication Register upon arrival and departure in conjunction with an educator for every day the medication is required.
- The label on the medication must have the name of the child for whom it is prescribed the dose required and the date of issue of the medication.
- The medication must be handed to the educator in its original container each day and must not be left in the child's bag.
- The medication must be stored in a locked container, and kept out of the children's reach each day according to the requirements e.g.: the temperature stated on the container.
- It is known that the child has previously had the medication and there have been no side effects.

At the Service

- Medication must be administered promptly and strictly in accordance with the medication instructions and the Medication Consent form / letter.
- A child who is given medication must be kept under strict observation and parents, doctor or emergency contacts must be notified if there is any change in their condition.

On administration of the medication:

- The dose must be checked and witnessed. At least one of the educators must be a Certified Supervisor in accordance with the National Quality Standard. The Medication

Register and Medication Consent Form must be completed at the time of administration by the Certified Supervisor and the other witnessing educator involved.

- Students and volunteers must not be permitted to administer medication to a child.

Record keeping:

The signed Medication Consent Form must be kept until the child is 25 years of age in the child's file.

Medication cannot be administered if:

- The medication is the first dosage the child is receiving
- It is out of date
- The name on the bottle or container is not the child's name
- The container has no label
- It is outside the guidelines set out in this policy and the rules of this policy have not been adhered to.
- There is no Certified Supervisor available at the time the medication is required to be given.

Administration of Pain Relief:

- **Administering Pain Relief should not be the first step to reduce fever.**
- Staying Healthy – Preventing infectious diseases in early childhood education and care services – 5th Edition states the normal temperature for a child is up to 38.0 C.
- When a child has a fever, educators must focus on the child's overall condition i.e.: alertness or other symptoms such as being irritable, crying, more sleepy than usual, refusing to drink, rashes, coughing and discomfort, rather than relying solely on the child's temperature.
- If other symptoms have been observed then the educator, in consultation with the Nominated Supervisor or nominated person in charge if available, must advise parents/guardians of his/her child's condition and appropriate course of action to be taken. Should the Nominated Supervisor not be available, then a Certified Supervisor must make the decision to contact the parent/guardian based on the child's condition.
- A 'Symptom Report Form for parent/doctor' must be completed by an educator and 1 copy must be given to the parent/guardian when they collect the child and 1 copy must be placed in the child's file.
- If the child is clearly unwell or in pain, the parents/guardians must be contacted and asked to collect the child as soon as possible. If the parent/guardian is unable to collect the child immediately then parent/guardian permission to administer **one dose of Pain Relief only** will be sought.
- If parents/guardians or emergency contacts are unable to be contacted then the Nominated Supervisor or the nominated person in charge, may decide at this point to administer **one dose of Pain Relief only** if parents/guardians have signed the permission form on enrolment.

Invasive, Complex or injected medications

- A plan for the administration of such medications must be organised in conjunction with the Nominated Supervisor, the parents/guardians, the child's Medical Practitioner and the educators and must only occur if the service educators are agreeable to doing so and are fully informed of the requirements. Where the giving of

medication/injections is required in response to an expected life threatening situation all educators must have undertaken suitable training.

Self-Administration of medication:

There are instances where a child in care is able to self-administer medication. For example, a child may need to take medication for a condition such as asthma, diabetes or ADHD and has been shown by the medical practitioner, the correct procedure for self-administration and it is normal practice for the child to self-administer at home as directed by the medical practitioner.

- There must be an individual plan developed involving all parties i.e.: parents/guardians, medical professional, educator and the child. All parties must sign that they agree to the processes outlined on the medical plan.
- All medications must be stored as per the Administration of Medication Policy and must not remain in the child's bag.
- Self-administration of medication must take place under direct supervision of educators and this must be discussed with the parents/guardians and child.

For children who have ongoing medication requirements: i.e. where a child may need medicines on an intermittent or irregular basis, parents/legal guardians must ensure that:

- A signed Medication Consent Form / Letter completed by Doctor/Pharmacist and parent/guardian must be provided to the service.
- Contact numbers for the parent/guardian and other emergency contacts must be provided to the service.
- A medical practitioner must review medication plans such as asthma plan at a date to be set by the child's medical practitioner and thereafter annually. It is the parent's/guardian's responsibility to notify the service of any change.
- It is the responsibility of each room's qualified educators to ensure that all medication plans are checked throughout the year and have been reviewed by a medical practitioner within the past 12 months.

Storage of narcotics

- Narcotic substances must be stored apart from other goods in an enclosure (e.g. a cupboard) that is securely locked and the key must be retained by a person entitled to administer the substance. All other medications must be securely stored away from narcotics.

Storage of Adrenaline auto-injecting devices, e.g. Epi-pens/Ana-pens.

- Adrenaline injections must be stored in an unlocked, easily accessible place, away from direct heat. They should NOT be stored in the fridge or freezer.
- All educators must know where the adrenaline injections are located. The adrenaline injection must be signed in and out when taken from its usual place, such as for excursions.
- Adrenaline injections must be clearly labelled with the child's name.
- Each child's adrenaline injection must be distinguishable from other adrenaline injections and medications of other children.
- A copy of the child's ASCIA (Australasian Society of Clinical Immunology and Allergy Inc.) Action plan for anaphylaxis must be kept with the adrenaline injection as well as

displayed around the service to inform all educators of children with severe allergic reactions /anaphylaxis.

- Depending upon the speed of a child's past reactions it may be appropriate to have the adrenaline injection in the room or in a bum-bag in the outside play area.
- It is important that "trainer" adrenaline injections (which do not contain adrenaline) are kept in a separate location from children's adrenaline injections.
- Educators must endeavour to ensure parents are aware of the need to keep the adrenaline injections current, i.e. not expired.
- A 'Register of Receiving Medication' form will be kept in each room's 'Medication Folder'. It is the responsibility of each room's qualified educators to keep these forms updated.

Emergency medication and excursions

- The service must ensure that individual children's medical requirements, such as asthma/anaphylaxis/allergy medication, are taken on excursions.
- Children with asthma, severe allergy reaction or anaphylaxis must have an Action Plan which, together with their emergency medication, is easily accessible for educators.
- Salbutamol (Ventolin) used for emergencies must be controlled by the persons who are authorised to administer it. It must be kept in the 'Asthma first aid kit' and stored somewhere accessible to educators, whilst inaccessible to children.

Disposal of medication (including narcotics)

- Child Care Connections education and care services must not destroy or dispose of medications (e.g., in circumstances where the child may leave care, and the child's medication, for instance a narcotic substance, is left at the centre).
- Narcotics must be returned to a pharmacy for disposal.
- It is recommended that a pharmacist's advice is sought on the disposal of all other medication.

The service must:

- Record and notify the parent of any times and dates that the medication has been administered.
- Ensure parents sign when collecting their child to verify they understand their child has been administered medication at a specific time.

Alternative, homoeopathic and naturopathic medications:

- These must not be administered to children in care on the instruction of parents without the written direction of a doctor on a Medication Consent Form, signed by both parent and medical practitioner.

For non-prescription over the counter medications including Pain Relief / Cough Medication, for the treatment of illness:

- These must not be administered to children in care on the instruction of parents without the written direction of a doctor on a Medication Consent Form, signed by both parent and medical practitioner.

After an illness we recommend that children remain away from care until:

1. They can maintain a normal body temperature (38C) without the aid of Paracetamol or similar medication.
2. They must not have vomited in the last 48 hour period.
3. They must not have had diarrhoea in the last 48 hour period.
4. They no longer have any weeping sores (e.g. chicken pox, cold sores or impetigo)
5. There is no longer any discharge from the eyes (e.g. conjunctivitis)
6. They are feeling and looking well.
7. Or there is a medical certificate stating that they are well enough to return to care
8. The service reserves the right to request a second opinion and/or a medical clearance before allowing the child to return to care.



CHILD CARE CONNECTIONS

Medication Consent Form

To be completed by Medical Practitioner / Pharmacist and Parent prior to the child attending the service. The times for medication and daily dose required must be recorded on the medication register by the parent. The administration of the medication must be recorded and witnessed on the medication register daily by educators. Educators must not give a child the first dose of any medication due to possible reactions and side effects or difficulties in administration as per the Administration of Medication Policy.

TO BE COMPLETED BY PARENT/GUARDIAN:

I _____ give permission for the Medical Practitioner/Pharmacist to provide this information to Child Care Connections.

Signature _____ Parent/Guardian _____

I give permission for Child Care Connections _____ Centre to administer the above-prescribed medication to my child _____ as prescribed by the Medical Practitioner/Pharmacist below.

Signature _____ Parent/Guardian _____

TO BE COMPLETED BY MEDICAL PRACTITIONER/PHARMACIST

Name of the child: _____ Date of Birth _____ Age: _____

Medical Condition/s _____ Name of medication _____

Dose of the medication _____ Frequency _____

Does this medication require refrigeration? YES ☐ NO ☐

This medication is to be administered BEFORE ☐ AFTER ☐ OR WITH MEALS ☐

Possible side effects and treatment: _____

Name / Medical Practitioner/Pharmacist _____

Signature _____ Telephone Number _____

PLEASE STAMP
MEDICAL /
PHARMACIST STAMP
HERE. Thank you.

Emergency Contacts Aware Of the Conditions

Name; _____

Name; _____

Relationship: _____

Relationship: _____

Tel; (W) _____ (H) _____

Tel; (W) _____ (H) _____

Signature Of Parent: _____ Date ____/____/____

CHILD CARE CONNECTIONS



Symptoms Report form for parent/doctor

Education & Care Service:

Address: _____

Phone: _____

Dear Parent/Doctor,

Re: (child's name) _____ Date of birth: ____/____/____

Child has: (comments, including time observed)

Vomiting

Diarrhoea

Other

Rash (description of rash and where rash started) _____

There has been _____ of _____ medication administered at _____ am / pm .

There has/has not been recent similar illness in other children in the care environment.

The diagnosis in the other children was:

The child's temperature was _____ at _____ am / pm

The child has eaten _____

The child has drunk _____

	Name	Signature	Date & Time
Educator Contacting Parent			
Educator Completing Form			
Parent			

1 copy to be provided to parent/guardian

1 copy to be placed in child's file

When is my child well enough to return to care?

After an illness we recommend that children remain away from care until they:

1. Can maintain a normal body temperature (38C) without the aid of Paracetamol or similar medication.
2. Must not have vomited in the last 48 hour period.
3. Must not have had diarrhoea in the last 48 hour period.
4. No longer have any weeping sores (e.g. chicken pox, cold sores, or impetigo)
5. No longer have any discharge from eyes. (e.g. conjunctivitis).
6. They are feeling and looking well.
7. Or you have a medical certificate stating they are well enough to return to care.
8. The service reserves the right to request a second opinion and/or a medical clearance before allowing the child to return to care.

Thank you for your assistance.

We hope your child is well enough to come and play again soon.

CHILD CARE CONNECTIONS



Special Diet Record

Child's Name:

Parent's / Guardian's names:

Address:

Date of Birth:

Phone: (hm)

(wk)

Mobile

1. Reason for special diet:
- ☐ Religious
 - ☐ Health
 - ☐ Other

2. What are the foods and substances that your child must avoid?

3. What are the alternative foods that your child can consume?
(e.g., dairy, tofu, beans instead of meat for vegetarian diets)

Do you want to discuss with the educators the programs involving food? Yes ☐ No ☐
(e.g. parties, menu planning, food related experiences)

To enable the service to continue to provide your child with adequate nutrition and protection from potentially harmful substances, this record will be reviewed annually or whenever there is more up to date information available.

Parent/guardian name: _____ Signature: _____

Centre Coordinator name: _____

Signature _____

Date: _____



Child Care
Connections

Child Care Connections AUTHORISATION AND ADMINISTRATION OF MEDICATION

(Reference: Education and Care National Regulations: Regulation 92)

PART A AUTHORISATION FOR THE ADMINISTRATION OF MEDICATION

This section to be completed by parents

I give permission for _____ to give my child _____
name of the education & care service full name of child

his/her medication as detailed below:

Name of the medication/s	Date/s dosage to be administered	Time dosage to be administered	Dosage to be administered each time	Instructions by medical practitioner, dentist, pharmaceutical chemist, authorised nurse practitioner, or optometrist	Date & Time the medication was last administered	Parent's Signature	Date

PART B ADMINISTRATION OF MEDICATION Child Care Connections



This section to be completed by staff (signed by parent at end)

Full name of child: _____

Name of medication	If this is a narcotic ¹ substance, please indicate in this column	Medication label consistent with parent's authorisation yes/no	Date dosage administered	Time dosage administered	Dosage administered	Name and signature of person measuring and administering medication	Name and signature of witness to measurement and administration	Comments	Signature of parent/person collecting child, acknowledging that they have seen the medication record

¹ See Schedule 8 of the Poisons List Order 2001
If an incident occurs as a result of the administration of medication, then those records must be kept until that child turns 25 years of age, consistent with the requirements of the *Tasmanian Limitation Act 1974*.
Other than the above, records of the authorisation and administration of medication should be kept for at least six years.

POLICY DOCUMENT CONTROL SHEET

Policy Name: Administration of Medication

Department: Community and Customer Service - Child Care Connections

Date Policy Approved by Council: 2/11/1998

Reviewed by (Name and Job Title of officer)	Nature of Amendment (List changes made to Policy)	Date Council Endorsed Amendment
Child Care Connections Team	Reviewed July 2002	
Child Care Connections Team and Policy Focus Group	Reviewed June 2007 The Administration of Medication Policy required a source consistent with the requirements of the National Childcare Accreditation Council. Current Information has been sourced from Staying Healthy in Childcare – 4 th edition and the South Australian Department of Education and Children's Services "Health Support Planning" in education and children's services.	20/8/2007
Child care Connections Team Leaders	The review date of the policy has been amended from 2 years to 18 months consistent with the requirements of the NCAC. Removal of forms no longer applicable and in line with licensing requirements	17/08/09
		Date Child Care Connections Team Endorsed Amendment
Child Care Connections Team Leaders/ Educators	Reviewed. Changes to terminology reflecting NQS, Replacement of Authorisation & Administration of Medication Forms for completion by Parents Part A and Staff Part B.	February 2013
Child Care Connections Team, Management and families	Updated source and terminology Removal of forms for anaphylaxis and allergic reactions. Services to now use 'Action Plans' from ASCIA Updated Authorisation and Administration of Medication form Removal of FDC references Included reference to National Quality Standards	April 2014
Child Care Connections Team, Management and families	Changes to terminology – included clarification in relation to contacting parents/guardians to collect child if Panadol has been administered. Included reference to students and volunteers not being allowed to administer medication to children. Updated Department name.	January 2016

Child Care Connections Team, Management and familie s	Updated terminology Clarification to procedure & administration of Paracetamol. Updated Consent Forms	January 2018
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CHILD CARE CONNECTIONS



ANIMALS IN THE ENVIRONMENT POLICY

File Ref: Child Care Connections Policies
Author: Child Care Connections Management
Department: Community and Customer Service – Child Care Connections

Background

Educators are encouraged to foster children's capacity to understand and respect the natural environment and the interdependence between people, plants, animals and the land." (NQS element 3.2.3). Contact with animals can promote a sense of caring and responsibility in children; however, consideration must be given to any risk posed by animals.

It is essential that in education and care settings, animals are kept separate to and apart from areas used by children unless involved in a specific planned experience that is directly supervised by educators.

Responsible ownership of pets, animals, or birds that may reside at the education and care service or visit the premises is vital. Role models of appropriate behaviours with animals and guidance in caring for the needs of the animals is beneficial for children. This policy also considers the management of unwanted visitors such as pests and vermin.

Policy Statement

Child Care Connections must

- provide a safe, clean and humane environment for all animals and birds that visit or reside at the service;
- Ensure pest control measures are regularly undertaken, and;
- Ensure there are procedures in place for removing unwanted animals, pests and vermin from the premises.

Source: Kidsafe NSW Inc – www.kidsafensw.org.au

Guide to the National Quality Standard (3) AQECQA (2011)

Staying Healthy- Preventing infectious diseases in early childhood education and care settings. 5th Edition 2012

Community Child Care Co-operative (NSW)

Education and Care Services National Regulations: Regulation 103, 168

National Quality Area 2: Children Health and Safety

National Quality Area 3: Physical Environment

Cross Reference: Supervision Policy

Review: 2 years

Status: *CURRENT*

CHILD CARE CONNECTIONS



ANIMALS IN THE ENVIRONMENT PROCEDURE

- Educators of the education and care services can choose whether or not to keep animals in the service, or to allow pets to visit.
- Before animals are allowed to visit or reside at the service the potential risks to children and adults must be assessed through a risk / benefit assessment; this must include asthma, allergies and phobias. Services that do keep animals or allow animals to visit must adhere to the ACECQA National Quality Framework and follow the recommendations outlined in Staying Healthy – Preventing infectious diseases in early childhood education and care services. 5th edition.
- The welfare of animals must be maintained. Educators must ensure that all pets and their enclosures are kept clean and hygienic. Educators must ensure they have clean bedding and water. Food must be available for the pet, but kept out of reach of children at all times.
- Any animals that reside at the service must have up to date wellness checks with a vet. Copies of immunisations and any other treatments are to be kept on file.
- Children must be supervised at all times when interacting with pets and animals. Educators must manage any health or safety risk for the children that may be caused by animals, such as asthma and allergies.
- Anyone who handles an animal must immediately wash their hands after the experience.
- Pets must not have access to children's bedding, toys, eating surfaces or utensils.
- Animals and birds visiting the education and care service as part of the educational program are the responsibility of the owner/s. The educators must ensure that the environment remains safe and hygienic at all times during the visit.

Animals and birds other than pets or invited visitors

- There are situations that may spontaneously occur, involving animals. For example, there may be a situation where an animal or bird has made its way into the education and care service. Educators may use this as a spontaneous learning experience for the children. At all times they must ensure the safety and wellbeing of all the children.
- If an animal or bird is potentially dangerous; such as a snake or spider, educators must contact an appropriate authority for assistance.
- The animal's movements must be monitored to ensure a speedy and efficient capture by a professional, but priority must be given to educator, child and family safety. At no time is the potentially dangerous animal, insect or bird to be approached or touched by educators, children or families.

- The service reserves the right to request any visiting animals to provide a copy of a veterinary clearance certificate to confirm that the animal/s are healthy.

Pests and vermin

- Pest control must occur at the education and care on a regular basis. Educators must monitor any occurrences in the service to determine the success of control measures.
- If pests or vermin are seen, educators must advise the Nominated Supervisor so that additional pest control visits can be arranged.
- Where appropriate, educators discuss with children safety issues relating to dangerous products, plants, vermin and objects.
- Educators must thoroughly clean all areas that animals or pests have accessed in the education and care service with hot, soapy water. If the remains of animal or animal faeces have been found, the remains must be disposed of according to the local Council guidelines and the area where the remains were found must be thoroughly cleaned with hot, soapy water.
- Educators must be responsible for assessing any situation in the education and care service where animals are involved to ensure the health, safety and wellbeing of children, families and animals.

POLICY DOCUMENT CONTROL SHEET

Policy Name: Animals in the Environment

Department: Community and Customer Service - Child Care Connections

Date Policy Approved by Council: 2/1/2004

Reviewed by (Name and Job Title of officer)	Nature of Amendment (List changes made to Policy)	Date Council Endorsed Amendment
Child Care Connections Team	Reviewed June 2003	
Child Care Connections Team	Changes reflect new research findings, stakeholder views and input or issues in health and child development.	21/8/2006
Child Care Connections Team and Policy Focus Group.	Reviewed July 2007 Changes reflect current recommendations relating to health and hygiene practice in early childhood settings and stakeholder views.	20/8/2007
Child Care Connections Staff, families & carers	Reviewed August 2010. No changes required	01/09/2010
Child Care Connections Staff, families and Educators	Reviewed May 2012. Changes as per requirements of the National Quality Framework.	July 2012
Child Care Connections Team, management and families	Updated sources & terminology Removal of FDC references Included references to National Quality Standard	August 2014
Child Care Connections Team, management and families	Updated terminology Updated Department name	March 2016
Child Care Connections Team, management and families	Updated terminology Updated information & best practise recommendations	January 2018

CHILD CARE CONNECTIONS



ASTHMA MANAGEMENT IN CHILDREN POLICY

File Ref: Child Care Connections Policies
 Author: Child Care Connections Management
 Department: Community and Customer Service – Child Care Connections

Background

What is Asthma?

“Asthma is a condition of the airways. People with asthma have sensitive airways which react to triggers that set off their asthma. Their airways swell and get thick with mucus and the muscles around the airway squeeze tight. This makes it hard to breathe.”

Asthma affects more than 1 in 9 children in Australia, and many of these children attend education and care services. Educators can work together with parents and carers to provide a healthy and safe care environment for children with asthma”

It is not always easy to diagnose asthma in young children but it is important that educators are aware of symptoms and possible triggers that can cause asthma. Asthma Australia recommends that organisations develop an Asthma policy and procedures for asthma management.

Asthma symptoms can be mild, moderate or severe and can lead to hospitalisation. In some cases death can occur if the asthma is not managed properly. As with all children in child care educators have a duty of care to children with asthma.

Policy Statement

Child Care Connections has adopted the Asthma Australia Guidelines. Child Care Connections must adhere to the relevant legislation *Poisons Regulations 2002* in relation to the administration of medications for the treatment of Asthma.

Source: www.asthmaaustralia.org.au December 2017

Education and Care National Regulations: Regulation 90

National Quality Area 2: Children’s Health and Safety

Cross reference: Administration of Medication Policy and First Aid Policy

Review 2 Years

Status: **CURRENT**

CHILD CARE CONNECTIONS



ASTHMA MANAGEMENT IN CHILDREN PROCEDURE

If a child, or an educator, develops signs of what appears to be an asthma attack, appropriate care must be given immediately. Regardless of whether the attack is mild, moderate or severe, treatment must commence immediately as delay may increase the severity of the attack and ultimately risk the person's life.

(Emergency Asthma Management – 4 Step Asthma First Aid Plan)

Educators must be trained to carry out and be familiar with the steps outlined in the 4 Step Asthma First Aid Plan and How to Assess an Asthma Attack for the emergency treatment of an asthma attack provided by Asthma Australia. A copy is attached to the procedure and on display in the services.

In-service training on asthma management must be made available annually as part of Senior 1st Aid, Anaphylaxis and CPR updates to educators. Training must take the form of an accredited course offered by Registered Training Provider. Demonstration by the parent or doctor is also recommended. New educators must be made familiar of any children within the service diagnosed with asthma and their asthma management plan.

All services must be provided with a copy of the current recommended procedures involved in treating an asthma attack (4 Step Asthma First Aid Plan available from Asthma Australia).

Parents must provide an Asthma Action Plan for any child with asthma, detailing the information required to adequately care for their child. The child must not be able to commence care until this information and their medication is provided to the Service. The family must be provided with the 'Medical Conditions' policy and they are also required to complete a 'Risk Minimisation Plan' and a 'Communication Plan'. If the child is already enrolled then he/she cannot return to care until all forms are completed and returned to the service.

1. The child's doctor must complete the Asthma Action Plan in consultation with the parent. The educators must maintain accessible and up to date action plans. These are to be updated at least annually or more often if required.
2. Parents must supply current reliever or preventer medication, clearly dated and labelled in accordance with Child Care Connections Administration of Medication Policy.
3. Services reliever medication is kept on site and educators must ensure that this is inaccessible to children and that it is not out of date.

4. Educators must administer asthma medication in accordance with Child Care Connections Administration of Medication Policy.
5. Asthma attacks must be documented on an Incident and Injury Report form and the parent notified immediately. An ambulance must be called if the attack is the first one for that child or if there has been little or no improvement following Asthma First Aid.
6. All educators must reduce exposure of the following known asthma triggers to children: inhaled allergens (e.g. Sprays, pollens, moulds, pets & dust mites), chemicals, strong smells, cigarette smoke.
7. All educators must reduce exposure of the following known asthma triggers to children with asthma: other children with a cold or flu (where possible), sudden changes in temperature, food & food preservatives, flavourings & colourings (only if identified as triggers).
8. Educators must ensure that children who suffer from 'Exercise-Induced Asthma' receive preventer medication as prescribed before exercise or play.
9. Educators must ensure that children with asthma are treated equally to other children.
10. Educators must regularly discuss the child's Asthma Action Plan with the parent. The Child's individual Action Plan must be reviewed at least annually with a medical practitioner.
11. As per Child Care Connections Enrolment Agreement Form –Administration of Asthma Reliever Medication – parent permission is required on enrolment for the administration of asthma reliever medication (Airomir, Asmol, Bricanyl or Ventolin) in the event of a child having a suspected asthma attack. The administration of this medication will only be given in the event of a parent/legal guardian or authorised nominee being uncontactable and at the discretion of the Nominated Supervisor or Responsible Person in Charge.
12. An educator who holds a current certificate in Emergency Asthma Management may administer a reliever puffer (Ventolin or similar) as per Tasmanian Legislation Poisons Regulations 2002 recommended from Asthma Australia for a person experiencing breathing difficulties (i.e. asthma attack). Another educator is to witness the administration of the reliever puffer as per the Administration of Medication Policy. At least one of the educators must be a Certified Supervisor.
13. Information must be available to educators on Asthma Emergency Plans and how to assess an Asthma attack.

Asthma First Aid

1 Sit the person upright — Be calm and reassuring — Do not leave them alone	
2 Give 4 puffs of blue reliever puffer medication — Use a spacer if there is one — Shake puffer — Put 1 puff into spacer — Take 4 breaths from spacer Repeat until 4 puffs have been taken Remember: Shake, 1 puff, 4 breaths	
3 Wait 4 minutes — If there is no improvement, give 4 more puffs as above	
4 If there is still no improvement call emergency assistance (DIAL 000) * — Say 'ambulance' and that someone is having an asthma attack — Keep giving 4 puffs every 4 minutes until emergency assistance arrives *If calling Triple Zero (000) does not work on your mobile phone, try 112	

Call emergency assistance immediately (DIAL 000)

- If the person is not breathing
- If the person's asthma suddenly becomes worse, or is not improving
- If the person is having an asthma attack and a puffer is not available
- If you are not sure if it's asthma

Blue reliever medication is unlikely to harm, even if the person does not have asthma



To find out more contact your local Asthma Foundation
1800 645 130 | asthmaaustralia.org.au

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Translating and
Interpreting Service
131 450

POLICY DOCUMENT CONTROL SHEET

Policy Name: Asthma Management in Children

Department: Community and Customer Service - Child Care Connections

Date Policy Approved by Council: 2/11/1998

Reviewed by (Name and Job Title of officer)	Nature of Amendment (List changes made to Policy)	Date Council Endorsed Amendment
Child Care Connections Team	Reviewed September 2005	6/2/2006
Child Care Connections Team and Staff/Carer/Family Policy Focus Meeting.	Reviewed June 2007 Sources updated in accordance with current information from Staying Healthy in Childcare and the Asthma Foundation.	20/8/2007
		Date Child Care Connections Team Endorsed Amendment
Child Care Connections Management	Reviewed March/April 2009 Changes reflect current practices as provided by the Asthma Foundation Update source	16/4/2009
Child Care Connections Management Team / Educators	Reviewed August 2012 Updated Source Updated terminology	August 2012
Child Care Connections team, management and families	Updated source, updated terminology, removal of FDC references. Updated Asthma First Aid poster. Included reference to National Quality Standards	August 2014
Child Care Connections team, management and families	Updated terminology. Included reference to parent permission to administer asthma reliever medication. Updated Department name	March 2016
Child Care Connections team, management and families	Updated terminology Updated Source	January 2018

CHILD CARE CONNECTIONS



BITING POLICY

File Ref: Child Care Connections Policies
 Author: Child Care Connections Management
 Department: Community and Customer Service – Child Care Connections

Background

It is recognised that biting is a natural part of child development, particularly for children under three years of age. Children have limited use of language and may resort to biting as a quick method of expressing feelings and wants. It may be a direct reaction to frustration, a means of persuading another child to give them something that they want, or simply a way of gaining an adult's attention. Biting may also be attributed to a child who is teething or has painful gums.

It is understood that biting can be very distressing for parents/guardians. Biting is an emotive issue but must be managed and responded to in the same way as other forms of inappropriate behaviour, efficiently and effectively, considering the needs of all involved, also taking into account the child's age and developmental level.

Policy Statement

There are no strategies to prevent young children biting in education and care settings. However, educators must use a range of effective strategies to manage biting incidents and to support children and families during this challenging phase of development.

Child Care Connections believes that:

1. Children have the right to be safe in an education and care service.
2. The environment and program provided must be child focused and age and stage appropriate in order to minimise inappropriate behaviour, including biting.
3. Parents/guardians have the right to know that in the event of a child being bitten that the bite will be treated with appropriate first aid.
4. The children and the families involved must be supported.
5. Every care must be taken to prevent and minimise any risk to a child in care.
6. The information regarding the child who has bitten must be kept confidential.
7. Support agencies must be utilised to assist where it has been identified a child may have developmental delay or diagnosed with a condition which may lead to aggressive behaviour such as biting.
8. Where possible no child will be excluded from care within Child Care Connections because of biting.

Source: Learning positive behaviour through educator-child relationships. Anne Stonehouse and Anne Kennedy. 2013

Education and Care Services National Regulations: Regulation 155 & 156

National Quality Area 5: Relationships with children

Review: 2 years

Cross Reference –Behaviour Guidance – Building Positive Relationships with Children Policy

Status: *CURRENT*

CHILD CARE CONNECTIONS



BITING PROCEDURE

Managing the child who has been bitten:

1. Assess the bite and apply the appropriate first aid.
2. The educators must contact parent/guardian and advise them of the bite, if determined necessary by the educators. If the child has sustained a puncture wound, wash the area thoroughly with soap and water and advise the parent to contact their doctor for medical advice. Cover the wound if skin has been broken
3. Comfort and support the child.

Managing the behaviour of the child who has bitten:

1. If the skin was broken the child who bit must have their mouth rinsed with water to prevent any possible cross infection. With very young children a wet washer may be used to wipe the child's lips, teeth, gums etc.
2. At all times the child's self-esteem and dignity must be preserved.
3. The educators must try to develop an awareness with the child that biting hurts. With encouragement children can gradually learn to express their feelings in appropriate ways.
4. The child's parent must be contacted prior to arrival or on arrival, depending on the severity of the bite and/or the circumstances. Every care must be taken to relay this information in a sensitive manner.
5. At all times every attempt must be made to ensure the name of the biter must remain confidential and must not be disclosed to another family.
6. The educators must try to establish why the biting has occurred, how often it happens, when it happens and what is happening in the environment at the time. The educators must observe and use a positive and consistent approach.
7. Should a child within the group continue to bite, the parents/guardians must be consulted and asked to help develop and implement strategies to assist the child.
8. Where necessary, outside agencies must be enlisted to support the child, the educators and the family to manage the behaviour.

POLICY DOCUMENT CONTROL SHEET

Policy Name: Biting

Department: Community and Customer Service - Child Care Connections

Date Policy Approved by Council: 2/1/2004

Reviewed by (Name and Job Title of officer)	Nature of Amendment (List changes made to Policy)	Date Council Endorsed Amendment
Child Care Connections Team	Reviewed June 2003	
Child Care Connections Team	Changes reflect new research findings, stakeholder views and input or issues in health and child development.	21/8/2006
		Date Child Care Connections Team Endorsed Amendment
Child Care Connections Team	Included further source Anne Stonehouse Fact Sheet on Biting. Included further step in policy statement in relation to environment and program provided.	30/11/2008
Child Care Connections Team	Reviewed July 2010 Sources updated	
Child Care Connections team, Management and families.	Updated source and terminology Removal of FDC references Included reference to National Quality Standard	April 2014
Child Care Connections team, Management and families.	Changes to wording Updated Department name	January 2016
Child Care Connections team, Management and families.	Updated terminology	January 2018

CHILD CARE CONNECTIONS



BUILDING POSITIVE RELATIONSHIPS AND INTERACTIONS WITH CHILDREN/BEHAVIOUR GUIDANCE POLICY

File Ref: Child Care Connections Policies
Author: Child Care Connections Management
Department: Community and Customer Service – Child Care Connections

Background

For young children, learning what is considered positive or desirable behaviour is complex. The aim is for children eventually to be able to guide their own behaviour without always relying on adult guidance or external rewards or punishment – in other words, to be motivated internally by care and respect for self, others and the physical world. This is a lifelong and challenging aim to achieve.

The approach in the Early Years Learning Framework and National Quality Standard is a positive one and focuses on building children's capacities and understanding as well as promoting positive behaviours.

The focus should be on building relationships as the foundation for teaching children in all areas of learning, including learning positive behaviours.

Learning positive behaviours begins at birth, when children begin to build relationships with other people.

Early relationships are a foundation for forming additional relationships, such as with educators. Children's desire to feel a strong sense of belonging in their family or early childhood setting underpins behaviours such as requesting attention, asserting oneself and showing empathy for other children.

Policy Statement

The National Quality Standard asks educators to establish a 'positive and calm atmosphere' (DEEWR, 2009b, p. 115) through warm and respectful interactions with each other and children. In this atmosphere, educators:

- Build a sense of security that frees children to explore, experiment and learn.
- Teach children skills for self-regulation
- Support children to build a positive sense of self
- Increase children's motivation to learn.

Child Care Connections must take reasonable steps to ensure the education and care service provides education and care to children in a way that –

- a. Encourages the children to express themselves and their opinion; and
- b. Allows the children to undertake experiences that develop self-reliance and self-esteem; and
- c. Maintains at all times the dignity and rights of each child; and
- d. Gives each child positive guidance and encouragement towards acceptable behaviour; and
- e. Has regard to the family and cultural values, age, and physical and intellectual development and abilities of each child being educated and cared for by the service.

Child Care Connections must take reasonable steps to ensure that the education and service provides the children being educated and cared for by the service with opportunities to interact and develop respectful and positive relationships with each other and with staff members of, and volunteers at, the service.

Child Care Connections must have regard to the size and the composition of the groups in which children are being educated and cared for by the service.

Source:

Source: 'Learning positive behaviour through educator-child relationships' - Research in Practise series. Anne Stonehouse and Anne Kennedy. Early Childhood Australia 2013

Source: 'Belonging, Being & Becoming – The Early Years Learning Framework for Australia'. DEEWR 2009

Education and Care Services National Regulations: Regulation 155 & 156

National Quality Area 5: Relationships with Children

Review: 2 Years

Status: **CURRENT**

CHILD CARE CONNECTIONS



BUILDING POSITIVE RELATIONSHIPS AND INTERACTIONS WITH CHILDREN/BEHAVIOUR GUIDANCE PROCEDURES

Behaviour guidance is part of our relationship and daily interactions with all children, including infants and toddlers. For example, you help children learn to guide their behaviour when you:

- Promote the children's sense of belonging, connectedness and wellbeing.
- Support them to feel secure and let them know that you are there to help
- Acknowledge when they have done something positive. For example, something kind or helpful.
- With an understanding of age and developmentally appropriate expectations educators must encourage the children to use language (verbal or non verbal) to express their needs, wants and feelings. Talk with the children about their emotions and responses to events with a view to supporting their understandings of emotional regulation and self-control.
- Help them deal with conflict constructively.
- Offer materials, equipment and experiences that engage their interests.
- Give them choices and let them make decisions.
- Respect their individual preferences for time away from the group, active play and quiet times.
- Help them to feel good about themselves and to appreciate, care for and respect others.
- Mediate and assist children to negotiate their rights in relation to the rights of others.

Nurturing children's sense of agency

Educators enacting the concept of agency encourage positive behaviour. Providing agency includes:

- Involving children in making rules, setting up and changing the physical environment and making substantial decisions about the curriculum.
- Reflecting on the guidelines that educators set and examining the reasons for them.
- Taking the time to let children do some things for themselves as they want to.
- Allowing children to make meaningful choices and decisions about their experiences.

Educators play an important role in assisting families to guide their children's behaviour in positive and effective ways by:

- Collaborating with families regarding their child's behaviour respectfully and supportively.
- If a child hurts another child as a result of inappropriate behaviour then families of both children must be informed. The identity of the child acting inappropriately must not be disclosed.

Procedures for extreme challenging behaviour

The quality and strength of an educator-child relationship is determined and tested when the educator is challenged by a child's behaviour. This is when the child has the greatest need for a caring educator who focuses on how to assist the child, rather than reacting to the sense of being challenged.

1. Children must be encouraged to solve their own disagreements. All attempts must be acknowledged. Children must be assured that it is the "behaviour" that is inappropriate.
2. When children have tried this and still require assistance, an educator must intervene to mediate between the parties' concerned providing support and guidance.
3. If the problem has been solved, the educator must provide positive feedback to all parties. Parents/guardians of the children must be informed about the steps leading up to and the way the situation was managed.
4. If a child is continuing to exhibit inappropriate behaviour, if appropriate the child must be reminded of the service limits and guidelines and the consequences of what their behaviour could be.
5. If the behaviour continues after this reminder, the child must be guided away from the immediate situation and given the choice to play somewhere else or to have some time to 'calm down'. An educator is to sit with, or near by the child, to support the child until they have re-gained their self-control and is ready to re-join the play. The educator must continue to provide support and assistance to the child if required. If the child becomes physical with other children or educators the child must be guided away from the situation whilst still being supported to regain self-control.
6. If the child continues to be physical during this time and hurts children, and educators or property, the other children in the room must be guided away from any danger. The child's parent/guardian must be phoned and details must be explained over the phone unless the parent wishes to discuss in person on collection. If appropriate, the parent/guardian must be provided the opportunity to speak to their child at this time.
7. The parent/guardian may be requested to collect the child.
8. If the behaviour is continuing on a regular basis, after observations have been documented and where applicable, incident forms completed, the parent/guardian may be requested to come to the service to discuss strategies to implement when the child is in care. If appropriate, the child may be involved in this process either at this first meeting or a subsequent meeting if required.
9. If after all these procedures have been implemented and there is no change in behaviour, it may be necessary for the child to be absent from the service for a period of time, to enable educators and parent/guardian time to work through the issue

together. The decision to take this step must be reached in consultation with all necessary parties

10. On return to the service the service educators, parent/guardian and child (if appropriate) are to have a discussion to ensure a settled return to the service. This is to include a written agreement signed by the parent/guardian, educators and the Nominated Supervisor.
11. At the end of a pre-determined time frame the agreement must be reviewed with the parent/guardian, key educators and the Nominated Supervisor. If agreed by all parties, the child can return to care as normal. If not agreed, a suitable course of action is to be determined and must involve the parent/guardian, and the Nominated Supervisor. Written documentation recording the process followed must be completed.

Educators must consistently work towards building a positive relationship with each child at the education and care setting.

POLICY DOCUMENT CONTROL SHEET

Policy Name: Building Positive Relationships and Interactions with Children/Behaviour Guidance

Department: Community and Customer Service - Child Care Connections

Date Policy Approved by Council: 2/1/2004

Reviewed by (Name and Job Title of officer)	Nature of Amendment (List changes made to Policy)	Date Council Endorsed Amendment
Child Care Connections Team	Reviewed June 2002	
Child Care Connections Team	Changes reflect new research findings, stakeholder views and input or issues in health and child development.	21/8/2006
		Date Child Care Connections Team Endorsed Amendment
Child Care Connections Team	Reviewed no changes necessary	30/11/2008
Child Care Connections Team	Terminology	February 2013
Child Care Connections Team, Management and families	Updated source, terminology & FDC removal Included references to National Quality Standard	May 2014
Child Care Connections Team, Management and families	Changes to wording Updated Department name	January 2016
Child Care Connections Team, Management and families	Updated terminology	January 2018

CHILD CARE CONNECTIONS



CLOTHING AND COMFORT POLICY

File Ref: Child Care Connections Policies
Author: Child Care Connections Management
Department: Community and Customer Service – Child Care Connections

Background

- Effective clothing and comfort strategies, including sun protection clothing, are important factors in ensuring a child feels secure and safe in an education and care environment.
- Child Care Connections educators endeavour to consult with families about their child's individual needs and must be aware of the different values and parenting beliefs, cultural or otherwise that are associated with clothing and footwear.
- Child Care Connections educators define 'comfort' as a state of reassurance, satisfaction, ease, and free from anxiety or pain.
- For the purpose of this policy, the term 'clothing and footwear' encompasses:
 - safe sleepwear;
 - sun protective clothing, including hats;
 - clothing for messy play, including art and craft smocks;
 - appropriate clothing for changing weather conditions and temperature of play environments;
 - clothing to facilitate self-help, including role play props and clothing; and safe footwear for play experiences such as climbing and running.
- It is understood by educators, children and families that there is a shared responsibility between the service and other stakeholders that the Clothing and Comfort Policy and procedures are accepted as a high priority.
- In meeting the service's duty of care, it is a requirement that management and educators implement and adhere to the service's Clothing and Comfort Policy

Policy Statement

"Children have a right to relax and play, and to join in a wide range of cultural, artistic and other recreational activities."

Child Care Connections educators must ensure that children in the service are dressed appropriately and comfortably for play and sleep. Consideration must be given to the child's age and stage of development, cultural and family practices. Information from

relevant authorities such as the Cancer Council and Red Nose will be sourced as a guide for educators and families, students and volunteers.

Cross Reference: Child Protection Policy, Sun Protection Policy, Rest Sleep including Cots/Beds, Mattresses and Bedding Policy, Workplace Health and Safety Policy, Excursion Policy

Source: Early Childhood Australia – Code of Ethics – retrieved December 2017 from www.earlychildhoodaustralia.org.au

Source: The Cancer Council Tasmania – retrieved December 2017 from www.cancertas.org.au/pages/sunsmart.php

Source: Tracy Byrne (podiatrist) - retrieved January 2016 from www.tracybyrne.co.uk

National Quality Area 2: Children's Health and Safety

Review 2 YEARS

Status: **CURRENT**

CHILD CARE CONNECTIONS



PROCEDURE

Clothing and footwear

Sleepwear:

- The educators must monitor the temperature of the rest environment and address children's clothing needs.
- Children must not go to bed, whether sleeping or resting, whilst wearing jumpers/tops/jackets with hoods and cords. These types of clothing increase the risk of choking and must be removed.
- Sleepwear should take into consideration the:
 - child's age;
 - safe resting practices established by the service;
 - temperature of the rest environment;
 - bed linen used for resting; and
 - individual needs.
- *Refer to Child Care Connections Rest and Sleep Policy*

Sun safe clothing, including hats

- All educators, students and volunteers must wear recommended 'sun safe' clothing and hats in accordance to Child Care Connections Sun Protection Policy.
- Spare 'sun safe' clothing must be available for children to wear if their own clothing is not 'sun safe'.

Clothing for messy play:

- Children should have at least one complete change of clothing, including adequate clothing for weather changes - e.g. T-Shirt, jumper, and alternative footwear.
- Smocks and protective items will be provided by the service for when children are participating in messy play.
- Spare clothing and footwear must be available if required.

Clothing for indoor/outdoor environment:

- Children must wear comfortable play clothes that follow the Cancer Council Tasmania guidelines in relation to 'sun safe' clothing
- For older toddlers and pre-schoolers, clothes that children can easily remove to assist with self-help skills when changing or toilet training are preferable.
- Warm winter coat and hat in winter



- Sun safe hat in summer (wide brim or legionnaire style) – *refer to Sun Protection policy*

Footwear:

- Whilst at the service the children can choose to wear shoes both indoors and outdoors whilst playing. Educators must support the child's decision and designated places must be available for children to put their shoes if they choose to take them off, e.g. lockers, 'shoe shelves' etc.
- It is recommended practice that young children be encouraged to walk barefoot as much as possible, as this develops the muscles and ligaments in the foot, increases the strength of the foot arch, improves proprioception and contributes to good posture. (www.tracybyrne.co.uk)
- Educators must respect a parent/guardian's request in relation to their child being able to play in bare feet indoors or outdoors.
- Open toed sandals, shoes, thongs and gumboots can restrict children's play and movement. It is recommended that the shoes the children wear to the service are covered in and have non-slip soles to assist children to play safely, particularly when climbing, riding bikes and running.
- It is preferable that infants and young children who are beginning to crawl and walk wear soft, flexible footwear.

Other items:

- An adequate supply of nappies is required for children who wear them. (suggest 6-8)
- Children who are toilet training will require extra pants and clothing including sock and shoes.
- Hooded jumpers and coats with cords can increase the possibility of choking and must be discouraged.
- Families must be advised about appropriate clothing choices for play and rest at enrolment and induction and educators must regularly remind families through a variety of ways including conversations, newsletters and posters.
- The educators, volunteers and students must be informed of clothing and comfort policy and procedure through induction procedures.
- Families and educators must regularly review Clothing and Comfort policy and source information from recognised authorities.
- Child Care Connections services must undertake an educative approach in relation to non-compliance of the Clothing and Comfort Policy and work in partnership with families, staff and educators.
- Spare clothes must be provided, where possible for children who attend care in clothes that do not comply with the policy (i.e. sleeveless tops). The reasons must be discussed with families.
- If all attempts to work with families fail, then the educators are to refer to the Nominated Supervisor.
- Educators are required to wear the Child Care Connections uniform at all times. There is an annual budgeted amount for each employee to purchase uniform items. This is paid for by the organisation.

- New casual and permanent employees will be advised by the Child Care Delivery Coordinator as to the purchasing of uniform items.
- Students and volunteers must be provided with information on what is appropriate clothing to wear while at the service.
- Students and volunteers must wear clothing that portrays a professional image when working in an educational and care setting.
- The Child Care Delivery Coordinator may discuss appropriate clothing options with students and volunteers should it be determined necessary.

Protective Behaviours and Practices

- All children have a right to privacy, however young children must be appropriately supervised when dressing and undressing depending upon age and ability, as they may require assistance. This will take place in a respectful manner and in a suitably designated area, i.e. bathroom or nappy change area.

POLICY DOCUMENT CONTROL SHEET

Policy Name: Clothing and Comfort Policy

Department: Community and Customer Service - Child Care Connections

Date Policy Approved by Council: 25/01/2016

Reviewed by (Name and Job Title of officer)	Nature of Amendment (List changes made to Policy)	Date Council Endorsed Amendment
Child Care Connections Team and Policy Focus Group	New Policy developed May 2007	20/8/2007
		Date Child Care Connections Team Endorsed Amendment
Child Care Connections Management	Reviewed March/April 2009 Changes include update source Changes to wording/terminology Reference to clothing that portrays a professional image and service coordinators discussing appropriate clothing with staff/carers students/volunteers should it be necessary	16/4/2009
Child Care Connections Team	Terminology	February 2013
Child Care Connection Team, Management and families	Updated sources and terminology Removal of FDC references Included reference to National Quality Standards	April 2014
Child Care Connection Team, Management and families	Changes to terminology. Included new source in relation to children being able to go barefoot indoors and outdoors. Updated Department name	January 2016
Child Care Connection Team, Management and families	Updated terminology	January 2018

CHILD CARE CONNECTIONS



COLLABORATIVE PARTNERSHIPS WITH FAMILIES AND COMMUNITIES POLICY

File Ref: Child Care Connections Policies
Author: Child Care Connections Management
Department: Community and Customer Service – Child Care Connections

Background

“Partnerships with families contribute to building strong, inclusive community within the service. Continuous, honest and open two-way communication with educators assists families to feel connected with their children’s experience in education and care and helps them develop trust and confidence in the service. Shared decision making with families supports consistency between children’s experiences at home and at the service, helping children to feel safe, secure and supported.” (Guide to the National Quality Standards (3) ACECQA 2011, p. 148)

Policy Statement

Family and community participation in the education and care service is an important part of making the service a true part of the community and creating an environment that is welcoming and inclusive and supports a sense of belonging for children, families, visitors and educators.

Child Care Connections welcomes and facilitates family and community participation and open communication in the service by encouraging families and the community to engage with the children’s education and care. Families are invited to attend Parent-Educator meetings, assist with projects and attend social gathering. Child Care Connections has an open door policy for families.

Child Care Connections values the input of families, educators and the wider community to help create a service that meets the needs of the children who attend the service.

Child Care Connections encourages open communication through the enrolment and orientation process, policy review, feedback forms, the daily program documentation, formal and informal meetings and conversations.

Child Care Connections must respect families’ interest levels, circumstances and differences. It is understood that not all families wish to be involved at the same level and in the same way yet all contributions are valued equally.

Source: Guide to the National Quality Standard (3) ACECQA (2011)

Raising Children Network – Involving parents in school and child care

Community Child Care Co-operative (NSW)

Education and Care Services National Regulations: Regulation: 75, 76, 80, 86, 99, 111, 157, 172, 185

National Quality Framework Quality Area 1: Educational Program and Practice

National Quality Framework Quality Area 2: Children's health and Safety

National Quality Framework Quality Area 6: Collaborative Partnerships with Families and Community

National Quality Framework Quality Area 7: Leadership and Management

Cross reference: Enrolment and Orientation Policy, Delivery and Collection of Children/Acceptance and Refusal of Authorisations Policy, Food and Nutrition Policy, Excursions Policy, Fundraising Policy

Review 2 years

Status: **CURRENT**

CHILD CARE CONNECTIONS



COLLABORATIVE PARTNERSHIPS WITH FAMILIES AND COMMUNITIES PROCEDURE

Child Care Connections must:

- Ensure that parent/legal guardians/authorised nominees may enter the education and care service at any time unless such entry would pose a risk to the safety of children/educators or breach court orders regarding access to children.
- Ensure that educators provide information to families regarding the content and operation of the educational program; in relation to their child and that a copy of the educational program is available for inspection at the service.
- Ensure that families have access to documents regarding the assessment of the child's developmental needs, interests, experiences and participation in the educational program and assessments of the child's progress against the outcomes of the educational program.
- Ensure that a weekly menu which accurately describes the food and beverages provided each day is displayed in a place accessible to families.
- Ensure that parents/legal guardians are notified of any incident, injury, trauma or illness that occurs for their child while at the education and care setting.
- Ensure that administrative spaces are adequate for the purpose of consulting with families and for conducting private conversations.
- Ensure that families are notified of changes to policies of fees and given adequate notice as per the Education and Care National Regulations.
- Ensure that a copy of the Education and Care Services National Regulations 2011 is available for families to access.
- Ensure that the enrolment and orientation process provides families with information about the philosophy, policies and practices of the education and care service prior to the children's first attendance at the service.
- Inform families about the processes for providing feedback and making complaints.

Educators must:

- Be available for families at pick up and drop off times to pass on important messages and information about their child's participation in the education and care program.
- Encourage families to be involved in the education and care service and the program through feedback, visiting the service, bringing in things from the home environment and giving feedback on children's emerging interests and needs.
- Promote continuous open and honest two way communication with families to assist them to feel connected with their children's experiences in the education and care service and to develop families' trust and confidence in the education and care service.
- Value parents/legal guardians as the first and most important educator in their child's life, seeking to share the families' understandings, knowledge and preferences for their

child and seeking to balance individual needs with practice in the education and care service.

- Recognise that because families, and parents in particular, are often busy with many competing priorities, they will need to consider a range of strategies to build and maintain relationships with each family.
- Make documentation available to families and prepare documentation in a way that is readily understandable to the parents/legal guardians of the child and to other educators.

Families must:

- Provide accurate information on enrolment and medical information forms during the enrolment process and notify educators when any information changes.
- Be invited to contribute to the quality improvement process within the education and care service.
- Be encouraged to attend children's excursions to help meet required ratios and to support their child's knowledge and engagement in their community.
- Be invited to family events that are held periodically to help families network and develop friendships in the local community. Educators will be encouraged to attend these events as well.

POLICY DOCUMENT CONTROL SHEET

Policy Name: Collaborative Partnerships with Families and Communities

Department: Community and Customer Service – Child Care Connections

Date Policy Approved by Council 2/1/2004

Reviewed by (Name and Job Title of officer)	Nature of Amendment (List changes made to Policy)	Date Council Endorsed Amendment
Child Care Connections Team	Reviewed June 2003	
Child Care Connections Team	Changes reflect new research findings, stakeholder views and input or issues in health and child development.	21/8/2006
		Date Child Care Connections Team Endorsed Amendment
Child Care Connections Team	Changes to source, Minor changes to wording to recognise the value from all forms of family participation.	30/11/2008
Child Care Connections Staff, families & carers	Reviewed 2010.	01/09/2010
Child Care Connections team, Management and families	Updated source & terminology Included references to National Quality Standards	June 2014
Child Care Connections team, Management and families	Updated terminology Updated Department name	March 2016
Child Care Connections team, Management and families	Updated terminology	January 2018

CHILD CARE CONNECTIONS



CULTURAL COMPETENCE / RESPECT FOR DIVERSITY POLICY

File Ref: Child Care Connections Policies
Author: Child Care connections Managements
Department: Community and Customer Service – Child Care Connections

Background

Cultural competence is a term and a set of concepts we need to return to and come to understand over time. Cultural competence is underpinned in the Principles outlined in the Early Years Learning Framework.

- Secure, respectful and reciprocal relationships.
- Partnerships
- High expectations and equity
- Respect for diversity

Becoming culturally competent is about building respectful relationships, it occurs over time, by our connections with others and through our daily experiences with children and families in local communities. It is as much about what we do every day, the little decisions we make and the words we use, as it is about what we think, what we understand and what we believe. Even though it is multilayered, interconnected and at times very complex, it is one of the most important ways we can ensure that Australia remains a place of peace with justice for its citizens.

Cultural competence is a term that is used widely to describe the ways in which individuals and services work more efficiently to support promote and embrace cultural difference.

Policy Statement

Child Care Connections believes becoming culturally competent is a clear expectation of the National Quality Framework and features strongly in the Early Years Learning Framework and the National Quality Standard. Educators must consider their practices with children and their families at all times irrespective of their location or the range of diversity present in the community they are part of.

The guiding principles of the National Quality Framework are explicit and require services to attend to diversity as a matter of principle, policy and action:

- The rights and best interests of each child are paramount.
- Children are successful, competent and capable learners.
- Equity, inclusion and diversity underpin the Framework.
- Australia's Aboriginal, Torres Strait Islander cultures are valued and respected.
- The role of parents and families is respected and supported.
- Best practice is expected in the provision of Child Care Connections education and care services.

The Early Years Learning Framework defines cultural competence as: the ability to understand, communicate with and effectively interact with people across cultures and explains that cultural competence is our capacity to:

- Be aware of our own world view
- Develop positive attitudes towards cultural differences
- Gain knowledge of different cultural practices and world views
- Develop skills for communication and interaction across cultures

Source: National Quality Standard - Professional Learning Program
Early Years Learning Framework
Guide to the National Quality Framework
ECA Reconciliation Action Plan (RAP)

Education and Care Services National Regulations: Schedule 1

National Quality Framework Quality Area 1: Educational Program and Practice
Quality Area 5: Relationships with Children
Quality Area 6: Collaborative Partnerships with Families and Communities

Review 2 Years

Status: NEW

CHILD CARE CONNECTIONS



PROCEDURE

In regards to Cultural Competence

- Child Care Connections educators are culturally competent and must respect cultural ways of knowing, seeing and living, they celebrate the benefits of diversity and have an ability to understand and honour difference.
- Educators demonstrate an ongoing commitment to developing their own cultural competence in a two way process with families and communities.
- Educators view culture and the context of family as central to children's sense of being and belonging, and to succeed in lifelong learning.
- Educators must seek to promote children's cultural competence.

In regards to Cultural Competence as it relates to Aboriginal and Torres Strait Islander Australians

- Educators honour the histories, cultures, languages, traditions, child rearing practices and life style choices of families; they value children's different capacities and abilities and respect differences in family's home lives.
- Educators recognise that diversity contributes to the richness of our society and provides a valid evidence base about the ways of knowing, including greater understanding of Aboriginal and Torres Strait Islander ways of knowing and being.
- Child Care Connections educators must ensure that specific practices are incorporated into the daily program to promote active participation of all children and to reflect the diversity within the community.

In regards to respect for Diversity

- Child Care Connections educators must promote the principles of fairness for all children and families who access the services, valuing them for their different, race, culture, lifestyle and child rearing practices, religious and linguistic backgrounds, levels of ability, gender, social and educational status.

- Child Care Connections must encourage and support families to share their expertise where diverse cultures and abilities are represented and allow the children to explore and question the culture they live in.

In general Child Care Connections educators must:

- Identify different resources, materials and external agencies to support guide and strengthen the provision of equitable and inclusive experiences.
- Educators must explore family life styles, festivities and celebrations.
- Each child has a 'Child Profile' form completed by families on enrolment or when transitioning to a new room, this enables educators to identify and meet the individual needs of children and families.
- All children have an equal opportunity to participate in all aspects of the program.
- All children are equally encouraged to develop to their full potential while respecting their sense of agency.
- Each child is valued and respected as an individual.
- All children have the right to protection from attitudes, values and behaviours that will limit their skills and potential.
- Educators must be alert to the use of language and provide opportunities for children to discuss culture and gender.

POLICY DOCUMENT CONTROL SHEET

Policy Name: Cultural Competence / Respect for Diversity

Department: Community and Customer Service - Child Care Connections

Reviewed by (Name and Job Title of officer)	Nature of Amendment (List changes made to Policy)	Date Council Endorsed Amendment
Child Care Connections Team, Management and Families	The Cultural Competence / Diversity Policy rescinds – Multicultural Policy, Diversity and Equity and Gender Equity. In response to the National Quality Standard and the National Quality Framework. The policy includes references to the Early Years Learning Framework. Reference to the National Law and Education and Care Services National Regulations.	July 2014
Child Care Connections Team, Management and Families	Updated terminology Updated Department name	March 2016
Child Care Connections Team, Management and Families	Updated terminology Updated Source	January 2018

CHILD CARE CONNECTIONS



NAPPY CHANGING AND TOILETING POLICY

File Ref: Child Care Connections Policies
Author: Child Care Connections Management
Department: Community and Customer Service – Child Care Connections

Background

The purpose of this policy is to ensure all educators practice safe, hygienic nappy changing and toileting procedures through the provision of clear and consistent expectations and processes.

At Child Care Connections every child must be treated with dignity and respect at all times.

Policy Statement

Child Care Connections educators must cater for individual children's nappy changing and toileting needs in a positive, inclusive and age appropriate manner that encourages the child's emerging autonomy and agency whilst protecting their privacy.

By following policy and procedures, steps are taken to control the spread of infectious diseases in accordance to recognised guidelines.

Educators understand that nappy changing and toileting times are opportunities for;

- Social interaction with each child, and
- Developing positive learning outcomes for each child.

Source: 'Toileting and Nappy Changing Principles and Practices' – ACECQA National Quality

Standard Information Sheet October 2016 – ACECQA website

'Staying Healthy – preventing infectious diseases in early childhood education and care services. 5th Edition'

Education and Care Services National Regulations: Regulation: 88, 93, 109,112.

National Quality Framework Quality Area 1: Educational Program and Practice

National Quality Framework Quality Area 2: Children's health and Safety

National Quality Framework Quality Area 5: Relationships with Children

Cross reference: Administration of Medication Policy, Infectious Diseases Policy

Review 2 years

Status: CURRENT

CHILD CARE CONNECTIONS



NAPPY CHANGING AND TOILETING PROCEDURE

Families must:

- Provide enough nappies and spare changes of clothes each day that their child attends the service.
- Advise the educators if their child has any health concerns (i.e. nappy rash) that may require creams or lotions. These should be clearly named and stored on the shelf above the nappy change bench.
Any over-the-counter creams or lotions other than standard nappy rash treatment (e.g. Sudocream) must be in accordance with Child Care Connections Administration of Medication policy.
- Consult with educators when they decide to start toilet training with their child to ensure consistent approach of expectations and toileting routines.

Educators must:

- Store each child's nappies in the nappy change area or in the children's bathroom. Nappies must be clearly named, either written directly on the nappy or on labelled shelves or cupboards.
- Follow the nappy changing and toileting procedures when changing nappies or taking a child to the toilet. These are displayed in each nappy change area and bathrooms in the services.
- Ensure that nappy changing occurs in the nappy change area or in the children's bathroom as a respect of the child's privacy and hygiene requirements.
- Ensure that new educators are trained and supervised by team leaders to ensure they understand and follow the correct procedures for nappy changing and toileting.
- Work placement students must be supervised when changing a child's nappy or assisting a child in the bathroom.
- Develop a schedule within each room to ensure that children in nappies, or those children who are toilet training, are regularly checked throughout the day and changed as required.
- Ensure that there are effective communication strategies in relation to each child's nappy or toileting requirements as well as recording of nappy change and toileting information for educators and families.
- Ensure that casual educators are aware of which children are in nappies and which children may need reminders and/or support with toileting. They must follow the room and the family's expectations and procedures.
- Keep records of nappy changes and toileting. Each room must have a nappy change/toileting chart where each child's nappy change or toileting attempt is clearly recorded. These records must be kept for no less than a 4 week period.
- Not leave children unattended on the nappy change bench at any time. Prior to commencing a child's nappy the educator must have all the required items at hand e.g. nappy, gloves, wipes, spare clothes etc.
- Respect a child's right to privacy; however educators must supervise children in the bathroom to ensure the correct hygiene practices are occurring – wiping bottoms properly, flushing toilets, dressing/undressing, washing hands.

Toileting routines must be used as learning opportunities as well as allowing each child to develop autonomy and agency.

- Ensure gates/doors to nappy change areas or bathrooms remain closed when the children are not using the area to prevent risk to children's health and safety.
- Nappy change and toileting routines are individualised and interactive. Educators must talk to the children about what they are doing and assist the children to understand what is happening by describing the steps in the process in nappy changing and toileting.
Nappy change and toileting language must be appropriate and correct terminology must be used.
- A child's home toileting language and/or practices must be respected and incorporated into the child's individual routine if appropriate.
- Inform each child in advance that their nappy will be changed "next" or "in a minute"
When the educator returns say "It's your turn now – let's go and change your nappy/go to the toilet." If the child responds positively, proceed to the nappy change area/bathroom, if the child is reluctant then return to him/her at a later stage.
- Adhere to safe manual handling and lifting techniques at all times. Children who are able to walk up and down the stairs of the nappy change bench must be encouraged to do so.
- Commence a child's toilet training in conjunction with the parent/legal guardian's requests and the child's individual stage of development.
- Recognise that toileting 'accidents' are common occurrences in early education and care settings and are part of a child's toilet training to develop bladder and bowel control. Under no circumstances is a child to be scolded or shamed. At all times children must be treated with respect and dignity.
- Educators must support and listen to parent/legal guardian's concerns about toileting, offering information or referral services if required.
- Wet or soiled clothing/cloth nappies must be double bagged. The clothing/nappy must be sprayed and rinsed in the 'slop hopper'. PPE must be worn – gloves, apron, face mask
(At Benjafield this is located in the laundry. At Berriedale there is one located in the Rainbow Room bathroom and one in Cuddlepie bathroom)
Once the clothing/nappy is rinsed it must be returned to the double bag and the child's name must be written on the outside. The bag must then be placed into the 'Clothing to Collect' bucket in the laundry for the parent/legal guardian to collect at the end of the day.
A 'Clothing to Collect' tag must be attached to the child's bag.

Cleaning of the nappy change area and bathrooms:

- Educators must ensure that the nappy change areas and bathrooms are cleaned daily, and as required throughout the day.
- Each room is to designate an educator who is responsible for cleaning these areas each day at a suitable time in the daily routine.
- The educator who is responsible must adhere to the cleaning procedures for these areas. On completion the cleaning schedule must be initialled.



Nappy Changing and Toileting Procedure

Children who are not walking can be lifted up on to the nappy change bench using safe lifting and carrying techniques. **Avoid lifting children where possible.**

Other children need to use the steps under the nappy bench to get up to the change mat. If there is urine or faeces on the child's body or clothes, hold the child away from your body if you need to carry them. Disposable aprons are available to protect your clothing.

NEVER LEAVE A CHILD UNATTENDED ON THE CHANGE MAT

Nappy changing procedure:

Remember to check that the supplies you need are ready before placing the child on the change mat;
wet wipes, gloves, plastic bags, paper for change mat, child's nappy etc.

Preparation	Changing	Cleaning
1: Wash your hands (either with soap and warm water or alcohol-based hand wash)	4: Remove the child's nappy and put it in a hands-free lidded bin. (if soiled place in a plastic bag before placing it in the bin) Double bag any wet/soiled clothing so it can be rinsed after the nappy change.	13: Clean the change mat and any other area the child may have touched, with detergent and warm water, using a Chux washer, after each nappy change. Wear gloves when cleaning the change mat.
2: Place paper on the change mat.	5: Clean the child's bottom with wet wipes (wiping front to back to prevent possible infection)	14: Wash your hands (either with soap and warm water or alcohol-based hand wash)
3: Put disposable gloves on both hands.	6: Remove the paper from under the child and put it in the hands-free lidded bin.	15: Take any wet or soiled clothing/cloth nappies to the 'slop hopper', spray rinse then double bag and place in the designated 'Clothing to Collect' bucket until the parents can take them home. Make sure child's name is clearly written on the bag and a 'Clothing to Collect' sign is placed on the child's bag. When rinsing soiled clothing PPE is required to be worn • Disposable gloves & apron, • Face mask
	7: Remove your gloves and put them in the bin.	
	8: If nappy rash cream is required sanitise your hands before putting on clean gloves. Use a white Wypall cloth wipe to apply the cream to child's bottom. (If more cream is required a new cloth wipe must be used) Remove gloves.	
	9: Place a clean nappy on the child	
	10: Dress the child	
	11: Assist the child down from the nappy change area, using the steps or safe lifting techniques.	
	12: Wash your hands and the child's hands (either with wet wipes, soap and warm water or alcohol-based hand wash)	16: Wash your hands (either with soap and warm water or alcohol-based hand wash) 17: Write on the nappy/toilet chart.



Cleaning the Nappy Change Bench

How to keep the nappy change area clean:

- After each nappy change, middle of the day and at the end of each day, wash the surface well with hot, soapy water, using a Chux washer. Put the washer in the bin.
- If faeces or urine spill onto the change surface, use paper towel to soak up excess fluid or to pick up faeces. Double bag paper towel. Using the 'Body Fluids' cleaning bucket clean the surfaces with hot, soapy water and leave it to dry. You must wear gloves and a disposable apron when cleaning up body fluids. Remove gloves and apron after cleaning and place in the bag with paper towel and Chux washers. Place in the rubbish bin outside the laundry.
- If the change mat or nappy change surface has been contaminated with blood or body fluids from someone with a known or suspected infectious disease then clean using a Chux washer and hot, soapy water, allow to air dry. Once dry sanitise using disinfectant and paper towel. Remove the contaminated change mat from nappy change area and replace with a clean change mat. Take the contaminated change mat outside on the clothes line to air dry in direct sunlight.
- Halfway through the day, remove the morning change mats, clean them with hot, soapy water and leave them to dry, preferably outside on the clothes line in the sun. Use fresh change mats for the afternoon. Also clean nappy change bench and sink area, nappy bin, steps and nappy change area gates. (see 'Nappy Change Area' procedure)
- Always wash your hands after cleaning the nappy change area.



Toilet Training procedure:

Remember to check that the supplies you need are ready; wet wipes, gloves, plastic bags, clean clothes, child's nappy, and potty, if required.

CHILDREN SHOULD BE SUPERVISED AT ALL TIMES IN THE BATHROOM

Preparation:	Changing:	Cleaning:
1: Wash your hands	3: Remove the child's	11: If urine or faeces are

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(either with soap and warm water or alcohol-based hand wash)	nappy and put it in a plastic bag/nappy bin. (if soiled place in a 2 nd plastic bag) Double bag any wet/soiled clothing so it can be rinsed after the nappy change.	on the toilet seat clean with detergent and warm water, using a Chux washer. Wear gloves when using chemicals.
2: Put disposable gloves on both hands	4: Assist the child onto the toilet or potty. Assist to wipe the child's bottom with toilet paper or a wet wipe (wiping front to back to prevent possible infection) Encourage older children to wipe themselves. Empty the contents of the potty down the toilet. (Potty must be washed with detergent and warm water immediately after use in the laundry and left to air dry.)	12: Wash your hands (either with soap and warm water or alcohol-based hand wash)
	5: Remove your gloves and place them in the bin	13: Any wet or soiled clothing must be rinsed in the 'slop hopper'. Double bag clothing and place in the designated 'Clothing to Collect' bucket until the parents can take them home. Make sure child's name is clearly written on the bag and a 'Clothing to Collect' sign is placed on the child's bag. When rinsing wet/soiled clothing PPE is required to be worn • Disposable gloves & apron, • Face mask
	6: Assist child off the toilet or potty, then flush the toilet. Encourage older children to do this for themselves.	
	7: If nappy rash cream is required sanitise your hands before putting on clean gloves. Use a white Wypall cloth wipe to apply the cream to child's bottom. (If more cream is required a new cloth wipe must be used) Remove gloves.	
	8: Place a clean nappy on the child	
	9: Support the child to get dressed.	
	10: Wash your hands and the child's hands (either with soap and warm water or alcohol-based hand wash)	14: Wash your hands (either with soap and warm water or alcohol-based hand wash) 15: Write on the nappy/toilet chart

How to keep the toilet area clean:

- You must wear gloves and a disposable apron when cleaning up body fluids.
- When cleaning up body fluids soak up excess fluids with paper towel and double bag. If faeces or urine spill onto the toilet seat or floor, use paper towel to soak up excess fluid or to pick up faeces. Double bag the paper towel and discard in the rubbish bin outside the laundry.

- Using the 'Body Fluids' cleaning bucket clean the surfaces with a Chux washer and hot, soapy water, leave it to air dry. You must wear gloves and a disposable apron. Remove gloves and apron after cleaning and place in the bag with paper towel and Chux washers. Place in the rubbish bin outside the laundry. Wash your hands.
- If the surface has been contaminated with blood or body fluids from someone with a known or suspected infectious disease then use a Chux washer with hot, soapy water followed by disinfectant.
- Clean up any toilet paper, paper towel etc. on the floor as required.
- Clean up any water spills on the floor and around sink area as required.
- Halfway through the day, the bathroom must be cleaned (see 'Bathroom Cleaning' procedure)
- Always wash your hands after cleaning the toilet area.

POLICY DOCUMENT CONTROL SHEET

Policy Name: Nappy Changing and Toileting Policy

Department: Community and Customer Service – Child Care Connections

Reviewed by (Name and Job Title of officer)	Nature of Amendment (List changes made to Policy)	Date Council Endorsed Amendment
Child Care Connection Team, Management and families	New policy – previously a service Procedure Only	December 2017



Title	Fraud Control and Corruption Prevention Policy
Council Resolution	Item XX (DD MMM YYYY) as per Council Minutes
Responsible Directorate	Corporate Governance
Due for Review	Four (4) years from Council Resolution Date
Strategic Plan Reference	<u>Leading our Community</u> 4.1 Govern in the best interests of our community 4.1.1 Manage Council for maximum efficiency, accountability and transparency.
ECM	Council policy

PURPOSE

This policy provides direction on the Council's governing culture, principles, guidelines, and responsibilities to promote continual fraud and corruption awareness, and for the investigation of fraud and corruption incidents within Council.

SCOPE

This policy applies to:

- Aldermen
- all Council employees, including General Manager, Directors and Managers, temporary employees, and volunteers, and
- any external party involved in providing services to any part of the Council, e.g., contractors, consultants, outsourced service providers and suppliers.

STATUTORY REQUIREMENTS

Acts	<i>Local Government Act 1993 – Part 2 Div 3A, Part 5, Part 8 Div 4,</i> <i>Financial Management and Audit Act 1990</i> <i>Integrity Commission Act 2009</i> <i>Public Interest Disclosure Act 2002</i>
Regulations	<i>Financial Management and Audit Regulations 2013</i> <i>Public Interest Disclosures Regulations 2013</i>
Australian/International Standards	AS 8001:2008 Fraud and Corruption Control

DEFINITIONS

Corruption	includes, but is not limited to, dishonest activity in which a person acts contrary to the interest of the organisation in order to achieve some gain or advantage, or to avoid loss or disadvantage, for the employee or for another person or entity. Corruption can include, but is not limited to, behaviour such as fraud, deception, misuse of a position or authority. (adapted from AS 8001-2008 - <i>Fraud and Corruption Control</i>)
Fraud	dishonestly obtaining a benefit or causing a loss by deception or other means. This



	includes, but is not limited to: • any dishonest, corrupt or fraudulent act • misappropriation of funds, supplies, or other assets • impropriety in the handling or reporting of money or financial transactions • profiteering as a result of insider knowledge of the Council's activities • disclosing confidential and proprietary information to outside parties • falsification of expense claims • falsification of qualifications or licences • accepting or seeking anything of a material value from contractors, vendors, or persons providing services/materials to the Council, or • any computer related activity involving the alteration, destruction, forgery or manipulation of data for fraudulent purposes; destruction, removal, or inappropriate use of records, furniture, fixtures, and equipment (adapted from the <i>Commonwealth Fraud Control Guidelines</i>)
Employee	All employees of Council, whether employed on a permanent, temporary, or part-time basis and includes volunteers and employees of businesses and entities contracted to provide services to, or on behalf of Council.
Fraud and Corruption Control	An integrated set of activities to prevent, detect, investigate and respond to fraud and corruption, and to the supporting processes such as staff training and the prosecution and penalisation of offenders.
Fraud and Corruption Control Plan	A document outlining Council's anti-fraud and anti-corruption strategies. (adapted from <i>AS 8001-2008, Fraud and Corruption Control</i>)
Internal Control	An existing process, policy, device, practice or other action that acts to minimise negative risks or enhance positive opportunities. (adapted from <i>AS 8001-2008, Fraud and Corruption Control</i>)
Material Loss	For a Council asset, means: • for money, a loss of more than \$500; or • for any other asset, a loss valued by the General Manager at more than \$1,000.
Misconduct or Corrupt Conduct	(a) conduct, or an attempt to engage in conduct, of or by an employee that is or involves – (i) a breach of a code of conduct applicable to the employee or (ii) the performance of the employee's functions or the exercise of the public officer's powers, in a way that is dishonest or improper or (iii) a misuse of information or material acquired in or in connection with the performance of the employee's functions or exercise of the employee's powers or (iv) a misuse of public resources in connection with the performance of the employee's functions or the exercise of the employee's powers, or (b) conduct, or an attempt to engage in conduct, of or by any employee that adversely affects, or could adversely affect, directly or indirectly, the honest



	and proper performance of functions or exercise of powers of another employee's –but does not include conduct, or an attempt to engage in conduct, by an employee in connection with a proceeding in Parliament. (adapted from <i>Integrity Commission Act 2009</i>)
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POLICY STATEMENT

Introduction

This policy outlines Council's strategies and activities to increase the awareness of, and mitigate the occurrence of Fraud and Corrupt Conduct.

Fraud and corruption can have a significant operational, financial, social and reputational impact on Council and the Glenorchy community.

Fraud and corruption can:

- disrupt business continuity
- waste resources, including management time
- reduce the quality and effectiveness of critical services
- threaten the financial stability of Council, and
- damage Council's public image and reputation.

Examples of fraud and corruption include (but are not limited to):

- hacking into, or interfering with the Council's computer system
- using the Council's computer systems to gain access to other systems without authority
- using forged or falsified documents to effect a transaction
- charging the Council for goods or services that are incomplete or not delivered
- theft, or improper use or disposal of assets
- receiving money, gifts or benefits in return for purchasing goods or services from certain suppliers
- receiving gifts/benefits for preferential outcomes in relation to awarding of contracts, and
- theft of revenue that is due to the Council and/or associated stakeholders.

The risk of fraud and corruption can come from inside the Council (employees, consultants, contractors) or from external parties (i.e., clients, consultants, service providers or members of the public). Council must be alert to the risk of fraud through collusion between inside and external parties (e.g., bribery, corruption and abuse of office).

Objectives

This policy and its associated controls provide the basis for Council to protect public money and property, effectively deliver services to the community, and to protect the integrity, and the good reputation and effectiveness of the Council and its staff. This includes reducing the risk of fraud occurring, discovering and investigating fraud when it occurs, and taking corrective action appropriate to the degree of fraudulent behaviour.

The objectives of this policy are to:



- support high standards of professional conduct and honest and ethical behaviour within Council
- minimise the risk of fraudulent practices or Corrupt Conduct occurring within and being perpetrated against Council
- protect Council's assets, public image and reputation
- ensure an ethical culture within the Organisation
- ensure the General Manager and Director's commitment to identify Fraud risk exposures and establish procedures for prevention, detection and response, and
- ensure Aldermen and Employees are aware of their responsibilities in relation to ethical conduct.

Roles and Responsibilities

Fundamental to sound fraud management is an overall governance structure that appropriately reflects the operating environment of Council. Accountabilities and responsibilities for fraud management are summarised as follows:

Governance Structure	Responsibilities
Aldermen	• ensuring that Council assets are safeguarded from fraud and corruption and that Council's powers, duties and responsibilities are exercised in an open, fair and transparent manner • endorsing and supporting all policies and measures taken to prevent, deter, detect and resolve instances, or suspected instances, of fraud or corruption throughout the Council
General Manager and Directors	• reviewing policies and procedures to prevent (controlling or mitigating the risk of) and investigate fraud and/or corruption • reviewing all instances of reported fraud including the appropriateness and adequacy of actions resulting from investigation and changes to prevent future recurrence
Audit Panel	• reviewing Council's Risk Management Policy, Directive and associated procedures for the effective identification and management of financial and business risks, including fraud risks • overseeing the process of developing and implementing the Fraud and Corruption Control Plan, to provide assurance that Council has appropriate processes and systems in place to prevent, detect and effectively respond to fraud-related information
Manager	• understanding and supporting the Fraud and Corruption Control Plan and providing staff under their management with the necessary information to implement this Plan • identifying and understanding the risks of fraud within their departments • implementing and maintaining appropriate internal controls to reduce risks to an acceptable level • promoting the importance of ethical conduct and compliance with the Code of Conduct and related policy and procedures, setting and enforcing acceptable standards of behaviours • receiving and passing on reports of suspected fraud in accordance with Council's Fraud and Corruption Control Plan • formally considering ongoing commercial relationships with contractors or third parties when it is deemed that there is a heightened



Governance Structure	Responsibilities
	risk of fraud in continuing to deal with that party
Employees/Contractors/Volunteers	• be vigilant in their work to prevent and detect fraud • report any suspected fraud of which they become aware or suspect on reasonable grounds • assist in any investigations of fraud as required • refrain from any activity that is, or could be perceived to be victimisation or harassment of a person who makes disclosure of reportable conduct
Internal Auditor	• undertaking an independent and objective appraisal, and providing their recommendations to management about a full range of business functions and operations undertaken by Council, including the adequacy of Council's fraud prevention and corruption strategies
External Auditor	• ensuring that the risk of fraud is considered as part of the annual auditing of the Council's financial statements in accordance with Auditing Standard ASA 240 – The Auditor's Responsibilities Relating to Fraud in an Audit of a Financial Report

Council's Fraud and Corruption Control Policy Statements

- Council has zero tolerance for any form of Fraud, Misconduct or Corrupt Conduct in any of its activities.
- Council is committed to maintaining a culture of honesty and integrity, and fostering an ethical environment and culture.
- Council will ensure that effective internal control mechanisms are in place to mitigate the impacts of fraudulent and corrupt conduct by reducing the incidences of, improving the detection or and reducing losses and damages which may occur to Council as a result of Fraud or Corrupt Conduct.
- Everyone in Council has a role to play in identifying potential fraud and corruption and initiating appropriate responses.
- Council expects everyone in the organisation to assist in preventing fraud and corruption by:
 - understanding the responsibilities of their position
 - familiarising themselves with, and adhering to, Council's policies, procedures and directives
 - understanding what behaviour constitutes fraudulent and/or corrupt conduct
 - maintaining an awareness of Council strategies implemented to minimise fraud and corruption
 - being continuously vigilant to the potential for fraud or corruption to occur, and
 - reporting suspected or actual occurrences of fraud or corruption in accordance with the Framework.
- Council's Fraud Control and Corruption Prevention Policy is part of Council's overarching Fraud Control and Corruption Prevention Framework for preventing, detecting, and responding to fraud and corruption.
- Council will investigate a material loss that has occurred or is suspected to have occurred, as well as any suspected instance of fraud or corruption.
- In the event that an investigation indicates that a criminal offence may have been committed, any information obtained by Council will be referred to the Police.



Fraud Control and Corruption Prevention Policy

- False allegations of suspected fraud or corrupt conduct with the intent to disrupt or cause harm to another may be subject to disciplinary action in accordance with the provisions in Council's Code of Conduct.
- If an investigation report concludes there has been a breach of the Council's Code of Conduct, or any other applicable procedure, action will be taken in line with the Code. Any situation where it has been established that an employee has committed a fraudulent or corrupt act will result in the immediate termination of employment.
- Council will adopt a Fraud Control and Corruption Prevention Plan.

DRAFT



Receipt of Gifts and Benefits Policy

Title	Receipt of Gifts and Benefits Policy
Council Resolution	Item XX (DD MMM YYYY) as per Council Minutes
Responsible Directorate	Corporate Governance
Due for Review	Four (4) years from Council resolution date
Strategic Plan Reference	Leading our Community 4.1 Govern in the best interests of our community 4.1.1 Manage Council for maximum efficiency, accountability and transparency 4.1.3 Maximise regulatory compliance in Council and the community through our systems and processes.
ECM	Council Policy

PURPOSE

The purpose of this policy is to:

- (a) outline of the obligations and responsibilities of Council officials when dealing with offers of gifts or benefits, and
- (b) assist Council officials to make appropriate judgements in relation to gifts and benefits.

The policy intends to prevent Council officials from becoming vulnerable to undue influence and to minimise any threats to the community's confidence in the fairness, impartiality and integrity of the Council.

SCOPE

The policy applies to all Council officials.

STATUTORY REQUIREMENTS

Acts	<i>Local Government Act 1993</i>
Regulations	<i>Local Government (General) Regulations 2015</i>
Australian/International Standards	Not applicable.

DEFINITIONS

Benefit	Non-tangible item which is believed to be of value to the receiver (e.g. preferential treatment such as queue jumping, access to confidential information and hospitality)
Bribe	Gift or benefit given specifically for the purpose of winning favours or to influence the decision or behaviour of a Council official to benefit someone or something.
Cash	Money or vouchers which are readily convertible into money
Conflict of Interest	Any situation in which an individual or corporation (either private or



	government) is in a position to exploit a professional or official capacity in some way for their personal or corporate benefit.
Council official	Includes the Mayor, Deputy Mayor, Aldermen, council staff (including staff engaged through an employment agency), council committee members, Audit Panel members, volunteers and contractors.
Gift	Usually a tangible item provided at no charge. Gifts may include, but are not limited to, items such as Cash, property (real or otherwise), goods and services made available at heavily discounted prices, alcohol, clothes, products, invitations to social functions and tickets to sporting, theatrical or music events
Hospitality	The provision of accommodation, meals, refreshments or other forms of entertainment, whether free or subsidised. To avoid doubt, 'Hospitality' does not include a Council officer's attendance at functions or events which is required as part of the performance their duties or which is recognised part of the Council officer's normal work functions, duties, and responsibilities.
Nominal value	A monetary limit of the value of gifts or benefits that may be accepted (i.e. total value of gift or benefit received). A gift or benefit is of nominal value when it has no significant or lasting value. The current nominal value limit is \$50.00
Non-token	Items that are of a more individual nature, with a value above the nominal value limit. Items may include, free or discounted travel, the use of holiday homes, corporate hospitality at major sporting events, free training excursions, tickets to major events and access to confidential information.
Significant value	A value above the specified nominal value limit
Token	Usually mass produced items such as pens, calendars, ties or items with a corporate logo on them, that are offered in business situations to individuals.

POLICY STATEMENT

General

In certain circumstances, Council officials may be offered gifts or benefits. In some limited circumstances, gifts and benefits may be accepted. Token gifts of nominal value may generally be received. Non-token gifts of significant value should not generally be accepted.

When deciding whether to accept or decline a gift or benefit, consideration should be given to both the value of the gift or benefit and also the intent of the gift or benefit being offered.

Council officials who receive more than three (3) nominal gifts of a token nature (for less than the nominal value) from the same person or organisation in a six-month period must disclose the gifts in Council's gifts and benefits register as a 'cumulative gift'.

Otherwise, Council officials should, at all times and in all circumstances:

- refuse the offer of Cash, for any value



- be seen to be fair, impartial and unbiased
- actively discourage offers of gifts and benefits and never solicit gifts or benefits
- not take advantage of their official position to secure an unreasonable personal profit or advantage
- be aware of the wider situation in which an offer of a gift or benefit is being made. For example, Council officials should consider whether the donor is in or may be seeking to enter into a business relationship with Council or may be applying to Council in relation to the exercise of Councils functions, and
- avoid situations that suggest that a person or body, through the provision of gifts or benefits is attempting to secure favourable treatment from Council.

People undertaking or carrying on business with the Council should be encouraged to understand that they do not need to give gifts or benefits to Council officials in order to obtain a high quality service.

Acceptable gifts and benefits

Gifts or benefits of a token nature at or below nominal value may generally be accepted by Council officials without disclosing details to a Manager, General Manager or Mayor and without recording the details of the gift or benefit on the Gifts and Benefits Declaration Form or Register (attachment 1 and 2).

Council officials who receive more than the specified number of token gifts of a nominal value from the same person or organisation, in a specified period must disclose that fact in the gifts and benefits register.

If a Council official has any doubt if a gift or benefit is token or of nominal value they should discuss it with a Manager, General Manager or Mayor.

Token gifts and benefits

Gifts or benefits of a token nature do not create the appearance of a conflict of interest. Token gifts or benefits include:

- items with a corporate logo, ties, scarves, coasters, diaries, chocolates, flowers etc
- books given to individuals at functions, public occasions or in recognition of exceptional work done
- gifts of single bottles of reasonably priced alcohol given to individuals at functions, public occasions or in recognition of exceptional work done
- free or subsidised meals of a modest nature and/or beverages provided infrequently (and or reciprocally) that have been arranged for or in connection with the discussion of official business
- free meals of a modest nature and or beverages provided to Council officials who formally represent Council at work related events such as training, education sessions and workshops, and
- invitations to approved social functions organised by groups such as Council committees and community organisations.

Non acceptable gifts and benefits

Accepting Cash is prohibited.

Council officials should generally not accept gifts or benefits that appear to be non-token in nature or of more than the nominal value.



If a gift or benefit of a non-token nature or above nominal value is offered and cannot reasonably be refused (e.g. because it would cause embarrassment), the offer and receipt of the gift or benefit must be declared using Council's approved Gifts and Benefits Declaration Form ([Attachment 1](#)) and details must be recorded within the Gifts and Benefits Register ([Attachment 2](#)).

If a Council official refuses a gift or benefit because they believe that the gift was a deliberate attempt to receive special treatment or otherwise secure some form of advantage, the incident must be reported to their Manager, Director, the General Manager or the Mayor, as appropriate.

Non-token gifts and benefits

Gifts or benefits of a non-token nature include, but are not limited to:

- free or discounted travel
- use of holiday homes
- tickets to major sporting events
- corporate hospitality at a corporate facility or sporting venue
- free training excursions
- access to confidential information
- discounted products for personal use, and
- goods and services provided via a determination in a will

A non-token gift may be given by an authority or organisation to Council which is considered to be for Council, not a particular individual. Such gifts may be given as an expression of gratitude, without obligation on the receiver to respond. The gratitude usually extends to the work of several people in the Council and for that reason may be able to be accepted by Council (as an organisation).

Actual or perceived effect of the gift or benefit

Gifts offered to Council official or officials:

- in appreciation of performing specific tasks or for exemplary performance of duties, or
- who speak at official functions,

may be considered as an example of gifts of gratitude.

Accepting gifts where a reasonable person could consider that there may be influence applied as a result of accepting the gift or benefit is prohibited.

Where it is suspected that a gift or benefit has been offered for the purpose of influencing the behaviour of someone acting in their official capacity, the gift or benefit must be declined and the matter should be reported immediately to the Council official's Manager or Director, the General Manager or the Mayor.

Bribes

Council officials must not, under any circumstances, offer or seek a bribe.

A Council official who is offered a bribe should refuse it and report the incident as soon as possible to their Manager or Director, the General Manager or the Mayor.



Council will take steps to report the matter to Police immediately.

Receiving a bribe is an offence under State and Commonwealth legislation.

Family members

Council officials must take all reasonable steps to ensure that immediate family members do not receive gifts or benefits of a non-token nature or gifts or benefits above the nominal value which are connected with the Council official's role.

Immediate family members include parents, spouses, children and siblings.

Requirement to make declaration and update register

When a Council official receives:

1. more than three (3) token gifts or benefits close to the nominal value limit from the same person or organisation, or
2. a non-token gift or benefit in circumstances where it cannot reasonably be refused or returned.

The receipt of the gift or benefit should be disclosed and the details recorded on a Gifts and Benefits Declaration Form and in the Gifts and Benefits Register.

Reporting and availability of register

The Gifts and Benefits Register is to be made available for public inspection at Council's Customer Service counter on request.

The General Manager will periodically report on the content of the Gifts and Benefits Register to Council.

Disposal of gifts

A Manager, the General Manager or the Mayor will determine whether a gift or benefit of a non-token nature should be disposed.

There are options for the disposal of gifts that have been accepted because they could not reasonably be refused, but should not be retained by an individual. Examples include (but are not limited to):

- gifts accepted for protocol or other reasons, where returning it would be inappropriate
- anonymous gifts (received through the mail or left without a return address)
- a gift received in a public forum where attempts to refuse or return it would cause significant embarrassment
- a gift or benefit of significant value provided to a Council official through a will, where the relationship between the giver and recipient was essentially a council related business relationship.

Options for disposal include:

- surrendering the gift to Council for retention
- distributing the gift or benefit amongst a selection of Council's officials (provided a reasonable person would agree that the allocation was appropriate).
- donating the gift to an appropriate charity.

**Breaches of policy**

All Council officials are required to comply with this policy and sanctions may be applied if the policy is breached.

Any person may report an alleged breach of this policy by a Council official to the General Manager or Mayor, as appropriate. The General Manager or Mayor are to investigate any report received and take such action as is considered necessary.

If this policy has been breached, action taken against the Council official may include counselling, censure motions, disciplinary action (including termination of employment), the laying of charges or the taking of civil action.

BACKGROUND

From time to time, Council officials may receive or be offered gifts or benefits related to the performance of their duties.

In order to maintain public confidence in the integrity, transparency and accountability of Council, it is necessary to clearly identify the circumstances under which it is appropriate and not appropriate for officials to accept gifts, and the procedures to be followed when accepting or refusing gifts.



Title	Meeting Procedures
Council Resolution	Item 12 (19 April 2017) #####
Responsible Directorate	Corporate Governance
Due for Review	Two (2) years from Council resolution date
Strategic Plan Reference	<u>Leading our community</u> 4.1 Govern in an open and responsible manner in the best interests of the community. 4.1.2 Ensure Council is open and transparent in its communication and dealings with our communities. 4.2 Manage our resources to achieve community outcomes. 4.2.4 Maintain fair systems and processes that result in high levels of regulatory compliance in Council and the community.
ECM	Council Policy

For

PURPOSE

This policy sets out the rules and procedures for Council Meetings and Council Committee Meetings which apply in addition to the procedures prescribed in the *Local Government (Meeting Procedures) Regulations 2015*.

SCOPE

This policy applies to Council Meetings and Council Committee Meetings.

It does not apply to any other meeting held by Council (including a meeting of a special committee), unless the body conducting the meeting has expressly resolved to adopt all or part of it.

STATUTORY REQUIREMENTS

Acts	<i>Local Government Act 1993 (LGA 1993)</i>
Regulations	<i>Local Government (Meeting Procedures) Regulations 2015 (Regulations)</i>
Australian Standards	Not applicable

DEFINITIONS

Council Committee	a 'council committee' established under section 23 of the <i>LGA 1993</i>
Council Committee Meeting	a meeting of a Council Committee convened in accordance with regulation 5(1)
Council Meeting	(a) an ordinary meeting of Council convened in accordance with regulation 4(1)(a), (2), (3) or (5), other than Council's annual general meeting, or (b) a special meeting of Council convened in accordance with regulation 4(1)(b) or (6)
General Manager	the General Manager of Council appointed under the <i>LGA 1993</i> , or delegate
In addition to the above, in this policy, a reference to: (a) a 'regulation' is to a provision in the Regulations, and (b) a 'Meeting' is to a Council Meeting and a Council Committee Meeting.	



MEETING PROCEDURES

Regulation 37(1) (Other procedures) permits Council to determine “any other procedures relating to meetings it considers appropriate”. Council has adopted the following additional meeting procedures under regulation 37(1).

Times of Meetings

Council’s preferred practice is that Meetings are to commence at 3:00 pm on the advertised day.

A Meeting Dates and Times Schedule (**Schedule**) will be adopted by Council late in each calendar year for all Meetings to be held in the following calendar year. In accordance with regulation 6(2), a decision to adopt a Schedule that provides for Meetings to commence prior to 5:00 p.m. must be by an absolute majority of Council.

If a Schedule is not adopted by an absolute majority, Meetings will commence at 5:00 p.m. in accordance with regulation 6(1).

A copy of the most recently adopted Schedule is to be published on Council’s website.

Points of Order

~~In addition to regulation 23 (Point of order at meeting), an Alderman or the General Manager may only raise a point of order immediately after the matter giving rise to the point of order has occurred.~~

Abandoned Council Committee Meetings

Regulation 12(2) (Abandoned meetings) is apply to Council Committee Meetings in addition to Council Meetings.

For the purpose of this policy, to the extent that the relevant meeting is a Council Committee Meeting, the references in regulation 12(2) to ‘council meeting’ and ‘general manager’ are to be read as if they were references to ‘Council Committee Meeting’ and ‘Chairperson’, respectively.

If a Council Committee Meeting is abandoned, all items that cannot be dealt with under powers delegated to Council officers are to be deferred to the next meeting of that Council Committee.

Invitations to Address a Council Meeting

In accordance with Regulation 38(2) (Invitations to address meeting), the following conditions will apply to any invitation to a person to address a Meeting¹:

1. a person must wishing to address a Meeting must submit a request to the General Manager in accordance with the procedure published on Council’s website (see below for further information)
2. the Chairperson of the Meeting may, in their absolute discretion, refuse the request if, in the Chairperson’s opinion:
 - (a) the proposed topic of the address is frivolous, vexatious or is not related to a function or activity of Council or the relevant Council Committee (as applicable)
 - (b) the address is likely to be inflammatory, abusive, defamatory, or contain a personal attack against any person, or
 - (c) there is any other reasonable reason for refusing the request.

¹ Invitations to address Council meetings were called ‘Deputations’ in earlier versions of the Regulations and this policy.



3. the following time limits apply to an address made to a meeting:
 - (a) for a Council Meeting, 15 minutes (unless Council resolves to extend the time limit), and
 - (b) for a Council Committee Meeting, a time limit set at the discretion of the Chairperson.
4. the Chairperson may direct a person to immediately cease their address if the person breaches any condition imposed by the Chairperson or any other rules of the meeting.

The Chairperson may impose any other reasonable conditions on any invitation to address a Meeting, in addition to the conditions set out above.

Council is to publish any additional rules and procedures relating to invitations to address a meeting, including the process for requesting an invitation, on Council's website (www.gcc.tas.gov.au).

Voting Procedure

In accordance with regulation 27(2) (Voting procedure), a vote at a Meeting will be taken as follows:

1. the Chairperson will ask all those in favour of the motion to indicate their affirmative vote
2. the Chairperson will call out the names of all Aldermen voting in favour of the motion
3. the Chairperson will ask all those against the motion to indicate their negative vote
4. the Chairperson will call out the names of all Aldermen voting against the motion, and
5. if necessary, the Chairperson will call out the name of any Alderman who has abstained from the vote.

The name of any Alderman who abstains from a vote is to be recorded in the minutes as having voted in the negative² with the word 'abstain' in brackets after their name.

Questions on Notice from Aldermen

In relation to Regulation 30 (Questions on notice), the following additional procedures apply:

1. an answer to a question on notice may be provided in the Agenda for the Meeting, or alternatively may be tabled at the Meeting with separate copies provided to all Aldermen
2. all answers (whether tabled or otherwise) are to be recorded in the Minutes, and
3. the Chairperson must not permit any debate about a question on notice or the answer provided to, but may permit discussion for a maximum of 3 minutes, and only for the purpose of clarification of the question or the answer.

Questions on Notice from the Public

The following additional rules apply to a question submitted by a member of the public to be asked at a Council Meeting under regulation 31(1) (Public question time):

1. questions must not be inflammatory or abuse or has the potential to defame a person
2. questions are to be put succinctly and in the form of a question, not a comment, and
3. the Chair may refuse to answer a question for any reason that the Chair considers reasonable in the circumstances, however must give reasons for doing so.

Council is to publish information relating to submitting questions on notice by the public, including any additional rules and procedures, on Council's website.

² as required under regulation 28(3)



Public Question Time

In accordance with regulation 31(2) and (3) (Public question time), Council will allocate 15 minutes during each Council Meeting to invite members of the public to ask questions relating to the activities of Council (**Public Question Time**).

The following rules and procedures apply to Public Question Time³:

1. questions must relate to the activities of Council
2. members of the public are to announce their name and residential address before asking a question (which will be recorded in the minutes)
3. questions are to be put succinctly and in the form of a question, not a comment
4. questions must not be inflammatory, abusive, defamatory, contain a personal attack or otherwise breach any rules of the meeting which have been explained by the Chairperson
5. the Chairperson may limit the number of questions asked by each member of the public in order to ensure that all members of the public wishing to ask questions are given the opportunity within the allocated time
6. the Chairperson will decide the order in which questions are to be asked and may rotate the order between different members of the public if individuals have more than one question to ask
7. the Chairperson may, in their absolute discretion:
 - (a) refuse to answer a question if the Chairperson deems that it is inappropriate or does not comply with these rules or the rules of the Council Meeting, or
 - (b) take a question 'on notice', in which case the answer will be provided either in writing or at the next Council Meeting (or both), and
8. if a question is taken on notice, the Chairperson may request that the member of the public submit their question in writing and may refuse to provide a response if the question is not provided as requested, and
9. the 15 minutes allocated for Public Question Time may only be extended by a resolution of Council at the conclusion of the time period.

Council is to publish information relating to Public Question Time, including any additional rules and procedures, on Council's website.

Petitions

In addition to the requirement to provide a copy of a petition to the General Manager in regulation 58(1)(b), an Alderman presented with a petition under regulation 57 is to notify the General Manager of the receipt of the petition and a its subject matter email as soon as practicable after receiving it.

Council is to publish further information relating to tabling petitions, including any additional rules and procedures, on Council's website⁴.

³ Regulation 31(7) permits Council to determine any other procedures to be followed in respect of Public Question Time.

⁴ The rules that regulate the lodgement and tabling of Petitions are set out in Part 6, Division 1 of the *LGA 1993*.



Audio Recording of Meetings

Council's policies and procedures relating to the audio recording of Meetings are set out in Council's [Audio Recording of Meetings of Council Policy](#) (adopted on 26 October 2015, Item 17).

A copy of the policy is available on Council's website.

ORDER OF BUSINESS AT COUNCIL MEETINGS

Format of Agenda

The agenda for a Council Meeting is to provide for a session which is open to members of the public under regulation 14 (**Open Session**), followed by a session which is closed to members of the public, during which matters listed in regulation 15(2) are discussed (**Closed Session**).

The agenda is to provide for the following items of business to be dealt with at the Council Meeting in the following order (which may be varied during the Meeting in accordance with the Regulations):

Agenda Item	Applicable Regulation/s
1. Open Session	
Welcome and p Preliminary m Matters (see below)	n/a
Apologies	8(2)(a)
Confirmation of m Minutes of p previous O pen S ession	8(2)(b), 36
Announcements by the c Chair	n/a
P ecuniary I nterest N otifications D eclarations of pecuniary interests	8(7)
Responses to P previous P ublic Q uestions T taken on N notice	n/a
Public q Question T ime	8(2)(f), 31
Petitions, i nvitations to a Address m Meeting	s. 58, LGA 1993 (Petitions) 21 (Invitations)
Reports to be received (grouped by Directorate)	8(2)(g)
Notices of m Motion, q Questions on n Notice / w Without n Notice	8(h), 16, 29, 30
2. Closed Session	
C onfirmation of M inutes of p revious C losed S ession	8(2)(b), 15, 34(6), 36
Applications for leave of absence	39
Reports to be received	8(2)(g)
Notices of m Motion, q Questions on n Notice / w Without n Notice	8(h), 16, 29, 30

Welcome and Preliminary Matters

The Chairperson of a Council Meeting may deal with the following preliminary matters at the commencement of the Council Meeting:



1. the Chairperson should officially open the meeting and welcome members of the gallery and any official visitors that have been invited to speak
2. the Chairperson may invite ~~a religious representative to read a prayer~~ a person to conduct a ceremonial opening of meeting that the Chairperson considers is appropriate
3. the Chairperson may give an Acknowledgement of Country. An example of the Acknowledgement of Country that may be given is as follows:

"I acknowledge and pay respect to the Tasmanian Aboriginal Community as the traditional and original owners, and continuing custodians of this land on which we gather today and acknowledge and pay respect to Elders, past and present."

4. the Chairperson will may read information statements relating to rules, procedures or conduct at the Council Meeting which may include (but are not limited to), statements about:
 - (a) the audio recording of the Council Meeting and Council's policy, and
 - (b) workplace health and safety at the Council Meetings, including basic rules of conduct for attendees of the meeting.

Additional matters to be included in minutes

In addition to the matters prescribed in regulation 32, the minutes of a Council Meeting are to record the following:

- the attendance of any Council officers who are present in their capacity as employees
- the attendance of any official visitors, and
- particulars of any Council workshops that have been held since the last Council Meeting.

TABLING OF MATERIAL AT MEETINGS

On occasion, it may be necessary for a person to table material at a Meeting.

The Chairperson of a Council or Council Committee meeting may permit the tabling of material at the meeting provided that:

- the Chairperson is satisfied that the tabling of the material would contribute to the decision making process
- the items to be tabled have been inspected by responsible Council Officers prior to being brought into the Meeting room and show no obvious signs that they may cause harm to those present
- small items, other than documents, are enclosed in sealed, transparent, plastic bags
- large or heavy items are displayed so that they are visible to Alderman (or other members of the Meeting) and accessible for closer inspection if desired.

Council is to make surgical gloves and dust masks available for use by Aldermen, Council Officers or members of the public if they wish to use them when handling tabled material.

The Chairperson may, at their discretion, refuse to permit an item to be tabled at a meeting if they form the reasonable view that there is any risk to the health or safety of any person attending the Meeting, or there is some other reason (in the reasonably held opinion of the Chairperson) that the item should not be tabled.



BACKGROUND

The Regulations set out the rules and procedures that apply to Council Meetings and Council Committee Meetings. Regulation 37 of the Regulations provides that Council may determine any other procedures relating to meetings it considers appropriate.

Council has adopted this Policy to further ensure that Meetings are conducted in a way that is open, transparent, convenient, accessible and safe, and takes into account the requirements of Council and the Glenorchy community.



Nominations and Appointments to Committees and other Bodies

Title	Nominations and Appointments to Committees and other Bodies
Council Resolution	Item 9 (26 Sep 2016) ##### as per Council minutes
Responsible Directorate	Corporate Governance
Due for Review	Four (4) years from Council resolution date
Strategic Plan Reference	<u>Leading our Community</u> 4.1.1 Provide leadership and advocacy to address issues facing our communities; 4.1.2 Ensure Council is open and transparent in its communication and dealings with our communities
ECM	Council policies

PURPOSE

This policy sets out the procedures ~~that will to~~ be followed by Council when it nominates or appoints Aldermen or independent persons to council bodies and external bodies.

SCOPE

This policy applies to:

- (a) Council management and elected Aldermen in facilitating appointments and nominations; and
- (b) Aldermen and independent persons seeking nomination or appointment by Council to council bodies and external bodies.

STATUTORY REQUIREMENTS

Section 20 of the *Local Government Act 1993* (**the Act**) provides that one of the functions of a Council is to represent and promote the interests of the community.

Section 23 of the Act provides that Council may establish council committees to assist it in carrying out its functions under the Act or any other Act, and that a committee consists of councillors appointed by the Council.

Section 24 of the Act provides that a council may establish special committees, which consist of such persons appointed by the Council as the Council considers appropriate.

Acts	<i>Local Government Act 1993</i>
Regulations	<i>Local Government (Meeting Procedures) Regulations 2015</i>
Australian/International Standards	Not applicable

DEFINITIONS

ballot	means a ballot conducted in accordance with Part 4 of this policy.
chair	means the person chairing a council meeting in accordance with the Regulations.
council body	means any committee or other body established by Council over which Council has control, whether comprised of Aldermen, independent persons, or both, and includes, but is not limited to—



Nominations and Appointments to Committees and other Bodies

	(a) a council committee established under section 23 of the Act; (b) a special committee established under section 24 of the Act; (c) an audit panel established under section 85 of the Act; (d) a steering committee; (e) a working group; or (f) a taskforce.
council election	means an election held under Part 15 of the Act.
council meeting	means an ordinary council meeting or a special council meeting, unless expressly specified otherwise.
external body	means a committee or other body established by an organisation other than Council on which Council may be represented by persons either appointed by Council or nominated for appointment by Council and includes, but is not limited to— (a) a panel; (b) a board; (c) a steering committee; (d) a working group; or (e) a task force.
General Manager	means the General Manager of Council, or <u>the General Manager's</u> delegate.
Regulations	means the <i>Local Government (Meeting Procedures) Regulations 2015</i>

POLICY STATEMENT

From time to time, Council is required to appoint Aldermen and independent persons to various committees, boards, working groups, steering committees, taskforces or other bodies. Council is also occasionally required to make appointments or nominations for appointment of Council representatives to external bodies.

This policy sets out the procedures which Council will follow when making an appointment or nomination to a council body or external body.

The policy aims to ensure that nominations and appointments are fair, democratic and transparent.

PART 1 – NOMINATION AND APPOINTMENT TO EXTERNAL BODIES

1. Application

This part applies where Council has received a request from an external body to—

- (a) appoint Aldermen or independent persons (or both) to represent Council on ~~an~~ the external body; or
- (b) nominate Aldermen or independent persons (or both) for appointment by the external body.



2. Procedure

- (1) Following the receipt of a request for nominations or appointments from an external body, the General Manager will circulate a notice, which—
 - (a) identifies—
 - (i) the external body;
 - (ii) the position available;
 - (iii) whether the request is for an appointment or a nomination;
 - (iv) the nature of the duties to be undertaken;
 - (v) the proposed term of the appointment; and
 - (vi) any other information the General Manager considers relevant; ~~and~~.
 - (b) calls for expressions of interest for nomination or appointment ~~includes~~.
- (2) The notice required under clause 2(1) is to be circulated—
 - (a) if the request calls for the nomination of Aldermen, to all Aldermen by email; or
 - (b) if the request calls for the nomination of independent persons, by—
 - (i) publishing the notice on Council's website;
 - (ii) sending an email to all Council staff; and
 - (iii) if the General Manager considers it necessary, publishing the notice in a local newspapers.
- ~~(3)~~—The General Manager will circulate the notice under clause 2(1) ~~within the later of—~~
 - ~~(a) The day that is a week before nominations close; or~~
 - ~~(b) as soon as is reasonably practicable after the General Manager receives the request and, where possible, no more than a week before nominations close.~~
 - ~~(4) The General Manager will accept expressions of interest until close of business on the day before the day on which the agenda for the relevant council meeting is required to be provided to Aldermen under section 8 of the Regulations.~~
 - ~~(5)~~ Expressions of interest may be accompanied by—
 - (a) a statement of no more than 150 words in support of the person's nomination; and
 - (b) if the nominee is not an Alderman, a further statement, of no more than two typed A4 pages, listing the nominee's qualifications relevant to the position.
 - ~~(6)~~ Following the close of nominations, the General Manager will present a report to Council for consideration at the relevant council meeting, which must include—
 - (a) particulars of the position to which nomination or appointment has been requested; and
 - (b) a list of the nominations received and the documentation provided in support of each.
 - ~~(7)~~ Where the number of nominees for a position does not exceed the number of positions available, the Council will decide the nominees or appointees (as applicable) in accordance with its ordinary meeting procedures.
 - ~~(8)~~ If the number of nominees for a position exceeds the number of positions available—
 - (a) a ballot will be held to select the appointee or nominee; and

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- (b) once the result of the ballot is determined, the chair will call for the nomination to be confirmed in accordance with Council's ordinary meeting procedures.

~~(9)~~(8) The General Manager will inform the external body of Council's appointment or nomination (as applicable) as soon as is reasonably practicable after the ~~conclusion of~~ the council meeting finishes.

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3. Exceptions to procedure

- (1) Where a request for nomination or appointment calls for a separate nominations or appointments of Aldermen and independent persons, separate processes~~d~~ (including ballots) will be held to select Aldermen and independent persons.
- (2) Where a request for nomination does not place a limit on the number of nominees that ~~may~~ can be received from Council, the General Manager may, at the General Manager's discretion, circulate a notice (in accordance with clause 2(2), above), notifying that nominations are to be made directly to the external body.

~~PART 2 – NOMINATIONS AND APPOINTMENTS TO COUNCIL AND EXTERNAL BODIES FOLLOWING A~~ COUNCIL ELECTION

4. Application

This part applies to appointments, re-appointments and nominations for appointment of Aldermen to council bodies and external bodies following a council election.

5. Procedure

- (1) Council will appoint and re-appoint (and, where necessary, nominate or re-nominate) Aldermen to council bodies and external bodies at the first ordinary meeting of council following a council election for at a special meeting of Council if a special meeting for that purpose is called.
- (2) As soon as practicable after the publication of a copy of the certificate of election under section 304(2) of the Act, the General Manager will circulate a notice to Aldermen which—
 - (a) notifies Aldermen that appointments, re-appointments and nominations for appointment to council bodies and external bodies are to be made at the ~~first~~ ordinary relevant meeting of Council following a council election; and
 - (b) lists the appointments and nominations to be made, and, for each, identifies—
 - (i) the council body or external body;
 - (ii) the position available (including, for an external body, whether Council will be making a nomination only);
 - (iii) the nature of the duties to be undertaken;
 - (iv) the proposed term of the appointment;
 - (v) whether the position ~~has been held~~ is to be held ex-officio by the mayor or deputy mayor; and
 - (vi) any other information the General Manager considers relevant.
 - (c) requests that Aldermen submit nominations for the available positions ~~by no later than the close of business on the date that is one (1) week before the next council meeting~~.
- (3) The notice is to be circulated to all Aldermen by email.
- (4) Nominations may contain a statement in support of the nomination, to a maximum of 150 words.

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Nominations and Appointments to Committees and other Bodies

- (5) Nominations may be for a position or a proxy position.
- (6) the General Manager will present a report to Council for consideration at the relevant council meeting which will contain, for each available position—
 - (a) the information specified in clause 5(2)(b); and
 - (b) a list of the nominations received and the documentation provided in support of each.
- (7) Where the number of nominees for a position does not exceed the number of positions available, the Council will decide the nominees in accordance with its ordinary meeting procedures.
- (8) If the number of nominees for a position exceeds the number of positions available—
 - ~~(c)~~ (a) a ballot will be held to select the nominee or nominees; and
 - (b) once the result of the ballot is determined, the chair will call for the nomination to be confirmed in accordance with Council's ordinary meeting procedures.
- ~~(4)~~ (9) For the avoidance of doubt, where a committee detail sheet that has previously been adopted by Council provides for a position to be held ex officio by the Mayor or the Deputy Mayor, the appointment of the Mayor or Deputy Mayor to that position is automatic, and no other Aldermen are entitled to nominate for that position.

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PART 3 – NOMINATION AND APPOINTMENT TO COUNCIL BODIES OTHER THAN FOLLOWING A COUNCIL ELECTION

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6. Application

This part applies where Council is required to appoint Aldermen or independent persons (or both) to council bodies, other ~~than at the first ordinary council meeting after a~~ following a council election.

7. Procedure

- (1) Where the appointment is—
 - (a) ~~to~~ To a new council body, the General Manager will submit a report to Council for consideration at a council meeting—
 - (i) identifying—
 - (A) the council body; and
 - (B) the position available; and
 - (C) the nature of the duties to be undertaken; and
 - (D) the proposed term of the appointment; and
 - (E) any other information the General Manager considers relevant; and
 - (ii) recommending that Council resolves to call for expressions of interest from Aldermen or independent persons (as applicable), to be considered at a future council meeting.
 - (b) ~~To to~~ an existing council body, General Manager will circulate a notice calling for expressions of interest for appointment, containing the information specified in subclause 7(1)(a)(i), above.
- (2) If clause 7(1)(b) applies, the notice is to be circulated—
 - (a) if the request calls for the nomination of Aldermen, to all Aldermen by email; or
 - (b) if the request calls for the nomination of independent persons, by—

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Nominations and Appointments to Committees and other Bodies

- (i) publishing the notice on Council's website;
 - (ii) sending an email to all Council staff; and
 - (iii) if the General Manager considers it necessary, publishing the notice in a local newspapers.
- (3) The General Manager must circulate the notice under 7(1)(b) no later than one week before nominations close (or as soon as practicable if it is not possible to circulate the notice one week before nominations close).
- (4) ~~Thereafter, the procedure to be followed is~~ the procedure outlined in clauses 2(4) to (8) (above) will then be followed, as if those clauses applied to an appointment to a council body.

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PART 4 – BALLOTS**8. Application**

Where the provisions of this policy require that a ballot is held, the ballot is to be conducted in accordance with this part.

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9. Rules for ballots

- (1) ~~Upon determining that it~~ When a ballot is required under this policy, the chair of the council meeting will call a ballot.
- (2) Ballots are to be secret unless Council resolves otherwise.
- (3) Votes are to be cast on ballot papers distributed to Aldermen by the General Manager. Ballot papers may be distributed either prior to or at the relevant council meeting.
- (4) Aldermen are to place completed ballot papers in a ballot box displayed in a prominent and visible position in the place the Council's chambers council meeting is being held ~~(or which may be passed around to Aldermen by a Council officer)~~.
- (5) The ballot box must not be opened until all Aldermen who ~~are present~~ intend to vote have cast their votes.
- (6) Votes will be counted by a council officer nominated by the General Manager, with another council officer acting as a scrutineer.
- (7) Where there are—
 - (a) two or more candidates for a single position, the candidate with the most votes will be the appointee; or
 - (b) more than two candidates for multiple positions (for example, two member spots on a council committee), the successful candidates will be the candidates with the most votes, in descending order until the number of positions have been filled ~~(e.g. For example, if there are 2 positions and 4 candidates, the successful candidates will be those with the highest and second highest number of votes)~~.
- (8) The officer who counts the votes will advise the chair of the council meeting by writing the name of the successful candidate/s on a piece of paper and delivering it to the chair.
- (9) In the event of a tie, the chair (at their discretion) may determine the winner by:
 - (a) the winner will be determined by the toss of a coin (conducted by the chair), or
 - ~~(9)(b) a further ballot, in which the only candidates are those which were tied in the first ballot.~~
- (10) All ballot papers and other ballot material are to be destroyed as soon as practicable after the conclusion of the ballot.

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10. Proxies

- (1) Where proxy positions for council bodies or external bodies are available, unsuccessful candidates will be offered the position of proxy in the order in which they placed in the ballot.
- (2) Where a proxy is required but there are not sufficient candidates for a proxy after positions have been filled, or if all unsuccessful candidates decline the proxy appointment, the chair may call for nominations for proxy positions.
- (3) Where the chair has called for nominations in accordance with subclause (2), the selection of the nominees is to be determined in accordance with Council's ordinary meeting procedures.

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PART 5 – MISCELLANEOUS

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11. Vacation of positions upon leaving office

Where a position held by an Alderman's on a council body or external body is required to be held by an Alderman, the Alderman's appointment to that position will cease immediately upon the person ceasing, for any reason, to be an Alderman.

12. Nominations need not be personal

To avoid any doubt, a person may nominate another person for a position the subject of this policy, and the nomination need not be made by the person seeking nomination.

13. Refusal of nominations or appointments

- (1) An Alderman or independent person may refuse any nomination or appointment made under this policy, including nomination or appointment as a proxy.
- (2) Council may refuse to appoint or nominate a person (including an Alderman) to a position if it considers that the person is not suitably qualified for or is otherwise unable to provide satisfactory representation on the council body or external body.

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14. Inconsistency with meeting procedures regulations

In the event that a provision of this policy is inconsistent with the Regulations, the ~~latter~~ Regulations will prevail to the extent of the inconsistency.

15. Attendance and performance

- (1) Reports are to be provided quarterly to Council detailing the attendance record of Aldermen at meetings of council bodies and external bodies to which they have been appointed.
- (2) If an Alderman's attendance record at a Council body or an external body (where Council has appointed the Alderman) is ~~deemed~~ unsatisfactory, or if Council receives a written report from a council body that the council body is not satisfied that the Alderman is properly discharging the duties required of the position, Council may resolve to withdraw the Alderman's appointment and appoint another Alderman as a replacement.

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BACKGROUND

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Council, ~~in the discharge of its functions and powers under section 20 of the Act~~, has established and maintains control over a number of committees, special committees, working groups, steering committees, task forces and other bodies to assist in discharging its role and functions. Council is also, ~~from time to time~~, required to appoint persons (or nominate persons for appointment) to external bodies which carry out functions relevant to Councils functions and powers.



Nominations and Appointments to Committees and other Bodies

In making any nomination or appointment, Council must ensure that the process for determining appointees and nominees is fair, democratic and transparent.



Support and Reimbursement of Expenses to Aldermen

Title	Support and Reimbursement of Expenses to Aldermen
Council Resolution	Item 12 (29 August 2016) ##### as per Council Minutes
Responsible Directorate	Corporate Governance
Due for Review	Four (4) years from Council Resolution Date
Strategic Plan Reference	Leading our community 4.1 Govern in an open and responsible manner in the best interests of the our community. 4.1.2 Manage our resources to achieve community outcomes the City's assets soundly or the benefit of the Community. 4.1.3 <u>Maximise regulatory compliance in Council and the community through our systems and processes.</u>
ECM	Council policy

PURPOSE

This policy sets out the circumstances in which Council will:

- reimburse Aldermen for expenses incurred in the course of carrying out the duties of their office; and
- provide facilities, materials, devices, and administrative support to Aldermen to assist them to carry out the duties of their office.

SCOPE

This policy applies only to support and reimbursements provided to Aldermen.

It does not apply to other employees or senior management of Council.

STATUTORY REQUIREMENTS

Subclause 1(1) (Expenses) of Schedule 5 (Office of Councillors) of the *Local Government Act 1993* (Schedule) requires that Council must adopt a policy in respect of payment of expenses incurred by councillors in carrying out the duties of office.

Subclause 1(2) of the Schedule provides that a councillor is entitled to be reimbursed for reasonable expenses in accordance with the policy adopted under subclause (1) in relation to any "prescribed expenses" and "any other expenses the council determines appropriate".

Clause 2 of the Schedule provides that a council may decide to provide support services, facilities and equipment on a loan to a councillor on any conditions it considers appropriate.

Regulation 43 of the *Local Government (General) Regulations 2015* sets out the prescribed expenses for the purpose of the Schedule, being:

- Telephone rental, telephone calls and use of the internet; and
- Travelling; and
- Care of any person who is dependent on the councillor and who requires the care while the councillor is carrying out his or her duties or functions as a councillor; and
- Stationery and office supplies.



Support and Reimbursement of Expenses to Aldermen

Acts	<i>Local Government Act 1993</i>
Regulations	<i>Local Government (General) Regulations 2015</i>
Australian/International Standards	Not applicable

DEFINITIONS

~~Alderman or Aldermen~~ Not applicable
Includes the Mayor

POLICY STATEMENT**1.0 Travelling**

1.0.1. ~~The Mayor will have unrestricted use of a vehicle supplied by the Council that is commensurate with the position.~~

1.0.2. Council will reimburse an Aldermen (including an Alderman acting as the Mayor's Delegate) for vehicle travelling expenses up to a maximum of 80 km for each trip:

- (i) while attending Council meetings, committee meetings, or any other meeting or function that is arranged by, or is attended as a representative of, Council;
- (ii) while responding to a citizen's request or problem;
- (iii) in response to a council staff member's request to meet;
- (iv) in relation to verifying any details relating to an item on the agenda of a Council or committee meeting that the Alderman is required to attend; and
- (v) visiting the council offices for the purpose of carrying out their duties as an Alderman.

Re-imbusement under this clause will be limited to \$2,000 (excluding GST if the claim includes a tax invoice where Council can claim back the GST) per financial year.

1.0.3. Council will reimburse an Alderman for vehicle travelling expenses for trips greater than 80 km if the Alderman is representing Council as the Mayor's delegate or if the purpose of the travel has been approved by Council or the General Manager under his or her delegated authority to approve conference, seminar or training attendance.

1.0.4. Travelling expenses for the use of a private vehicle will be reimbursed at Tasmanian Public Service rates.

1.0.5. All claims for reimbursement of vehicle travelling expenses must be made on the "Alderman's travel claim form" used for that purpose and must contain sufficient details of each trip to justify reimbursement under this policy. Minimum details required are:

- ~~d~~ Date of travel;
- ~~o~~ Origin;
- ~~d~~ Destination; and
- ~~p~~ Purpose (being a purpose identified clauses 1.0.2(i) to (v) of this policy))

1.0.6. If the claim relates to the use of a private vehicle, the distance travelled, the vehicle engine capacity and the number of cylinders of the vehicle must also be provided.



Support and Reimbursement of Expenses to Aldermen

- 1.0.7. Receipts must accompany any claim for vehicle travelling expenses where public transport (buses, taxis etc) transport is used and must be referenced to the details that are provided in accordance with the requirements of clause 1.0.5 of this policy.
- 1.0.8. Council will not reimburse an Alderman for the cost of a hire car, except with the prior approval of Council.
- 1.0.9. Council will not reimburse an Alderman for petrol, oil or any other vehicle related expense, except when the expenditure has been incurred while hiring a vehicle that has been approved by Council.
- 1.0.10. Council will not reimburse an Alderman for travelling in relation to unsolicited visits to citizens that have been undertaken for the self-promotion of the Alderman (canvassing, door knocking etc).
- 1.0.11. Council will not reimburse any claims that are more than 3 months old.

1.1 Child Care

- 1.1.1. Council will reimburse an Alderman for child care costs that are incurred to enable an Alderman to carry out the duties of office.
- 1.1.2. Receipts of payments made to the child carer must accompany claims for reimbursement of child care expenses together with details of the date(s) and start and end times that the child care took place.
- 1.1.3. Reimbursement will not be provided where the child carer is a member of the Alderman's immediate family.

1.2 Telephone/Mobile Phones

- 1.2.1. Council will reimburse Aldermen for full installation costs of one communication telephone line.
- 1.2.2. Council will reimburse aldermen for Council related telephone and mobile phone services expenses.
- 1.2.3. Council will consider reimbursing bundled packages costs if it can be demonstrated that the proportion or cost being claimed has been expended in the performance of their duties as an Alderman.
- 1.2.4. A vehicle "hands-free" kit can be purchased and installed in an Alderman's private vehicle where the vehicle is not already equipped with one. Where possible, the "hands free" kit will be "bluetooth" enabled. The cost of the kit, and installation, can be claimed from the Alderman's "telecommunications reimbursement" allocation. If the Alderman ceases to be an Alderman, the hands free kit is to be purchased from Council by the Alderman at its written down value, which is to be determined by pro-rata writing off over 3 years.
- 1.2.5. Computer equipment, internet access and stationery will be provided to Aldermen in accordance with the provisions of section 3.0 of this policy.
- 1.2.6. With the exception of the Mayor, the maximum total amount that can be claimed by an Alderman in any financial year in relation to items 1.2.1 to 1.2.5 is \$2,000 (excluding GST if the claim includes a tax invoice where Council can claim back the GST). Where an Alderman is not in office for a full financial year, the maximum amount will be calculated on a pro-rata basis.

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Support and Reimbursement of Expenses to Aldermen

- 1.2.7. Council will provide the Mayor with a mobile telephone and will ~~fit provide~~ a "hands-free" kit in the Mayor's vehicle. ~~Where possible, the hands free kit will be "bluetooth" enabled.~~
- 1.2.8. The cost of accessories, repairs or maintenance associated with an Alderman's ~~personal~~ mobile phone will be the responsibility of the Alderman and will not be reimbursed by Council.
- 1.2.9. Council will not reimburse an Alderman for telephone calls that have been made for self-~~promotion or other private purposes.~~
- 1.2.10. Claims for reimbursement of telephone and mobile phone expenses must be made on the appropriate claim form and be supported by sufficient source documentation to justify reimbursement under this policy. Minimum details to be provided are a copy of the account "summary" page for which the Alderman is seeking reimbursement, together with a declaration stating that the amount claimed has been expended in the performance of their duties as an Alderman.

1.2.11. Aldermen should submit a claim for reimbursement each month. Claims must be made using the "Reimbursement of Alderman Telecommunications Expenses" form.

~~1.2.11. 1.2.12.~~ Council will not reimburse any claims that are more than 3 months old.

1.3 Local Functions

- 1.3.1 Council will reimburse Aldermen for costs incurred attending local functions as a Council representative.
- 1.3.2 All claims for reimbursement for local functions should be made on the appropriate Council form and be supported by sufficient source documentation to justify reimbursement under this policy. The documentation is to include receipts or invoices verifying the expenditure. ~~Council will not reimburse any claims that are more than 3 months old.~~
- 1.3.3 Council will not reimburse an Alderman for expenditure incurred while at a local function for any additional costs for accompanying persons, except costs that are necessary to provide an Alderman with a disability equal access to the function.

~~1.3.3. 1.3.4~~ Council will not reimburse any claims that are more than three (3) months old.

1.4 Secretarial Support & Postage

- 1.4.1 Council will provide Aldermen with ~~limited~~ secretarial support and postage to reply to issues raised by individual citizens or will reimburse Aldermen for postage expenses incurred in replying to issues raised by individual citizens.
- 1.4.2 Council will provide Aldermen with ~~limited~~ secretarial support to assist with their duties as Council's representative on working groups, steering groups, special committees, or external committees.
- 1.4.3 Council will not provide secretarial support, address lists, postage or reimbursement of postage expenses for unsolicited correspondence to citizens.
- 1.4.4 Requests for secretarial support which, in the opinion of the General Manager, are excessive, may be refused.
- 1.4.5 Council will provide Aldermen with up to 500 business cards per year of the same quality and design provided to Council's corporate management team.

~~1.4.6~~ Council will provide Aldermen with up to two reams per annum of "Aldermen's room" letterhead stationery.



~~1.4.7~~1.4.6 If the amount of postage reimbursement being claimed by an Alderman exceeds \$10 for any one month, details of the items posted must be provided including:

- ~~The~~the number of items;
- ~~t~~The purpose of the correspondence; and
- ~~i~~f an item is not a standard letter, details of the contents of the package and the cost to post the item.

~~1.4.8~~1.4.7 Council will not reimburse any claims that are more than 3 months old.

2.0 Aldermanic Training

- 2.0.1 It is the joint responsibility of the Mayor and General Manager to arrange for newly elected Aldermen to be provided with such familiarisation and induction training as may be necessary in each individual case.
- 2.0.2 In providing training opportunities for Aldermen, the Local Government Association of Tasmania and other Tasmanian based training agencies should be accessed in the first place. If a particular training and development need cannot be met through these means, efforts should be made to provide training in-house. Only if this is not possible should interstate options be explored and taken up.
- 2.0.3 An Alderman should present a report to the Council on each course, conference or seminar that he or she has attended within 30 days of attendance, ~~at the course, conference or seminar.~~
- 2.0.4 All Aldermen will be provided with details of the Annual Conference and other meetings of the Local Government Association of Tasmania.
- 2.0.5 It is the responsibility of the General Manager to suggest to Aldermen topics for training and development which arise out of the strategic plan or upon issues of concern to Local Government as they arise from time to time.
- 2.0.6 Details of all conferences or training sessions organised by non-Local Government organisations but of relevance to Aldermen will be provided to Aldermen.
- 2.0.7 ~~Should an~~If an Alderman wishes to attend a conference or training course where the total cost, including travel and expenses, is likely to exceed \$500, plus reasonable costs up to \$500 where there are special needs for any Alderman such as disability or injury, application is to be made in writing to the General Manager for approval.
- 2.0.8 ~~Should~~If an Alderman wishes to attend a conference or training course where the total cost, including travel and expenses, will be less than \$500, plus reasonable costs up to \$500 where there are special needs for any Alderman such as disability or injury, details will be discussed with the General Manager who will have delegated authority to consider the request and approve attendance.
- 2.0.9 If the General Manager refuses to grant permission to attend a conference or training course, an Alderman may submit an application in writing for consideration to the Mayor. If the Mayor refuses to grant permission, the Aldermen may submit an application in writing for consideration at a meeting of ~~the~~ Council.
- 2.0.10 The General Manager is to inform the Mayor in writing of decision by him to provide Council funds for an Alderman to attend a training course outlined above.
- 2.0.11 Council will not reimburse or sponsor an Alderman for his or her participation in courses that will result in the award of a secondary or tertiary qualification.

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2.0.12 Council will reimburse an Alderman for course fees, travel, accommodation and other expenses associated with attendance at a training course, conference or seminar approved by the Mayor or the General Manager in accordance with the provisions of this policy.

~~2.0.12~~ 2.0.13 Council will not reimburse any claims that are more than 3 months old.

~~2.0.13~~ 2.0.14 Council will not reimburse an Alderman for expenditure incurred while at a training course, conference, or seminar for any additional costs for accompanying persons except costs that are necessary to provide an Alderman with a disability equal access to the function, or the cost of one accompanying person's attendance at an official conference dinner.

~~2.0.14~~ 2.0.15 Re-imbursement under this clause will be limited to \$2,000 (excluding GST if the claim includes a tax invoice where Council can claim back the GST) per financial year.

~~2.0.15~~ 2.0.16 If an alderman has reached their \$2,000 limit for the year and the general manager wishes to approve the training, the General Manager will submit a report for consideration at a meeting of Council.

3.0 Computing and Mobile Communication Facilities for Aldermen

~~3.0.1~~ Council will purchase mobile computing technology for Aldermen. Council will consider bundling options if economic to do so. This purchase will be funded from the Aldermen's "telecommunications allowance" budget. The equipment will remain the property of the Alderman.

3.0.1 Where possible, Council will arrange for Council's email and calendar to be installed on an Alderman's ~~the personal mobile phone, tablet or computer device~~ and synchronised with Council's email system.

~~3.0.2~~

~~3.0.3~~ 3.0.2 If the device is lost or stolen, Council will remotely clear all data off the device. Aldermen will be required to provide their consent to Council's ICT section's access to the relevant device enable this feature before the installation under clause 3.0.1 occurs. Alderman must advise the General Manager as soon as possible if the device is lost or stolen.

~~3.0.4~~ 3.0.3 Council will provide basic "getting started" training and support for use in relation to accessing Council data and email.

~~3.0.5~~ Council will not support synchronisation software (such as iTunes) or purchases from app stores. This is the responsibility of aldermen through their own personal plans.

~~3.0.6~~ Council will offer Aldermen the opportunity to put devices on a shared data plan (and SIM card) – the monthly cost will be charged against the Alderman's telecommunications allowance if taken up. Any data costs in excess of the shared data plan may be costed to the Alderman's telecommunications allowance.

~~3.0.7~~ This policy will be reviewed and amended as required to ensure Council adopts those technology trends necessary for its efficient operation.

~~3.0.8~~ All equipment purchased through the telecommunications allowance remains the property of the Alderman.

~~3.0.9~~ Consumable items such as stationery, printer cartridges etc may be obtained by contacting Council's ICT section who can assist through an online order facility from Council's current provider using Council's account details. Any purchases will be charged to the Alderman's

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~~telecommunications allowance account. Alternatively, reimbursement for purchases can be claimed from the Alderman's telecommunications allowance allocation.~~

~~3.0.10~~ **3.0.4** Aldermen will be required to adhere to ~~Policy 34-2: Council's~~ Aldermen's Information Communications Technology Usage Policy.

~~3.0.11~~ **3.0.5** Council will not ~~allow or~~ be responsible for any ~~charges associated with~~ global roaming on any mobile device.

4.0 Memberships

4.0.1 Council will not reimburse an Alderman for membership of any club, association or professional body.

5.0 Dispute Resolution

5.0.1 If, in the opinion of the General Manager, an Alderman's claim or request is unreasonable or does not meet the requirements of this policy, and agreement ~~can not~~ cannot be reached with the Alderman, the matter will be referred to the Mayor who may refer the matter to Council for decision.

BACKGROUND

~~Councillors naturally incur expenses in the course of carrying out the duties and functions of their office.~~

The *Local Government Act 1993* provides that Councillors are entitled to be reimbursed for their reasonable expenses in carrying out those duties and functions, that Council adopts a policy in respect of payment of expenses incurred by councillors in carrying out the duties of office, and ~~that~~ Council may provide other support services, facilities and equipment to Councillors as it considers appropriate.

~~As part of its duty to practice responsible and accountable government and to ensure that public funds are not misused, Council must ensure that there are clear guidelines setting out the expenses for which Aldermen are able to be reimbursed and the support which it will provide in accordance with its obligations under the *Local Government Act 1993* and associated regulations.~~

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**THE AUDIT PANEL CHARTER
OF
GLENORCHY CITY COUNCIL**

Glenorchy City Council

Title	Audit Panel Charter of Glenorchy City Council
Council Resolution	Item XX (DD MMM YYYY) as per Council Minutes
Responsible Directorate	Corporate Governance
Due for Review	At least every second year as per Clause 17.2 of the Audit Panel Charter
ECM	Audit Panel Charter
Version	1.0 Approved Item 9 (04 August 2014) as per Council Minutes
	1.1 Endorsed (as amended) Item 7 (20 April 2016) as per Audit Panel Minutes
	2.0 Approved Item XX (DD MMM YYYY) as per Council Minutes

THE AUDIT PANEL CHARTER

The Audit Panel Charter of Glenorchy City Council is made under sections 85, 85A and 85B of the *Local Government Act 1993* (Tas) and the *Local Government (Audit Panels) Order 2014* (Tas) detailing:

- (a) the manner in which the Audit Panel is to perform its functions; and
- (b) the procedure of the Audit Panel in respect of its meetings.

PART 1 – PRELIMINARY

1.1 Short Title

The Audit Panel Charter of Glenorchy City Council may be cited as the Charter.

PART 2 – INTERPRETATION

2.1 Interpretation

In this Charter –

“**Act**” means the *Local Government Act 1993* (Tas);

“**Audit Panel**” means an audit panel that Glenorchy City Council is required to establish under section 85(1) of the Act;

“**Council**” means Glenorchy City Council established under section 18 of the Act;

“**Councillor**” means a person elected to Council and includes the Mayor, Deputy Mayor and Alderman;

“**Chairperson**” means the chairperson of the Audit Panel appointed by Council in accordance with the *Local Government (Audit Panels) Order 2014* (Tas);

“**Chief Financial Officer**” means the person, determined by the General Manager of Council by notice provided to the person, to be responsible to the General Manager in relation to the preparation of Council's financial statements;

“**employee of council**” means any person employed, hired, or contracted by the Council to undertake works or services on behalf of the Council;

“**financial statements**” means the annual financial statements required by section 84 of the Act and produced in accordance with the *Audit Act 2008* (Tas);

“General Manager” means the General Manager of Council appointed pursuant to section 61 of the Act;

“independent person” means a person who is not a Councillor/Alderman or an employee of Council;

“member” means a member appointed to the Audit Panel that is either a Councillor/Alderman or an independent person;

“Order” means the *Local Government (Audit Panels) Order 2014* (Tas);

“Part 7 plan” means a strategic plan, an annual plan, a long-term financial management plan or a long-term strategic asset management plan of Council prepared under Division 2 of Part 7 of the Act.

“related party” has the meaning given in Australian Accounting Standards (“AASB 124 - Related Party Disclosures”).

“Secretariat” means the person, determined by the General Manager of Council by notice provided to the person, to be responsible to Audit Panel in relation to assisting with Audit Panel related activities.

PART 3 – OBJECTIVE

- 3.1** The objective of the Audit Panel is to review Council’s performance under section 85A of the Act and report to Council its conclusions and recommendations.

PART 4 – FUNCTIONS OF THE AUDIT PANEL

- 4.1** The Audit Panel is to consider in a review of Council’s performance:
- (a) whether the annual financial statements of Council accurately represent the state of affairs of Council;
 - (b) whether and how the Part 7 plans are integrated and the processes by which, and assumptions under which, those plans were prepared;
 - (c) Council’s financial system, financial governance arrangements and financial management;
 - (d) the accounting, internal control, anti-fraud, anti-corruption and risk management policies, systems and controls that Council has in relation to safeguarding its long-term financial position;
 - (e) whether Council is complying with the provisions of the Act and all other relevant legislation;

- (f) whether Council is complying with its internal policies and procedures;
 - (g) whether Council has taken any action in relation to previous recommendations provided by the Audit Panel to Council and, if it has so taken action, what that action was and its effectiveness; and
 - (h) any other matters specified in the Order under section 85B of the Act as matters that the Audit Panel is to consider in such a review.
- 4.2** The Audit Panel is to review the General Manager's corporate credit card expenditure including the relevance and integrity of transactions and the evidence of appropriate and independent authorisation of that expenditure.

PART 5 – KEY AREAS FOR CONSIDERATION

- 5.1** In fulfilling its functions, under Part 4, the Audit Panel should consider the following key operational areas within Council:
- (a) corporate governance, including legal, compliance, and contractual arrangements;
 - (b) human resource and work health and safety management, including policies, procedures and employee agreements;
 - (c) information and communication technology governance, including: management of the security, use and storage of data information and knowledge; and
 - (d) internal and external reporting requirements (both financial and non-financial).

PART 6 – RESPONSIBILITIES OF THE AUDIT PANEL MEMBERS

- 6.1** A member of the Audit Panel is expected to understand and comply with the legal requirements of the Act and the Order.
- 6.2** A member of the Audit Panel is expected to:
- (a) act in the best interests of Council;
 - (b) apply sound analytical skills, objectivity and judgment;
 - (c) express opinions constructively and openly, raise issues that relate to the Audit Panel's functions and pursue independent lines of enquiry; and
 - (d) contribute the time required to review the papers provided.

- 6.3** Except as required, or allowed, under the Act, another Act or any other law, a member must not disclose information that is:
- (a) seen or heard by the member at a meeting or part of a meeting of the Audit Panel meeting that is closed to the public that is not authorized by the Audit Panel to be disclosed; or
 - (b) given to the member by the Mayor Deputy Mayor, Alderman, Chairperson of a meeting of the Council or Council Committee, Council employee, General Manager, or another member on the condition that it be kept confidential.
- 6.4** A member of the Audit Panel must not make improper use of any information acquired as a member of the Audit Panel.
- 6.5** Improper use of information includes using the information –
- (a) to gain, directly or indirectly, an advantage or to avoid, directly or indirectly, a disadvantage for oneself, a member of one's family or a close associate; or
 - (b) to cause any loss or damage to any council, controlling authority, single authority, joint authority, or person.
- 6.6** A member of the Audit Panel must not procure the doing or not doing of anything by the council to gain, directly or indirectly, an advantage or to avoid, directly or indirectly, a disadvantage for –
- (a) the member; or
 - (b) a close associate of the member; or
 - (c) a member of the member's family.

PART 7 - MEMBERSHIP OF THE AUDIT PANEL

- 7.1** The Audit Panel of Council is to be constituted by five (5) members of whom three (3) must be independent persons.
- 7.2** Without limiting who may be members of the Audit Panel, the following persons are eligible to be members of the Audit Panel:
- (a) a Councillor, other than the Mayor, of Council; or
 - (b) a member of an Audit Panel of another Council.
- 7.3** A person who is an employee or the General Manager or the Mayor of Council is not entitled to be a member of the Audit Panel of Council.
- 7.4** Council is to seek expressions of interest for the appointment of Aldermanic members of the Audit Panel through a secret ballot process.
- 7.5** Council is to seek expressions of interest for appointment of members of the Audit Panel, including through publicly advertising.

- 7.6 Council is to appoint the independent persons of its Audit Panel after a selection process conducted by Council.
- 7.7 In appointing an independent person as a member of the Audit Panel, Council –
- (a) is to ensure that the person possesses good business acumen and sound management and communication skills; and
 - (b) may take into account any other relevant knowledge, abilities and skills of the person including, but not limited to –
 - (i) knowledge and expertise in the areas of audit practices and financial management;
 - (ii) knowledge of, and experience in, relevant industries;
 - (iii) experience in, and good understanding of, relevant legal requirements; and
 - (iv) experience with governance processes including, but not limited to, risk management.
- 7.8 Council is to appoint two (2) Aldermanic proxies through a secret ballot process that are to be called upon when the elected Aldermanic members are unavailable to attend the Audit Panel meeting(s).

PART 8 - CHAIRPERSON OF THE AUDIT PANEL

- 8.1 The Chairperson of the Audit Panel may only be an independent person who is a member of the Audit Panel.
- 8.2 Council is to appoint one (1) of the independent persons as Chairperson of the Audit Panel by secret ballot in a Council Meeting.
- 8.3 When the Chairperson is unavailable to attend a meeting of the Audit Panel, a Deputy Chairperson is to be selected from the remaining two (2) independent persons as voted on by the Audit Panel or as voted on by Council at the time of appointing the Chairperson.

PART 9 -TERM AND CONDITIONS OF APPOINTMENT OF THE AUDIT PANEL MEMBERS

- 9.1 Terms of appointment of independent members are as follows:
- (a) the Chairperson will hold office for a period of three (3) years from the Chairperson's appointment;
 - (b) the two (2) other independent members will hold office for a maximum of a three (3) year term; and

- (c) in making these appointments, the Council will ensure that these terms for the three (3) appointments, do not terminate at the same time.
- 9.2 An independent member of the Audit Panel, if eligible, may be re-appointed by Council, provided the member's reappointment will not cause their total term to exceed six (6) consecutive years.
- 9.3 Subject to Part 10, an Aldermanic member of the Audit Panel holds office from the date of their appointment to the Audit Panel, until the termination or expiry (whichever occurs earlier) of their term as an elected Alderman.
- 9.4 An independent member of the Audit Panel who is an independent person is entitled to be paid the remuneration and allowances as determined by Council as specified in the member's instrument of appointment.

PART 10 – REMOVAL FROM OFFICE

- 10.1 A member of the Audit Panel may only be removed as a member by a resolution of an absolute majority of Council.

PART 11 - NOTIFICATION OF APPOINTMENT OF MEMBERS OF AUDIT PANEL

- 11.1 The General Manager of Council is to notify the Director of Local Government of:
 - (a) the appointment of all the members of Council's Audit Panel, and the term of each of those appointments, as soon as practicable after establishing the Audit Panel;
 - (b) the identity of the Chairperson and each independent person of the Audit Panel; and
 - (c) the appointment of each new member of the Audit Panel and the term of his or her appointment, as soon as practicable after making that appointment.

PART 12 - ANNUAL WORK PLAN

- 12.1 To assist the Audit Panel in performing its functions efficiently and effectively, the Audit Panel is to develop an annual work plan that includes, but is not limited to, a schedule of meetings and the known objectives for each meeting so scheduled.
- 12.2 The forward meeting schedule should include the dates, start time and location for each meeting.

PART 13 - MEETINGS OF THE AUDIT PANEL

- 13.1** The Audit Panel is to hold not less than four (4) ordinary meetings in each financial year (not including any special meetings).
- 13.2** At a meeting of the Audit Panel, a quorum is constituted by three (3) members in attendance one (1) of whom must be an independent member, and another Aldermanic member of the Audit Panel.
- 13.3** The following Officers of Council are to attend, or to ensure that their respective delegates attend, each meeting of Council's Audit Panel as an ex-officio (non-voting) member:
- (a) General Manager
 - (b) Chief Financial Officer; and
 - (c) Secretariat.
- 13.4** The Audit Panel may invite or allow a councillor of Council and/or an employee of Council and/or internal and/or, external auditor to attend one or more meetings of the Audit Panel.
- 13.5** Subsections 13.3 and 13.4 do not apply in relation to a meeting of the Audit Panel if the Chairperson determines that the meeting (or part of a meeting) is to be held in private.
- 13.6** Subject to this Charter the Audit Panel may regulate its own meetings.
- 13.7** Any relevant provisions of the *Local Government (Meeting Procedures) Regulations 2015* (Tas) are to apply to meetings of the Audit Panel.
- 13.8** The Chairperson is required to call a meeting if requested to do so by Council, or by an Audit Panel member.

PART 14 – REPORTING

- 14.1** The Audit Panel is to report to Council on its operations and activities during the year.
- 14.2** The Audit Panel is to provide a copy of its confirmed meeting minutes to Council as soon as practicable after each Audit Panel meeting.
- 14.3** With respect to communicating with Council:
- (a) Within ten (10) working days of an Audit Panel meeting, the Chairperson is to prepare a brief report of that meeting and circulate that report to Audit Panel members;
 - (b) The Chairperson will forward the report to the Secretariat to include in the next available Council meeting agenda (closed section). To avoid any doubt, the Chairperson may also forward the report to the General Manager;
 - (c) The Secretariat will provide the confirmed minutes to be placed on agenda for the first ordinary Council meeting (closed section) after their confirmation; and

- (d) The Chairperson (or another Audit Panel member, if the Chairperson is unavailable) may attend that Council meeting to present the report and answer questions.
- 14.4 The Audit Panel may, at any time, report to Council any other matter it deems to be of sufficient importance to do so.
- 14.5 The Audit Panel, through the Chairperson, must report annually to Council on its overall operation and activities during the financial year.
- 14.6 The Audit Panel's annual report is to include but not limited to:
 - (a) A summary of the work the Audit Panel performed to fully discharge its responsibilities during the preceding year; and
 - (b) An overall assessment of Council's legal, governance, financial, risk, control and compliance framework including details of any significant emerging risk impacting on Council.

PART 15 - RECOMMENDATION OF THE AUDIT PANEL

- 15.1 On conducting a review under section 85A of the Act, the Audit Panel is to provide Council with a written report of its conclusions and recommendations, if any.

PART 16 - RESOURCES OF THE AUDIT PANEL

- 16.1 Council is to provide secretarial support to, and all necessary funding required by, the Audit Panel.
- 16.2 The Secretariat is to ensure the agenda for each meeting and supporting papers are circulated, after approval from the Chairperson, at least four (4) days before the meeting.
- 16.3 The Secretariat is to ensure the minutes of Audit Panel meetings are prepared and maintained.
- 16.4 The draft minutes must be reviewed by the Chairperson and will be confirmed at the next meeting of the Audit Panel.
- 16.5 The Audit Panel, through the General Manager, will obtain any information and/or document it needs from any employee of Council and/or external party when such information and/or document is required to carry out its functions. This is subject to the Audit Panel members' legal obligations to protect the obtained information and/or document.
- 16.6 Subject to Council's approval of expenditure, the Audit Panel will obtain, (at Council's cost), external professional advice as it determines is appropriate.
- 16.7 Subject to Part 6, the Audit Panel will discuss any matters with the internal and/or external auditor when required.

- 16.8** Council is to provide induction for the members of the Audit Panel to enable them to meet their responsibilities under this Charter.

PART 17 – CONFLICTS OF INTEREST

- 17.1** The Conflict of Interest provisions of Part 5 of the Act are to apply to members of the Audit Panel, Council and Council employees who provide advice or recommendations to the Audit Panel.
- 17.2** At each Audit Panel Meeting a member must declare any potential or actual pecuniary or non-pecuniary interests that may affect the carrying out of the member's functions and responsibilities under the Act and the Order.
- 17.3** In considering whether to declare an interest under clause 16.2, members must consider whether the potential interest may, in any way, impact or influence, or be seen to impact or influence, the members ability to make impartial decisions in accordance with this Charter.
- 17.4** All declaration of interests must be recorded in the meeting minutes.
- 17.5** Where required by the Chairperson the member will be excused from the meeting or from the Audit Panel's consideration of the relevant agenda item(s).
- 17.6** The General Manager is to keep a register of interests of members of the Audit Panel.

PART 18 – REVIEW OF THE AUDIT PANEL AND THE CHARTER

18.1 Performance Review of the Audit Panel

- (a) The Chairperson of the Audit Panel, in consultation with Council, will initiate a review of the performance of the Audit Panel at least once every two (2) years.
- (b) The review will be conducted on a self-assessment basis (unless otherwise determined by Council) with appropriate input sought from the Audit Panel, the General Manager, management and any other relevant stakeholders, as determined by Council.
- (c) The Audit Panel's review will include a section on the performance of the Chairperson, and the discharge of their duties and responsibilities under the Charter.

18.2 Review of the Charter

- (a) At least every second year the Audit Panel will review the Charter to ensure its provisions comply with the Act and the Order.
- (b) Any changes to the Charter will be recommended by the Audit Panel and approved by Council.

Glenorchy City Council

Approved by Glenorchy City Council at its Meeting dated

Signed on behalf of Glenorchy City Council

Signature
Chair of Council Meeting



**THE AUDIT PANEL CHARTER
OF
GLENORCHY CITY COUNCIL**

Glenorchy City Council

Title	Audit Panel Charter of Glenorchy City Council
Council Resolution	Item XX (DD MMM YYYY) as per Council Minutes
Responsible Directorate	Corporate Governance
Due for Review	At least every second year as per Clause 17.2 of the Audit Panel Charter
ECM	Audit Panel Charter
Version	1.0 Approved Item 9 (04 August 2014) as per Council Minutes
	1.1 Endorsed (as amended) Item 7 (20 April 2016) as per Audit Panel Minutes
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Glenorchy City Council

THE AUDIT PANEL CHARTER

The Audit Panel Charter of Glenorchy City Council is made under sections 85, 85A and 85B of the *Local Government Act 1993* (Tas) and the *Local Government (Audit Panels) Order 2014* (Tas) detailing:

- (a) the manner in which the Audit Panel is to perform its functions; and
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PART 1 – PRELIMINARY

1.1 Short Title

The Audit Panel Charter of Glenorchy City Council may be cited as the Charter.

PART 2 – INTERPRETATION

2.1 Interpretation

In this Charter –

“**Act**” means the *Local Government Act 1993* (Tas);

“**Audit Panel**” means an audit panel that Glenorchy City Council is required to establish under section 85(1) of the Act;

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Glenorchy City Council

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“member” means a member appointed to the Audit Panel that is either a Councillor/Alderman or an independent person;

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PART 3 – OBJECTIVE

- 3.1 The objective of the Audit Panel is to review Council’s performance under section 85A of the Act and report to Council its conclusions and recommendations.

PART 4 - FUNCTIONS OF THE AUDIT PANEL

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- 4.1 The Audit Panel is to consider in a review of Council's performance:
- (a) whether the annual financial statements of Council accurately represent the state of affairs of Council;
 - (b) whether and how the Part 7 plans are integrated and the processes by which, and assumptions under which, those plans were prepared;
 - (c) Council’s financial system, financial governance arrangements and financial management;
 - (d) the accounting, internal control, anti-fraud, anti-corruption and risk management policies, systems and controls that Council has in relation to safeguarding its long-term financial position;
 - (e) whether Council is complying with the provisions of the Act and all other relevant legislation;

Glenorchy City Council

- (f) whether Council is complying with its internal policies and procedures;
- (g) whether Council has taken any action in relation to previous recommendations provided by the Audit Panel to Council and, if it has so taken action, what that action was and its effectiveness; and
- (h) any other matters specified in the Order under section 85B of the Act as matters that the Audit Panel is to consider in such a review.

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PART 5 – KEY AREAS FOR CONSIDERATION

- 5.1 In fulfilling its functions, under Part 4, the Audit Panel should consider the following key operational areas within Council:
- (a) corporate governance, including legal, compliance, and contractual arrangements;
 - (b) human resource and work health and safety management, including ~~its~~ policies, procedures and ~~enterprise-employee~~ agreements;
 - (c) information and communication technology governance, including: management of the security, use and storage of data information and knowledge; and
 - ~~(d) management and governance of the use of data, information and knowledge; and~~
 - ~~(ed)~~ internal and external reporting requirements (both financial and non-financial).

PART 6 – RESPONSIBILITIES OF THE AUDIT PANEL MEMBERS

- 6.1 A member of the Audit Panel is expected to understand and comply with the legal requirements of the Act and the Order.
- 6.2 A member of the Audit Panel is expected to:
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Glenorchy City Council

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	<u>(a) seen or heard by the member at a meeting or part of a meeting of the Audit Panel meeting that is closed to the public that is not authorized by the Audit Panel to be disclosed; or</u>	Formatted: Body, Indent: Left: 1 cm, Right: 0 cm, Space Before: 0 pt, 0 pt
	<u>(b) given to the member by the Mayor Deputy Mayor, Alderman, Chairperson of a meeting of the Council or Council Committee, Council employee, General Manager, or another member on the condition that it be kept confidential.</u>	Formatted: Font: Not Bold
6.4	<u>A member of the Audit Panel must not make improper use of any information acquired as a member of the Audit Panel.</u>	Formatted: Font: 11 pt, Not Bold
6.5	<u>Improper use of information includes using the information –</u>	Formatted: Font: 11 pt, Not Bold
	<u>(a) to gain, directly or indirectly, an advantage or to avoid, directly or indirectly, a disadvantage for oneself, a member of one's family or a close associate; or</u>	Formatted: Font: Not Bold
	<u>(b) to cause any loss or damage to any council, controlling authority, single authority, joint authority, or person.</u>	Formatted: Font: 11 pt, Not Bold
6.6	<u>A member of the Audit Panel must not procure the doing or not doing of anything by the council to gain, directly or indirectly, an advantage or to avoid, directly or indirectly, a disadvantage for –</u>	Formatted: Font: Not Bold
	<u>(a) the member; or</u>	Formatted: Font: 11 pt, Not Bold
	<u>(b) a close associate of the member; or</u>	Formatted: Font: Not Bold
	<u>(c) a member of the member's family.</u>	Formatted: Font: 11 pt, Not Bold
PART 7 - MEMBERSHIP OF THE AUDIT PANEL		Formatted: Font: Not Bold
7.1	The Audit Panel of Council is to be constituted by five (5) members of whom three (3) must be independent persons.	Formatted: Font: 11 pt, Not Bold
7.2	Without limiting who may be members of the Audit Panel, the following persons are eligible to be members of the Audit Panel:	Formatted: Font: Not Bold
	(a) a Councillor, other than the Mayor, of Council; or	Formatted: Font: Not Bold
	(b) a member of an Audit Panel of another Council.	Formatted: Font: Not Bold
7.3	A person who is an employee or the General Manager or the Mayor of Council is not entitled to be a member of the Audit Panel of Council.	Formatted: Font: 11 pt, Not Bold
7.4	Council is to seek expressions of interest for the appointment of Aldermanic members of the Audit Panel through a secret ballot process.	Formatted: Font: Not Bold
7.5	Council is to seek expressions of interest for appointment of members of the Audit Panel, including through publicly advertising.	Formatted: Font: Not Bold
7.6	Council is to appoint the independent persons of its Audit Panel after a selection process conducted by Council.	Formatted: Font: Not Bold

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- 7.7 In appointing an independent person as a member of the Audit Panel, Council –
- (a) is to ensure that the person possesses good business acumen and sound management and communication skills; and
 - (b) may take into account any other relevant knowledge, abilities and skills of the person including, but not limited to –
 - (i) knowledge and expertise in the areas of audit practices and financial management;
 - (ii) knowledge of, and experience in, relevant industries;
 - (iii) experience in, and good understanding of, relevant legal requirements; and
 - (iv) experience with governance processes including, but not limited to, risk management.

- 7.8 Council is to appoint two (2) Aldermanic proxies through a secret ballot process that are to be called upon when the elected Aldermanic members are unavailable to attend the Audit Panel meeting(s).

PART 8 - CHAIRPERSON OF THE AUDIT PANEL

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- 8.1 The Chairperson of the Audit Panel may only be an independent person who is a member of the Audit Panel.
- 8.2 Council is to appoint one (1) of the independent persons as Chairperson of the Audit Panel by secret ballot in a Council Meeting.
- 8.3 When the Chairperson is unavailable to attend a meeting of the Audit Panel, a Deputy Chairperson is to be selected from the remaining two (2) independent persons as voted on by the Audit Panel or as voted on by Council at the time of appointing the Chairperson.

PART 9 - TERM AND CONDITIONS OF APPOINTMENT OF -THE AUDIT PANEL MEMBERS

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- 9.1 Terms of appointment of independent members are as follows:

- (a) the Chairperson will hold office for a period of three (3) years from the Chairperson's appointment;
- (b) the two (2) other independent members will hold office for a maximum of a three (3) year term; and
- (c) in making these appointments, the Council will ensure that these terms for the three (3) appointments, do not terminate at the same time.

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9.2 ~~An independent member of the Audit Panel, if eligible, may be re-appointed by Council, provided the member's reappointment will not cause their total term to exceed six (6) consecutive years. A member of the Audit Panel holds office for a period of two (2) years as specified in the member's instrument of appointment.~~

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9.2 ~~A member of the Audit Panel, if eligible, may be re-appointed by Council.~~

9.3 ~~A member of the Audit Panel who is an independent person is entitled to be paid the remuneration and allowances as determined by Council. Subject to Part 10, an Aldermanic member of the Audit Panel holds office from the date of their appointment to the Audit Panel, until the termination or expiry (whichever occurs earlier) of their term as an elected Alderman.~~

9.4 ~~An independent member of the Audit Panel who is an independent person is entitled to be paid the remuneration and allowances as determined by Council as specified in the member's instrument of appointment.~~

PART 10 – REMOVAL FROM OFFICE

10.1 ~~A member of the Audit Panel may only be removed as a member by a resolution of an absolute majority of Council.~~

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PART 11 – NOTIFICATION OF APPOINTMENT OF MEMBERS OF AUDIT PANEL

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11.1 The General Manager of Council is to notify the Director of Local Government of:

- (a) the appointment of all the members of Council's Audit Panel, and the term of each of those appointments, as soon as practicable after establishing the Audit Panel;
- (b) the identity of the Chairperson and each independent person of the Audit Panel; and
- (c) the appointment of each new member of the Audit Panel and the term of his or her appointment, as soon as practicable after making that appointment.

PART 12 – ANNUAL WORK PLAN

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12.1 To assist the Audit Panel in performing its functions efficiently and effectively, the Audit Panel is to develop an annual work plan that includes, but is not limited to, a schedule of meetings and the known objectives for each meeting so scheduled.

12.2 The forward meeting schedule should include the dates, start time and location and proposed agenda items for each meeting.

PART 13 – MEETINGS OF THE AUDIT PANEL

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13.1 The Audit Panel is to hold not less than four (4) ordinary meetings in each financial year (not including any special meetings).

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132.2 At a meeting of the Audit Panel, a quorum is constituted by three (3) members in attendance one (1) of whom must be an independent member, and another ~~an Aldermanic~~ member of the Audit Panel.

~~**132.3** The General Manager of Council is to attend, or to ensure that his or her delegate attends, each meeting of Council's Audit Panel as an ex-officio (non-voting) member.~~

132.43 The following Officers of Council are to attend, or to ensure that their respective delegates attend, each meeting of Council's Audit Panel as an ex-officio (non-voting) member:

- (a) ~~Director, Corporate Governance and General Counsel; and~~ General Manager
- (b) Chief Financial Officer; and
- (c) Secretariat.

132.45 The Audit Panel may invite or allow a councillor of Council and/or an employee of Council and/or internal and/or, external auditor to attend one or more meetings of the Audit Panel.

132.56 Subsections ~~132.3 and 132.4 and 132.5~~ do not apply in relation to a meeting of the Audit Panel if the Chairperson determines that the meeting (or part of a meeting) is to be held in private.

~~**132.67** Within the context of~~ Subject to this Charter the Audit Panel may regulate its own meetings.

132.78 ~~The Any~~ relevant provisions of the *Local Government (Meeting Procedures) Regulations 2015* (Tas) are to apply to meetings of the Audit Panel.

132.89 The Chairperson is required to call a meeting if requested to do so by Council, or by an Audit Panel member.

PART **143** – REPORTING

143.1 The Audit Panel is to report ~~regularly~~ to Council on its operations and activities during the year.

143.2 The Audit Panel is to provide a copy of its confirmed meeting minutes to Council as soon as practicable after each Audit Panel meeting.

143.3 With respect to communicating with Council:

- (a) Within ten (10) working days of an Audit Panel meeting, the Chairperson is to prepare a brief report of that meeting and circulate that report to Audit Panel members;
- (b) The Chairperson will forward the report to the ~~General Manager~~ Secretariat to include in the next available Council meeting agenda (closed section). To avoid any doubt, the Chairperson may also forward the report to the General Manager;

~~(b)(c)~~ The Secretariat will provide the confirmed minutes to be placed on agenda for the first ordinary Council meeting (closed section) after their confirmation; and

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(e)(d) The Chairperson (or another Audit Panel member, if the Chairperson is unavailable) will ~~may~~ attend that Council meeting to present the report and answer questions, ~~on the recent Audit Panel meeting; and~~

(d) ~~After the next Audit Panel meeting, the secretariat will include the confirmed minutes of the previous Audit Panel meeting on the next available Council meeting agenda, together with the Chairperson's brief report of that meeting.~~

~~143.4~~ The Audit Panel may, at any time, report to Council any other matter it deems to be of sufficient importance to do so.

~~143.5~~ The Audit Panel, through the Chairperson, must report annually to Council on its overall operation and activities during the financial year.

~~143.6~~ The Audit Panel's annual report is to include but not limited to:

- (a) A summary of the work the Audit Panel performed to fully discharge its responsibilities during the preceding year; and
- (b) An overall assessment of Council's legal, governance, financial, risk, control and compliance framework including details of any significant emerging risk impacting on Council.

PART ~~154~~ - RECOMMENDATION OF THE AUDIT PANEL.

~~154.1~~ On conducting a review under section 85A of the Act, the Audit Panel is to provide Council with a written report of its conclusions and recommendations, if any.

PART ~~165~~ - RESOURCES OF THE AUDIT PANEL

~~165.1~~ Council is to provide secretarial support to, and all necessary funding required by, the Audit Panel.

~~165.2~~ The ~~secretariat~~ Secretariat is to ensure the agenda for each meeting and supporting papers are circulated, after approval from the Chairperson, at least four (4) days before the meeting.

~~165.3~~ The ~~secretariat~~ Secretariat is to ensure the minutes of Audit Panel ~~the~~ meetings are prepared and maintained.

~~165.4~~ The draft minutes must be approved-reviewed by the Chairperson and will be confirmed at the next meeting of the Audit Panel.

~~15.5~~ ~~The secretariat will provide a copy of the Audit Panel's confirmed meeting minutes to Council as soon as practicable after each Audit Panel meeting.~~

~~165.56~~ The Audit Panel, through the General Manager, will obtain any information and/or document it needs from any employee of Council and/or external party when such information and/or document is required to carry out its functions. This is subject to the Audit Panel members'

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legal obligations to protect the obtained information and/or document.

~~165.67~~ Subject to Council's approval of expenditure, ~~the~~ The Audit Panel will obtain, (at Council's the cost), of Council, external professional advice ~~when it is required to carry out its functions as it determines is appropriate.~~

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~~165.78~~ Subject to Part 6, ~~the~~ The Audit Panel will discuss any matters with the internal and/or external auditor when required, ~~subject to confidentiality considerations.~~

~~165.89~~ Council is to provide induction for the members of the Audit Panel to enable them to meet their responsibilities under this Charter.

PART 176 – CONFLICTS OF INTEREST

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~~176.1~~ The Conflict of Interest provisions of Part 5 of the Act are to apply to members of the Audit Panel, Council and Council employees who provide advice or recommendations to the Audit Panel.

~~176.2~~ At each Audit Panel Meeting a member ~~of the Audit Panel~~ must declare ~~to the Chairperson~~ any potential or actual pecuniary or non-pecuniary interests that may affect the carrying out of the member's functions and responsibilities under the Act and the Order.

~~17.3~~ In considering whether to declare an interest under clause 16.2, members must consider whether the potential interest may, in any way, impact or influence, or be seen to impact or influence, the members ability to make impartial decisions in accordance with this Charter.

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~~176.43~~ ~~All~~Such declaration of ~~pecuniary or non-pecuniary~~ interests ~~will~~ must be recorded in the meeting minutes.

~~17.5~~ Where required by the Chairperson the member will be excused from the meeting or from the Audit Panel's consideration of the relevant agenda item(s).

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~~17.6~~ The General Manager is to keep a register of interests of members of the Audit Panel.

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~~16.4~~ Independent persons are to consider past employment, consultancy arrangement and any related party issues in making these declarations.

~~16.5~~ Where required by the Chairperson the member will be excused from the meeting or from the Audit Panel's consideration of the relevant agenda item(s).

PART 187 – REVIEW OF THE AUDIT PANEL AND THE CHARTER

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187.1 Performance Review of the Audit Panel

(a) The Chairperson of the Audit Panel, in consultation with Council, will initiate a review of the performance of the Audit Panel at least once every two (2) years.

(b) The review will be conducted on a self-assessment basis (unless otherwise determined by Council) with appropriate input sought from the Audit Panel, the General Manager, ~~the internal and external auditors,~~ management and any other relevant stakeholders, as determined by Council.

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- (b)(c) The Audit Panel's review will include a section on the performance of the Chairperson, and the discharge of their duties and responsibilities under the Charter.

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187.2 Review of the Charter

- (a) At least every second year the Audit Panel will review the Charter to ensure its provisions comply with the Act and the Order.
- (b) Any changes to the Charter will be recommended by the Audit Panel and approved by Council.

Approved by Glenorchy City Council at its Meeting dated

Signed on behalf of Glenorchy City Council

Signature
Chair of Council Meeting

Title

Full Name

Date



Title	Corporate Credit Card Directive
GM Approval Date	10 January 2018
Responsible Directorate	Corporate Governance
Due for Review	Four (4) years from GM Approval Date
ECM	Council Directives

PURPOSE

This Directive establishes appropriate controls over the use of corporate credit cards (CCCs) at Glenorchy City Council.

SCOPE

This Directive applies to all Council employees authorised under this Directive to use a CCC.

It does not apply to the Mayor, Commissioner or Alderman of Council.

The General Manager retains the sole discretion to terminate, replace or vary this Directive from time to time.

STATUTORY REQUIREMENTS

There are no specific requirements governing the issue and use of CCCs within the *Local Government Act 1993 (the Act)* or the *Local Government (General) Regulations 2015*. However, section 20(1)(c) of the Act provides that one of the functions of Council is to 'provide for the good government of the municipal area'. Section 62 of the Act provides that one of the functions of the General Manager is to 'manage the resources and assets of the Council'.

As part of good governance and in compliance with other relevant legislative requirements, it is essential to have an effective system of internal financial controls, including those set out in this Directive.

The *A New Tax System (Goods and Services Tax) Act 1999* (Cth) specifies requirements for recovery of GST paid in conducting business activities.

The *Fringe Benefits Tax Assessment Act 1986* (Cth) specifies expenses and benefits that are subject to FBT, record keeping and reporting requirements.

Acts	<i>Local Government Act 1993</i>, sections 20 and 62 <i>A New Tax System (Goods and Services Tax) Act 1999</i> (Cth) <i>Fringe Benefits Tax Assessment Act 1986</i> (Cth)
Regulations	Not Applicable
Australian/International Standards	Not Applicable
Guidelines	Treasurer's Instruction No 705 – Tasmanian Government Card

DEFINITIONS

Appropriate Procurement	may include (but is not limited to): - office travel, accommodation and food services (to the extent that the food services are not considered to be 'entertainment')* - education and training <i>ad hoc</i> repair and maintenance services - retail and wholesale purchases (e.g. grocery, hardware stores, office supplies and consumables), and
--------------------------------	--



cardholder	a Council employee who has been issued with a CCC
CCC Procedures	The Council Corporate Credit Card Use Procedural Rules which are <u>Attachment 1</u> to this Directive.
entertainment	the provision of: • business lunches and drinks, cocktail parties and staff social functions • entertainment to staff or clients by way of access to sporting or theatrical events, or • accommodation and travel to do with providing entertainment by way of food, drink or recreation. The provision of alcohol generally suggests the provision of entertainment. However, meals and accommodation, where an employee is engaged on business travel are not classified as entertainment.[†]
light refreshment	the provision of food and drink for the purposes of light refreshment is not classified as entertainment, for example: • provision of morning and afternoon teas and light meals such as sandwiches, tea, coffee or juice to staff on a business day at the business premises • provision of a light lunch at a planning day or training session, and • provision of food and drink that is incidental to attendance at a seminar, i.e., conference, convention, lecture etc. of at least four (4) hours duration.
Service Provider	the Commonwealth Bank of Australia (CBA) or other such service provider engaged by Council from time to time.

DIRECTIVE

Use of Council CCCs

The use of CCCs by Council achieves efficiencies through the rationalisation of ordering, authorisation, reconciliation and payment procedures, particularly for low value purchases.

The major benefits arising from the use of the CCC include:

- generating productivity gains to Council
- allowing the Council's suppliers to receive faster payment
- reducing the paperwork associated with the purchasing and payment process for both Council and its suppliers
- reducing the number of payments processed by Council, and
- tracking purchases and approvals.

Controls and Restrictions on CCC Use

The following controls apply to all CCC use by Council employees:

1. a CCC must only be used by cardholders for Appropriate Procurement, including travel.
2. the use of a CCC is the preferred procurement method for all appropriate procurements under \$2,000 (inclusive of GST).

* this Directive is to be read with Council's Corporate Travel Directive (approved on 25 July 2017)

† An exception to the definition of 'entertainment' for certain cardholders is set in the 'Controls and Restrictions on CCC use section, below.



3. the upper limit for each cardholder, above which no single transaction is to exceed, is \$2,000 (inclusive of GST). The General Manager may increase the transaction limit for specific cardholders where the General Manager is satisfied that there are sound business reasons for doing so and appropriate controls in place.
4. when determining what constitutes an Appropriate Procurement, the General Manager will take into consideration internal management and operational needs as well as any impacts on overall procurement strategy, the cost of any applicable merchant fees and any impact on payment terms.
5. CCCs are for the sole use of the cardholder and cardholders are not permitted to share their CCC information with other staff members or members of the public.
6. the cardholder must obtain appropriate supporting documentation in relation to each CCC transaction.
7. cardholders must enter the details of any CCC transactions in Council's CCC software system in a timely manner.
8. CCC statements must be authorised for reimbursement to the Service Provider by an officer with delegated authority.

A CCC must not be used in the following circumstances:

1. to make cash withdrawals
2. for entertainment purposes (whether or not for official business), except where the CCC is used for bona fide entertainment expenses by a cardholder associated with the Derwent Entertainment Centre, Moonah Arts Centre or a major or community events
3. to purchase fuel
4. for the payment of invoices, correctly rendered by suppliers, after the due date for payment
5. for the payment of fines
6. to purchase items on the Merchant Restrictions list (refer to the CCC Procedures), or
7. for personal transactions, even if it is the cardholder's intention to immediately reimburse the private expenses

Misuse of a CCC

Misuse of a CCC or a breach of the conditions of its use may result in forfeiture of the card, personal liability for the debt and/or disciplinary proceedings.

Examples of CCC misuse include, but are not limited to, the following:

- purchasing any of the goods or services that are listed above
- purchasing goods or services for which budget funds are not available
- splitting a purchase in order to avoid the procurement value limits outlined in Council's Code for Tenders and Contracts (this is also considered a breach of the Code)
- sharing CCC information with other staff members or persons from outside the organisation
- using a CCC to purchase goods or services that are on the Merchant Restrictions list (refer to the CCC Procedures)



- Failing to report CCC transactions in a properly and timely manner and in accordance with Council's CCC Procedures
- the use a CCC in breach of any other part of this Directive.

General Manager's CCC Transactions

The General Manager's CCC transactions are to be independently checked and authorised by Council's Chief Financial Officer.

In accordance with the Auditor General's advice of November 2015 concerning the authorising process of the General Manager's CCC transactions, Council's Audit Panel reviews the General Manager's corporate credit card expenditure as a matter of due probity at the next scheduled meeting of the Audit Panel.

Responsibilities

The following table sets out the various roles and responsibilities of Council employees with respect to CCC usage.

Council Officer	Responsibility
General Manager	• must ensure the effective, efficient and appropriate use of the CCC facility within Council. • will determine how many CCCs are issued, to whom and for what purposes, including setting monthly credit and transaction limits.
Chief Financial Officer (or delegate)	Responsible for: • ordering, collecting and cancelling cards • updating policies and procedures • ongoing education and training of cardholders • ensuring all CCC transactions are accounted for, monthly statements are reconciled and transactions are recorded in the general ledger on a timely basis • reviewing the operation of the CCC facility within Council, including reporting on its activities and ensuring that the CCC is cost effective • ensuring all CCCs are retrieved from separating cardholders before they leave the Council • independently authorising the General Manager's CCC transactions, and • assessing compliance of this Directive and reporting it to the General Manager on a regular basis.
Cardholders	Responsible for: • acknowledging their responsibilities and obligations in the use of a CCC • reporting lost or stolen cards immediately to CFO (or delegate) • ensuring that transactions are in accordance with the Council's procurement policies • keeping the CCC safe and secure at all times, and • ensuring that disputed transactions are reported immediately, and that subsequent action by the Service Provider is followed up.

CCC Procedures

Council's CCC Procedures are [Attachment 1](#) to this Directive



CCC Acknowledgement and Declaration

All cardholders will be required to complete Council's 'CCC Acknowledgement and Declaration' Form, a copy of which is Attachment 2 to this Directive.



Attachment 1

Council Corporate Credit Card Use Procedural Rules

Issue of CCCs

The issue of a CCC requires the written approval of the cardholder's Manager or Director.

A CCC will only be issued after completion of the designated form by the Accounts Payable team and signature on the form by the Cardholder.

The Cardholder's identity will be checked by one of Council's verifying officers and the approval of two (2) Council bank account signatories is also required.

Upon completion, the form will be sent to Council's financial institution for processing.

The CCC will be issued in the employee's name as the cardholder. Council's name will also appear on the card.

Upon receipt of a new corporate credit card, Council's Accounts Payable team will:

- ensure that the card is signed immediately in the presence of one of the System Administrators of the Council's CCC software system
- provide training to the cardholder on the use of the card and on the use of Council's CCC software system
- if required, provide copies of all relevant procurement policies and procedures to the cardholder for future reference
- advise the cardholder of their obligations with regard to the use of the card and the processes they are required to follow in conjunction with use of the card, and
- require the cardholder to sign an 'Acknowledgement and Declaration' form.

Approval of Purchases on CCC

All purchases made on a CCC are required to be reviewed and approved by a person who is not the cardholder. Approvers will be notified of transactions that require their approval through Council's CCC software system.

A cardholder must not approve a transaction to which they were a party.

A person who approves CCC transactions must hold a financial delegation, and must not approve any transaction which is above their delegated financial limit.

Unauthorised Transactions

Where a purchase has been made by a cardholder on a CCC that is in breach of the Directive (for example, a personal or entertainment expense), the cardholder will be required to reimburse Council for the amount of the transaction. Intentional misuse of CCC's may also result in disciplinary action being taken against the cardholder.

For the avoidance of doubt, purchases that are in breach of the Directive must not be approved in Council's CCC software system.



Mistaken Purchase on CCC

If a Cardholder inadvertently makes a personal purchase with a CCC, they are to inform their Manager or Director and Council's Accounts Payable team immediately.

The cardholder will be required to complete a statutory declaration stating that the purchase was personal and was made in error. Arrangements will be made for the cardholder to reimburse Council for the amount of the mistaken purchase.

In the absence of a notification by the cardholder where it subsequently identified that a CCC purchase is in breach of the Directive, the cardholder's Manager or Director will be informed of the potential breach and appropriate action taken to rectify it.

Merchant Restrictions

To ensure appropriate internal controls over the types of transactions which may be made Council CCCs, the following classes of purchases have been restricted:

- bail and bond payments
- bars, cocktail lounges, discotheques, nightclubs
- betting
- billiard and pool establishments
- cigar stores and stands
- clubs country clubs, membership
- court costs including alimony and child support
- dating and escort services
- duty free stores
- fines
- funeral service and crematories
- massage parlours
- pawn shops
- precious stones and metals, watches and jewellery
- tax payments

Further restrictions made by added by the General Manager from time to time.

Proof of CCC Transaction Reconciliation

Cardholders are required to obtain a tax invoice for those purchases that include a GST component. For a purchase where GST does not apply, an invoice, a cash register receipt or a credit card docket must be obtained in lieu of a tax invoice.

If documentary proof of a transaction has been lost or was not obtained at the time of the transaction, the cardholder is responsible for either obtaining a replacement or completing a statutory declaration in relation to that purchase.

All cardholders will be required to complete their costings and transaction details in Council's CCC software system. The only exception to this is where transactions are automatically forwarded to a cardholder's direct supervisor for authorisation, costing and transaction detail updating.

When cardholder transactions have been downloaded from the Service Provider into Council's CCC software system, each cardholder will receive an email alerting them that their transactions are ready to be reconciled.

Upon receipt of the weekly transactions through Council's CCC software system, the cardholder will:

- check all transactions for accuracy



- ensure that all relevant documents have been retained
- for each transaction, record details of the required ledger account, the nature of the purchase with sufficient detail and scan invoice/receipts within the Council's CCC software system, and
- advise Council's Accounts Payable team immediately of any discrepancies appearing on their statements.

The above process is also to be followed when another employee is required to process a cardholder's transactions (e.g. a supervisor processing a leading hand's CCC transactions).

Once the transactions have been reconciled, the System Administrators will then extract the transactions from Council's CCC software system and upload these transactions into Technology One. This process will occur on a fortnightly basis to ensure that CCC expenditure is being committed as appropriate.

Lost or Stolen CCC

In the event that the CCC is lost or stolen, cardholders are required to advise CBA credit card services immediately (and not on Monday morning if a lost/stolen card is discovered over the weekend) by telephoning 13 15 16.

The cardholder must also advise Council's Accounts Payable Team as soon as practicable.

Provided the cardholder has reported the lost or stolen CCC in a timely manner, the cardholder will not be held personally liable for improper use and for any expenses incurred by an unauthorised third party.

Phone/Internet Purchasing

Cardholders may use CCCs to place orders over the phone or online. There are no restrictions on purchasing by these means, other than the restrictions that apply generally to CCC use.

Using PayPal on CCC

If a purchase to be made on a CCC requires the use of PayPal, the following must be adhered to by the cardholder:

- purchases made via PayPal should be treated as purchases on a credit card and are subject to the same terms and conditions and policy requirements as normal use of a CCC
- the PayPal account must be set up in the name of the staff member responsible for the CCC that is to be attached to the PayPal account
- the PayPal account must be set up with the staff member's official work email address and not a personal email address, and
- the PayPal account must be monitored by the Manager/Supervisor of the cardholder on a monthly basis in the same way as when purchases are made directly on the CCC.

Security of CCCs

It is the cardholder's responsibility to ensure that they keep their card in a safe and secure place at all times. The cardholder will be personally liable for all purchases improperly made using the card while it is in their possession, unless otherwise reported as lost and stolen (see above) or evidence that fraudulent activity has occurred incurring expense on the card, without the consent of the cardholder.

**Staff on leave**

When a cardholder is going on leave, the need for the employee acting in the cardholder's position to have a corporate credit card will be at the cardholder's Manager's or Director's discretion.

Termination of Cardholder's Employment

Cardholders are required to physically return their CCC to Council's Accounts Payable Team either:

- (a) if resigning, two (2) weeks prior to the termination of their employment with Council (or as soon as possible if less than two weeks' notice is given), or
- (b) if the employees employment is terminated, prior to departing Council.



Attachment 2

Acknowledgement and Declaration Form

Glenorchy City Council Corporate Credit Card Acknowledgment by Cardholder	
Cardholder:	Position:
Directorate:	Department:
I understand that a Corporate Credit Card (CCC) is issued to me on the express proviso that I will, at all times, comply with the following conditions: - the CCC is the property of Glenorchy City Council and is in my possession and under my strict control and I will not permit the CCC to be used by any other person - I will not use the CCC nor permit it to be used for anything other than official Council use in accordance with Council's CCC Directive - I will obtain supporting documentation in relation to each transaction entered into in respect of the CCC which has been issued in my name - I may only use the CCC to a limit of \$ (inclusive of GST) in any single transaction - I may only use the CCC in accordance with Council's Code for Tenders and Contracts, procurement policies and procedures and the CCC Directive (as amended from time to time) - I will not use the CCC for entertainment purposes - I will not use the CCC for fuel purchases - I will not use the CCC to make cash withdrawals - I will not use their CCC to purchase goods/services that are on the Merchant Restricted list (as amended from time to time) - I will not authorise any CCC transaction within Council's CCC software system to which I have been a party - I will check all transactions against my CCC for accuracy - I will ensure that all relevant documents have been retained - I will for each transaction against the CCC, record details of the required ledger account, the nature of the purchase with sufficient detail and scan invoice/receipts within the Council's CCC software system - I will advise Council's Accounts Payable team immediately of any discrepancies appearing on the CCC transaction statements - if I use the CCC for unauthorised purposes, I understand that I will be required to reimburse Council, that Council may take disciplinary action against me, and that proceedings may be instituted against me under law	



- if the CCC is (or is suspected to be) lost or stolen, or if I suspect that the CCC has been used fraudulently, I am to report it IMMEDIATELY to the Service Provider and Council's Accounts Payable team
- I will return the CCC to Accounts Payable team on request or prior to assuming duties in another position within Council that does not require the use of a CCC
- if my employment is terminated or ceases (or otherwise suspended for more than one (1) week) I will immediately hand my CCC to Council's Accounts Payable team for cancellation, and
- the use of the CCC has no bearing on my personal credit standing.

I further acknowledge that:

- I have signed my CCC in the presence of
- I have received instructions on the use of the CCC
- I have received training on the use of Council's CCC software system on
- I have received, read and understand Council's Corporate Credit Card Directive
- I am aware that transactions made with the CCC are subject to authorisation and auditing, and
- I understand that I will be personally liable for all purchases improperly made using the CCC whilst it is in my possession.

I acknowledge that I have read and understand the above conditions which govern the use of a Glenorchy City Council Corporate Credit Card issued in my name and will follow the relevant policies, directives, procedures etc. that govern the use of a CCC (as amended from time to time).

Signature of cardholder:	Signature of Director:
Name:	Name:
Date:	Date:

APPENDIX 4: CREDIT CARD CONTROLS

A contemporary credit card policy should incorporate the following controls:

- a. approval process for issuing credit cards and specifying who is authorised to approve the issuing of a credit card, including the general manager's card
- b. requiring authorised credit card application forms be retained as evidence of the approval process
- c. guidance on setting credit and transaction limits and requiring the limits to be periodically reviewed
- d. requiring cardholders to acknowledge their acceptance of the conditions of credit card use
- e. specifically stating that the cardholder is responsible for the custody and security of the card and outlining the consequences of credit card misuse, including a provision for personal liability for inappropriate transactions
- f. restricting credit card use to purchases consistent with the responsible expenditure of public funds, including:
 - i. prohibiting cash withdrawals
 - ii. prohibiting entertainment or if entertainment is allowed, establishing strong controls
 - iii. specifying the class of travel able to purchase using the credit card
 - iv. specifying limits for overnight accommodation, meals and incidental expenses, including whether alcoholic beverages are allowable
 - v. prohibiting minibar purchase, in-room movies and other similar expenses of private nature
 - vi. restricting payments of travel expenses to staff and elected members only
 - vii. prohibiting the use of credit cards to purchase gifts or providing guidance on what is an acceptable gift and the maximum value
 - viii. prohibiting personal transactions even if the intention is to reimburse the private expenditure
 - ix. prohibiting the payment of fines
- g. restricting the use of the card to the cardholder only or establishing controls when other people are allowed to use the card (including prohibiting the recording or sharing of credit card numbers)
- h. restricting the linking of the credit card to online accounts held with alternative providers (for example PayPal) or establishing necessary controls
- i. providing advice on what constitutes a tax invoice
- j. requiring cardholders to provide an adequate description of transactions where their nature and use is not evident from the tax invoice
- k. emphasising that every attempt should be made to obtain a tax invoice to support every transaction and specifying the process and information to be provided in the absence of a valid tax invoice
- l. acquittal process, specifying who is to authorise credit card transactions, including the general manager's transactions and appropriate oversight and monitoring
- m. providing timeframe for acquittals
- n. template application form and cardholder acknowledgement form
- o. requiring the policy and guidelines to be periodically reviewed.



Good Governance Framework

Title	Good Governance Framework
Council Resolution	Item 11 (23 January 2017) as per Council Minutes
Responsible Directorate	Corporate Governance
Due for Review	22 January 2021
Strategic Plan Reference	Objective 4.1 <i>Govern in the best interests of our community</i>
ECM	Council Policy

PURPOSE

This framework provides a basis for sound governance with respect to Council's service delivery and the proper use of public monies entrusted to Council.

SCOPE

This framework applies to:

- All of Council

STATUTORY REQUIREMENTS

The *Local Government Act 1993* (LG Act) establishes Councils to plan for, develop and manage areas in the interest of their communities. Furthermore, sections 20(1) and (2) of the LG Act provides that in addition to any functions of a Council under any Act, Council has the following functions (emphasis added):

- to provide for the health, safety and welfare of the community;
- to represent and promote the interests of the community; and
- to provide for the peace, order and **good government** of the municipal area.

Of import, in performing its functions, Council is to 'consult, involve and **be accountable** to the community'.

Acts	• <i>Local Government Act 1993</i> – Sections 20(1) and (2)
Regulations	• Not Applicable
Australian/International Standards	• AS 8000:2003 Corporate Governance – Good governance principles

DEFINITIONS

Governance	• those high-level processes and behaviours that ensure an organisation performs by achieving its intended purpose, and conforms by complying with all relevant laws, codes and directions while meeting community expectations of probity, accountability and transparency.
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GOOD GOVERNANCE

Good governance promotes public confidence in Council's dealings. According to research, the better organisations are governed, the better they will perform and the more satisfied the public will be.¹

¹ Brown, R. and Gorgens, T. March 2009, Corporate Governance and Financial Performance in an Australian Context, Australian Government Treasury Working Paper 2009-02



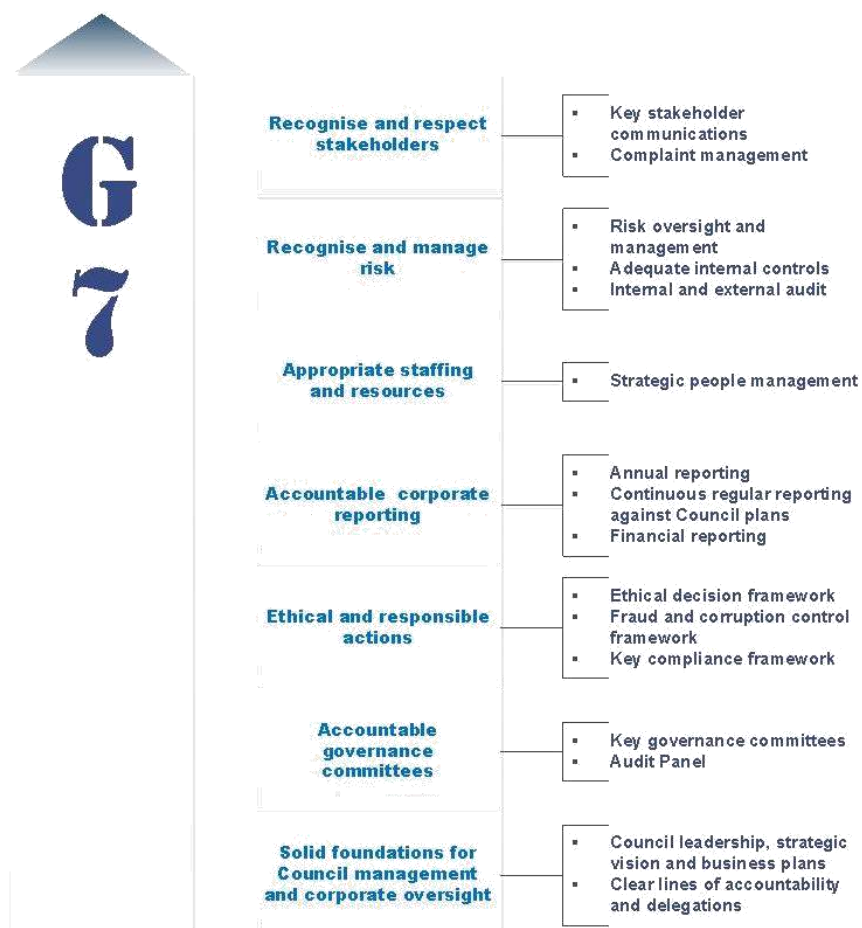
Council recognises that good governance sets a clear direction, a way to get there and tracks progress. There is independent assurance that Council management and staff are achieving this direction in an ethical and legal way. Risks and opportunities are recognised and addressed as appropriate. The rights of stakeholders are respected with open and transparent information on organisational activities and performance.

Importantly, Council embraces a whole-of-organisation governance culture that focuses on continuous achievement, accountability and ethical behaviour.

COUNCIL GOOD GOVERNANCE FRAMEWORK

Drawing from the NSW Audit Office's Governance Lighthouse, Council's Good Governance Framework is based on seven (7) key principles and 16 governance components and are underpinned by the elements of accountability, service, integrity and trust.

Glenorchy City Council Good Governance Framework





Good Governance Framework

Management will prioritise ongoing activities to ensure that Council's Good Governance Framework is supported throughout the organisation.

BACKGROUND

As part of developing and implementing Council's ongoing governance strategy, it is considered prudent to encapsulate a Council Good Governance Framework: this is to provide a basis for sound governance with respect to Council's service delivery and the 'proper use' (effective, efficient, economical and ethical) of public monies entrusted to Council.

Good Governance Framework – Desk Top Audit (October 2017)

Key Principle	Governance Component	Indicators	Traffic Light	Comment
Solid foundations for Council management and corporate oversight	Council leadership, strategic vision and business plans	Does Council have key leadership, strategic and business plans?		- Community Plan 2015-40 adopted by Council (Item 2 – 19 Jan 2015) - Ten (10) year Strategic Plan 2016-25 adopted by Council (Item 3 – 19 Dec 2016) as per s 66 of the <i>Local Government Act 1993</i> (LG Act) - Annual Plan 2017/18-2020/21 adopted by Council (Item 1 – 19 Jun 2017) - Ten (10) year long-term financial management plan (as part of the Financial Management Strategy) adopted by Council (Item 4 – 19 Dec 2016) as per s 70 of the LG Act - Financial Management Strategy adopted by Council (Item 4 – 15 May 2017) as per s 70A of the LG Act - Ten (10) year long-term strategic asset management plan adopted by Council (Item 10 – 1 Sep 2014) as per s 70B of the LG Act - Ten (10) year asset management strategy for infrastructure assets adopted by Council (Item 10 – 1 Sep 2014) as per s 70D of the LG Act
		Are Council's key leadership, strategic and business plans signed off by Council?		Yes – (see above)
		Does ELT actively connect staff with the Council's purpose		- A/GM whole-of-business presentations (Jul 2017) - To be tested through staff governance survey
	Clear lines of accountability and delegations	Do all Council staff know what they are to do, for whom, when and to what level of performance – Including their obligations under the Code of Conduct?		- New performance agreement templates being rolled out to staff covered under GCC Enterprise Agreement (includes revised behavioural and Code of Conduct requirements) (Jun 2017) - To be tested through staff governance survey
		Are delegations documented, regularly reviewed and available to all staff?		- Revised statutory and non-statutory delegations for GM position adopted by Council (Item 6 – 10 Jul 2017) - A/GM to further sub-delegate delegations and authorisations (Aug 2017) and copies to be promulgated to all affected staff - New e-register for delegations and authorisations underway
		Is there a clear division of responsibilities between Council and GM?		- Relevant delegations provided to GM position under s 22 of the LG Act (see above) - Sections 27 (Functions of mayors and deputy mayors), 28 (Functions of councillors), 62 (Functions and powers of general manager) provide a clear division of responsibilities between Council and GM
		Are there written terms of appointment for all Council elected members and senior executive?		- Appointment letters for Mayor, Deputy Mayor and Aldermen provided through the Tasmanian Electoral Commission (presumably) - GM, Directors and Managers all have written contracts of employment
		Is the performance of Council periodically evaluated?		- Section 70E (Review of plans, strategies and policies) requires Council to at least every four (4) years reviews its: strategic plan; long-term financial management plan; long-term strategic asset management plan; financial management strategy; asset management strategy; and asset management policy - Section 72 (Annual report) covers mandatory annual reporting requirements inclusive of a statement of Council's activities and its performance in respect of goals and objectives set for the preceding financial year
		Is the performance of Council disclosed in the Annual Report?		Yes – FY 2015-16 Annual Report submitted to Director, Local Government Division in November 2016
		Are the interests, positions, associations or relationships that do or may compromise the independence of the elected members and senior executive disclosed		- As per s 48 (Declaration of interest by councillor), Aldermen are invited to disclose the details of any interest that the individual Alderman might have at any meeting of Council, Council Committee or Special Council Committee - The GM maintains a register of interest of Aldermen as per s 54 of the LG Act
Accountable governance committees	Key governance committees/Audit Panel	Is there a set of well-defined key committee/s responsible for high-level direction and control that are independent of management?		- Under s 85 of the LG Act, the Council has established an Audit Panel as a Statutory Committee of Council. - The Act (Part 8, Division 4 – Audit Panels) regulates the administration, functions and responsibilities of the Audit Panel.
		Are the responsibilities and reporting lines for these committees clearly understood and documented in a charter?		- The Charter of the Audit Panel of Glenorchy City Council is made under ss 85, 85A and 85B of the LG Act and the <i>Local Government (Audit Panels) Order 2014</i> detailing: - the manner in which the Audit Panel is to perform its functions; and - the procedure of the Audit Panel in respect of its meetings
		Does each of these committees have a chair who is independent of management and a majority of independent members?		- Yes – the Chairperson is independent of Council management - The Council is responsible for the appointment of the Audit Panel members which consists of 2 Aldermen and 3 independent members (Commissioner Smith will act in the place of the suspended Aldermanic members in the interim)
		Do the key committees collectively have the required level of experience, capability and diversity to meet the needs of the business and legislative requirements?		- Under the Charter, clause 7.7 provides that an independent member of the Audit Panel must possess good business acumen and sound management and communication skills - All independent members of the Audit Panel are considered to have the required level of experience, capability and diversity to meet the needs of the business and legislative requirements
		Are members inducted and provided with appropriate development		- Yes – new Audit Panels have a special induction meeting - Audit Panel members are encouraged to attend regular Tasmanian Audit Office and Local Government Association of Tasmania briefings, as appropriate
		Does the committee examine the adequacy of corporate as well as financial reporting		- Under s 85 of the LG Act, the Audit Panel is charged with reviewing the Council's performance in relation to: - the Council's financial system, financial governance arrangements and financial management - all plans of the Council under Part 7 - all policies, systems and controls the Council has in place to safeguard its long-term financial position, and - any other matters specified in an order under section 85B of the Act as matters that an audit panel is to consider in such a review
		Is the internal and external auditor invited to attend all audit and risk committee meetings?		Yes – as required through the Audit Panel Chair
		Does the Audit Panel have full access to all relevant information, staff, internal and external reviewers		Yes – as required and through the Secretariat/GM
Ethical and responsible actions	Ethical decision framework	Is the Code of Conduct endorsed by elected members and GM?		- There are two codes of Conduct: - Model (Aldermanic) Code of Conduct under 28R of the LG Act adopted by Council (Item 8 – 4 July 2016) - Staff Code of Conduct adopted by GM and noted by Council (Item 7 – 19 April 2017)
		Does the code of conduct cover conflicts of interest, gifts and benefits and secondary employment?		- Aldermanic Code of Conduct covers: decision making, conflict of interest, use of office, use of resources, use of information, gifts and benefits, relationships with community, aldermen and Council employees, and representation. - Staff Code of Conduct covers: conflicts of interest amongst other principles - Employment contracts cover secondary employment - Draft policy for gifts, benefits and hospitality for both Aldermen and staff to be progressed

Good Governance Framework – Desk Top Audit (October 2017)

Key Principle	Governance Component	Indicators	Traffic Light	Comment
		Is the code of conduct publically available?		Copy of Aldermanic Code of Conduct available on Council's website
	Fraud and corruption control framework	Is there a documented fraud and corruption control framework?		No - still in progress
		Does the framework cover the prevention, detection and response to fraud?		No – see above
	Key compliance framework	Is there a documented approach or plan that covers how compliance is identified, monitored and reported?		No – in progress
		Have all key compliance obligations (relevant laws, regulations and government directions) been identified?		No – in progress
		Is there regular reporting to the Audit Panel on the organisation's compliance with key laws, regulations and central directions?		In part – need to consider this at a future Audit Panel meeting
		Are breaches of compliance obligations addressed adequately and promptly?		In part – on an ad-hoc basis until regular monitoring and reporting program embedded
		Are all key policies clear, available, regularly updated and monitored for compliance?		- Yes - all key policies have been revised and available on the Council's website - Compliance monitoring of the same to be rolled-out as part of the key compliance action plan
Accountable corporate reporting	Annual reporting	Has the annual report been tabled on time?		Yes – Annual Report submitted to Director, Local Government Division in November 2016
		Is the annual report published on the organisation's website?		Yes
		Does the annual report include appropriate and relevant performance information?		Yes – but room for improvement (see Australasian Reporting Awards standards)
	Continuous regular reporting against Council plans	Are key Council plans monitored and reported to Council on a regular basis?		In part – to be developed further with ELT and Commissioner
	Financial reporting	Has the CFO and head of the organisation certified that the financial records of the entity have been properly maintained and that the financial statements comply with the appropriate accounting standards and give a true and fair view of the financial performance and position?		Yes – as per Tasmanian Audit Office requirements
		Have the head of the organisation and CFO signed the management representation letter and forwarded it to the external auditor?		Yes – as per Tasmanian Audit Office requirements
Appropriate staffing and resources	Strategic people management	Does management regularly report to Council on people resource planning and management for the organisation?		In part – to be developed further with ELT and Commissioner
		Does Council have the necessary financial resources to support core skill development of staff?		In part – to be developed further with ELT and Commissioner
Recognise and manage risk	Risk oversight and management	Is there a documented risk management policy and has it been endorsed by Council?		Yes – Risk Management Policy adopted by Council (Item 9 – 2 October 2017)
		Is the risk management framework appropriate and consistent with the relevant standards?		Yes – based on Risk Management Policy and Risk Directive, underpinned by AS/NZS ISO 31000:2009 Risk Management – Principles and Guidelines
		Is the risk management framework reviewed at least annually or when there is a significant change to the nature of the organisation's business or its key processes?		Yes – albeit a bit difficult in the current suspension of elected Aldermanic members

Good Governance Framework – Desk Top Audit (October 2017)

Key Principle	Governance Component	Indicators	Traffic Light	Comment
		Is the risk management framework clearly linked to strategic and business planning?		Yes – the Risk Management Policy and Risk Directive provide linkages back to Council's Strategic Framework
		Does the organisation document and have a shared understanding of its risk appetite?		No – this is a piece of work to land with the newly elected Aldermanic members
		Do individual staff members accept personal responsibility for identifying and managing risks in their area?		Unsure – to be tested through staff governance survey
		Are risks actively monitored and mitigating controls implemented?		In part – this is a piece of work being progressed through the Risk Management Plan
	Adequate internal controls	Have senior management provided the head of the organisation with a sign-offs on the operation of internal controls?		No – until there is an agreed schedule of key internal controls
	Internal and external audit	Is there an internal audit function that meets the requirements of the organisation?		Yes – Deloitte currently provide that function (contract due to finish June 2018)
		Are internal audits completed in accordance with the plan?		Yes – and reported to Audit Panel as required
		Are recommendations or corrective action implemented on a timely basis by senior management?		In part – there is a known shortage of resources across the operations that prevent all corrective actions being implemented on a timely basis
Recognise and respect stakeholders	Key stakeholder communications	Is there a documented program to facilitate two-way interaction with key stakeholders and the public?		Yes – Council adopted its Community Engagement Policy (Item 10 – 15 May 2017) which is underpinned by supporting toolkit for Council officers
		Is information about an entity's functions and governance structure freely available? – e.g. published on the web		- Mostly – the Council's Internet website contains Council's functions and Aldermanic Structure - A new website is in train and this will necessitate a range of changes to ensure better public information in this space
	Complaint management	Is there a complaints handling policy and procedure and are these publically accessible and easily understood?		Yes – Council's Customer Service Charter includes a procedure for dealing with complaints and is available on Council's Internet website
		Are there prompt responses and actions towards complaints and grievances?		In part – Council is progressing a system to track the service levels of customer complaints via telephone

MAY 2016

GOOD GOVERNANCE GUIDE

FOR
LOCAL GOVERNMENT IN TASMANIA

CONSENSUS ORIENTED



ACCOUNTABLE



RESPONSIVE

FREE



INCLUSIVE

TRANSPARENT



LAW-ABIDING



EFFICIENT

OUTSTANDING



PARTICIPATORY



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ABOUT GOOD GOVERNANCE



ABOUT GOOD GOVERNANCE

ABOUT GOOD GOVERNANCE

INTRODUCTION

The Good Governance Guide has been produced as a resource for Tasmanian local government elected members. It aims to help build a better understanding of, promote and enhance good governance in local government.

Local government plays a critical role in Tasmania: councils help to build resilient communities, contribute to the development of a healthy environment, and promote local economies. Good governance is critical to local government's success in carrying out these roles.

This section looks at what good governance means and why it is important.

ABOUT GOOD GOVERNANCE

WHAT IS GOOD GOVERNANCE?

Governance is the processes and culture that guide the activities of an organisation beyond its basic legal obligations.

Good governance in local government is when elected members:

- act with the highest ethical standards;
- understand their role and the role of others;
- foster trusting and respectful relationships;
- show a commitment to risk management;
- engage in effective strategic planning;
- follow a transparent and accountable decision making process;
- make good decisions that promote the interests of the community they serve;
- understand and abide by the law;
- commit to continuous improvement; and
- have good judgement.

Good governance is important because it supports councils to make decisions and to act in the best interests of the community.

ABOUT GOOD GOVERNANCE

WHAT ARE THE MAIN CHARACTERISTICS OF GOOD GOVERNANCE?

Good governance has eight major characteristics¹:

Good governance is accountable

Accountability is a fundamental requirement of good governance. Local government has an obligation to report, to explain and to be answerable for the consequences of decisions it has made on behalf of the community it represents and serves.

Good governance is transparent

People should be able to follow and understand the decision making process. This means that they are able to clearly see how and why a decision was made – what information, advice and consultation a council considered, and which legislative requirements (when relevant) a council followed.

Good governance is law-abiding

Decisions must be consistent with relevant legislation or common law, and be within the powers of local government. In Tasmania, the principal legislation for local government is the [*Local Government Act 1993*](#) (the Act).

There are two sets of regulations relating to the Act which you should consult: the [*Local Government \(General\) Regulations 2015*](#) and the [*Local Government \(Meeting Procedures\) Regulations 2015*](#). The section on [*Legislative Compliance*](#) provides details of other relevant legislation.

Good governance is responsive

Local government should always try to represent and serve the needs of the entire community while balancing competing interests in a timely, appropriate and responsive manner.

Good governance is equitable

A community's wellbeing depends on all of its members feeling that their interests have been considered by their council in the decision making process. All groups, particularly the most vulnerable, should have opportunities to participate in the decision making process, and all groups should be treated equally by their council.

Good governance is participatory and inclusive

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ABOUT GOOD GOVERNANCE

Anyone affected by, or interested in, a decision should have the opportunity to participate in the process for making that decision. Participation can happen in several ways – community members may be provided with information, asked for their opinion, given the opportunity to make recommendations or, in some cases, be part of the actual decision making process.

Good governance is effective and efficient

Local government should implement decisions and follow processes that make the best use of the available people, resources and time, to ensure the best possible results for their community.

Good governance is consensus oriented

Wherever possible, good governance involves taking into account the different views and interests in a municipality to reach a majority position on what is in the best interests of the whole community, and how it can be achieved.

ABOUT GOOD GOVERNANCE

WHAT ARE THE BENEFITS OF GOOD GOVERNANCE?

Good governance is important for several reasons. It not only gives the local community confidence in its council, but improves the faith that elected members have in their own council and its decision making processes. Good governance also leads to better and more efficient decisions, helps local government meet its legislative responsibilities, and provides an ethical basis for decision making.

Good governance has the following benefits when practiced in local government²:

Promotes public trust

People are more likely to have confidence in their local council if decisions are made in a transparent and accountable way. When decisions are made in this way, members of the community will believe that their council is acting in the community's overall interest, regardless of differing opinions. It also encourages councils to remember that they are acting on behalf of their community, and underlines the importance of having open and ethical processes which adhere to the law and stand up to scrutiny.

Encourages elected members and council officers to be confident

Elected members and council officers will be more engaged in local government when good governance is practised. Elected members will be more confident about the issues before council, and they will feel that they can trust the advice given by the administration, that their views will be respected even if everyone doesn't agree with them, and that the council chamber is a safe place for debate and decision making. Council officers will feel more confident in providing frank and fearless advice which is acknowledged and respected by elected members.

Leads to better decisions

Decisions that are informed by good information and data, by stakeholder views, and by open and honest debate will generally reflect the broad interests of the community.

Members of the community are more likely to accept the outcomes if good governance processes are followed, even if they don't agree with the decision. They will also be less tempted to continue fighting or attempting to overturn the decision.

Where good governance processes have been followed, even the most difficult and controversial decisions will stand up to scrutiny.

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ABOUT GOOD GOVERNANCE

Helps local government meet its legislative responsibilities

If decision making is open and able to be followed by observers, councils are more likely to comply with the relevant legal requirements, as they are more readily held to account by the public, media and other spheres of government.

Supports ethical decision making

Good governance creates an environment where elected members and council officers ask themselves 'what is the right thing to do?' when making decisions, and receive sufficient advice and support to inform ethical decision making.

Making choices and having to account for them in an open and transparent way encourages honest consideration of the choices facing those in the governance process.

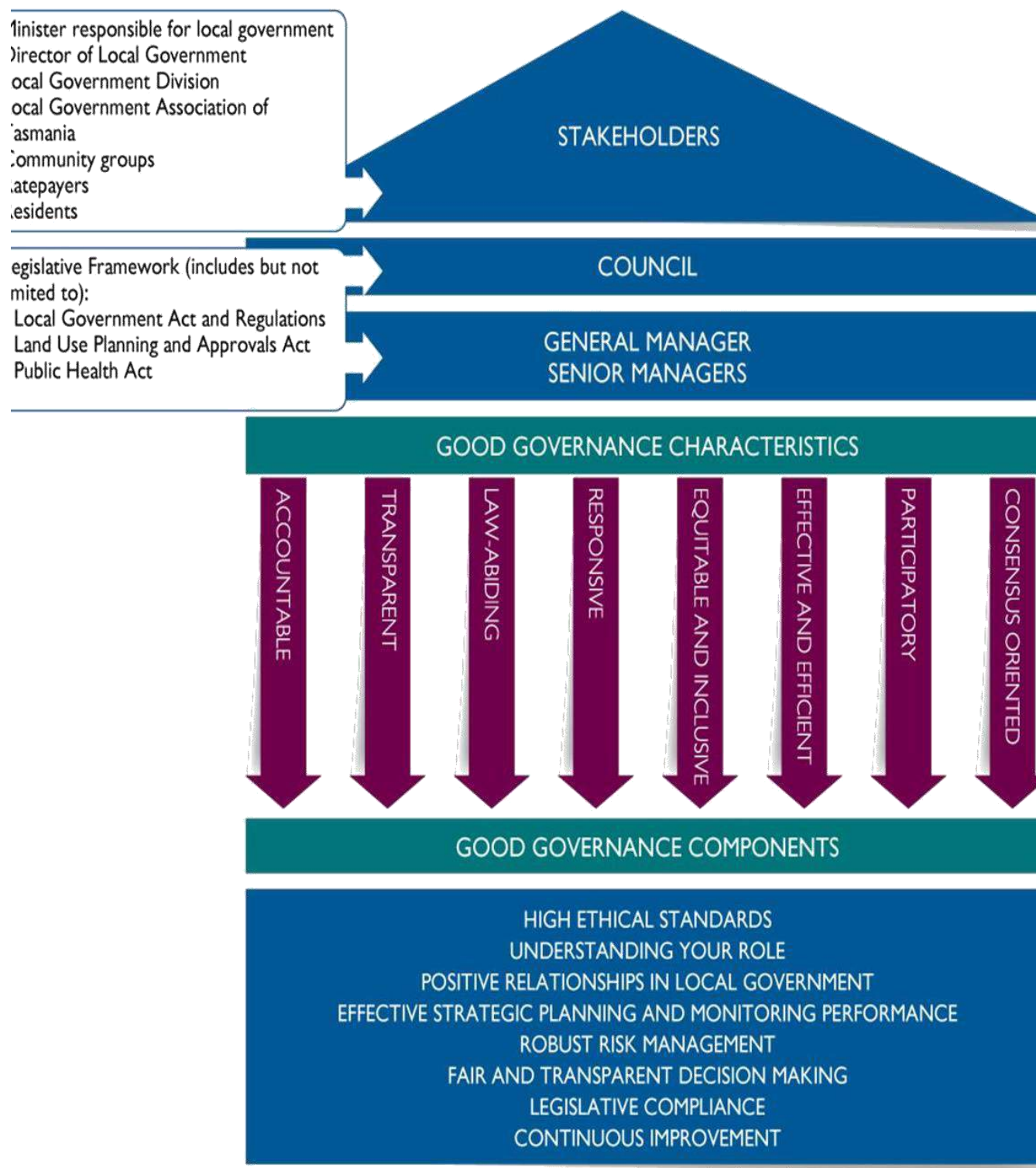
Improves efficiency

Efficiency is both a characteristic and a benefit of good governance.

Efficiency alone will not necessarily lead to efficient outcomes. The same can be said of each of the characteristics of good governance: acting with a single-minded goal of being responsive or consensus oriented is unlikely to lead to efficient outcomes.

However, where a council can balance each of the characteristics of good governance while ensuring that the components of good governance are in place, they will have the best chance of ensuring the best possible results for their community. Importantly, where there is good governance, good results can be achieved efficiently.

ABOUT GOOD GOVERNANCE

Figure 1: Local government governance structure³

³ This diagram has been adapted from the City of Joondalup's Governance Framework.

WHAT DOES GOOD GOVERNANCE MEAN IN PRACTICE?

2

WHAT DOES GOOD GOVERNANCE MEAN IN PRACTICE?

WHAT DOES GOOD GOVERNANCE MEAN IN PRACTICE?

INTRODUCTION

This section of the Good Governance Guide aims to help you expand your understanding of good governance. In this section we outline eight components of good governance, all of which are equally important.

The components are:

- maintaining high ethical standards;
- understanding your role in local government;
- fostering respectful relationships;
- undertaking effective strategic planning and performance monitoring;
- implementing robust risk management;
- practicing fair and transparent decision making;
- complying with relevant Acts of Parliament; and
- committing to continuous improvement.

WHAT DOES GOOD GOVERNANCE MEAN IN PRACTICE?

HIGH ETHICAL STANDARDS

When you act with high ethical standards you will exhibit all of the characteristics of good governance. Ethics are standards of behaviour that set out what people ought to do, and are primarily focussed on behaviours and actions. Having and acting in line with high ethical standards means that you are accountable, transparent, law-abiding, responsive, equitable and inclusive, participatory and consensus oriented.

In any public role, ethics are critical to ensuring that you are acting in the public interest. As an elected member, your role is to represent and serve your community. Operating ethically and with integrity is part of being effective in your role and providing value to the community. Unethical behaviour can lead to a loss of trust in you as an individual and a loss of confidence in the council as a whole. Public trust, once lost, can be difficult to regain.

WHAT DOES GOOD GOVERNANCE MEAN IN PRACTICE?

Guiding questions for ethical decision making⁴

As an elected member, there are three main guides for ethical behaviour:

1. legislation, including the [Local Government Act 1993](#), [Local Government \(General\) Regulations 2015](#) and [Local Government \(Meeting Procedures\) Regulations 2015](#);
2. your council's code of conduct and policies; and
3. your personal ethics.

I. Are your actions in line with the law?

In Tasmania, the key legislation with which local government elected members and council officers must comply is the *Local Government Act 1993* (the Act). For further information about legislation for local government, refer to [Legislative Compliance](#).

The Act provides a framework for good governance by setting specific requirements.

This Guide outlines some of the key requirements of the Act including:

- acting within the limits of your role;
- complying with your council's code of conduct;
- managing conflicts of interest;
- effective strategic planning; and
- transparent decision making.

Below is further detail related to several offence provisions within the Act. Complying with these requirements is both a requirement of the law, and a matter of maintaining high ethical standards.

Disclosure of information

[Section 338A of the Act](#) specifies that elected members must not disclose information that is not authorised to be disclosed or that has been provided on the basis that it is kept confidential. Similarly, council employees must not disclose information that is acquired on the condition that it remains confidential.

Councillors need full information to be able to make sound decisions. However, there are times when some of the information provided to councillors needs to remain confidential. For example, matters that are discussed in closed meetings are confidential unless authorised by the council to be disclosed.

⁴ This section was written in conjunction with the [Integrity Commission Tasmania](#).

WHAT DOES GOOD GOVERNANCE MEAN IN PRACTICE?

Section 28C of the Act states that a general manager can require councillors to give a confidentiality undertaking, if the general manager considers particular information to be confidential. If an elected member refuses to give the undertaking, the general manager can refuse to provide the information.

Leaking confidential information is both illegal and damaging to the council. It not only affects the ability of a council to perform its functions, but undermines the trust that external organisations and individuals may have in council to keep certain information confidential.

Fines can be imposed where elected members or officers are found to have leaked confidential information. In addition, a court may order that a councillor be barred from nominating as a candidate at any election for up to seven years or dismiss the councillor from office.

Example: Publishing confidential closed council information about a council legal action in a letter to the editor of the local newspaper.

Improper use of information

Section 339 of the Act specifies that elected members must not make improper use of information acquired through their role. Improper use of information includes:

- gaining an advantage or avoiding a disadvantage for yourself, a member of your family or a close associate; or
- causing loss or damage to a council or a person.

Fines can be imposed where elected members are found to have improperly used information. In addition, a court may order that a councillor be barred from nominating as a candidate at any election for up to seven years or dismiss the councillor from office.

Example: Sharing confidential council information with a family member about a commercial agreement and the family member purchases/sells land as a result.

WHAT DOES GOOD GOVERNANCE MEAN IN PRACTICE?

Misuse of office

Section 339A of the Act specifies that elected members and council employees must not procure the doing or not doing of anything by the council where they, their family, or a close associate would directly or indirectly benefit or avoid disadvantage as a result.

Fines can be imposed where elected members or officers are found to have misused their office. In addition, a court may order that a councillor be barred from nominating as a candidate at any election for up to seven years or dismiss the councillor from office.

Example: Use of your position as an elected member to discourage the council from approving a development that you consider would affect the amenity of your property.

False and misleading statements

Section 345 of the Act specifies that a person (including an elected member) must not, in giving any information under the Act

- make a statement knowing it to be false or misleading; or
- omit any matter from a statement knowing that without the matter, the statement is misleading.

Example: Making a false statement about a complaint to the Director of Local Government.

For further information on offence provisions, see the section on pecuniary interests.

WHAT DOES GOOD GOVERNANCE MEAN IN PRACTICE?

SCENARIO⁵

A local council is considering a major and expensive sports ground redevelopment. A councillor opposes the project but doesn't think he has the numbers to win the vote. So he leaks confidential briefing material from a closed meeting of the council, which focuses on the downsides of the proposal, to generate media interest and provoke community outrage.

Using the media to force particular decisions, attack colleagues and undermine the council is neither appropriate nor legitimate. It deliberately subverts the democratic decision making process. Leaking confidential information from a closed meeting is a breach of the Act and is punishable as an offence in the Magistrates Court. It also reduces the confidence and willingness of external bodies to deal with the council.

To improve governance in this situation:

- councillors need to understand the nature of confidential information – it should be very clear if it is not intended for public airing because publicising confidential information is illegal and punishable under the Act;
- the council should make sure that a good level of information is available to the public through various channels – this will help to prevent leaking;
- councillors need to use the media appropriately as it is an important channel for councils to communicate with their communities and for communities to become informed about local issues;
- the difference between the views of the council and individual councillors needs to be understood by everyone – councillors who liaise with the media must reinforce this; and
- the council should develop protocols for working with the media.

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WHAT DOES GOOD GOVERNANCE MEAN IN PRACTICE?

2. Are your actions in line with your council's code of conduct?

The code of conduct framework for Tasmanian councillors is prescribed under Part 3, Division 3A (Code of conduct, complaints and complaint resolution) of the Act. A council is required to adopt the model code of conduct as its code of conduct relating to the conduct of its councillors. The model code of conduct is made by order of the Minister responsible for local government and provides for matters such as conflict of interest, gifts and benefits, and use of council resources.

In performing the functions and exercising the powers of your office of councillor, you are required by section 28U of the Act to comply with the standard of behaviour set out in your council's code of conduct.

Any person may make a code of conduct complaint against a councillor within six months after the councillor has allegedly committed a code of conduct contravention. A complaint is to be lodged with the general manager of the relevant council and accompanied by the prescribed fee.

The Act sets out the process for code of conduct complaints to be investigated and determined by the Code of Conduct Panel. After an initial assessment, the Panel may dismiss a complaint if it is considered frivolous or vexatious. The complainant and the respondent councillor bear their own costs relating to the investigation and determination of a code of conduct complaint.

The Act prescribes the sanctions available to the Panel for breaches of a council's code of conduct. Sanctions include cautioning or reprimanding a councillor, or requiring them to apologise to a person or attend counselling or a training course. The Panel is also provided with the power to suspend a councillor for up to three months (without allowances) for serious breaches of the code of conduct.

Failing to comply with a sanction imposed by the Panel is an offence under the Act. If a councillor fails to apologise or attend counselling or a training course, he or she may face a penalty or a fine not exceeding 50 penalty units.

The Minister responsible for local government may remove a councillor from office if he or she has received a suspension sanction for three code of conduct breaches during one term of office or two consecutive terms of office.

If a complaint is substantiated, the Panel provides a determination report, which is tabled at the first practicable open meeting of the relevant council. Any confidential council information associated with a complaint is tabled in closed session. Councils are required to publicly disclose in their annual reports any breaches of the code of conduct, including all costs associated with code of conduct complaints.

There is an appeal right from a Panel determination to the Magistrates Court (Administrative Appeals Division) on the basis that the Panel failed to comply with the rules of natural justice.

WHAT DOES GOOD GOVERNANCE MEAN IN PRACTICE?

3. Are your actions in line with your personal ethics?

The legislation and your council's code of conduct and policies will provide clear guidelines as a starting point. When faced with an ethical decision, you should first consider these documents. However, the local government sector is unique in that councils, and by extension, councillors, have close contact with the community.

In your role as elected member, you need to manage relationships with a range of stakeholders who may have competing interests. While legislation and your council's code of conduct and policies will be your key guides, the complex nature of local government means that elected members are required to exercise their own good judgement in making ethical decisions. To guide your ethical decision making, you should ask yourself questions such as:

- Does this align or conflict with my personal values?
- What would a fellow councillor / community member think of my decision?
- Is my own self-interest a factor in this decision?
- Am I making my decision based on the public interest?
- What could be the effect of this decision on the reputation of the council and on the community?

Personal ethics and exercising good judgement are fundamental to the role of elected members. It is important to remember, however, that personal ethics are subjective. What meets one person's own ethical requirements, may not meet another's. Relying solely on your personal judgement when making ethical decisions can potentially lead to confusion and a lack of unity in the council. Legislation and your council's code of conduct and policies must always take precedence over your personal ethics.

For example, your personal view may be that a decision made in a closed session of council should be shared with the community, even though the decision has been made by council to keep it confidential. Despite your personal views, you should be guided by the requirements of the Act and your council's code of conduct.

WHAT DOES GOOD GOVERNANCE MEAN IN PRACTICE?

SCENARIO⁶

Councillor A's daughter has just finished her university degree and is looking for a job. At a council meeting, the corporate services manager provides a report on her team's activities, noting that the Human Resources department has been swamped with work in recent months.

Following the meeting, Councillor A approaches the manager and tells her that he will support any proposal for a budget increase when the next budget is tabled. He also mentions that his daughter has just finished her studies, with a major in human resources, and is particularly keen to work in a local government environment.

When the budget proposals come before council, Councillor A votes in favour of an increase of staffing for the Human Resources department. Six months later, his daughter acquires a job with the council.

This situation has raised a number of ethical issues, including not acting in the public interest, not acting with integrity, conflict of interest, and use of power and authority. Other councillors may become aware that Councillor A's daughter has been given a job at the council, and may believe that he voted in favour of the budget increase to get her a job.

This could affect Councillor A's relationship with his fellow councillors, and build up tension in the council. Council staff may also become aware of how Councillor A's daughter got the job, which will affect both her experience at council and the morale of the staff as a whole. The council administration may come to believe that, if they want Councillor A's vote on an issue, they just need to give him something that he wants.

To improve the governance in the situation:

- the council should have a clear policy on councillor-staff interactions;
- the council should have a recruitment policy and ensure that people involved in recruitment processes declare any conflict of interest; and
- Councillor A should understand his obligations related to improper use of information, conflict of interest and misuse of office under the Act.

⁶ This content has been reproduced with permission from the [Integrity Commission Tasmania's website](#).

WHAT DOES GOOD GOVERNANCE MEAN IN PRACTICE?

Promoting ethical behaviour

By acting ethically as an elected member, you are helping to create a local government sector with an ethical culture.

There are many ways in which you can lead by example to promote ethical behaviour, including:

- by understanding and abiding by the law and your council's code of conduct and policies;
- by ensuring that you are acting in the public interest at all times;
- by being aware of ethical risk areas associated with your role and the resources to help you manage them; and
- by following a transparent and accountable decision making process.

Useful resources

Both the [Local Government Division](#) and the [Integrity Commission Tasmania](#) have a range of resources available to assist councillors manage ethical issues (including training for councillors).

The Integrity Commission Tasmania has a number of useful flowcharts for elected members, including an [ethical decision making flow chart](#) and a [release of council information flow chart](#).

WHAT DOES GOOD GOVERNANCE MEAN IN PRACTICE?

.....

UNDERSTANDING YOUR ROLE

.....

Understanding and fulfilling your role as an elected member is critical to good governance – it promotes accountability, transparency, efficiency and effectiveness. Not only is it important to understand your role, it is important to understand the role of others.

The best of intentions can be undermined when elected members act outside of their role. It is important that you understand and respect the limits of your role and do not encroach on the roles of council officers. This ensures efficiency and accountability, and it will help to maintain the reputation of individuals and the organisation.

Understanding your role is also important in terms of the *Local Government Act 1993* – acting outside of that role can be a breach of the Act.

WHAT DOES GOOD GOVERNANCE MEAN IN PRACTICE?

What are the roles in local government?

The key roles in local government are those of:

- elected members collectively serving as councils;
- mayors;
- deputy mayors;
- elected members serving as individual councillors;
- general managers;
- council administrations;
- the Minister responsible for local government;
- the Local Government Division;
- the Director of Local Government; and
- the Local Government Association of Tasmania.

Each role has a unique purpose and makes a unique contribution towards good governance within the local government sector. Many of the roles are defined in the [Local Government Act 1993](#) (the Act). This section will help you to understand your role and, importantly, the roles of your local government colleagues.

Elected members collectively

Elected members collectively serving as a council are responsible for setting and monitoring high-level strategy and policy. They are not concerned with the operational activities of the council administration. The specific roles of elected members collectively are:

- developing and monitoring strategic plans and budgets;
- determining and monitoring policies, plans and programs for services and facilities, management of assets, and treatment of employees;
- setting the organisational culture;
- representing the best interests of the community in strategic land-use planning;
- appointing and monitoring the performance of the general manager;
- determining and reviewing the council's resource allocation and expenditure; and
- monitoring the manner in which services are provided by the council.

The functions and powers of councils are outlined in [section 20 of the Act](#).

WHAT DOES GOOD GOVERNANCE MEAN IN PRACTICE?

Mayor

The functions of the mayor are defined in [section 27 of the Act](#). The role of the mayor is to:

- i. act as a leader of the community in the municipal area;
- ii. act as a leader, chair and spokesperson of the council;
- iii. liaise with the general manager; and
- iv. oversee elected members in the performance of their functions.

Mayors are an important influence on the culture within councils and have a duty to lead by example. Mayors can promote good governance by practicing good governance themselves and setting the tone for the entire organisation. Mayors must:

- have and act in line with high ethical standards – mayors must act with integrity and impartiality;
- understand and not overstep their role – the mayor is the leader of the elected members and does not have a role in instructing council employees;
- foster positive relationships – the mayor has a responsibility to foster positive and respectful relationships among elected members and with the general manager;
- lead effective strategic planning – the mayor must show a commitment to community engagement, respect the points of view of the community and guide the strategic planning process;
- engage in risk management – mayors should guide elected members to pursue opportunities while managing associated risks;
- follow a transparent and accountable decision making process and support the decisions of the council, even if the council's decision conflicts with the mayor's private views;
- understand and abide by the law – the mayor must respect the requirements of the Act and other relevant legislation;
- ensure that elected members are given appropriate education and training relating to ethical conduct, as required in the mayor's role as a Principal Officer under the [Integrity Commission Act 2009](#); and
- commit to continuous improvement – mayors should encourage a culture of continuous improvement at the council and individual level.

The Local Government Association of Tasmania has produced a [Mayoral Handbook](#), which provides commentary on various provisions in the Act. The Handbook is intended to assist mayors in meeting their duties and obligations, in particular their relationship with other elected members, council officers and the community.

WHAT DOES GOOD GOVERNANCE MEAN IN PRACTICE?

i. Community leader

Mayors play an important role advocating for and speaking on behalf of the community. Sometimes a mayor's role involves promoting the strengths of his or her community in an effort to attract investment, defending his/her community in the face of criticism, or reflecting on community sentiment in response to a major event. Whatever the situation, it is crucial that mayors are in touch with their community and are able to speak accurately on the community's behalf, and that they speak in a way that respects the community.

*ii. Leader, chair and spokesperson for the council**Leader*

As the leader of the council, the mayor plays an important role in building a united team. A council must function as a team in order to effectively govern. Where there is a breakdown in the team dynamic among elected members, there will be a loss of focus on acting in the interests of the community. A breakdown in the team dynamic can also lead to confusion and loss of direction among the administration, and affect the reputation of the council in the eyes of the community.

The mayor can help build a united team by setting a good example, showing respect to other elected members and the council administration, and effectively chairing council meetings.

Chair

The mayor plays a key role in promoting good governance by effectively chairing council meetings.

Effective chairing is inclusive, ensuring that all elected members have the opportunity to be heard, that elected members are able to speak without being interrupted, and that meetings are not dominated by a sub-group of elected members.

It is the mayor's responsibility to manage any poor behaviour that may arise at council meetings, including bullying or harassment.

Mayors can facilitate effective council meetings by:

- ensuring that debate stays focused and concentrates on strategic (not operational) matters;
- clarifying a motion and ensuring that everyone has had a say before calling a vote;
- highlighting important points; and
- clarifying any misunderstandings.

Mayors are responsible for keeping to the agenda and pacing the meeting.

WHAT DOES GOOD GOVERNANCE MEAN IN PRACTICE?

Not all elected members will get their way on every decision, but by following this process, and showing that every point of view has been heard and considered, elected members are more likely to accept decisions that do not align with their point of view.

At the end of meetings, mayors may like to summarise the achievements of the meeting and thank elected members for their time and contribution to the meeting. This acknowledgment promotes a positive relationship between the mayor and other elected members, and shows elected members that the time they give to their role is valued.

The rules governing meetings, including the powers of the role of Chairperson are set out in the [Local Government \(Meeting Procedures\) Regulations 2015](#).

Spokesperson

As spokesperson of the council, the mayor must fairly represent the views and decisions of a council, even if the mayor does not agree with the view or decision. Mayors, like all elected members, have the opportunity to express their views in the lead-up to a decision and during debate. However, if the final decision of the council conflicts with the private view of the mayor, the mayor should refrain from expressing a view that is contrary to the formal position of the council. A mayor expressing a view that opposes the agreed position of the council can lead to confusion and can lead the community to believe that the council is divided.

WHAT DOES GOOD GOVERNANCE MEAN IN PRACTICE?

SCENARIO⁷

The mayor of a local council strongly supports a recommendation which is currently being discussed at the council meeting. A vigorous debate is taking place, as a number of councillors are not in support of the recommendation. The mayor provides extra time for those arguing in favour, while restricting those arguing against to the precise time limit set out in the Local Government (Meeting Procedures) Regulations 2015. The mayor comments unfavourably on every speech which argues against the recommendation, and also takes the opportunity to make a speech in its favour.

The mayor has an important role in managing the meeting, so that all councillors get a chance to present their views and be heard by their colleagues. Taking a partisan position during a debate can detract from the mayor's capacity to manage the meeting in the interests of fairness and participation by all. Even the perception of partisan management of the meeting can negatively impact on the decision making process and can ultimately affect the degree to which a decision is 'owned' by all councillors. Members of the community may think the mayor is not being impartial, which can undermine confidence in the council.

To improve the governance in the situation:

- the mayor must manage the council meeting in a way which facilitates good decision making processes, and the participation and engagement of all councillors; and
- the mayor should be impartial and fair in managing the meeting, allowing all councillors to have the same opportunity to present their views.

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WHAT DOES GOOD GOVERNANCE MEAN IN PRACTICE?

iii. Liaising with the general manager

The relationship between the mayor and the general manager is fundamentally important to a well-performing council.

Section 27(1)(ba) of the Act gives a mayor the responsibility of liaising with the general manager in relation to council activities and the performance of council functions and exercise of council powers. This includes:

- encouraging a strong working relationship between the mayor and the general manager; and
- ensuring that the mayor is informed about key activities of council, as well as its functions and powers.

The functions of the general manager are clearly and separately defined in section 62 of the Act.

iv. Oversee the elected members in the performance of their functions

Section 27(1)(c) of the Act outlines the responsibility of mayors regarding elected members' fulfilling their functions and exercising their powers. This may involve:

- advising elected members on the handling of council business, including the division of responsibility between the council, elected members and the general manager;
- assisting elected members to gain an overall appreciation of the organisation and its various parts;
- encouraging participation in training and development programs for elected members;
- overseeing compliance with any adopted policies or the code of conduct;
- discussing with elected members ideas and proposals that they wish to bring before the council and offering advice on how to take matters forward in an orderly and appropriate manner;
- being available to elected members to discuss their concerns on matters that are potentially difficult or sensitive;
- advising when it is inappropriate to approach the general manager;
- ensuring that the general manager and council officers are able to perform their functions free of interference or undue influence;
- mediating disputes between elected members that may arise;
- communicating regularly with elected members to determine their concerns and any issues that may need to be addressed; and
- encouraging elected members to identify ways to improve the approach they take to fulfilling their responsibilities.

WHAT DOES GOOD GOVERNANCE MEAN IN PRACTICE?

SCENARIO⁸

A councillor has recently been on the losing side of a series of votes, including the council annual plan, the budget and some key projects. The councillor now feels marginalised and has started to publicly criticise the council and its processes. Other councillors are responding to the councillor's negative attitude and counter-productive behaviour, and the focus of council meetings is moving away from community interests.

If councillors believe their views are not being considered in the decision making process, they will look for alternative ways to have an impact. Public or private criticism of other councillors and the administration, leaking of information, and failing to distinguish between the views of the council and individual opinions can all make the process of decision making more difficult, as well as undermine the council's reputation in the local community.

The mayor can help to resolve the situation by:

- determining whether the councillor's motivations are legitimate or deliberately destructive – the outcome may be the same, but the way the issue is handled can vary considerably;
- ensuring every councillor feels that they have a meaningful part to play in council processes and that their views are being heard;
- talking to the councillor and hopefully agreeing on a more productive way of dealing with the situation;
- if confidential information has been leaked, making the councillor aware of the provisions and penalties contained in the Act and reinforcing with the councillor that they will be enforced; and
- contacting the Local Government Association of Tasmania and/or the Local Government Division for impartial advice to resolve the issue.

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WHAT DOES GOOD GOVERNANCE MEAN IN PRACTICE?

Deputy Mayor

The functions of the deputy mayor are detailed in [section 27 of the Act](#).

The role of the deputy mayor is to act in the position of mayor if the mayor is absent, or if the mayor appoints the deputy mayor, in writing, to act in the position.

Elected members individually

The functions of elected members are set out in [section 28 of the Act](#).

The role of an elected member is to:

- represent the community;
- act in the best interests of the community;
- facilitate communication by the council with the community;
- ask questions and participate in community debate;
- participate in the activities of the council, including strategic planning, financial and asset management, setting service standards and developing local policies; and
- undertake duties and responsibilities as authorised by the council.

When fulfilling your role as an elected member, you must always abide with the requirements of your council's code of conduct and you must ensure that you are familiar with the requirements of relevant legislation.

To promote good governance, you should seek out opportunities to interact with the community to gather a balanced perspective on topical matters. You should gather feedback from a cross-section of the community and fairly represent the views of the community at the council table.

Keep in mind, however, that when you are making decisions related to land-use planning and acting as a member of a planning authority (as opposed to a member of a council), it is not appropriate to take into account the views of the community. Land-use planning decisions must align with the planning scheme and must not be swayed by community sentiment. Further details about good governance and land-use planning are provided in [section 4](#).

Elected members are expected to make decisions that require significant expertise. While council decisions are based on expert advice provided by the administration, you can support good governance by seeking out opportunities to undertake training to build your knowledge base and capacity to make good decisions.

WHAT DOES GOOD GOVERNANCE MEAN IN PRACTICE?

As an elected member, you must not:

- direct council officers in relation to the discharge of their duties;
- perform any function of the mayor without the mayor's approval;
- request information from the administration (other than the general manager) outside agreed council protocols; or
- leak confidential information.

For further detail, refer to the [Role of Elected Members information sheet](#) and the training video scenario [A Balancing Act](#), which reflects on the use of power and authority in relation to council officers.

WHAT DOES GOOD GOVERNANCE MEAN IN PRACTICE?

SCENARIO⁹

A councillor strongly believes that a new housing development should contain expensive, environmentally sustainable features. The councillor thinks that her fellow councillors will support the idea if the administration makes the recommendation. She's been calling the relevant director and various council officers constantly to try to persuade them that the environmental features should be included in the recommendations to council. She's also attempted to put pressure on them at task group and public meetings.

The administration's role is to provide 'frank and fearless' advice to the council. This should be based on information, consultation and professional opinion. It should not be the result of pressure from councillors. Councillors will expect to be given high-quality, impartial advice and information, which will help them to form an opinion and make a decision in the council meeting. The challenge for councillors, who are pushing strongly for a particular decision, is to persuade their fellow councillors to support their view. They should not try to influence the final decision by pressuring the administration to support a particular view in its recommendation.

To improve governance in this situation:

- the mayor and general manager need to ensure that everyone has a clear understanding of roles – the administration's role is to advise and implement, the council's role is to consider the advice and make the decision;
- the mayor and general manager should provide leadership to reinforce these roles;
- the mayor and general manager should encourage good relationships between councillors and the administration so that communication does not spill over into undue influence; and
- councillors and council officers should be clear that improper or undue influence is against the law. The administration and council need to ensure there are plenty of opportunities (as part of council workshops or in other ways) for councillors to investigate all the available options.

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WHAT DOES GOOD GOVERNANCE MEAN IN PRACTICE?

General manager

The role of the general manager is to:

- be responsible for the day-to-day operations and affairs of the council;
- appoint, direct and dismiss employees;
- manage strategic planning processes and annual reporting;
- prepare the council's estimates;
- ensure council policies are implemented;
- liaise with the mayor;
- manage the resources and assets of the council;
- manage the grey area of strategic versus operational responsibilities;
- be responsive to the needs and views of all elected members;
- have a clear understanding of responsibilities and requirements under the Act; and
- support the council with policies and procedures.

An effective general manager will promote a culture of good governance and show commitment to the characteristics of good governance. In a practical sense, general managers can promote good governance by¹⁰:

- regularly providing elected members with the information they need to fulfil their roles;
- ensuring that advice from the administration considers the political context;
- ensuring sufficient resources are set aside to implement the policies and decisions made by the council;
- ensuring that council officers and elected members understand the structure of local government and their roles in it;
- providing support to the mayor and elected members when dealing with councillor conduct issues;
- helping to ensure that all elected members have equal access to information and resources;
- providing appropriate support for good decision making processes, such as undertaking appropriate community engagement and timely provision of meeting papers;
- developing processes for the major strategic planning exercises, which ensure elected members have plenty of opportunities for input;

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WHAT DOES GOOD GOVERNANCE MEAN IN PRACTICE?

- ensuring that council officers are given appropriate education and training relating to ethical conduct, as required in the general manager's role as a Principal Officer under the [Integrity Commission Act 2009](#);
- taking leadership in modelling good governance; and
- recognising that elected members have a 'representation' role and that they will be advocating for individuals or communities at different times.

The role of the general manager is defined in [section 62 of the Act](#).

For further detail, refer to the [Role of the General Manager information sheet](#) and the [General Manager Appointments and Contracts information sheet](#).

Council administration

The everyday running of the council is the general manager's responsibility. Councils employ a range of professional officers with expertise to advise and assist the council, and to undertake specific functions.

The general manager and council officers are there to provide advice and support to the council and assist it in implementing its policies, plans and programs. Elected members then evaluate alternative options and assess the impact of decisions before deciding what's in the community's best interest – now and in the future.

In deliberating on and making these decisions it is important that elected members consider the advice provided by the council's qualified professional officers.

A key challenge for elected members is not becoming involved in the day-to-day operations of the council by directing council officers. This is not your role. It is the role of the general manager. Your role, as part of the council, is to work on overall council strategy and policy and, as an individual elected member, to represent the interests of the community that elected you.

However, building trust and establishing a good relationship with the general manager and council officers is extremely important. Your effectiveness as an elected member, and as a council, will in many ways depend on this relationship. Don't forget that council employees are responsible for implementing your decisions.

WHAT DOES GOOD GOVERNANCE MEAN IN PRACTICE?

Minister

Local governments are bestowed general powers of competence under the Act, which means that councils have the power to do what they believe will benefit their communities. As a result, the Minister responsible for local government takes a 'hands off' approach when it comes to the day-to-day operations of local government.

The Minister does, however, play an important role at a strategic level, and is also responsible for ensuring that councils are meeting their obligations under the Act. The Minister responsible for local government:

- represents, along with the Premier, the State Government on the Premier's Local Government Council;
- may develop and release statewide policies related to local government;
- provides strategic leadership to promote sustainability at a statewide level;
- directs the Local Government Board to undertake investigations as required;
- orders Boards of Inquiry if required; and
- oversees amendments to the Act.

WHAT DOES GOOD GOVERNANCE MEAN IN PRACTICE?

Local Government Division

The role of the Local Government Division is to contribute to the wellbeing of local communities through promoting a sustainable and vibrant local government sector and supporting the strong collaborative relationships between local government and the Tasmanian Government. You can contact the Local Government Division for information on the Act, the [Local Government \(General\) Regulations 2015](#) and the [Local Government \(Meeting Procedures\) Regulations 2015](#).

The Local Government Division:

- promotes and supports the state-local government relationship;
- supports the Premier's Local Government Council;
- supports the Local Government Board;
- administers legislation including:
 - [Burial and Cremation Act 2002](#)
 - [Dog Control Act 2000](#)
 - [Launceston Flood Protection Act 1977](#)
 - [Local Government Act 1993](#)
 - [Local Government \(Highways\) Act 1982](#)
 - [Local Government \(Savings and Transitional\) Act 1993](#)
 - [Ockerby Gardens Helipad Act 1999](#)
- provides guidance and assistance to councils, elected members and the general public; and
- collaborates with the local government sector and stakeholders to design and implement programs to build the capacity of local government.

For further information refer to the [Director of Local Government and Local Government Division information sheet](#).

WHAT DOES GOOD GOVERNANCE MEAN IN PRACTICE?

Director of Local Government

The Director of Local Government is an independent statutory officer under the Act. The role of the Director of Local Government, as defined by the Act, is to:

- undertake the general administration of the Act subject to Ministerial direction;
- undertake any other function the Minister may determine; and
- do anything necessary or convenient to perform any function under the Act or any other Act.

The Director also has roles under the *Dog Control Act 2000*, *Burial and Cremation Act 2002* and the *Local Government (Highways) Act 1982*.

The Director is responsible for dealing with complaints made under the Act. Anyone, including elected members, council officers, general managers, and members of the public, can make a complaint to the Director, under section 339E of the Act, about a failure to comply with a provision contained within the Act or a possible offence under the Act. The Director may also investigate where no complaint has been received. If there is enough proof, a matter may be referred to the Director of Public Prosecutions for prosecution in the Magistrates' Court.

[Section 335 of the Act](#) outlines the role of the Director of Local Government.

For further information refer to the [Director of Local Government and Local Government Division information sheet](#).

Local Government Association of Tasmania

The Local Government Association of Tasmania (LGAT) is the voice of local government to other governments, interested stakeholders and the wider community. LGAT works to protect the interests and rights of councils, to promote the efficient operation of local government, and to foster strategic and beneficial relationships.

The functions and powers of LGAT are outlined in [section 326 of the Act](#). For further information refer to [LGAT's website](#).

WHAT DOES GOOD GOVERNANCE MEAN IN PRACTICE?

Useful resources

The [Local Government Division's website](#) contains a range of information sheets, which help to clarify sections of the Act. Some of the information sheets specific to this section include:

- [Role of Elected Members](#)
- [General Manager Appointments and Contracts](#)
- [Director of Local Government and Local Government Division](#)

The Local Government Division's website also contains a series of training video scenarios. The video entitled [A Balancing Act](#) reflects on the use of power and authority in relation to council officers.

The [LGAT website](#) contains resources that are relevant to understanding your role, including a [Mayoral Handbook](#) and a [Councillor Resource Kit](#).

You can access the [Local Government Act 1993](#) on the [Tasmanian Consolidated Legislation Online webpage](#).

WHAT DOES GOOD GOVERNANCE MEAN IN PRACTICE?
.....

BUILDING POSITIVE RELATIONSHIPS

.....

Good relationships support good governance by promoting efficiency, inclusiveness, participation and consensus orientation.

Having good relationships does not mean that everyone has to be good friends. What it means is that there is mutual trust and respect among colleagues. Trust and respect among elected members ensures that everybody is heard, that there is robust discussion as part of the decision making process, and that conflict is resolved swiftly and fairly.

Good communication that is underpinned by trust and respect will build a strong team and promote a focus on achieving strategic goals and pursuing the best interests of the community. This in turn builds the reputation of the council among the community as a cohesive and professional organisation deserving of respect.

WHAT DOES GOOD GOVERNANCE MEAN IN PRACTICE?

How do you build good relationships?

It can be hard to build and maintain good relationships in a political environment where everyone has the best intentions but perspectives don't always align. However, maintaining good relationships is important to doing your job well.

Some key things to remember in your dealings with others are to:

- treat others with respect;
- understand your role;
- understand the role of others; and
- follow communication protocols.

The relationship between the mayor and the general manager is particularly important. This relationship can significantly impact the performance of a council. The relationship between the mayor and the general manager must be based on trust, respect and acknowledgement of the need for collaborative engagement.

By treating others with respect

Everybody has a role to play in building good relationships, and building good relationships starts and ends with showing respect.

Elected members may have their own agendas, general managers sometime provide unpalatable advice, and elected members sometimes pursue unrealistic goals. Whatever the scenario, it is essential that there is respect among colleagues, and that all points of view are listened to and fairly considered.

By understanding your role

Understanding your role can help to build good relationships. By understanding the scope of your role, you can make sure that your efforts contribute to positive outcomes, rather than potentially creating conflict by inadvertently 'stepping on the toes' of colleagues. This is particularly important when the council seeks to fulfil tasks that it perceives have not been fulfilled by the council administration. Instead of the council undertaking operational duties, it should remain focused on its strategic role. The appropriate action would be for the mayor to communicate the perceived gap to the general manager and resolve the issue.

WHAT DOES GOOD GOVERNANCE MEAN IN PRACTICE?

By understanding the role of others

The council administration is accountable to the general manager, and the general manager is accountable to the council. The council sits at the top of the hierarchy, but in saying that, it is essential that the council understands that the administration operates in a complex environment and works hard to provide quality advice across a range of issues. Equally, it is essential that the administration respects the complex political environment in which elected members operate.

By following communication protocols

Generally speaking, communication between the council and the administration should be through the general manager and mayor. Of course, this is not always practical and as a steadfast rule it can be misunderstood. Councils should develop protocols to guide interactions and communication between the council and the administration. Remember that even with protocols in place there is not a rule for every situation, and good governance relies on your good judgement.

Elected members need to understand that:

- Accountable advice needs to go through an organisational process, which usually involves approval by a senior manager or the general manager. Speaking directly to lower-level council officers may result in elected members not being fully informed or receiving advice that hasn't been formally endorsed by the administration.
- Council officers are not accountable to elected members individually, and [section 28\(3\)\(a\) of the Local Government Act 1993](#) (the Act) states that an elected member must not direct or attempt to direct a council employee in relation to the discharge of the employee's duties.

Council officers need to understand that:

- They are not accountable to individual elected members and are not required to take direction from them. They are accountable to the whole council, through the management structure.
- They should not provide advice to elected members unless it has been approved by the senior management or general manager. If councillors ask for advice, council officers should redirect elected members to senior management or the general manager.

WHAT DOES GOOD GOVERNANCE MEAN IN PRACTICE?

SCENARIO¹¹

Communication between councillors and the administration has completely broken down in a local council. Councillors regularly make inflammatory statements to the local media claiming that they have no power because the administration is really making all the decisions.

If councillors and the administration don't understand each other's roles or the processes for making decisions, this can lead to serious misunderstandings and dysfunctional relationships. When this happens, the relationship is characterised by public criticism of each other and a general lack of respect.

To improve governance in this situation:

- the mayor and general manager must work together to provide leadership, as well as model respect for the administration and elected members;
- expectations need to be clarified to avoid bad feelings – councillors and senior management need to discuss the issues and how they can be addressed;
- roles need to be reviewed, redefined and understood by all – everyone should be given the opportunity to contribute on aspects that affect their role;
- the quality of advice, systems and processes should be reviewed;
- protocols should be developed to handle criticism – public outbursts should not be tolerated and all sides need to be open to constructive feedback;
- the general manager should ensure that the administration's culture supports democratic governance – this involves leadership from senior management and training for council officers;
- the mayor and general manager need to ensure that councillors understand what can reasonably be expected from the administration and how contact can be made (protocols can help); and
- the council should contact the Local Government Association of Tasmania (LGAT) or the Local Government Division for advice if a serious breakdown occurs.

¹¹ This content has been reproduced with permission from the [Good Governance Guide](#) © MAV, VLGA, LGV & LGPro 2012.

WHAT DOES GOOD GOVERNANCE MEAN IN PRACTICE?

The relationship between the mayor and the general manager

The relationship between the mayor and the general manager is crucial to a well-functioning council. A dysfunctional relationship between a mayor and a general manager can have a significant and long-lasting negative impact on the performance of a council.

As with good governance in general, a good relationship between the mayor and general manager relies partly on following the law, guidelines and protocols, and partly on the good judgement and common sense of the individuals.

Section 27 (1)(ba) of the Act and section 62(1)(g) of the Act states that communications between the council and the administration are the responsibility of the mayor and general manager.

How effectively mayors and general managers undertake this communication can influence the performance of the whole council. An effective council depends on how mayors and general managers choose to interact. Where general managers and mayors can build a relationship based on trust, respect and acknowledgement of the need for collaborative engagement, they will have a solid foundation to lead an effective council focussed on the best interests of the community. A simple and effective tool to promote a good relationship between the mayor and the general manager is weekly meetings.

While it is the responsibility of councils to select general managers, after an election mayors can find that they are working with a general manager that they did not play a role in selecting. In this situation, the mayor and the general manager should acknowledge the importance of their relationship by negotiating their expectations of an effective relationship. In the interest of providing effective leadership, this process needs to be actively pursued from day one of the new relationship.

WHAT DOES GOOD GOVERNANCE MEAN IN PRACTICE?

SCENARIO¹²

Following recent local government elections in a regional municipality, a new mayor has come into office with quite different policy ideas to those of the previous mayor. The mayor has become frustrated because the policies of the previous council continue unchanged for some time. He begins to express dissatisfaction with the general manager and believes that things won't happen until a new general manager can be appointed.

In this scenario, the mayor believes that the general manager is not committed to helping him achieve his goals. A new mayor may think things should change automatically as a result of his or her election, but needs to understand that the general manager cannot implement a different policy until it is changed by council.

To improve governance in this situation:

- the mayor and the general manager need to find a way to work together because it is not appropriate for every new council to appoint a new general manager;
- councillors need to understand that policies only change as a result of a majority vote at a council meeting;
- new councillors should be briefed on how policies can be changed or implemented;
- councillors and the administration both need to understand the role of the council – it sets the strategic goals and the administration helps to achieve these goals;
- councillors need to understand the role of the administration – the relationship between the mayor and general manager is important in achieving this;
- everyone needs to understand that the entity of council continues unchanged from one council term to the next, and it takes time and good processes to change policies and directions;
- councillors and the administration need to devote time and energy to the council planning process so that goals are understood and owned by all;
- the council and the general manager need to agree on what the general manager is expected to deliver – this should provide a fair platform for the general manager's performance appraisal; and
- the council should contact LGAT or the Local Government Division for advice if a serious breakdown occurs.

¹² This content has been reproduced with permission from the [Good Governance Guide](#) © MAV, VLGA, LGV & LGPro 2012.

WHAT DOES GOOD GOVERNANCE MEAN IN PRACTICE?

Useful resources

The Australian Centre of Excellence for Local Government (ACELG) [report on the relationship between Mayors and CEOs](#) is available via the [ACELG website](#).

WHAT DOES GOOD GOVERNANCE MEAN IN PRACTICE?

EFFECTIVE STRATEGIC PLANNING AND MONITORING PERFORMANCE

Strategic planning is the process by which a council establishes a vision for the future and develops goals, objectives, strategies and actions to achieve that vision. The intention of strategic planning is to bring together council and community interests in a coherent plan for the whole municipality.

Strategic planning is critical to achieving good governance in your council, as it provides accountability to the community for council activities, and provides a mechanism for public participation.

To perform your role effectively, you will need to actively participate in determining the strategic direction of the council and the planning process supporting it. A strategic plan that is 'owned' by you and your fellow councillors will be more effective in setting the council's priorities and managing the community's demands. Non-ownership of plans by councillors can result in a frustrated community and an administration uncertain of its direction.

WHAT DOES GOOD GOVERNANCE MEAN IN PRACTICE?

What is good strategic planning?

Good strategic planning sets a direction for the future based on an understanding of the aspirations of your local community. Good strategic planning takes into account the external environment and resource limitations, and integrates community objectives with financial and asset management planning.

The Local Government Act 1993 (the Act) requires councils to prepare a suite of documents which details how you will plan for, develop and manage municipal areas in the interests of the community.

The required documents include:

- a strategic plan;
- an annual plan;
- a long-term financial management plan;
- a financial management strategy;
- a long-term strategic asset management plan for each of the council's major asset classes;
- an asset management policy;
- an asset management strategy; and
- a rates and charges policy.

Each planning document should be integrated with the others, but have its own focus. Your council's performance towards achieving your goals should then be monitored through monitoring and evaluation tools, such as the annual report.

These documents must be reviewed by Council at least every four years. General managers are also required to notify the Director of Local Government (as soon as practicable) when their respective plans, strategies and policies have been adopted by the council.

WHAT DOES GOOD GOVERNANCE MEAN IN PRACTICE?

Strategic Plans

Section 66 of the Act requires councils to develop a strategic plan of at least a 10-year period for your municipal area. You and your fellow councillors are collectively responsible for developing and monitoring the implementation of strategic plans and budgets.

The strategic plan is an integral reference point for other key strategic documents such as long-term financial management plans and strategic asset management plans. The strategic plan is to be reviewed at least every four years (this can be done in line with the election cycle if councils wish).

A strategic plan should include:

- where your council is at that point in time – current position;
- where you want to get to – vision and strategic objectives of council;
- how you are going to get there – strategies for achieving those objectives;
- mechanisms for monitoring the achievement of the objectives; and
- how the plan will be resourced.

Your role in developing the strategic plan

Because councillors (sitting as a council) are responsible for the strategic plan, you must:

- ensure there is a good process for developing the strategic plan – this process should involve all councillors at an early stage to ensure everyone's visions and views are taken into account prior to being endorsed;
- understand the assumptions and strategies underpinning the strategic plan – it's particularly important that you understand the key factors contributing to costs and income; and
- determine the extent of, oversee and be involved with, community input into the strategic plan – the development of key strategic and policy positions should incorporate a community consultation plan.

WHAT DOES GOOD GOVERNANCE MEAN IN PRACTICE?

Annual plans

In addition to the strategic plan, an annual plan must be prepared in accordance with [section 71 of the Act](#). The annual plan must be consistent with the strategic plan, and include a statement of how your council will meet the goals and objectives of the strategic plan.

An annual plan should:

- have council and community ownership;
- have clear and identifiable outcomes;
- contain performance indicators which are simple and easily understood, and which clearly specify what is required to achieve stated goals; and
- be monitored regularly through council review of performance reports generated by the administration.

Strategic asset management plans

Asset management plans describe the process of the whole of the asset's life from planning, purchase, operation and maintenance to disposal. They consider the desired service outcomes, the long-lived nature of many assets and the finances available.

The principle objective of asset management is to ensure the best use of assets when delivering services to the community.

Effective asset management also:

- makes the most of the service potential of assets by ensuring they are appropriately used and maintained;
- achieves greater value for money through economic evaluation of options that take into account assets' life-cycle and full costs; and
- clearly assigns responsibility, accountability and reporting requirements.

Your council's asset management policy will sit alongside the strategic plan to form a solid basis to develop the strategic asset management plan and long-term financial plan.

Refer to the [Tasmanian Local Government Asset Management Policy](#) for more information.

The [Local Government \(Content of Plans and Strategies\) Order 2014](#) outlines what should be covered in a council's asset management policy, strategy and long-term strategic asset management plans. Factors to be considered include services levels, planning for climate change adaptation and mitigation, promotion of sustainability, asset condition, and likely use and impact.

WHAT DOES GOOD GOVERNANCE MEAN IN PRACTICE?

Long-term financial management strategies and plans

It is vital that your council knows where it is going in the long term. To do this, your council requires a financial strategy that is consistent with the strategic plan.

Your council must be able to fund the projects it has planned for and ensure that it is financially viable in the future. Your council must identify the risks that will be taken in pursuing goals and ensure appropriate strategies are in place to minimise those risks. A sound long-term financial strategy will enable your council to meet its objectives.

In considering future funding requirements, your council must reflect on how much funding it is likely to have over the next 10 years, and whether the available funding is insufficient to maintain the current level of services in a long-term financial management plan. If you cannot increase funding or achieve savings, then some adjustment to service levels will be required.

The Local Government (Content of Plans and Strategies) Order 2014 outlines what should be covered in your council's long-term financial management plan. These include capital works and expenditure, asset management requirements, recurrent revenue and expenses, underlying surplus or net deficit, assets and liabilities, and cash held.

Financial management

Financial management is the decision making process and control procedures associated with acquiring the necessary funds to operate a council and ensure its sustainability.

Councillors (sitting on the council) have an overall accountability for the council's finances. It is therefore extremely important that you consider financial decisions and management as priority activities.

Your council must ensure that the following staff, systems and functions are in place:

- modern and robust computer-based financial systems;
- suitably qualified and experienced staff available to manage the finances; and
- suitably qualified and appropriately independent internal audit functions, including an audit panel.

It is important that you understand the information provided to you by council administration. Financial reports should inform you simply and directly on the financial performance of the council. You should be able to review the variances between actual and budgeted income and expenditure to establish overall financial viability.

WHAT DOES GOOD GOVERNANCE MEAN IN PRACTICE?

A key accountability of the general manager and the chief financial officer is financial management. While the council has the overall accountability, the administration and its key players have critical responsibilities for financial planning and management, and for providing regular reports to council.

Some important points to note:

- The general manager is accountable to the council for the organisation's financial performance.
- You should make sure that you ask enough questions to enable understanding of the financial situation of your council.
- It is not sufficient for you to rely on the assurances of council administration – you must feel appropriately informed and comfortable before signing off on financial reports.
- General managers are required to obtain council authorisation for adjustments to budget estimates.

Strategic planning challenges

Given that a council is a collection of individual councillors who have been elected on the basis of individual platforms, council planning can pose a particular challenge. Often strategic planning will require significant negotiation and compromise.

Developing a means for addressing a number of individual mandates and being open to input from the community – all the while ensuring continuity and sustainability – is a challenge for successful strategic planning. While there is no magic formula for success, councils will benefit from following a process which ensures that everyone has a chance to be heard.

You should keep in mind that while an election may result in the introduction of new councillors, the council as a legal entity will remain unchanged. The strategic plans, policies and budgets that were put in place by the previous councillors (as the council) will continue until they are amended by the new councillors (as the council).

Rates and charges policy

Rates are a major source of revenue for local government. Part 9 of the Act provides tools for councils to use in raising rates and each council uses these tools in a way that is suitable to its municipal area. Every year that a council makes a rates resolution, it is making policy decisions about how it wishes to distribute the burden of tax across the community.

Ratepayers often do not know why rates are raised or what decisions are being made on their behalf. Rates are often compared between municipal areas, without regard to the level of services provided by that municipal area, or the differing decisions made by each individual council.

WHAT DOES GOOD GOVERNANCE MEAN IN PRACTICE?

Under the Act, councils are required to implement rates and charges policies to provide transparency in decision-making, and to educate their communities about how revenue is raised. Rates and charges policies must be reviewed, at a minimum, on a four-yearly basis.

Policies should be consistent with a council's long-term financial plan, long-term asset management plan and strategic plan. This is to ensure that there is sufficient revenue from rates to provide the services that a council wishes to provide, and to assist in planning for the future.

Monitoring and reporting performance

To effectively manage the affairs of your council, now and into the future, you need to have the information to judge how your council is performing and to make decisions on how to change or improve its performance.

It is vital to have a performance measurement and reporting framework in place. Such a system ensures accountability to the community as to how public money is being spent and the quality of the services delivered.

Your council is accountable for monitoring performance in the achievement of its strategic direction, goals and financial outcomes, which are set through the strategic plan, annual plan, financial management strategy, long-term financial management plan, and annual budget.

An annual report is a key mechanism by which your council reports to, and is accountable to, the community. The annual report outlines your council's achievements against objectives included within the annual plan and other relevant plans.

Section 72 of the Act requires councils to prepare an annual report and make copies available for public inspection.

The Act specifies the matters that must be contained in the annual report and requires councils to invite the public to make submissions on the report. Councils are required to consider public submissions at their annual general meeting.

See the Local Government Division's [Annual Report Guidelines](#) for more information.

Audit panels

Tasmanian councils are required by the Act to establish and maintain an audit panel. Audit panels are integral to maintaining accountability through review of processes and decision making. Audit panels are also fundamental to identifying actions required to ensure your council's legal, governance, social and ethical responsibilities, and that your financial and asset management practices are in the best interests of the local community.

WHAT DOES GOOD GOVERNANCE MEAN IN PRACTICE?

Audit panels provide a check on key council activities. Primarily audit panels review councils' financial systems and management. However, they also review councils' broader functions to ensure that the organisation has the appropriate risk, culture, personnel, policies, systems, and controls in place for the council to function effectively, legally and ethically.

A successful audit panel will also ensure the council employs proper management practices throughout the entirety of council activities; complies with all legislative and policy requirements; and adopts leading practice with all aspects of governance. Effective use of panels should assist in reducing the workload of councils.

The Local Government Audit Panels - A Practice Guide (the Guide) has been developed to assist councils with the establishment and maintenance of audit panels. The Guide has been developed specifically for the Tasmanian context, and is consistent with the requirements under Tasmanian legislation.

Role of the Auditor-General

As required by the Audit Act 2008, Tasmanian councils are audited annually through submission of their financial statements to the Auditor-General. Using completed financial statement audits, the Auditor-General presents a report to Parliament each year assessing councils' financial performance, including financial sustainability.

In addition to annual financial audits, the Auditor-General may conduct performance audits in relation to the activities of local government. Such audits usually result in reports to Parliament. Details of proposed audits can be found in the Auditor-General's Plan of Work, which is published by 30 June each year.

For more information please refer to the Tasmanian Audit Office's website.

WHAT DOES GOOD GOVERNANCE MEAN IN PRACTICE?

Useful resources

Sections 66 to 72 of the [Local Government Act 1993](#) outline the legal requirements regarding strategic planning. There are two Ministerial Orders relating to strategic planning, which are [the Local Government \(Content of Plans and Strategies\) Order 2014](#) and the [Local Government \(Management Indicators\) Order 2014 \(S.R. 2014, No. 36\)](#). The Act and the Orders are available on the [Tasmanian Consolidated Legislation Online website](#).

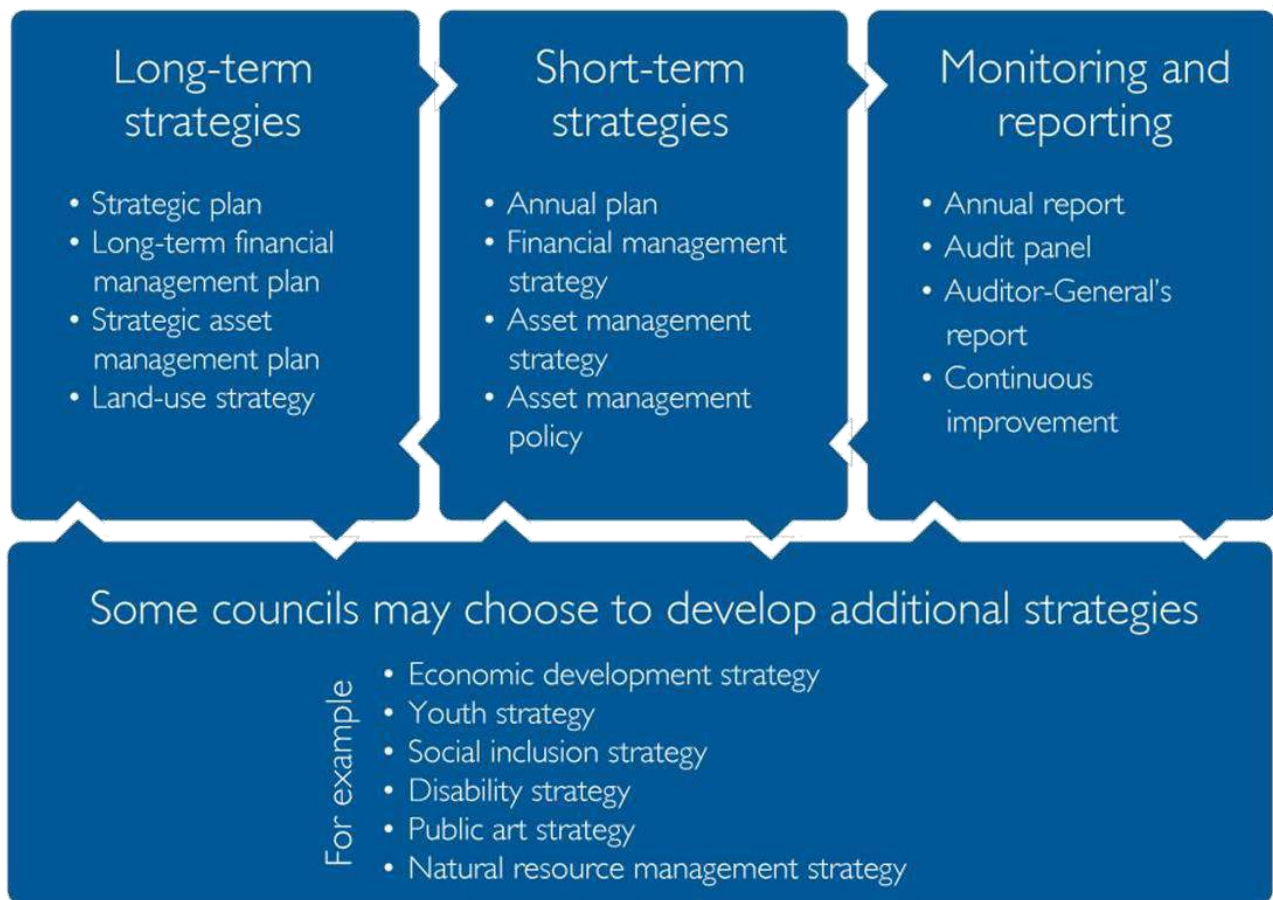
The Local Government Division's website also contains a number of resources that are relevant to this section, including the [Tasmanian Local Government Asset Management Policy](#), [Annual Report Guidelines](#), [Local Government Audit Panels - A Practice Guide](#) and [Local Government Rates and Charges –Guidance Paper for Policy Development](#).

Other useful resources are available on the [Tasmanian Audit Office website](#).

The [Audit Act 2008](#) requires the Auditor-General to audit Tasmanian councils' financial statements annually. You can access the [Audit Act 2008](#) on the [Tasmanian Consolidated Legislation Online website](#).

WHAT DOES GOOD GOVERNANCE MEAN IN PRACTICE?

Figure 2: The Tasmanian local government strategic planning framework



WHAT DOES GOOD GOVERNANCE MEAN IN PRACTICE?

ROBUST RISK MANAGEMENT

Risk is inherent in all aspects of a council's activities. Risk management is therefore an integral part of good governance, good management practice and decision making in local government. Risk management is not about being risk averse. Risk management allows councils to take appropriate risks that will help them to achieve their strategic goals.

A council with robust risk management practices is accountable, effective and efficient.

Risk management is a process that allows councils to pursue opportunities, while understanding and mitigating associated risks. The benefits to a council of a coordinated, systematic approach to risk management include:

- meeting the council's strategic objectives;
- identifying key risks that the council faces as it strives to achieve its strategic objectives;
- achieving cost savings through planning and foresight;
- establishing greater openness and transparency in decision making and ongoing management processes;
- providing the council with a clear understanding of the risks facing it;
- encouraging proactive risk management of strategies to identify and manage risks;
- promoting a positive risk management culture integrated across the council structure;
- providing better outcomes in terms of program effectiveness and efficiency, such as improved client services and/or better use of resources; and
- increasing community confidence in the council's operations.

The purpose of risk management is not to eliminate all risks but, rather, to reduce them to a level acceptable to council in accordance with its risk tolerance limits. Risk management requires a mature, proactive approach to management, and achieving a balance between the costs of managing risks and the anticipated benefits.¹³

¹³ The information in this section accords with AS/NZS ISO 31000: 2009: Risk Management – Principles and Guidelines.

WHAT DOES GOOD GOVERNANCE MEAN IN PRACTICE?

How can councils manage risks?

Risk management involves establishing an appropriate framework and culture, and applying a logical and systematic method to identify and manage risks by:

- implementing and communicating an organisational policy;
- balancing risk and opportunity within organisational policies;
- defining the organisation's risk appetite, tolerance and likelihood guidelines;
- training elected members and council officers to establish the context for assessing potential risks; and
- identifying, analysing, evaluating, treating, monitoring and communicating risks associated with any activity, function or process in a way that will maximise the potential to achieve goals and objectives and minimise potential for harm or loss.

Your council has a legal and ethical responsibility to ratepayers, residents, employees and visitors to minimise the likelihood and consequences of adverse risks and maximise the potential to achieve its strategic objectives.

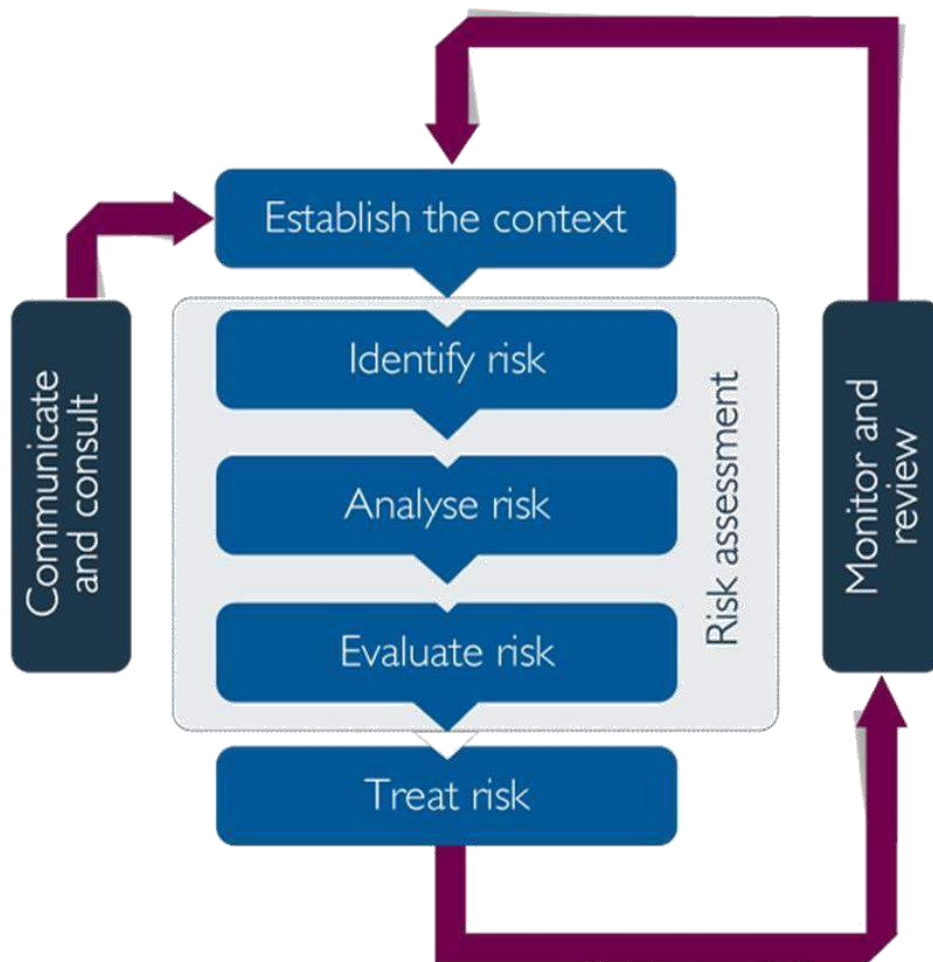
All elected members, management, council officers, contractors, and volunteers have a responsibility to follow effective risk management practices and ensure that the council is aware of risks associated with its operations. Risk management should be an integral part of the leadership responsibilities of the council, the general manager and senior management.

WHAT DOES GOOD GOVERNANCE MEAN IN PRACTICE?

The risk management process

Strategic risk management follows a step-by-step process that, when undertaken, enables a sound basis for decision making.

Figure 3: The risk management process¹⁴



¹⁴ Figure adapted from AS/NZS ISO 31000: 2009: Risk Management – Principles and Guidelines.

WHAT DOES GOOD GOVERNANCE MEAN IN PRACTICE?

1. Communicate and consult

Throughout the process of managing risk, communication and consultation between your council and stakeholders should take place. Effective communication and consultation will ensure that those involved in managing risk, including affected stakeholders, are aware of, and understand why particular actions are necessary. A consultative approach to risk assists in achieving the remaining phases of the risk management process.

2. Set the organisational context

The purpose of this phase is to define the parameters within which risk will be managed and to set the scope for the rest of the process. In this phase your council should develop an understanding of its operations, the external and internal environment in which it operates, and the factors that have major impact on the achievement of its objectives.

3. Identify the risk

In this phase, your council identifies the potential risks that need to be managed. The sources of risk, areas of impact, events and change in circumstances, their causes and potential consequences should be identified and added to a list or register of risks.

Risk identification needs to be undertaken on a periodic basis, and also in the context of any proposed new service or project. Your council should schedule regular reviews of the risk register. These reviews should take into account any changes in the council's services and operating environment, and identify all risks that impact on the council's activities, regardless of whether or not the risks are under the council's control.

Approaches used to identify risks may include:

- brainstorming sessions;
- review of audit findings;
- assessment of historical incident data;
- assessment of third party contracts;
- ongoing project management; and
- stakeholder needs.

4. Analyse the risk

Risk analysis involves comprehending the nature of the risk and determining the level of risk.

Analysis is based on an assessment of the:

- risk likelihood (the chance of something happening); and
- risk consequence (the outcome of an event).

WHAT DOES GOOD GOVERNANCE MEAN IN PRACTICE?

Your council's determination of the consequences of the risk and likelihood of it occurring can then be combined to determine the risk rating.

5. Evaluate the risk

The purpose of risk evaluation is to make decisions based on the outcomes of risk analysis about which risks are acceptable, which risks need treatment and the treatment priorities.

Your council is unlikely to have sufficient resources to treat all risks in an optimum manner.

Therefore it will always be necessary to evaluate and prioritise:

- which risks to treat, or mitigate; and
- the resources (if any) to devote to treating or mitigating each risk.

The highest priority should be given to those risks that council decides are the least acceptable.

6. Treat the risk

Risk treatment involves choosing one or more alternatives for controlling or managing risks and implementing these alternatives. Your council's risk treatment options may include all or some of the following:

- avoid the risk;
- remove the risk source;
- pursue the risk as an opportunity;
- change the probability of occurrence;
- change the consequences to reduce the losses and improve the gains or likelihood of achieving objectives;
- transfer the risk by using other parties or by outsourcing (for example insurance or resource sharing); and
- accept the risk on the basis that you are doing all things that are reasonable and practical to address foreseeable risks.

7. Monitor, review, audit

Your council's risk management is not a static or one-off procedure. Risks must be monitored and reviewed regularly to ensure that controls are effective and efficient, the external and internal context is up to date, and the risk criteria and framework are relevant. Responsibilities for monitoring and reviewing should be clearly defined, as part of your risk management framework.

WHAT DOES GOOD GOVERNANCE MEAN IN PRACTICE?

For further information, refer to the [Western Australian Department of Local Government's website](#) and the Local Government Association of South Australia's information paper entitled [Understanding Risk Management](#).

WHAT DOES GOOD GOVERNANCE MEAN IN PRACTICE?

FAIR AND TRANSPARENT DECISION MAKING

Good decision making is central to good governance. Sound decision making improves the transparency and accountability of your council, and increases the likelihood that council decisions are in the best interests of the entire community. The use of sound decision making processes will help council decisions to withstand scrutiny by regulators, courts, the media, and those affected by decisions.¹⁵

Principles guiding decision making

When you make decisions you must act in accordance with the law, consider all view points and information, and act in the best interests of the community.

Acting in accordance with the law

Throughout the process of managing risk, communication and consultation between your council and stakeholders should take place.

As stated in the [About Good Governance section](#), good governance is law abiding. This is also a key characteristic of decision making: decisions must be consistent with relevant legislation or common law, and be within the powers of local government. Local government operates in a complex legislative environment and it is your responsibility to be familiar with the relevant legislation, which includes the:

- [Local Government Act 1993](#);
- [Land Use Planning and Approvals Act 1993](#);
- [Environmental Management and Pollution Control Act 1994](#);
- [Resource Management and Planning Appeal Tribunal Act 1993](#);
- [Public Health Act 1997](#);
- [Dog Control Act 2000](#);
- [Building Act 2000](#); and
- [Food Act 2003](#).

¹⁵ The content of this section has been reproduced with permission from the [Good Governance Guide](#) © MAV, VLGA, LGV & LGPro 2012.

WHAT DOES GOOD GOVERNANCE MEAN IN PRACTICE?

Making unbiased decisions

In order to maintain public trust and confidence when acting as a member of a council (as opposed to a member of a planning authority – [see section 4](#)), you must:

- give all stakeholders a fair opportunity to be heard before a decision is made; and
- not have predetermined the matter or be perceived as having predetermined the matter before having heard all sides or reviewing all relevant information.

This does not prevent you from having opinions on upcoming matters and stating your views during election campaigns. Having a view on something doesn't mean that you are incapable of being persuaded by advice. You just need to ensure that you impartially consider the evidence and advice, which may or may not support your view, during the formal decision making process.

Acting in the interests of the community

Council decisions may have a significant impact on some people's lives. Often people will have competing interests. In your role as councillor, you have a duty to act in the best interests of the community as a whole.

Acting in the best interests of the community means considering issues fairly and on their merits, and taking all relevant factors into account. Sometimes it can mean making hard decisions that go against community sentiment. This may be the case when it comes to tough decisions regarding rate rises or service cuts.

You should note that acting in the best interests of the community is different from advocating for your community. Advocating for your community is about representing the views of your community (whether or not you support their views). For example, while debating rating decisions at the council table, you may advocate for the view of your community that they do not want to see a rate rise, but, taking all relevant factors into account, you may decide that it is in the best interests of the community to raise rates.

It is normal for councillors to come into contact with individuals and groups who attempt to influence their decision making. You must take care that representations do not improperly influence the decision making process.

You should treat the interests of groups in the community, and the people who advocate those views, with respect. As a democratically elected councillor, you must represent your constituents' views regardless of your personal opinions or whether they're likely to attract votes. This can sometimes mean that you will convey the views of a group of constituents to the council, even when you do not support those views.

For more information, refer to the [Representations to Councillors information sheet](#).

WHAT DOES GOOD GOVERNANCE MEAN IN PRACTICE?

Community engagement¹⁶

Engaging the community in decision making is a core element of good governance. Councils that use community engagement processes improve the quality of their decision making, help communities to feel more engaged and connected, and demonstrate transparency and accountability in the way decisions are made. Community engagement also assists in building a cooperative partnership between councils and their communities, and is an important method for allowing communities to provide their feedback, ideas and opinions.

There are a number of ways in which your council can engage with the community on issues that may affect them. Some examples of community engagement activities are:

- workshops and focus groups;
- surveys;
- public meetings;
- community liaison groups;
- letters and flyers;
- precinct committees; and
- social media.

The International Association for Public Participation (IAP2) has developed a Public Participation Spectrum to demonstrate the different levels of community engagement.¹⁷ Each level results in an increase of public impact.

1. **Inform:** A one-way communication relationship, in which a council provides information to the community to assist them in understanding the problems, alternatives and/or solutions (such as fact sheets and web sites).
2. **Consult:** A two-way communication relationship, in which the community provides feedback on issues defined by a council (such as surveys, public comment, and public meetings).
3. **Involve:** A participatory process, in which a council works directly with the community throughout the decision making process to ensure that public concerns and aspirations are understood and considered prior to decision making (such as workshops and deliberative polling).
4. **Collaborate:** Council works with the community in each aspect of the decision, including developing alternatives and identifying a preferred solution (such as citizens' advisory committees, consensus building, and participatory decision making).
5. **Empower:** Final decision making is placed in the hands of the community (such as elector polls and ballots).

¹⁶ Content for this section is drawn from the Local Government Association Tasmania's [Councillor Resource Kit](#).

¹⁷ This content has been adapted from the [iap2 website](#).

WHAT DOES GOOD GOVERNANCE MEAN IN PRACTICE?

The level of participation your council chooses as appropriate for any given decision making situation will depend upon the outcomes, timeframes, resources, and the levels of concern or interest in the decision to be made.

SCENARIO¹⁸

The council plan has identified a town hall for closure, because usage has fallen significantly in recent years. During the same period, pressure on a second town hall within the municipal area has increased. The local Friends of the Town Hall group has been running an active media campaign, and has made noisy demonstrations at council meetings. In the face of this, the council has decided, yet again, to defer a decision.

Council regularly placates the most active and the noisiest elements of the community when making decisions. Because of this, the interests of every section of the community are not being taken into account.

To resolve the situation:

- councillors should acknowledge that this is happening and consider which feedback from constituents, community groups and the media is relevant;
- councillors need to have another look at the council plan outside of the normal review process;
- the mayor should play a leadership role as the leader of all councillors;
- councillors must pay attention to the consultation processes – everyone affected by important decisions should be listened to, not just those who shout the loudest;
- the council should be aware of stakeholder views before making the decision;
- the council should review the decision making processes for openness and transparency;
- the administration needs to ensure the advice reflects all the issues, consequences and options; and
- councillors need to be reminded that placating the ‘loudest voices’ not only creates precedents which can be difficult to break, but also impacts badly on the public perception of local governments.

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WHAT DOES GOOD GOVERNANCE MEAN IN PRACTICE?

What is a good decision making process?

Decisions made by local government must be made in a way that is consistent with the Local Government Act 1993 (the Act) and the Local Government (Meeting Procedures) Regulations 2015 (Meeting Regulations).

In addition, good decision making requires that you:

- avoid unfair decision making or the perception of;
- act with integrity and openness; and
- follow the council code of conduct.

The decision making process involves five stages:

1. setting the agenda;
2. gathering information;
3. forming an opinion;
4. making the decision; and
5. implementing the decision.

This section looks at each stage of the decision making process, identifies potential issues and makes suggestions about good governance processes.

Stage 1: Setting the agenda

In the first stage of the decision making process, your council must determine which issues will be considered. While some issues will be considered for statutory reasons, many others end up on the agenda because they are either council policies and priorities or issues that individual councillors have put forward for discussion.

Stage 2: Gathering information

The second stage of the decision making process involves the council administration compiling and preparing information for elected members. This information will help you to make an informed decision about each of the issues that have been put forward for consideration.

The council report provides you with advice and information to support decision making. Council reports should contain relevant data, issues and options which help elected members to consider the matter at hand and make a decision. The report should be well written, clear and concise.

Stage 3: Forming an opinion

The third stage of the decision making process gives you the opportunity to form opinions on the proposals before you make a decision. This stage allows you to debate the issues in the

WHAT DOES GOOD GOVERNANCE MEAN IN PRACTICE?

council meeting as part of the decision making process. A key part of this stage is the council workshop.

SCENARIO¹⁹

A councillor is insisting that council make a particular decision on the hotly contested issue of the location for the new municipal offices. The councillor's main argument in support of this position is that 'it's just common sense'.

There can often be a number of legitimate views on an issue even when there is good information and advice. Labelling one view as 'common sense' can imply that all the other views are not valid and that their proponents lack common sense. The debate then often focuses on the meaning of 'common sense' and personalities rather than on the issue itself.

To improve the governance in this situation the council should:

- ensure there is a good process in place to guide decision making;
- base the decision on advice and information, rather than on subjective views, such as 'it's just common sense';
- ensure there is a good consultation process to find out what stakeholders really think;
- focus on the issues rather than on personal opinion; and
- provide opportunities for all councillors to voice their opinion – the mayor's role is important in providing leadership in the council.

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WHAT DOES GOOD GOVERNANCE MEAN IN PRACTICE?

What are council workshops?

Council workshops are informal meetings, held for the purpose of providing elected members with information on specific matters. Workshop procedure is not governed by the Act or the Meeting Regulations. Council workshops provide the time needed to explore important matters in detail. However, to ensure transparency, council decisions must be made in a council meeting, not in a council workshop.

Individual councils are entitled to hold workshops as and when they deem it necessary. Workshops are generally closed to the public, although a council may invite the public or individuals to attend if it wishes to do so.

[Regulation 8 of the Meeting Regulations](#) requires general managers to report in each ordinary meeting agenda the date and purpose of any council workshop held since the last meeting.

SCENARIO²⁰

A council regularly uses workshops to work through the draft agenda for the next council meeting. In these sessions councillors develop a consensus position on all the key issues in the agenda. There is little or no debate at the next council meeting, as the elected members already know all the outcomes.

Council workshops should be used to ensure that elected members have all the information they need to develop an opinion on key issues. This information can consist of research, background information and the results of any consultation processes.

Workshops should not be used to debate or develop a collective position on issues. This should happen in council meetings where the decision making process is transparent and open.

To improve governance in this situation:

- elected members and the administration should understand and agree on the role of workshops in the decision making process;
- the administration should provide information to elected members in workshops; and
- elected members should ask questions in briefings to satisfy themselves that they have sufficient information to form an opinion on the issues in question.

²⁰ This content has been reproduced with permission from the [Good Governance Guide](#) © MAV, VLGA, LGV & LGPro 2012.

WHAT DOES GOOD GOVERNANCE MEAN IN PRACTICE?

Information requests

The Act entitles councillors to two kinds of information:

- information and documents required to perform any councillor functions (see [section 28A of the Act](#) and [28B of the Act](#)); and
- documents and information relating to council and committee meeting agendas (see [section 28D of the Act](#)).

The processes for requesting these kinds of information are separate, but there are important similarities:

- The information or documents must be in the possession of the council.
- Requests for information or documents are to be made in writing to the general manager.
- Confidentiality – if the general manager considers information or documents are confidential, under [section 28C of the Act](#) he or she may require councillors to give an undertaking to maintain that confidentiality. If the councillor refuses, the general manager may withhold the information or document.
- Pecuniary interests – the general manager may refuse to provide information or documents if the councillor has declared a pecuniary interest related to the subject of the information or documents.
- If the information or documents are given to one councillor, the general manager must make them available to other councillors on request.

For more information, see the information sheet entitled [Access to Information for Councillors](#), which is available on the [Local Government Division's website](#).

You should ensure that any requests to council officers for information or reports are legitimate, lawful, related to your role and directed to the appropriate officer (depending on the protocols of your council). It is also important that council officers are appropriately responsive to information requests, as councillors largely rely on the administration for information and other kinds of support.

Requests which fall under the category of file trawling or 'fishing' expeditions are not appropriate. The administration as a whole, and council officers specifically, should be wary of providing information for political disputes between councillors.

The council and the administration can develop protocols to ensure that everyone understands when and what kind of information will be provided to individual councillors. Some councils also use self-regulation, such as a register to log all the information requests by individual councillors.

WHAT DOES GOOD GOVERNANCE MEAN IN PRACTICE?

Stage 4: Making the decision

The fourth stage of the process is when you and your fellow councillors make the decision at formal council meetings.

The Meeting Regulations provide a uniform and comprehensive set of rules for the conduct of council meetings.

The [Council Meeting Procedures information sheet](#) provides a summary of the key meeting procedure requirements contained within the Meeting Regulations. The full Meeting Regulations are available at [Tasmanian Consolidated Legislation Online website](#).

Further to the requirements set out in the Meeting Regulations, you can ensure good decision making by exhibiting appropriate behaviour. For example:

- You must conduct yourself in a respectful way, including listening to others, avoiding interrupting others, using reasonable language, and avoiding texting or using social media during meetings.
- Mayors can facilitate good decision making by ensuring that councillors feel that they are part of the process. Mayors can do this by giving everyone at the table an opportunity to get their viewpoint across.
- If the mayor has moved or seconded a motion, the mayor is to vacate the chair until the motion has been dealt with.
- You must be sure to focus debate on the content of issues, not on the councillors debating them (play the ball, not the person).
- In coming to decisions, you are not required to follow the advice provided by councillor officers in reports to the council, but nevertheless should consider it with due respect.
- You must take voting seriously: being informed, participating in debate and making a decision (except where there is a conflict of interest) are all critical components of good decision making.
- Councils must be committed to transparency. Observers must be able to follow and understand the decision making process, and the reasons why a particular decision has been made. Holding the meeting in public is one way that transparency can be achieved. Having a proper debate is another. By observing a debate, onlookers are able to see how and why council came to a decision.
- Closed meetings should be avoided where possible to preserve transparency and accountability.

WHAT DOES GOOD GOVERNANCE MEAN IN PRACTICE?

Stage 5: Implementing the decision

The final stage of the decision making process is what occurs after the actual decision is made. There are two key elements to this stage. The first is working out how the administration will provide reports to council on the implementation of the decision. The second is telling constituents about the decision.

Progress reports for council

One aspect of the general manager's role is to ensure that council decisions are implemented in an effective and timely fashion.

Part of this phase is to establish a process for regularly reporting to council on how the implementation is progressing. This not only allows the administration to demonstrate its accountability to the council, but also provides the council with the information it needs to meet its accountability to its community.

Talking publicly about council decisions

A unique feature of local government is that all decisions are taken in the name of the whole council. Elected members are bound by the council decision, regardless of whether they were in favour of it or not.

Elected members are accountable to their constituents who may have voted for them on the basis of a pledge to achieve a particular outcome. When a council decision contradicts a promise made by a councillor during an election, the councillor may feel the need to indicate that he/she did not agree with the decision.

Talking publicly about your dissent to a particular decision may undermine the council decision and may ultimately damage community confidence in the council as a whole. All votes are recorded by council, including your dissenting vote to a particular decision. This is the mechanism for retaining accountability to the community.

Elected members have the opportunity to express their views in the lead-up to a decision and during debate. However, if the final decision of the council conflicts with the private view of the elected member, he/she should refrain from expressing a view that is contrary to the formal position of the council. Expressing a view that opposes the agreed position of the council can lead to confusion and can lead the community to believe that the council is divided.

WHAT DOES GOOD GOVERNANCE MEAN IN PRACTICE?

Conflict of interest

You are required to act in the best interests of the community. From time to time, however, you may find that you have a private interest (social, familial or financial) that may improperly influence (or be perceived to improperly influence) decisions that need to be made as an elected member. It is your responsibility to ensure that you do not put yourself in a situation where personal interests impact, or are perceived to impact, on your decision making. This is critical to ensure un-biased decision making and to maintain the trust of the community.

Conflicts of interest are either pecuniary or non-pecuniary. Pecuniary interests are where there is an expected financial gain or loss. Non-pecuniary interests are where there are expected gains or losses that are not financial.

Information in the form of written guides accompanying video scenarios on conflict of interest, both pecuniary and non-pecuniary, can be found on the [Local Government Division's website](#). General information about conflict of interest obligations across the whole of the public sector can be found on the [Integrity Commission Tasmania's website](#), which provides a number of resources and video scenarios to illustrate general conflict of interest principles.

WHAT DOES GOOD GOVERNANCE MEAN IN PRACTICE?

SCENARIO

Councillor A is concerned about whether or not she has a conflict of interest in a matter on the upcoming council agenda. This matter involves the council's decision on an access road, which is likely to significantly improve access to a key destination. Her brother owns a café in the same area. If the road is approved, she believes that it would improve the travel times to her brother's café, the amenity of the property, and possibly even visitor numbers. She seeks advice from Councillor B as to whether or not she may have a conflict. Councillor B is concerned that if Councillor A does step out, the council may not have a quorum for this matter.

Option 1 – Declare a pecuniary interest

Under [section 51 of the Act](#), Councillor A's brother would be a 'close associate', so it is important that Councillor A considers whether or not there would be or be likely to be a financial advantage or disadvantage to her brother if the council decides in a particular manner. [Section 52 of the Act](#) provides a pecuniary interest exemption where a benefit is received in common with a substantial proportion of electors of the municipal area. If Councillor A has identified a pecuniary interest, she should follow the five-step process under the Act.

Option 2 – Declare a (non-pecuniary) conflict of interest

If on the facts of the matter Councillor A considers that there is no financial advantage or disadvantage that would constitute a pecuniary interest, Councillor A should consider whether or not there could be a (non-pecuniary) conflict of interest under her council's code of conduct. This may include emotional or social interests that would result in a bias, perceived bias or potential bias in a decision. If there is such a conflict, Councillor A should follow the code of conduct requirements. Councillor A could seek advice via the general manager or seek their own legal advice, but ultimately it is her responsibility to ensure that she is meeting her legal obligations.

Option 3 – Participating in the discussion and vote on the matter

Councillor A needs to give priority consideration to whether she could be committing an offence, rather than whether the council has a quorum. Participating in the discussion and vote on the matter is only advisable if Councillor A has determined that there is neither a pecuniary interest nor a non-pecuniary conflict of interest. If there were a conflict of interest or pecuniary interest, participating in the discussion or vote to make up a quorum would leave Councillor A open to a complaint that she has breached her legislative obligations.

Under the [Local Government \(Meeting Procedures\) Regulations 2015](#) regulation 11(4), the Minister can permit a councillor who has declared a pecuniary interest to remain at the meeting to maintain a quorum as long as the councillor does not take part in any discussion or vote on the matter.

WHAT DOES GOOD GOVERNANCE MEAN IN PRACTICE?

Pecuniary interests

Section 49 of the Act provides 'A councillor or member has an interest in a matter if the councillor or member or a close associate would, if the matter were decided in a particular manner, receive, have an expectation of receiving, or be likely to receive, a pecuniary benefit or pecuniary detriment.'

Close associates can include members of your immediate family, as well as organisations of which you are an office-bearer of the governing body, a company in which you are a shareholder, your employer or your employees.

Examples of pecuniary interest are:

- A councillor chairs a committee of council which has been asked to make a decision on a tender process for council catering. One of the tender bids is submitted by the councillor's sister-in-law's catering firm.
- A councillor participates in a council decision on a planning application for a brick and paver factory that, if established in its proposed location, is likely to significantly reduce the value of his property.

Examples of pecuniary benefits or detriments include:

- increased or decreased sales or profits from a business;
- increased or decreased property values;
- offers of employment or related benefits such as salary increases or promotions;
- provision of labour or services; and
- loan of a vehicle.

If you have a pecuniary interest, you need to follow the five-step process for managing pecuniary interests, as set out in Part 5 of the Act:

1. Declare an interest in the matter before discussion begins.
2. Do not participate in any discussion or vote on the relevant matter.
3. Leave the room where the meeting is being held when discussion turns to the relevant matter.
4. Advise the general manager in writing of the details of the interest within seven days of the meeting.
5. The general manager records the declaration in the meeting minutes, and the details in the register of interests.

WHAT DOES GOOD GOVERNANCE MEAN IN PRACTICE?

Pecuniary interests that are not appropriately managed are offences under sections [48 of the Act](#) and [48A of the Act](#). Complaints are investigated by the Local Government Division. If there is sufficient evidence of an offence, complaints are referred to the Director of Public Prosecutions for prosecution in the Magistrates Court.

The penalties set out in sections 48 and 48A of the Act can include:

- a fine of up to 50 penalty units (\$7 000) on conviction;
- dismissal from office; and
- being barred as a candidate for up to seven years.

No pecuniary interest is too small to be covered by the offence provisions. However, [section 52 of the Act](#) sets out a number of express exemptions to the pecuniary interest provisions.

It is important to note that you are in breach of the pecuniary interest requirements if you participated in a discussion and vote on a subject, even if you vote against your own interest. This rule protects the process of council decision making and ensures that councillors' decisions are not influenced by people with interests who are participating in the discussion.

Useful resources

The [Local Government Act 1993](#) outlines obligations for councillors in relation to pecuniary interests.

Refer to the training video [In whose interest?](#) to watch a video scenario that deals with conflict of interest.

The Local Government Division has developed an [information sheet and checklist](#) to assist you to assess your potential pecuniary interest conflicts.

WHAT DOES GOOD GOVERNANCE MEAN IN PRACTICE?

SCENARIO

A councillor owned land which shared a boundary with council land. The council was asked to make a decision on the construction of a fence on this shared boundary.

The councillor registered his pecuniary interest in the council's interest register and declared his pecuniary interest in the matter. He sought advice from the General Manager regarding his participation.

Acting on the General Manager's advice, the councillor did not participate in the vote on the matter, but remained in the meeting to make a personal statement prior to the vote.

The Director of Local Government received a complaint that the councillor had breached the pecuniary interest provisions in section 48 of the Act.

Upon investigation, the complaint was referred to the Director of Public Prosecutions and legal action was pursued against the councillor. The evidence in the case was not disputed; the councillor argued, in his defence, that the General Manager had advised him he could speak on the subject. The councillor was found guilty but no conviction was recorded.

The councillor had a pecuniary interest in the matter, and needed to follow the five-step process for managing pecuniary interest set out under section 48 of the Act. The councillor should have applied the principle 'If in doubt ...step out'. The councillor received advice from the General Manager which he may have relied upon in good faith. However, error of law is not a defence. It is an individual councillor's responsibility to ensure that he or she complies with the requirements of the legislation.

WHAT DOES GOOD GOVERNANCE MEAN IN PRACTICE?

Non-pecuniary interests

Non-pecuniary conflicts of interest are not offences under the Act.

Non-pecuniary interests are managed through your council's code of conduct and the code of conduct provisions in the Act.

Non-pecuniary conflicts of interest may arise if:

- you are a member (not an office bearer) of a club, organisation or association likely to be impacted by the council decision; and
- other emotional or social ties might influence your decision.

An example of a non-pecuniary interest would be if a councillor was a long-standing member (but not an office-bearer) of the local football club, and the council was making a decision on a grant to the football club.

If a code of conduct complaint is substantiated, the Code of Conduct Panel may apply one or more sanctions including:

- a caution
- a reprimand
- a requirement to apologise
- a requirement to attend counselling or a training course; or
- a suspension from performing or exercising the functions of a councillor for a period of up to three months.

Refer to page 18 for more details on codes of conduct.

Useful resources

The [Integrity Commission Tasmania's website](#) has a number of resources to assist you to deal with conflict of interest (both pecuniary and non-pecuniary).

Refer to the training video [In whose interest?](#) on the [Local Government Division's website](#) to watch a video scenario that deals with conflict of interest.

WHAT DOES GOOD GOVERNANCE MEAN IN PRACTICE?

Closed meetings

Your council may decide to close part of a meeting to the public. If it is a council meeting, the decision must be made by an absolute majority. If a council committee decides to close a meeting, it may do so by simple majority.

A meeting may be closed to the public only for the reasons outlined in [regulation 15\(2\) of the Meeting Regulations](#). These reasons include:

- personnel matters, including complaints against an employee of the council and industrial relations matters;
- contracts and tenders, for the supply and purchase of goods and services and their terms, conditions, approval and renewal;
- the security of the council, councillors and council staff; or the property of the council;
- proposals for the council to acquire land or an interest in land or for the disposal of land;
- information of a personal and confidential nature or information provided to the council on the condition it is kept confidential;
- applications by councillors for a leave of absence;
- matters relating to actual or possible litigation taken, or to be taken, by or involving the council or an employee of the council;
- the personal hardship of any person who is a resident in, or is a ratepayer in, the relevant municipal area;
- information that, if disclosed, is likely to confer a commercial advantage or impose a commercial disadvantage on a person with whom the council is conducting, or proposes to conduct, business; and
- commercial information of a confidential nature.

Under [regulation 15\(3\) of the Meeting Regulations](#), a meeting cannot be closed when council is acting as a planning authority, considering planning permits or dealing with matters relating to the sale of public land under [section 178 of the Act](#).

The only instance in which your council may discuss matters under regulation 15(3) in closed session is where the matters to be considered relate to actual or possible legal action to be taken by or involving the council.

Section 15(8) of the regulations requires councils, when in a closed meeting, to consider whether any discussions, decisions, reports or documents relating to that closed meeting are to be kept confidential or released to the public, taking into account privacy and confidentiality issues.

WHAT DOES GOOD GOVERNANCE MEAN IN PRACTICE?

Useful resources

The [Local Government Division's website](#) contains information sheets with further information related to this section, including:

- [Council Meeting Procedures](#)
- [Representations to Councillors](#)
- [Access to Information for Councillors](#)
- [Pecuniary Interest](#)

The [Local Government Act 1993](#) outlines legal requirements related to this section of the Good Governance Guide, including:

- promoting the interests of the community (section 20);
- consulting with the community (section 20 and section 66);
- information requests (section 28); and
- pecuniary interest (sections 48-56).

The [Local Government \(Meeting Procedures\) Regulations 2015](#) provide a uniform and comprehensive set of rules for the conduct of council meetings, including key meeting procedure requirements.

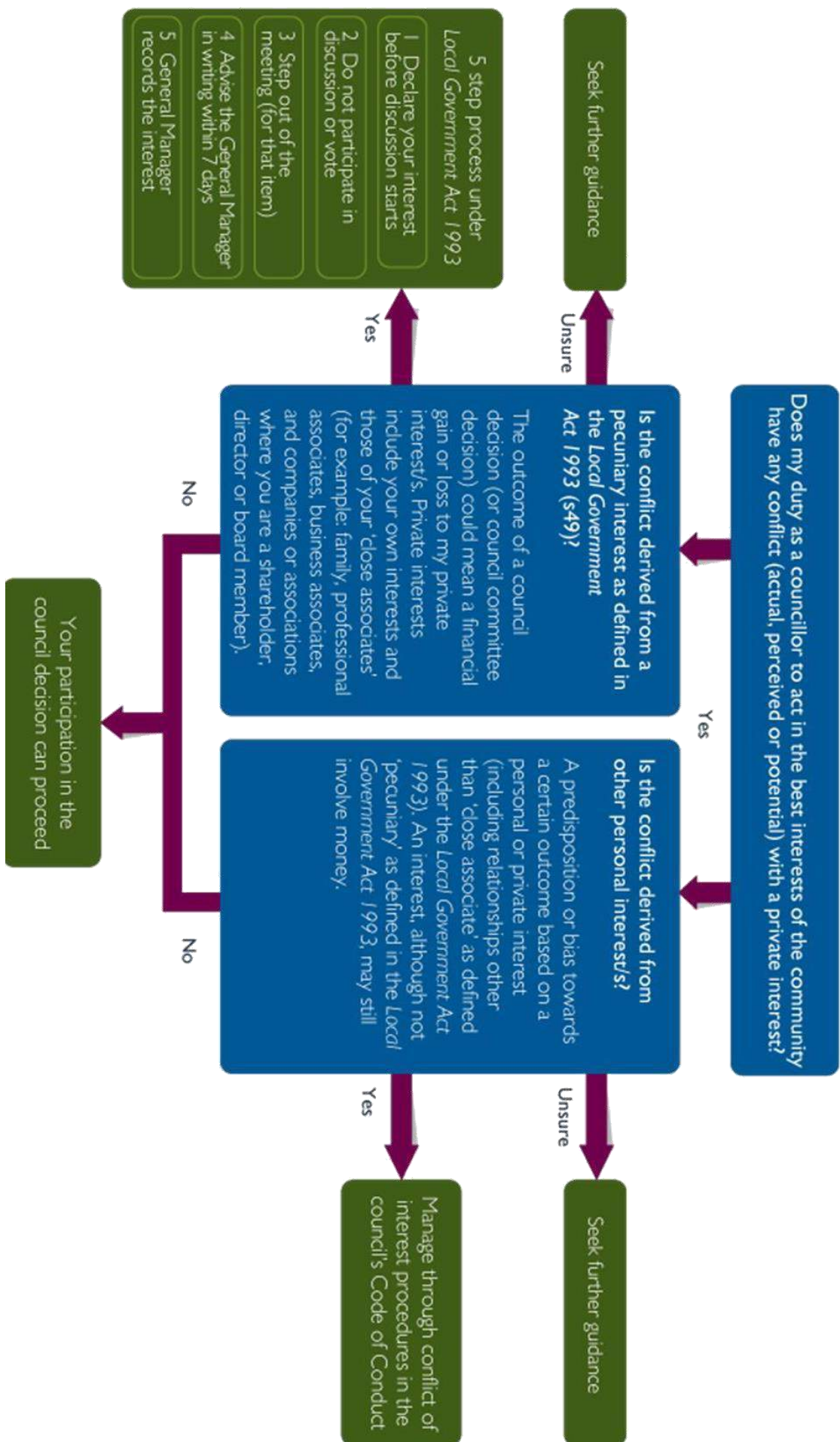
Information in the form of written guides accompanying video scenarios on conflict of interest, both pecuniary and non-pecuniary, can be found on the [Local Government Division's website](#).

The [Local Government Association of Tasmania's website](#) contains the [Councillor Resource Kit](#), which provides useful advice related to council meetings.

The [Integrity Commission Tasmania's website](#) provides information related to conflict of interest.

WHAT DOES GOOD GOVERNANCE MEAN IN PRACTICE?

Figure 4: Managing pecuniary and non-pecuniary interests flowchart



WHAT DOES GOOD GOVERNANCE MEAN IN PRACTICE?

LEGISLATIVE COMPLIANCE

Good governance is law-abiding. This means that the decisions and conduct of councillors and councils must be consistent with relevant legislation or common law, and within the powers of local government.

In Tasmania, the key legislation that local government elected members and council officers must comply with is the [Local Government Act 1993](#) (the Act). The Act is designed to give councils the general power of competence. As a result, councils are generally free to do anything they believe will benefit communities, as long as it is in line with the law. At the same time, however, it provides a framework for good governance by setting specific requirements.

Besides the Act, there are numerous Acts of Parliament (State and Commonwealth) that councils are required to comply with. These include, but are not limited to:

- [Land Use Planning and Approvals Act 1993](#);
- [Building Act 2000](#);
- [Food Act 2003](#);
- [Vehicle and Traffic Act 1999](#);
- [Roads and Jetties Act 1935](#);
- [Right to Information Act 2009](#);
- [Public Health Act 1997](#);
- [Dog Control Act 2000](#);
- [Burial and Cremations Act 2002](#); and
- [Environmental Management and Pollution Control Act 1994](#).

Legislative compliance is a key component of good governance. However, it is important to remember that good governance goes beyond acting in line with the requirements of the Act and other relevant Acts of Parliament. As such, you must have the capacity to make good judgements about the way you behave.

WHAT DOES GOOD GOVERNANCE MEAN IN PRACTICE?

CONTINUOUS IMPROVEMENT

Continuous improvement promotes accountability and transparency. It is about being responsive, and striving for efficiency and effectiveness – key characteristics of good governance.

What is continuous improvement?

Continuous improvement is an ongoing cycle of evaluation and improvement. Following a continuous improvement process helps to refine the ways things are done to make them as effective and efficient as possible. In the long term, this leads to better use of resources and improved outcomes.

The continuous improvement process can be summarised as follows:

1. Collect and interpret data to assess and identify opportunities to improve performance.
2. Develop and implement an improvement plan.
3. Re-evaluate performance.

Benefits of continuous improvement can include:

- higher quality service provision;
- costs savings and potentially income generation;
- more efficient use of limited resources;
- enhanced partnerships with other councils; and
- increased capacity to operate effectively in a changing environment.

The continuous improvement process can be applied to the organisation as a whole, or individual departments, services or processes. Committing to continuous improvement builds the capacity of staff to think critically and systematically about the way they do the things they do, which leads to innovation.

WHAT DOES GOOD GOVERNANCE MEAN IN PRACTICE?

Setting the scene for continuous improvement

Elected members play an important role in promoting continuous improvement: they can help to create an environment that supports continuous improvement and play an important role in championing a continuous improvement culture. An important part of promoting a culture of continuous improvement is acknowledging and celebrating successes as they occur.

Elected members may choose to develop a continuous improvement strategy to provide the context for a framework and process to be developed by the administration.

Continuous improvement as a council

Other than setting the scene for continuous improvement and celebrating success, elected members are most likely to engage in the continuous improvement cycle when data becomes available that relates to council performance. Council annual reports are the primary source of information on council performance, as well as the Auditor-General's annual assessment of local government performance and position. Elected members can use this data to identify areas where there is scope to improve the performance of the council, and set priorities for performance improvement.

The City of West Torrens, South Australia, has a strong focus on continuous improvement. To find out more about the approach taken by the City of West Torrens, visit the [Council's website](#).

Continuous improvement for individual elected members

Continuous improvement is also important at the individual elected member level. It is incumbent on you as an elected member to ensure that you are representing your community to the best of your capacity, and acknowledging where there are opportunities for you to enhance your knowledge and understanding.

It can be daunting when you are first elected as a member of a council to find that you are expected to be making decisions related to matters in which you have no previous experience. This is often the case when it comes to approving budgets, or making land-use planning decisions.

The Local Government Association of Tasmania's [Councillor Resource Kit](#) provides valuable information on the skills you require as an elected member and development opportunities.

ARE YOU PRACTICING GOOD GOVERNANCE?

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ARE YOU
PRACTICING
GOOD
GOVERNANCE?

ARE YOU PRACTICING GOOD GOVERNANCE?

INTRODUCTION

Are you practicing good governance? To practice good governance you need a sound understanding of good governance and you need to act in a way that will promote a culture of good governance within your council.

Is your council practicing good governance? For a council to practice good governance there needs to be a culture of good governance, processes that support good governance, processes to identify where good governance is lacking and motivation to improve governance.

ARE YOU PRACTICING GOOD GOVERNANCE?

PRACTICING GOOD GOVERNANCE AS AN INDIVIDUAL

The following checklist²¹ is designed to help you evaluate your understanding of good governance and assess whether your behaviour aligns with good governance practices. If you answer 'no' to any of the following questions, you could refer to resources available in [section 5](#) to help you improve your governance capacity.

Maintaining high ethical standards	Strongly agree	Agree	Not sure	Disagree	Strongly disagree
I am familiar with, endorse and comply with relevant legislation, the council's code of conduct and council policies.					
I act in the best interests of the community.					
I lead by example.					
My decisions and actions are transparent and accountable.					
Understanding your role and the role of others					
I understand my role as an elected member:					
I understand the role of the: • council • mayor • deputy mayor • general manager • Minister responsible for local government • Local Government Division • Director of Local Government • Local Government Association of Tasmania • council administration.					

²¹ The self-assessments provided in section 3 have been adapted from the City of Joondalup's [Governance Framework](#).

ARE YOU PRACTICING GOOD GOVERNANCE?

I attend all council meetings and relevant committee meetings (except where I have a valid reason not to).					
Building good relationships					
I have a respectful relationship with my colleagues and stakeholders.					
I listen and give due consideration to the views of others.					
I do not engage in bullying and harassment.					
Effective strategic planning and monitoring performance					
I actively participate in strategic planning.					
I listen to the views of the community when I engage in strategic planning.					
I understand the importance of integrated strategic and financial asset management plans.					
Robust risk management					
I understand the importance of risk management and I understand the risk management process.					
I am familiar with my council's risk management policy.					
Fair and transparent decision making					
I engage with the community to help inform my decision making.					
I follow the five-step decision making process.					
I am aware of and manage my conflicts of interest.					

ARE YOU PRACTICING GOOD GOVERNANCE?

Legislative compliance					
I am aware of my obligations under the <i>Local Government Act 1993</i> and other relevant Acts of Parliament.					
Continuous improvement					
I am aware of gaps in my knowledge and understanding relevant to my role as an elected member and I seek opportunities to undertake learning.					
Good governance and land-use planning					
I understand the role of councils as planning authorities.					
I understand my role as a member of a planning authority.					
I understand the importance of the links between strategic planning and land-use planning.					

ARE YOU PRACTICING GOOD GOVERNANCE?

For mayors

As a mayor, you have additional responsibilities which, when carried out effectively, can contribute to good governance. Use this checklist to help you understand whether you act in a way that promotes good governance.

Governance practices unique to mayors	Strongly agree	Agree	Not sure	Disagree	Strongly disagree
I act as a leader of the community.					
I am a fair and responsible spokesperson for the council.					
I understand the importance of my relationship with the general manager, and I work hard to ensure a seamless link between elected members and the administration.					
I oversee my elected colleagues in the performance of their functions.					
I understand my role as principal officer under section 32 of the <i>Integrity Commission Act 2009</i> .					
I ensure that all councillors have the opportunity to be heard and speak without interruption at council meetings.					
During council meetings, I ensure that debate stays focussed and I help to clarify any misunderstandings.					
I ensure that meetings are chaired, and matters are discussed and debated in a structured and effective way.					
I effectively manage any poor behaviour that arises at council meetings, including bullying and harassment.					
I provide fair summaries of debate and help elected members come to a decision.					
I make sure that the council addresses all of the appropriate strategic issues.					
I make sure there is sufficient time to discuss the important issues on the agenda.					

ARE YOU PRACTICING GOOD GOVERNANCE?

PRACTICING GOOD GOVERNANCE AS A COUNCIL

The following checklist²² will give you a basic understanding of whether your council has the culture and processes to support good governance.

Maintaining high ethical standards	Strongly agree	Agree	Not sure	Disagree	Strongly disagree
Elected members display integrity and impartiality in their decision making.					
The council acts in the best interests of the community.					
Elected members lead by example.					
The council actively promotes transparency and accountability.					
Elected members respect the council's code of conduct.					
The council reviews the code of conduct within three months of an ordinary election (as required by the <i>Local Government Act 1993</i>).					
Understanding your role and the role of others					
Elected members understand their role, and the roles of the Mayor and the General Manager.					
Elected members come to meetings well prepared and participate effectively in debate and discussions.					
The council is not drawn into operational management matters.					

²² The self-assessments provided in section 3 have been adapted from the City of Joondalup's [Governance Framework](#).

ARE YOU PRACTICING GOOD GOVERNANCE?

The council is effective in monitoring and evaluating the performance of the General Manager.					
Building good relationships					
The council communicates effectively with its community.					
The Mayor liaises effectively with the General Manager.					
The relationship between the Mayor and elected members is effective in enabling the council to fulfil its duties and responsibilities.					
The relationship between the council and the General Manager is effective in enabling the council to fulfil its duties and responsibilities.					
Elected members are respectful towards one another; members of the community and the council administration.					
The council has a protocol in place to guide engagement between elected members and the administration.					
Effective strategic planning and monitoring performance					
The council has been effective in setting the overall direction of the council area.					
The council is effective in considering and determining all major policy issues.					
The council monitors appropriate financial and non-financial performance indicators.					
The council regularly inputs into strategy development and review.					
Council meetings address the key issues facing the community.					

ARE YOU PRACTICING GOOD GOVERNANCE?

Robust risk management					
The council has a risk management policy.					
The council has a clear understanding of business risk.					
The council balances risk and opportunity as part of the policy development and decision making processes.					
The council identifies, analyses, evaluates, treats, monitors and communicates risks in a way that will maximise the potential to achieve goals and objectives, and minimise the potential for harm or loss.					
Fair and transparent decision making					
There are clear expectations around setting the meeting agenda, circulating papers, and decision making protocols.					
The council gives due consideration to advice provided by the administration.					
Elected members are committed to the principle of natural justice.					
Elected members make decisions that are in the best interest of the community.					
The council engages in robust debate at council meetings.					
Elected members manage their conflicts of interest.					
The council uses closed meetings appropriately.					
The council has a community engagement policy.					

ARE YOU PRACTICING GOOD GOVERNANCE?

Legislative compliance					
Elected members are aware of their responsibilities under the <i>Local Government Act 1993</i> and other relevant Acts of Parliament.					
The council monitors compliance with legislative requirements.					
The council has a register of delegations.					
Continuous improvement					
The council consciously manages its performance and pursues continuous improvement.					
The council has an elected member training and development policy.					
Elected members' training and development activities are reported in the annual report.					
The council's audit committee plays a key role in ensuring that the council's activities meet requirements.					
Good governance and land-use planning					
Elected members understand the different roles they play as community representatives and members of a planning authority.					
Elected members understand the role of the council as a planning authority.					
The council aligns its land-use planning with the strategic plan.					

ARE YOU PRACTICING GOOD GOVERNANCE?

These checklists are just a starting point. There are a number of ways that you and your elected member colleagues can assess your council's governance performance to develop a more detailed understanding:

- Internal review – An internal review might involve reports (prepared by the council administration) that assess council performance across the range of governance components and are considered by elected members at a workshop or meeting. This would be a useful step in starting to develop a picture of the effectiveness of your council's governance culture and processes.
- Governance audit by an external consultant – Your council may wish to engage the services of an external consultant to provide an objective perspective on governance arrangements.
- Benchmarking/best practice partnerships – Your council may be interested in working in partnership with a similar council to compare practices and identify opportunities to improve processes.
- Community surveys – Your council may consider developing a community survey to understand what the community thinks of its council's governance.
- Feedback – Your council may be able to identify shortcomings in governance practices through feedback received from residents who lodge complaints, negative press, or findings from audit committees.

Assessing your council's governance processes can help to build an understanding of where there may be opportunities to improve. Improving governance within councils is a simple continuous improvement process. Councils should take time to assess their governance performance, identify opportunities to improve, develop a strategy to implement improvements, implement the strategy and reassess governance performance.

Refer to [section 5](#) for a suite of resources that may be useful to your council as you enhance your governance performance.

GOOD GOVERNANCE AND LAND-USE PLANNING

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GOOD GOVERNANCE AND LAND-USE PLANNING

GOOD GOVERNANCE AND LAND-USE PLANNING

GOOD GOVERNANCE AND LAND-USE PLANNING

INTRODUCTION

When is a council not a council? When it is a planning authority. Councils act as planning authorities when they are undertaking responsibilities in relation to the *Land Use Planning and Approvals Act 1993* (LUPAA). Under LUPAA, planning authorities are responsible for developing planning schemes, proposing amendments to planning schemes, supporting or rejecting changes proposed by others, and making decisions on individual developments in accordance with the planning scheme.

Planning can be one of the most important and challenging areas for councillors. Strategic land-use planning is a vital part of how a municipality will develop now and into the future. Statutory planning decisions are complex and often controversial. They demand high levels of knowledge and understanding about the processes, the statutory requirements and the different roles that a councillor has to play. There are specific requirements which councillors must adhere to when they are acting as part of the planning authority.

This section looks at how good governance applies to land-use planning:

- understanding your role as part of a planning authority;
- relationships between the planning authority and stakeholders;
- decision making as part of a planning authority;
- complying with relevant legislation; and
- strategic land-use planning.

The Tasmanian Government has committed to significant reform in land-use planning, including the establishment of a single state-wide planning scheme. This section of the Good Governance Guide will be updated as the reform progresses.

GOOD GOVERNANCE AND LAND-USE PLANNING

YOUR ROLE AS PART OF A PLANNING AUTHORITY

As a member of a planning authority, you play both a strategic role and a statutory role. Acting in a strategic capacity, you are required to develop planning schemes, propose amendments to planning schemes, and support or reject changes proposed to planning schemes. In a statutory capacity, you are required to make decisions on individual developments in accordance with the planning scheme.

When sitting as a planning authority, you will usually only consider planning applications which require an element of discretion in relation to the planning scheme, and where representations have been made. Otherwise the decision is delegated to a planning officer.

It is important to be aware that your roles as a councillor and as a member of a planning authority are different. The key difference relates to decision making: as a member of a council, your decisions may be swayed by community feedback, but as a member of a planning authority, your decisions must be based on the rules set out in the planning scheme.

GOOD GOVERNANCE AND LAND-USE PLANNING

RELATIONSHIPS BETWEEN PLANNING AUTHORITIES AND STAKEHOLDERS

As an elected member, you may feel conflicted when it comes to carrying out your responsibilities as a member of a planning authority. On the one hand, you were elected by the community to represent the community's views. On the other hand, when it comes to land-use planning matters, you are obliged to make decisions based on the municipal area's planning scheme. And on occasion, there are constituents who object to the land-use planning decisions made by elected members in line with the planning scheme.

Planning is concerned with the public good, not private interests. Planning schemes are developed to reflect community aspirations for the future of their municipal area. If you genuinely believe that the planning scheme is allowing inappropriate development, then the appropriate course of action is to seek changes to the planning scheme.

There are likely to be occasions when you have no option but to approve developments that are consistent with the planning scheme, even though there is considerable dissatisfaction in the community. In such situations, it is important to understand that by virtue of election to a council, you are also fulfilling a role and a responsibility in accordance with the State's planning legislation. Therefore, in carrying out that responsibility you are bound to take a broader and longer-term view of things – perhaps to the detriment of individual constituents.

It is important that you talk with your constituents and explain to them that you are bound by the law to make decisions that are in line with the planning scheme, and that you do not have the discretion to make a decision that does not align with the planning scheme. You may need to help the community understand that the planning scheme aligns with the council's strategic plan, which was developed in consultation with the community, and that the appropriate time for community members to provide input is through the council's strategic planning process.

GOOD GOVERNANCE AND LAND-USE PLANNING

DECISION MAKING AS PART OF A PLANNING AUTHORITY

The role of elected members as part of a planning authority is quite different to that as a representative of the community. This can become particularly apparent when considering development applications which members of the community might object to, despite the proposal being allowed under the council's planning scheme. In this case, you must follow the planning scheme, whether or not it is politically palatable, and you must act with procedural fairness.

In making a decision, particularly if going against the planning officer's recommendation, the council must give reasons for its decision. These reasons are to be recorded in the council's minutes. Decisions and reasons must be based on the planning scheme.

Councils must make decisions on all types of applications within prescribed timeframes, unless the applicant agrees to an extension of time. Otherwise, the applicant may lodge an appeal on the basis that no decision has been made. If this occurs, the council must pay all the costs of parties to the appeal. There have been many cases where such appeals have cost councils many thousands of dollars. It is important that council decisions are based on the planning scheme and professional advice is provided by council's expert staff.

GOOD GOVERNANCE AND LAND-USE PLANNING

SCENARIO

A councillor's constituents are furious because he has voted in favour of a major apartment development, which many people in the community opposed. The constituents believe that they made their views very clear in meetings with the councillor, as well as during consultations with the applicant which the councillor chaired.

Councillors can often have multiple roles on planning applications, which can be difficult for constituents to understand. While councillors are obliged to consider their community's views, this doesn't mean that they can vote in favour of those views. Councillors have to make decisions based on whether the application is consistent with the local planning scheme. This can reduce the scope for councillors to vote according to their personal opinions or reflect the views of their constituents.

To improve governance in this situation:

- councillors need to be clear what role they are playing in different stages of the application process;
- councillors should try to ensure that their constituents understand these roles; and
- councillors need to understand their administrative role as part of the local planning authority - councillors should ensure that they make decisions that are in line with the planning scheme.

GOOD GOVERNANCE AND LAND-USE PLANNING

COMPLYING WITH RELEVANT LEGISLATION

Land-use planning is the process of deciding in a broad sense which areas of land are available for what purpose. In Tasmania, it is described through the Resource Management and Planning System of Tasmania (RMPS).

The RMPS is a package of laws, policies and procedures which aims to ensure that all decisions about the use of land and natural resources in Tasmania are based on the same set of principles around ecologically sustainable development. The principle legislation is the *Land Use Planning and Approvals Act 1993*. Other relevant legislation is the *State Policies and Project Act 1993* and the *Tasmanian Planning Commission Act 1997*.

To be effective, councils' planning schemes need to support and be consistent with state policies, planning directives and any relevant regional land-use strategy, as well as with other council policies and strategies, such as those providing infrastructure and open space.

GOOD GOVERNANCE AND LAND-USE PLANNING

STRATEGIC LAND-USE PLANNING

Land-use planning decisions are made in line with councils' planning schemes, and councils' planning schemes are developed to reflect the community's vision for the future of the municipal area. The development of planning schemes is a critical stage in the land-use planning process. This process takes into account the view of the public, as well as accounting for public transport needs, public safety and security, air, land and water quality, management of coastal and rural resources, and conservation of natural and cultural heritage.

SUMMARY OF LINKS AND RESOURCES

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SUMMARY OF LINKS AND RESOURCES

SUMMARY OF LINKS AND RESOURCES

Relevant bodies and associations

- [Local Government Division](#)
- [Local Government Association of Tasmania](#)
- [Integrity Commission Tasmania](#)
- [Tasmanian Audit Office](#)
- [Governance Institute of Australia](#)

Legislation

- [Local Government Act 1993](#)
- [Local Government \(General\) Regulations 2015](#)
- [Local Government \(Meeting Procedures\) Regulations 2015](#)
- [Land Use Planning and Approvals Act 1993](#)
- [State Policies and Project Act 1993](#)
- [Tasmanian Planning Commission Act 1997](#)
- [Local Government \(Content of Plans and Strategies\) Order 2014](#)
- [Local Government \(Management Indicators\) Order 2014 \(S.R. 2014, No. 36\)](#)

All Tasmanian legislation can be accessed on the [Tasmanian Consolidated Legislation Online webpage](#).

Useful publications

The Local Government Division has written a range of information sheets, policies and guidelines, which can be accessed from the Publications page:

- [Council Meeting Procedures](#)
- [Representations to Councillors](#)
- [Access to Information for Councillors](#)
- [Pecuniary Interest](#)
- [Role of the General Manager](#)
- [General Manager Appointments and Contracts](#)
- [Role of Elected Members](#)
- [Director of Local Government and Local Government Division](#)
- [Compliance - Pecuniary interest; Misuse of office; Misuse of information](#)
- [Tasmanian Local Government Asset Management Policy](#)
- [Annual Report Guidelines](#)

SUMMARY OF LINKS AND RESOURCES

- [Local Government Rates and Charges – Guidance Paper for Policy Development](#)

The [Local Government Association of Tasmania's website](#) contains a number of useful resources, including:

- [Councillor Resource Kit](#)
- [Mayoral Handbook](#)

The Good Governance Guide for Local Government in Tasmania is based upon the [Victorian Good Governance Guide](#), which contains information for current or prospective Victorian councillors, council officers and organisations supporting local government.

The characteristics of good governance in this Guide are taken from the United Nations Economic and Social Commission for Asia and the Pacific's publication [What is good governance?](#)

Other publications referred to in this Guide:

- [Integrated risk management](#) by the Western Australian Department of Local Government
- [Understanding risk management](#) by the Local Government Association of South Australia
- [Mayor and CEOs: Exploring the relationship](#) by the Australian Centre of Excellence for Local Government

Case studies and scenarios

- The New South Wales Independent Commission Against Corruption has a [page summarising past investigations](#)
- The Integrity Commission Tasmania website has a [case studies archive](#), which includes case studies relating to councils
- The [Councillor legal and ethical decisions – training video scenarios](#) are available on the Local Government Division website

FURTHER INFORMATION

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FURTHER INFORMATION

FURTHER INFORMATION

The Good Governance Guide has been prepared by the Department of Premier and Cabinet's Local Government Division and the Local Government Association of Tasmania, on behalf of the Premier's Local Government Council.

For further information or to provide feedback on the Good Governance Guide, please contact the Local Government Division by telephone on (03) 6232 7022 or by email at lgd@dpac.tas.gov.au.

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- Integrity Commission Tasmania

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- Ald Sue Hickey, Lord Mayor, Hobart City Council
- Andrew Paul, General Manager, Clarence City Council
- John Mazengarb, National Director, Governance Institute of Australia

GLOSSARY

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GLOSSARY

GLOSSARY

Accountability

A council is accountable when it is able to explain and justify its decisions.

Administration

The paid staff of the council including the general manager.

Alderman

An individual who is elected to a city council.

Annual plan

Annual plans explain the activities that a council will undertake in order to achieve the objectives set out in its strategic plan. A council is to prepare an annual plan for the municipal area for each financial year.

Code of Conduct

Each council is required to adopt a model code of conduct. The council's code of conduct defines the way that elected members are expected to behave in relation to all aspects of their role.

Conflict of interest

A conflict of interest arises from a conflict between the performance of a public duty and a private or personal interest.

Council

A group of people elected to govern the affairs of a municipal area.

Councillor

An individual who is elected to council.

Council Committee

A committee established by a council to assist in carrying out statutory functions.

Council meeting

The elected members (councillors) meeting formally as council.

Council officers

A paid member of staff (see administration above).

Elected members

See councillors above.

GLOSSARY

Director of Local Government

The Director of Local Government is responsible for the administration of the *Local Government Act 1993*.

Equitable decision making

Fair and impartial decision making.

Estimates

The general manager must prepare estimates of the council's revenue and expenditure for each financial year. Estimates are to contain details of the following:

- the estimated revenue of the council;
- the estimated expenditure of the council;
- the estimated borrowings by the council;
- the estimated capital works of the council; and
- any other detail required by the Minister responsible for local government.

Estimates for a financial year must be adopted by the council before 31 August in that financial year.

Ethics

Standards of right and wrong that prescribe what people ought to do.²³

General Manager

The general manager is responsible for the day-to-day operations of the council administration. The general manager is appointed by, and accountable to, the elected members.

Good governance

Good governance in local government is when elected members:

- act with the highest ethical standards;
- understand their role and the role of others;
- foster positive relationships;
- show a commitment to risk management;
- engage in effective strategic planning;
- follow a transparent and accountable decision making process;
- understand and abide by the law; and
- have good judgement.

²³ Definition courtesy of the [Integrity Commission Tasmania](#).

GLOSSARY

These behaviours result in organisations that act in the best interest of the community and are accountable, transparent, law-abiding, responsive, equitable, inclusive, effective, efficient, participatory and consensus oriented.

Governance

Governance is the processes and culture that guide the activities of an organisation beyond its basic legal obligations.

Integrity

To be consistently transparent, accountable, reliable, trustworthy and honest.²⁴

Local government

'A local government' is a corporate entity for each municipal area, which is made up of elected members (councillors) and the administration (council officers).

'Local government' is a collective reference to the sector comprising all the local governments.

Local Government Act 1993

This is the Tasmanian Government Act which is the legal framework for local government.

Long-term financial management plans

Long-term financial management plans outline how a council will fund the projects that are identified in its strategic plan. Long-term financial management plans must cover at least a 10-year period.

Long-term asset management plans

Long-term asset management plans describe the process of planning, purchase, operation, maintenance and disposal of assets. They take into account desired service outcomes, the durability of assets, and the available financial resources, and enable councils to meet their service delivery objectives efficiently and effectively.

Minister

The Minister responsible for local government plays an important role at a strategic level, and is responsible for ensuring that councils are meeting their obligations under the *Local Government Act 1993*.

Municipal area

The geographic area of a local government area.

²⁴ Definition courtesy of the [Integrity Commission Tasmania](#).

GLOSSARY

Planning authority

A council is a planning authority when it is undertaking its responsibilities in relation to the *Land Use Planning and Approvals Act 1993*.

Risk

The effect of uncertainty on council objectives.

Risk management

Coordinated activities to direct and control a council with regards to risk.

Special committee

A special committee of the council as defined in section 24 of the *Local Government Act 1993*. Councils may delegate some decision making powers to these committees, which can include just councillors or any combination of councillors, council officers and other people.

Statutory planning

Statutory planning involves administering the planning scheme and assessing permit applications.



GOOD GOVERNANCE GUIDE 2015

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LOCAL GOVERNMENT AMENDMENT (TARGETED REVIEW) ACT 2017

INFORMATION SHEET
December 17

This information sheet covers the changes to the *Local Government Act 1993* that have resulted from the *Local Government Amendment (Targeted Review) Act 2017*.

Background

The *Local Government Amendment (Targeted Review) Act 2017* (Amendment Act) was the result of recommendations arising from the targeted review of the *Local Government Act 1993* (the Act).

The Amendment Act received Royal Assent on 22 November 2017.

Why are the changes being made?

The targeted review of the Act was aimed at improving governance arrangements within councils in line with increasing community expectations for transparency and accountability. A number of recommendations came out of the process, aimed at improving the Act, and the majority of recommendations have been implemented in the Bill.

When do the changes start?

The majority of the amendments apply from the date that the Amendment Act received Royal Assent.

Some amendments will commence at a date to be proclaimed and are explained in further detail below.

What are the main changes?

Boundary Adjustments (section 16)

- A Local Government Board review is no longer required to approve minor boundary adjustments.

Role of the Mayor (section 27)

- The role of the Mayor has been clarified under the legislation.
- New functions include promoting good governance, and acting as chairperson of the council and chairing meetings of council in a manner that supports decision-making processes.
- A new provision has been inserted which provides the Minister for Planning and Local Government (the Minister) with the power to make a Ministerial Order to expand and clarify the role of the mayor or a councillor.

General Manager (section 61)

- Clarified provisions that outline the arrangements for the appointment of acting general managers.

- A new provision provides the Minister with the power to make a Ministerial Order about the functions and powers, selection, reappointment and the monitoring and appraisal of performance of general managers.

Qualified Persons Advice (section 65)

- This section has been amended to ensure that any qualified advice, including verbal advice, is provided to councillors in writing by the general manager.

Performance Improvement Directions (Part 12B)

- A Performance Improvement Direction (PID) is a new, simple and streamlined mechanism that will be used to require a council, a councillor or some councillors to take, refrain from taking or cease taking action to improve their performance with respect to statutory compliance.
- A PID is designed to provide a mechanism in between a Director's investigation powers and a Board of Inquiry. The aim is to resolve an issue using a PID before it escalates into a Board of Inquiry.

Boards of Inquiry (part 13)

- This section has been amended so that an individual councillor, or a number of councillors, or all councillors may be suspended and such a suspension can occur at any time during the Board of Inquiry process.

- A Board of Inquiry has been provided with the power to require a person to provide written answers to a formal request for information.
- The Minister now has the flexibility to dismiss an individual councillor, several or all councillors following recommendations from a Board of Inquiry Report.
- Further clarification about what is intended by the phrase "operation of the council" has been provided.

Electoral Changes

- Changes have been made to the vacation of office (schedule 5) provisions to address the unintended technical consequence from councillors moving residence outside of their municipal area while still being eligible to be on the general manager's electoral roll.
- The timeframe of elections has been increased by one week (sections 260, 269 and 274). This is to accommodate changes to Australia Post's services which have increased the time taken for mail to be delivered.

Audit Panel Members (section 55)

- This section has been amended to ensure members of an audit panel are bound by both confidentiality and conflict of interest requirements under the Act.
- The changes reflect that audit panel members consider and review sensitive or confidential information.

Director of Local Government (section 339E and 339EA)

- Provisions clarify the ability of the Director to determine the procedure for handling/investigating complaints. The Director can accept or reject a complaint, as well as investigate or dismiss a complaint (section 339E).
- Amended to include provisions relating to the ability of the Director to instigate own motion investigations (section 339EA). This is to clarify that the Director can determine the procedure for such investigations, and may refer any information gained to an approved third party authority such as the Integrity Commission.

Electronic petitions (section 57)

- This section has been amended to allow for electronic petitions to be accepted by councils.

Changes to be proclaimed at a later date

The following amendments will come into effect at a date to be proclaimed:

Gifts and Donations (part 5A)

- New provisions will require a councillor (or candidate) to notify the general manager if they receive a gift or donation and for the general manager to keep a register of those gifts and donations.
- The *Local Government (General) Regulations 2015* will prescribe detail around the gifts and donations register.

Model Financial Statements (section 83A)

- A new section that will require councils to issue their financial statements in line with model financial statements issued by the Director of Local Government for each financial year.

Electoral Changes

- The definition of electoral advertising will include advertising on the internet. Candidates will need to declare any costs for advertising on the internet as part of their return to the Electoral Commissioner.

Disclaimer: Advice on legislation or legal policy issues contained in this paper is intended for information and general guidance only. Such advice is not professional legal opinion

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GLENORCHY CITY COUNCIL



Minutes of the Annual General Meeting of the Glenorchy City Council held in Council Chambers, Glenorchy on Monday, 12 December 2016 at 1:30 pm

1. WELCOME BY THE MAYOR, ALD. KRISTIE JOHNSTON

The Mayor declared the Annual General Meeting for 12 December 2016 (AGM) officially open and welcomed all those in attendance.

The Mayor advised the public in attendance that electors of the Glenorchy City Council area are entitled to vote in the meeting by raising their hand.

The Mayor then read the the following two (2) statements:

Statement 1

In relation to Work Health and Safety at the Council Meeting.

Statement 2

In relation to the Audio Recording of the Council Meeting under Regulation 33 of the *Local Government (Meeting Procedures) Regulations 2015* and Council's 'Audio Recording Council Meetings' Policy.

2. APOLOGIES

Apologies were received from the following:

- Alderman Slade

3. CONFIRMATION OF MINUTES OF 2015 ANNUAL GENERAL MEETING

The Mayor outlined the purpose of the meeting:

- (i) to confirm the Minutes of the Annual General Meeting held on 23 November 2015; and
- (ii) to present the Annual Report including the General Purpose Financial Statements

MOVED: Pearce/Nielsen

That the Minutes of the Annual General Meeting held on 23 November 2015 be confirmed.

There was a general discussion concerning the accuracy of the previous Annual General Meeting Minutes held on 23 November 2015.

Phil Butler, Glenorchy:

Mr Butler stated that the minutes of the 2015 Annual General Meeting were deficient in a number of areas:

1. The Annual General Meeting started at 2:00 p.m. and the minutes recorded a start time of 2.30 p.m. with a finish time at 2:57 p.m., and the Council meeting recommenced at 3.00 p.m. This meeting's recorded duration would not have been possible given the significant number of questions recorded within those minutes.
2. The contents of the minutes are inaccurate due to the absence of several Questions on Notice and Motions and the answers to those Questions on Notice and Motions by the General Manager; and
3. The members of the public who voted are not recorded within the minutes, only the Alderman who voted.

He advised that that the minutes do not represent a true record of that meeting.

Alderman Dunsby:

Alderman Dunsby stated that the 2015 Annual General Meeting minutes cannot be accepted and agreed with the points raised by Mr Butler.

Alderman Dunsby further stated that:

1. The minutes of the previous Annual General Meeting had been recorded as being held on 18 November 2013, however at this meeting Council was adopting the minutes recorded for the Annual General Meeting held in 2014
2. The public were asked to provide their full name and address for Questions on Notice and Motions. The minutes do not record the public's name against the public's questions, and
3. At the previous Annual General Meeting there were more questions asked by the public than what had been recorded within the minutes presented.

Alderman Pearce:

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Alderman Pearce advised that the minutes are to be confirmed, as distributed.

The Mayor advised that the motion is to confirm the minutes of 2015 Annual General Meeting, as distributed and attached to the Agenda.

The motion was put.

The motion was DEFEATED by a majority

3. PRESENTATION OF *GLENORCHY CITY COUNCIL ANNUAL REPORT 2015-16*

The Mayor read her message from the 2015-2016 Annual Report.

The Mayor invited the General Manager to present the General Manager's message.

General Manager:

General Manager made the following key points about Council's achievements during the 2015-16 financial year:

- This year's budget was adopted by Council recording a surplus for the first time in 12 years
- Council completed the 'federally funded part' of the Derwent Park Stormwater Reuse Project replacing water with treated stormwater for industrial and irrigation purposes. The project was recognised within the Keep Australia Beautiful Awards in 2014 and 2015
- The General Manager was proud of Glenorchy City Council staff, Glenorchy community groups and schools, we were successful in Glenorchy being named as Tasmania's Sustainable City for the last two years
- Council received a National Young Legends category award for the second consecutive year, for work achieved with the City's youth
- The Moonah Arts Centre continues to grow in strength with attendance higher than anticipated
- Derwent Entertainment Centre remains the heart of "Arts and Culture" attracting world class events throughout the year. Glenorchy hosted 115 live ticketed events during 2015-2016
- Council will continue to work on the development of the KGV Community and Sports precinct. All three of the major tenants occupy this venue and we are working through the project's final stages
- In 2013-14, Council budgeted \$1.06M for the upgrade of street lighting to "energy efficient" LED bulbs. That cost is now expected to be \$624,000. This project also provided upgraded flood lights at Abbotsfield Sport Centre
- Council has started work on the CBD Revitalisation project covering Main Road Glenorchy located between Terry Street and Barry Street

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- Our focus in the governance area includes working through processes and procedures. Council uses its 25 Year Community Plan to develop its 10 Year Strategic Plan after which Council will hopefully adopt its Strategic Plan for 2016-2025. As part of its strategy, Council has revised its 10 Year Long Term Financial Plan (LTFP) and 4 Year Rolling Annual Plan which ensures that the key suite of documents required under state legislation are in line with external and internal changes in our environment, our society, and the organisation. These were adopted by Council on 20 June 2016
- We have developed a Work Health and Safety Strategy and undertaken Council workshops covering risk management concepts
- Staff are working through both the interim planning scheme and the state wide planning scheme, and
- Council held a Community Budget Forum and comments received will be considered within this year's budget process

The General Manager stated that he was confident that with a strong community plan, asset management plans, 10 year long-term financial plan, a good governance structure, a corporate risk register, waste management strategy, a skilled and experienced and highly driven management team and employees in place, that Glenorchy Council will continue to serve the city and its community, to promote a positive culture within the organisation.

MOVED: Alderman Pearce/Alderman Nielsen

That the *Glenorchy City Council Annual Report 2015-16* including the General Purpose Financial Statements be accepted.

Alderman Pearce:

Alderman Pearce gave thanks to the community for their input, congratulated the General Manager and staff for their work and commitment to the community and thanked the Mayor and Aldermen for their work provided on behalf of the community and the Council over the last 12 months.

POINT OF ORDER: Phil Butler

Mr Butler stated that there a number of submissions had been made in relation to the Annual Report and considered that these submissions ought to be dealt with or that a motion is put confirming the Annual Report. These submissions were pertinent to the acceptance of the Annual Report.

Alderman Branch-Allen:

Alderman Branch-Allen noted that it had been a challenging year for Council, however that through the Annual Report it was clear that Council has achieved great things and continued to undertake the business of the Council, and that Council has demonstrated the achievement of good outcomes for the City.

Council has continued to challenge and debate to develop outcomes that have led to an Annual Report that should be considered as very acceptable to the citizens of Glenorchy.

Mayor Johnston:

The Mayor stated that:

- ten (10) questions on notice had been received from Mr Butler on behalf of *Citizens for Glenorchy*, and
- the General Manager had provided the questions in the attachments to the Agenda, along with Item 4 on the Agenda, and had indicated he was of the view that some of the questions were non-compliant because they did not relate to items in the Annual Report.

The Mayor advised Mr Butler that the General Manager has indicated that questions 1, 4a, 4c, 5, and 6a, 7, 8, 9, and 10, were non-compliant questions.

The Mayor asked Mr Butler (or a representative of the *Citizens for Glenorchy*) whether they wished to provide representations on why the questions were compliant (but advised him not to speak to the questions themselves).

Phil Butler:

Mr Butler stated that, in the view of the *Citizens for Glenorchy* and the *Resident Ratepayer Subcommittee* the questions relate to matters raised within the following items recorded within the Annual Report:

1. The Mayor's Message
2. General Manager's Message
3. The Mission Statement
4. The Values
5. Objectives 4.1 and 4.1.2
6. Section 72.1 (c) (d)

Mr Butler advised that the above areas recorded within the Annual Report indicate that there is a need for a transparency in the way that business is conducted. Mr Butler asserted that, on that basis, the questions were compliant.

General Manager:

The General Manager stated that the question was why the General Manager had not provided the information in a timely manner and that, in his opinion, he had.

The General Manager responded that advice he had received stated that these questions do not relate to the Annual General Meeting.

Mayor Johnston:

The Mayor stated that, in her view, the submissions were compliant in relation to objectives of 4.1 and 4.1.2 which relate to communicating to the community in an open and transparent manner and that these questions are compliant submissions and should be answered within this meeting. The purpose of the Council and the Annual General Meeting is to answer questions relating to activities of the Council.

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The Mayor stated that Mr Butler had provided the Questions on Notice on behalf of *Citizens for Glenorchy*, and other members of the public and who are part of that association who like to have these questions answered.

The meeting proceeded to work through each of the questions to seek a response to each question.

Phil Butler:

Mr Butler advised that Mr Smith, Mrs Smith and Ms Ryan are in attendance to raise questions, and that Mr Butler also had some questions.

Question 1

Q: Those of us (Citizens for Glenorchy) who have been regular attendees at Council meetings note that many questions have been asked of the General Manager in relation to the monthly major projects brief.

Why has the General Manager not provided Council with the required information in a timely and efficient manner?

Answer:

The General Manager advised that this has been provided with the response and that response will not be provided at the Annual General Meeting.

POINT OF ORDER: Phil Butler

Mr Butler advised that he was unable to hear the General Manager's response.

The General Manager advised that he had already provided the responses, and that he will not be responding as that question does not comply to the regulations in relation to the Annual General Meeting.

MOVED: Phil Butler / Robert Pettit

That the General Manager be required to answer to the question.

The motion was put.

Motion was CARRIED by a majority

General Manager:

The General Manager advised that he received the submissions he sought advice as to whether they complied with the regulations, had been advised that the questions as noted do not, and that his answer was that he would not answer those questions, as they do not relate to the Annual Report.

Question 2

Q: The Draft Annual Report reports against the Strategic Framework and the high priority action areas. Why have most of those high priority areas not been completed to schedule?

Answer:

The General Manager advised that Council's performance of the Annual Report covers a raft of high level actions under various identified strategies that Council has sort to deliver to the community as part of its Rolling Four Year Annual Plan 2015-16 to 2018-19.

Many of those identified actions were scheduled to take place over 2, 3, or 4, years and scheduled to be completed within 2016, and for that reason and are now scheduled to be completed by 30 June 2016 and were classified as on-going in the Annual Report. The General Manager provided some examples.

Question 3

Q: At the October Council meeting when discussing the Draft Annual Report, the General Manager admitted in response to questions that Council had an underlying deficit of approximately \$1.1m:

- a) why can't we find that reported somewhere in the Annual Report?
- b) has the General Manager misrepresented the true financial position of Council by stating in his General Manager's message that Council has a surplus and has achieved this position one year ahead of schedule?
- c) is it a fact that the surplus shown is only accounting jargon following a revaluation whereas the real situation is an operating loss?
- d) does the General Manager consider this Annual Report to be a transparent document intending to present an accurate picture of Council to Ratepayers?

Answer:

The General Manager advised that Council's Annual Statement for year ending 30 June 2016 was prepared in accordance with and complies with the Australian Accounting Standards. Other authoritative pronouncements of the accounting of the Australian Accounting Standards Board and the *Local Government Act of 1993*. Accordingly, the Council's actual surplus for year ending 30 June 2016 was determined to be \$145.491M (refer to page 43 of the Annual Report).

It is noted that the recognition of non-monetary asset contributions and 'land under roads' acquired prior to 30 June 2008 had a significant impact on Council's surplus in 2015. Council has a set of financial accounts showing a surplus which have been audited by the external Auditor General.

The General Manager stated that the surplus cannot be termed 'accounting jargon' as Tasmanian Audit Office (TAO) would not sign-off on accounting jargon. The General

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Manager responded that we have represented a true financial position. On that basis, he advised that the Annual Report was a transparent document.

Alderman Branch-Allen:

Alderman Branch-Allen stated that she has read the questions and that, in her opinion, the questions could be seen as bullying towards the General Manager.

POINT OF ORDER: Phil Butler, Glenorchy

Mr Butler stated that Alderman Branch-Allen was well-known for making outlandish comments.

Mayor Johnston:

The Mayor stated that we should proceed with the meeting being fair to all parties.

Alderman Branch-Allen:

Alderman Branch-Allen called for an apology from Mr Butler for making untrue statements about the manner in which she is known, that has been stated at a public meeting.

The matter was not resolved.

Question 4

Q: At the last AGM the, General Manager was asked for information relating to the value of contracts given to CT Management, who, it was widely reported, had conducted the restructure program for Council. The response to those questions was less than satisfactory and was cloaked in 'commercial in confidence' reasoning for non-answers.

We note that during the October and November Special Council meeting, when considering the Draft Annual Report, the Mayor asked a question about whether all major contracts had been disclosed as required by the regulations. The General Manager said yes but the Mayor and Alderman Stevenson did not seem to agree. They were adamant that there was something that had not been disclosed.

- a) Were they in fact trying to get information about CT Management contracts with Council? If not, what were the contracts that the Mayor and Alderman Stevenson were referring to?
- b) Has the General Manager disclosed every contract that he is required to under the regulations?
- c) If it is latter found that this was not the case, will the General Manager give an undertaking to this AGM to resign immediately from his position as General Manager?

POINT OF ORDER: Alderman King

Alderman King enquired as to who the previous question had come from?

Mayor Johnston:

The Mayor stated that the question was from the *Citizens for Glenorchy*, and the *Ratepayers and Residents Association*.

General Manager:

The General Manager advised that he would provide an answer to Part B only.

For Part a), the General Manager advised that he would not provide a response on behalf of the Mayor and Alderman Stevenson in relation to what they were referring to. In addition, he stated, that as that particular discussion was in closed Council and in accordance with the *Local Government Act*, Council is prevented from providing that particular discussion and information to members of the public.

With respect Part b), the General Manager advised that all contracts have been supplied as required under the regulations and were published in the Annual Report on pages 37 and 38.

The General Manager stated that he would make no comment in respect of Part c).

Question 5

Q: During the year in review and in the decision of Blow CJ in the matter *Branch-Allen v Easter and Mason*, the Chief Justice noted on a number of occasions that the General Manager had behaved in an obfuscating manner and called the Director of Corporate Governance and General Counsel's behaviour "very strange"?

- a) Has the Council taken any disciplinary action against the General Manager and/or the Director of Corporate Governance and General Counsel in the light of these comments?
- b) Has all information sought by the Board of Inquiry from the General Manager:
 - i) been provided
 - ii) been provided in a timely manner, and
 - iii) been provided in an unequivocal and transparent manner?

Answer:

The General Manager advised that the question does not comply with the regulations and does not require an answer at an Annual General Meeting.

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POINT OF ORDER: Alderman King

Alderman King stated that there was no mention of what was stated by Chief Justice Blow about the Board of Inquiry and the lack of training.

Mayor Johnston:

The Mayor stated that this was the question as received from the members of the public.

Question 6

Q: Did the General Manager get paid a bonus (or as he called it last year – his ‘at risk component’) in relation to his performance in the 2015 calendar year?

Did the General Manager Performance Review Committee investigate or make any recommendations to Council in relation to the serious comments of Chief Blow CJ in the Supreme Court action previously mentioned relating to the performance of the GM? If not, why not?

Answer:

The General Manager advised that in relation to the second part of the question, this would need to be asked to the General Manager Performance Review Committee. He stated that in relation to “serious comments” that this was a passing comment, not a serious comment.

General Manager also stated in response to question 6 that he was paid an “at risk” component in relation to his performance in the 2015 calendar year, and that bonus was not paid in 2015-16 financial year.

Question 7

Q: The General Manager in a meeting earlier in the year threatened to take legal action against Alderman Stevenson because of comments he made on ABC radio relating to his reasons for asking questions on notice. Has the General Manager taken legal action against Alderman Stevenson? Has the General Manager threatened or taken legal action against any other aldermen?

POINT OF ORDER: Alderman Pearce

Alderman Pearce stated that he considered that the question to be a private matter between the General Manager and Alderman Stevenson.

Alderman Stevenson:

Alderman Stevenson stated that it was a very public matter.

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Answer:

The General Manager advised that the question 7 had nothing to do with the Annual General Meeting or the Annual Report and would not be answered.

Question 8

Q: We have noted that quarterly reports against the Annual Plan appear to be presented to Council some months past their due date, sometimes four months past. How do the aldermen manage and oversee in an efficient and timely manner the performance of the Council when quarterly reports are presented to them so late?

Answer:

The General Manager advised that the question 8 has nothing to do with the Annual General Meeting or the Annual Report, and that Council is aware that they have been provided the report and a breakdown of the process. As has been discussed, Council's staff are reviewing the process to attempt to improve it and to reduce the timeframe required to produce these reports for Council.

Question 9

Q: Members of the public have witnessed inaccurately recorded minutes being passed and minutes with "unusual" commentary in them (usually in disparaging terms about the Mayor). This appears to a lay person to be a very strange way of minuting the business of Council.

- a) Are not minutes intended to be an accurate account of the decisions of an organisation?
- b) Why does this commentary only appear to be directed against the Mayor?
- c) Why does the General Manager allow this bias to occur?

Answer:

The General Manager advised that the question 9 has nothing to do with the Annual General Meeting or the Annual Report.

He also advised that the Council minutes are prepared and are adopted by Council, and are adopted following a debate.

Question 10

Q: Who represents the Council under the provisions of the *Local Government Act*?

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Answer:

The General Manager advised that the question 10 has nothing to do with the Annual General Meeting or the Annual Report.

He also advised for the public to refer to the *Local Government Act 1993* to find out who represents Council and who is responsible for what part of Council.

Mayor Johnston:

The Mayor advised the meeting that two questions had been received from Bob Holderness-Roddam which were non-compliant, and that the Council was only accepting questions in relation to the Annual Report.

The Mayor asked Mr Holderness-Roddam whether he wished to make submissions as to why he believed that his questions were relevant to Annual Report.

Mr Holderness-Roddam:

Mr Holderness-Roddam advised that had been told that Council would provide written replies to his questions related to creek maintenance and a dilapidated building in AustinsFerry. He advised that he would be happy to receive those replies.

Mayor Johnston:

The Mayor asked the public in attendance if there were any further questions in relation to the Annual Report. There were no further questions.

The Mayor put the motion back to mover, Alderman Pearce.

Alderman Pearce:

Alderman thanked the public for the questions. He stated that the Council's work is completed as a team during a period of very challenging circumstances, and that the community continues to move forward. The community would benefit by moving away from the present negativity that is occurring and to grow in partnership with one another.

Alderman Pearce extended his personal thanks to the General Manager for his strong leadership during challenging circumstances.

MOVED: Alderman Pearce / Alderman King

That the Annual Report including the General Purpose Financial Statements for 2016 be accepted

The motion was put.

The motion was DEFEATED by a majority

5. QUESTIONS ON NOTICE AND MOTIONS

The Mayor advised that Mr Holderness-Roddam has submitted two (2) separate notices of motion and asked Mr Holderness-Roddam to speak to each motion.

Motion 1: Stormwater Contaminating Sewage

Mr Holderness-Roddam:

Mr Holderness-Roddam spoke to the motion and advised two heavy rainfall events in Austins Ferry / Claremont resulted in sewage lid lifting allowing large amounts of sewage onto the footpath, Milton St Reserve and Main Road. He requested Council to discuss this issue with TasWater. He stated that the stormwater is potentially getting into the sewage system for this to occur.

MOVED: Mr Holderness-Roddam / Mr. Kampton

That Glenorchy City Council and TasWater (Sewerage) investigate what appears to be stormwater entering the sewerage pipes and rectify the situation.

Alderman Branch-Allen:

Alderman Branch-Allen spoke to the motion and stated that Council should meet with TasWater and obtain a resolution as soon as possible.

The motion was put.

Motion was CARRIED unanimously

Motion 2: Nearby Safer Places

Mr Holderness-Roddam:

Mr Holderness-Roddam spoke to the motion and advised Tasmanian Fire Service has a network of 'Nearby Safer Places' on a regional basis.

Austins Ferry location is in either Abbottsfield Park or New Norfolk Granton Speed Boat Circuit. He stated that Austins Ferry requires a closer location for that community and suggested Shoobridge Park for a variety of reasons being as suitable, or an alternative location.

MOVED: Mr Holderness-Roddam / Barry Smith

That Glenorchy City Council assess local areas as possible Nearby Safer Places for local use, for example the Shoobridge park sports ground for Austins Ferry residents

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Alderman Branch-Allen:

Alderman Branch-Allen spoke to the motion and stated that Council should consider a nearby safer place which is a temporary place during a major emergency event.

Alderman King:

Aldermen King stated that after this meeting Council is conducting an Emergency Services meeting and would raise this issue and discuss various alternative safe locations where the community can evacuate to.

The motion was put.

Motion was CARRIED unanimously

6. GENERAL BUSINESS

POINT OF ORDER: John Green, West Moonah

Mr Green noted that the Annual General Meeting had failed to adopt a set of minutes of the previous Annual General Meeting. There are no confirmed minutes and Council will be without an official record.

He requested that a person move the minutes again and another person to amend it to resolve this situation.

The Mayor and Alderman Branch Allen noted the required changes, namely:

- accurate meeting times and dates
- all questions as supplied by notice are to be recorded with the answers supplied, and
- members of the public who voted are to be noted

MOVED: Alderman Branch-Allen / Alderman Nielsen:

- (a) that the Annual General Meeting requires that at the next ordinary Council meeting on Monday 19 December 2015, that the Council confirms the amended minutes of 2014-15 Annual General Meeting, and
- (b) that the Annual General Meeting instructs the General Manager to deal with the matter as a matter of urgency

The motion was put.

The motion CARRIED unanimously

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General Manager:

The General Manager stated that staff will ensure that amended minutes of the 2015 Annual General Meeting are prepared in time for the Council meeting on Monday, 19 December 2015.

Question without Notice – John Green, West Moonah

Q: Mr Green stated that it has been reported in the media that a meeting of this Council sort to amend the General Manager's contract to be paid a larger bonus if he was dismissed. In view of the on-going Board of Inquiry of Glenorchy City Council and the fate of the Manager of Huon Valley Council, is that a proper matter for the Council to consider?

Answer:

The General Manager stated that, that item was discussed within a closed session of Council and this information was provided to the media for release to the public. He stated that the media did not report correctly.

The Mayor stated that Council held a special Council meeting on Monday, 5 December 2016, and that meeting was adjourned in accordance with the meeting regulations.

Notice of Motion – George Burrows, Granton

Mr Burrows stated that during this year that there was a forum in relation to the new rates that were being struck. It was a post issue forum that advised the public what was being done. He requested that a motion be put that Glenorchy Council adopt the process of citizen's jury for the setting of rates and other important expenditure issues to commence at the beginning 2017.

POINT OF ORDER: Alderman Stevenson

Alderman Stevenson advised that Council can consider the initial response to the motion at the next ordinary Council meeting.

MOVED: Mr Burrows / Alderman Branch Allen

That Council at an ordinary Council meeting in 2017 consider the implementation of citizen juries.

Mr Burrows:

Mr Burrows spoke to the motion: Citizens juries have had a lot of experience and very positive reports within Australia and around the world. These juries allow the citizens and rate payers to be involved an extensive and detailed analysis of a certain an issue. As a group they make the decision and have a better representation of the general feeling of the community, therefore providing a better process or better decisions. The outcome is greater community involvement creating greater community support.

The motion was put.

POINT OF ORDER: Alderman Stevenson

The Mayor initially advised that the motion had been carried unanimously. Alderman Stevenson advised the Mayor that Alderman Pearce voted against the motion.

The motion was CARRIED by a majority

Alderman Branch-Allen:

Alderman Branch-Allen proposed that should the Council work together for another twelve months in the Council we all show a hand of working together to get the best outcomes for Glenorchy City and asked this for all Council members, herself and the community to achieve a great outcome for the future.

Phil Butler:

Mr Butler stated that this meeting has been a most unsatisfactory Annual General Meeting for a number of reasons:

- incomplete minutes
- ruling as non-compliant a number questions from the Citizens for Glenorchy, and
- the Annual Report that was not accepted.

Mr. Butler suggested that there was something amiss where the General Manager and the public have different points of view. He stated that Council should be seeking internally to address these issues themselves.

General Manager:

The General Manager responded that Mr Butler's statement was an attack and advised that the Mayor made it clear about abiding by the regulations and the *Local Government Act*.

He stated that each submission received was reviewed by external legal advisors, to advise if the submissions were compliant or non-compliant. He stated that he replied based on the external advice he had received.

Alderman Pearce:

Alderman Pearce stated that his previous comments concerning his opinion of the General Manager were issued to this meeting as an individual Alderman. Alderman Pearce advised that it was unfair to accuse an Alderman (as an individual) that their opinion is completely wrong, as his opinion was based on a personal experience of working with the General Manager and his staff for eighteen years.

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Alderman Nielsen:

Alderman Nielsen stated that given the discussion at this meeting on the Citizen Jury comment, it would be opportune to advise the public on Council's intention to have more community forums.

These forums provide the public to have interaction with Council on what is occurring in financial aspects such as the budget.

Question Without Notice - Bob Holderness-Roddam:

A question was raised by Mr Holderness-Roddam referring to the Public Health statement on page 34 of the Annual Report "Burn Brighter this Winter", and the community involvement and education for the public on using wood burning stoves appropriately to reduce the amount of smoke.

Mr. Holderness-Roddam stated that this education process by Council is not working. He also stated that when he contacted the Council concerning possible breaches and received several unsatisfactory responses. Mr Holderness-Roddam suggested that it is the Council's responsibility to attend the area and investigate the incidences. He informed Council that most of the properties in question within Austins Ferry and Claremont had been creating excessive smoke for years and is contrary to public health regulations.

Mayor Johnston:

Mayor Johnston advised that the question raised by Mr Holderness-Roddam is in two parts:

a) customer service procedures and the report of incidents:

The Mayor requested the General Manager to take this "On Notice".

b) The effectiveness of the "Burn Brighter This Winter" campaign

The Mayor requested that the General Manager provide a response to Mr Holderness-Roddam.

6. MEETING CLOSE

There being no further business, Mayor Johnston thanked those in attendance and declared the meeting closed at 3.04 p.m.

Confirmed,

MAYOR

**Annual General Meeting
of the Glenorchy City Council
held in the Mayoral Reception Room
on
Monday, 12 December 2016**

ATTENDEES

Aldermen:

JOHNSTON, Kristie
QUICK, Harry
BRANCH-ALLEN, Jenny
DUNSBY, Jan
KING, Steven
LUCAS, Christine
NIELSEN, Haydyn
PEARCE, David
STEVENSON, Matthew

Electors:

ALLFORD, Jenny – 38 Grove Road, Glenorchy
BURROWS, George – Blacksnake Inn, Granton
BUTLER, Phil – 504 Main Road, Glenorchy
CORRIGAN, Geoff – 10 Fleming Street, Glenorchy
EDWARDS, Christine – C/- GASP!
GEEVES, Jill – 4 Paringa Road, Glenorchy
GEEVES, Barrie - 4 Paringa Road, Glenorchy
GRAKINI, Lita – 107 Springfield Avenue, West Moonah
GREEN, John – 1/8 Dawkins Court, West Moonah
HARDWOOD, K. – 64 Derwent Terrace, New Norfolk
HARDWOOD, T. - 64 Derwent Terrace, New Norfolk
HARRIS, Peter – C/- Glenorchy Police
HOLDERNESS-RODDAM, Bob – 155 Main Road, Austins Ferry
HUMPHRIES, Allie – Salamanca Square, Battery Point
JAKOB, Maria – 14 Florence Street, Moonah
KAY, Tony – 315 Main Road, Glenorchy
KIMBERLEY, Johnathon – C/- GASP!
LIETZ, Harold – 31 Ashbourne Grove, West Moonah
LIETZ, Marie - 31 Ashbourne Grove, West Moonah
MARKS, Tim – 4/33 Kenbrae Avenue, Glenorchy
MCDONALD, Athlene – 15 Croome Street, Berriedale
PEARCE, Derek – 47 Montrose Road, Montrose
PETERS, Des – 30 Constance Avenue, Glenorchy
PETTIT, Robert – 7 Binya Street, Glenorchy
PRIEST, Catherine – 51 Hudson Crescent, Glenorchy
PRIEST, Karl - 51 Hudson Crescent, Glenorchy
RICHARDSON, Colin – 130 Upper Hilton Road, Claremont
RYAN, Angela – 193 Tolosa Street, Glenorchy
SMITH, Barry – 21 Constance Avenue, Glenorchy
SMITH, Kaye– 21 Constance Avenue, Glenorchy

Glenorchy City Council
Annual General Meeting 2016

Monday, 12 December 2016

STANDISH, Christine – C/- DPAC
SWIADEK, Frances – 5 Cochrane Street, Glenorchy
TILLEY, David – C/- DPAC
TUCKER, Peter – C/- Andrew Wilkie MP
WATKINS, Martin – 4 Dunedin Close, Claremont

Council Staff:

BERRY, Dionne
BROOKS, Peter
HANNAN, Bryn
HIGGINS, Carey
ISKANDARLI, Seva
KING, June
MCGOLDRICK, Erin
MCGUINNESS, Di
MCMULLEN, Tony
MOHAMMED, Shafiq
REALE, Emilio
RONALDSON, David
SCOTT, Simon
USHER, Colette



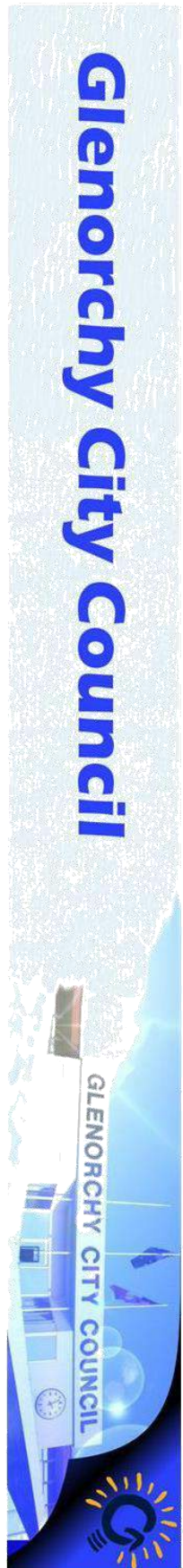
Purchasing Exemption Register

7 December 2017 – 11 January 2018

Regulation 28(j) *Local Government (General) Regulations 2015*

(requirement to report to Council where goods or services purchased in circumstances where a public tender or quotation process is not used)

Date	Supplier	Amount (ex GST)	Exemption Clause	Reason	Requested by	Approved by	Title
13/12/2017	Sugden & Gee	\$15,556.86	(e), (f)	Consulting services urgently needed for CBD Playground and Kiosk Project due to funding time-frames.	C. Higgins	S. Scott	ADCG
15/12/2017	Tiffreno Builders Pty Ltd	\$3,905.00	(a)	Insurance claim and compliance with emergency order - demolition of fire damaged toilet amenities block at former Berriedale Caravan Park.	S. Cooper	T. McMullen	AGM



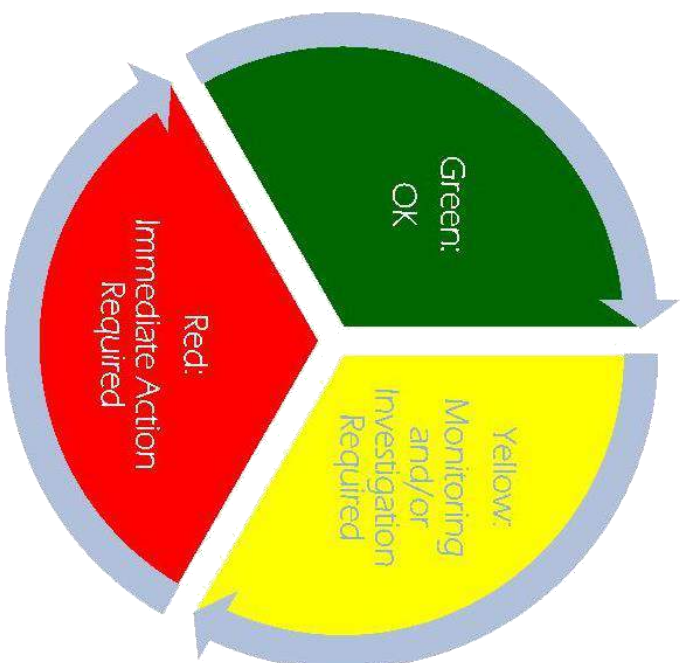
Glenorchy City Council

Glenorchy City Council Corporate Performance Indicators

November 2017

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Corporate Performance Indicator Legend



Considerations when reviewing performance statistics:

- » Indicators for previous months may change in the future as adjustments are made to the accounting system after that month's reporting period.
- » Scales on the charts vary within indicator groups



Glenorchy City Council

Profit and Loss

Corporate Performance Indicators

November 2017

Monthly Profit and Loss Summary							
Revenue \$'000	Actual Month	Budget Month	Variance Month	Actual YTD	Budget YTD	Variance YTD	% Variance
Rates Income (Includes SFL)	68	22	45	35,367	35,344	23	0%
Statutory Charges	209	153	56	1,383	1,217	165	14%
User Charges	418	543	(125)	5,993	6,028	(35)	-1%
Grants Subsidies	697	723	(26)	1,278	1,570	(292)	-19%
Investment Income	113	119	(6)	490	595	(105)	-18%
Water Wastewater Charges	24	22	2	87	114	(27)	-24%
Reimbursements	52	93	(40)	184	282	(98)	-35%
Other Income	95	75	21	518	502	17	3%
Internal Income	161	170	(9)	2,761	2,756	5	0%
Total Revenue	1,837	1,919	(82)	48,061	48,408	(347)	-1%

**REVENUE - COMMENTS FOR MONTHLY VARIANCE:
(\$'000)****Rates - \$45 over budget**

Supplementary valuations have generated additional rate income.

Statutory Charges - \$56 over budget

Increased revenue from planning fees (\$50), building enforcement (\$16), building fees (\$7) and section 132 certificates (\$4) offset by dog registrations (-\$14) and Public compliance (-\$8).

User Charges - \$125 under budget

Reduced revenue from Derwent Entertainment Centre (-\$117) and landfill fees (-\$24) offset by childcare centre fees (\$12).

Grants Subsidies - \$26 under budget

Reduced R2R grant (-\$60) offset by childcare grants (\$25).

Investment Income - \$6 under budget

Timing issue for actual maturity of investments versus budgeted.

Water Wastewater Charges – \$2 over budget

Increased water sales for the month.

Reimbursements - \$40 under budget

Derwent Entertainment Centre (-\$35) and reimbursement on KGV commercial lease not billed (-\$10) offset by stormwater private works (\$5).

Other Income - \$21 over budget

Revenue from fleet management changeover trade-ins (\$22).

Internal Income - \$9 under budget

Plant and equipment utilised between cost centres substantially on budget.

**REVENUE - COMMENTS FOR YTD VARIANCE:
(\$'000)**

Rates - \$23 over budget

Supplementary valuations have generated additional rate income.

Statutory Charges - \$165 over budget

Increased revenue from planning services (\$82), building applications (\$31), plumbing applications (\$30), building governance (\$83), food licences (\$5) and section 132 certificates (\$5) offset by dog registrations (-\$59) and public compliance (-\$11).

User Charges - \$35 under budget

Reduced landfill and waste fees (-\$123) and KGV commercial leases (-\$82) offset by Derwent Entertainment Centre events (\$112), childcare fees (\$27) and many smaller projects (\$33).

Grants Subsidies - \$292 under budget

Capital grant funding not yet received (-\$400), Tasmanian Regional Arts grant (-\$9) offset by childcare grants (\$111) and AEDC Action Reflection grant (\$7).

Investment Income - \$105 under budget

TasWater tax dividend is yet to be received (-\$84) and timing differences for actual maturing investments versus budget (-\$21).

Water Wastewater Charges – \$27 under budget

Lower water sales from the Derwent Park Water Reuse plant.

Reimbursements - \$98 under budget

Derwent Entertainment Centre events (-\$77), KGV commercial leases (-\$45) offset by reimbursed stormwater private works (\$10) and well-workforce contribution (\$12).

Other Income - \$17 over budget

Revenue from fleet management changeover trade-ins (\$44) and childcare centres (\$29) offset by Derwent Entertainment Centre sponsorship not yet received (-\$35), planning services miscellaneous (-\$8), no revenue from Elwick road Flats (-\$4) and incorrect allocation of expense to income (-\$6).

Internal Income - \$5 over budget

Plant and equipment utilised between cost centres substantially on budget

Monthly Profit and Loss Summary							
Expenditure \$'000	Actual Month	Budget Month	Variance Month	Actual YTD	Budget YTD	Variance YTD	% Variance
Finance Charges	23	15	(7)	121	145	24	17%
Employee Costs	1,822	1,708	(114)	8,401	8,297	(104)	-1%
Admin Office Costs	462	361	(101)	2,805	2,856	51	2%
Materials, Contractors & Other	851	806	(45)	3,719	4,064	345	8%
Depreciation	1,097	1,197	100	5,665	5,987	322	5%
Rates Expenses	0	0	0	1,333	1,333	0	0%
Internal Expenses	142	149	7	2,616	2,633	17	1%
Total Expenditure	4,397	4,237	(161)	24,660	25,315	656	3%
Total Surplus (Deficit)	(2,561)	(2,318)	(243)	23,402	23,093	309	1%

**EXPENDITURE - COMMENTS FOR MONTHLY VARIANCE:
(\$'000)**

Finance Charges - \$7 over budget

Derwent Park Water Reuse loan interest budgeted quarterly in advance but accrued monthly (-\$11) offset by lower accrued GCC loan interest (\$2) and lower bank charges (\$2).

Employee Costs - \$114 over budget

Additional costs relating to filling positions on an acting basis and casual placements offset by vacancy savings. A potential over-recovery of on-costs charged to the relevant cost centres is also being investigated which may result in adjustments in future reporting periods.

Admin Office Costs - \$101 over budget

Contractual energy costs (-\$72), operational energy costs (-\$23), Derwent Estuary Program (-\$52) and rate recovery costs (-\$38), legal expenses (-\$29) offset by Derwent Entertainment Centre (\$63), aldermanic savings (\$27) and staff development (\$16).

Materials, Contractors & Other - \$45 over budget

Several larger projects and many smaller projects contribute to the overall variance with the larger contributors being kerbside waste disposal (-\$40), office rental (-\$17), insurance claims awaiting settlement (-\$98) offset by Derwent Park Water Reuse (\$20), site leachate monitoring (\$16), water & sewer rates (\$31), waste services (\$6), kerbside recycling (\$6) and aquatic centre (\$22).

Depreciation and Asset Write-off - \$100 under budget

Some projects for which depreciation has been budgeted are still on-going and have not yet been capitalised.

Rates Expenses - \$0

On budget for the month.

Internal Expenses - \$7 under budget

Plant and equipment utilised between cost centres substantially on budget.

**EXPENDITURE - COMMENTS FOR YTD VARIANCE:
(\$'000)**

Finance Charges - \$24 under budget

Derwent Park Water Reuse loan interest budgeted quarterly in advance but accrued monthly (\$9), lower accrued GCC loan interest (\$13) and lower bank charges (\$2).

Employee Costs - \$104 over budget

Additional costs relating to filling positions on an acting basis and casual placements offset by vacancy savings. A potential over-recovery of on-costs charged to the relevant cost centres is also being investigated which may result in adjustments in future reporting periods.

Admin Office Costs - \$51 under budget

Reduced Aldermanic costs (\$148), GASP Contribution Jan-Jun not yet paid (\$47), EMPCA fee not yet paid (\$30), STC Secretariat fees not yet paid (\$24), regional waste membership not yet paid (\$28), internal audit costs yet to be incurred (\$29), software support savings (\$19) and many smaller variances (\$112) offset by higher than budgeted insurance premiums (-\$180), unforeseen legal expenses (-\$109) and Technology One upgrade paid early (-\$82).

Materials, Contractors & Other - \$345 under budget

Reduced waste services (\$80), Derwent Park Water Reuse savings (\$70), landfill rehabilitation yet to be undertaken (\$44), greenwaste mulching (\$33), leachate monitoring (\$46), well workforce (\$30), stormwater long term modelling (\$25), plant & equipment utilisation (\$107) and many smaller variances (\$130) offset by insurance claims awaiting settlement (-\$63), building enforcement (-\$55), recycling depot (-\$41), service level review (-\$36) and KGV sports precinct (-\$31).

Depreciation and Asset Write-off - \$322 under budget

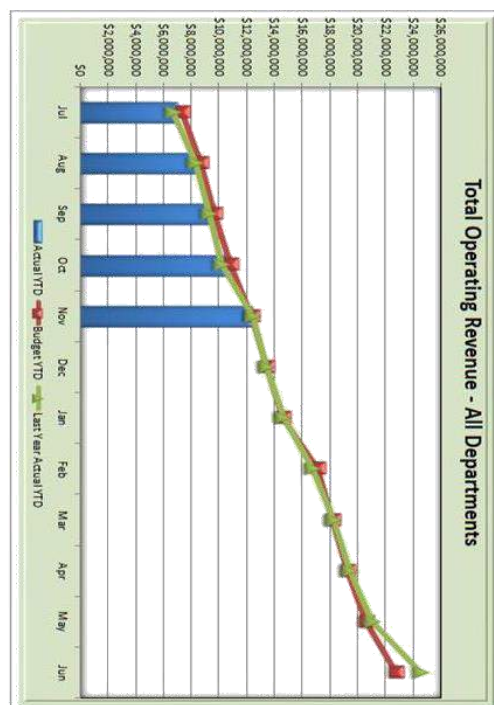
Some projects for which depreciation has been budgeted are still on-going and have not yet been capitalised.

Rates Expenses - \$0

On budget for the month

Internal Expenses - \$17 under budget

Plant and equipment utilised between cost centres substantially on budget

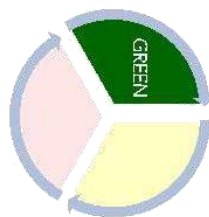


Total Operating Revenue - Graph 1
Total revenue earned by all areas of the council compared to budget – excluding Rates and Fire Levy.

Responsible: Executive Leadership Team

-	Actual YTD	\$'000
-	Budget YTD	\$12,445
-	Over Budget	\$12,414
-		\$31

Refer to comments on page 6-7.

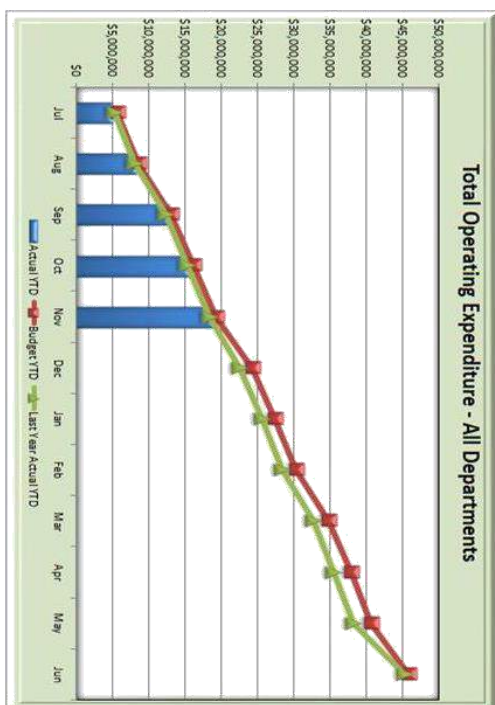
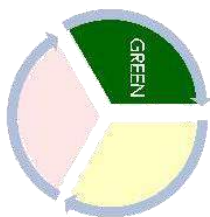


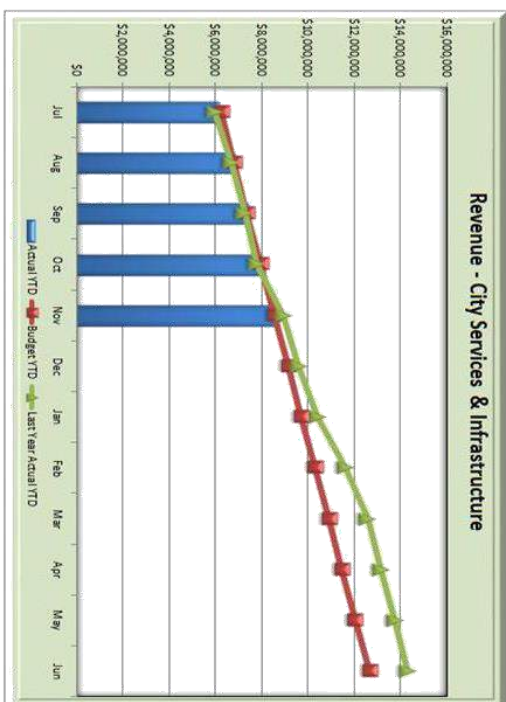
Total Operating Expenditure – Graph 2
Total operating expenditure for all areas of the council compared to budget – excluding Depreciation.

Responsible: Executive Leadership Team

-	Actual YTD	\$'000
-	Budget YTD	\$18,888
-	Under Budget	\$19,328
-		\$440

Refer to comments on page 9-10.



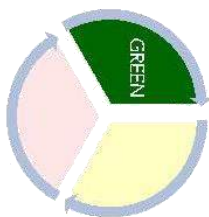


City Services and Infrastructure Revenue - Graph 3
Total revenue for City Services and Infrastructure compared to budget.

Responsible: Director City Services and Infrastructure

\$'000		
-	Actual YTD	\$8,702
-	Budget YTD	\$8,586
-	Over Budget	\$116

Refer to Comments on page 6-7.



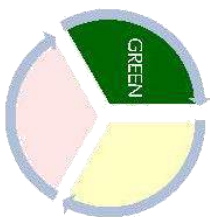
City Services and Infrastructure Expenditure - Graph 4

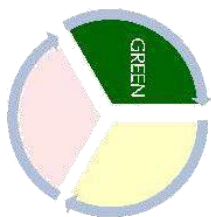
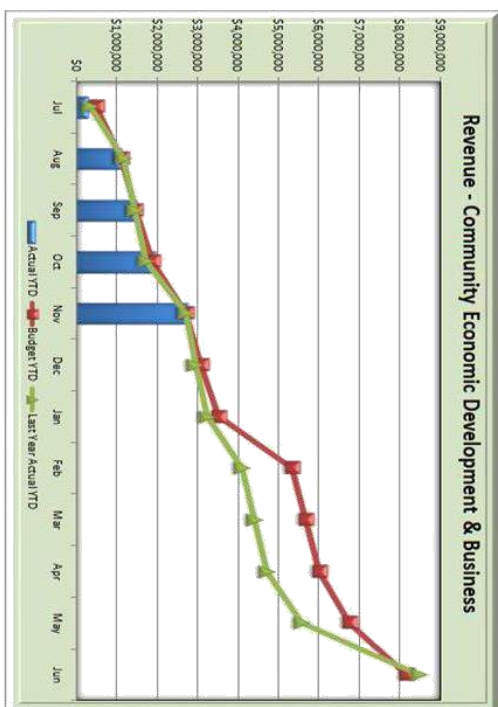
Total expense for City Services and Infrastructure compared to Budget.

Responsible: Director City Services and Infrastructure

\$'000		
-	Actual YTD	\$9,720
-	Budget YTD	\$10,348
-	Under Budget	\$628

Refer to comments on page 9-10.



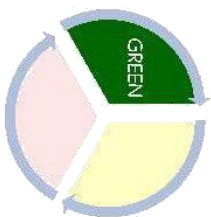
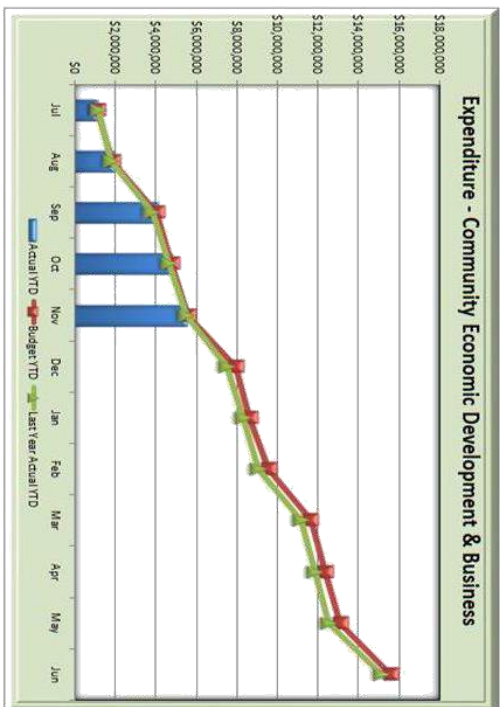


Community Economic Development and Business
Revenue – Graph 5
Total revenue of Community Economic Development and Business, compared to budget

Responsible: Director Community Economic Development and Business

	\$'000
- Actual YTD	\$2,795
- Budget YTD	\$2,713
- Over Budget	\$82

Refer to Comments on page 6-7.

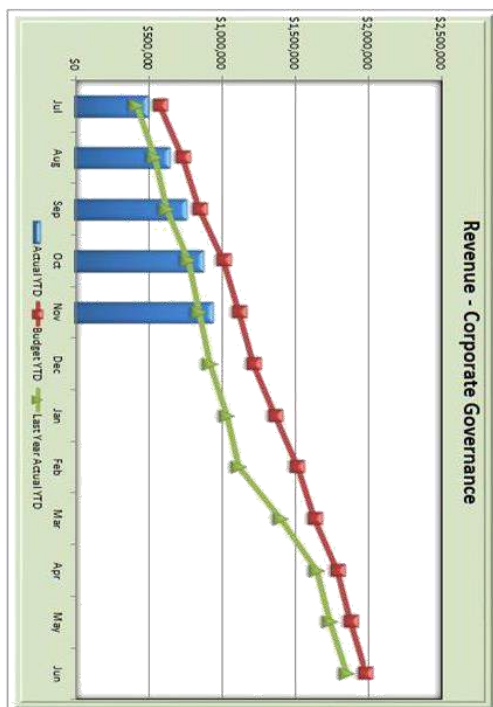


Community Economic Development and Business
Expenditure – Graph 6
Total expense for Community Economic Development and Business compared to budget

Responsible: Director Community Economic Development and Business

	\$'000
- Actual YTD	\$5,607
- Budget YTD	\$5,600
- Over Budget	\$7

Refer to comments on page 9-10.

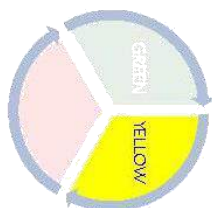


Corporate Governance Revenue - Graph 7
Total revenue for Corporate Governance compared to budget.

Responsible: Director Corporate Governance

-	Actual YTD	\$948
-	Budget YTD	\$1,115
-	Under Budget	\$167

Refer to Comments on page 6-7.

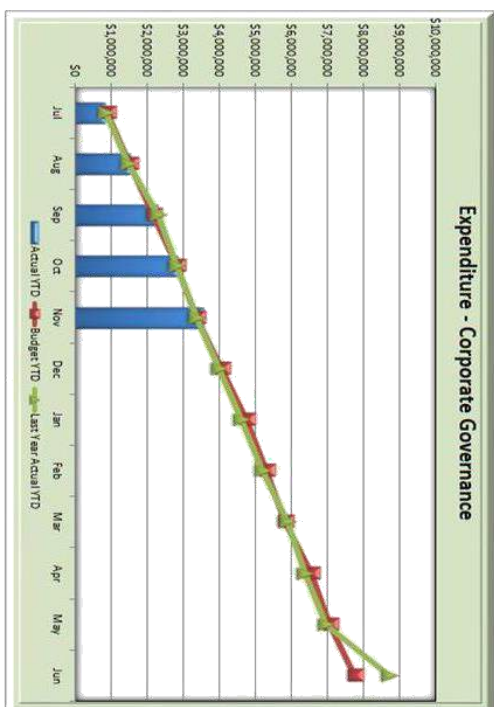
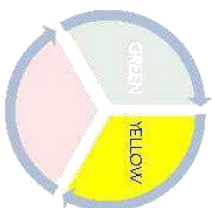


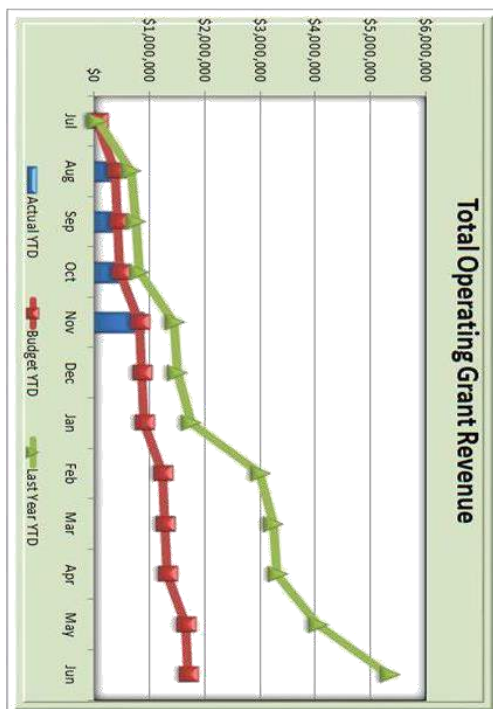
Corporate Governance Expenditure - Graph 8
Total expense for Corporate Governance compared to budget.

Responsible: Director Corporate Governance

-	Actual YTD	\$3,560
-	Budget YTD	\$3,380
-	Over Budget	\$180

Refer to comments on page 9-10.



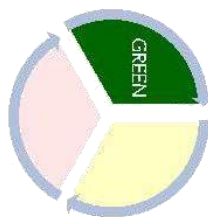


Operating Grants Revenue - All Departments – Graph 9
The total of operating grants revenue received from Government

Responsible: Executive Leadership Team

-	Actual YTD:	\$'000
-	Budget YTD:	\$918
-	Over Budget:	\$810
-		\$108

Refer to comments on page 6-7.

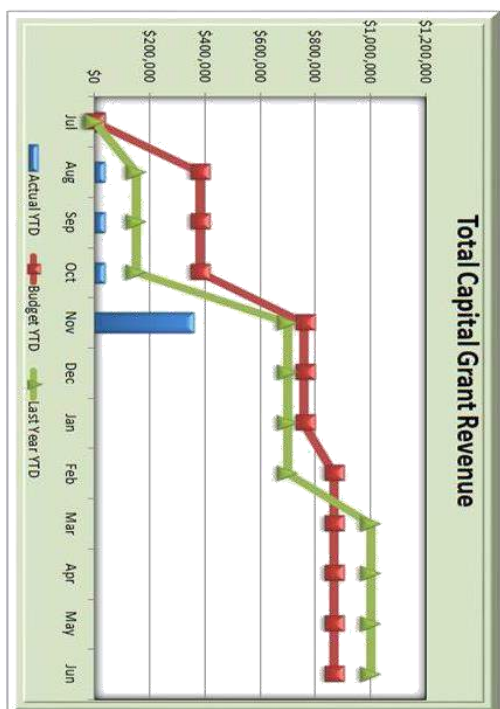
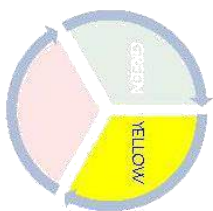


Capital Grants Revenue - All Departments – Graph 10
The total of capital grants revenue received from Government

Responsible: Executive Leadership Team

-	Actual YTD:	\$'000
-	Budget YTD:	\$359
-	Under Budget:	\$760
-		\$401

Refer to comments on page 6-7.



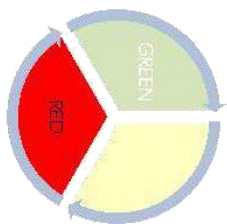
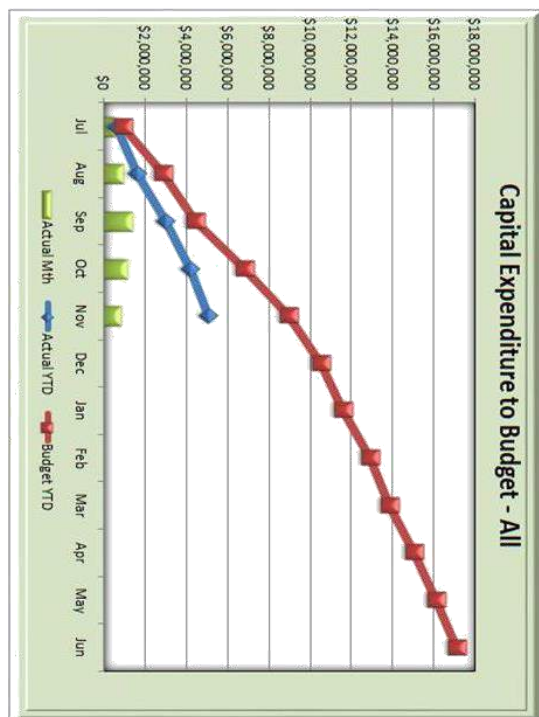


Glenorchy City Council

Balance Sheet

Corporate Performance Indicators

November 2017

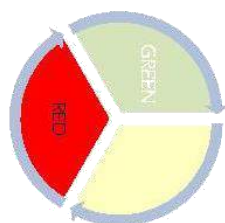
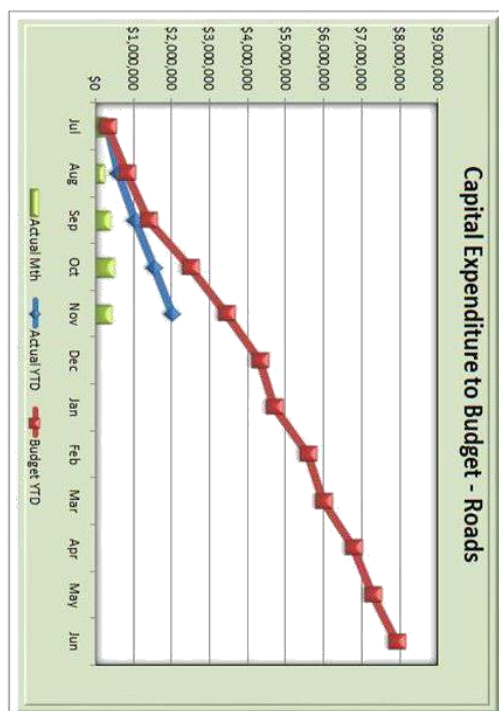


Total Capital Expenditure – Graph 11
Total Capital expenditure compared to budget.

Responsible: Executive Leadership Team

-	Actual YTD	\$5,106
-	Budget YTD	\$8,937
-	Under Budget	\$3,831

Refer pages 18-19. Additional information regarding capital variances is contained in Appendix B.



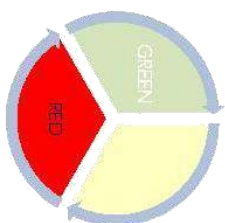
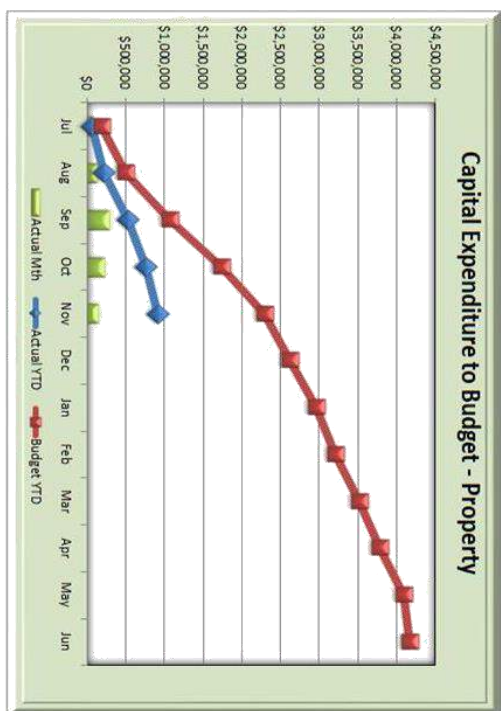
Capital Expenditure - Roads – Graph 12

Total expenditure for roads compared to budget

Responsible: *Director City Services and Infrastructure*

-	Actual YTD	\$2,011
-	Budget YTD	\$3,439
-	Under Budget	\$1,428

Additional information regarding capital variances is contained in Appendix B.



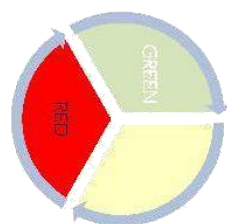
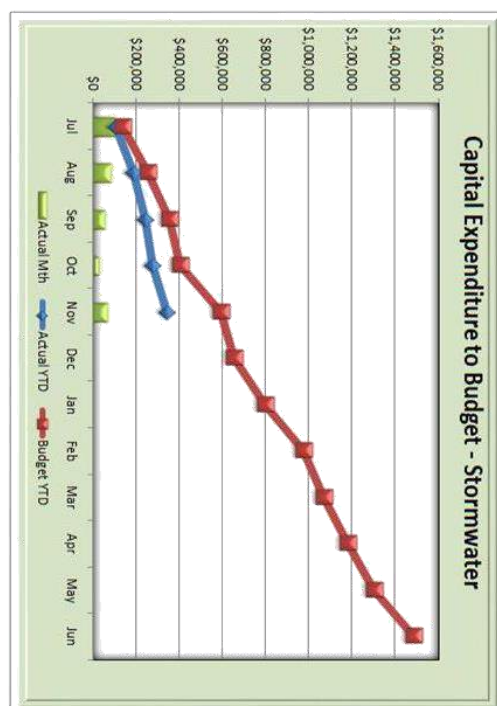
Capital Expenditure – Property – Graph 13

Total expenditure for property compared to budget

Responsible: *Director Corporate Governance*

-	Actual YTD	\$924
-	Budget YTD	\$2,296
-	Under Budget	\$1,372

Additional information regarding capital variances is contained in Appendix B.



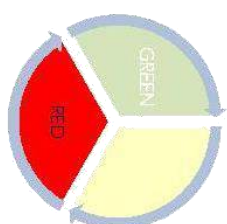
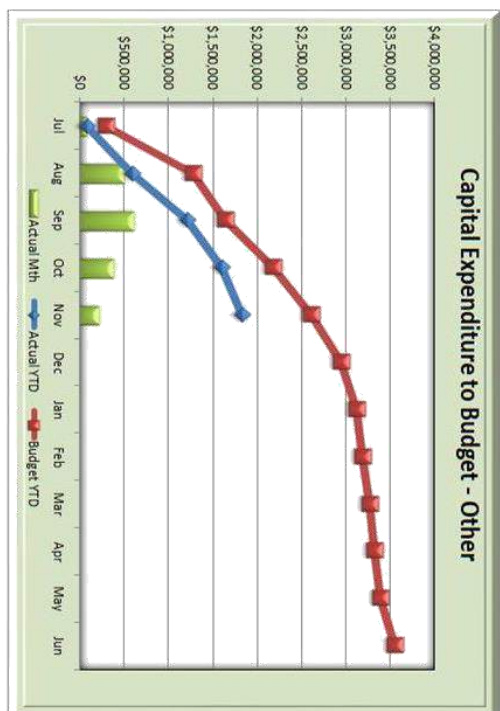
Capital Expenditure – Stormwater – Graph 14

Total expenditure for storm water compared to budget

Responsible: Director City Services and Infrastructure

	\$'000
- Actual YTD	\$342
- Budget YTD	\$592
- Under Budget	\$250

Additional information regarding capital variances is contained in Appendix B.



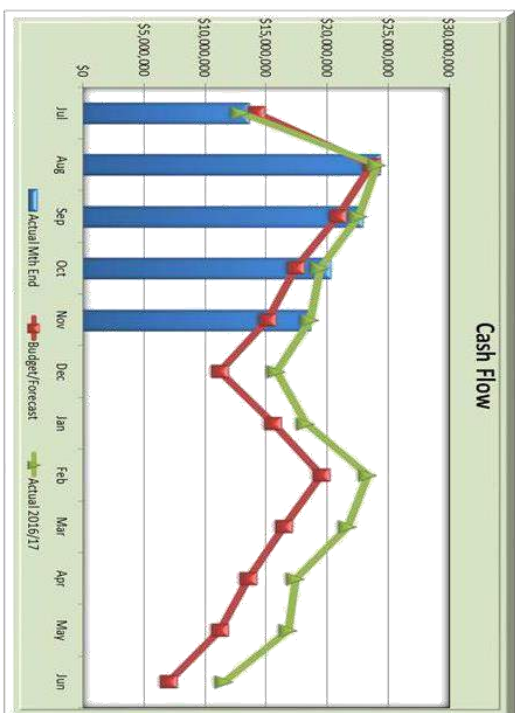
Capital Expenditure – Other (e.g. capital grants, technology, plant and equipment etc.) – Graph 15

Total expenditure for other capital compared to budget

Responsible: Director Community Economic Development and Business

	\$'000
- Actual YTD	\$1,829
- Budget YTD	\$2,609
- Under Budget	\$780

Additional information regarding capital variances is contained in Appendix B.

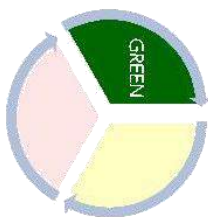


Cash Flow Movement - Graph 16

Total cash assets available (cheque account, cash floats and short term deposits), compared to budget and last year.

Responsible: *Director Community Economic Development and Business*

-	Actual Cash	: \$18,753
-	Budget	: \$15,108
-	Variance	\$3,645



Interest Earned - Graph 17

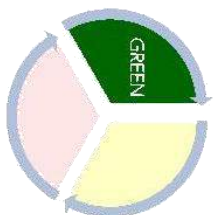
Total interest earned (accrued and received) compared to budget.

Responsible: *Director Community Economic Development and Business*

-	Actual YTD	\$153
-	Budget YTD	\$174
-	Under Budget	\$21

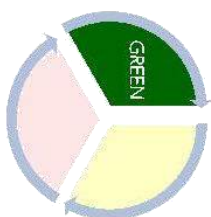
Effective Interest Rate: 2.35%

Benchmark:
RBA Cash Rate (currently 1.50%) + 0.50% = 2.00%



Investment Profile			
Maturity	Total Amount	Average Rate	
Cash on hand	\$ 94,816	0.00%	
At call	\$ 5,611,770	1.45%	
30 - 60 days	\$ 546,472	1.45%	
61 - 90 days	\$ 7,000,000	2.46%	
91 - 120 days	\$ 3,500,000	2.41%	
120+ days	\$ 2,000,000	2.50%	
Total	\$ 18,753,057	2.35%	

Loan Profile		
Maturity Date	Rate	Loan Balance YTD
15-Jun-21	4.84%	\$ 700,985
15-Jun-22	6.76%	\$ 672,177
15-Dec-17	2.67%	\$ 253,195
15-Jun-18	4.78%	\$ 426,099
15-Jun-27	4.75%	\$ 252,001
30-Jun-22	5.01%	\$ 2,863,853
Total		\$ 5,168,311



Interest Expense – Graph 18

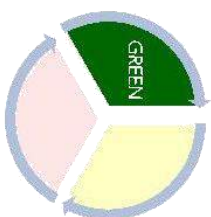
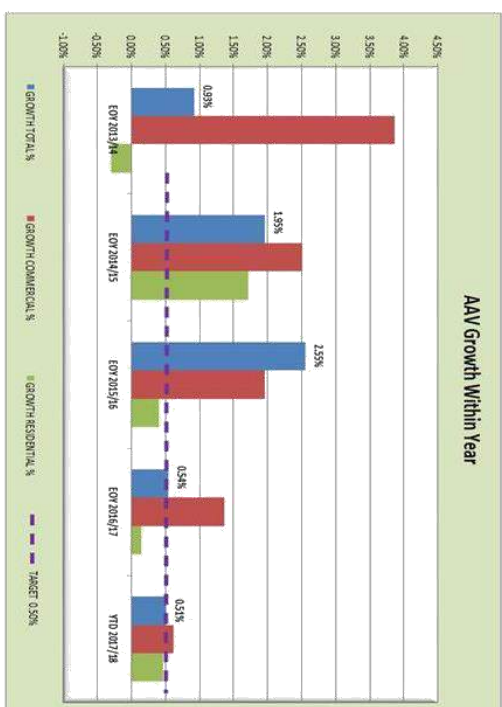
Total interest expense (accrued and paid) compared to budget.

Responsible: Director Community Economic Development and Business

-	Actual YTD	\$'000
-	Budget YTD	\$94
-	Variance	\$116
		\$22

Refer to comments on page 9-10

AAV Growth Within Year



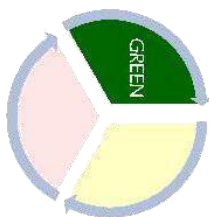
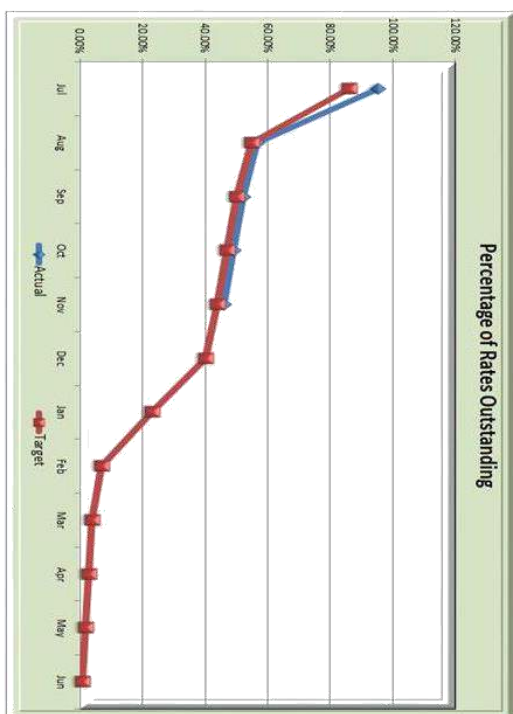
Annual Growth in AAV – Graph 19

A comparison of the annual growth in the Assessed Annual Value (AAV) for Commercial, Residential and Overall Total for a five year period.

Responsible: Director Community Economic Development and Business

-	Commercial Growth YTD	0.61%
-	Residential Growth YTD	0.47%
-	Overall Total Growth YTD	0.51%

Target: 0.50% AAV overall growth within the year
Source: Supplementary Valuations by the Valuer-General



Percentage of Invoiced Rates Outstanding – Graph 20

Shows the percentage amount of invoiced rates not paid.

Responsible: Director Community Economic Development and Business

– Actual YTD:	45.9%
– Target YTD:	44.0%
– Variance:	1.94%
Total outstanding at month end:	\$'000
	\$16,249
Arrears as at:	This month: Last month: Movement:
2016/17	\$128 \$153 (\$25)
2015/16	\$42 \$84 (\$42)
2014/15	\$11 \$26 (\$15)
2013/14+	\$2 \$3 (\$1)
TOTAL	\$183 \$266 (\$83)

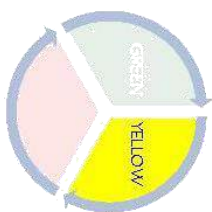
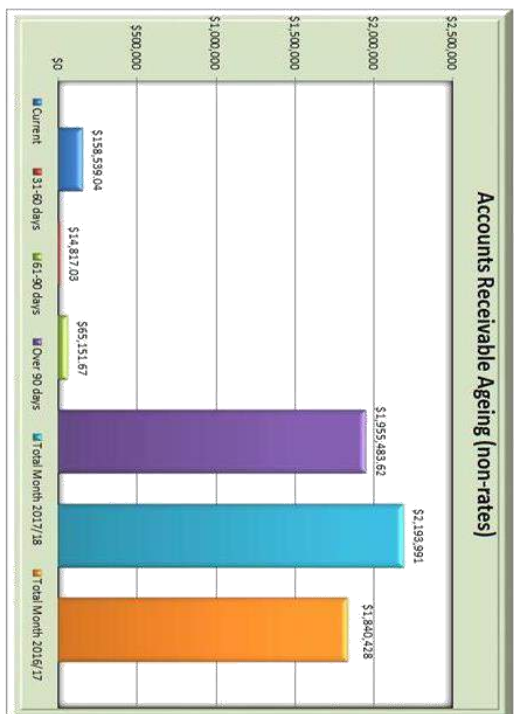
Accounts Receivable (AR) – Graph 21

A monthly summary of the level of money owing to council for non rate income.

Responsible: Director Community Economic Development and Business

– Total at month end:	\$'000
– % of AR 61 days & over:	\$2,194
	92.1%
Target <25% for 61 days and over (excluding property debts)	

Comment Major components of 61 days & over relate to works and commercial leasing contractual matters. Also, reimbursement of Fire Levy remissions is yet to be received.

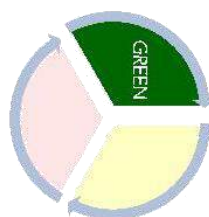
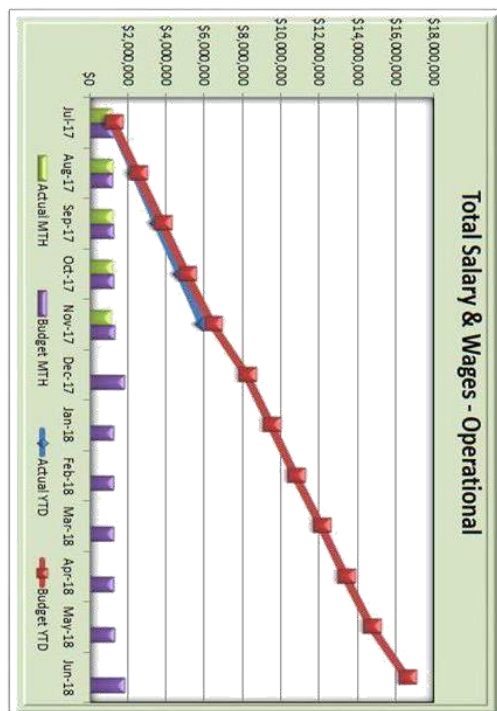




Glenorchy City Council

People & Safety Corporate Performance Indicators

November 2017

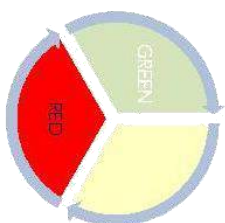
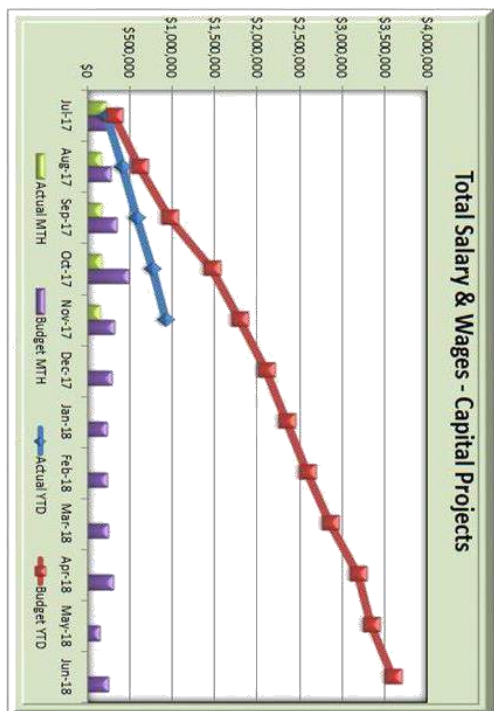


Total Salaries & Wages - Operational Projects
 (*normal time & annual leave) – Graph 22
 Total operational normal time salary costs compared to budget but excluding Other Employment Costs

Responsible: Executive Leadership Team

-	Actual YTD	\$5,905
-	Budget YTD	\$6,391
-	Under Budget	\$486

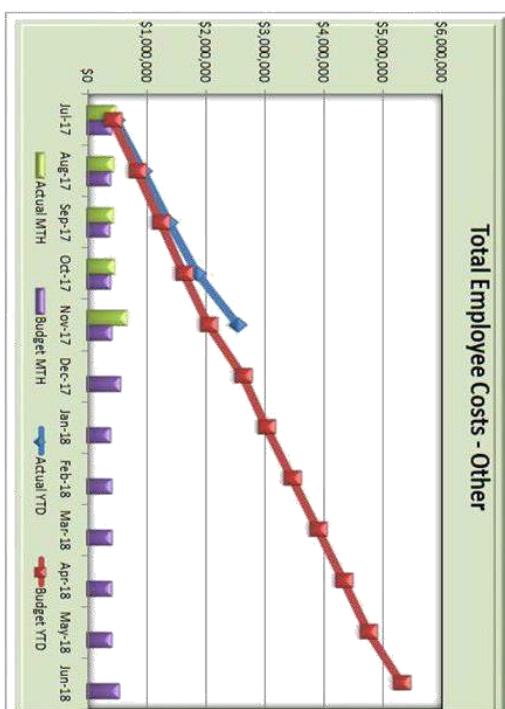
*see Graph 24 for Other Employment costs (eg overtime, casuals, on-costs, training, allowances etc.)



Salaries & Wages & Other Employment Costs – Capital Projects – Graph 23
 Total salary and other employment costs for capital projects compared to budget

Responsible: Executive Leadership Team

-	Actual YTD	\$934
-	Budget YTD	\$1,800
-	Under Budget	\$866



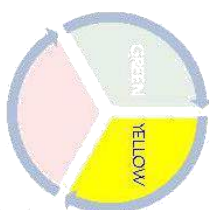
Other Employment Costs – Operational Projects – Graph 24

Total operational other employment costs compared to budget (eg overtime, relief/casuals, on-costs, training, allowances, medicals etc.)

Responsible: Executive Leadership Team

-	Actual YTD	\$'000
-	Budget YTD	\$2,543
-	Over Budget	\$2,055
		\$488

Note: A review of the on-cost calculation is continuing to ensure an over-recovery against relevant cost centres is not occurring.



Permanent Staff Turnover Rate – Graph 25

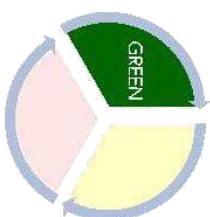
Total staff turnover is the total number of terminations over the last twelve months divided by the number of staff as at the last day of the month. This ratio represents the percentage of our total workforce who leave the council.

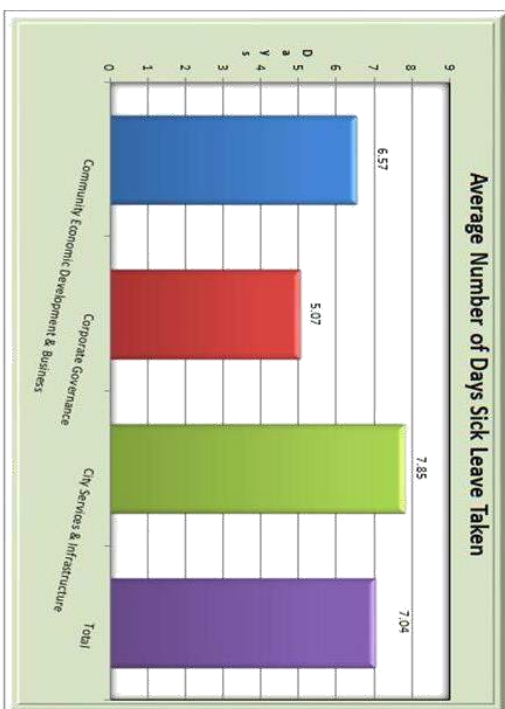
Responsible: Executive Leadership Team

Rolling 12 month average turnover rate calculations used

	10/2017	10/2016
Rolling 12 month turnover rate	13.20%	11.30%

Benchmark: LGAT All Tasmanian Councils Group Average (2007/08) recorded 15.20%



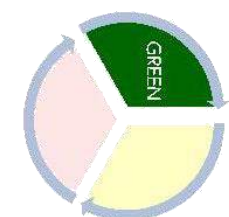


Average Number of Days Sick Leave Taken

– Graph 26

For each department: Total number of days sick taken divided by number of staff for previous 12 months. This ratio represents the number of sick days per year / per person on average.

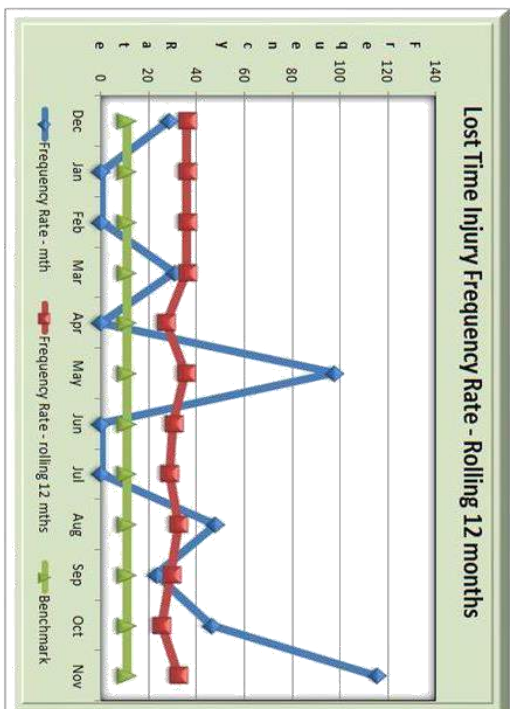
Responsible: Executive Leadership Team



- Total average sick leave days taken last 12 months:
- 12 month average at Nov 2017 - 6.65 days
- 12 month average at Nov 2016 - 7.49 days

Benchmark: LGAT All Tasmanian Councils Group

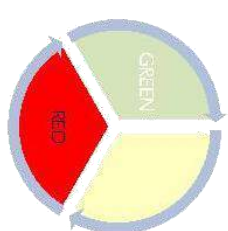
Average (2007/08) recorded: 6.80 days



Lost Time Injury Frequency Rate - Graph 27

The Lost Time Injury Frequency Rate is the number of lost time claims per one million hours worked for permanent, casual and overtime staff.

Responsible: Executive Leadership Team



- Claims per 1 million hours worked:
- Rolling 12 month average: 115.19
 - Current month: 32.49

Benchmark: Work Cover Tasmania All Industries (2010/11) recorded: 10.80 claims.

Capital Expenditure Summary			
			30/11/2017
			(\$'000)
2017/18 Capital Budget Year to Date			8,937
2017/18 Capital Year to Date Expenditure			5,106
Total Over/(Under) Spend			(3,831)
Total Over/(Under) Spend Comments			
Roads Capital - Under Budget (\$1,428)			
Primary Over/(Under) project budgets:	Project Number	Comment	YTD Over/(Under)
Terry St Carpark Extension	100073	Works completed - awaiting final invoices and apportionment to Stormwater project 100134	123,338
Adelphi Road (House Number 51 To House Number 67)	100462	Works rescheduled - expected commencement January 2018	(37,214)
Carnegie Street (House Number 44 To House Number 33)	100467	Works rescheduled - expected commencement January 2018	(23,000)
Church Road (Collinsvale Road To Nelsons Road)	100468	Works rescheduled - date to be advised	(28,900)
Gormanston Road (Albert Road To Hopkins Street)	100470	Works rescheduled - date to be advised	(116,700)
Grove Road (Penguin Drive To Roseville Place)	100471	Works rescheduled - date to be advised	(50,216)
Grove Road (Roseville Place To Main Road)	100472	Works rescheduled - date to be advised	(116,819)
Gunn Court (House Number 1 To House Number 3)	100473	Works rescheduled - expected commencement January 2018	(45,359)
Lennox Avenue (Culloden Avenue To Ashbolt Crescent)	100476	Works brought forward - was budgeted for December 2017	75,865
Lennox Avenue (Lime Road To Ledwell Street)	100477	Works brought forward - was budgeted for December 2017	95,198
Lucinda Parade (House Number 6 To House Number 20)	100478	Works brought forward - was budgeted for December 2017	26,580
Miranda Place (O'Brien Street To End Of Road)	100481	Works brought forward - was budgeted for December 2017	20,065
Second Avenue (Springfield Avenue To Fourth Avenue)	100487	Works brought forward - was budgeted for January 2018	23,360
Mimosa Court (Marys Hope Road To End Of Road)	100494	Works rescheduled - to commence May 2018	(71,145)
Urban Pavement Repairs - Major	100001	Major expenditure due December 2017 and January & May 2018	(39,684)
Falcon Road (House Number 1 To Kestrel Street)	100500	Works brought forward by two months	40,440
Central Avenue (Fleurs Street To Clifford Street)	100501	Works brought forward - was budgeted for January 2018	67,235
Bowen Road (Brooker Highway To Blair Street)	100503	Works rescheduled - to commence February 2018	(158,288)
Elmsleigh Road (Lampton Avenue To House Number 20)	100504	Works rescheduled - to commence February/March 2018	(114,500)
Florence Street (Loscombe Court To Beresford Place)	100505	Works delayed - TasNetworks agreement required for pole relocation	(51,900)
Integrated Care Footpath Contribution	100600	Works rescheduled - cannot be done until Glenorchy Integrated Care Centre facility completed in March 2018	(110,507)
Creek Rd Footpath	100286	Work commenced in November 2017 and is scheduled to be completed by the end of February 2018	(318,815)
Cadbury Carpark (Tennis Courts)	100290	Work commenced in November 2017 and is scheduled to be completed by the end of January 2018	(84,201)
Sinclair Ave - #22 to #46	100296	Works brought forward - was budgeted for March 2018	165,820
Maple Ave Bayswater to #21	100506	Works delayed by nine weeks awaiting final design plans	(29,787)
Main Rd Claremont Access Parking - Claremont Hall	100514	Works rescheduled - awaiting final design and to commence in March/April 2018	(31,396)
Springfield/Charles Traffic Management	100519	Works rescheduled - awaiting final design and to commence in March/April 2018	(69,578)
Somerdale Road Claremont Turning Facility	100515	Works delayed - design completed and awaiting works scheduling	(59,269)
Coopers Road - Gravel Sheetting	100507	Works rescheduled - quotation process underway	(40,000)
Main Rd Granton Pathway Extension - Stage 2	100605	Works delayed - project still in design phase	(142,287)
Chicane gate changes for cycleway	100284	Awaiting contractor to complete works in the new year	(64,492)
Moorina Crescent	100295	Works rescheduled - date to be advised	(134,161)
Property Capital - Under Budget (\$1,372)			
Primary Over/(Under) project budgets:	Project Number	Comment	YTD Over/(Under)
Pathway Network Upgrade	100258	Project deferred to second half 2017/18	(30,998)
Accessible WC Upgrade	100255	Works brought forward - was budgeted for May 2018	34,961
Building Refurbishment	100256	Works brought forward - was budgeted for May 2018	55,610
Sport and Rec Match Grant Funding	100257	Works delayed - potential for carry forward into 2018/19	(93,007)
Wilkinson Point Lighting (Security)	100261	Works rescheduled - date to be advised	(41,316)
Montrose Bay WC Completion	100262	Works delayed - awaiting plans to be approved by engineer	(234,319)
DEC Roof - Partial Replacement	100268	Works rescheduled - investigating roof in most need of replacement	(40,000)
DEC Projects from Business Plan	100531	No further works planned at this stage - potential carry forward into 2018/19	(38,790)
Prince Of Wales Bay Grand Stand Seating	100534	Works rescheduled - design and plans being developed	(29,525)
Council Offices - Air Conditioning System	100612	Works to be scoped second half 2017/18 - potential carry forward into 2018/19	(60,000)
Tolosa Park Landscaping	100614	Design & consultation stage in February 2018 with expected carry forward into 2018/19 & 2019/20	(21,692)
State Government Grant - Public Space Revitalisation	100167	Project development progressing - CBD revitalisation project	(216,630)
Eady Street Masterplan	100259	Project deferred - potential for carry forward into 2018/19	(30,000)
Glenorchy Skate Park Relocation - Grant	100455	Works rescheduled - to commence February 2018 with an expected carry forward into 2018/19	(234,518)
North Chigwell Sports Ground Lighting	100457	Works completed - awaiting final invoices from contractor	(43,615)
KGV Sports & Community Precinct - Advtg & Cons	100603	Ongoing costs to the KGV project from 2016/17 - no budget allocated as it was expected to be completed	54,302
Montrose Bay Jetty Pontoon	100260	Review of project scope early next year - anticipated to commence March / April 2018	(164,420)
Park Embellishment	100251	Projects are underway at various recreation locations	(74,471)
Playground Equipment Upgrade	100252	Works on-going - progressive drawdown of budget up to June 2018	(89,790)
Glenorchy Skate Park Advancement	100263	Works rescheduled - to commence February 2018 with an expected carry forward into 2018/19	(50,000)

Capital Expenditure Summary				30/11/2017
Stormwater Capital - Under Budget (\$250)				
Primary Over/(Under) project budgets:	Project Number	Comment		YTD Over/(Under)
Weston PL SW Relining	100577	Works brought forward - was budgeted for April 2018		26,573
Terry St Car Park Extension - S/W	100134	Works completed - awaiting final invoices and apportionment from Roads project 100073		(51,000)
Easton Ave 29S/W Upgrade	100285	Works delayed due to heavy rain November and December 2017		(25,576)
Rosetta Landslip Pipe Relining	100579	Works rescheduled - quotation process underway		(100,000)
Cadbury Car Park SW Upgrade	100580	Awaiting apportionment of costs from Roads project 100290		(99,389)
Stormwater Pit Replacement	100564	Works brought forward - was budgeted for June 2018		26,419
Other Capital - Under Budget (\$781)				
Primary Over/(Under) project budgets:	Project Number	Comment		YTD Over/(Under)
Technology One - Re-Implementation	100363	Stage 2 of project deferred to Q4 of 2017/18		(265,343)
T1 Employee Development Module	100426	Project deferred until Q4 of 2017/18		(23,726)
External Web Site Redevelopment	100362	New GCC website is live- awaiting final invoices from suppliers		(39,498)
PINFORCE Technology	100609	Awaiting contract finalisation		(22,480)
Replacement of PC Equipment	100423	Balance of budget to be expended in second half 2017/18		(43,786)
Front Deck Mower	100573	Delayed - now January delivery and February 2018 invoicing		(31,355)
Cat 1 - Single Cab Ute - GCC5057	100540	Delayed - now February delivery and March 2018 invoicing		(29,300)
Cat 1 - Single Cab Ute 4x2 - GCC5147	100541	Delayed - now January delivery and February 2018 invoicing		(30,311)
Cat 2 - Dualcab Ute 4x2 - GCC5196	100543	Deferred - until new Supervisor positions filled		(30,847)
Cat 1 - Single Cab Ute - GCC5237	100544	Deferred - until new Supervisor positions filled		(29,372)
Cat 1 - Single Cab Ute - GCC5325	100546	Delayed - now November delivery and December 2017 invoicing		(29,302)
Cat 1 - Single Cab Ute - GCC5405	100547	Requested to hold until new Supervisor positions filled		(29,971)
Cat 8 - Dualcab Ute 4x4 - GCC5496	100549	Deferred - until new Supervisor positions filled		(37,696)
Cat 1 - Single Cab Ute - GCC5655	100551	Delayed - now January delivery and February 2018 invoicing		(29,328)
Cat 8 - Xtra Cab Ute 4x4 - GCC5685	100552	Delayed - now November delivery and December 2017 invoicing		(46,125)
Cat 5 Vehicle F5091	100630	Employment contract entitlement		35,771
Derwent Park Reuse - Drip Irrigation Moonah School	100305	Works brought forward - was budgeted for January 2018		42,978
DPR - Treatment Plant Driveway Concrete	100587	Works deferred pending the outcome of a review of the Derwent Park Water Reuse facility		(80,000)

Changes to Budget Update Capital Projects

Project Number	Description	Budget Approved	Comments
	None		
Total		0	

Emergency/Unforeseen Projects Commenced (No budget allocated in 2017/18)**Funded from IMG Unallocated Capital a/c \$400,000**

Project Number	Description	Budget Approved	Comments
100629	Bushfire Management 4WD Vehicle	\$43,002	GM Approved 27/6/2017
100457	North Chigwell Sports Ground Lighting	\$60,000	IMG Approved 24/8/2017
100632	Eady Street Sports Ground Drainage	\$15,000	IMG Approved 24/8/2017
100638	Two-Way Radio Replacement	\$7,117	IMG Approved 28/9/2017
100645	Collinsvale School Car Park Line Remarking	\$8,000	IMG Approved 24/10/2017
100644	Works Centre Urgent Renovations	\$68,020	IMG Approved 6/11/2017
100649	DEC Weatherproof Painting	\$14,850	IMG Approved 23/11/2017
100524	CBD CCTV Upgrade	\$39,120	IMG Approved 23/11/2017
100362	External Website Development	\$23,119	IMG Approved 23/11/2017
100506	Maple Ave - Bayswater Rd to #21	\$45,715	IMG Approved 23/11/2017
Total		\$323,943	

Emergency/Unforeseen Projects Commenced (No budget allocated in 2017/18)**Funded from Reserve funds**

Project Number	Description	Estimated Full Cost of Project	Comments
	None		
Total		\$0	

Budgeted 2017/18 projects that will not be undertaken this Financial Year

Project Number	Description	Annual Budget	Comments
	None		
Total		\$0	

Outstanding Actions List: Open Council Meeting

Outstanding Action List - Open Council Meeting

Council Meeting Date	Item No.	Subject / Issue	Council Adopted Action	Directorate	Comments / Update	Estimated Completion Date
3/06/2015	13.3	Notice of Motion Alderman M. Stevenson	That a brief projects and major operational items summary be provided at each Council meeting.	General Manager	Blackadder Consultants provided a draft report to Council on 27 December 2016. The draft report has been circulated to departmental managers who are currently formulating a structure for the reporting model. The reporting model and potential actions will be presented to Council at a future meeting.	To be advised
4/07/2016	11	Acquisition and Disposal of Land - Bosco Drive AND Dalmacia Place	That Council: APPROVE Council Officers negotiations and settlement of the purchase of private land at 2/1 Dalmacia Place for the purpose of allowing Council to formalise and maintain a public walkway through Dalmacia Place to Bosco Drive APPROVE Council Officers to continue negotiations to dispose of part of the public land at 23 Bosco Drive for the purpose of extending the private rear yard of 19 Bosco Drive, subject to the compliance of the requirements of section 178 of the Local Government Act 1993 (noting the investigation of the possibility of a similar sale to the owners of 21 Bosco Drive, to establish a safe, easily maintained and monitored piece of land which will comprise part of the public walk way). APPROVES the advertising of Council's intention to dispose of any part of the public land at 23 Bosco Drive under section 178 of the <i>Local Government Act 1993</i> .	CG	A separate planning application in respect of the Dalmacia Place purchase by Council has been submitted for assessment. Notification of the application was sent to TasNetworks as requested by the Planning Department, as the property is within the Electricity Transmission Corridor. It is anticipated that TasNetworks will respond within the next few days, and only then will the Planning Department be able to consider this matter further. The owners of 21 Bosco Drive, being one of the purchasers of a strip of land at 23 Bosco Drive, have now indicated they no longer wish to proceed with the purchase. Notice of intention to dispose of the land pursuant to section 178 of the Local Government Act 1993 has previously occurred. Council officers will now enquire with the owners of 19 Bosco Drive (who are the other purchasers of a strip of land at 23 Bosco Drive) as to whether they wish to negotiate to acquire this strip of land as well.	To be advised
1/11/2016	19.4	Question on Notice - Alderman M. Stevenson	Alderman Stevenson noted that the Shared Services Agreement included a requirement that the committee receive an Annual Report on the group's activities. He requested that Council receive regular reports on the activities of the Shared Services Committee.	CG	Council received a final draft of the LGSS Agreement on 10 March 2017. A report presenting the draft agreement to Council and making recommendations will be presented to Council at a future meeting.	To be advised
3/01/2017	11	Question taken on notice - Alderman Stevenson	Management to provide a report to Council identifying the deficiencies in items that are include in the Good Governance Framework which was adopted by Council on 23 January 2017.	CG	The item was considered by the Audit Panel at the 8 December Audit Panel meeting. A report is being presented to Council on 15 January 2018 Council meeting.	15-Jan-18