



SHIRE OF CORRIGIN

# REGISTER OF POLICIES

Review 2018



## SHIRE OF CORRIGIN REGISTER OF POLICIES

### DOCUMENT CONTROL

DATE OF AMENDMENT	AMENDMENT DETAILS
17 OCT 2017	1.1 Policy Register – clarifying the position responsible for the policy.
17 OCT 2017	1.2 Communications – clarifying the authorisation of the spokesperson.
17 OCT 2017	1.6 Liquor Permits – clarifying the policy is not a delegation.
17 OCT 2017	1.8 Flying Flags –reference to when there are three (3) flagpoles available at the administration building.
17 OCT 2017	1.11 Common Seal Usage Policy – clarifying the position responsible for the policy.
17 OCT 2017	2.2 Rates – Request for Time to Pay – clarifying the authorisation.
17 OCT 2017	2.8 Cheque Signatory/EFT Requirements – change to the existing policy where reference to Councillors is replaced with Shire President.
17 OCT 2017	2.10 Purchasing Policy – revised policy reflecting the suggested direction of WALGA with regards to changes to purchasing. In addition, the revised policy introduces 'Panel Tenders' which allow Council to establish a panel of preferred suppliers of goods and services in accordance with Division 3 of the <i>Local Government (Functions and General) Amendment Regulations 2015</i> .
17 OCT 2017	2.11 Local Regional Price Preference Policy – revised policy to more accurately reflect the requirements of legislation but remain in accordance with the original direction of Council.
17 OCT 2017	2.12 Authorisation to Purchase Goods and Services – a new policy that in the past was reflected in the purchasing policy but due to changes to the purchasing policy, is now specifically identified.
17 OCT 2017	2.13 Budget Consideration/Preparation – reflecting a longer period of time for community groups to make submissions.
17 OCT 2017	2.18 Corporate Credit Cards – changes to the reporting associated with credit cards.
17 OCT 2017	2.19 Motor Vehicle Replacement – modified so that changeover is to occur between two and six years or 50,000 to 100,000km.
17 OCT 2017	3.2 Health Safety and Environment – clarifying the position responsible for the policy.
17 OCT 2017	3.7 Employee Induction – clarifying the position responsible for the policy.
17 OCT 2017	5.2 Training and Development – establishing that an evaluation of the course/conference/training is required.
17 OCT 2017	5.5 Voluntary Service – clarification on payment process and that staff directed to attend an event are not volunteers.
17 OCT 2017	5.7 Staff Uniforms – removing references to staff names and an allocation of up \$600 per annum to an allocation in the budget.
17 OCT 2017	5.9 Council Vehicles Issued to Staff – including reference to vehicle costs being subject to an amount in the budget.
17 OCT 2017	5.12 Removal Expenses – reflecting a realistic cost of relocating new staff to Corrigin and removing removal expenses for some staff.
17 OCT 2017	5.13 Staff Housing – clarification of requirements under the <i>Tenancy Agreement</i> .
17 OCT 2017	5.16 Local Government Holidays – referencing the <i>Shire of Corrigin Enterprise Agreement 2014</i> .
17 OCT 2017	5.17 Long Service Leave – clarification that an application to defer long service leave is to be referred to Council for approval.
17 OCT 2017	5.21 Chief Executive Officer Performance Review – reflecting Council Minute 29/2017 of 21 March 2017.



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17 OCT 2017	5.22 Shire Mobile Phones and Other Electronic Communication – clarifying the person responsible to repair or replace a mobile phone or device at their cost.
17 OCT 2017	5.23 Appointment of an Acting Chief Executive Officer – new policy that seeks to streamline short periods when the CEO is not available.
17 OCT 2017	5.24 Dealing with Family Members – new policy that addresses potential conflicts of interest when the private interests of an employee influence, or could be seen to influence, their public duties or responsibilities.
17 OCT 2017	5.25 Related Party Disclosure – new policy that addresses AASB 124 Related Party Disclosures to include application by not-for-profit entities, including local governments.
17 OCT 2017	6.1 Hire of the Community Bus – new policy that clarifies the requirements for users of the bus and where discounts apply.
17 OCT 2017	<del>6.2 Hire of the Community Bus – Corrigin Senior Citizens Inc.</del> – deleted and provision reflected in draft policy 6.1
17 OCT 2017	6.2 Corrigin Town Hall Shire Buildings (Not Including CREC) – Hire – modification to existing policy that seeks to replace reference to the Corrigin Town Hall to include Shire buildings.
17 OCT 2017	7 Parks and Landscaping and Signage Policies – adding reference to signage as a policy under Part 7.
17 OCT 2017	7.4 Shire of Corrigin Signage Policy – new policy that seeks to both formalise the existing signage arrangements within the Shire and to provide guidance for new policy areas such as a policy map that identifies the roads where signs are to be erected along with the locations of the existing visitor bay at Rotary Park and two new Visitor Bays.
17 OCT 2017	<del>8.6 Meetings – Day and Time</del> Monthly Ordinary Council Meetings and Councillor Discussion Period – modification to existing policy that acknowledges the Councillor Discussion Period.
17 OCT 2017	8.7 Training and Development – Elected Members – modification to existing policy to strongly encourage Councillor training and professional development opportunities. This also reflects Council Minute 29/2017 of 21/3/2017.
17 OCT 2017	8.8 Elected Members' Fees, Allowances, <del>Reimbursements</del> and Benefits – removing reimbursements from the heading as the policy relates solely to timing of payments to elected members of members fees and allowances within the provisions of the <i>Local Government Act 1995</i> (Note: reimbursements are addressed in new policy 8.9 and Policy 8.10).
17 OCT 2017	8.9 Elected Members' Business, Conference and Training Expenses – new policy setting out guidelines to cover elected members when conducting Council business, attending conferences or training relating to Council activities.
17 OCT 2017	8.11 Audit and Risk Management Committee – new policy to provide guidance and assistance to the Council in carrying out its audit functions.
17 OCT 2017	8.12 Appointment of an Auditor, Scope of Works and Notification of Appointments – new policy to ensure an independent audit opinion of the accounts and annual financial reports of the Shire for each financial year covered by the term of the audit appointment.
17 OCT 2017	9.2 Bush Fire Control Officers – Eligibility – removal reference to payment of expenses.
17 OCT 2017	9.3 Bush Fire Control – reference to restricted and prohibited burning periods and due care when unloading in paddocks.
17 OCT 2017	10.2 Proceeds of the Sale of Industrial or Residential Land – clarifying the position responsible for the policy.



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<b>17 OCT 2017</b>	11.2 Gravel Supplies – Road Construction – reference to crop loss.
<b>20 FEB 2018</b>	2.10 Purchasing Policy- Amendment to the revised purchasing policy that was adopted by Council in October 2017, to include the exemptions that were previously included in the purchasing policy. This amendment was adopted by Council on 20 February 2018.
<b>17 APR 2018</b>	9.3 Bush Fire Control – Amendment to the bush fire control policy to include Boxing Day as an automatic harvest and movement of vehicle ban.
<b>19 JUN 2018</b>	2.18 – Corporate Credit Cards – Amendment to credit card limits as per Council resolution 95/2018.
<b>16 OCT 2018</b>	1.3 – Removal of DCEO as person responsible for policy
<b>16 OCT 2018</b>	1.4 - Removal of DCEO as person responsible for policy
<b>16 OCT 2018</b>	1.5 - Removal of DCEO as person responsible for policy and clarifying required notice in regards to office closures
<b>16 OCT 2018</b>	1.12 – New policy in regards to information privacy
<b>16 OCT 2018</b>	2.1 – Revised to reflect current practice. What was previously policy 2.2 (Rates – request for time to pay) was added to policy 2.1 and policy 2.2 (Rates – request for time to pay) deleted
<b>16 OCT 2018</b>	2.2 – Revised to reflect current practice
<b>16 OCT 2018</b>	2.9 – Manager finance added as a person responsible for policy, purchase value thresholds amended, additional tendering exemptions added
<b>16 OCT 2018</b>	2.10 - Manager finance added as a person responsible for policy
<b>16 OCT 2018</b>	2.11 - Manager finance added as a person responsible for policy, purchase order maximums adjusted, additional staff added to list of employees authorised to purchase goods and services (to align with current practice)
<b>16 OCT 2018</b>	2.12 - Manager finance added as a person responsible for policy, public consultation, budget workshop and advertising dates amended
<b>16 OCT 2018</b>	2.13 - Manager finance added as a person responsible for policy, WA treasury added to investments permitted
<b>16 OCT 2018</b>	2.14 - Manager finance added as a person responsible for policy, thresholds for buildings, plant and equipment and furniture and equipment increased
<b>16 OCT 2018</b>	Land under roads policy deleted as content is included in policy 2.17 significant accounting policy
<b>16 OCT 2018</b>	2.15 – Depreciation of non-current asset amounts for buildings amended
<b>16 OCT 2018</b>	2.16 - Manager finance added as a person responsible for policy, legislation added to the policy, amendment to misuse of credit cards and additional information added in regards to payment of credit cards and Finance Officer and card holder responsibilities
<b>16 OCT 2018</b>	2.18 – New policy in regards to petty cash
<b>16 OCT 2018</b>	4.1 - Removal of DCEO as person responsible for policy
<b>16 OCT 2018</b>	5.2 – Clarification around what are reasonable meal costs added to policy, removal that Council will pay for partners to attend conferences
<b>16 OCT 2018</b>	5.3 - Removal of DCEO and Manager of Works as persons responsible for policy
<b>16 OCT 2018</b>	5.4 - Removal of DCEO and Manager of Works as persons responsible for policy
<b>16 OCT 2018</b>	5.5 - Removal of DCEO and Manager of Works as persons responsible for policy
<b>16 OCT 2018</b>	5.6 - Removal of DCEO and Manager of Works as persons responsible for policy
<b>16 OCT 2018</b>	5.7 - Removal of DCEO and Manager of Works as persons responsible for policy, amendment to include amount per annum for both full time and part time staff
<b>16 OCT 2018</b>	5.9 - Removal of DCEO and Manager of Works as persons responsible for policy, amended clause in relation to use of vehicles while on annual or long service leave for DCEO and Manager of Works
<b>16 OCT 2018</b>	5.10 – Clarification that use of Shire plant and equipment will be at private works rates less labour for staff and that it is not permitted outside of the Shire of Corrigin
<b>16 OCT 2018</b>	5.13 - Removal of DCEO as person responsible for policy, additional clauses added for CEO and DCEO stating a housing allowance will be paid if employees own their own houses, revision to clause regarding maintenance of gardens



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<b>16 OCT 2018</b>	5.15 - Removal of DCEO as person responsible for policy
<b>16 OCT 2018</b>	5.16 – Amendment to who is entitled to local government public holidays
<b>16 OCT 2018</b>	5.24 - Removal of DCEO as person responsible for policy
<b>16 OCT 2018</b>	5.25 - Removal of DCEO as person responsible for policy
<b>16 OCT 2018</b>	5.26 – New policy
<b>16 OCT 2018</b>	6.1 – Change of person responsible for policy from DCEO to Customer Service Officer
<b>16 OCT 2018</b>	6.2 - Change of person responsible for policy from DCEO to Customer Service Officer
<b>16 OCT 2018</b>	6.3 - Change of person responsible for policy from DCEO to Customer Service Officer
<b>16 OCT 2018</b>	6.9 – Change to state that circuses are permitted at the discretion of the CEO and Manager of Works
<b>16 OCT 2018</b>	8.2 – Clarification that only senior designated employees and partners are to be invited to the end of year luncheon. Any other staff will be at the CEO's discretion.
<b>16 OCT 2018</b>	8.8 – Clarifying that elected member payments are to be provided by EFT
<b>16 OCT 2018</b>	8.12 – Minor changes to include recent legislation changes around the auditor general



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# 1 ADMINISTRATION POLICIES



## SHIRE OF CORRIGIN REGISTER OF POLICIES

### 1.1 POLICY REGISTER

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<b>Policy Owner:</b>	Governance and Compliance
<b>Person Responsible:</b>	Chief Executive Officer
<b>Date of Approval:</b>	<b>21 April 2015</b>
<b>Amended:</b>	<b>17 October 2017</b>

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**Objective:** The purpose of policy documents is to enable the effective and efficient management of Council resources and to assist staff and Council to achieve an equitable decision making process.

Written policies also enable the community to be aware of the reasoning behind administrative and Council decisions, and to be familiar with the philosophy behind individual decisions.

**Policy:** The CEO shall maintain a register of all policy decisions in a loose leaf binder which enables updating when amendments occur and copies of the register will be available for public inspection and use by staff. Changes to Council policy shall only occur through a notice of motion by an elected member or by a specific agenda item setting out details of the amendment.

The register will be reviewed annually to ensure that policies are consistent with Council's current policy position.



## 1.2 COMMUNICATIONS

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<b>Policy Owner:</b>	Governance and Compliance
<b>Person Responsible:</b>	Chief Executive Officer
<b>Date of Approval:</b>	<b>31 March 1989</b>
<b>Amended:</b>	<b>21 April 2015; 17 October 2017</b>

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**Objective:** To provide a high quality service to all stakeholders in the Shire of Corrigin for all communications regarding Council business.

**Policy:** The Shire of Corrigin is committed to ensuring fairness and equity and that the community is kept informed on matters before Council, whilst providing a friendly, helpful and respectful professional service. Effective communication is a key to ensuring that these principles of operation are met. All communication regarding Council business from a member of staff of an elected member shall be at all times courteous, clear and professional.

Correspondence will be managed within the protocol contained within Council's records management system and will comply with the requirements of the *State Records Act 2000* and the *State Records Principles and Standards 2002*.

### **Correspondence Received**

All external written correspondence will be date stamped and entered to the Shire of Corrigin records management system. Once distributed to the appropriate member of staff they are required to respond within a reasonable timeframe.

Facsimiles and electronic mail (Email) will be treated as written correspondence.

The CEO in consultation with staff shall determine which items of correspondence will be presented to Council.

### **Presidential Correspondence**

Presidential correspondence will be issued on Shire of Corrigin letterhead. A file copy shall be maintained in the appropriate file(s), together with originating correspondence. In instances where the President is providing technical information to correspondents, the appropriate officer will draft the correspondence or that section of correspondence.

### **Elected Member Correspondence – incoming**

- 1) All correspondence received by the Shire of Corrigin is deemed as Shire of Corrigin correspondence, unless:
  - a) it is addressed to an elected member by name; and
  - b) it is marked "Private and Confidential"; and



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- c) it has no reference to the Shire of Corrigin as part of the address or addressee.
- 2) In all cases where correspondence is described in Item 1 complies with 1a, b or c, above, it will be left unopened on the elected members desk.
- 3) On all occasions where correspondence bearing an elected member's name is received and does not comply with Item 1a, b, c, it will be opened by administration.
- 4) The above items are conditional upon total compliance with all telecommunications and Australian postal regulation and laws.

In cases when the contents makes reference to matters that are deemed as requiring attention by administration, a reference note will be added to the correspondence by an appropriate administration officer, marked for the elected member's attention, and the note will detail the action to be taken by the appropriate department, with particular reference to Item 3 above only.

### **Stationery**

The Shire's stationery and equipment, including letterhead and envelopes are not to be used for election purposes.

### **Communication between Elected Members and Staff**

In order to facilitate effective use of staff resources, all enquiries and requests from elected members shall be directed to the CEO. Where the request entails the use of Shire resources (human or physical) to an extent which may impact on the effective management of the Shire, the request is to be referred to the CEO for determination. The CEO will discuss such requests with the originating elected member to determine the extent of information or action required.

The CEO may subsequently refer the matter to Council for determination should a resolution not be achieved.

Communication between elected members and staff will in general be governed by the Code of Conduct.

### **Media Contact**

In accordance with the *Local Government Act 1995*, the spokesperson for the Council is the Shire President, and with the President's authorisation the CEO, who may be authorised to make a statement on behalf of the Shire.

The Shire President and the CEO are permitted to make media releases prior to minutes being confirmed and made public.



## SHIRE OF CORRIGIN REGISTER OF POLICIES

### **Publications**

Publications produced by the Shire will be available for residents and ratepayers from the administration centre and Council website.

All publications are available on request in alternative formats.

### **Advertising**

All statutory advertisements requiring local public notice shall be published in the Narrogin Observer and also be published in The Windmill, unless in the opinion of the CEO, this is not practicable for the purposes of meeting time frames and required deadlines.

Public notices will also be posted on notice boards at the Corrigin Community Resource Centre, Corrigin Library and the Shire Administration Centre as well as on the Shire of Corrigin website.



### 1.3 LEGAL REPRESENTATION

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<b>Policy Owner:</b>	Governance and Compliance
<b>Person Responsible:</b>	Chief Executive Officer, <del>Deputy Chief Executive Officer</del>
<b>Date of Approval:</b>	15 November 2000
<b>Amended:</b>	21 April 2015

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**Objective:** This policy aims to protect the interests of individual elected members and employees (including past members and former employees) where they become involved in civil legal proceedings because of their official functions. In most situations the Shire may assist the individual in meeting reasonable expenses and any liabilities incurred in relation to those proceedings.

In each case it will be necessary to determine whether assistance with legal costs and other liabilities is justified for the good government of the Shire of Corrigin.

**Policy:** **Payment Criteria**  
There are four major criteria for determining whether the Shire of Corrigin will pay the legal representation costs of an elected member or employee. Including:

- the legal representation costs must relate to a matter that arises from the performance, by the elected member or employee, of his or her functions;
- the legal representation cost must be in respect of legal proceedings that have, or may be, commenced;
- in performing his or her function, to which the legal representation relates, the elected member or employee must have acted in good faith, and must not have acted unlawfully or in a way that constitutes improper conduct; and
- the legal representation costs do not relate to a matter that is of a personal or private nature.

**Legal Representation Costs that may be approved**

If the criteria in clause 1 of this policy is satisfied, the Shire of Corrigin may approve the payment of legal representation costs –

- where proceedings are brought against a council member or employee in connection with his or her functions – for example, an action for defamation or negligence arising out of a decision made or action taken by the council member or employee; or
- to enable proceedings to be commenced and/or maintained by a council member or employee seeks to take action to obtain a restraining order against a person using threatening behaviour to the council member or employee; or
- where exceptional circumstance are involved – for example, where a person or organisation is lessening the confidence of the community in



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the local government by publicly making adverse personal comments about council members or employees.

The Shire of Corrigin will not approve, unless under exceptional circumstances, the payment of legal representation costs for a defamation action, or a negligence action, instituted by a council member or employee.

### **Application for Payment**

A council member or employee who seeks assistance under this policy is to make an application(s), in writing, to the council or the CEO.

The written application for payment of legal representation costs is to give details of –

- a) the matter for which legal representation is sought;
- b) how that matter relates to the functions of the council member or employee making the application;
- c) the lawyer (or law firm) who is to be asked to provide the legal representation;
- d) the nature of legal representation to be sought (such as advice, representation in court, preparation of a document etc.);
- e) an estimated cost of the legal representation; and
- f) why it is in the interests of the Shire of Corrigin for payment to be made.

The application is to contain a declaration by the applicant that he or she has acted in good faith, and has not acted unlawfully or in a way that constitutes improper conduct in relation to the matter to which the application relates.

As far as possible, the application is to be made before commencement of the legal representation to which the application relates.

The application is to be accompanied by a signed written statement by the applicant that he or she –

- a) has read, and understands, the terms of this policy;
- b) acknowledges that any approval of legal representation costs is conditional on the repayment provisions of clause 6 and any other conditions to which the approval is subject; and
- c) undertakes to repay to the Shire of Corrigin any legal representation costs in accordance with the provisions of clause 6.

In relation to clause 3.5(c), when a person is to be in receipt of such monies the person should sign a document which requires repayment of those monies to the local government as may be required by the local government and the terms of the policy.

An application is also to be accompanied by a report prepared by the CEO or, where the CEO is the applicant, by an appropriate employee.





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### **Legal Representation Costs – Limit**

The council in approving an application in accordance with this policy shall set a limit on the costs to be paid based on the estimated costs in the application.

A council member or employee may make a further application to the council in respect of the same matter.

### **Council's Powers**

The council may –

- a) refuse;
- b) grant; or
- c) grant subject to conditions,
- d) an application for payment of legal representation costs.

Conditions under clause 5.1 may include, but are not restricted to, a financial limit and/or a requirement to enter into a formal agreement, including a security agreement, relating to the payment, and repayment, of legal representation costs.

In assessing an application, the council may have regard to any insurance benefits that may be available to the applicant under the Shire of Corrigin's council member or employees' insurance policy or its equivalent.

The council may at any time revoke or vary an approval, or any conditions of approval, for the payment of legal representation costs.

The council may, subject to clause 5.6, determine that a council member or employee whose application for legal representation costs has been approved has, in respect of the matter for which legal representation costs were approved –

- a) not acted in good faith, or has acted unlawfully or in a way that constitutes improper conduct; or
- b) given false or misleading information in respect of the application.

A determination under clause 5.5 may be made by the council only on the basis of, and consistent with, the findings of a court, tribunal or inquiry.

Where the council makes a determination under clause 5.5, the legal representation costs paid by the Shire of Corrigin are to be repaid by the council member or employee in accordance with clause 6.



## SHIRE OF CORRIGIN REGISTER OF POLICIES

### **Repayment of Legal Representation Costs**

A council member or employee whose legal representation costs have been paid by the Shire is to repay the Shire of Corrigin –

- a) all or part of those costs – in accordance with a determination by the council under clause 5.7;
- b) as much of those costs as are available to be paid by way of set-off – where the council member or employee receives monies paid for costs, damages, or settlement, in respect of the matter for which the Shire of Corrigin paid the legal representation costs.

The Shire of Corrigin may take action in a court of competent jurisdiction to recover any monies due to it under this policy.



## 1.4 SHIRE OF CORRIGIN OPERATIONAL HOURS

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<b>Policy Owner:</b>	Corporate and Community Services
<b>Person Responsible:</b>	<del>Deputy</del> Chief Executive Officer
<b>Date of Approval:</b>	<b>15 August 2006</b>
<b>Amended:</b>	<b>21 March 2016</b>

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**Objective:** To set guidelines for recognition of core operational hours and extended hours worked by staff in the course of normal and additional duties in a consistent manner across the organisation.

**Policy:** The Shire Administration Officer shall be open to the public from 8.30am to 4.30pm, Monday to Friday.

The Corrigin Community Resource Centre shall be open to the public from 9am – 4.30pm with a 30 minute break for lunch Monday to Friday.

All with the exception of public holidays.



## 1.5 OFFICE CLOSURE – CHRISTMAS/NEW YEAR PERIOD

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<b>Policy Owner:</b>	Corporate and Community Services
<b>Person Responsible:</b>	<del>Deputy</del> Chief Executive Officer
<b>Date of Approval:</b>	<b>19 October 2010</b>
<b>Amended:</b>	<b>21 April 2015</b>

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**Objective:** This policy is for the authorisation for the Council facilities, i.e. administration, works and services, to close over the Christmas and New Year period.

**Policy:** The Shire Administration Office, Corrigin Community Resource Centre and Works Depot will be closed at a suitable time agreed to by the CEO on the last working day before Christmas and re-open on the first working day following the New Year's Day public holiday.

Shire staff will be required to use leave entitlements during this closure period for those days that are not designated public holidays.

Shire staff will be provided with notification of the closure period at least four weeks prior, as per the Local Government Industry Award 2010.



## 1.6 LIQUOR PERMITS

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<b>Policy Owner:</b>	Governance and Compliance
<b>Person Responsible:</b>	Chief Executive Officer
<b>Date of Approval:</b>	<b>31 March 1989</b>
<b>Amended:</b>	<b>21 April 2015; 17 October 2017</b>

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**Objective:** To enable the effective and efficient issuing of Liquor Permits within the Shire of Corrigin.

**Policy:** The Council will delegate to the CEO, authority to approve or reject applications to consume liquor in Council buildings or on Council controlled reserves without reference to Council. All applications to consume liquor are to be in writing, meet the condition of the *Liquor Control Act 1988* and addressed to the CEO.



## 1.7 FREEMAN – GUIDELINES FOR APPOINTMENTS

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<b>Policy Owner:</b>	Governance and Compliance
<b>Person Responsible:</b>	Governance Executive Officer
<b>Date of Approval:</b>	<b>27 October 2009</b>
<b>Amended:</b>	<b>21 April 2015</b>

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**Objective:** To enable Council to honour exceptional individuals who have served the community in an outstanding and meritorious manner that stands above the service and contribution of most other persons in provision of benefits to the community and advancing the interests of the Shire of Corrigin.

**Policy:** Council may, subject to eligibility and selection criteria of this policy being met, decide to confer the title of "Freeman of the Shire of Corrigin" on any person who has rendered exceptional service to the Shire of Corrigin community. This prestigious honour will not be awarded regularly, but only on rare and exceptional occasions.

The award is in title only – no financial benefit is attached to the award. Recipients are however invited to significant Shire of Corrigin events.

The process for nominating and selecting a person and awarding the title is as follows:

**Award Criteria:**

A person may be nominated for the honorary award 'Freeman of the Shire of Corrigin' under the following circumstances:

- They will have identifiable and long standing connections with the community in the Shire of Corrigin and have made an outstanding, significant and meritorious contribution to the Shire and community across a range of endeavours.
- Their exceptional service is a matter of public record.
- Their endeavours will have benefited the community of the Shire of Corrigin, Australia and humanity.

**Process of Nomination:**

- Nominations will be considered infrequently or as the need is identified by Council.
- A nomination may be submitted by any person at any time, provided that nomination is in writing and addresses the criteria for the award.
- A nomination must be sponsored by an elected member and supported in writing by at least 2 other elected members.
- A nominee must not be made aware of their nomination.
- Any nominations received will be validated and the findings presented at a meeting of Council behind closed doors, with recommendations to approve/not approve a nominee for the award. The decision will be based on a simple majority vote.



## SHIRE OF CORRIGIN REGISTER OF POLICIES

- Acceptance of the award must be determined prior to being conferred.

### **Entitlements:**

- Any person who has the honour of Freeman bestowed may refer to themselves as Freeman of the Shire of Corrigin.
- The Freeman will be presented with a special name badge and framed certificate at a function to be hosted by Council to acknowledge their Freemanship.
- The Freeman shall be invited to formal civic events and functions held by Council.
- A photograph and plaque of the Freeman is to be displayed in an appropriate place.

### **Limitations:**

- In recognition of the significance and standing of Freeman consideration should be given to the number of living persons who hold the title of Freeman of the Shire of Corrigin at any time.
- Bestowing of the title Freeman of the Shire of Corrigin carries with it no legal rights or privileges.



## 1.8 FLYING FLAGS

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**Policy Owner:** Corporate and Community Services  
**Person Responsible:** Customer Service Coordinator  
**Date of Approval:** 1 June 2014  
**Amended:** 19 July 2016; 17 October 2017

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**Objective:** This policy aims to be consistent with Australian Government protocols for flying flags.

**Policy:** The following underpins the policy position:

- The flying of flags represents an opportunity to demonstrate and foster a sense of pride in the community.
- Flag flying should be done with respect and with sensitivity to community expectations.
- This policy aims to be consistent with Australian Government protocols for flying flags.

### **FLAGS FLOWN FROM TWO (2) ADMINISTRATION BUILDING FLAGPOLES:**

Where flags are flown from only two (2) flagpoles at the Administration Building, these shall be the Australian National Flag and the Western Australian State Flag.

When facing the Shire Offices from Lynch Street, the Australian National Flag is to be flown on the left flagpole, with the Western Australian State Flag on the right of the Australian National Flag. This follows the Australian Protocol and Procedures for flying the Australian National Flag. The Australian National Flag and the Western Australian State Flag will also be presented in the Council Chambers in a similar manner.

#### **Australian Aboriginal flag:**

Where flags are flown from only two (2) Administration Building flagpoles, and where requested by the National Aboriginal and Islander Day Observance Committee (NAIDOC), Council agrees to a temporary Australian Aboriginal flag<sup>1</sup> at the Shire Administration Street offices during opening hours in NAIDOC week each year

### **FLAGS FLOWN FROM THREE (3) ADMINISTRATION BUILDING FLAGPOLES:**

Where three (3) flagpoles are available at the Administration Building, these shall be the Australian National Flag, the Western Australian State Flag and the Australian Aboriginal flag.

<sup>1</sup>: Australian Aboriginal Flag means the Aboriginal Flag (designed by Harold Thomas) that has been proclaimed as a flag of Australia under Section 5 of the Flags Act 1953 (Commonwealth).





## SHIRE OF CORRIGIN REGISTER OF POLICIES

When facing the Shire Offices from Lynch Street, the Australian National Flag is to be flown on the left flagpole, with the Western Australian State Flag centre and the Australian Aboriginal flag on the right of the State Flag. This follows the Australian Protocol and Procedures for flying the Australian National Flag.

### **FLAGS AT HALF MAST:**

Flags may be flown at half-mast:

- at the Shire Office as a sign of mourning at the passing of a local resident or past resident of the Shire of Corrigin;
- for a period of up to 2 working days from the time of notification of a local resident or past resident's death with the Flags also flown at half-mast on the day of their funeral; or
- when directed by the National or State Government; and at the discretion of the CEO and President.



## 1.9 LIFE MEMBERSHIP RECOGNITION

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**Policy Owner:** Governance and Compliance  
**Person Responsible:** Governance Executive Officer  
**Date of Approval:** 16 June 2004  
**Amended:** 21 April 2015

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**Objective:** To provide guidance on the recognition of community members who receive life membership from local clubs/groups.

**Policy:** Council recognises community members who have had life membership bestowed upon them by an organisation from within the Shire of Corrigin, in the following manner.

Once per year:

1. Invite new recipients and their partners to a presentation ceremony where the recipients will be presented with a signed certificate from Council, recognising their valuable contribution to the community.
2. Invite the new recipients and their partners to lunch with Council on meeting day.



## 1.10 RECOGNITION OF BIRTHDAYS AND ANNIVERSARIES

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**Policy Owner:** Governance and Compliance  
**Person Responsible:** Governance Executive Officer  
**Date of Approval:** 15 August 2006  
**Amended:** 21 April 2015

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**Objective:** To provide guidance on the recognition of community members who have reached milestone birthdays or anniversaries.

**Policy:** Council recognises community members who have had milestone birthdays and anniversaries, upon request of a friend or relative. This recognition is in the form of a certificate signed by the CEO and Shire President.

The milestones to be recognised are:

- Birthdays 90<sup>th</sup> and 100<sup>th</sup>
- Wedding Anniversaries 50<sup>th</sup>, 60<sup>th</sup> and 70<sup>th</sup>



## 1.11 COMMON SEAL USAGE POLICY

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<b>Policy Owner:</b>	Governance and Compliance
<b>Person Responsible:</b>	Chief Executive Officer
<b>Date of Approval:</b>	19 July 2016
<b>Amended:</b>	17 October 2017

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**Objective:** To establish the circumstances under which the official Council Common Seal may be affixed to documents. The application of this policy is to be by Elected Members and the CEO and any legislative requirements of the *Local Government Act 1995* that may be enforced.

**Policy:** Affixing the Common Seal  
Under section 9.49A of the *Local Government Act 1995*:

**Execution of documents**

- 1) A document is duly executed by a local government if —
  - a) the common seal of the local government is affixed to it in accordance with subsections (2) and (3); or
  - b) it is signed on behalf of the local government by a person or persons authorised under subsection (4) to do so.
- 2) The common seal of a local government is not to be affixed to any document except as authorised by the local government.
- 3) The common seal of the local government is to be affixed to a document in the presence of —
  - a) the mayor or president; and
  - b) the CEO or a senior employee authorised by the CEO, each of whom is to sign the document to attest that the common seal was so affixed.
- 4) A local government may, by resolution, authorise the CEO, another employee or an agent of the local government to sign documents on behalf of the local government, either generally or subject to conditions or restrictions specified in the authorisation.
- 5) A document executed by a person under an authority under subsection (4) is not to be regarded as a deed unless the person executes it as a deed and is permitted to do so by the authorisation.
- 6) A document purporting to be executed in accordance with this section is to be presumed to be duly executed unless the contrary is shown.
- 7) When a document is produced bearing a seal purporting to be the common seal of the local government, it is to be presumed that the seal is the common seal of the local government unless the contrary is shown.



## SHIRE OF CORRIGIN REGISTER OF POLICIES

### **Documents requiring the Common Seal to be affixed**

The Common Seal is to be affixed only to documents required by Legislation to be executed using the Common Seal e.g. *Transfer of Land Act 1893* or **following Council resolution.**

### **Procedures for the use of the Common Seal**

The CEO is responsible for the security and proper use of the Common Seal.

### **Wording of the Common Seal clause**

If the legislation is silent on the wording of the Common Seal clause then the following shall apply:

*Dated:* \_\_\_\_\_

*The Common Seal of the Shire of Corrigin was hereunto affixed by the authority of a resolution of the Council in the presence of:*

\_\_\_\_\_  
*Name of Shire President*  
*Shire President*

\_\_\_\_\_  
*Name of CEO*  
*CEO*



## 1.12 INFORMATION PRIVACY POLICY

**Policy Owner:** Governance and Compliance  
**Person Responsible:** Chief Executive Officer  
**Date of Approval:** 16 October 2018  
**Amended:**

**Objective:** To establish clear parameters for the handling of personal data and information

The Shire of Corrigin is committed to protecting any personal information it collects in order to carry out its activities. The Shire of Corrigin collects personal information relating to residents, ratepayers and other entities in the course of completing business transactions such as making and receiving payments and administering and enforcing under various acts. The purpose of this policy is to guide and support the management of personal information collected. This includes but is not limited to the management of databases, correspondence, public submissions, customer requests, planning and building permits and property records, cemetery records and tender and contract records that contain personal information.

**Policy:** This policy applies to all Shire of Corrigin employees, councillors, contractors and volunteers as well as any individual, business or other organisation requesting access to any personal information collected by the Shire of Corrigin other than which is required by legislation.

The Shire of Corrigin will only collect personal information that is necessary for the performance of its functions. In the case of payments by credit card shire staff will destroy of credit card details section of payment authorisation slip as soon as the transaction has been completed. Credit card details not to be written down when paying over the phone and credit cards will not be photocopied

Shire staff will only use and disclose personal information in accordance with the primary purpose for which it was collected, or a secondary purpose that a person would reasonably expect.

Shire staff will take reasonable steps to ensure any personal information held is accurate, complete and up to date and ensure appropriate avenues are available to individuals to access and correct their personal information where required.

Reasonable steps will be taken to ensure that any personal information collected is protected from loss and unauthorised use, access, modification or disclosure.

Appropriate action will be taken to ensure files, databases and other records are held securely and may only be accessed by an authorised



## SHIRE OF CORRIGIN REGISTER OF POLICIES

officer. Any personal information that is no longer required will be disposed of appropriately.

Shire staff will ensure that an individual is granted access to their personal information upon request and that any request to access personal information complies with the Freedom of Information Act and follows the processes set out within that Act

Individuals will be offered the opportunity to remain anonymous when dealing with the Shire of Corrigin where possible such as in surveys.

All staff are responsible for approving, implementing, complying with, monitoring, evaluating, reviewing and providing advice on this policy and any supporting procedures and guidelines:

Failure to comply with this Council policy, supporting procedures or guidelines will be subject to investigation, which may lead to disciplinary action.



## 2 FINANCE POLICIES





## 2.1 RATES – PROCEDURE FOR UNPAID RATES

<b>Policy Owner:</b>	Corporate and Community Services
<b>Person Responsible:</b>	Finance Officer - Rates
<b>Date of Approval:</b>	31 March 1989
<b>Amended:</b>	21 April 2015

**Objective:** To provide guidelines and to prescribe the process for the collection of outstanding debts, recovery of rates and service charges and the charging of interest in relation to those debts.

**Policy:** The Shire of Corrigin will:

- take all appropriate action to ensure the maximum amount of rateable income is received in any one financial year;
- recover all outstanding debts, rates and service charges, utilising the relevant legislation and legal processes, in accordance with the *Local Government Act 1995* and *Civil Judgements Enforcement Act 2004*, and the Guidelines and Policy Procedures;
- have regard to individuals *Serious Hardship* and/or *Exceptional Hardship/Circumstances* relating to outstanding debts, rates and service charges, when administering this Policy, Guidelines and Policy Procedures; and
- consider all requests from person's experiencing difficulties with making payments for debts or rates and service charges. Such persons will be required to make a written application to the CEO to enter into a Negotiated Special Payment Arrangement, detailing their *Serious Hardship* and/or *Exceptional Hardship/Circumstances* to warrant consideration and leniency.

### Definitions

In the administration of this Policy, the following will be apply:

*Serious Hardship* and/or *Exceptional Hardship/Circumstances* has no statutory definition in case law and will normally be at the discretion of the courts to decide if circumstances warrant leniency. However, many agencies use these terms when considering applications for leniency. In effect it can mean a level of hardship that will also impact on innocent parties. Circumstances will vary in each situation, however there are common elements which can be considered by a statutory authority/local government. These can include (but not limited to) the following:

#### Serious Hardship

*Serious Hardship* exists when a person is unable to provide adequate food, accommodation, clothing, medical treatment, education or other necessities for themselves, their family or other people for whom they are responsible. (Source: Australian Taxation Office).

Consideration will be given as to whether a person's current financial difficulties are short term, when deciding whether a person is suffering *Serious Hardship*.



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### Financial Assets

There are several types of assets that are generally regarded as a normal and reasonable possession. A person is not expected to sell these to meet a payment. These assets include a motor vehicle and "tools of trade".

Also, a person will not be expected to use any cash on hand or in a bank balance which they need to meet the cost of their basic necessities, to pay a payment.

If a person has assets such as rental property, shares or other investments, this may be regarded as having the capacity to make the payment, without suffering serious hardship.

### Exceptional Hardship/Circumstances

These cover any unusual or exceptional circumstances that do not qualify as *Serious Hardship*, but make it fair and reasonable for a person not to make a payment at a specific time. If a person considers that there are other special reasons why they should not have to make their payment, they should specify these in writing to the CEO.

Some examples of what may constitute Exceptional Hardship/Circumstances include (but not limited to):

- a serious accident;
- sudden bereavement within a family;
- severe/life threatening illness or medical condition;
- an impact on a dependent or family member who has a serious disability or health problem and who relies on the affected person for their financial support; prolonged imprisonment;
- temporary physical or mental incapacity; or
- or any other matters considered acceptable by the CEO.

*Exceptional Hardship/Circumstances* are not limited to the above examples.

Note: The temporary loss of a job will not normally in itself qualify as *Exceptional Hardship* unless a convincing case can be put forward that the impact would be so exceptional as to warrant leniency.

### Negotiated Special Payment Arrangement (NSPA)

A Negotiated Special Payment Arrangement is a non-legal (but binding) arrangement between the Debtor/Ratepayer and the Shire of Corrigin, whereby the debt/outstanding money is progressively paid in agreed instalments over a period of time, by amounts that are mutually agreed between the two parties.

## **GUIDELINES AND PROCEDURES**

### **Debt Recovery Process**

The following process is to be followed for the recovery of rates and service charges. Legal proceedings will continue until outstanding rates and service charges are paid in full or otherwise determined by the CEO and/or the Council.



## SHIRE OF CORRIGIN REGISTER OF POLICIES

### Final Notice

- Where the rates remain outstanding fourteen (14) days after the due date shown on the Annual Rates Notice and the ratepayer has not elected to pay by the instalment option, a Final Notice shall be issued requesting payment in full within fourteen (14) days.
- Eligible pensioners registered under the *Rates and Charges (Rebates and Deferments Act) 1992* are exempt as they are entitled to pay by the 30th June under the legislation.

### Notice of Intention to Summons (Demand Letter)

- Rates remaining unpaid after the expiry date shown on the Final Notice will be examined for the purposes of issuing a Demand Letter (Notice of Intention to Summons).
- The Demand Letter is to be issued within sixty (60) days of the expiry date on the Final Notice and must specify that the ratepayer has fourteen (14) days to pay in full or alternatively enter into a special payment arrangement with the Shire of Corrigin.
- Failure to enter into an agreed payment arrangement will result in the debt being referred to a debt collection agency and a General Procedure Claim being issued without further notice.

### General Procedure Claim

- Where a Demand Letter has been issued and remains unpaid and the ratepayer has not elected to enter into an agreed special payment arrangement, a General Procedure Claim will be issued.
- Legal costs and the costs of proceedings will be added to the ratepayers account upon issue of a General Procedure Claim, in accordance with Section 6.56 of the *Local Government Act 1995*.
- Ratepayers are required to pay in full or by instalments once they receive a General Procedure Claim. If they choose to pay by instalments, they must sign the *Admission of Claim* on the reverse of the General Procedure Claim and state the amount they agree to pay for each instalment. This Negotiated Special Payment Arrangement is subject to acceptance by the Deputy CEO. A letter will be sent to the ratepayer to confirm this arrangement, if accepted.
- The signed *Admission of Claim* must be returned to the Shire of Corrigin for the Negotiated Special Payment Arrangement to be accepted.
- A person who is experiencing difficulty in making a payment, can apply to the Shire of Corrigin to make a Negotiated Special Payment Arrangement.
- When a ratepayer has elected to enter into Negotiated Special Payment Arrangement and instalments are not paid as per the arrangement or three consecutive payments are missed, a Default Letter will be issued for payment in

full within fourteen (14) days. Rates remaining unpaid will be issued with a General Procedure Claim or the Shire of Corrigin may proceed straight to Enforcement, if a General Procedure Claim has previously been issued.

- Following the issue of a Claim and the addition of the costs of proceedings to the rates assessment, a reasonable offer to discharge a rate account will not be refused.
- If the General Procedure Claim is paid in full before entering into Judgement, then a Notice of Discontinuance (NOD) may be requested by the ratepayer and granted at the discretion of the CEO based on the circumstances of each case. The request must be received in writing and a NOD will only be issued to any one ratepayer once as a matter of goodwill. No further Notices of Discontinuance will be issued in any subsequent financial years to that same ratepayer, unless the Shire of Corrigin is advised circumstances.
- If a General Procedure Claim proceeds to Judgement and was not issued in error, then the matter will not be granted a Notice of Discontinuance, nor permission granted to have the matter set aside.

#### **Non-Service of General Procedure Claim**

- When a General Procedure Claim is unable to be served, the Bailiff may advise whether the property is a rental property or may provide an alternative address for the General Procedure Claim to be re-issued. In the case of a rental property, the Managing Agent will be contacted to ascertain the owner/s new residential address. If the Managing Agent is responsible for payment of rates, then a Rates Notice will be re-issued to the managing agent for payment in full within fourteen (14) days.
- If a new address is supplied for the owner/s of the property, the address will be recorded and a Rates Notice re-issued for payment within fourteen (14) days. If payment is not received, the General Procedure Claim will be re-issued to the new address.
- Where an owner resides in a property which cannot be accessed by the Bailiff or the property is vacant, a *skip trace* will be completed to verify the residential address of the owner. If required, a Substituted Service Claim can be filed at court to have the General Procedure Claim issued via post to the verified residential address of the owner.

#### **Property Sale and Seizure Order**

- Where a General Procedure Claim has been issued and served and the amount remains outstanding fourteen (14) days after the issue date of the Claim, legal proceedings will continue until payment of rates is received. This includes Judgement and Enforcement of the Claim. Enforcement of the Claim may include a Property Sale and Seizure Order of goods and or land.



## SHIRE OF CORRIGIN REGISTER OF POLICIES

- The Property Sale and Seizure Order is at first a Goods Order and if the Property Sale and Seizure Order is returned *Nulla Bona* (no goods), then a land warrant will be issued.
- If a Property Sale and Seizure Order against goods and or land is proposed to collect outstanding rates due on a property, the Council's prior approval shall be obtained before the Property Sale and Seizure Order is lodged.

### **Rates or Service Charges Recoverable in Court (Section 6.56)**

- If a rate or service charge remains unpaid after it becomes due and payable, the local government may recover it, as well as the cost of proceedings, if any, for that recovery, in a court of appropriate jurisdiction.
- Rates or service charges due by the same person to the local government may be included in one writ, summons, or other process.

### **Seizure of Rent (Section 6.60)**

In cases where the owner of a leased or rented property on which rates outstanding cannot be located, or refuses to settle rates owed, a Notice will be served on the lessee under the provisions of the *Local Government Act 1995 - Section 6.60*, requiring the lessee to pay to the Shire of Corrigin the rent due under the lease/tenancy agreement as it becomes due, until the amount in arrears has been fully paid.

### **Sale of Land (Section 6.64)**

Where Rates and Service Charges are outstanding for a period of three (3) years or more, the Council may:

- from time to time lease the land;
- sell the land;
- have the land transferred to the Shire of Corrigin;
- have the land transferred to the Crown; or
- sell the land as per the *Local Government Act 1995 - Section 6.64*. Council approval will be obtained prior to the above course of action being undertaken.

The above action under Section 6.64 of the *Local Government Act 1995*, will be reported on a confidential basis to the Council, for approval.

### **DEBTS (OTHER THAN RATES AND SERVICE CHARGES)**

These Guidelines and Policy Procedures will apply to all those invoices raised in respect of non-rates and service charges debtors.

#### **Debt Management**

It is acknowledged that the terms of payment for each invoice may vary depending on the goods or service rendered to the debtor.

If the invoice is not paid by the due date then the following procedure will take place:



## SHIRE OF CORRIGIN REGISTER OF POLICIES

### Recovery Procedure

- A letter or Reminder Notice will be issued advising the debtor that if there exists a dispute or query to contact the Shire of Corrigin, otherwise payment is expected within fourteen (14) days of the issue date of the letter;
- If no response is received from the debtor, then following a review of the circumstances with the relevant Shire of Corrigin employees involved, a Demand Notice may be sent to the debtor advising that if payment is not made within fourteen (14) days of the date of the notice, then further action may be taken to recover the debt. The debtor will be advised that any additional fees incurred in recovering the debt will be passed on to the debtor.

### Application for Special Payment Arrangement

Persons experiencing difficulties in paying their debts by the specified date, can apply to the Shire of Corrigin to enter into a Negotiated Special Payment Arrangement.

### Write-Off

- Once all reasonable attempts to either locate the Debtor or to obtain payment have failed, or the cost of recovery exceeds the Debt amount the Finance Officer will submit a written request to the CEO for the invoice to be considered for write off.
- Approval will be sought from the CEO and subsequently Council (if required) for approval for the debt to be written off. Once approval has been received, the appropriate entries will be made in the Debtors System.

### Debt Raised in Error or Debt Adjustment

If a debt has been raised in error or requires an adjustment, then an explanation will be sought from the Finance Officer. Once this has been received, a credit note request will be raised which is to be authorised by both the Finance Officer and Deputy CEO, where applicable.

### Other Action Which May be Taken

The following list of actions may also be instituted at the discretion of the CEO, against defaulting sundry Debtors, who do not respond to normal requests for payment:

- Issue a Letter of Demand;
- Commencement of Court proceedings to recover the outstanding monies;
- Rescinding any seasonal hall/reserve booking licence (if applicable);
- Refusing further hire of facilities, private works, etc.;
- Request "up-front" bonds for future dealings with the Shire of Corrigin, which may be used to offset against the outstanding debt;
- Offset of any Shire of Corrigin contributions owing to the personal entity against, any outstanding debt; and
- Report to the Council to consider cancellation of a Lease Agreement (if applicable).



## SHIRE OF CORRIGIN REGISTER OF POLICIES

### INTEREST ON OVERDUE MONIES

- Interest will be calculated on the total outstanding debt/rates once it has exceeded the due date. The rate of interest imposed is that as determined by the Council as prescribed in the Annual Budget and in accordance with Section 6.13 of the *Local Government Act*.
- Should the ratepayer default in the Negotiated Special Payment Arrangement, the waiving of the interest will cease and interest, will be calculated from the date that the rates, or debt default occurred within the Negotiated Special Payment Arrangement.

### APPLICATION FOR A NEGOTIATED SPECIAL PAYMENT ARRANGEMENTS

- Applicants are required to make a written request for a Special Payment Arrangement.
- Following an assessment by the Finance Officer, the Application will be referred to the Deputy CEO for approval.
- In the event of an Applicant being dissatisfied with the decision of the Finance Officer/Deputy CEO, they will have access rights for a review to the CEO.

### DELEGATED AUTHORITY

The CEO will administer and enforce this Policy, Guidelines and Procedures, in accordance with the Council Delegated Authority Register.



## 2.2 DEBT COLLECTION

**Policy Owner:** Corporate and Community Services  
**Person Responsible:** Deputy Chief Executive Officer, Manager Finance  
**Date of Approval:** 19 July 2016  
**Amended:**

**Objective:** The purpose of this policy is to provide guidance to Council in determining efficient, effective and economical procedures for debt collection.

This is achieved through manageable and efficient control over overdue accounts by closely monitoring aged accounts in an attempt to reduce the likely occurrence of unrecoverable debts and to ensure consistency for all debt collection activities

### **Policy:**

#### **Debt Management**

Invoices for goods or service rendered to the debtor are usually due 30 days after the date of invoice unless specific regulations apply or application for special payment arrangement has been approved.

#### Invoicing

A debt is created when the service is provided or when the invoice is created; whichever occurs first. Unless there is regulation or accepted practice to the contrary, an invoice should be produced and payment requested at the time, or in advance, of the service being provided. This practice reduces the risk of non- payment. It is recognised that there will be instances where invoicing and payment in advance is not practicable.

Invoices will detail payment terms and that interest may apply to accounts that are outstanding for 60 days and over. Interest will not apply to invoices generated in relation to unpaid grants.

If the invoice is not paid within 60 days of the due date then the following will apply:

#### Recovery Procedure

- A Statement will be sent at the end of the month advising the debtor that the account is due for payment.
- If the debt remains outstanding after 60 days a Reminder Notice will be issued advising the debtor to contact the Shire of Corrigin if they wish to dispute or query the invoice otherwise payment is expected within 14 days of the issue date of the letter.
- If no response is received from the debtor and the debt remaining after 90 days then a Demand Notice will be sent to the debtor advising that if payment is not made within 14 days of the date of the notice, then further action may be taken to





## SHIRE OF CORRIGIN REGISTER OF POLICIES

recover the debt. The debtor will be advised that any additional fees incurred in recovering the debt will be passed on to the debtor.

- If there is still no response received from the debtor in response to the Notice of Demand, the debt may be sent to the debt collection agency. A demand notice may not be sent in relation to unpaid grants. However, further reminder notices should continue to be sent.

A record shall be kept of all attempts to contact the debtor, whether successful or unsuccessful.

### Application for Special Payment Arrangement

Debtors experiencing difficulties in paying their debts by the specified due date can apply to the Shire of Corrigin to enter into a Negotiated Special Payment Arrangement.

### Write-Off

Once all reasonable attempts to either locate the debtor or to obtain payment have failed, or the cost of recovery exceeds the debt amount the Finance Officer will submit a written request to the Chief Executive Officer for the invoice to be considered for write off.

Approval will be sought from the Chief Executive Officer and subsequently Council (if required) for approval for the debt to be written off. Once approval has been received, the appropriate entries will be made in the debtors system.

### Debt Raised in Error or Debt Adjustment

In the event that an invoice has been raised in error, the Finance Officer will complete a request to raise invoice or request to raise credit note as required to correct the error detailing the reason for the error and supply supporting documentation. This is to be authorised by the Chief Executive Officer or Deputy Chief Executive Officer.

### Other Action Which May be Taken

The following list of actions may also be instituted at the discretion of the Chief Executive Officer, against defaulting sundry debtors, who do not respond to normal requests for payment:

- Rescind any seasonal hall/reserve booking licence (if applicable).
- Refuse further hire of facilities, private works, etc.
- Request up-front bonds for future dealings with the Shire of Corrigin, which may be used to offset against the outstanding debt.
- Offset of any Shire of Corrigin contributions owing to the personal entity against, any outstanding debt.
- Report the matter to Council to consider cancellation of a Lease Agreement (if applicable).
- Commencement of Court proceedings to recover the outstanding monies.



## 2.3 RATES – INSTALMENT OPTION FOR PAYMENT OF RATES AND CHARGES

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**Policy Owner:** Corporate and Community Services  
**Person Responsible:** Finance Officer - Rates  
**Date of Approval:** 21 April 2015  
**Amended:**

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**Objective** To provide guidelines for the collection of rates and charges in accordance with the *Local Government Act 1995*.

**Policy** Ratepayers have the option of paying rates by four (4) instalments. The first instalment must be made by the due date on the original notice.

Failure to pay the rates in full or choose the instalment option by the due date will deem rates to be outstanding and if not paid in full will be subject to legal action.

After thirty-five (35) days from the issue of the original rate notice, ratepayers may forfeit the right to undertake the instalment option provided.



## SHIRE OF CORRIGIN REGISTER OF POLICIES

### 2.4 RATES – CONDITIONS OF RATES INCENTIVE SCHEME

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**Policy Owner:** Corporate and Community Services  
**Person Responsible:** Finance Officer - Rates  
**Date of Approval:** 21 April 2015  
**Amended:**

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**Objective:** To provide guidelines for the collection of rates and charges in accordance with the *Local Government Act 1995*.

**Policy:** Payment in full to made by mail, electronic format or in person at the Shire Office, 9 Lynch Street, Corrigin by 4.30pm on the due date, to be eligible to enter into the prize draw to win a \$200 voucher from one of the participating local businesses.

The winner will be determined by random selection and announced at the first ordinary meeting after the due date. Winners will be notified by mail and a public notice will be advertised on the Shire website, Facebook page and in the Windmill newspaper.

Entry to the prize draw is open to the Shire of Corrigin ratepayers.

With the exception of the Pensioner Deferred Rates, all arrears must also be paid.

Only one entry per rate assessment.



## SHIRE OF CORRIGIN REGISTER OF POLICIES

### 2.5 RATES DISCOUNT

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**Policy Owner:** Corporate and Community Services  
**Person Responsible:** Finance Officer - Rates  
**Date of Approval:** 31 March 1989  
**Amended:** 21 April 2015

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**Objective:** To provide guidelines for the collection of rates and to delegate authority to the CEO to apply alternative instalment options, to appoint debt collection agencies and to comply with all other requirements of the *Local Government Act 1995*.

**Policy:** **Rates Discount**  
To attract the rates discount, rates must be received in the Shire or via electronic means deposited into the Shire of Corrigin bank account by the usual closing time (4.30pm) on the due date. Under no circumstances will a discount be allowed after the due date.



## 2.6 RUBBISH SERVICE CHARGE DISCOUNT

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**Policy Owner:** Corporate and Community Services  
**Person Responsible:** Finance Officer - Rates  
**Date of Approval:** 4 July 2007  
**Amended:** 21 April 2015

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**Objective:** To provide guidelines for the collection of rubbish charges and to delegate authority to the CEO to apply alternative instalment options, to appoint debt collection agencies and to comply with all other requirements of the *Local Government Act 1995*.

**Policy:** **Rubbish Service Charge Discount**  
A 25% discount will be allowed on the Rubbish Service charge to Pensioner Concession holders who have registered and are eligible for a rebate on their rates under the *Rates and Charges (Rebates and Deferments) Act 1992*.

Where the eligible pensioner is co-owner with a non-pensioner the full discount will still be allowed and any person who becomes eligible during the rating year will be allowed a pro-rata discount.



## 2.7 CHEQUE SIGNATORY/EFT REQUIREMENTS

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**Policy Owner:** Corporate and Community Services  
**Person Responsible:** Manager Finance  
**Date of Approval:** 31 March 1989  
**Amended:** 21 April 2015; 17 October 2017

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**Objective:** To provide guidelines for the signing of cheques and authorisation of Electronic Funds Transfer (EFT) payments.

**Policy:** **Bank Authority – Specimen Signatures**  
Following the Shire Elections and when a new President is elected, Council's bank shall be provided with a list of names and specimen signatures of the President and Officers authorised to sign cheques and make Electronic Funds Transfer payments.

**Cheque Signatory/EFT Requirements**

Any two of the following Officers/ President may jointly sign cheques and authorise Electronic Funds Transfer (EFT) payments on behalf of Council:

Chief Executive  
Deputy CEO  
Manager Finance  
President



## 2.8 CHARITABLE ORGANISATIONS

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**Policy Owner:** Corporate and Community Services  
**Person Responsible:** Finance Officer - Rates  
**Date of Approval:** 21 April 2015  
**Amended:**

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**Objective:** To ensure that organisations claiming an exemption from rates, particularly under the **Local Government Act 1995 Section 6.26 (2) (g)** are eligible.

**Policy:** Each claim for exemption under this section of the Act shall be accompanied by documentary evidence that the claimant is an approved charitable institution as defined by the Charitable Collections Advisory Committee.

Council will determine each case on merit through the monthly meeting process.



## 2.9 PURCHASING POLICY

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<b>Policy Owner:</b>	Corporate and Community Services
<b>Person Responsible:</b>	Deputy Chief Executive Officer, <a href="#">Manager Finance</a>
<b>Date of Approval:</b>	20 February 2007
<b>Amended:</b>	15 December 2016, 17 October 2017, 20 February 2018

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### Policy:

The Shire of Corrigin (the “**Shire**”) is committed to delivering best practice in the purchasing of goods, services and works that align with the principles of transparency, probity and good governance and complies with the *Local Government Act 1995* (the “**Act**”) and Part 4 of the *Local Government (Functions and General) Regulations 1996*, (the “**Regulations**”) Procurement processes and practices to be complied with are defined within this policy and the Shire’s prescribed procurement procedures.

### 1 OBJECTIVES

The objectives of this Policy are to ensure that all purchasing activities:

- demonstrate that best value for money is attained for the Shire;
- are compliant with relevant legislations, including the Act and Regulations;
- are recorded in compliance with the *State Records Act 2000* and associated records management practices and procedures of the Shire;
- mitigate probity risk, by establishing consistent and demonstrated processes that promotes openness, transparency, fairness and equity to all potential suppliers;
- ensure that the sustainable benefits, such as environmental, social and local economic factors are considered in the overall value for money assessment; and
- are conducted in a consistent and efficient manner across the Shire and that ethical decision making is demonstrated.

### 2 ETHICS AND INTEGRITY

#### 2.1 Code of Conduct

All officers and employees of the Shire undertaking purchasing activities must have regard for the Code of Conduct requirements and shall observe the highest standards of ethics and integrity. All officers and employees of the Shire must act in an honest and professional manner at all times which supports the standing of the Shire.



## **2.2 Purchasing Principles**

The following principles, standards and behaviours must be observed and enforced through all stages of the purchasing process to ensure the fair and equitable treatment of all parties:

- full accountability shall be taken for all purchasing decisions and the efficient, effective and proper expenditure of public monies based on achieving value for money;
- all purchasing practices shall comply with relevant legislation, regulations, and requirements consistent with the Shire's policies and Code of Conduct;
- purchasing is to be undertaken on a competitive basis where all potential suppliers are treated impartially, honestly and consistently;
- all processes, evaluations and decisions shall be transparent, free from bias and fully documented in accordance with applicable policies, audit requirements and relevant legislation;
- any actual or perceived conflicts of interest are to be identified, disclosed and appropriately managed; and
- any information provided to the Shire's by a supplier shall be treated as commercial-in-confidence and should not be released unless authorised by the supplier or relevant legislation.

## **3 VALUE FOR MONEY**

### **3.1 Policy**

Value for money is determined when the consideration of price, risk and qualitative factors that are assessed to determine the most advantageous outcome to be achieved for the Shire.

As such, purchasing decisions must be made with greater consideration than obtaining lowest price, but also to incorporate qualitative and risk factors into the decision.

### **3.2 Application**

An assessment of the best value for money outcome for any purchasing process should consider:

- all relevant Total Costs of Ownership (TCO) and benefits including transaction costs associated with acquisition, delivery, distribution, as well as other costs such as but not limited to holding costs, consumables, deployment, maintenance and disposal;
- the technical merits of the goods or services being offered in terms of compliance with specifications, contractual terms and conditions and any relevant methods of assuring quality, including but not limited to an assessment of levels and currency of compliances, value adds offered, warranties, guarantees, repair and replacement policies, ease of inspection, ease of after sales service, ease of communications etc.
- financial viability and capacity to supply without risk of default (competency of the prospective suppliers in terms of managerial and technical capabilities and compliance history);



## SHIRE OF CORRIGIN REGISTER OF POLICIES

- a strong element of competition in the allocation of orders or the awarding of contracts. This is achieved by obtaining a sufficient number of competitive quotations wherever practicable;
- the safety requirements associated with both the product design and specification offered by suppliers and the evaluation of risk when considering purchasing goods and services from suppliers;
- purchasing of goods and services from suppliers that demonstrate sustainable benefits and good corporate social responsibility; and
- providing opportunities for businesses within the Shire's boundaries to be given the opportunity to quote for providing goods and services wherever possible.

### 4 **PURCHASING REQUIREMENTS**

#### 4.1 **Legislative / Regulatory Requirements**

The requirements that must be complied with by the Shire, including purchasing thresholds and processes, are prescribed within the Regulations, this Policy and associated purchasing procedures in effect at the Shire.

##### **Policy**

Purchasing that is **\$150,000 or below in total value** (excluding GST) must be in accordance with the purchasing requirements under the relevant threshold as defined under section 4.4 of this Purchasing Policy.

Purchasing that **exceeds \$150,000 in total value** (excluding GST) must be put to public Tender when it is determined that a regulatory Tender exemption, as stated under 4.5 of this Policy is not deemed to be suitable.

#### 4.2 **Purchasing Value Definition**

Determining purchasing value is to be based on the following considerations:

1. Exclusive of Goods and Services Tax (GST);
2. The actual or expected value of a contract over the full contract period, including all options to extend; or the extent to which it could be reasonably expected that the Shire will continue to purchase a particular category of goods, services or works and what total value is or could be reasonably expected to be purchased. A best practice suggestion is that if a purchasing threshold is reached within three years for a particular category of goods, services or works, then the purchasing requirement under the relevant threshold (including the tender threshold) must apply.
3. Must incorporate any variation to the scope of the purchase and be limited to a 10% tolerance of the original purchasing value.

#### 4.3 **Purchasing from Existing Contracts**



Where the Shire has an existing contract in place, it must ensure that goods and services required are purchased under these contracts to the extent that the scope of the contract allows. When planning the purchase, the Shire must consult its Contracts Register in the first instance before seeking to obtain quotes and tenders on its own accord.

#### 4.4 Purchasing Thresholds

The table below prescribes the purchasing process that the Shire must follow, based on the purchase value:

Purchase Value Threshold	Purchasing Requirement
Up to <del>\$5,000</del> 2,499	<p>Purchase directly from a supplier using a Purchase Order or <u>credit card</u> issued by the Shire or obtain at least one (1) oral or written quotation from a suitable supplier, either from:</p> <ul style="list-style-type: none"> <li>• an existing panel of pre-qualified suppliers administered by the Shire; or</li> <li>• a pre-qualified supplier on the WALGA Preferred Supply Program or State Government Common Use Arrangement (CUA); or</li> <li>• <u>from the open market.</u></li> <li>• <u>Where the purchase is of an urgent or emergency nature the purchase is permitted without a quote.</u></li> </ul>
Over <del>\$2,500</del> 5,000 and up to <del>\$50,000</del> 24,999	<p>Obtain at least two (2) written quotations from suppliers following a brief outlining the specified requirement, either from:</p> <ul style="list-style-type: none"> <li>• an existing panel of pre-qualified suppliers administered by the Shire; or</li> <li>• from the open market.</li> </ul> <p>Or</p> <p>Obtain at least one (1) written quotation from a pre-qualified supplier on the WALGA Preferred Supply Program or State Government CUA.</p> <p><u>Where the purchase is of an urgent or emergency nature the purchase is permitted without undertaking the quotation process.</u></p>
Purchase Value Threshold	Purchasing Requirement
Over <del>\$25,000</del> 50,000 and up to <del>\$149,999</del> 150,000	<p>Obtain at least three (3) written quotations from suppliers by formal invitation under a Request for Quotation, containing price and detailed specification of goods and services required. The procurement decision is to be based on pre-determined evaluation criteria that assesses all value for money</p>

	<p>considerations in accordance with the definition stated within this Policy.</p> <p>Quotations within this threshold may be obtained from:</p> <ul style="list-style-type: none"> <li>• an existing panel of pre-qualified suppliers administered by the Shire; or</li> <li>• a pre-qualified supplier on the WALGA Preferred Supply Program or State Government CUA; or</li> <li>• from the open market.</li> </ul> <p>Requests for quotation from a pre-qualified panel of suppliers (whether administered by the Shire through the WALGA preferred supply program or State Government CUA) are not required to be invited using a Request for Quotation form, however at least three written quotes are still required to be obtained.</p>
Over \$150,000	<p>Where the purchasing requirement is not suitable to be met through a panel of pre-qualified suppliers, or any other tender-exempt arrangement as listed in this Policy, conduct a public Request for Tender process in accordance with Part 4 of the <i>Local Government (Functions and General) Regulations 1996</i>, this policy and the Shire's tender procedures. The procurement decision is to be based on pre-determined evaluation criteria that assesses all value for money considerations in accordance with the definition stated within this Policy.</p>

#### 4.5 Tendering Exemptions

An exemption to publicly invite tenders may apply in the following instances:

- the purchase is obtained from a pre-qualified supplier under the WALGA Preferred Supply Program or State Government Common Use Arrangement.
- the purchase is from a Regional Local Government or another Local Government;
- the purchase is acquired from an Australian Disability Enterprise and represents value for money;
- the purchase is from a pre-qualified supplier under a Panel established by the Shire; or
- any of the other exclusions under Regulation 11 of the Regulations apply.
- the purchase is acquired from a person registered on the WA Aboriginal Business Directory, as published by the Small Business Development Corporation, where the consideration under contract is worth \$250,000 or less and represents value for money;
- an emergency situation as defined by the *Local Government Act 1995*;

- the purchase is from a Department of Finance Common Use Arrangements (where Local Government use is permitted), a Regional Local Government or another Local Government;
- the purchase is under auction that has been authorised by Council;
- the contract is for petrol, oil, or other liquid or gas used for internal combustion engines; or

#### 4.6 Inviting Tenders Under the Tender Threshold

Where considered appropriate and beneficial, the Shire may consider publicly advertising Tenders in lieu of undertaking a Request for Quotation for purchases under the tender threshold. This decision should be made after considering the benefits of this approach in comparison with the costs, risks, timeliness and compliance requirements and also whether the purchasing requirement can be met through the WALGA Preferred Supply Program or State Government CUA.

If a decision is made to undertake a public Tender for contracts expected to be \$150,000 or less in value, the Shire's tendering procedures must be followed in full.

#### 4.7 Sole Source of Supply

Where the purchasing requirement is over the value of \$5,000 and of a unique nature that can only be supplied from one supplier, the purchase is permitted without undertaking a tender or quotation process. This is only permitted in circumstances where the Shire is satisfied and can evidence that there is only one source of supply for those goods, services or works. The Shire must use its best endeavours to determine if the sole source of supply is genuine by exploring if there are any alternative sources of supply. Once determined, the justification must be referenced on the Purchase Order prior to a contract being entered into.

From time to time, the Shire may publicly invite an expression of interest to effectively determine that one sole source of supply still genuinely exists.

#### 4.8 Anti-Avoidance

The Shire shall not enter into two or more contracts or create multiple purchase order transactions of a similar nature for the purpose of "splitting" the value of the purchase or contract to take the value of the consideration of the purchase below a particular purchasing threshold, particularly in relation to Tenders and to avoid the need to call a public Tender.

#### 4.9 Emergency Purchases

An emergency purchase is defined as an unanticipated and unbudgeted purchase which is required in response to an emergency situation as provided for in the *Local Government Act 1995*. In such instances, quotes and tenders are not required to be obtained prior to the purchase being undertaken.

An emergency purchase does not relate to purchases not planned for due to time constraints. Every effort must be made to anticipate purchases required by

the Shire in advance and to allow sufficient time to obtain quotes and tenders, whichever may apply.

## **5 RECORDS MANAGEMENT**

Records of all purchasing activity must be retained in compliance with the *State Records Act 2000 (WA)*, the Shire's Records Management Policy and associated procurement procedures.

For each procurement activity, such documents may include:

- The Procurement initiation document such as a procurement business case which justifies the need for a contract to be created (where applicable);
- Procurement Planning and approval documentation which describes how the procurement is to be undertaken to create and manage the contract;
- Request for Quotation/Tender documentation;
- Copy of public advertisement inviting tenders, or the notice of private invitation (whichever is applicable);
- Copies of quotes/tenders received;
- Evaluation documentation, including individual evaluators note and clarifications sought;
- Negotiation documents such as negotiation plans and negotiation logs;
- Approval of award documentation;
- All correspondence to respondents notifying of the outcome to award a contract;
- Contract Management Plans which describes how the contract will be managed; and
- Copies of contract(s) with supplier(s) formed from the procurement process.

## **6 SUSTAINABLE PROCUREMENT AND CORPORATE SOCIAL RESPONSIBILITY**

The Shire is committed to providing a preference to suppliers that demonstrate sustainable business practices and high levels of corporate social responsibility (CSR).

Where appropriate, the Shire shall endeavour to provide an advantage to suppliers demonstrating that they minimise environmental and negative social impacts and embrace CSR. Sustainable and CSR considerations must be balanced against value for money outcomes in accordance with the Shire's sustainability objectives.

## **7 BUY LOCAL POLICY**

As much as practicable, the Shire must:

- where appropriate, consider buying practices, procedures and specifications that do not unfairly disadvantage local businesses;
- consider indirect benefits that have flow on benefits for local suppliers (i.e. servicing and support);

- ensure that procurement plans address local business capability and local content;
- explore the capability of local businesses to meet requirements and ensure that Requests for Quotation and Tenders are designed to accommodate the capabilities of local businesses;
- avoid bias in the design and specifications for Requests for Quotation and Tenders – all Requests must be structured to encourage local businesses to bid; and
- provide adequate and consistent information to potential suppliers.

To this extent, a qualitative weighting may be afforded in the evaluation of quotes and tenders where suppliers are located within the boundaries of the Shire, or substantially demonstrate a benefit or contribution to the local economy.

A regional price preference may be afforded to locally based businesses for the purposes of assessment. Provisions are detailed within Council's Policy 2.11 *Regional Price Preference*.

## **8 EXEMPTIONS**

The following exemptions to the Purchasing Thresholds and Processes apply:

- Live Shows, Artistic Performances, Digital Movies: For the procurement of live shows, artistic performances and digital movies a purchase order is required to be raised, however, only one quotation needs to be obtained due to there being only one supplier.
- Insurance (LGIS) brokers, utilities and the like: For the procurement of Insurance (LGIS) brokerage and utilities normally only supplier is available.
- Staff Corporate Uniforms: The staff corporate uniform is exempt from seeking quotations.
- All Freight: All freight is exempt from seeking quotations but where possible attain the best price for the best required freight service.
- Travel/Airfares: The procurement of airfares for travel purposes is exempt from seeking quotations but the Shire must be equitable in procuring this service from all local travel suppliers if and when the pricing is comparable.
- Staff Housing (Leasing of Property): Leasing property for the purpose of providing staff housing is exempt from seeking quotations but the Shire must be equitable in procuring this service from all local suppliers if and when the pricing is comparable, taking into consideration what housing is required to accommodate staff needs and what is available on the rental market at that time.
- Souvenirs and Tourism Merchandise For the procurement of souvenirs and tourism merchandise for on sale at the Shire office or Resource Centre, these items will be exempt from seeking quotations provided the quality of the merchandise is proven or known.
- The below list of individualised purchases from local suppliers are exempt from quotations but purchases need to be alternated between those local suppliers in respect to each individualised purchases. Comparing price, quality and service factors must be taken into account; should purchase items be of the same quality and service, then the lowest priced local supplier should be engaged for the purchase:



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- Newspapers, books and periodical deliveries purchased locally for in-house provision and for the Shire are exempt from seeking quotations.
- Catering of Food Catering of food from local suppliers for in-house meetings (not external meetings or events) are exempt from seeking quotations.
- Catering of alcoholic and non-alcoholic drinks including milk and water from local suppliers for in-house provision and for Shire events/functions are exempt from seeking quotations.
- Stationary items

### 9 PURCHASING FROM DISABILITY ENTERPRISES

Pursuant to Part 4 of the *Local Government (Functions and General) Regulations 1996*, the Shire is not required to publicly invite tenders if the goods or services are to be supplied from an Australian Disability Enterprise, as registered on [www.ade.org.au](http://www.ade.org.au). This is contingent on the demonstration of value for money.

Where possible, Australian Disability Enterprises are to be invited to quote for supplying goods and services under the tender threshold. A qualitative weighting may be afforded in the evaluation of quotes and tenders to provide advantages to Australian Disability Enterprises.

### 10 PANELS OF PRE-QUALIFIED SUPPLIERS

#### 10.1 Policy Objectives

In accordance with Regulation 24AC of the *Local Government (Functions and General) Regulations 1996*, a Panel of Pre-qualified Suppliers ("Panel") may be created where most of the following factors apply:

- the Shire determines that a range of similar goods and services are required to be purchased on a continuing and regular basis;
- there are numerous potential suppliers in the local and regional procurement-related market sector(s) that satisfy the value for money test;
- the purchasing activity under the intended Panel is assessed as being of a low to medium risk;
- the Panel will streamline and will improve procurement processes; and
- the Shire has the capability to establish, manage the risks and achieve the benefits expected of the proposed Panel.

The Shire will endeavour to ensure that Panels will not be created unless most of the above factors are firmly and quantifiably established.

#### 10.2 Establishing a Panel

Should the Shire determine that a Panel is beneficial to be created, it must do so in accordance with Part 4, Division 3 the *Local Government (Functions and General) Regulations 1996*. Panels may be established for one supply



requirement, or a number of similar supply requirements under defined categories within the Panel.

Panels may be established for a minimum of two (2) years and for a maximum length of time deemed appropriate by the Shire. Evaluation criteria must be determined and communicated in the application process by which applications will be assessed and accepted.

Where a Panel is to be established, the Shire will endeavour to appoint at least three (3) suppliers to each category, on the basis that best value for money is demonstrated. Where less than three (3) suppliers are appointed to each category within the Panel, the category is not to be established.

In each invitation to apply to become a pre-qualified supplier (through a procurement process advertised through a state-wide notice), the Shire must state the expected number of suppliers it intends to put on the panel. Should a Panel member leave the Panel, they may be replaced by the next ranked Panel member determined in the value for money assessment should the supplier agree to do so, with this intention to be disclosed in the detailed information set out under Regulation 24AD(5)(d) and (e) when establishing the Panel.

### 10.3 Distributing Work Amongst Panel Members

To satisfy Regulation 24AD(5) of the Regulations, when establishing a Panel of pre-qualified suppliers, the detailed information associated with each invitation to apply to join the Panel must either prescribe whether the Shire intends to:

- i. Obtain quotations from each pre-qualified supplier on the Panel with respect to all purchases, in accordance with Clause 0; or
- ii. Purchase goods and services exclusively from any pre-qualified supplier appointed to that Panel, and under what circumstances; or
- iii. Develop a ranking system for selection to the Panel, with work awarded in accordance with Clause 10.3(b).

In considering the distribution of work among Panel members, the detailed information must also prescribe whether:

- a) each Panel member will have the opportunity to bid for each item of work under the Panel, with pre-determined evaluation criteria forming part of the invitation to quote to assess the suitability of the supplier for particular items of work. Contracts under the pre-qualified panel will be awarded on the basis of value for money in every instance; or
- b) work will be awarded on a ranked basis, which is to be stipulated in the detailed information set out under Regulation 24AD (5) (f) when establishing the Panel. The Shire is to invite the highest ranked Panel member, who is to give written notice as to whether to accept the offer for the work to be undertaken. Should the offer be declined, an invitation to the next ranked Panel member is to be made and so forth until a Panel member accepts a Contract.  
Should the list of Panel members invited be exhausted with no Panel member accepting the offer to provide goods/services under the Panel, the



## SHIRE OF CORRIGIN REGISTER OF POLICIES

Shire may then invite suppliers that are not pre-qualified under the Panel, in accordance with the Purchasing Thresholds stated in section 5.5 of this Policy. When a ranking system is established, the Panel must not operate for a period exceeding 12 months.

In every instance, a contract must not be formed with a pre-qualified supplier for an item of work beyond 12 months, which includes options to extend the contract.

### 10.4 Purchasing from the Panel

The invitation to apply to be considered to join a panel of pre-qualified suppliers must state whether quotations are either to be invited to every member (within each category, if applicable) of the Panel for each purchasing requirement, whether a ranking system is to be established, or otherwise.

Each quotation process, including the invitation to quote, communications with panel members, quotations received, evaluation of quotes and notification of award communications must all be made through eQuotes, or any other electronic quotation facility.

### 10.5 Recordkeeping

Records of all communications with Panel members, with respect to the quotation process and all subsequent purchases made through the Panel, must be kept.

For the creation of a Panel, this includes:

- The Procurement initiation document such as a procurement business case which justifies the need for a Panel to be created;
- Procurement Planning and approval documentation which describes how the procurement is to be undertaken to create and manage the Panel;
- Request for Applications documentation;
- Copy of public advertisement inviting applications;
- Copies of applications received;
- Evaluation documentation, including clarifications sought;
- Negotiation documents such as negotiation plans and negotiation logs;
- Approval of award documentation;
- All correspondence to applicants notifying of the establishment and composition of the Panel such as award letters;
- Contract Management Plans which describes how the contract will be managed; and
- Copies of framework agreements entered into with pre-qualified suppliers.

The Shire is also to retain itemised records of all requests for quotation, including quotations received from pre-qualified suppliers and contracts awarded to Panel members. A unique reference number shall be applied to all records relating to each quotation process, which is to also be quoted on each purchase order issued under the Contract.



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Information with regards to the Panel offerings, including details of suppliers appointed to the Panel, must be kept up to date, consistent and made available for access by all officers and employees of the Shire.



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### 2.10 REGIONAL PRICE PREFERENCE POLICY

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<b>Policy Owner:</b>	Corporate and Community Services
<b>Person Responsible:</b>	Deputy Chief Executive Officer, <a href="#">Manager Finance</a>
<b>Date of Approval:</b>	21 June 2016
<b>Amended:</b>	17 October 2017

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**Objective:** To stimulate economic activity and growth in the Shire by maximising the use of competitive local businesses in supplying goods, services and works purchased or contracted on behalf of the Shire of Corrigin (the 'Shire').

**Legislative Requirements:**

This policy sets out the requirements that must be complied with by the Shire for the implementation and application of a regional price preference when purchasing goods and/or services through a tender process. The policy is compliant with the *Local Government (Functions and General) Regulations 1996*, as the relevant legislation.

**Policy:**

A price preference will apply to suppliers who are based in, operate from or source goods or services from within the Shire Region in relation to all tenders invited by the Shire for the supply of goods, services and construction (building) services, unless the tender document specifically states prior to advertising of the tender that this policy does not apply. The regional price preference enables tenders to be evaluated as if the proposed tender bid price were reduced in accordance with permitted price preferences as specified below in this policy. This policy will operate in conjunction with the purchasing considerations and procedures for tenders as outlined in the Shire's 'Purchasing Policy' when evaluating and awarding tender contracts.

**Qualifying Criteria:**

***Regional Tenderer***

A supplier of goods or services who submits a tender is regarded as being a regional tenderer if:

- a) that supplier has been operating a business continuously out of premises in the Region for at least six months before the time after which further tenders cannot be submitted. This is further defined as follows and the supplier will be required to meet all of these criteria:
  - i. the supplier to have a physical business premises (in the form of an office, depot, shop, outlet, headquarters or other premises where goods or services are being supplied from), located in the Region. This does not exclude suppliers whose registered business is located outside the Region but undertake the business from premises located in the Region;

- ii. the physical location of the business premises in the Region has been operating on an ongoing basis for more than six months prior to the closing date for the tender;
  - iii. a business having permanent staff that are based at the business premises located in the Region;
  - iv. management or delivery of the majority of the tendered outcomes will be carried out from the business premises located in the Region; and
  - v. the business being registered or licensed in Western Australia; or
- b) some or all of the goods or services are to be supplied from regional sources. Goods and/or services that form a part of a tender submitted may be wholly supplied from regional sources; or partly supplied from regional sources, and partly supplied from non-regional sources. Only those goods or services identified in the tender as being from regional sources may be included in the discounted calculations that form a part of the assessments of a tender when the regional price preference policy is in operation.

In order for the policy to apply, the tenderer is required to provide to the Shire written evidence within the tender submission which demonstrates compliance with the above criteria. Tenderers who claim that they will use goods, materials or services supplied from regional sources in the delivery of the contract outcomes will be required, as part of the contract conditions, to demonstrate that they have actually used them.

#### ***Regional Price Preference Categories***

The following levels of regional price preference will be applied (where relevant) to tenders received from a regional tenderer, as outlined above under this policy:

- ***Where the contract is for goods and services:*** Up to a 10% price preference (to a maximum price reduction of \$50,000 excluding GST) where goods and services are sourced from within the Shire Region.
- ***Where the contract is for construction (building) services:*** Up to a 5% price preference (up to a maximum price reduction of \$50,000 excluding GST) where construction (building) services are sourced from within the Shire Region.
- ***Where the contract is for goods or services (including construction (building) services), if the Shire is seeking tenders for the provision of those goods or services for the first time, due to those goods or services having been, until then, undertaken by the Shire:***



## SHIRE OF CORRIGIN REGISTER OF POLICIES

Up to 5% price preference (up to a maximum price reduction of \$200,000 excluding GST) where goods or services (including construction (building) services) are sourced from within the Shire Region

### ***Competitive Purchasing***

Whilst price is a competitive consideration in the provision of goods and/or services via tender, it is only one aspect of the tender evaluation process. Value for money principles, as described within the Shire's 'Purchasing Policy', will be employed by assessing the price component in conjunction with the tender selection criteria and requirements in order to determine value for money. The tender offering the lowest price may not necessarily be successful.

### ***Terminology***

Construction (building) services: is defined as the construction of and improvement to buildings (including housing) on or over any area of land, lake, river or ocean and any services related to that activity in the Shire Region.

Goods: include tangible, quantifiable material requirements usually capable of being moved or transported that are purchased, rented, leased or hired by the Shire.

Region: for the purposes of this policy the Region is specified as the entire geographical area encompassed within the boundaries of the Shire of Corrigin.

Services: means any task, consultancy, work or advice to be performed or provided that is procured by the Shire. Included are services such as management consultancies, outsourcing, maintenance contract/agreement, cleaning, waste removal, equipment repairs, external auditors, utilities and services, public infrastructure construction and repair etc.



## 2.11 AUTHORISATION TO PURCHASE GOODS AND SERVICES

<b>Policy Owner:</b>	Corporate and Community Services
<b>Person Responsible:</b>	Deputy Chief Executive Officer, <u>Manager Finance</u>
<b>Date of Approval:</b>	<b>17 October 2017</b>
<b>Amended:</b>	<b><u>16 October 2018</u></b>

**Objective:** To establish guidelines for the purchasing of goods and services by employees.

**Policy:** The CEO is permitted to issue orders and purchase all authorised expenditure on Council's behalf.

The following employees are authorised, on delegation by the CEO, to purchase goods and services:

Position	Amount
Deputy CEO	<del>\$49,900</del> <u>50,000</u>
Manager Finance	<del>\$40,000-9,999</del> <u>20,000</u>
Manager Works and Services	<del>\$39,999</del> <u>40,000</u>
Building Supervisor	<del>\$39,999</del> <u>40,000</u>
Environmental Health Officers	<del>\$5,000-4,999</del> <u>5,000</u>
Pool Manager	<del>\$2,500-2,499</del> <u>5,000</u>
<u>Administration Officers, Finance Officers, Governance Officers and Community Resource Centre Coordinator</u>	<del>\$2,500-2,499</del> <u>1,000</u>

### Purchase Orders

A purchase order is required for all expenditure over \$100 and will only be raised for items within a budget. The CEO, Deputy CEO or Manager Finance may authorise expenditure without a purchase order for services that may include but not limited to the following: utilities, insurance premiums, subscription renewals, general service charges and the like.

The following information is to be included on the Purchase Order:

- Date Requested.
- Requesting Officer.
- Contact details of supplier.
- Description of goods including quantity.
- General ledger code (request code from Finance Officer if not known).
- Date required by if applicable.
- Include supporting information e.g. Council resolution in support of request, delivery location, date required etc.
- Details of verbal or written quotations or tender.



## SHIRE OF CORRIGIN REGISTER OF POLICIES

Evidence of requested quotes should be maintained such as names, telephone numbers, email addresses and written correspondence.

Quotes for goods and services may be selected based for reasons other than price alone, such as previous good service, availability and reliability. Recording the reasons for selection is required to demonstrate the probity of all purchasing decisions. Quotes and supporting documentation should be attached to the purchase order and forwarded to the Finance Officer.





## 2.12 BUDGET CONSIDERATION/PREPARATION

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**Policy Owner:** Corporate and Community Services  
**Person Responsible:** Deputy Chief Executive Officer, Manager Finance  
**Date of Approval:** **6 November 2002**  
**Amended:** **21 April 2015; 17 October 2017; 16 October 2018**

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**Objective:** To provide guidelines for the timely management of the budget adoption process.

**Policy:** Public consultation and budget expenditure requests from Elected Members, community groups and individuals will commence in April ~~May~~ each year, with a closing date for such requests being ~~May~~ 30 June.

Budget workshops with Councillors are to be held in the months of ~~August~~ May and June presenting the draft budget with final adoption prior to 31 August.

**Advertising**

The request for inclusion in the Annual budget will be advertised in ~~April~~ March.

**Timeframe**

All applicants will be notified of the outcome of their application within one month of Council's decision regarding budget requests.

**Feedback**

All organisations that have money donated to them by Council will be requested to provide feedback on the benefit gained to the organisation by the usage of those funds.



## 2.13 INVESTMENT OF FUNDS

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<b>Policy Owner:</b>	Corporate and Community Services
<b>Person Responsible:</b>	Deputy Chief Executive Officer, <a href="#">Manager Finance</a>
<b>Date of Approval:</b>	<b>17 August 2010</b>
<b>Amended:</b>	<b>21 April 2015</b>

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**Objective:** To invest the Shire of Corrigin's surplus funds, with consideration of risk and the most favourable rate of interest available to it at the time, for that investment type, while ensuring that its liquidity requirements are being met.

**Policy:** **Legislative Requirements**

All investments are to comply with the following:

- **Local Government Act 1995** – Section 6.14;
- The Trustees Act 1962 – Part III Investments;
- Local Government (Financial Management) Regulations 1996 – Regulation 19, Regulation 28 and Regulation 49
- Australian Accounting Standards

**Delegation of Authority**

Authority of the implementation of the Investment of Funds Policy is delegated Council to the CEO in accordance with the *Local Government Act 1995*. The CEO may in turn delegate the day-to-day management of Council's investments to the Deputy CEO, Manager Finance and other Finance Officers subject to regular reviews.

**Prudent Person Standard**

The investment will be managed with the care, diligence and skill that a prudent person would exercise. Officers are to manage the investment portfolios to safeguard the portfolios in accordance with the spirit of this Investment of Funds Policy, and not for speculative purposes.

**Approved Investments**

Without approvals from Council, investments are limited to:

- State/Commonwealth Government Bonds;
- Interest bearing deposits;
- Bank accepted/endorsed bank bills;
- Commercial paper; and
- Bank negotiable Certificate of Deposits.

Investments may only be made with authorised institutions.

Definition of an "authorised institution" is as follows:

An authorised deposit-taking institution as defined in the *Banking Act 1959* (Commonwealth) section 5; or

The Western Australian Treasury Corporation established by the *Western Australian Treasury Corporation Act 1986*.



## SHIRE OF CORRIGIN REGISTER OF POLICIES

### **Prohibited Investments**

Investments which are not allowed are as follows:

- Deposits with an institution except an authorised institution;
- Deposits for a fixed term of more than 12 months;
- Bonds that are not guaranteed by the Commonwealth Government, or a State or Territory Government;
- Bonds with a term to maturity of more than 3 years;
- Foreign currency.

### **Risk Management Guidelines**

Investments are restricted to bank [and WA Treasury](#) investments only. The term of the investment will be based on forward cash flow requirements to ensure investment return on available surplus funds.

### **Reporting and Review**

A monthly report will be provided to Council in support of the monthly financial report. The report will detail the investment portfolio in terms of performance, percentage of exposure of total portfolio, maturity date and changes in market value, and enable the identification of the: –

- nature and location of all investments; and
- transactions related to each investment.

Documentary evidence must be held for each investment and details thereof maintained in an Investment Register.

Certificates must be obtained from the financial institutions confirming the amounts of investments held on Council's behalf as at 30 June each year and reconciled to the Investment Register.



## 2.14 ASSET ACCOUNTING CAPITALISATION THRESHOLDS

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**Policy Owner:** Corporate and Community Services  
**Person Responsible:** Deputy Chief Executive Officer, [Manager Finance](#)  
**Date of Approval:** 18 August 2009  
**Amended:** 21 April 2015

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**Objective:** To establish minimum threshold values for capitalisation.

**Policy:** The following capitalisation thresholds for each classification of property, plant, equipment and infrastructure assets apply:

Land	\$Nil
Buildings	<del>\$2,000</del> 5,000
Plant and Equipment	<del>\$2,000</del> 5,000
Furniture and Equipment	<del>\$2,000</del> 5,000
Infrastructure – Roads	\$5,000
Infrastructure – Drainage	\$5,000
Infrastructure – Parks and Gardens	\$5,000
Infrastructure – Footpaths and Cycle-ways	\$5,000
Infrastructure – Airports	\$5,000*
Infrastructure – Sewerage	\$5,000
Infrastructure – Other	\$5,000

\*Airports have various components, such as building, plant and equipment and the thresholds applicable to these components should be applied to each component.



## 2.16 LAND UNDER ROADS

**Policy Owner:** Corporate and Community Services  
**Person Responsible:** Deputy Chief Executive Officer  
**Date of Approval:** 15 June 2010  
**Amended:** 21 April 2015

**Objective:** To establish a financial management procedure that provides for the effective treatment of Land Under Roads in full compliance with all local government statutory requirements and accepted accounting policies.

**Policy:** In Western Australia, all land under roads is Crown Land, the responsibility for managing which, is vested in the local government.

Effective as at 1 July 2008, Council elected not to recognise any value for land under roads acquired on or before 30 June 2008. This accords with the treatment available in Australian Accounting Standard AASB1051 – Land Under Roads and the fact Local Government (Financial Management) Regulation 16(a)(i) prohibits local governments from recognising such land as an asset.

In respect of land under roads acquired on or after 1 July 2008, as detailed above, Local Government (Financial Management) Regulation 16(a)(i) prohibits local governments from recognising such land as an asset.

Whilst such treatment is inconsistent with the requirements of AASB 1051, Local Government (Financial Management) Regulation 4(2) provides, in the event of such an inconsistency, the Local Government (Financial Management) Regulations prevail.

Consequently, any land under roads acquired on or after 1 July 2008 is not included as an asset of the Council.

**Commented [JB1]:** Policy to be removed as content is already included in Policy 2.17 Significant Accounting Policy, pages 77 and 78.



## 2.15 SIGNIFICANT ACCOUNTING POLICIES

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**Policy Owner:** Corporate and Community Services  
**Person Responsible:** Deputy Chief Executive Officer  
**Date of Approval:** 21 April 2015  
**Amended:**

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**Objective:** To establish financial management procedures which provide full compliance with all local government statutory requirements and accepted accounting policies.

**Policy:** The significant accounting policies which have been adopted in the preparation of the financial report are:

**(a) Basis of Preparation**

The financial report is a general purpose financial report which has been prepared in accordance with Australian Accounting Standards (as they apply to local governments and not-for-profit entities), other mandatory professional reporting requirements and the *Local Government Act 1995* (as amended) and accompanying regulations (as amended).

The report has also been prepared on the accrual basis under the convention of historical cost accounting as modified by the accounting treatment relating to the revaluation of financial assets and liabilities at a fair value through profit and loss and certain clauses of non-current assets.

**(b) Critical Accounting Estimates**

The preparation of a financial report in conformity with Australian Accounting Standards requires management to make judgements, estimates and assumptions that effect the application of policies and reported amounts of assets and liabilities, income and expenses.

The estimates and associated assumptions are based on historical experience and various other factors that are believed to be reasonable under the circumstances. The results of this experience and other factors combine to form the basis of making judgements about carrying values of assets and liabilities not readily apparent from other sources. Actual results may differ from these estimates.

**(c) The Local Government Reporting Entity**

All funds through which the Council controls resources to carry on its functions have been included in the financial statements forming part of this financial report.

In the process of reporting on the local government as a single unit, all transactions and balances between those funds (for example, loans and transfers between Funds) have been eliminated. All monies held in the Trust Fund are excluded from the financial statements, but a separate statement of those monies appears at Note 19 to this financial report.

**(d) Goods and Services Tax**

In accordance with recommended practice, revenues, expenses and assets capitalised are stated net of any GST recoverable. Receivables and payables in the statement of financial position are stated inclusive of applicable GST.

**(e) Cash and Cash Equivalents**

Cash and cash equivalents in the statement of financial position comprise cash at bank and in hand and short-term deposits with an original maturity of three months or less that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value.

For the purposes of the Cash Flow Statement, cash and cash equivalents consist of cash and cash equivalents as defined above, net of outstanding bank overdrafts. Bank overdrafts are included as short-term borrowings in current liabilities on the statement of financial position.

**(f) Trade and Other Receivables**

Trade receivables, which generally have 30 – 90 day terms, are recognised initially at fair value and subsequently measured at amortised cost using the effective interest rate method, less any allowance for uncollectible amounts.

Collectability of trade receivables is reviewed on an ongoing basis. Debts that are known to be uncollectible are written off when identified. An allowance for doubtful debts is raised when there is objective evidence that they will not be collectible.

**(g) Inventories**

**General**

Inventories are valued at the lower of cost and net realisable value. Net realisable value is the estimated selling price in the ordinary course of business less the estimated costs of completion and the estimated costs necessary to make the sale. Inventories held for trading are classified as current even if not expected to be realised within the next 12 months.

**Land Held for Resale**

Land purchased for development and/or resale is valued at the lower of cost and net realisable value.

Cost includes the cost of acquisition, development and interest incurred on the financing of that land during its development. Interest and holding charges incurred after development is complete are recognised as expenses.

Revenue arising from the sale of property is recognised in the statement of comprehensive income as at the time of signing a binding contract of sale.

Land held for resale is classified as a current except where it is held as a non-current based on Council's intention to release for sale.

**(h) Fixed Assets**

**Initial Recognition**

All assets are initially recognised at cost. Cost is determined as the fair value of the of the assets given as consideration plus costs incidental to the acquisition. For assets acquired at no cost or for nominal consideration, cost is determined as fair value at the date of acquisition. The cost of non-current assets constructed includes the cost of all materials, direct labour and variable or fixed overheads.

**Revaluation**

Certain asset classes may be revalued on a regular basis such that the carrying values are not materially different from fair value. For infrastructure and other asset classes where no active market exists, fair value is determined to be the current replacement cost of an asset less, where applicable, accumulated depreciation calculated on a basis to reflect the already consumed or expired future economic benefits.

Those assets carried at a revalued amount, being their fair value at the date of revaluation less any subsequent accumulated depreciation and accumulated impairment losses, are to be revalued with sufficient regularity to ensure the carrying amount does not differ significantly from that determined using fair value at a balance date.

**Land under Roads**

In Western Australia, all land under roads is Crown Land, the responsibility for managing which, is vested in the local government.

Effective as at 1 July 2008, Council elected not to recognise any value for land under roads acquired on or before 30 June 2008. This accords with the treatment available in Australian Accounting Standard AASB1051 – Land Under Roads and the fact Local Government (Financial Management) Regulation 16(a) (i) prohibits local governments from recognising such land as an asset.



In respect of land under roads acquired on or after 1 July 2008, as detailed above, Local Government (Financial Management) Regulation 16(a) (i) prohibits local governments from recognising such land as an asset.

Whilst such treatment is inconsistent with the requirements of AASB1051, Local Government (Financial Management) Regulation 4(2) provides, in the event of such an inconsistency, the Local Government (Financial Management) Regulations prevail.

Consequently, any land under roads acquired on or after 1 July 2008 is not included as an asset of the Council.

**(i) Depreciation of Non-Current Assets**

All non-current assets having a limited useful life are separately and systematically depreciated over their useful lives in a manner which reflects the consumption of the future economic benefits embodied in those assets.

Depreciation is recognised on a straight-line basis, using rates which are reviewed each reporting period. Major depreciation periods are:

Buildings	<del>30</del> to <del>40</del> 50 years
Furniture and Equipment	10 years
Plant and Equipment	5 to 15 years
-Heavy	15 years
-Other	7.5 years
-Light Vehicles	
Sealed Roads and Streets	not depreciated
Clearing and earthworks	not depreciated
Construction/road base	50 years
Original surfacing and	
Major re-surfacing	
-Bituminous seals	20 years
-Asphalt surfaces	25 years
Gravel Roads	
Gravel sheet	12 years
Formed Roads (unsealed)	
Footpaths – slab	40 years
Sewerage Piping	100 years
Water Supply piping and drainage systems	75 years

**(j) Investments and Other Financial Assets**

**Classification**

Council classifies its investments in the following categories: financial assets at fair value through profit or loss, loans and receivables, held-to-maturity investments and available-for-sale financial assets.

The classification depends on the purpose for which the investments were acquired. Management determines the classification of its investments at initial recognition and, in the case of assets classified

as held-to-maturity, re-evaluates this designation at each balance date.

- (i) *Financial assets at fair value through profit and loss*  
Financial assets at fair value through profit or loss are financial assets held for trading. A financial asset is classified in this category if acquired principally for the purpose of selling in the short term. Derivatives are classified as held for trading unless they are designated as hedges. Assets in this category are classified as current assets.
- (ii) *Loans and receivables*  
Loans and receivables are non-derivative financial assets with fixed or determinable payments that are not quoted in an active market. They are included in current assets, except for those with maturities greater than 12 months after the balance sheet date which are classified as non-current assets. Loans and receivables are included in trade and other receivables in the statement of financial position.
- (iv) *Available-for-sale financial assets*  
Available-for-sale financial assets, comprising principally marketable equity securities, are non-derivatives that are either designated in this category or not classified in any of the other categories. They are included in non-current assets unless management intends to dispose of the investment within 12 months of the balance sheet date. Investments are designated as available-for-sale if they do not have fixed maturities and fixed or determinable payments and management intends to hold them for the medium to long term.

#### **Recognition and de-recognition**

Regular purchases and sales of financial assets are recognised on trade-date – the date on which Council commits to purchase or sell the asset. Investments are initially recognised at fair value plus transaction costs for all financial assets not carried at fair value through profit or loss. Financial assets carried at fair value through profit or losses are initially recognised at fair value and transaction costs are expensed in the statement of comprehensive income. Financial assets are derecognised when the rights to receive cash flows from the financial assets have expired or have been transferred and Council has transferred substantially all the risks and rewards of ownership.

When securities classified as available-for-sale are sold, the accumulated fair value adjustments recognised in equity are included in the statement of comprehensive income as gains and losses from investment securities.

#### **Subsequent Measurement**

Loans and receivables and held-to-maturity investments are carried at amortised cost using the effective interest method.

Available-for-sale financial assets and financial assets at a fair value through profit and loss are subsequently carried at fair value. Gains or losses arising from changes in the fair value of the financial assets at fair value through profit or loss category are presented in the statement of comprehensive income with other income or expenses in the period which they arise. Dividend income from financial assets at fair value through profit and loss is recognised in the statement of comprehensive income as part of the revenue from continuing operations when Council's right to receive payments is established. Changes in the fair value of other monetary and non-monetary securities classified as available-for-sale are recognised in equity.

#### **Impairment**

Council assesses at each balance date whether there is objective evidence that a financial asset or group of financial assets is impaired. In the case of equity securities classified as available-for-sale, a significant or prolonged decline in the fair value of a security below its cost is considered as an indicator that the securities are impaired. If any such evidence exists for available-for-sale financial assets, the cumulative loss- measured as the difference between the acquisition cost and the current fair value, less any impairment loss on that financial asset previously recognised in profit or loss – is removed from equity and recognised in the statement of comprehensive income. Impairment losses recognised in the statement of comprehensive income on equity instruments classified as available-for-sale and are not reversed through the statement of comprehensive income.

#### **(k) Estimation of Fair Value**

The fair value of financial assets and financial liabilities must be estimated for recognition and measurement on for disclosure purposes.

The fair value of financial instruments traded in active markets is based on quoted market prices at balance date.

The fair value of financial instruments that are not traded in an active market is determined using valuation techniques. Council uses a variety of methods and makes assumptions that are based on market conditions existing at each balance date. These include the use of recent arm's length transactions, reference to other instruments that are substantially the same, discounted cash flow analysis, and option pricing models making maximum use of market inputs and relying as little as possible on entity-specific inputs.

Quoted market prices or dealer quote for similar instruments are used for long-term debt instruments held. Other techniques, such as

estimated discounted cash flows, are used to determine fair value on the remaining financial instruments.

The nominal value less estimated credit adjustments of trade receivables and payables are assumed to approximate their fair values. The fair value of financial liabilities for disclosure purposes is estimated by discounting the future contractual cash flows at the current market interest rate that is available to the Council for similar financial instruments.

**(l) Impairment**

In accordance with the Australian Accounting Standards the Council's assets, other than inventories are assessed at each balance date to determine whether there is any indication they may be impaired.

Where such an indication exists, an estimate of the recoverable amount of the asset is made in accordance with the AASB 136 '*Impairment of Assets*' and appropriate adjustments made.

An impairment loss is recognised whenever the carrying amount of an asset or its cash-generating unit exceeds its recoverable amount. Impairment losses are recognised in the statement of comprehensive income.

For non-cash generating assets such as roads, drains, public buildings and the like, value in use is represented by the depreciated replacement cost of the asset.

**(m) Trade and Other Payables**

Trade and other payables are carried at amortised cost. They represent liabilities for goods and services provided to the Municipality prior to the end of the financial year that are unpaid and arise when the Municipality becomes obliged to make future payments in respect of the purchase of these goods and services. The amounts are unsecured and are usually paid within 30 days of recognition.

**(n) Employee Benefits**

The provisions for employee benefits relates to amounts expected to be paid for long service leave, annual leave, wages and salaries that are calculated as follows:

*(i) Wages, Salaries, Annual Leave and Long Service Leave (Short-term Benefits)*

The provision for employees' benefits to wages, salaries, annual leave and long service leave expected to be settled within 12 months represents the amount the municipality has a present obligation to pay resulting from employees services provided to balance date.

The provision has been calculated at nominal amounts based on remuneration rates the Council expects to pay and includes related on-costs.

(ii) *Long Service Leave (Long-term Benefits)*

The liability for long service leave is recognised in the provision for employee benefits and measured as the present value of expected future payments to be made in respect of services provided by employees up to the reporting date using the projected unit credit method.

Consideration is given to expected future wage and salary levels, experience of employee departures and periods of service. Expected future payments are discounted using market yields at the reporting date on national government bonds with terms to maturity and currency that match as closely as possible, the estimated future cash outflows. Where Council does not have the unconditional right to defer settlement beyond 12 months the liability is recognised as a current liability.

**(o) Interest-bearing Loans and Borrowings**

All loans and borrowings are initially recognised at the fair value of the consideration received less directly attributable transaction costs.

After initial recognition, interest-bearing loans and borrowings are subsequently measured at amortised cost using the effective interest method. Fees paid on the establishment of loan facilities that are yield rated are included as part of the carrying amount of the loans and borrowings. Borrowings are classified as current liabilities unless the Council has an unconditional right to defer settlement of the liability for at least 12 months after the balance date.

**Borrowing Costs**

Borrowing costs are recognised as an expense when incurred except where they are directly attributable to the acquisition, construction or production of a qualifying asset. Where this is the case, they are capitalised as part of the cost of the particular asset.

**(p) Provisions**

Provisions are recognised when: The Council has a present legal or constructive obligation as a result of past events; it is more likely than not that an outflow of resources will be required to settle the obligation; and the amount has been reliably estimated. Provisions are not recognised for future operating losses.

Where there are a number of similar obligations, the likelihood that an outflow will be required in settlement is determined by considering the class of obligations as a whole. A provision is recognised even if the likelihood of an outflow with respect to any one item included in the same class of obligations may be small.

**(q) Leases**

Leases of fixed assets, where substantially all the risks and benefits incidental to the ownership of the asset, but not legal ownership, are transferred to the company, are classified as finance leases. Finance leases are capitalised recording an asset and a liability equal to the present value of the minimum lease payments, including any guaranteed residual value. Leased assets are amortised over their estimated useful lives. Lease payments are allocated between the reduction of the lease liability and the lease interest expense for the period.

**(r) Joint Venture**

The municipality's interest in a joint venture has been recognised in the financial statements by including its share of any assets, liabilities, revenues and expenses of the joint venture within the relevant items reported in the statement of financial position and statement of comprehensive income. Information about the joint venture is set out in Note 16.

**(s) Rates, Grants, Donations and Other Contributions**

Rates, grants, donations and other contributions are recognised as revenues when the local government obtains control over the assets comprising the contributions. Control over assets acquired from rates is obtained at the commencement of the rating period or, where earlier, upon receipt of the rates.

Where contributions recognised as revenues during the reporting period were obtained on the condition that they be expended in a particular manner or used over a particular period, and those conditions were undischarged as at the reporting date, the nature of and amounts pertaining to those undischarged conditions are disclosed in Note 2(c). That note also discloses the amount of contributions recognised as revenues in a previous reporting period which were obtained in respect of the local government's operation for the current reporting period.

**(t) Superannuation**

The Council contributes to the Local Government Superannuation Scheme and the Occupational Superannuation Fund. Both funds are defined contribution schemes.

Contributions to defined contribution plans are recognised as an expense as they become payable. Prepaid contributions are recognised as an asset to the extent that a cash refund or a reduction in the future payments is available.

**(u) Current and Non-Current Classification**

In the determination of whether an asset or liability is a current or non-current, consideration is given to the time when each asset or liability is expected to be settled.

The asset or liability is classified as a current if it is expected to be settled within the next 12 months, being the Council's operational cycle. In the case of liabilities where Council does not have the unconditional right to defer settlement beyond 12 months, such as vested long service leave, the liability is classified as current even if not expected to be realised in the next 12 months. Inventories held for trading are classified as current even if not expected to be realised in the 12 months except for land held for resale where it is held as a non-current based on Council's intentions to release for sale.

**(v) Rounding Off Figures**

All figures shown in this annual financial report, other than a rate in the dollar, are rounded to the nearest dollar.

**(w) Comparative Figures**

Where required, comparative figures have been adjusted to conform to changes in presentation for the current financial year.

**(x) Budget Comparative Figures**

Unless otherwise stated, the budget comparative figures shown in this annual financial report relate to the original budget estimate for the relevant item of disclosure.



## 2.16 CORPORATE CREDIT CARDS

<b>Policy Owner:</b>	Corporate and Community Services
<b>Person Responsible:</b>	Deputy Chief Executive Officer, <a href="#">Manager Finance</a>
<b>Date of Approval:</b>	19 June 2012
<b>Amended:</b>	21 April 2015; 17 October 2017; 19 June 2018

**Objective:** To establish guidelines for the use of the Shire of Corrigin credit cards and the responsibilities of cardholders using the credit cards.

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

**Policy:**

**Legislation**

The following provisions of the *Local Government Act 1995* (the Act) and associated regulations impact on the use and control of corporate credit cards:

- Section 2.7(2) (a) and (b) requires the council to oversee the allocation of the local government's finances and resources and determine the policies of the local government.
- Section 6.5(a) of the Act requires the CEO to ensure that proper accounts and records of the transactions and affairs of the local government are kept in accordance with regulations.
- Local Government (Financial Management) Regulation 11(1) (a) requires local governments to develop procedures for the authorisation of, and the payment of, accounts to ensure that there is effective security for, and properly authorised use of cheques, credit cards, computer encryption devices and passwords, purchasing cards and any other devices or methods by which goods, services, money or other benefits may be obtained.

**Authority for the Use of Corporate Credit Cards**

Shire of Corrigin credit cards may be issued to the following Shire of Corrigin employees, with credit card limits as described.

Officer	Credit Card Limit
CEO	\$10,000
Deputy CEO	\$5,000
Manager Works and Services	\$5,000

Approval for additional credit card holders and any change to credit card limits must be approved by Council.

The *Local Government Act 1995* does not allow for the issue of credit cards to elected members. A Local Government can only pay allowances or reimburse expenses to an elected member.





## SHIRE OF CORRIGIN REGISTER OF POLICIES

An agreement between the cardholder and the Shire of Corrigin is to be signed which sets out the cardholder's responsibilities, legal obligations and action to be taken in the event that the cardholder fails to comply with procedures.

A register is to be kept of all current cardholders which includes card number, expiry date of credit card, credit card limit and details of goods and services the cardholder has authority to purchase.

All new and existing cardholders are to be provided with a copy of this policy relating to the use of credit cards on an annual basis.

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

The shire's credit cards shall only be used for purchase of goods and services in the performance of official duties for which there is a budget provision. Under no circumstances are they to be used for personal or private purposes or for the withdrawal of cash.

A compliant tax invoice/receipt must be provided for all purchases (irrespective of whether it has been purchased by facsimile, over the telephone or on the internet). The tax invoice/receipt and purchase order are to be forwarded to the responsible Finance Officer as soon as received. Credit card purchases will be checked and processed in accordance with normal accounts authorisation and payment processes. Credit card statements are to be reviewed and reconciled by the Manager Finance monthly.

For fringe benefits tax record keeping purposes, any expenditure for entertainment must include the number of people who were in attendance and the full names of any Shire of Corrigin staff.

### **Card Lost or Stolen**

Cards that are lost or stolen must be reported immediately by the cardholder to the issuing banker by telephone. At the earliest opportunity the cardholder is to notify the CEO, Deputy CEO or Manager Finance so that the cancellation of the card can be confirmed and a reconciliation of the card account from the date the card was lost or stolen may be performed.

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

Any officer that believes a cardholder is entering into transactions that seem to be unauthorised, excessive and unreasonable will be reported to the CEO. Any breach by a cardholder will require an investigation into activities and if necessary action taken by the CEO which may result in the withdrawal of the card and/or disciplinary action. Cardholders that do not follow any component of this policy may also have their credit card cancelled and may be subject to disciplinary action.

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

#### **Recovery of Unauthorised Expenditure**

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

#### **Rewards/Bonus Points**

Where the credit cards carry rewards or bonus points, these points will be accumulated in the name of the Shire of Corrigin. The CEO will decide how these points are to be utilised. Under no circumstances are reward or bonus points to be redeemed for a cardholder's private benefit.

#### **Return of Cards**

In the event that a cardholder's employment ceases with the Shire of Corrigin, takes an extended period of leave, or moves to a position which does not require the use of a credit card the credit card is to be handed to the Manager Finance for cancellation of the corporate card account and destruction of card. Credit cards are not to be transferred to other users.

#### **Credit Card Reporting**

A report is provided to Council on a monthly basis that addresses (but not limited to) an independent assessment undertaken by the Manager Finance along with a copy of the credit card statement.

#### **Payments**

- The monthly credit card statement is paid via a direct debit on or before the due date.
- All tax invoices and supporting documents for credit card purchases are to be presented to the Finance Officer to be matched up with the statement.
- The Finance Officer will code the individual transactions and submit the list to the credit card holder for their confirmation. The transaction list and associated codes will also be authorised by the CEO.
- The Deputy CEO or Manager Finance will be required to authorise and sign the CEO's statement.

#### **Finance Officer Responsibilities**

The Finance Officer will:

- Arrange the issuing and cancellations of credit cards as directed by the CEO.
- Maintain a register of all cardholders.
- Provide cardholders with the credit card policy and where required any changes to the policy and their responsibilities and obligations as cardholders.
- Process payments of credit cards including the attachment of all receipts and tax invoices and the relevant authorising officers have signed off on the statements.



## SHIRE OF CORRIGIN REGISTER OF POLICIES

- Arrange for all cardholders to sign the Credit cardholder Agreement on receipt of the new card and ensure the signed agreement is placed in the Corporate Credit Card Register in the Synergy Central Records system.

### **Cardholders Responsibilities and Obligations**

Credit cardholder's must:

- Keep their card in a safe place.
- Make payments for goods and services that are within their card limit, budget and authority to do so.
- Adhere to the credit card policy and procedures and purchasing policy.
- Ensure all receipts and tax invoices are kept and submitted to the Finance Officer within seven days of receipt.



## 2.17 MOTOR VEHICLE REPLACEMENT

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<b>Policy Owner:</b>	Corporate Services
<b>Person Responsible:</b>	Chief Executive Officer and Deputy Chief Executive Officer
<b>Date of Approval:</b>	<b>17 November 2009</b>
<b>Amended:</b>	<b>17 October 2017</b>

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**Objective:** To facilitate better understanding and minimise the whole of life costs for the Shire of Corrigin light vehicle fleet.

**Policy:** Fleet cycle costs vary regularly due to a variety of factors including fuel costs, used vehicle prices, and market and industry trends. The Shire will review these costs and replacement periods on a regular basis to ensure the most cost effective outcome at all times as part of the development of annual budgets and long term financial plan including the plant replacement program.

Regular advice will be sought from vehicle dealers on the optimum changeover period and vehicle type to minimise the whole of life costs to the Shire. This information will provide the basis of decision making as to when optimum replacement/changeover of light vehicles is deemed appropriate as market industry trends vary.

Vehicle changeover cycles will then be determined by Council through consultation between the CEO and the Deputy CEO after consideration of prevailing market conditions. Changeover will generally occur between two and six years or 50,000 to 100,000km. At all times, the net cost to Council will be the primary consideration in order to minimise change over costs.

The Policy will not override any relevant contractual arrangements with staff.



## 2.18 PETTY CASH POLICY

**Policy Owner:** Corporate Services  
**Person Responsible:** Manager Finance  
**Date of Approval:** 16 October 2018  
**Amended:**

**Objective:** Provide clear parameters in relation to the use of petty cash.

Petty cash advances are established to facilitate the payment of low-value claims to ensure that these claims are processed in the most efficient manner. Petty cash funds are to be used to pay for miscellaneous and incidental items of small value. Expenditure may only be incurred for Shire of Corrigin business purposes. This policy seeks to ensure that petty cash floats are established and managed appropriately and that staff are not financially disadvantaged as a result of incurring minor work-related expenses.

**Policy:** The following policies and procedures are designed to control the use of petty cash:

- It shall be the responsibility of the CEO to consider any application for a petty cash float.
- The amount of the petty cash float shall be as determined by the CEO from time to time, but in general should not exceed \$500.
- It shall be the responsibility of the Finance Officer to manage the petty cash funds and their reimbursement according to this policy.
- Petty cash is only to be used where an urgent purchase is required and payment by corporate credit card is not an option or the amount does not warrant normal purchasing procedure.
- Petty cash claims over \$50 including GST must include a tax invoice.
- Petty cash claims under \$50 including GST must include one of the following:
  - a tax invoice
  - a cash register docket
  - a receipt
  - an invoice.
  - the name and ABN of the supplier, the date of purchase, and a description of the items purchased, and the amount paid.
- Petty cash vouchers will be completed for each petty cash transaction. These vouchers will include:
  - Date of the transaction
  - GL or job number
  - Description of the purchase
  - Amount reimbursed to employee
  - Signature of the employee reimbursed

- At all times the sum of transactions made since the last reimbursement of the petty cash advance should equal the total value of the receipts on hand plus the amount of cash on hand to equal the total value of the petty cash advance.
- Petty cash must be reconciled monthly but reimbursed on an as needs basis no more than 2 months after the first transaction since the previous reimbursement.
- Petty cash must be reimbursed and reconciled 30 June to meet EOFY requirements.

The following transactions are specifically excluded from petty cash reimbursement:

- Cashing of cheques.
- Temporary loans to any person whatever.
- Payment of expenses exceeding \$100 for any one voucher.
- Payment of creditors' accounts.
- Purchase of fuel where a fuel card exists.
- Payment of any personal remuneration to any person whatever, whether for salaries, wages, honoraria or for any other reason.

#### **Reimbursement of Petty Cash**

Petty cash advances are maintained on an imprest system, which means that details of all disbursements of petty cash to staff must be carefully recorded. To do this, a Petty Cash Reimbursement form is to be prepared listing each transaction from the petty cash advance. The Petty Cash Reimbursement form acts as a register of petty cash transactions and must contain the following information:

- Date of transaction
- Name of supplier
- Amount including GST
- GST Amount
- Details of the transaction
- GL/Job allocation
- Balance of petty cash remaining

Regulation 11 of the *Local Government (Financial Management) Regulations 1996* states:

- (1) A local government is to develop procedures for the authorisation of, and the payment of, accounts to ensure that there is effective security for, and properly authorised use of –
  - (a) cheques, credit cards, computer encryption devices and passwords, purchasing cards and any other devices or methods by which goods, services, money or other benefits may be obtained; and
  - (b) petty cash systems.



## 3 RISK MANAGEMENT AND WORKPLACE POLICIES





### 3.1 RISK MANAGEMENT

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<b>Policy Owner:</b>	Governance and Compliance
<b>Person Responsible:</b>	Chief Executive Officer
<b>Date of Approval:</b>	<b>21 October 2014</b>
<b>Amended:</b>	<b>21 April 2015</b>

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

**Policy:** It is the Shire’s Policy to achieve best practice (aligned with AS/NZS ISO 31000:2009 Risk management), in the management of all risks that may affect the Shire, its customers, people, assets, functions, objectives, operations or members of the public.

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

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

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

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

**Definitions (from AS/NZS ISO 31000:2009)**

**Risk:** Effect of uncertainty on objectives.

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

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

**Risk Management:** Coordinated activities to direct and control an organisation with regard to risk.

**Risk Management Process:** Systematic application of management policies, procedures and practices to the activities of communicating, consulting, establishing the context, and identifying, analysing, evaluating, treating, monitoring and reviewing risk.

**Risk Management Objectives**

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

**Risk Appetite**

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

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

**Roles, Responsibilities and Accountabilities**

Council's role is to:

- Review and approve the Shire's Risk Management Policy and Risk Assessment and Acceptance Criteria.
- Appoint/Engage External Auditors to report on financial statements annually (in the future this role will be performed by the Auditor General).
- Establish and maintain an Audit and Risk Management Committee in terms of the *Local Government Act*.

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

**Monitor and Review**

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



## SHIRE OF CORRIGIN REGISTER OF POLICIES

This policy will be reviewed by the Shire's Management Team and will be formally reviewed by Council biennially at the March and September Audit and Risk Management Committee meetings.



## 3.2 HEALTH SAFETY & ENVIRONMENT

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<b>Policy Owner:</b>	Governance and Compliance
<b>Person Responsible:</b>	Chief Executive Officer
<b>Date of Approval:</b>	<b>18 November 2014</b>
<b>Amended:</b>	<b>21 April 2015; 17 October 2017</b>

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**Objective:** The Shire of Corrigin Council and Executive is committed to achieving zero harm within the Shire's working environment to all persons employed or engaged by the Shire in any capacity.

**Policy:** The Shire of Corrigin seeks to efficiently provide a wide range of vital services to residents and visitors to our region. We are an equal opportunity employer committed to providing and maintaining an environmentally conscious, safe and healthy workplace for all employees and those who may be affected by our work operations. This commitment is consistently demonstrated through the behaviours of our management and employees at the workplace.

Responsibilities for addressing safety, health and environmental concerns are shared by everyone at the Shire of Corrigin. Our management representatives acknowledge specific responsibility for providing and maintaining a legislatively compliant working environment where persons at the workplace are not exposed to hazards and are provided with adequate resources, education and training to meet our safety, health and environmental obligations. Employees assist our management team to fulfil obligations through actively ensuring their own safety and that of others in the workplace.

All workers engaged with the Shire of Corrigin are required to report in a timely manner any incident, hazard or issues that are identified as posing a risk to health, safety or to the environment. These are promptly managed in accordance with the hierarchy of risk controls and accepted risk management principles.

At the Shire of Corrigin, we vigorously monitor our environmental impact and we are committed to continually improving our environmental performance through the prevention of pollution, efficient use of resources, waste minimisation, reuse and recycling practices. Our environmental intent is to ensure that our operations are conducted in a manner that contributes to the overall environmental sustainability of Australia.

We are proud of our excellent workplace safety and environmental record and are committed to continuously improving our workplace safety and health performance aimed at the elimination of workplace injury through the achievement of the specific targets and objectives which are documented in our Safety, Health and Environmental Management Plan.



## SHIRE OF CORRIGIN REGISTER OF POLICIES

Our Safety, Health and Environmental Management Plan is supported by a procedural framework intended to guide our employees and subcontractors to work safely and in an environmentally conscious manner including, but not limited to, compliance with all applicable legislative regulatory requirements, relevant Australian Standards and with all other requirements to which our organisation subscribes.

This Safety, Health and Environmental Policy and our supporting management systems documentation are regularly reviewed in line with continual improvement and occupational health and safety management system recommendations.



### 3.3 WORKPLACE BEHAVIOUR POLICY

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<b>Policy Owner:</b>	Governance and Compliance
<b>Person Responsible:</b>	Chief Executive Officer,      Manager Works and Services
<b>Date of Approval:</b>	21 April 2015
<b>Amended:</b>	

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**Objective:** The Shire of Corrigin is committed to providing a workplace that is free from discrimination, harassment, bullying and victimisation for all employees and members of the community. The Shire believes that in providing such a workforce it will enable all employees to feel safe, secure and free from intimidation when they are at work.

The Shire of Corrigin prohibits any form of unacceptable behaviour in the workplace and encourages all employees to report any unacceptable behaviour to their Manager, Supervisor, or CEO.

Any breach of the Workplace Behaviour Policy will be considered a serious matter that will be investigated and may result in disciplinary action including termination of employment.

**Scope and Responsibilities:**

The policy applies to any person involved in the Shire of Corrigin, including all elected members, employees, potential employees, contractors, volunteers and visitors. All employees are responsible for ensuring that their behaviour reflects the standards of conduct outlined in the Shire of Corrigin Code of Conduct, policies and procedures and builds on a positive workplace culture. All elected members and employees must take responsibility for reporting improper conduct or misconduct which has been, or may be occurring in the workplace.

This policy applies to all activities during the course of work within the Shire of Corrigin including:

- In the workplace, including work outside normal working hours;
- During work activities, including dealing with members of the public; and
- At work related events, including conferences and social functions outside work premises.

Managers have a special responsibility to support employees in achieving these goals by leading by example and assisting employees to understand Council policies and procedures. They must also take all reasonable steps to ensure that the workplace is free from unacceptable behaviour.



## SHIRE OF CORRIGIN REGISTER OF POLICIES

### Policy:

#### **Discrimination**

Discrimination is treating a person less favourably on the basis of certain characteristics they possess and it can happen either directly or indirectly and be intentional or unintentional.

**Direct discrimination** occurs when a person is treated less favourably than another person in the same or similar circumstances, because of any of the grounds or attributes listed below.

**Indirect discrimination** occurs when an apparently neutral rule has a negative effect on a substantially higher proportion of people with a particular attribute or characteristic, such as those listed below, compared to people without that attribute or characteristic, and the rule is unreasonable in the circumstances.

For example, the minimum height requirement that used to exist in the police force *directly* discriminated against short people on the basis of physical appearance, and *indirectly* discriminated against women and people of certain races, who tend to be shorter.

#### **Unacceptable grounds or attributes of discrimination**

Discrimination based on any of the following grounds or attributes is unacceptable:

- Age
- Family responsibility
- Family status
- Gender
- Gender history
- Disability or impairment
- Marital status
- Political conviction
- Pregnancy
- Race
- Racial harassment
- Religious conviction
- Sexual harassment
- Sexual orientation
- Spent conviction
- Personal association: In some of the listed circumstances the *Equal Opportunity Act 1984* may apply to a relative or person who has a close relationship to a person affected by these grounds.

#### **Examples of discriminatory behaviour**

Discrimination may involve:

- Offensive 'jokes' or comments about another person's racial or ethnic background, sex, sexual preference, age, disability, and the like.
- Displaying pictures, calendars, pin-ups, posters, computer images (e.g. in electronic mail messages), which are offensive or derogatory.

- Expressing negative stereotypes of particular groups, for example, 'married women shouldn't be working'.
- Judging a person on characteristics such as religious or political beliefs, cultural practices, sex or age rather than work performance.
- Using stereotypes or assumptions when making decisions about a person's career.

#### **Exceptions**

In some situations the legislation may provide exceptions to discrimination or permit what would otherwise be unlawful discrimination. In these circumstances discrimination will be permissible. For example, while it is unacceptable to discriminate against a person with disability, what would otherwise be unlawful discrimination may be justified if the person cannot perform the inherent requirements of their position.

#### **Responsibilities**

##### **Liability of people involved in unlawful acts**

A person who causes, instructs, induces, aids or permits another person to do something that is unlawful under the Act shall be considered to have done the act themselves.

##### **Vicarious liability**

When an employee, or agent, in connection with their employment, does something which is unlawful under the Act, their organisation, employer or principal will be liable for that act.

*Refer to the Equal Opportunity Act 1984 for more information.*

#### **Sexual harassment**

A person sexually harasses another person if they:

- Make an 'unwelcome sexual advance'.
- Make an 'unwelcome request for sexual favours'.
- Engage in other 'unwelcome conduct of a sexual nature'.

**and** the behaviour must be such that the harassed person has reasonable grounds to believe if they reject the advance, refuse the request or object to the conduct they will be disadvantaged, or they are in fact disadvantaged.

'Conduct of a sexual nature' can take many forms including, but not limited to:

- Unwelcome physical touching, hugging or kissing.
- Making, orally or in writing, any remark or statement with sexual connotations to a person or about a person.
- Making any gesture, action or comment of a sexual nature.
- Staring or leering at someone, or at parts of their body.
- Suggestive comments or jokes.
- Insults or taunts based on sex.
- Sexually explicit pictures, e-mails or text messages.
- Intrusive questions about an employee's private life or body.



**Motive or intention is irrelevant**

Sexual harassment is unwelcome, uninvited behaviour which is offensive from the viewpoint of the person being harassed. It does not matter that the offender did not mean or intend to sexually harass the other person. In other words, an offender's 'innocent intent' is irrelevant.

**Examples of sexual harassment**

Sexual harassment can involve any physical, visual, verbal or non-verbal conduct of a sexual nature including either one-off incidents or a series of incidents. It also includes workplace behaviour or behaviour in connection with work, for example, at a Christmas party or at a work function outside of work hours. Depending on the circumstances, other examples of sexual harassment include:

- Displays of sexually graphic material including posters, pictures, calendars, cartoons, graffiti or messages left on boards or desks.
- Electronic mail messages, voice mail messages, screen savers, any material of a sexual nature downloaded from the internet, or viewed on a computer, offensive telephone calls, faxes, or gifts.
- Deliberate and unnecessary physical contact, such as patting, pinching, fondling or deliberately brushing against another body, attempts at kissing.
- Leering or staring at a person's body.
- Inappropriate 'humour' such as smutty or sexist jokes or comments.
- Innuendo, including sexually provocative remarks, suggestive or derogatory comments about a person's physical appearance, inferences of sexual morality or tales of sexual performance.
- Repeatedly asking someone out, especially after prior refusal.
- Intrusive inquiries into a person's private life or in reference to a person's sexuality.

**Behaviour can breach this policy even if it is not unlawful**

The Shire of Corrigin may decide that behaviour breaches this policy even if a complaint has not been raised. For example, storing and viewing sexually explicit images in the workplace or on a computer at work may constitute sexual harassment under this policy, even if a complaint has not been made against the offender. This behaviour is still unacceptable at work, even if it is not unlawful, and may result in disciplinary action being taken, including termination of employment.

**Alcohol and functions**

Everyone who works for the Shire of Corrigin is expected to behave in a professional and appropriate manner at all work related events, including client or social functions, industry events and conferences. Alcohol is no excuse for unacceptable behaviour.

**Bullying**

Workplace bullying is repeated, unreasonable or inappropriate behaviour directed towards an employee, client, contractor or other external party that creates a risk to their health and safety.

Unreasonable behaviour is that which victimises, humiliates, undermines or threatens the person being bullied, or would reasonably be expected to do so. Bullying breaches this policy and also the Shire of Corrigin's Health, Safety and Environment policy which provides that all workers must take reasonable care for the health and safety of their co-workers.

#### **Examples of bullying**

Bullying is defined by the effect of the behaviour, even though there may not be a specific intent to bully. Bullying may include one or more behaviours. Bullying may also include violence and aggression. Where bullying involves assault or threat of assault it may become a police matter. There are two main types of bullying behaviour, overt and covert.

Examples of **overt** bullying include:

- Abusive, insulting or offensive language.
- Behaviour or language that frightens, humiliates, belittles or degrades, including criticism that is delivered with yelling and screaming.
- Inappropriate comments about a person's appearance, lifestyle, or their family.
- Teasing or regularly making someone the brunt of pranks or practical jokes.
- Interfering with a person's personal effects or work equipment.
- Harmful or offensive initiation practices.
- Isolation of workers from others.
- Physical assault or threats.

**Covert** behaviour that undermines, treats less favourably or disempowers others is also bullying, for example:

- Overloading a person with work or not providing enough work.
- Setting timelines that are difficult to achieve or constantly changing deadlines.
- Constantly setting tasks that are below or beyond a person's skill level.
- Ignoring or isolating a person.
- Deliberately denying access to information, consultation or resources.
- Unfair treatment in relation to accessing workplace entitlements such as leave or training.

#### **What bullying does not include**

Bullying does not include:

- Genuine and reasonable disciplinary procedures.
- Constructively delivered feedback or counselling that is intended to assist employees to improve their work performance or the standard of their behaviour. For example, objective comments which indicate observable performance deficiencies.
- Directing and controlling how work is done (a fundamental right of all employers)

### **Victimisation**

Victimisation means subjecting or threatening to subject someone to a detriment (as defined below), as a form of retribution in response to an actual or possible discrimination, harassment or bullying issue. The complaint need not actually have been made; it is sufficient that the original issue could have been raised as discrimination, harassment or bullying complaint, or that an individual:

- Intends to make a complaint.
- Makes a complaint.
- Intends to provide information as a witness.
- Provides information as a witness.
- Supports an individual who intends to make a complaint.
- Supports an individual who has made a complaint.
- Is believed to have done any of the above.

Victimisation also applies to anyone giving evidence about a complaint.

### **What is a detriment?**

A detriment in employment includes demotion, dismissal, transfer, suspension, loss of a benefit, being ostracised from work or work related social functions, or being the subject of gossip or innuendo.

### **Our approach**

The Shire of Corrigin does not permit retaliation against a person just because they propose to, have, or are believed to have made a complaint of unacceptable behaviour under this policy, equal opportunity legislation or occupational health and safety legislation.

### **If someone raises a complaint with you about your behaviour**

If a person raises a complaint directly with you about your behaviour, you should appreciate that they are letting you know that they find your behaviour unacceptable. They are giving you an opportunity to change your behaviour, and possibly prevent a formal complaint from being made against you. If someone does raise a complaint with you about your behaviour, you should consider monitoring and changing your behaviour, and you should not victimise the person making the complaint.

If you are concerned about a complaint raised directly with you, or the person who has raised the complaint, you are encouraged to discuss this with the CEO or your Manager or Supervisor.



### 3.4 EQUAL EMPLOYMENT OPPORTUNITY

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<b>Policy Owner:</b>	Governance and Compliance
<b>Person Responsible:</b>	Chief Executive Officer, Deputy Chief Executive Officer, Manager Works and Services
<b>Date of Approval:</b>	<b>15 August 2006</b>
<b>Amended:</b>	<b>21 April 2015</b>

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**Objective:** To ensure that the Shire conducts the recruitment of staff in accordance with legislation, and in conjunction with sound management practices.

**Policy:**

- (a) The Shire will recognise its legal obligations under the *Equal Opportunities Act 1984* and shall actively promote Equal Employment Opportunity based solely on merit to ensure that discrimination does not occur on the grounds of gender, age, marital status, pregnancy, race, disability, religious or political convictions.
- (b) All employment training with the Shire shall be directed towards providing equal opportunity to all employees provided their relevant experience, skills and ability meet the minimum requirements for such training.
- (c) All promotional policies and opportunities with the Shire shall be directed towards providing equal opportunity to all employees provided their relevant experience, skills and ability meet the minimum requirements for such promotion.
- (d) All offers of employment within the Shire shall be directed towards providing equal opportunity to prospective employees provided their relevant experience, skills and ability meet the minimum requirements for engagement.
- (e) The Shire shall not tolerate harassment within its work place. Harassment is defined as any unwelcome, offensive action or remark concerning a person's race, colour, language, ethnicity, age, political or religious convictions, gender, marital status or disability.
- (f) The equal employment opportunity goals of the Shire shall be designed to provide an enjoyable, challenging, involving, harmonious work environment for all employees where each has the opportunity to progress to the extent of their ability.
- (g) This policy applies to full time, part time, permanent, temporary and casual employees of the Shire of Corrigin.

**Grievance**

The Shire undertakes to treat any grievance under this policy fairly, quickly and in confidence. It will treat each case on its merits having regard to the relevant legislation and the Shire's Code of Conduct. Determinations in relation to any grievance will be the responsibility of the relevant Manager(s). Employees have the right to appeal any such determination to the CEO.



## SHIRE OF CORRIGIN REGISTER OF POLICIES

The above process is not intended to impede or prevent any action the employee may wish to take through an appropriate external tribunal.

*To be read in conjunction with the Shire of Corrigin Equal Employment Opportunity Management Plan 2017-2019 – adopted 15 November 2016.*



### 3.5 PROTECTION FROM THE SUN FOR OUTDOOR WORK

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<b>Policy Owner:</b>	Governance and Compliance
<b>Person Responsible:</b>	Chief Executive Officer, Deputy Chief Executive Officer, Manager Works and Services
<b>Date of Approval:</b>	21 April 2015
<b>Amended:</b>	

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**Objective:** To provide guidelines for Shire staff to avoid harmful exposure to the elements.

**Policy:** The minimum clothing requirements for outdoor employees shall be a long sleeve shirt and, long trousers. Unless for safety related reasons shirt sleeves may be rolled up (refer to Staff Uniform policy).

The basic dress code will apply all year round – exemptions may apply based upon written medical advice.

Council will supply hats, long sleeve shirts and trousers and sunscreen appropriate for the nature of the work. Council will not provide shorts. Wherever practicable, the Ultra-violet Protection Factor (UPF) of clothing fabric will be 30+ or better.

An “outdoor employee” for the purpose of this document, is defined as a person whose regular daily duties require them to be in direct sunlight for more than one (1) hour per day on a cumulative basis.

#### **Use of sunscreen cream**

All outdoor employees will be supplied with sunscreen cream, which should be applied to their uncovered skin in accordance with manufacturer directions. Information, instructions and supervision will be provided in the use of sunscreens (note Section 19(1) (b) of the *Occupational Safety and Health Act 1984*). In particular, this refers to their faces, ears, necks, backs of the hands, and legs if relevant. The cream provided will be registered under Australian Standards and be of the SPF 30+ broad spectrum type.

Exemptions may apply based on written medical advice.

#### **Other people who work outdoors**

Those people who work in direct sunlight for more than thirty (30) minutes (but less than one (1) hour) per day on a daily basis are also required to wear a broad brimmed hat or (equivalent) and sunscreen, both of which Council will supply. Such workers may be environmental health and building officers.

#### **Supply and use of sun glasses**

All staff working outdoors shall, when practicable, wear general purpose sun protection glasses which comply with Australian Standards. These will be made available to relevant staff as part of the standard personal protective equipment issue.

**Administrative and other controls**

While these policy guidelines are essentially about the type of garments worn, the implications to the wearer with respect to comfort and overheating problems are worthy of further mention.

The key factors which may promote bodily overheating problems are:

- (a) Ambient and radiant temperature
- (b) Extent of air movement (wind)
- (c) Pace and physical demand of work
- (d) Adequacy of water replacement required by sweating
- (e) Humidity
- (f) Person's clothing.

Note: Actual temperatures experienced by workers will differ considerably dependent on their workplace. Working in a well-treed park will be vastly different to working on an open bitumen road.

Steps which should be taken to avoid overheating include:

1. All relevant staff should have ample supplies of fresh cool water.  
Where main water is unavailable a 5 litre water bottle will be provided to each person.
2. Exploiting the use of natural shade.
3. The erection of temporary shade where practicable.
4. Rescheduling of particularly heavy work outdoors between the period 10am to 2pm where practicable.
5. Consideration of temporary cessation from physically demanding work for the time when severe heat related conditions are experienced.

It is readily apparent that heavy work in particularly hot weather is not efficient work, without frequent stops, at least for drinks and possibly self-dousing with water. Staff should report immediately to their supervisor any significant symptoms of bodily overheating. Suitable education sessions should be conducted to ensure that staff members are aware of what these symptoms are and the effects of exposure to ultraviolet radiation.

**Consultation**

Council realises that the type of clothing worn in the field is of considerable importance to outdoor employees and hence people or their representatives will be consulted with respect to changes in style, type and fabric of clothing as issued in accordance with good management practices. (Note, also Section 35(1) (c) of the *Occupational Safety and Health Act 1984*).



## SHIRE OF CORRIGIN REGISTER OF POLICIES

Wherever practicable, the Council, having adopted a clothing policy will ensure that the style and fabric of garments is acceptable and appropriate to the relevant workforce.





### 3.6 CONTRACTORS

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<b>Policy Owner:</b>	Governance and Compliance
<b>Person Responsible:</b>	Chief Executive Officer, Deputy Chief Executive Officer, Manager Works and Services
<b>Date of Approval:</b>	<b>15 August 2006</b>
<b>Amended:</b>	<b>21 April 2015</b>

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**Objective:** To ensure that Council employs suitably qualified and prepared contractors in conjunction with insurance and liability schemes through LGIS.

**Policy:** The Shire of Corrigin acknowledges it has the same Occupational Safety and Health obligations to contractors, and sub-contractors, as they do to their employees.

As the Principal, the Shire of Corrigin understands its duty of care to contractors/sub-contractors and will conduct appropriate safety induction processes and training to ensure that safety standards within the Shire of Corrigin are recognised and obeyed by any contractors/sub-contractors working on Shire of Corrigin worksites.



### 3.7 EMPLOYEE INDUCTION

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<b>Policy Owner:</b>	Governance and Compliance
<b>Person Responsible:</b>	Chief Executive Officer; Deputy Chief Executive Officer; Manager Works and Services; Governance Project Officer
<b>Date of Approval:</b>	<b>21 April 2015</b>
<b>Amended:</b>	<b>17 October 2017</b>

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**Objective:** To ensure the Shire of Corrigin inducts new employees in a structured and standardised method to effectively communicate the Shire's goals, policies, procedures or standards to new employees. This will assist to integrate new employees into the Shire's values and culture through the provision of counselling, coaching and mentoring, which are supported by the provision of information and learning materials to satisfy the technical or professional aspects of each job.

**Policy:** The immediate manager/supervisor should carry out the induction to meet the needs of the new employee, taking into account such factors as; their experience, previous knowledge and requirements of the position.

The Shire of Corrigin Induction Program should provide the new employee with:

- an understanding of the Shires Occupational Safety and Health requirements and obligations;
- an understanding of human resource procedures and entitlements;
- clarifies their role, as outlined within their position description;
- an understanding of their supervisor's expectations;
- a training and development program;
- a set of probation goals to achieve;
- an understanding of the Shire's expectations regarding ethical behaviours;
- knowledge of where to find information regarding the Shire's policies and procedures.

The induction program should discuss managing and supporting staff training along with staff development and performance management which should commence immediately.



## 4 CODE OF CONDUCT



## 4.1 CODE OF CONDUCT

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<b>Policy Owner:</b>	Governance and Compliance
<b>Distribution:</b>	All Elected Members and Staff
<b>Person Responsible:</b>	Chief Executive Officer, <del>Deputy Chief Executive Officer,</del> Manager Works and Services
<b>Date of Approval:</b>	15 June 2010
<b>Amended:</b>	

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**Objective:** **PREAMBLE**  
The Code of Conduct provides Council Members, Committee Members and staff in Local Government with consistent guidelines for an acceptable standard of professional conduct. The Code addresses in a concise manner the broader issue of ethical responsibility and encourages greater transparency and accountability in individual Local Governments.

The Code is complementary to the principles adopted in the *Local Government Act* and regulations which incorporates four fundamental aims to result in:

- (a) better decision-making by local governments;
- (b) greater community participation in the decisions and affairs of local governments;
- (c) greater accountability of local governments to their communities; and
- (d) more efficient and effective local government.

The Code provides a guide and a basis of expectations for Council Members, Committee Members and staff. It encourages a commitment to ethical and professional behaviour and outlines principles in which individual and collective Local Government responsibilities may be based.

**Policy:** **STATUTORY ENVIRONMENT**  
The Code of Conduct observes statutory requirements of the *Local Government Act 1995* (S 5.103 – Codes of Conduct) and Local Government (Administration) Regulations 1996 (Regs 34B and 34C).

**RULES OF CONDUCT**  
Council Members acknowledge their activities, behaviour and statutory compliance obligations may be scrutinised in accordance with prescribed rules of conduct as described in the *Local Government Act 1995* and Local Government (Rules of Conduct) Regulations 2007.

### 1. ROLES

#### 1.1 Role of Council Member

The primary role of a Council Member is to represent the community, and the effective translation of the community's needs and aspirations into a direction and future for the Local Government will be the focus of the Council Member's public life.

The Role of Council Members as set out in S 2.10 of the *Local Government Act 1995* follows:

A Councillor —

- (a) Represents the interests of electors, ratepayers and residents of the district;
- (b) provides leadership and guidance to the community in the district;
- (c) facilitates communication between the community and the council;
- (d) participates in the local government's decision-making processes at council and committee meetings; and
- (e) performs such other functions as are given to a Councillor by this Act or any other written law.

A Council Member is part of the team in which the community has placed its trust to make decisions on its behalf and the community is therefore entitled to expect high standards of conduct from its elected representatives. In fulfilling the various roles, Council Members activities will focus on:

- achieving a balance in the diversity of community views to develop an overall strategy for the future of the community;
- achieving sound financial management and accountability in relation to the Local Government's finances;
- ensuring that appropriate mechanisms are in place to deal with the prompt handling of residents' concerns;
- working with other governments and organisations to achieve benefits for the community at both a local and regional level;
- having an awareness of the statutory obligations imposed on Council Members and on Local Governments.

In carrying out its functions a local government is to use its best endeavours to meet the needs of current and future generations through integration of environmental protection, social advancement and economic prosperity.

## **1.2 Role of Staff**

The role of staff is determined by the functions of the CEO as set out in S5.41 of the *Local Government Act 1995*:

*The CEO's functions are to;*

- (a) *advise the council in relation to the functions of a local government under this Act and other written laws;*
- (b) *ensure that advice and information is available to the council so that informed decisions can be made;*
- (c) *cause council decisions to be implemented;*
- (d) *manage the day to day operations of the local government;*
- (e) *liaise with the mayor or president on the local government's affairs and the performance of the local government's functions;*
- (f) *speak on behalf of the local government if the mayor or president agrees;*

- (g) *be responsible for the employment, management supervision, direction and dismissal of other employees (subject to S 5.37(2) in relation to senior employees);*
- (h) *ensure that records and documents of the local government are properly kept for the purposes of this Act and any other written law; and*
- (i) *perform any other function specified or delegated by the local government or imposed under this Act or any other written law as a function to be performed by the CEO.*

### 1.3 Role of Council

The Role of the Council is in accordance with S 2.7 of the *Local Government Act 1995*:

- (1) The council —
  - (a) directs and controls the local government's affairs; and
  - (b) is responsible for the performance of the local government's functions.
- (2) Without limiting subsection (1), the council is to —
  - (a) oversee the allocation of the local government's finances and resources; and
  - (b) determine the local government's policies.

### 1.4 Relationships between Council Members and Staff

An effective Councillor will work as part of the Council team with the CEO and other members of staff. That teamwork will only occur if Council Members and staff have a mutual respect and co-operate with each other to achieve the Council's corporate goals and implement the Council's strategies. To achieve that position, Council Members need to observe their statutory obligations which include, but are not limited to, the following:

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

## 2. CONFLICT AND DISCLOSURE OF INTEREST

### 2.1 Conflict of Interest

- (a) Council Members, Committee Members and staff will ensure that there is no actual (or perceived) conflict of interest between their personal interests and the impartial fulfilment of their professional duties.
- (b) Staff will not engage in private work with or for any person or body with an interest in a proposed or current contract with the Local Government, without first making disclosure to the CEO. In this respect, it does not matter whether advantage is in fact obtained, as any appearance that private dealings could conflict with performance of duties must be scrupulously avoided.

- (c) Council Members, Committee Members and staff will lodge written notice with the CEO describing an intention to undertake a dealing in land within the local government area or which may otherwise be in conflict with the Council's functions (other than purchasing the principal place of residence).
- (d) Council Members, Committee Members and staff who exercise recruitment or other discretionary function will make disclosure before dealing with relatives or close friends and will disqualify themselves from dealing with those persons.
- (e) Staff will refrain from partisan political activities which could cast doubt on their neutrality and impartiality in acting in their professional capacity. An individual's rights to maintain their own political convictions are not impinged upon by this clause. It is recognised that such convictions cannot be a basis for discrimination and this is supported by anti- discriminatory legislation.

## 2.2 Financial Interest

Council Members, Committee Members and staff will adopt the principles of disclosure of financial interest as contained within the *Local Government Act*.

## 2.3 Disclosure of Interest Definition

In accordance with Regulation 34C of the Local Government (Administration) Regulations 1996 –

“interest” means an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest and includes an interest arising from kinship, friendship or membership of an association.

- (a) A person who is an employee and who has an interest in any matter to be discussed at a council or committee meeting attended by the person is required to disclose the nature of the interest -
  - i) in a written notice given to the CEO before the meeting; or
  - ii) at the meeting immediately before the matter is discussed.
- (b) A person who is an employee and who has given, or will give, advice in respect of any matter to be discussed at a council or committee meeting not attended by the person is required to disclose the nature of any interest the person has in the matter -
  - i) in a written notice given to the CEO before the meeting; or
  - ii) at the time the advice is given.
- (c) A requirement described under items (a) and (b) exclude an interest referred to in S 5.60 of the *Local Government Act 1995*.

- (d) A person is excused from a requirement made under items (a) or (b) to disclose the nature of an interest if -
  - (i) the person's failure to disclose occurs because the person did not know he or she had an interest in the matter; or
  - (ii) the person's failure to disclose occurs because the person did not know the matter in which he or she had an interest would be discussed at the meeting and the person discloses the nature of the interest as soon as possible after becoming aware of the discussion of a matter of that kind.
- (e) If a person who is an employee makes a disclosure in a written notice given to the CEO before a meeting to comply with requirements of items (a) or (b), then -
  - (i) before the meeting the CEO is to cause the notice to be given to the person who is to preside at the meeting; and
  - (ii) immediately before a matter to which the disclosure relates is discussed at the meeting the person presiding is to bring the notice and its contents to the attention of the persons present.
- (f) If -
  - (i) to comply with a requirement made under item (a), the nature of person's interest in a matter is disclosed at a meeting; or
  - (ii) a disclosure is made as described in item (d)(ii) at a meeting; or
  - (iii) to comply with a requirement made under item (e) (ii), a notice disclosing the nature of a person's interest in a matter is brought to the attention of the persons present at a meeting, the nature of the interest is to be recorded in the minutes of the meeting.



### 3. PERSONAL BENEFIT

#### 3.1 Use of Confidential Information

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

#### 3.2 Intellectual Property

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

#### 3.3 Improper or Undue Influence

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

#### 3.4 Gifts

Definitions:

In this clause, and in accordance with Regulation 34B of the Local Government (Administration) Regulations 1996:

“activity involving a local government discretion” means an activity

- (a) that cannot be undertaken without an authorisation from the local government; or
- (b) by way of a commercial dealing with the local government;

“gift” has the meaning given to that term in S 5.82(4) except that it does not include

- (a) a gift from a relative as defined in S 5.74(1); or
- (b) a gift that must be disclosed under Regulation 30B of the *Local Government (Elections) Regulations 1997*; or
- (c) a gift from a statutory authority, government instrumentality or non-profit association for professional training;

“notifiable gift”, in relation to a person who is an employee, means -

- (a) a gift worth between \$50 and \$300; or
- (b) a gift that is one of 2 or more gifts given to the employee by the same person within a period of 6 months that are in total worth between \$50 and \$300;

“prohibited gift”, in relation to a person who is an employee, means -

- (a) a gift worth \$300 or more; or
- (b) a gift that is one of 2 or more gifts given to the employee by the same person within a period of 6 months that are in total worth \$300 or more.

**Commented [JB2]:** This will need to be updated in accordance with the new LG Act, once adopted.

- (a) A person who is an employee is to refrain from accepting a prohibited gift from a person who -
  - (i) is undertaking or seeking to undertake an activity involving a local government discretion; or
  - (ii) it is reasonable to believe is intending to undertake an activity involving a local government discretion.
  
- (b) A person who is an employee and who accepts a notifiable gift from a person who -
  - (i) is undertaking or seeking to undertake an activity involving a local government discretion; or
  - (ii) it is reasonable to believe is intending to undertake an activity involving a local government discretion, notify the CEO, in accordance with item (c) and within 10 days of accepting the gift, of the acceptance.
  
- (c) The notification of the acceptance of a notifiable gift must be in writing and include -
  - (i) the name of the person who gave the gift; and
  - (ii) the date on which the gift was accepted; and
  - (iii) a description, and the estimated value, of the gift; and
  - (iv) the nature of the relationship between the person who is an employee and the person who gave the gift; and
  - (v) if the gift is a notifiable gift under paragraph (b) of the definition of "notifiable gift" (whether or not it is also a notifiable gift under paragraph (a) of that definition) –
    - 1) a description; and
    - 2) the estimated value; and
    - 3) the date of acceptance,of each other gift accepted within a 10 day period.
  
- (d) The CEO is to maintain a register of notifiable gifts and record in it details of notifications given to comply with a requirement made under item (c).
  
- (e) This clause does not apply to gifts received from a relative (as defined in S 5.74(1) of the *Local Government Act*) or an electoral gift (to which other disclosure provisions apply).

- (f) This clause does not prevent the acceptance of a gift on behalf of the local government in the course of performing professional or ceremonial duties in circumstances where the gift is presented in whole to the CEO, entered into the Register of Notifiable Gifts and used or retained exclusively for the benefit of the local government.

#### **4. CONDUCT OF COUNCIL MEMBERS, COMMITTEE MEMBERS AND STAFF**

##### **4.1 Personal Behaviour**

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

##### **4.2 Honesty and Integrity**

Council Members, Committee Members and staff will:

- (a) observe the highest standards of honesty and integrity, and avoid conduct which might suggest any departure from these standards;
- (b) bring to the notice of the President any dishonesty or possible dishonesty on the part of any other member, and in the case of an employee to the CEO; and
- (c) be frank and honest in their official dealing with each other.

##### **4.3 Performance of Duties**

- (a) While on duty, staff will give their whole time and attention to the Local Government's business and ensure that their work is carried out efficiently, economically and effectively, and that their standard of work reflects favourably both on them and on the Local Government.

- (b) Council Members and Committee Members will at all times exercise reasonable care and diligence in the performance of their duties, being consistent in their decision making but treating all matters on individual merits. Council Members and Committee Members will be as informed as possible about the functions of the Council, and treat all members of the community honestly and fairly.

#### **4.4 Compliance with Lawful Orders**

- (a) Council Members, Committee Members and staff will comply with any lawful order given by any person having authority to make or give such an order, with any doubts as to the propriety of any such order being taken up with the superior of the person who gave the order and, if resolution cannot be achieved, with the CEO.
- (b) Council Members, Committee Members and staff will give effect to the lawful policies of the Local Government, whether or not they agree with or approve of them.

#### **4.5 Administrative and Management Practices**

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

#### **4.6 Corporate Obligations**

##### **(a) Standard of Dress**

Council Members, Committee Members and staff are expected to comply with neat and responsible dress standards at all times. Accordingly:

- (i) Council Members and Committee Members will dress in a manner appropriate to their position, in particular when attending meetings or representing the Local Government in an official capacity.
- (ii) Management reserves the right to adopt policies relating to corporate dress and to raise the issue of dress with individual staff.

##### **(b) Communication and Public Relations**

- (i) All aspects of communication by staff (including verbal, written or personal), involving Local Government's activities should reflect the status and objectives of that Local Government. Communications should be accurate, polite and professional.
- (ii) As a representative of the community, Council Members need to be not only responsive to community views, but to adequately communicate the attitudes and decisions of the Council. In doing so Council Members should acknowledge that:

- as a member of the Council there is respect for the decision making processes of the Council which are based on a decision of the majority of the Council;
  - information of a confidential nature ought not be communicated until it is no longer treated as confidential;
  - information relating to decisions of the Council on approvals, permits and so on ought only be communicated in an official capacity by a designated officer of the Council;
  - information concerning adopted policies, procedures and decisions of the Council is conveyed accurately.
- (iii) Committee Members accept and acknowledge it is their responsibility to observe any direction the Local Government may adopt in terms of advancing and promoting the objectives of the Committee to which they have been appointed.

#### **4.7 Appointments to Committees**

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

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

### **5. DEALING WITH COUNCIL PROPERTY**

#### **5.1 Use of Local Government Resources**

Council Members and staff will:

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

#### **5.2 Travelling and Sustenance Expenses**

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

#### **5.3 Access to Information**



## SHIRE OF CORRIGIN REGISTER OF POLICIES

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

**Adopted by the Council of the Shire of Corrigin on 15 June 2010**

**Adapted from the Western Australian Local Government Model Code of Conduct.**



## 5 STAFF POLICIES



## 5.1 CODE OF BEHAVIOUR – STAFF, VOLUNTEERS AND CONTRACTORS

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<b>Policy Owner:</b>	Governance and Compliance
<b>Person Responsible:</b>	Chief Executive Officer, Manager Works and Services
<b>Date of Approval:</b>	19 July 2016
<b>Amended:</b>	

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**Objective:** The Code of Behaviour clarifies the standards of behaviour that are expected of all staff and volunteers in the Shire of Corrigin in the performance of their duties. It gives guidance in areas where staff and volunteers need to make personal and ethical decisions and is to be used in conjunction with the Shire's other Human Resources Policies and Procedures and the official Code of Conduct.

**Policy:** Employees of the Shire are to carry out work and related activities observing the highest standards of conduct. Staff are expected to carry out their work in an ethical and co-operative manner and perform their duties with efficiency, fairness, impartiality, integrity and honesty. The Code of Behaviour is written as a set of general principles rather than detailed prescriptions.

This Code cannot address all possible issues which staff may face in their employment. The successful development of an ethical environment relies upon employees having responsibility for their professional behaviour, taking into consideration the provisions of the code and policies of the Shire.

The Code of Behaviour sets down the standards and obligations that are not otherwise specified. This code aims to clarify for all staff the conduct expected in the performance of duties. Compliance with the Code of Behaviour will foster and maintain a general environment of trust and confidence in the integrity and professionalism of the Shire. Staff will strive at all times to maintain and enhance the reputation of the Shire. The Code of Behaviour applies to all staff at the Shire.

### **Employee Responsibilities**

The Shire employees have a responsibility to:

- Observe and comply with the rules and policies of the Shire
- Act in a professional manner at all times
- Carry out roles and tasks assigned to them in a positive, effective and efficient manner
- Act impartially, fairly and without prejudice or favouritism
- Treat the Shire customers with the highest level of customer service
- Abide by the policies, procedures and guidelines applicable to the Shire
  
- Be accountable for decisions made within the course of their duties



- Respect fellow employees and treat each other with courtesy, fairness, equity and sensitivity
- Respect an individual's right to privacy
- Respect confidential information given to them in the course of employment
- Maintain open communication and accountability
- Behave honestly and ethically in all dealings
- Maintain and develop knowledge in their respective fields
- Be loyal to the Shire and not engage in activities that conflict with its operations or result in personal profit
- Not solicit or encourage gifts or benefits in relation to their professional duties
- Make efficient and economical use of Shire resources
- Disclose fraud, corruption or maladministration
- Avoid making public comment regarding the Shire
- Exercise a duty of care to themselves and others within the workplace to avoid hazards or accidents
- Use initiative and strive for excellence

#### **Managers Responsibilities**

In addition to the responsibilities as an employee managers also have a responsibility to:

- Ensure all staff have access to copies of the Code of Behaviour and other relevant documents and policies
- Ensure that the requirements of the Code of Behaviour are reflected in the day-to-day management of employees
- Ensure staff maintain high standards of conduct in the workplace
- Support staff who disclose information regarding maladministration or corrupt conduct
- Take all necessary steps to resolve conflicts that arise in the workplace and ensure any conflict is avoided in the future
- Appropriately record all reports of actual or potential conflict or contraventions of the Code of Conduct

**Breaches or non-compliance with this Code of Behaviour may result in disciplinary action appropriate to the level of breach.**

**This code of behaviour is an addendum to the formal Code of Conduct of Council.**



## 5.2 TRAINING AND DEVELOPMENT

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<b>Policy Owner:</b>	Governance and Compliance
<b>Person Responsible:</b>	Chief Executive Officer
<b>Date of Approval:</b>	15 August 2006
<b>Amended:</b>	17 October 2017

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**Objective:** To facilitate the training and development of employees within areas which are of mutual benefit for the Shire and its employees.

**Policy:** The Shire will support employees to attend appropriate conferences, seminars and training programs relating to their individual function and responsibilities as detailed in position descriptions and their individual Training and Development Plan.

A training and development plan will be developed for each employee as part of the annual Performance Appraisal process. The purpose of this is to identify areas of training, either to build on your strengths or to cover those elements of your job that you may have limited experience. The training needs will be put in writing and will form the basis of an individual's training plan for the period until the next review.

The Shire of Corrigin is committed to creating a learning culture. The Shire of Corrigin recognises that the business environment is constantly changing and that employees need to acquire knowledge and expertise to keep us up to date.

During the budget preparation process the CEO shall propose for the consideration of Council an allocation of funds for staff attendance at conferences and seminars and for staff training for the ensuing financial year. There will be no payment of training fees or time off to attend training unless prior approval for training has been authorised through the appropriate channels:

- Approval to attend is only to be granted if the relevant budget provides sufficient funds and the conference, seminar or training course has been identified in the employee's Training and Development Plan as being deemed to be of particular relevance to Council's operations and/or to the employee's professional development needs;
- Senior staff attendance at conferences that has been included in staff contracts will still require approval of the CEO;
- The following expenses incurred as a result of approved training will be met by Council and if paid by an employee can only be reimbursed with the production of a detailed receipt:
  - Registration fees;
  - Accommodation and reasonable meals costs\*;



## SHIRE OF CORRIGIN REGISTER OF POLICIES

- Minor expenses, such as taxi, parking fees and telephone calls, internet access; and
  - Travelling expenses.
- Alcohol, mini bars and in house movies will not be paid by Council.

\*Reasonable meal costs (as per the Australian Taxation Office annual taxation determination for reasonable meal allowance expenses

Breakfast – \$27.05

Lunch - \$30.45

Dinner - \$51.85

These are reviewed annually in July each year but may not necessarily be increased as a result of such review.

If an employee is required to stay away from home overnight in accommodation booked breakfast charges at the hotel rates will be paid by the Shire, even if they are in excess of the amount listed above.

Any meal expenses incurred by employees in excess of the above limits:

- Are to be paid by the employee to the supplier of the meals prior to settlement of the account.
- May not be included on the Company's Credit Card Account.

- Partners may attend conferences at own cost.
- Air travel will be limited to economy class and will be organised by the Governance Executive Officer;
- The Shire will endeavour to provide transport where training or conferences are held away from the Shire office, however in the event that a personal vehicle is used, travel reimbursements may be claimed in accordance with the *Local Government Industry Award 2010*;
- Staff attending conferences shall conscientiously attend all conference proceedings unless carrying out other duties on behalf of the Shire during the term of the conference. An evaluation report on the attendance at each conference/seminar/course shall be prepared and submitted to the Deputy CEO or CEO if requested.



### 5.3 FIT FOR WORK

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<b>Policy Owner:</b>	Corporate and Community Services; Works and Services,
<b>Person Responsible:</b>	Chief Executive Officer, <del>Deputy Chief Executive Officer,</del> <del>Manager Works and Services</del>
<b>Date of Approval:</b>	19 July 2016
<b>Amended:</b>	

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#### Objectives:

The objectives of this policy are to:

- a) Afford a clear understanding of the Council's position in relation to Unfit for Work, primarily in relation to the influence of, in possession of or found to be cultivating, selling or supplying drugs and / or alcohol, or being in any other way impaired for work through substances or fatigue.
- b) Ensure the Shire meets its duty of care under *the Occupational Safety and Health Act, 1984* to, where practicable, reduce hazards in the workplace.
- c) Impress upon all employees their responsibility to establish and maintain a safe working environment by attending to their duties in a 'Fit for Work' state in the interest of themselves and the safety and wellbeing of other employees.
- d) Prescribe the circumstances where an employee is deemed Unfit for Work and detail the remedial measures to be taken to achieve the required duty of care across the organisation.
- e) Establish a structured approach that for the most part is fair and equitable in dealing with employees who attend work in an unfit state.

#### Definitions:

The following definitions and interpretations shall apply with respect to being under the influence of alcohol and/or other drugs:

- Impaired Work Performance - means sudden or gradual deterioration of a person's ability to function appropriately at work.
- Unfit for Work- means being impaired for work and therefore unable to perform duties in a safe manner.
- Use- means eating, drinking, inhaling, injecting or dermal absorption of any substance or drug.
- Misuse - means inappropriate use of a substance on the Shire premise or property, including overdose of a drug or the failure to take a drug in accordance with medical advice.
- Alcohol- means any beverage containing alcohol.
- Drugs - means amphetamines, cannabinoids THC, opiates, barbiturates, cocaine, methadone, benzodiazepines, alcohol and other narcotics, prescription drugs and non-prescription drugs.



## SHIRE OF CORRIGIN REGISTER OF POLICIES

- Substance- means any drug that may have adverse effects causing impaired work performance.
- Fatigue - means the inability to perform work effectively or safely due to lack of sleep. Or the
- adverse effects of medication, alcohol, drugs and 1 or other substances (including, hangovers and/or "come downs").
- Fit for Work- means not being under the influence of or affected by the adverse effects of drugs, alcohol or any other substance, or not being fatigued.
- Employee - means a person employed by the Shire in a permanent, part-time or casual role.
- Contractor- means a person engaged by the Shire (includes sub-contractor personnel) to perform works through the issue of a purchase order.

### Policy:

#### 1.0 **RESPONSIBILITIES**

##### 1.1 Supervisor

If a supervisor or manager has reasonable grounds to believe that an employee or contractor is affected by drugs and/or alcohol, steps will be taken to address the issue.

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

##### 1.2 Employee/Contractor

The health and wellbeing of an employee and contract personnel is of great importance to the organisation. It is the responsibility of an employee to ensure he or she does not attend work in a manner or condition which will affect their work performance and that could endanger work colleagues, members of the public or cause damage to Shire equipment. An employee assistance program will be offered in order to support the affected employee- refer to Statement 3.0 of this policy.

All matters pertaining to fitness for work will be treated with the utmost confidentiality and any employee or contractor who is interested in receiving counselling services should seek assistance from their supervisor or manager.

#### 2.0 **APPLICATION**

##### 2.1 Alcohol

- Employees and contractors who commence work whilst under the influence of alcohol will be stood down from their duties with Calibrated Breathalyser testing is to be carried out on site by a trained manager/supervisor.
- Breath testing for alcohol shall be set at zero tolerance for all staff.
- Employees and contractors testing positive for alcohol will be given the option to stand down from work without pay, and remain on the premises and re-test

within a prescribed amount of time as determined by the relevant manager/supervisor.

- If the breathalyser test is confirmed positive the employee or contractor will be sent home without pay for the remainder of the day. Further, if the blood alcohol level is recorded at 0.05mg% or over transport will be arranged by the manager for the employee to return home.
- On occasions where alcohol may be included as part of a work function or other recognised work event, supervisors/managers shall ensure that sufficient non-alcoholic alternatives are also provided such as soft drinks, water, tea and coffee.
- Where management has approved the consumption of alcohol at a shire function or event, employees must apply a duty of care for their own and other people's safety and wellbeing.
- Failure to follow directions by management with regard to the consumption of alcohol at a shire function or event may result in disciplinary action being taken by the Shire.
- Employees must arrange their own transport in relation to shire function or event as the shire does not accept responsibility and will not be liable for employees during travel to and from the function or event.

## 2.2 Drugs and Prescription Medication

### *Illicit Drugs and Other Substances*

- Illicit drugs and other substances are strictly prohibited by the Shire of Corrigin.
- Being under the influence of, suffering adverse effects of, in possession of, or found to be cultivating, selling or supplying drugs or other substances whilst on the Shire property or premise will result in disciplinary action and possibly instant dismissal. If suspected of the above, an employee must undergo a drug screen paid by the shire. A contractor under the same circumstances will be asked to immediately leave the premises and the matter will be raised with their employer.
- Refusal to a drug screen by an employee may result in instant dismissal. If the drug screen proves positive results on the first offence, the employee will receive a written warning- refer to statement 4.1 of this policy. If an employee is found to give a positive result on the second offence, they will receive a second written warning- refer to statement 4.2 of this policy.
- Any third offence may also result in instant dismissal - refer to statement 4.3 of this policy.

### *Prescription and Other Medication*

- It is an employee's and contractor's responsibility to inform the relevant supervisor of any medication they are taking. This includes information of any adverse effects that may occur whilst taking such medication, including the amount of times at which the medication is taken per day. This information is to be recorded on the employee's personnel file or contractor worksheet for reference in the event of an emergency.

- It is necessary the supervisor to record any known allergic reactions to any medication an employee may have (i.e. penicillin).
- All prescription drugs and other medication must be used in accordance with medical advice.
- Any non-prescription drugs or other medication must be used in accordance with the manufacturer's recommendations.
- Failure to follow these requirements will result in disciplinary action - refer to statement 4.0 of this policy.

### 2.3 Fatigue

- In the interest of safety and health it is important that employees remain alert and function at full capacity whilst at work to reduce the risk of injury or harm to themselves, personnel or members of the public.
- This procedure directly reflects, but is not limited to, the implications of fatigue through the following external triggers:
  - Lack of sleep
  - Voluntary Work, or
  - External work commitments
- It is an employees' responsibility to report to the relevant supervisor any other work or voluntary commitments outside of their employment with the Shire that may adversely affect their role.
- Depending on the circumstances, the shire may come to an agreement with the employee to ensure there is equilibrium between regular hours worked at the Shire, sleep/rest and additional hours worked elsewhere (including paid and voluntary work).
- If this agreement is reneged by the employee, disciplinary action may result.
- If deprivation of sleep is the cause of fatigue due to other external circumstances, a drug and alcohol screen may be imposed at the direction of the Supervisor. If positive, disciplinary action may be taken.
- In circumstances where the employee or contractor is unfit to remain at work in the opinion of the supervisor/manager, the employee will be stood down from work without pay for the remainder of the day.

### 3.0 **EMPLOYEE ASSISTANCE PROGRAM (EAP)**

The Shire of Corrigin understands employees may be experiencing difficulties external to work that may influence their behavior and health whilst at work. To assist with the recovery of the employee, the shire has in place a confidential Employee Assistance Program (EAP). Assistance may be offered to first offence employees through a coordinated group of strategies designed to encourage employees to seek professional, confidential counseling for personal problems that may significantly affect their work performance.

If an EAP is offered as a result of a first offence and the employee declines the offer, they risk the consequence of instant dismissal on second offence. Employees who have failed to meet the guidelines of this procedure yet feel an EAP will benefit due to personal circumstances may request access to these services.

### 4.0 **DISCIPLINARY ACTION - EMPLOYEES**

Should an employee contravene this policy in anyway the following procedure is to apply with discretion afforded to the CEO to deviate from this approach as deemed necessary and where considered appropriate (refer to explanatory notes).

**4.1 First Offence:**

- The employee will be immediately suspended from duty without pay if found to be unfit to work.
- The employee will be given the opportunity to explain their circumstances/actions in relation to the test results.
- The employee will be counseled by their supervisor that will focus on; the unacceptability of the employee's behavior; the risk that such behavior creates for the safety of the individual and other employees or members of the public and the employee's responsibility to demonstrate that the problem is being effectively addressed.
- The employee will not be permitted to return to work until they have been tested again and if proved negative, may be sent home at the discretion of their supervisor.

**4.2 Second Offence:**

- The employee will be immediately suspended from duty without pay if found to be unfit for work. The employee will be given the opportunity to explain their circumstances/actions in relation to the test results.
- The employee will be counseled by their supervisor that will focus on;
  - the unacceptability of the employee's behavior;
  - the risk that such behavior creates for the safety of the individual and other employees or members of the public and the employee's responsibility to demonstrate that the problem is being effectively addressed.
- • The employee will not be permitted to return to work until they have been tested again and proved negative, and may be sent home at the discretion of their supervisor.
- • The employee will be submitted to fortnight or random alcohol and 1 or drug screening for the period of two months paid by the Shire. If the employee refuses to comply with the testing or the results confirm positive on a consistent basis, instant dismissal may be exercised by the CEO.

**4.3 Third Offence:**

- The employee will be immediately suspended from duty without pay if found unfit for work.
- The employee will be given the opportunity to explain their circumstances/actions in relation to the test results.
- If not accepted by the CEO, the employment will be terminated without notice.

**4.4 Instant Dismissal:**

- Notwithstanding the disciplinary action above the following circumstances may also apply to dismissal without notice:
  - Any attempt to falsify the drug and alcohol screening
  - Cultivating, selling or supplying drugs and/ or other substances;





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- Unauthorised consumption of illicit drugs or alcohol whilst on the work site or during the working period;
- Any other unlawful behavior.

#### 4.5 Other:

If an employee is sent home without pay, it is a requirement of the supervisors to:

- Contact the employee's next of kin to arrange pick up.
- If the next of kin is unable to be contacted or unable to take employee home, an alternative arrange must be made to ensure the employee is delivered home safely. The employee is to be advised that their vehicle must be collected the same day.

#### **5.0 DISCIPLINARY ACTION -CONTRACTOR**

Should a contractor be found to have breached this policy the shire may seek to review the contractual arrangements and if necessary (as determined by the CEO) move to cancel the purchase order and terminate the working arrangement without any form of compensation.

#### **Explanatory Note:**

This policy incorporates a procedure for disciplinary action under Statement 4.0 to address matters where an employee is deemed unfit for work, the Council acknowledges the CEO may, at his or her discretion accounting for a particular circumstance or situation, deviate from this procedure in managing the daily operations of the shire pursuant Section 5.41 of the *Local Government Act, 1995*.



## 5.4 STUDY ASSISTANCE

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<b>Policy Owner:</b>	Governance and Compliance
<b>Person Responsible:</b>	Chief Executive Officer, <del>Deputy Chief Executive Officer,</del> <del>Manager Works and Services</del>
<b>Date of Approval:</b>	19 July 2016
<b>Amended:</b>	

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**Objective:** The Shire supports employees who endeavour to further their education (as it relates to their position), through the provision of a financial subsidy and time off for study.

**Policy:** Study assistance relates to any qualification gained through University/TAFE/College which has a national recognisable attainment. Permanent employees who have completed their probationary period may be eligible for study assistance subject to the conditions of this Policy.

Approval may be granted only where there is clear relevance between current or prospective duties and the studies to be undertaken.

Applications for study assistance must be made annually as part of the Performance Appraisal process. The Shire will allocate in the Annual Budget a sum to assist with the costs associated with employee study assistance.

### **Financial Assistance**

The Shire will consider reimbursement to the maximum value of \$2,500 in any year for education through a recognised provider (i.e. University or TAFE).

- Authorisation prior to commencement of the program is required, in order that the contents of the program can be assessed to ascertain the relevance to current work duties and responsibilities.
- Employees must pay for the approved unit(s) up front and pass the unit(s), prior to any reimbursement claim being made.
- In order to claim reimbursement, employees must complete the study assistance claim form, provide the receipt of payment and a transcript of results obtained.

### **Study Leave**

The Shire will consider up to five (5) hours per week, paid time off for employees who wish to gain higher education through a recognised provider (i.e. University or TAFE).

- For time off to study to be approved, employees must satisfy the Shire that all endeavours have been made to study outside working hours, e.g. evening classes, correspondence, etc., and that rostered days off are being utilised (this may include a change to the rostered day off in order to accommodate study hours).



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- The five (5) hours per week shall include travel time to and from the place of study.
- Reasonable time for examinations will be considered.
- A study assistance application form must be completed and approved prior to time off for study being commenced.
- Time off is offered as an alternative to financial assistance and must be applied for on an annual basis.

Having regard to changing Government policy on student contributions towards the cost of study, the Shire will keep its policy on reimbursement of educational expenses under review.

### **Professional and Representative Bodies**

Subscription fees for members of an appropriate professional body which is recognised by the Shire of Corrigin will be reimbursed subject to approval of the CEO.



## 5.5 VOLUNTARY SERVICE

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<b>Policy Owner:</b>	Governance and Compliance
<b>Person Responsible:</b>	Chief Executive Officer, <del>Deputy Chief Executive Officer,</del> <del>Manager Works and Services</del>
<b>Date of Approval:</b>	19 July 2016
<b>Amended:</b>	17 October 2017

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**Objective:** To ensure that the Shire's employees who are emergency service volunteers (e.g. St John Ambulance, fire brigade officers) are paid whilst attending those emergencies.

**Policy:** **Paid Volunteering Time Off (PVTO)**  
All staff who are bona fide members of volunteer emergency service groups, (i.e. fire brigade, St John Ambulance), who are required for emergency service by those groups during ordinary working hours usually worked in that day or period during an emergency, but not including time in excess of ordinary working hours, weekends (unless part of their normal roster of working hours) or public holidays.

For the purpose of this policy, ordinary working hours shall be the time ordinarily worked.

Employees are required to indicate PVTO on their timesheets where payments shall be made through normal pay channels and which may be subject to authentication by the officer controlling the relevant body or service.

### Conditions of Volunteering

1. Council employees either volunteering, or as members of volunteer organisations, are required to obtain permission the CEO, to attend an emergency during normal working hours.
2. Any Shire employee attending an emergency before or after their normal working hours will be considered to be a volunteer. Shire employees will be paid only for their normal hours of duty.
3. When a specific request has been made by the Chief Bush Fire Control Officer for Shire heavy equipment, the Shire employees operating this equipment will be paid appropriate Enterprise agreement rates for the length of time required. This arrangement is limited to ten (10) hours continuous time, after which the operator should be relieved from duty.



## 5.6 SENIOR EMPLOYEES

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**Policy Owner:** Governance and Compliance  
**Person Responsible:** Chief Executive Officer, ~~Deputy Chief Executive Officer,~~  
~~Manager Works and Services~~  
**Date of Approval:** 20 May 1998  
**Amended:** 18 March 2014

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**Objective:** The designation of senior employees in accordance with section 5.37 of the *Local Government Act 1995*.

**Policy:** The following positions are classified as Senior Employees for the purposes of Section 5.37(1) of the *Local Government Act 1995*:

- CEO
- Deputy CEO



## 5.7 STAFF UNIFORMS

<b>Policy Owner:</b>	Governance and Compliance
<b>Person Responsible:</b>	Chief Executive Officer, <del>Deputy Chief Executive Officer,</del> <del>Manager Works and Services</del>
<b>Date of Approval:</b>	21 April 2015
<b>Amended:</b>	19 July 2016; 17 October 2017

- Objective:** The Shire shall:
- Present a recognisable, tidy and professional image of staff to the community;
  - Ensure staff are appropriately dressed for their duties; and
  - Ensure that adequate protective clothing is provided to assist in maintaining the safety and health of employees and environmental conditions.

- Policy:** The Shire shall adopt a corporate uniform for staff employed in the following areas:
- Administration Staff
  - Outside workforce
  - Any other groups of staff as the CEO may from time to time see fit.

It shall be a job requirement that the staff involved in the designated areas wear the full uniform at all times during the performance of their duties unless a specific task necessitates otherwise. Council shall supply employees with a uniform in accordance with guidelines set out below. The CEO is able to determine what a suitable uniform is, after consultation with staff, including colour and style of the uniform.

Casual employees shall not be eligible for uniforms under this policy except upon review of working conditions.

Part time employees working as outside staff quantities of clothing issued will be adjusted accordingly.

### Conditions of Supply

That the initial uniform for new outside staff be:

ITEM	QUANTITY	REPLACEMENT	VALUE
Long Sleeve Hi-Vis Shirts	3	Per Year	
Trousers	3	Per Year	
Safety Boots	1	Fair Wear and Tear	Up to \$200
Waterproof Jacket Hi-Vis	1	Fair Wear and Tear	
ITEM	QUANTITY	REPLACEMENT	VALUE



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Jumper or Jacket Hi-Vis	1	2 Years	
Raincoat	1	Fair Wear and Tear	
Wide Brim Hat	1	Fair Wear and Tear	
Safety Glasses	1	Fair Wear and Tear	
Rubber boots Steel Cap	1	Fair Wear and Tear	
Overalls	If required	Fair Wear and Tear	

Employees engaged in bitumen/concrete works or undertaking other high wearing duties will be given adequate consideration with respect to replacement and fair wear and tear.

Shirt, trousers and jackets/jumpers will be provided as part of an annual/bi-annual clothing issue. All other personal protective clothing will be supplied on starting work (permanent) with the Shire and then on an as needs/fair wear and tear basis.

The Administration staff will be allocated an amount of \$600 per annum (pro rata for part time staff) as determined by the annual Budget.

**High Visibility**

Workers must wear high visibility clothing of some description while within the road reserve or near vehicle access ways to ensure that they can be seen easily by vehicle users

For this reason all uniform supplied to the outside workforce will be high visibility clothing.



## 5.8 RETIREMENT/RESIGNATION OF EMPLOYEES – COUNCIL GIFT/FUNCTIONS

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**Policy Owner:** Governance and Compliance  
**Person Responsible:** Chief Executive Officer  
**Date of Approval:** 31 March 1989  
**Amended:**

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**Objective:** This policy is to provide the necessary guidelines for gifts and/or function for the retirement or resignation of a Shire employee.

**Policy:** Upon resignation/retirement of an employee who has provided satisfactory service to Council for two (2) years or more, the Council authorises the CEO to acquire a suitable gift to be presented to that employee.

The value of the gift as a guide to be as follows:

Length of Service	Value of gift up to
0 – 2 years	\$0
2 – 5 years	\$100
5 – 10 years	\$250
10 – 15 years	\$350
15 – 20 years	\$450
20 years +	\$550

The objectives are:

- To show appreciation to employees who have made long term or otherwise contributions to Council and to promote good Council/staff relations.
- To frame a standard procedure when dealing with staff who leave Council's employment and to comply with the *Local Government Act 1995*.

Gifts will be given in accordance with the following guidelines:

- At the discretion of the CEO, a gift may be provided to employees leaving Council prior to two (2) years of service.

Functions will be given in accordance with the following guidelines:

- At the discretion of the CEO, a function may be provided to employees leaving Council prior to two (2) years of service.

Presentation for senior employees leaving Council to be considered independently of this policy.





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The retirement/resignation function will depend on the following length of service and consist of:

Length of Service	Value	Details of Function
0 – 2 years	Nil	At the discretion of CEO
2 – 5 years	\$200	Council sponsored sun downer (all staff and the departing officer's partner) with nibbles, beer, wine and soft drink.
5 – 20 years	5 – 10yrs = \$250 10 – 15yrs = \$500 15 – 20yrs = \$750	Council sponsored sun downer (Elected Members, staff and the departing officer's partner) with nibbles, beer, wine and soft drink.
20yrs plus	\$1,000	Council sponsored reception (Elected Members, staff and partners).

**Note: Catering for such functions may include finger foods and drinks (modest quantity of alcohol including mid or low strength beers is permitted).**

The Chief Executive Office or Deputy CEO will notify the Governance Executive Officer of the employee's entitlement upon receipt of the employee's retirement/resignation notification.

The Governance Executive Officer together with the Chief Executive Office or Deputy CEO will be responsible for arranging the function and gift in advance of the employee's final working day.



## 5.9 COUNCIL VEHICLES ISSUED TO STAFF

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<b>Policy Owner:</b>	Governance and Compliance
<b>Person Responsible:</b>	Chief Executive Officer, <del>Deputy Chief Executive Officer,</del> <del>Manager, Works &amp; Services</del>
<b>Date of Approval:</b>	15 October 2013
<b>Amended:</b>	19 July 2016; 17 October 2017

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**Objective:** To supply employees with a means of transportation in order that they may provide effective and efficient services.

**Policy:** No employee shall drive a Shire vehicle without a valid "C" class driver's licence. Upon request, employees will produce their current driver's licence for inspection by a delegated officer.

The employee shall be responsible for payment of fines incurred as a result of failing to observe the Road Traffic Code and/or any parking prohibitions.

All Shire vehicles are deemed to be 'pool vehicles' during normal business hours and are not exclusive in use to the respective assigned employees.

All vehicles shall be appropriately housed and secured at the residence of the employee. It is the responsibility of the employee to maintain the vehicle in a clean and tidy state, and report immediately any damage or malfunction. Smoking is banned in all Shire of Corrigin vehicles.

The following conditions shall apply to staff that have vehicles issued to them by Council:

**CEO**

- Unrestricted use of the vehicle, in the South West Land Division of Western Australia or other use as approved by Council.
- No Shire logo
- Choice of colour
- Maximum value of vehicle \$65k (exc. GST) as per the annual budget

**Deputy CEO**

- Unrestricted use of the vehicle within the South West Land Division except for periods of annual leave and long service leave unless otherwise approved by the CEO **or provided for in the employees contract.**
- No Shire logo
- No choice of colour
- Maximum value of vehicle \$45k (exc. GST) as per the annual budget



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### Manager Works and Services

- Unrestricted use of the vehicle within the South West Land Division except for periods of annual leave and long service leave unless otherwise approved by the CEO or provided for in the employees contract.
- No Shire logo
- No choice of colour
- Maximum value of vehicle \$40k (exc. GST) as per the annual budget

### Environmental Health Officer/s

- Unrestricted use of the vehicle within the South West Land Division except for periods of annual leave and long service leave unless otherwise approved by the CEO.
- No Shire logo
- No choice of colour
- Maximum value of vehicle \$35k (exc. GST) as per the annual budget

### Building Supervisor

- Unrestricted use of the vehicle within the Shire of Corrigin unless otherwise approved by the CEO.
- No Shire logo
- No choice of colour
- Maximum value of vehicle \$35k (exc. GST) as per the annual budget

Any alterations to the above allowances will be taken to Council for approval.



## 5.10 EMPLOYEE PLANT/VEHICLE USE

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<b>Policy Owner:</b>	Governance and Compliance
<b>Person Responsible:</b>	Chief Executive Officer
<b>Date of Approval:</b>	15 November 2000
<b>Amended:</b>	19 July 2016

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**Objective:** To provide guidance on the private use of Shire plant and vehicles by Shire employees.

**Policy:** Employees may not use the Shire plant and equipment after hours free of charge on their own residential land and Shire Residences, without the express approval of the CEO. This approval will be allowed or disallowed depending on the nature of the work to be carried out. Any damage from misuse is to be paid for by the operator. The CEO will establish a list of borrowers.

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If permission to use Shire of Corrigin plant and equipment is granted the cost shall be at private works rates less the labour component. Use of small equipment will be charged as per fees and charges adopted by Council.

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Permission will not be granted to use plant, equipment or vehicles outside of the Shire of Corrigin.

All requests for private use of a Council owned vehicle by a staff member are to be submitted to the CEO.

If a request for private use of a vehicle or item of plant is granted, the following conditions will apply:

- i) Only a person with the necessary licence and experience will be given permission to drive the vehicle;
- ii) It is not used for commercial purposes;
- iii) If the staff member is accompanying the driver, they must be with the vehicle at all times; and
- iv) The vehicle or item of plant is returned with a full tank of fuel.



## 5.11 LOSS OF DRIVERS LICENCE BY STAFF

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<b>Policy Owner:</b>	Governance and Compliance
<b>Person Responsible:</b>	Chief Executive Officer
<b>Date of Approval:</b>	7 June 1995
<b>Amended:</b>	

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**Objective:** To provide guidance in the event of a staff member losing their Motor Drivers Licence.

**Policy:** If a member of the staff loses their motor drivers licence and they rely on their licence to carry out their duties, they:

- Are to immediately advise the CEO; and
- As a result of the loss of licence, may be stood down until they have their licence back again.

The decision on whether the staff member is to be stood down will be made by the CEO.



## 5.12 REMOVAL EXPENSES

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**Policy Owner:** Corporate and Community Services  
**Person Responsible:** Chief Executive Officer  
**Date of Approval:** 15 October 2013  
**Amended:** 19 July 2016; 17 October 2017

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**Objective:** To establish guidelines for the reimbursement of employee's removal expenses when relocating to Corrigin for employment.

**Policy:** The reimbursement of employee removal expenses is to be provided as follows:

- CEO – 50% after 6 months satisfactory service and remaining balance after completion of 12 months service to a maximum of \$7,000 or other value as agreed to by Council.
- Deputy CEO – 50% after 6 months satisfactory service and remaining balance after completion of 12 months service to a maximum of \$5,000 or other value as agreed to by Council.
- Senior Staff/Managers – 50% after 6 months satisfactory service and the balance after completion of 12 months service to a maximum of \$2,500 or other value as agreed to by the CEO in consultation with the Shire President.



## 5.13 STAFF HOUSING

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<b>Policy Owner:</b>	Governance
<b>Person Responsible:</b>	Chief Executive Officer, <del>Deputy Chief Executive Officer,</del> Manager, Works and Services
<b>Date of Approval:</b>	<b>19 July 2016</b>
<b>Amended:</b>	<b>17 October 2017</b>

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**Objective:** To provide clarity on the conditions for use of Council owned housing by allocated tenants and to ensure the residences and gardens are maintained to a suitable level expected by the community and ratepayers.

Council housing and rental subsidy is provided with the specific purpose of aiding Council in being able to attract and retain appropriate staff.

Shire staff who are entitled to a residence as part of their contract of employment or rental agreement are required to maintain the residence including lawns and gardens to a neat and tidy standard.

**Definitions:** Senior Officer means a person or an employee as defined under the *Local Government Act 1995* Section 5.37(1).

**Policy:** **Chief Executive Officer**

These provisions relate to the CEO as a Senior Employee appointed under Section 5.37(1) of the *Local Government Act 1995*.

In this regard:

- a) The CEO will be provided with a Shire owned or rented house to a minimum configuration of three (3) bedrooms and one two (2) bathrooms at a rental rate as defined under their contract of employment.
- b) If a rental house is required, the CEO in consultation with the Shire President shall determine an appropriate standard and location of the house to be rented.
- c) A housing allowance will be paid if the CEO owns own house

**Deputy Chief Executive Officer**

The following will apply to the Deputy CEO:

- a) A Shire owned or rented house to a minimum configuration of three (3) bedrooms and one two (2) bathrooms at a rental as defined under their contract of employment.
- b) If a rental house is required, the CEO shall determine an appropriate standard and location of the house to be rented.
- c) A housing allowance will be paid if DCEO owns own house



## SHIRE OF CORRIGIN REGISTER OF POLICIES

### Other Employees

A Shire owned house to an appropriate standard and location the satisfaction of the CEO shall be provided at a discounted rental rate to be determined through the Annual Budget/Fees and Charges to the following positions:

Employee Classification
Manager of Works
Manager Finance
Pool Manager
Environmental Health Officer
Building Supervisor
Other*

\*as deemed necessary by the CEO to secure occupation a position by a suitable person.

### Permanent fixtures

Permanent fixtures shall include the following:

- Hot water system
- Dish washer
- Authorised air-conditioning units (i.e. authorised air-conditioning units are inbuilt ducted or wall mounted units installed and owned by Council)
- Floor coverings
- Window treatments
- Light fittings (except globes)
- Authorised TV Antennae or Satellite equipment (i.e. authorised TV equipment is equipment installed and owned by Council to ensure the house is able to receive a television service)
- Stove
- Internal heating appliances

Maintenance costs on permanent fixtures shall be the responsibility of Council.

### Improvements to housing by tenants

Any improvements carried out to Council's owned houses shall only be permitted with prior approval of the CEO.





## SHIRE OF CORRIGIN REGISTER OF POLICIES

### Tenancy Agreement

- a) All staff occupying Shire owned houses shall be required to complete a Form 1AA Residential Tenancy Agreement (under s27 of the Residential Tenancies Act 1987 (WA) with the following requirements for the Lessee:
  - A security bond of an equivalent to 4 weeks rent and (where applicable) a pet bond of \$200 which may be paid as a lump sum or garnished from wages over a 10 week period.
  - Term of Agreement as per the tenancy agreement after cessation of employment of the Shire or other as agreed to be the CEO. Where an extension of the accommodation is accepted by the CEO, the rent will be at a rate 100% higher than the discounted rental rate or market rate.
- b) The CEO shall make appropriate arrangements through the employment of an independent property manager to undertake inspections of all Shire owned houses on at least twice per year to ensure that the houses and gardens are kept to an acceptable standard.
- c) The CEO may approve the lease of vacant Shire of Corrigin properties to persons other than employees.
- d) Houses will be inspected for maintenance needs once per year.

### Maintenance of the Gardens

Provided tenants keep their lawns and gardens in good order, Council will be responsible for all water charges for the first ~~650KL~~ ~~\$200~~ of water per financial year. If gardens and lawns are not maintained employees will be responsible for 100% of water consumption.

**Commented [JB3]:** 650KL is difficult to manage and equates to approximately \$1,500 per annum.

### Paint in Shire Residences

Council uses neutral tones in all Council owned residential buildings, (Colour palate "Porcelain") however if a resident wishes to vary the colour of a room (for example a child's bedroom), that they be allowed to do so upon approval of the CEO.

### Use of Adhesives on Walls

Council requires tenants to ensure the proper care and maintenance of residential properties provided to staff and the community and to this end prohibits the use of adhesive tape, adhesive putty or any similar products, on the walls or ceilings of Council's residential properties as these are likely to cause damage to painted surfaces.

### Vacating Shire Houses

All tenants of Shire owned houses and flats are to arrange for the carpets to be professionally cleaned prior to vacating the residence as per the tenancy agreement.



## 5.14 STAFF SUPERANNUATION

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**Policy Owner:** Corporate and Community Services  
**Person Responsible:** Finance Officer - Payroll  
**Date of Approval:** 21 May 2013  
**Amended:**

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**Objective:** This policy sets out the criteria for the payment of additional superannuation to staff. It provides for guidance for officers involved in the recruitment and retention of staff.

The Shire of Corrigin is obliged to pay superannuation into a complying fund on behalf of all staff under the provisions of Federal legislation, and this component is known as Superannuation Guarantee (SG). The percentage payment may be adjusted by legislation from time to time.

The Shire of Corrigin and its employees may also make additional voluntary contributions to a complying fund.

**Policy:** Council will make superannuation contributions for employees on the following basis:

- In addition to the *Superannuation Guarantee Administration Act 1992* and *Superannuation Charge Act 1992*, employees may elect to make both salary sacrifice and post-tax contributions ~~up to 5%~~ of their salary as an additional superannuation contribution.
- This policy applies to all permanent employees except where superannuation benefits have been varied for Senior Employees who are employed under negotiated performance based contracts. The Shire of Corrigin will match any superannuation contribution made by an employee up to a maximum of 5%, provided the total payment from Council does not exceed 14.5%, ~~additional employer contribution.~~
- Employees shall have freedom of choice over the complying fund that their superannuation contributions are paid to, providing this choice is not changed more regularly than annually.
- The default fund shall be WA Super.

**Commented [JB4]:** Employees are allowed to contribute as much as they like to their own super and are not limited to 5%. It is only the Council co contribution that is a maximum of 5%.



## 5.15 REDUNDANCY PAYMENTS

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**Policy Owner:** Corporate and Community Services  
**Person Responsible:** Chief Executive Officer, ~~Deputy Chief Executive Officer~~  
**Date of Approval:** 18 September 1997  
**Amended:**

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**Objective:** This policy is designed to provide guidelines for redundancy payments to employees whose employment with the Shire of Corrigin is finishing.

**Policy:** In respect to redundancies which result from internal restructuring, external restructuring, e.g. amalgamations, boundary changes, etc.:

- a) Negotiations and payments shall be in accordance with the Redundancy Payments, Severance Payments, introduction of change or any other provisions of the relevant award, enterprise agreement or if **Schedule 2.1, Clause 11(4)** of the **Local Government Act 1995** applies in accordance with that Section.

In recognition of the provisions of the above schedule no payment or benefit made to an employee under any provision shall exceed the equivalent of one years' salary at the time of completion of negotiations.

No severance or redundancy payments shall be less than payments or benefits provided for in accordance with:

- a) Any Federal or State Award or industrial/enterprise agreement application to the employee
- b) Any applicable provisions with the employee contract of employment
- c) Any applicable award or order made by a Federal or State industrial tribunal arising from the circumstances of that employee being specifically brought before that tribunal, subject to any right of appeal
- d) Where the Council so agrees, any recommendations made by Federal or State Industrial Commissions arising from the circumstances of that employee being specifically brought before that Commission.

Nothing in this policy prevents Council from determining that in special circumstances officers or employees whose employment with the Shire of Corrigin is finishing, may be paid additional monies or provided with additional benefits where justified. Details of such payment and benefits shall be published in accordance with the **Local Government Act Section 5.50(2)**.



## 5.16 LOCAL GOVERNMENT HOLIDAYS

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<b>Policy Owner:</b>	Corporate and Community Services
<b>Person Responsible:</b>	Manager Finance, Deputy Chief Executive Officer
<b>Date of Approval:</b>	18 October 2012
<b>Amended:</b>	17 October 2017

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**Objective:** To establish guidelines for the payment of Local Government public holidays.

**Policy:** Employees of the Shire of Corrigin shall be entitled to Western Australian gazetted public holidays. In addition to gazetted public holidays employees ~~(excluding casual and employees on fixed term contracts)~~ shall be entitled to Local Government public holidays on 2 January and Easter Tuesday of each year if the days fall on one of eligible employees ordinary work days.

When a Local Government public holiday falls on a day in which an employee is required to work, the employee will be paid in accordance with the *Shire of Corrigin Enterprise Agreement 2014 or Local Government Industry Award 2010*. ~~By mutual agreement between the Shire of Corrigin and the employee, an employee may choose to work a Local Government public holiday and take the day off at a later date. may instead of making such additional payment, grant a day's leave for each Local Government holiday which may be taken at such time as is mutually agreed to between the Shire of Corrigin and the employee.~~



## 5.17 LONG SERVICE LEAVE

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**Policy Owner:** Corporate and Community Services  
**Person Responsible:** Chief Executive Officer  
**Date of Approval:** 19 July 2016  
**Amended:** 17 October 2017

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**Objective:** To provide a process for the deferment of Long Service Leave.

**Preamble:** As Local Government Employees are entitled to 13 weeks long service leave after completion of ten years continuous service, some employees may wish to defer taking leave depending upon their individual circumstances.

**Policy:**

- i. That approval for deferment of Long Service Leave be subject to a minimum of one month being taken annually and deferment being for no more than two years.
- ii. To defer long service leave the employee is to apply to the CEO in writing not more than 6 months before and no more than 6 months after the long service leave is due.
- iii. The CEO is to refer the request for an application to defer long service leave to Council for approval.
- iv. Unless otherwise approved by Council, the rate of pay for Long Service Leave entitlement is capped at 10 years and 6 months as provided under the *Local Government (Long Service Leave) Regulations*.



## 5.18 STAFF SEEKING SECONDARY EMPLOYMENT

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**Policy Owner:** Corporate and Community Services  
**Person Responsible:** Chief Executive Officer  
**Date of Approval:** 19 July 2016  
**Amended:**

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**Objective:** To allow staff to make application for secondary employment which will not interfere with or prejudice their employment with Council.

**Preamble:** Staff wishing to engage in employment outside their official duties, must obtain prior permission from the CEO.

**Policy:** Staff that are approved to engage in secondary employment by this policy are to acknowledge that their first duty is to the Shire and they are not to be engaged in providing their service/expertise to clients that will require a decision of the Shire Council either by a Council resolution, delegated authority or Council policy.

- Staff shall not engage in secondary employment, which might be detrimental to their performance of official duties.
- Secondary employment should not affect their efficiency or performance
- Should be wholly in the staff members private time; and If in the course of their official duties, they have access to confidential information not available to the public, they will not be permitted to engage in any secondary employment to which this information might be relevant; and
- Should the Shire/management resolve to change the spread of hours of the officer then the Shire as principal employer takes priority.



## 5.19 SOCIAL MEDIA

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**Policy Owner:** Governance and Compliance  
**Person Responsible:** Governance Executive Officer  
**Date of Approval:** 19 July 2016  
**Amended:**

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**Objective:** To give guidelines for engaging in online conversations as representatives of the Shire of Corrigin regardless of private or work related access.

**Statement:** As a Local Government Agency the Shire of Corrigin and its representatives must follow certain rules when participating in social media.

**Scope:** These guidelines are intended for use by Councillors, staff members and other representatives of the Shire of Corrigin to apply to any online medium where information may reflect back on the image of the Shire of Corrigin. Therefore this Social Media Policy applies to all forms of social media including, but not limited to: blogs, Facebook, Wikipedia or other wikis, Twitter and LinkedIn. These guidelines also apply to any comments representatives of the Shire of Corrigin may leave on other people's blogs or Facebook pages, edits to wikis, responses to tweets, posting on message boards/forums and opinions on online polls.

Most conversations on social media platforms are held in an informal manner, so the normal professional writing style is not required for social media communications; however, professional discourse is expected.

All social media accounts, blogs and web pages carrying the Shire of Corrigin brand identity are to be endorsed by the Shire of Corrigin. If the Shire of Corrigin is referenced in any media by its representatives these social media guidelines apply.

Reference should also be made to the Shire of Corrigin's Code of Conduct – Staff, Volunteers and Contractors.

### **Guidelines**

- 1. The internet is not anonymous, nor does it forget**  
Everything written on the Web can be traced back to its author one way or another and very easily.
- 2. There is no clear line between your work life and your personal life. Always be honest and respectful in both capacities.**  
With the ease of tracing authors back from their posts and the amount of information online, finding the actual identity of a poster from a few posts and a screen name is not impossible. This creates an avenue for outside parties to link your personal writings to the Shire of Corrigin. Always write as if everyone knows you. Never write anything you wouldn't/couldn't say out loud to all parties involved.



## SHIRE OF CORRIGIN REGISTER OF POLICIES

- 3. Avoid hazardous materials**  
Do not post or link to any materials that are defamatory, harassing or indecent.
- 4. Don't promote other brands with our brand**  
Do not promote personal projects or endorse other brands, causes or opinions when posting on behalf of the Shire of Corrigin. The endorsement of the Shire can be sought if required. If a personal opinion must be posted, clearly state that it does not represent the opinions of the Shire.
- 5. Maintain confidentiality**  
Do not post any confidential information in regards to the Shire of Corrigin including personal information of employees, Councillors and other individuals associated with the Shire of Corrigin.
- 6. Always acknowledge**  
When reposting/referencing a post or someone else's comments provide a link to the original item or acknowledge the author.
- 7. Identify yourself**  
When relevant, identify your affiliation with the Shire of Corrigin to add credibility to your profile and to increase the visibility of the Shire of Corrigin.
- 8. Do not qualify your work**  
Do not post statements regarding the quality or quantity of your work/load.
- 9. Do not return fire**  
If a negative post or comment is found online about the Shire of Corrigin or one of its representatives, do not counter with another negative post. Publicly offer to remedy the situation through positive action.
- 10. Do not action requests made through social media**  
Actioning requests must be done only through our regular procedures to avoid conflicts and other ethical problems.

It should be noted that comments considered to be offensive or defamatory will be removed by the Administrator and repeat offenders blocked.





## 5.20 NOVATED VEHICLE LEASE ARRANGEMENTS

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**Policy Owner:** Governance  
**Person Responsible:** Chief Executive Officer  
**Date of Approval:** 21 July 2016  
**Amended:**

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**Objective:** To provide Staff with an opportunity to enter into a novated vehicle lease where there is no cost or burden top the Shire.

**Policy:** *Novated Vehicle Lease Arrangements*

*Leasing of Vehicles*

All employees are eligible to enter in to a full operating novated lease arrangement, subject to the following requirements:

- a) The criteria for a novated vehicle lease, as set out in the guidelines published by the Australian Taxation Office (ATO), being satisfied;
- b) The vehicle being leased in the employees name as a private vehicle with full entitlement afforded to use the vehicle for personal use and benefit outside the employee's conditions of employment with the Shire;
- c) The employee being solely responsible for any residual value of the vehicle at the end of the lease period;
- d) The employee accepting (in writing) full responsibility for the novated vehicle lease upon termination of employment with the Shire;
- e) Any cost incurred by the Shire is to be reimbursed by the employee; and
- f) The employee being fully responsible for any FBT implications.



## 5.21 CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW

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<b>Policy Owner:</b>	Governance
<b>Person Responsible:</b>	Chief Executive Officer/Shire President
<b>Date of Approval:</b>	19 July 2016
<b>Amended:</b>	<b>17 October 2017</b>

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**Objective:** To accord with s5.38 of the *Local Government Act 1995* in undertaking the performance review of the CEO.

**Policy:**

1. The performance of the CEO is to be reviewed by the Shire of Corrigin CEO Performance Review Occasional Committee ('Committee') at least once in relation to each year of employment using the performance criteria contained in the CEO's Position Description.

*Membership*

Membership of the Committee shall be all Councillors.

2. The objective of the Committee is as follows:
  - o Compile the consensus response for each of the key result areas detailed in clause of the CEO's contract of employment.
  - o Conduct a performance review feedback session with the CEO.
  - o Prepare and submit for Council approval a report describing the assessment developed during the performance review, changes to be made, special tasks to be done, or decisions to follow as a result of the evaluation.
  - o Prepare and submit for Council approval the agreed performance objectives for the next review period.
  - o Prepare and submit for Council approval any variations to the CEO's conditions of employment.
3. The Shire President may arrange for an appropriate consultant to undertake the CEO's performance review. As part of the performance review, the consultant will undertake interviews with (but not limited to):
  - key members of the community who have a direct relationship with the CEO (e.g. committee members); and
  - senior staff;as determined by the Shire President.
4. The performance review will be carried out by the Committee in a closed meeting with the CEO.
5. A review of delegations and Key Performance Indicators forms part of the review process and which will reference s5.41. Functions of CEO under the *Local Government Act 1995*.



## SHIRE OF CORRIGIN REGISTER OF POLICIES

6. A record of proceedings be prepared by the CEO and when confirmed by the Committee will be forwarded to the next available Council meeting on a confidential basis for consideration.



## 5.22 SHIRE MOBILE PHONES AND OTHER ELECTRONIC COMMUNICATION

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<b>Policy Owner:</b>	Governance
<b>Person Responsible:</b>	Chief Executive Officer
<b>Date of Approval:</b>	19 July 2016
<b>Amended</b>	17 October 2017

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**Objective:** To establish clear direction on the allocation to staff and elected members and subsequent use of Shire mobile phones and other electronic communication devices.

**Definition:** 'Other Devices' means electronic tablets (such as iPads, Tablets etc.) and satellite phones.

**Policy:**

1. The allocation of mobile phones and other devices for business purposes shall be determined by the CEO and the Deputy CEO based on operational need.
2. The purchase and replacement of mobile phones and other devices shall be determined by the CEO and DCEO.
3. All staff in receipt of a mobile phone and other device shall sign an acceptance form acknowledging the provisions of this policy.
4. A Shire mobile phone is to be used for business use except in the event of a personal emergency, unless otherwise approved by CEO or documented as a benefit in an Employee's Employment Package.
5. Should an employee's private use of a mobile phone and/or other device be determined by the CEO to unreasonable and excessive, such costs attributed to that use shall be reimbursed by the employee.
6. A Councillor or employee in possession of a mobile telephone and/or other device is responsible for its use and care, and shall provide immediate notification of any loss, damage or malfunction, with explanation to the particular circumstances.
7. The Shire may withdraw entitlement to use a mobile phone or other device should there be evidence or an admission as to personal neglect or abuse. Further, at the discretion of the CEO reimbursement of the cost for repair, replacement, or reimbursement of excessive use may be sought from the offending officer.
8. Staff may be required to return mobile phones and/or devices to the office or other staff members during period of leave.



## SHIRE OF CORRIGIN REGISTER OF POLICIES

9. Where deemed appropriate, the CEO may award a Mobile Phone Allowance to certain staff to allow them to carry and use their personal mobile phone for calls / texts for work purposes as and when the need arises.
10. Where a mobile phone or device is willingly or maliciously damaged or lost, the person to which the mobile phone or device is responsible shall repair or replace the mobile phone or device at their cost.



## 5.23 APPOINTMENT OF AN ACTING CHIEF EXECUTIVE OFFICER

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**Policy Owner:** Governance and Compliance  
**Person Responsible:** Chief Executive Officer  
**Date of Approval:** 17 October 2017  
**Amended**

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**Policy:**

- ~~1. In accordance with the requirements of the *Local Government Act 1995*, section 5.36(2)(a), the Council has determined that the person appointed as the permanent incumbent to the position of a Deputy CEO, Ms Taryn Dayman (as defined in Council Policy 5.6 'Senior Employees') is suitably qualified to perform the role of Acting CEO.~~
1. Appointment of a person to a designated senior employee position on a temporary or acting basis will be in accordance with LG Act s 5.39 (1a).
2. In the event of an unforeseen absence of the CEO then the default Acting CEO will be the Manager of Finance of Governance Project Officer for a period not exceeding ten (10) working days.



## 5.24 DEALING WITH FAMILY MEMBERS

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**Policy Owner:** Corporate and Community Services  
**Person Responsible:** ~~Deputy~~ Chief Executive Officer  
**Date of Approval:** 17 October 2017  
**Amended**

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**Objective:** To set out the Shire's position in relation to dealings with family members, specifically:

- Employment of individuals who are related to another employee or member of Council is covered by the Equal Opportunities Act 1984 and Section 5.40 of the Local Government Act 1995.
- Provision of services to individuals who are related to an employee or member of Council.
- Procurement of goods or services from individuals who are related to an employee or member of Council.

**Policy:** **Conflict of Interest**  
Conflicts of interest can occur when the private interests of an employee influence, or could be seen to influence, their public duties or responsibilities. The perception of a conflict of interest can be enough to undermine confidence in the integrity of the employee and the Shire of Corrigin. When dealing with family members, there is a clear potential for an employee's impartiality to be questioned by other staff and the community.

For the purposes of this policy, a "family member" is as defined in Section 6 of the Family Court Act 1997 (WA) and includes: Wife, husband, father, mother, son, daughter, grandfather, grandmother, step-father, step-mother, grandson, granddaughter, step-son, step-daughter, brother, sister, half-brother, half-sister, step brother, step-sister, mother-in-law, father-in-law, daughter-in-law, son-in-law, sister-in-law, brother-in-law, aunt, uncle, niece, nephew, cousin. This also includes any legally recognised variation to these relationships, such as de facto, adoptive, ex-nuptial relationships, same sex relationships and changes resulting from separation / divorce.

**Employment of Family Members**

Where a family member of an existing employee or member of Council has applied for a position at the Shire of Corrigin, the employee or member of Council will not sit on any selection panel relating to the position, and will not attempt to participate in or influence the selection process or decision in any way. Although it is preferable for family members to hold positions in different areas within the Shire, there may be occasions where this is not possible and in these circumstances, guidelines would be put in place to ensure that there is no conflict of interest in relation to the approval of leave, approval of purchasing, writing or purchase orders, performance appraisals and staff management.

Except in exceptional circumstances, no person employed by the Shire should work under the general supervision of another member of his / her family, even if one or more levels removed. No employee will conduct a performance review of a family member, or take part in any salary, promotion, termination or disciplinary discussions or decisions in relation to the family member.

**Provision of Services to Family Members**

In a small rural local government it is inevitable that situations will arise where the Shire of Corrigin provides services to a family member of an employee. Wherever a discretionary power is being exercised, for example when considering a building application or granting a permit, the Code of Conduct requires the employee to declare their interest, and to disqualify themselves from dealing with their family member or close friend. An employee should also consider if their impartiality is affected when dealing with a customer who they know is a family member or friend of another employee.

**Procurement of Goods and Services from Family Members**

A situation may arise where the Shire of Corrigin purchases goods or services from a family member of an employee (or, in the case of a business, is owned, run or managed by an employee's family member). In order to avoid any actual or perceived conflict of interest, an employee must:

- Disclose that they are related to a prospective supplier, by informing their supervisor or manager prior to any order being placed.
- Not participate in the recommendation of, the drafting of specifications for, or the decision to purchase the goods or services involved.
- Not submit or authorise a purchase order for the goods or services involved.
- This does not prevent an entity associated with an employee's family member from being selected for supply of goods or services, where this supply would be the most advantageous to the Shire; and the Shire's Code of Conduct and Purchasing Policy has been complied.





## 5.25 RELATED PARTY DISCLOSURE

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**Policy Owner:** Corporate and Community Services  
**Person Responsible:** ~~Deputy~~ Chief Executive Officer  
**Date of Approval:** 17 October 2017  
**Amended**

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**Objective:** To establish a procedure for related party disclosures.

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

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

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

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

### Identification of Related Parties

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

Related parties includes a person who has significant influence over the reporting entity, a member of the key management personnel (KMP) of the entity, or a close family member of that person who may be expected to influence that person.

KMP are defined as persons having authority and responsibility for planning, directing and controlling the activities of the entity, directly or indirectly.

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

- An elected Council member

- Key management personnel being a person employed under section 5.36 of the *Local Government Act 1995* in the capacity of CEO, Deputy CEO, Manager or Supervisor.
- Close members of the family of any person listed above, including that person's child, spouse or domestic partner, children of a spouse or domestic partner, dependents of that person or person's spouse or domestic partner.
- Entities that are controlled or jointly controlled by a Council member, KMP or their close family members. (Entities include companies, trusts, joint ventures, partnerships and non-profit associations such as sporting clubs).

The Shire of Corrigin will therefore be required to assess all transactions made with these persons or entities.

#### **Identification of related party transactions**

A related party transaction is a transfer of resources, services or obligations between the Shire of Corrigin (reporting entity) and the related party, regardless of whether a price is charged. For the purposes of determining whether a related party transaction has occurred, the following transactions or provision of services have been identified as meeting this criteria:

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



## SHIRE OF CORRIGIN REGISTER OF POLICIES

Some of the transactions listed above, occur on terms and conditions no different to those applying to the general public and have been provided in the course of delivering public service objectives. These transactions are those that an ordinary citizen would undertake with council and are referred to as an Ordinary Citizen Transaction (OCT). Where the Shire of Corrigin can determine that an OCT was provided at arm's length, and in similar terms and conditions to other members of the public and, that the nature of the transaction is immaterial, no disclosure in the annual financial report will be required.

### **Disclosure Requirements**

For the purposes of determining relevant transactions in point 2 above, elected Council members and key management personnel as identified above, will be required to complete a Related Party Disclosures - Declaration form for submission to financial services.

### **Ordinary Citizen Transactions (OCTs)**

Management has determined that the following OCT that are provided on terms and conditions no different to those applying to the general public and which have been provided in the course of delivering public service objectives, are unlikely to influence the decisions that users of the Council's financial statements make. As such no disclosure in the quarterly Related Party Disclosures - Declaration form will be required for the following:

- Paying Rates.
- Fines.
- Use of Shire of Corrigin owned facilities such as the Recreation and Events Centre, Halls, library, parks, ovals and other public open spaces (whether charged a fee or not).
- Attending council functions that are open to the public.

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



## SHIRE OF CORRIGIN REGISTER OF POLICIES

### **All other transactions**

For all other transactions listed in point 2 above, elected Council members and KMP will be required to make a declaration in the Related Party Disclosures - Declaration form.

### **Frequency of disclosures**

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

Disclosures must be made by all Councillors immediately prior to any ordinary or extraordinary election.

Disclosures must be made immediately prior to the termination of employment of/by a KMP.

### **Confidentiality**

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

### **Materiality**

Management will apply professional judgement to assess the materiality of transactions disclosed by related parties and their subsequent inclusion in the financial statements.

In assessing materiality, management will consider both the size and nature of the transaction, individually and collectively.

### **Associated Regulatory Framework**

*AASB 124 Related Party Disclosures*

*Local Government Act 1995*

*Local Government (Financial Management) Regulations 1996*



## 5.26 LEAVE POLICY

<b>Policy Owner:</b>	Corporate and Community Services
<b>Person Responsible:</b>	Chief Executive Officer
<b>Date of Approval:</b>	16 October 2018
<b>Amended</b>	N/A – New Policy

**Objective:** To ensure employees are familiar with the process for accessing their leave accruals in accordance with the National Employment Standards (NES) and the provisions of the relevant industrial instrument.

**Policy:** The purpose of this policy is to provide a consistent application of leave provisions in accordance with the (NES) and the relevant industrial instrument by:

- Facilitating consistency throughout the Shire of Corrigin in administering leave provisions for employees.
- Providing information to effectively manage Annual and Long Service Leave entitlements of employees.
- Encourage employees to take leave by reinforcing the positive benefits of taking leave when it becomes due.

This policy applies to all employees who are employed on a full time or part time basis, but does not apply to employees employed on a casual basis (apart from long service leave which apply to casuals).

- Employees shall be entitled to Annual and Long Service Leave consistent with the provisions of the NES and the applicable industrial instrument.
- In circumstances other than a statutory entitlements, leave without pay will be granted at the complete discretion of the CEO. Unpaid leave will usually only be granted when the employee has exhausted all other paid leave entitlements.
- All employees should take annual leave and long service leave within one year from the date in which it is accrued unless it is postponed with the written permission from the CEO.
- All time in lieu should be cleared by the end of each financial year.
- No more than three RDO's are to be accrued at any one time unless written permission from the CEO.
- As per the Shire of Corrigin Enterprise Agreement 2014 up to 76 hours of annual leave per year may be cashed out by agreement between the employer and employee provided the requirement of the NES are complied with.
- Employees should be informed that under the provisions of the *Local Government (Long Service Leave) Regulations*:

*"Where the commencement of long service leave has been postponed to meet the convenience of the employee beyond a period of six months, the rate of payment for or in lieu of that leave shall be at the rate applicable to the employee for ordinary time (excluding allowances) at the end of the*

*period of 6 months unless otherwise agreed in writing between the Local Government and employee"*

The manager shall manage the taking of leave including time in lieu and rostered days off and maintain a leave roster ensuring that adequate coverage of functions is maintained.

- Managers will endeavour to approve leave applications to meet the convenience of the employee, however the operational needs of the shire must also be considered.
- Employees are entitled to receive 'pay in advance' for leave provided applications are approved and supplied to payroll before the end of the last pay period prior to the employee going on leave.
- Leave application forms must be signed by the employee and authorised by the responsible manager prior to the employee taking leave. All leave application forms will be approved or declined within three days and forwarded to the Payroll Officer for action before the affected pay period.
- In the event of unplanned leave, the employee must submit a leave application form on the first day back following absence and provide evidence of absence if required (i.e. medical certificate).
- Where an employee requires a period of personal leave, such as for injury of illness while on annual leave they may apply to have the leave reversed in line with the notice and evidence requirements set out in the *Fair Work Act*.

#### **Leave Rosters**

- Managers are required to develop and maintain leave rosters that identify proposed relief/coverage arrangements for all employees within their area of responsibility.
- Where relief is required, this is to be negotiated with the relevant manager and if necessary, recruitment is to be arranged by the CEO or Manager of Works.
- To encourage effective workforce planning, manager must monitor the leave roster to ensure that sufficient employees are available to cope with peak workload periods.
- The Payroll Officer will regularly monitor the leave taken to ensure that the total accrued leave does not exceed this policy.

#### **Approvals and Obligations**

- Leave application forms are required to be completed at least three days prior to requested leave.
- A period of two months' notice must be given in writing for Long Service Leave in line with the provisions of the *Local Government (Long Service Leave) Regulations*.
- Leave applications will be considered in the context of needs of the operational requirements of the shire and the team leave roster (in particular if there are multiple employees seeking leave);
- Managers must consider how the duties and responsibilities of the position will be delivered in the absence of the employee on leave;

- After approval, leave forms are forwarded to payroll for processing;
- It is the obligation of individual employees, in conjunction with the Manager, to determine whether there is a need to communicate their impending absence to other employees; and
- As a general rule managers should advise all employees of their absence and what acting arrangements, if any, have been arranged.

Where coverage is not possible to accommodate all leave applications, it shall be the responsibility of the manager to consult the employees regarding the situation and allow discussion to enable employees to resolve the situation. There may be a situation where some employees are happy to accommodate others leave applications but it is preferable that employees attempt to resolve the situation without any type of arbitration.

#### **Deferral of Long Service Leave**

- Within 6 months of long service leave becoming due, the CEO will be advised by Manager Finance or Payroll Officer of employees who have not cleared long service leave for that year, if the entitlement has become due;
- Employees are required to formally seek approval from the CEO to defer long service leave. This deferral request must be in writing and clearly identify the amount of leave accrued, at what date it will be cleared and why it has not been cleared; and
- Where the commencement of long service leave has been postponed to meet the convenience of the employee beyond a period of six months, the rate of payment for or in lieu of that leave shall be at the rate applicable to the employee for ordinary time (excluding allowances) at the end of the period of six months unless otherwise agreed in writing between the Shire of Corrigin and employee.
- Deferrals in excess of this period require the approval of the CEO.

#### **Variation to Policy**

This policy may be cancelled or varied from time to time at the discretion of CEO. All employees will be notified of any variation to this policy by the normal correspondence method. All employees are to read this policy prior to applying for leave.



## 6 COMMUNITY SERVICES & FACILITIES





## 6.1 HIRE OF THE COMMUNITY BUS

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<b>Policy Owner:</b>	Corporate and Community Services
<b>Person Responsible:</b>	<del>Deputy Chief Executive Officer</del> <u>Customer Service Officer</u>
<b>Date of Approval:</b>	15 July 2008
<b>Amended:</b>	17 October 2017

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**Objective:** To set the conditions for the hire of the Corrigin Community Bus.

**Policy:** The rate for the hire of the community bus will be set as part of the annual budget process; it will be a cent per kilometre rate (plus fuel).

Smoking is not permitted on the community bus.

Persons holding a WA Drivers Licence with a Light Rigid (LR) class or above are able to hire and drive the community bus. (Proof of Licence will be required as part of the booking procedure) If the driver is receiving reward for driving the bus the driver will be required to hold an "F" endorsement on their WA Drivers Licence. "Reward" is defined as an amount received for carrying those passengers intended to exceed the running costs of the motor vehicle.

Council does not object to the hire of the community bus to people from outside the Shire of Corrigin. If, however, the bus is hired by somebody who is not a resident of Corrigin, and the bus is subsequently required by a local, the non-local must be advised that the bus is no longer available to them. At least one week's notice must be given to the non-local of the cancellation of the hire to enable them to make other arrangements.

If the bus is returned in an untidy state and it is not possible to contact the hirer responsible prior to the next hire of the bus, the bus will be cleaned and the hirer will be responsible for the cost of the cleaning.

Hirers of the Corrigin Community Bus are expected to return the bus with a full fuel tank (filled to 3 'clicks of the fuel bowser) and in a clean condition.

Council will provide free use of the community bus for the following organisations on the provision that fuel costs are paid by the hirer:

- Senior Citizens activities plus one other event each calendar year; and
- Rotary Club of Corrigin trip to Perth plus one other event each calendar year;
- Shire staff social event; and
- Seniors Games.

All other conditions of hire of the community bus must be adhered to by the hirer.



## SHIRE OF CORRIGIN REGISTER OF POLICIES

Persons or clubs using the community bus where fees have not been paid or the tank is not filled or the bus has not been returned in a clean condition may be prohibited from using the bus in future.

A suitable member of the Shire staff must inspect the Community Bus after every hiring to ensure that it has been returned in an adequate state with no damage.



## 6.2 SHIRE BUILDINGS (NOT INCLUDING CREC) – HIRE

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<b>Policy Owner:</b>	Corporate and Community Services
<b>Person Responsible:</b>	<del>Deputy Chief Executive Officer</del> <u>Customer Service Officer</u>
<b>Date of Approval:</b>	<b>31 March 1989</b>
<b>Amended:</b>	<b>17 October 2017</b>

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**Objective:** To provide guidance on the hiring of Council buildings.

**Policy:** All applicants that wish to hire Shire buildings will be required to sign a 'Conditions of Hire' form before collection of the required keys. This form is to contain details of the standard of cleanliness required of the building after use and if the hirer does not meet those requirements, the following steps are to be taken:

- The ~~Deputy Chief Executive Officer~~ Customer Service Officer should contact the hirer and request that the items that do not meet the required standard be attended to immediately.
- If the required cleaning is not carried out to the expected standard the Shire cleaning staff should attend to the matter and the hirer is to be levied the necessary cleaning expense based on the hours that the cleaner was required to work on the building.



### 6.3 CORRIGIN RECREATION AND EVENTS CENTRE - HIRE

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**Policy Owner:** Corporate and Community Services  
**Person Responsible:** ~~Deputy Chief Executive Officer~~ Customer Service Officer  
**Date of Approval:** 19 April 2016  
**Amended:**

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**Objective:** To provide guidance on the hiring of Council buildings.

**Policy:** All applicants that wish to hire the Corrigin Recreation and Events Centre will be required to sign a 'Conditions of Hire' form before the booking can be confirmed and prior to collection of the required keys. This form is to contain details of the standard of cleanliness required of the building after use and if the hirer does not meet those requirements, the following steps are to be taken:

- The ~~Deputy Chief Executive Officer~~ Customer Service Officer should contact the hirer and request that the items that do not meet the required standard be attended to immediately.
- If the required cleaning is not carried out to the expected standard the Shire cleaning staff should attend to the matter and the hirer is to be levied the necessary cleaning expense based on the hours that the cleaner was required to work on the building.

Prior to booking, hirers will be provided with the following forms:

- Booking Application form
- Clean-up checklist
- Application for discounted hire
- Application to consume alcohol
- CREC Hire Terms and Conditions



## 6.4 MAXIMUM NUMBER OF PERSONS – COUNCIL FACILITIES

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**Policy Owner:** Corporate and Community Services  
**Person Responsible:** Chief Executive Officer  
**Date of Approval:** 23 August 1995  
**Amended:** 19 April 2016

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**Objective:** To provide guidance on the hiring of Council buildings.

**Policy:** All hirers are to be advised of the maximum number of persons allowed in the following facilities under the provisions of the Health Act 1911:

- Corrigin Town Hall - 400
- Corrigin Recreation and Events Centre - as per table below:

Public Building Area	Type of Use	Maximum Numbers
Function Room/Bar	Dining	242
	Conference	484
Foyer	Hall	172
	Exhibition	43
Gym/Crèche	Gymnasium	17
Sports Hall	Hall (with all exits available)	916
	Gymnasium	305
Hockey/Netball Kiosk Room	Meeting Room	38
Total (at any one time)	Hall	1000



## 6.5 HIRE OF CHAIRS AND TABLES

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**Policy Owner:** Corporate and Community Services  
**Person Responsible:** Chief Executive Officer  
**Date of Approval:** 17 July 2002  
**Amended:** 19 April 2016

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**Objective:** To provide guidance on the hiring of Council owned chairs and tables from Council buildings.

**Policy:** Council does not hire the chairs and tables from the Corrigin Town Hall or Corrigin Recreation and Events Centre, other than to the Corrigin Agricultural Society for use during the annual Agricultural Show at no cost.

Council has some chairs and tables available for hire from the CWA Hall. Fees and Charges are in accordance with those adopted in the annual budget process.



## 6.6 SWIMMING POOL – USE OF THE POOL BY CORRIGIN DISTRICT HIGH SCHOOL

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<b>Policy Owner:</b>	Governance and Compliance
<b>Person Responsible:</b>	Chief Executive Officer
<b>Date of Approval:</b>	<b>31 March 1989</b>
<b>Amended:</b>	

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**Objective:** To provide guidance on the hiring of the outdoor swimming pools to the local District High School.

**Policy:** When Corrigin District High School is given exclusive use of the outdoor swimming pool for the annual faction swimming carnival or inter-school swimming carnival, all children and adults are allowed free entry to the facility.

No other members of the public can use the pool during the carnival.



## 6.7 SWIMMING POOL – VACATION SWIMMING LESSONS

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**Policy Owner:** Governance and Compliance  
**Person Responsible:** Chief Executive Officer  
**Date of Approval:** 31 March 1989  
**Amended:**

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**Objective:** To provide guidance on the entry charges for the outdoor swimming pools during Vacation Swimming Lessons (VAC swim).

**Policy:** Parents accompanying children who are participating in vacation swimming classes and who are not swimming are permitted to enter free of charge provided they leave the pool as soon as the classes are completed.

VAC swim swimming teachers are permitted free entry to the outdoor swimming pool while they are teaching vacation and in term swimming lessons.





## 6.8 NO SMOKING AREAS

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<b>Policy Owner:</b>	Governance and Compliance
<b>Person Responsible:</b>	Environmental Health Officer
<b>Date of Approval:</b>	21 May 1997
<b>Amended:</b>	

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- Objective:** The objectives of the Shire of Corrigin in banning smoking in various Council areas not covered by legislation is to:
- Improve the health of community members;
  - Improve public amenity and maintenance of Council property;
  - Raise community awareness of issues associated with smoking;
  - Provide community leadership in taking measures to protect the health and social wellbeing of the community;
  - Minimise cigarette butt pollution on Council owned properties.

This policy will help Council fulfil its obligation under the *Tobacco Control Regulations 2006*, to prevent smoke entry.

- Policy:** Smoking is prohibited inside all Council public buildings (*which for the purpose of this Policy includes the Shire Depot and yard along with the Transfer Station*) as a requirement of the *Tobacco Control Act 2006*.

Smoking is prohibited inside all Shire vehicles.

Council is required to ensure that tobacco smoke does not enter all public buildings from the outside, and in doing so is applying the following:

- No smoking within 5 metres of an entrance/exits to buildings including covered areas of those buildings such as verandas and patios
- No smoking within 10 metres of air conditioning units.

The Corrigin War Memorial Pool is the only Council facility which is designated by Council as a no-smoking outdoor area. Smoking at the facility will not be tolerated, and patrons who wish to smoke are to do so outside the pool enclosure.

Designated outdoor smoking areas are to be appropriately signed with "SMOKING AREA" signs and include sufficient cigarette butt disposal bins.

Outdoor areas where the public tend to congregate are to be signed with "NO SMOKING AREA" signs.

The Shire is responsible for the provision of signs for smoking and non-smoking areas and cigarette disposal bins, and for the emptying of those bins.



## 6.9 USE OF THE CORRIGIN RECREATION PRECINCT (O'SHEA PLACE) FACILITIES

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<b>Policy Owner:</b>	Governance and Compliance
<b>Person Responsible:</b>	Chief Executive Officer
<b>Date of Approval:</b>	<b>19 September 2001</b>
<b>Amended:</b>	<b>17 October 2017</b>

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**Objective:** To provide guidance in the use of the facilities at the Corrigin Recreation Precinct (O'Shea Place) facilities.

**Policy:** **Ram Field Days**  
The only people permitted to display rams in the recreation ground area for ram field days be those groups approved by Corrigin Ram Breeders Association is to be used. The Eastern portion only of the grassed area is to be used for such events.

**Circus Visits**

Circuses are permitted within the Shire of Corrigin subject to consultation with the CEO and Manager of Works. ~~No bookings are to be taken, nor the hire of the Oval or any other facility or event of the same nature, two (2) months prior to the Agricultural Show.~~

**Use of the Oval**

Only activities of a sporting nature are to be allowed on the Football, Cricket and Hockey areas, with the exception of the Corrigin Agricultural Show and the biannual Rotary of Corrigin's Car Event. The Eastern portion of the grassed area can be used for both sporting and other events.



## 6.10 CASUAL HIRERS LIABILITY INSURANCE

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**Policy Owner:** Corporate and Community Services  
**Person Responsible:** Deputy Chief Executive Officer  
**Date of Approval:** 19 July 2016  
**Amended:**

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**Preamble:** Local Government Insurance Services advise WA that the following situation exists with respect to hire of buildings/facilities to other parties.

*Unincorporated Bodies*

Where Council has in place a 'Casual Hirers Liability Policy' the Council and the hirer are indemnified against bodily injury and/or property damage.

*Incorporated Bodies*

As these bodies are legal entities in their own right they are required to carry their own public liability insurance. If the incorporated bodies do not have public liability cover then the Council could be subject to claims for damages and the following was made policy:

**Objective:** To provide security for users of Council halls and facilities.

**Policy:** *Insurance – Incorporated Bodies*

That any incorporated body that wishes to hire or use a Council facility must provide on request details of insurance cover that will indemnify Council against any possible insurance claim as a result of that use or hire.

*Insurance – Unincorporated Bodies*

That any unincorporated body that wishes to hire or use a Council facility in excess of ten times per annum, must provide detail of insurance cover that will indemnify Council against any possible insurance claim as a result of that use or hire.

**Process:** Persons and groups wishing to hire Council halls and facilities are to make application to Council on the designated application form. Applications are to be assessed by the CEO or DCEO and officers delegated by the CEO.



# 7 PARKS AND LANDSCAPING POLICIES



## 7.1 ROAD VERGE DEVELOPMENT CRITERIA

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**Policy Owner:** Works and Services  
**Person Responsible:** Manager Works and Services  
**Date of Approval:** 19 April 2016  
**Amended:**

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**Objective:** To provide guidance to Council, the general public and the Shire administration on the appropriate landscaping development on road verges.

**Policy :**

- i) Council shall encourage and support the development of road verges in urban areas, using a dry garden style of either a native garden or cleared gravel.
- ii) The preferred style for the Native Garden option is with irrigation for establishment and up to two trees/20m frontage. Any irrigation system shall be installed and operated to avoid nuisance to the public. All pipes shall be installed at a minimum depth of 400mm and approved pop-up type sprinkler is preferred.
- iii) The trees shall be planted to avoid electrical power lines and all other services. No trees shall be planted within 12m of street corners or within 2.5m of crossovers. Tree planting on road verges shall not take place without prior consultation with the Manager of Works and Services.
- iv) Subject to keeping the verge clear for the first 1.5m width from kerb of seal a dry garden style of small vegetation, shrubs and ground covers may be established, however, no large rocks or non-frangible items shall be placed on the road reserve. Weed control using weed mat with aggregate, mulch, gravel overlay is acceptable.
- v) No assistance shall be given by Council for development, ongoing operation or maintenance costs.



## 7.2 CEMETERY PLANTINGS

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**Policy Owner:** Works and Services  
**Person Responsible:** Manager Works and Services  
**Date of Approval:** 19 December 2001  
**Amended:**

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**Objective:** To ensure the Corrigin Cemetery is maintained in an organised manner.

**Policy:** No planting of trees around the gravesites is permitted. Any beautification of gravesites involving vegetation is to be submitted to the CEO for prior approval.



### 7.3 STREET TREES

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**Policy Owner:** Works and Services  
**Person Responsible:** Manager Works and Services  
**Date of Approval:** 15 November 2000  
**Amended:**

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**Objective:** To guide Council and Administration on appropriate removal and replacement of street trees within the Shire of Corrigin.

**Policy:** Street Tree Removal:  
Individual trees within Council reserves or grounds which are diseased, hazardous or roots of which are causing pavement damage shall be removed on approval of the CEO.

Street Tree Planting:  
Street tree planting is only to be carried out during optimum planting periods and the species of tree to be planted must suit the location with due regard to power, telephone and water services.

The street tree replacement program is to be continued which will replace all the gum trees in the townsite that are currently causing problems with power lines and the roads and footpaths, and these are to be replaced with a more suitable variety.



## 7.4 SHIRE OF CORRIGIN SIGNAGE POLICY

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<b>Policy Owner:</b>	Governance and Compliance
<b>Person Responsible:</b>	Chief Executive Officer, Manager Works and Services
<b>Date of Approval:</b>	19 September 2017
<b>Amended:</b>	

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- Objective:** The Shire of Corrigin Signage Policy seeks to:
- assist with 'branding' the Shire and orientating of visitors using an appropriate combination of signs;
  - provide directions to the key destinations, attractions and activities in the town centre;
  - establish a visual image of Shire of Corrigin through a coordinated physical and visual presentation that meets both regulatory and visual needs;
  - provide consistent branding of the Shire that advises road users about the route they are following and gives directions and distances to Corrigin on the route; and
  - provide information about Corrigin and businesses operating in the Shire at key sites.
  - preserve and provide direction to key places of historical significance within the Shire and recognise the names of various localities within the Shire boundaries.

**Introduction:** The Shire of Corrigin Signage Policy has been developed in response to the Shire's need for a consistent and integrated approach to entry and information signage across the Shire. The Policy seeks to establish a hierarchy of integrated signs for use within road reserves and on Council owned reserves.

This Policy will enable Council to ensure that signs erected provide clarity of direction, while being complimentary to the natural environment of the Shire.

**Policy:** The Policy establishes the types of directional signs, categorised by their purpose that are consistent, legible, informative and attractive.

### SIGNAGE CATEGORIES

There are six signage categories:



**Category 1:** Themed entry signs on major roads that continue the branding of the Shire.



**Sign Category No. 1 (actual)**

**Category 2:** Themed entry signs on secondary or minor roads reflect the 'Windmill' branding motif of Corrigin.



**Sign Category No. 2 (Indicative)**

**Category 3:** Quirky 'Dog in the Ute' themed signs continue the 'Dog in the Ute' events held at Corrigin and along selected roads, tell drivers of the distance to Corrigin.



**Sign Category No. 3 (Indicative examples)**

**Category 4:** Historical Sites and Locality Signage.

In conjunction with the Corrigin Historical Society in 2005 Council developed signage to acknowledge and preserve places of historical significance to the community as well as the localities that each part of the Shire is known by. The places noted for signage and locality importance are below:

Historical Place:

- Gnerkadilling
- Glenmore
- Jubuk
- Kurrenkutten
- Lomos
- Nambadilling
- Nornakin
- Sewells Rock
- Stretton
- Wogerlin

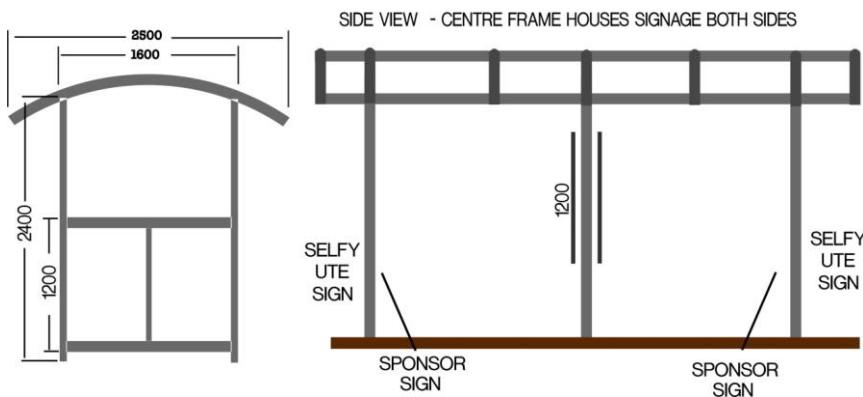
Locality Signs:

- Bulyee
- Kunjin
- Corrigin
- Gorge Rock

**Category 5:** Visitor Information Bays.

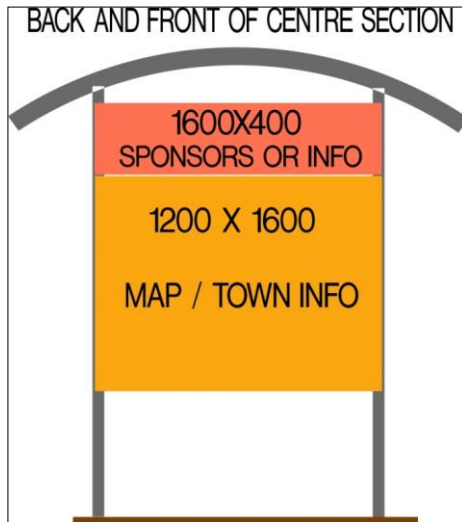
The sites chosen are the existing Visitor Bay at Rotary Park with two new Bays located at equal distances of 5.5km from Corrigin, along the Brookton- Corrigin Road. The Visitor Information Bays will incorporate signage displays, a map, business signage that promotes Corrigin. At the ends of the Information Bays, visitors can stand for a 'selfie' photo with the Dog in the Ute' where Corrigin is clearly referenced. The Bays are off road areas established by Council (in consultation with the Rotary Club of Corrigin) and where visitor information which is maintained by the Club.

**END FRAME ONLY**





Information Bay Sign Category No. 5 (Indicative)



Indicative Information Bays and Sign Category No. 5

**Category 6:** Business and Industrial Area signage to provide guidance to visitors and residents as to where businesses are located in the industrial area and within the townsite. The Shire provides two industrial area signs frames on the corner of Boyd Street and Walton Street with the main highway (Kunjin Street). Businesses are able purchase for the cost of the signage a fingerboard sign that can be installed on these frames. These are the only signs that can have personal business names on them within the townsite. Farm businesses or other businesses outside of the town boundary may have blue directional signs installed on existing road signage by the Shire. The full cost of the sign and installation will be at the farm/business owner's expense.

The Shire of Corrigin has information signs at the corners of Goyder Street, Walton Street, Kirkwood Street and the highway (Kunjin Street) directing people to businesses and services located within the town centre. Businesses and organisations can request Council install blue directional fingerboards on to these signs but the sign will be of a generic nature and will not include business names. For example "Pharmacy" not the name of the business "Corrigin Pharmacy". These signs and installation costs will be charged to the person requesting the signage.

These types of information signs are located throughout the townsite to mark places of interest, see below example at Apex Park.



Industrial Centre signage



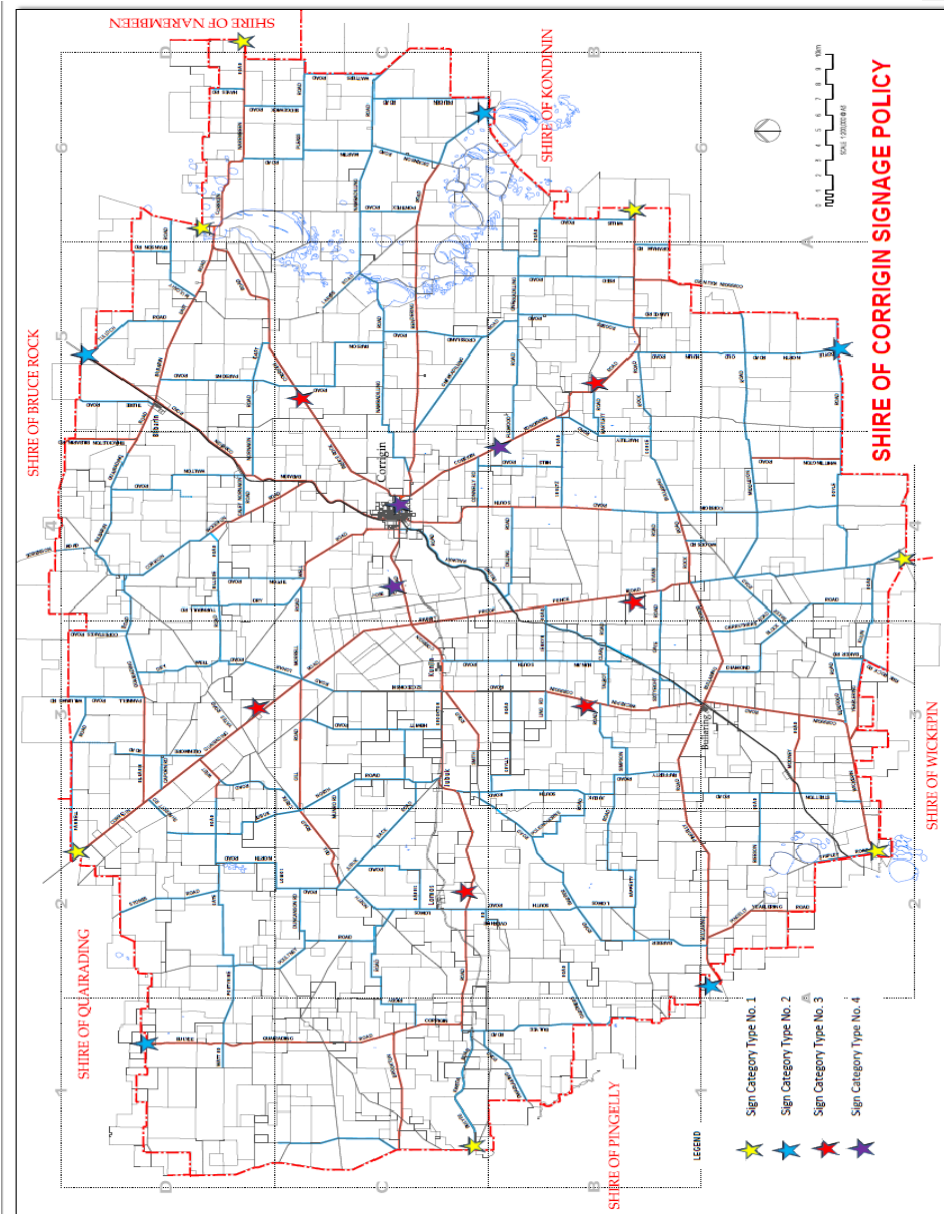
Business/Information Signs



**PROPOSED LOCATIONS FOR SIGN AND VISITOR BAY OPTIONS**

The following Policy map identifies the roads where signs are to be erected along with the locations of the existing Visitor Bay at Rotary Park and two new Visitor Bays.

The locations have been selected on the basis of determining the appropriate roads for Shire themed signs and where Visitor Information Bays can safely be sited. The reference to the locations of signs on the map is indicative only and signs will only be elected based upon a site inspection and where it is conclude that it is safe to do so. Main Roads WA (MRWA) approval will be support for signage and Visitor Bays along the Brookton- Corrigin Road as required.





## 8 COUNCIL/ELECTED MEMBERS



## SHIRE OF CORRIGIN REGISTER OF POLICIES

### 8.1 TRAVEL AND ACCOMMODATION

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**Policy Owner:** Governance and Compliance  
**Person Responsible:** Governance Executive Officer  
**Date of Approval:** 31 March 1989  
**Amended:**

---

**Objective:** To establish clear guidelines for travel and accommodation arrangements for elected members who are required to travel for Council business.

**Policy:** Approved travel and accommodation will be booked by the office of the CEO ensuring the use of negotiation and any available corporate/government rates to secure the most competitive rates.

Air travel will be by economy class with on the most economical flight.  
The reimbursement of reasonable out of pocket expenses will be made to Elected Members on official Council business as determined by the CEO.





## SHIRE OF CORRIGIN REGISTER OF POLICIES

### 8.2 INVITATION TO END OF YEAR LUNCHEON

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**Policy Owner:** Governance and Compliance  
**Person Responsible:** Governance Executive Officer  
**Date of Approval:** 20 November 1996  
**Amended:**

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**Objective:** To ensure the continuity of the annual end of year luncheon hosted by Council.

**Policy:** That all current Councillors, past Presidents, Freemans of the Shire and local Members of Parliament, including partners are invited to the annual end of year luncheon of Council.

All senior designated employees and partners are also to be invited to the luncheon. Any other members of staff may be invited at the CEO's discretion.



### 8.3 CIRCULATION OF AGENDAS AND MINUTES

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**Policy Owner:** Governance and Compliance  
**Person Responsible:** Governance Executive Officer  
**Date of Approval:** 15 October 2013  
**Amended:**

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**Objective:** To ensure the appropriate distribution of agendas and minutes of Special and Ordinary Council meetings.

**Policy:** Copies of the agendas and minutes of Special and Ordinary Meetings of Council are to be made available on the Shire of Corrigin website and sent to all retired Councillors, Presidents and Freemans of the Shire on request.

The Shire will provide all current Councillors with:

- An email containing a link to a copy of agendas and minutes within the appropriate legislative timeframes; and
- Where requested by the Councillor, a hard copy of agendas and minutes to be collected by the Councillor from the Shire Administration Office.



## 8.4 DRESS STANDARD

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**Policy Owner:** Governance and Compliance  
**Person Responsible:** Chief Executive Officer  
**Date of Approval:** 20 June 2001  
**Amended:**

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**Objective:** To present a tidy and professional image of staff and elected members to the community.

**Policy:** Dress requirements for Councillors and Staff attending the following meetings will be:

- Special and Ordinary Council meetings is to be coat and tie for males, with equivalent standard of dress for females; and
- Committee Meeting is to be neat casual clothes or good work clothes (depending on the nature of the business to be discussed).



## 8.5 REPORTS OF SEMINARS OR MEETINGS

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**Policy Owner:** Governance and Compliance  
**Person Responsible:** All Elected Members  
**Date of Approval:** 17 October 2001  
**Amended:**

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**Objective:** To ensure effective communication between Councillors and staff in regards to attendance at seminars, training and meetings.

**Policy:** Councillors who represent the Shire at meetings or seminars shall make every effort to present a written report back to Council for the agenda, where minutes of the meeting are not made available. If a written report is not possible Councillors may provide a verbal report during Councillors report section of the meeting.



## 8.6 MONTHLY ORDINARY COUNCIL MEETINGS AND COUNCILLOR DISCUSSION PERIOD

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<b>Policy Owner:</b>	Governance and Compliance
<b>Person Responsible:</b>	Chief Executive Officer
<b>Date of Approval:</b>	<b>19 December 2006</b>
<b>Amended:</b>	<b>17 October 2017</b>

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**Objective:** To provide guidance to the Executive staff on the appropriate day and time for the regular meetings of Council.

**Definitions:** **Ordinary Council Meeting** means a meeting of Council that is open to the public, conducted at least once every three (3) months dealing with general business of the Local Government.

**Councillor Discussion Period** means a forum convened to discuss strategic or important operational matters and receive presentations from community organisations and government agencies.

**Policy:**

1. That Ordinary Council Meetings be conducted on the third Tuesday of each month, except January, unless otherwise determined by Council as a 'Special meeting'.
2. That Council meetings commence at 3.00pm unless otherwise determined by the Shire President.
3. The CEO may convene a Councillor Discussion Period on the third Tuesday of each month (prior to the Council meeting), except January unless a Special meeting has been determined by Council.
4. Councillor Discussion Period is closed to general public with attendance by invitation only by the Shire President.

**EXPLANATORY NOTES:**

A Local Government is required to hold an Ordinary Council Meeting at least once in every three (3) month period pursuant to s5.3(2) of the *Local government Act, 1995*.

A Councillor Discussion Period is conducted between Councillors and staff to discuss strategic items, receive project updates and be briefed on important operational matters and may be of a confidential or sensitive nature. This forum is also used to receive presentations from community organisations and government agencies, but is not to facilitate or debate on forthcoming prepared agenda items.



## 8.7 TRAINING AND DEVELOPMENT – ELECTED MEMBERS

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<b>Policy Owner:</b>	Governance and Compliance
<b>Person Responsible:</b>	President, Councillors and Chief Executive Officer
<b>Date of Approval:</b>	15 August 2006
<b>Amended:</b>	17 October 2017

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**Objective:** To ensure that Councillors have equitable access to a range of relevant Councillor training and professional development opportunities to enhance their ability to fulfil their roles and responsibilities as elected members and to provide good governance to the Shire.

**Policy:** Elected Members are strongly encouraged to participate in conferences, programs and training courses specifically designed for professional development relating to their role and responsibilities in local government.

Council shall ensure adequate resources are allocated annually in the Shire's budget to provide the opportunity for Councillors to participate in appropriate training and development. (i.e. \$2,000 per Councillor plus an additional \$3,000 for the President to attend an interstate conference or function annually).

### **Authorised Training / Conferences**

Elected Members are permitted to attend the following training opportunities without requiring further Council authorisation:

- WALGA Elected Member Training Modules, seminars, forums webinars, and workshops that in particular address:
  - Understanding Local Government (eLearning)\*
  - Serving on Council (face to face)\*
  - Understanding Financial Reports and Budgets (face to face)\*
  - CEO Performance Appraisals (face to face)\*
  - Introduction to the Local Government Act for Elected Members (Webinar)\*
  - Decision Making in Practice - Delegations (Webinar)\*
  - Local Government Gift Declaration (Webinar)\*
  - Introduction to the Local Government Act for Elected Members (Webinar)\*
  - Communications Webinar for Elected Members (Webinar)\*
  - Chairing of Meetings (Webinar)\*
- WALGA Annual Local Government Week Conference and associated training courses;
- LGMA Annual State Conference, SW Conference and other LGMA seminars and workshops
- The Planning Institute of Australia (PIA) Annual State Conference, seminars and forums; and



## SHIRE OF CORRIGIN REGISTER OF POLICIES

- Breakfast or workshop speakers identified by the President in liaison with the CEO and advertised by email.
- \* ***Council considers these seminars, forums webinars, and workshops a 'mandatory training requirement' for any Councillor and should be carried out within the first two years of becoming a Councillor.***

Requests for course participation or conference attendance may be initiated by the Elected Member and should be forwarded to the CEO prior to enrolment or registration.

The CEO is authorised to approve request from Elected Members for professional development, training and conference attendance without referral to Council providing that the cost does not exceed a total of \$5,000 for Councillors and \$8,000 for the President in any 12 month period, and the course or conference is organised by an identified, industry-recognised training provider.

The CEO will keep a log of all seminars, forums, webinars, and workshops attended by Elected Members and present the log to the President before the last Council meeting of the Calendar year.

Any requests outside this policy, including those for attendance at course or conferences outside Western Australia, are to be submitted to Council for consideration.



## 8.8 ELECTED MEMBERS' FEES, ALLOWANCES AND BENEFITS

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**Policy Owner:** Corporate and Community Services  
**Person Responsible:** Deputy Chief Executive Officer  
**Date of Approval:** 15 August 2006  
**Amended:** 17 October 2017

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**Objective:** To clearly outline the timing of payment to Elected Members of Members Fees and allowances within the provisions of the *Local Government Act 1995*.

**Policy:** At the end of December and June, Council staff shall arrange payment to Councillors for all entitled allowances within the provisions of the *Local Government Act 1995*.

The determination of allowances to be paid will be set out during the annual budget adoption process.

Elected members payments are to be provided by electronic funds transfer with elected members notifying the Manager Finance of their account details upon election.

A statement of payments received will be provided to elected members at the end of the financial year on request.





## 8.9 ELECTED MEMBERS' BUSINESS, CONFERENCES AND TRAINING EXPENSES

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**Policy Owner:** Corporate and Community Services  
**Person Responsible:** Deputy Chief Executive Officer  
**Date of Approval:** 17 October 2017  
**Amended:**

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**Objective:** This policy sets out the guidelines to cover Elected Members in conducting Council business, attending conferences or training relating to Council activities.

**Definitions:** 'Interstate' refers to travel between different states of Australia.  
'Intrastate' refers to travel within the state of Western Australia.

**Policy:**

1. Any approval for travel by Elected Members shall be subject to the availability of adequate funds allocated in the budget for this purpose.
2. Accommodation, travel, business or conference expenses and meals, will be prepaid where possible.
3. Moderate claims for alcoholic beverages, when consumed in conjunction with a meal, are an acceptable expense. Unrelated mini-bar costs, alcoholic beverages and in-house movie hire are considered personal expenses and will not be paid for or reimbursed by Council.
4. No "Business Class" or "First Class" air travel permitted unless approved by Council.
5. All expenses incurred by an accompanying partner will be at the personal expense of the Elected Member other than the cost of shared accommodation unless otherwise resolved by Council or covered by this policy.
6. The following conferences have been identified by Council with attendance at these conferences by the Shire President or their nominee and the CEO or their nominee approved on an ongoing basis:
  - Sustainable Economic Growth for Regional Australia
  - Australian Local Government Association - National General Assembly (plus one additional Elected Member)
  - LGMA National Congress
  - National Roads Forum
7. Conferences not identified in this policy for ongoing attendance will be subject to a report to Council and assessed according to merit.

8. The CEO or their nominee and all interested Elected Members are approved on an ongoing basis to attend WALGA Local Government Convention with associated accommodation, travel, meals including partner's meals and business or conference expenses incurred by them to be paid for or reimbursed by the Shire. The Shire President and Deputy Shire President or their nominee to be the voting delegates at the WALGA Annual General meeting (AGM).
9. Elected Members can access an allocation of two training days per year through WALGA or the Department of Local Government, with approval by the CEO, including registration, travel, meals and accommodation without reference to Council. Training attendance above the allocation is subject to Council approval.
10. Extent of expenses to be reimbursed
  - (1) The extent to which a council member can be reimbursed for rental charges in relation to one telephone and one facsimile machine is the actual expense incurred by the council member.
  - (2) The extent to which a council member can be reimbursed for child care costs incurred because of attendance at a meeting referred to in regulation 31(1)(b) of the LG Regulations is the actual cost per hour or \$25 per hour, whichever is the lesser amount.
  - (3) The extent to which a council member of a local government can be reimbursed for travel costs referred to in regulation 31(1)(b) of the LG Regulations is:
    - (a) if the person lives or works in the local government district or an adjoining local government district, the actual cost for the person to travel from the person's place of residence or work to the meeting and back; or
    - (b) if the person does not live or work in the local government district or an adjoining local government district, the actual cost, in relation to a journey from the person's place of residence or work and back:
      - (i) for the person to travel from the person's place of residence or work to the meeting and back; or
      - (ii) if the distance travelled referred to in subparagraph (i) is more than 100 kilometres, for the person to travel from the outer boundary of an adjoining local government district to the meeting and back to that boundary.
  - (4) The extent to which a council member of a regional local government can be reimbursed for travel costs referred to in regulation 31(1)(b) of the



## SHIRE OF CORRIGIN REGISTER OF POLICIES

LG Regulations is the actual cost for the person to travel from the person's place of residence or work to the meeting and back.

(5) For the purposes of subsections (3) and (4), travel costs incurred while driving a privately owned or leased vehicle (rather than a commercially hired vehicle) are to be calculated at the same rate contained in Section 30.6 of the Local Government Officers' (Western Australia) Interim Award 2011 as at the date of this determination.

(6) The extent to which a council member can be reimbursed for child care costs incurred in any of the circumstances referred to in regulation 32(1) of the LG Regulations is the actual cost per hour or \$25 per hour, whichever is the lesser amount.

7) The extent to which a council member can be reimbursed for intrastate or interstate travel and accommodation costs incurred in any of the circumstances referred to in regulation 32(1) of the LG Regulations is at the same rate applicable to the reimbursement of travel and accommodation costs in the same or similar circumstances under the Public Service Award 1992 issued by the Western Australian Industrial Relations Commission as at the date of this determination.

(8) The extent to which a council member can be reimbursed for any other cost incurred under regulation 32(1) of the LG Regulations is the actual cost upon presentation of sufficient evidence of the cost incurred.



## SHIRE OF CORRIGIN REGISTER OF POLICIES

### 8.10 USE OF VEHICLE FOR COUNCIL RELATED BUSINESS

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**Policy Owner:** Governance and Compliance  
**Person Responsible:** Chief Executive Officer  
**Date of Approval:** 20 April 2005  
**Amended:**

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**Objective:** To supply elected members with a means of transportation in order that they may provide effective and efficient services.

**Policy:** Council allows Councillors, staff and other members of the community use of a Shire vehicle to attend training seminars, conferences or meetings when they are acting as a representative of Council, at the discretion of the CEO and/or President.

If a suitable car is unavailable the attendee will be reimbursed a rate specified in the Local Government Industry Award for use of their private vehicle, provided an appropriate claim form/invoice is submitted.



## 8.11 AUDIT AND RISK MANAGEMENT COMMITTEE

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**Policy Owner:** Corporate and Community Services  
**Person Responsible:** Chief Executive Officer  
**Date of Approval:** 17 October 2017  
**Amended:**

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**Objective:** To provide guidance and assistance to the Council in:

- a) carrying out its audit functions under Part 7 of the *Local Government Act 1995*;
- b) the development of a process to be used to select and appoint an auditor;
- c) determining the scope and content of the external and internal audit and advising on the general financial management of the Shire;
- d) overseeing the audit process and meeting with the external auditor after each visit to discuss management issues and monitoring administration's actions on, and responses to, any significant matters raised by the auditor;
- e) evaluating and making recommendations to Council on internal and external audit reports prior to them being presented to Council;
- f) receiving and verifying the annual Local Government Statutory Compliance Return;
- g) review reports provided by the CEO on the Shire's systems and procedures in relation to –
  - i. risk management;
  - ii. internal control; and
  - iii. legislative compliance at least once every 2 years and report to Council the results of that review. (Ref: s16-17 Local Government (Audit) Regulations 1996)

To advise Council on significant high level strategic risk management issues related to the Shire of Corrigin including issues involving:

- o the community;
- o the workforce;
- o vehicles and plant;
- o buildings and similar property;
- o revenue streams;
- o legal liability;
- o electronically stored information;
- o environmental impact;
- o fraud; and
- o reputation.

**Policy:** Council will establish a committee under the powers given in Section 5.8 and Section 7.1 A of the *Local Government Act 1995*, *Local Government Amendment Act 2004* and Audit Regulations, such committee to be known as the Audit and Risk Management Committee, (hereinafter called the "Committee").

### Membership

The Audit and Risk Management Committee shall consist of all Councillors. Additionally up to two independent consultants with expertise in financial or legal matters may be called upon as required to provide additional independent external advice to the Committee. The external independent persons will have senior business, legal or financial management/reporting knowledge and experience, and be conversant with the financial and other reporting requirements.

No member of staff including the CEO is to be a member of the Committee, but the CEO may participate as Council's principal advisor, unless expressly excluded by resolution of the Committee.

Appointments of external consultant/s and up to one 'Independent Community Member' ('ICM') shall be made by the CEO following a decision of Council and the allocation of sufficient funds to provide consultation fees using relevant professional fee schedules.

Any ICM shall be:

- a person who is on the Electoral Role and can vote in local government elections within the shire of Corrigin; and
- appointed after the CEO has undertaken public advertisement of the role through local news outlets ('Windmill') and relevant social media sites for not less than 21 days.

Should an ICM be appointed by Council, they have demonstrated:

- detailed knowledge and experience in the operations of large organisation; and
- understanding of financial management, risk management, reporting and governance practices.

The terms of appointment of the ICM will be for an initial period not exceeding two years after which they will be eligible for extension or re-appointment, for a further two (2) year terms after a formal review of their performance, such review to be undertaken by the Chief Executive Officer with the two Councillor Committee members and final approval by Council.

The terms of ICM will only be extended after the Council determines that members have satisfied the following performance criteria:

- satisfactory contribution to Committee discussions and deliberations;
- demonstrated preparation for all meetings (knowledge of agenda items and associated reports);
- demonstrated ability to raise pertinent issues and appropriately question auditors and officers; capacity to stay apprised of contemporary good governance, risk management and audit practice, and;
- satisfactory attendance of Committee members.



## SHIRE OF CORRIGIN REGISTER OF POLICIES

In the event of a vacancy of an independent member arising prior to the expiration of an authorised term, Council shall publicly advertise for the position to be filled for the remainder of the current term. Reimbursement of approved expenses will be paid to each ICM.

### Presiding Member

The Committee shall appoint a Presiding Member and Deputy Presiding Member to conduct its business. The Presiding Member shall ensure that minutes of the proceedings are kept and that business is conducted in accordance with the Shire of Corrigin Standing Orders (Local Law). The *Local Government Act 1995* places responsibility for speaking on behalf of Council with the President, or the CEO if the President agrees.

The Presiding Member if different from the President is to refrain from speaking publicly on behalf of the committee or Council, or to issue any form of written material purporting to speak on behalf of the committee or Council without the prior approval of the President.

### The Role of the Committee

The Committee shall act for and on behalf of Council in accordance with provisions of the *Local Government Act 1995*, the *Local Government Amendment Act 2004* and the *Local Government (Audit) Amendment Regulations 2005*, local laws and policies of the Shire of Corrigin and this Instrument.

Their role will be to report to Council and provide appropriate advice and recommendations on matters relevant to its objectives in order to facilitate decision-making by Council in relation to the discharge of its responsibilities.

### Conduct of Meetings

The Committee shall meet at least three times per year. A schedule of meetings will be developed and agreed to by the members. As an indicative guide, meetings should be arranged to coincide with relevant Council reporting deadlines, for example in February to discuss the Statutory Compliance Return, in July to discuss the year's financial performance and to discuss the annual audit program and in November to discuss the Annual Financial Report. Additional meetings shall be convened at the discretion of the Presiding Member.

Any three members of the Committee collectively or the internal or external auditor themselves may request the Presiding Member to convene a meeting. From a time management point of view, urgent matters which may arise should be referred directly to Council through the bi-monthly meetings or to a Special Council meeting.

Notice of meetings shall be given to members at least three days prior to each meeting.

The Presiding Member shall ensure that detailed minutes of all meetings are kept and shall, not later than five days after each meeting, provide



## SHIRE OF CORRIGIN REGISTER OF POLICIES

Council with a copy of such minutes. Council shall provide secretarial and administrative support to the Committee.

All members of the Committee shall have one vote. If the vote of the members present is equally divided, the person presiding must cast a second vote.

The CEO should attend all meetings, except when the Committee chooses to meet in camera with the exclusion of the CEO.

Representatives of the external auditor should be invited to attend at the discretion of the Committee but must attend meetings either in person or by telephone link up considering the draft annual financial report and results of the external audit.

The internal auditor or representative shall be invited to attend meetings, at the discretion of the Committee, to consider internal audit matters.

### Quorum

Quorum for a meeting shall be at least 50% of the number of officers, whether vacant or not. A decision of the Committee does not have effect unless a simple majority has made it.

### No Delegated Powers

The Audit and Risk Management Committee is a formally appointed committee of Council and is responsible to that body.

Council will not provide the Committee with delegated powers under the *Local Government Act* and the Committee is to advise and make recommendations to Council only.

The Committee will not have:

- executive powers or authority to implement actions in areas over which management has responsibility and does not have any delegated financial responsibility; or
- any management functions and is therefore independent of management.

The Council when preparing the Committee Charter may make guidelines to provide further direction from Council for the operation of the Committee.





## 8.12 APPOINTMENT OF AN AUDITOR, SCOPE OF WORKS AND NOTIFICATION OF APPOINTMENTS

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**Policy Owner:** Corporate and Community Services  
**Person Responsible:** Chief Executive Officer  
**Date of Approval:** 17 October 2017  
**Amended:**

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**Objective:** To ensure an independent audit opinion of the accounts and annual financial reports of the Shire for each financial year covered by the term of the audit appointment

**Policy:**

1. Subject to the promulgation of the *Local Government Amendment (Auditing) Bill 2016*:
  - the contract period of an auditor shall not exceed (3) three years; and
  - Council shall not normally retain the same single auditor for more than two (2) contract periods in succession.
2. The President will be given not less than five (5) working days' notice of a visit to the Shire of the appointed auditor and given an opportunity to meet with the auditor without the attendance of Shire staff at the discretion of the President.
3. In carrying out an audit, the appointed auditor is to be provided unfettered access to meet with any staff member during normal working hours. The CEO is expected to make staff available to the auditor upon request (either verbal or written).

[On 24 August 2017, amendments to the \*Local Government Act 1995\* were passed by State Parliament that will enable the Auditor General to audit council finances and performance.](#)

[The changes to the Act have been supported by amendments to the \*Local Government Local Government \(Financial Management\) Regulations 1996\* and \*Local Government \(Audit Regulations\)\* gazetted on Tuesday, 26 June 2018.](#)

[Unless otherwise specified, the changes to the regulations commence on 27 June 2018. Regulations 13 and 14 of the \*Local Government \(Financial Management\) Regulations 1996\* commence on 1 July 2018.](#)

4. The following will be included as the 'scope of works' for the appointment of an auditor:



## SHIRE OF CORRIGIN AUDIT SERVICES

### SPECIFICATION

#### **1.0 — Introduction**

~~This document is provided for the assistance of auditors who wish to apply for the role of auditor with the Shire of Corrigin.~~

~~Auditors are requested to submit a price schedule for providing Audit Services to the Shire of Corrigin as per the specification in accordance with the WALGA Preferred Supplier Panel for Audit Services Contract.~~

#### **Objectives of the Audit**

To provide an independent audit opinion of the accounts and annual financial reports of the local government for each financial year covered by the term of the audit appointment.

#### **Term of Audit Appointment**

For the financial years commencing XXX through to XXX

#### **Scope of the Audit**

The Auditor is to –

Carry out such work as necessary to form an opinion as to whether -

- a) the accounts are properly kept; and
- b) the annual financial report:
  - (i) is prepared in accordance with the financial records; and
  - (ii) represents fairly the results of the operations of the local government and the financial position of the local government at 30 June in accordance with the Australian Accounting Standards, the Local Government Act 1995 (as amended), the Local Government (Financial Management) Regulations 1996 (as amended) and other mandatory professional reporting requirements.

Give an opinion in his or her audit report on -

- a) the financial position of the local government; and
- b) the results of the operation of the local government.

Include in his or her report –



## SHIRE OF CORRIGIN REGISTER OF POLICIES

- a) *any material matters that indicate significant adverse trends in the financial position or the financial management practices of the local government;*
- b) *any matters including non-compliance with financial management requirements of the Act, Regulations and any other written law.*

### **Audit Methodology and Approach**

- a) *The auditor is required to comply with the requirements of section 7.9 of the Local Government Act 1995 and the Local Government (Audit) Regulations 1996.*
- b) *An audit is to be carried out in accordance with “Auditing Standards” and “Auditing Guidance Statements” adopted from time to time by the Australian Society of Certified Practising Accountants and the Institute of Chartered Accountants in Australia.*
- c) *The auditor is to provide the local government with a general outline of his/her methodology.*
- d) *The auditor is to provide the local government with a plan for the audit including:*
  - *Timing of interim audit visits;*
  - *Final audit visit (within 30 days of being advised that the accounts and annual financial report are available for audit);*
  - *Timing of the legislative requirement to meet with the local government and whether that meeting will be in person or by some other means; and*
  - *The method to be used to communicate with, and provide advice and information to, the local government.*
- e) *The auditor is required to produce an audit report as required by section 7.9 of the Local Government Act 1995 and, if considered appropriate by the auditor, a management report.*

### **Critical Matters to be audited**

- (i) **Revenue**
  - *Rates Revenue*
  - *Fees and Charges (user pays) revenue*
  - *Profit on sale of non-current assets*
  - *Accounts Receivable*
  - *Investment Policies*
  - *Other Income*
  - *Third part revenue collection (e.g. FESA Levy)*
- (ii) **Grants**
  - *Grants Receipts*
  - *Grants Expenditure*
  - *Grants Acquittal*
  - *Government Grants compliance*



## SHIRE OF CORRIGIN REGISTER OF POLICIES

- (iii) *Expenditure*
  - *Payroll*
  - *Payments to Elected Members*
  - *Insurances*
  - *Bad Debts*
  - *Depreciation*
  - *Materials and contract expenditure*
  - *Profit / Loss on sale of non-current assets*
  - *Taxation – indirect revenues (GST, FBT, PAYG)*
  - *Expenditure against budget*
- (iv) *Current Assets*
  - *Cash at Bank*
  - *Financial Investments*
  - *Accounts Receivables and prepayments*
  - *Inventory*
  - *Asset Registers*
- (v) *Non-Current Assets*
  - *Property, plant, furniture and equipment*
  - *Infrastructure*
  - *Depreciation*
- (vi) *Current Liabilities*
  - *Accounts Payable*
  - *Accrued payments*
  - *Short term loan and overdraft borrowings*
  - *Provision and reserves for employee entitlements*
  - *Other reserve funds*
- (vii) *Liabilities*
  - *Contingent liabilities*
- (viii) *Reporting*
  - *Accounting Policies and Standards*
  - *Financial Statements and Notes*
  - *Any other statutory obligations*
  - *Cash, Reserve Funds and Liquidity control*
  - *Cost Control*
  - *Financial Management*
  - *Capital Commitments*
- (ix) *Process Controls*
  - *Budgeting and expenditure controls*
  - *Compliance systems and policy compliance*
  - *Corporate Governance*
  - *Annual Audit Plan*
  - *Corporate Planning and Performance Indicators*



## SHIRE OF CORRIGIN REGISTER OF POLICIES

- *Information Management and Reporting*
- *Customer Service and Complaints Handling Process*
- *Controls and securities of IT Systems*
- *Forensic testing of IT systems and financial transactions*
- *Procurement and Tenders, Tender Register*
- *Contract Management*
- *Probity Audit*
- *Governance, inclusive of Council minutes*
- *Human Resource Management and Recruitment*
- *Risk Management*
- *Records Management*
- *Freedom of Information Requests*
- *Asset Management*
- *Internal Control Policy and Procedures*
- *Implementation and follow up of Previous Audit Recommendations*

### **Hours, Fees and Expenditure**

The auditor general may appoint an auditor to the Shire of Corrigin. The auditor is to provide:

- *Estimate of the time to be spent on the audit.*
- *Fees for completing the audit in accordance with this specification.*
- *Nominated auditor(s) and registered company audit number(s).*
- *Experience of the nominated auditors in completing local government audits.*

The auditor is to provide a fee for any additional audit requested by Council.



## 8.13 CHILD CARE FEES – ELECTED MEMBERS

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**Policy Owner:** Corporate and Community Services  
**Person Responsible:** Chief Executive Officer  
**Date of Approval:** 17 October 2017  
**Amended:**

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**Preamble:** Under Section 5.98 of the *Local Government Act 1995*, Councillors with children are allowed to claim professional child care fees, where meetings are scheduled that require their children to be put into child care so that they can attend a meeting.

**Objective:** To ensure that Councillors are not out of pocket by having to pay for professional child care so that they can attend a Council or committee meeting.

**Policy:** In accordance with the *Local Government Act, 1995*, Council allow for elected members to be reimbursed for child care costs incurred whilst they are in attendance at a Council meeting or a meeting of a Committee of which he/she is a member on the following basis:

- a) child carer not be close relative of the member, being for example husband, wife, grandparent;
- b) reimbursement to be only paid on production of a receipt of cost incurred; and
- ~~c) maximum amount reimbursed is to be \$20 per hour total.~~

**Process:** A Councillor can claim for child care as part of their quarterly fees, the receipt showing the fees paid for the Councillors children showing the date and if possible the time that they were in child care shall be attached to the quarterly return, the Councillor should note which meeting it refers too.

~~The fees paid will be reimbursed up to a maximum of \$20.00 per hour with the other fees claimed.~~



## 9 BUSH FIRE CONTROL



## 9.1 ROADSIDE BURNING & SPRAYING

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**Policy Owner:** Governance and Compliance  
**Person Responsible:** Chief Executive Officer  
**Date of Approval:** 20 August 1998  
**Amended:**

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**Objective:** To ensure appropriate approvals are in place before any roadside maintenance occurs.

**Policy:** No roadside burning is allowed by any persons within the Shire without the approval of the CEO in consultation with the Chief Bushfire Control Officer or Deputy Bushfire Control Officer. Similarly, any application to use chemicals on road reserves for firebreak protection must be submitted to the CEO for approval.





## 9.2 BUSH FIRE CONTROL OFFICERS - ELIGIBILITY

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**Policy Owner:** Governance and Compliance  
**Person Responsible:** Chief Executive Officer  
**Date of Approval:** 19 July 1995  
**Amended:** 17 October 2017

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**Objective:** To ensure Bush Fire Control Officers receive adequate training.

**Policy:** Within 12 months of any appointment all Bush Fire Control Officers should attend a Fire Control Officers course conducted by the Department of Fire and Emergency Services (DFES). This is to occur within a reasonable time of their appointment to be able to act in that position.



### 9.3 BUSH FIRE CONTROL

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<b>Policy Owner:</b>	Governance and Compliance
<b>Person Responsible:</b>	Chief Executive Officer
<b>Date of Approval:</b>	<b>15 November 2000</b>
<b>Amended:</b>	<b>17 October 2017</b>

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**Objective:**

- To minimise the risk of out of control fires
- To minimise the damage from fires
- To control burning within the Shire
- To ensure fire fighters receive adequate training
- To carry out the Shire's statutory obligations under the *Bush Fires Act 1954*

**Policy:** The Council of the Shire of Corrigin is to establish and maintain a Bush Fire Organisation in accordance with the *Bush Fires Act 1954* to provide adequate fire protection to the Shire.

**Bush Fire Advisory Committee**

The Council is to establish a Bush Fire Advisor Committee. The objectives of the Committee are to:

- make recommendations and advise Council on all matters relating to the *Bush Fires Act 1954* Section 67 (1);
- liaise with other emergency organisation and relevant bodies with regards to Fire and Emergency Management within the Shire of Corrigin.

The Committee will advise the local government on matters relating to:

- preventing, controlling and extinguishing of bush fires
- the planning of the form of firebreaks in the district
- prosecution for breaches of the *Bush Fires Act 1954*
- the formation of bush fire brigades and appointment of Bush Fire Control Officers, Fire Weather Officers and Harvesting Ban Officers
- the ensuring of co-operation and co-ordination of bush fire brigades in their efforts and activities
- any other matters relating to bush fire control whether of the same kind, or a different kind from, those specified.

The Advisory Committee will meet twice yearly, (generally) once in March/April to elect officers and once in September/October to discuss pre-season requirements.



## SHIRE OF CORRIGIN REGISTER OF POLICIES

### **Restricted and Prohibited Burning Periods**

The Bush Fire Advisor Committee will recommend to Council the Restricted and Prohibited Burning Periods.

### **Automatic Harvest and Movement of Vehicle Ban**

The Shire of Corrigin will impose an automatic Harvest and Movement of Vehicle ban on the following days:

- Christmas Day
- Boxing Day
- New Year's Day

### **Burning on Sundays**

Within the restricted burning period, no person is allowed to light a fire on Sunday without the approval of a Bush Fire Control Officer.

### **Easter and Public Holidays**

When Easter falls within the Restricted Burning Period, no burning is to be allowed during the Easter break or on a public holiday.

### **Movement of Vehicle Ban – Contractors in Paddocks**

Contractors carting lime, gypsum and fertilizers are allowed to enter into a property owners paddocks to unload at any time there is a total movement of vehicles ban in place, on the condition that a manned fire unit with at least 400 litres of water in attendance.

The land owner is to ensure due care is taken to minimise fire risk when unloading in a paddock.



# 10 HOUSING AND LAND



## SHIRE OF CORRIGIN REGISTER OF POLICIES

### 10.1 DOCTOR AND DENTIST RESIDENCE GARDEN MAINTENANCE

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**Policy Owner:** Works and Services  
**Person Responsible:** Manager Works and Services  
**Date of Approval:** 31 March 1989  
**Amended:**

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**Objective:** To ensure the Doctor and Dentist residences are maintained to a suitable level expected by the community, ratepayers and residents.

**Policy:** The Shire of Corrigin works staff will mow and maintain the lawns and gardens at the following residence as required, free of charge:

- Doctors residence
- Dentist residence



## SHIRE OF CORRIGIN REGISTER OF POLICIES

### 10.2 PROCEEDS OF THE SALE OF INDUSTRIAL OR RESIDENTIAL LAND

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<b>Policy Owner:</b>	Corporate and Community Services
<b>Person Responsible:</b>	Deputy Chief Executive Officer
<b>Date of Approval:</b>	<b>6 November 2002</b>
<b>Amended:</b>	<b>17 October 2017</b>

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**Objective:** To ensure funds are set aside for the future expansion of the Shire of Corrigin townsite.

**Policy:** The proceeds of the sale (less all annual loan repayments) of any residential or industrial land shall be placed in the Land Subdivision Reserve Fund.



# 11 WORKS AND SERVICES



## 11.1 SCHOOL BUS STOP SIGNAGE

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**Policy Owner:** Works and Services  
**Person Responsible:** Manager Works and Services  
**Date of Approval:** 31 March 1989  
**Amended:** 19 July 2016

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**Objective:** To provide guidance on the erection of suitable signage at designated school bus stops.

**Policy:** The Shire will arrange for suitable signage to be located at every new school bus stop. This includes crossing signs and turning bus signs. The number and design of suitable signage is at the discretion of the Manager of Works and Services.

If the bus driver or parents have concerns regarding the signage they are to address these to the CEO.

The school and Public Transport Authority will be asked to provide up to date bus routes in November each year.

Once signage is no longer required at the location parents are asked to contact the Shire for the removal of the signage. To aid in this process an annual advertisement will be placed in the local newspaper asking parents to notify of the need for removal.





## 11.2 GRAVEL SUPPLIES – ROAD CONSTRUCTION

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<b>Policy Owner:</b>	Works and Services
<b>Person Responsible:</b>	Manager Works and Services
<b>Date of Approval:</b>	<b>31 March 1989</b>
<b>Amended:</b>	<b>17 October 2017</b>

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**Objective:** To provide guidance on the sourcing of suitable Gravel for road construction.

**Policy:** It is Council policy that where possible gravel for road building not be obtained from road reserves.

Where gravel supplies are required for roadworks, the Manager of Works and Services is to source gravel from landowners close to the road requiring maintenance. The Manager of Works and Service should approach the landowner concerned at least one month prior to the time when the works are due to commence. This notice is necessary to give the landowner time to make any domestic arrangement in relation to stock, etc. An agreement must also be signed the Shire of Corrigin and landowner.

If landowners are unwilling to allow Council access for the gravel reserves on their land, that it be Council policy to arrange a meeting with the Shire President and/or local Councillor, CEO and Manager of Works and Services. If the landowner is still unwilling to allow Council access then Council can proceed to resume the land to enable the gravel to be obtained following the required legislative process.

All gravel pits opened on private property are to be reclaimed before the plant moves to the next programmed job unless other firm arrangements are negotiated with the landowner.

All care is to be taken to ensure that the least amount of inconvenience is caused to the landowner as possible.

Where proven, Council will consider compensation for crop loss on a 'case by case' basis.



## 11.3 ROAD MAINTENANCE

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**Policy Owner:** Works and Services/Governance and Compliance  
**Person Responsible:** Manager Works and Services/Governance Executive Officer  
**Date of Approval:** 31 March 1989  
**Amended:**

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**Objective:** The purpose of this policy is to:

- maintain school bus routes to a safe standard;
- ensure that all roads are maintained; and
- ensure proper drainage of road assets

**Policy:** **Manager Works and Services**  
A road inspection will be held each year and following this inspection, the road construction program for the following year is to be set.

Special attention is to be given to the maintenance of school bus routes. Routes should receive priority at the commencement of the winter maintenance grading season and at the beginning of the school year.

Every effort is to be made to ensure that all major rural roads be graded biannually and that other roads be graded as required, but at least once a year.

All roads that are reconstructed are to be cleared to a width of 14 (fourteen) metres.

**Governance Executive Officer**  
The school and Public Transport Authority will be asked to provide up to date bus routes in November each year.



## 11.4 CROSSOVERS

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<b>Policy Owner:</b>	Works and Services
<b>Person Responsible:</b>	Manager Works and Services
<b>Date of Approval:</b>	<b>19 August 1998</b>
<b>Amended:</b>	<b>19 July 2016</b>

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**Objective:** The purpose of this policy is to provide a subsidy towards the construction of a vehicle crossover to a private property within the Shire of Corrigin.

**Policy:** Under the *Local Government (Uniform Local Provisions) Regulations 1996*, Regulation 15 Contribution to cost of crossing - Sch. 9.1 cl. 7(4) states:

- (1) Where —
- (a) a local government —
    - (i) under regulation 12 constructs or approves the construction of; or
    - (ii) under regulation 13(1) requires the construction of, a crossing giving access from a public thoroughfare to private land or a private thoroughfare serving the land; and
  - (b) the crossing is the first crossing in respect of the land; and
  - (c) the crossing is a standard crossing or is of a type that is superior to a standard crossing,

the local government is obliged to bear 50% of the cost, as estimated by the local government, of a standard crossing, but otherwise the local government is not obliged to bear, nor prevented from bearing, any of the cost.

- (2) In subregulation (1) —

**first crossing**, in respect of land, means the first crossing to the land or a private thoroughfare serving the land constructed under regulation 12 or section 358 of the *Local Government Act 1960* as in force at any time before 1 July 1996;

**standard crossing** means, subject to any local law as to what is or is not a standard crossing, a crossing of a kind that the local government, by resolution, decides is a standard crossing.

### **Rural Crossover**

Where landowners require a new culvert crossover, Council will provide one crossover free of charge and where required, necessary pipework to protect the Shire's road assets. Should an additional crossover is required Council will provide the labour to install the culvert where the landowner pays for the culverts.



## SHIRE OF CORRIGIN REGISTER OF POLICIES

### **Townsite Crossovers**

Council will provide one crossover per lot at 50% of the cost to rate payers. Additional costs involved in wider or additional crossover (less the footpath portion) will be at the cost of the ratepayer. Where Council undertakes road works affecting existing crossovers Council will bear the cost of replacement.



## 11.5 MINIMUM STANDARD OF FOOTPATHS AND VEHICLE CROSSOVERS

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<b>Policy Owner:</b>	Works and Services
<b>Person Responsible:</b>	Manager Works and Services
<b>Date of Approval:</b>	<b>18 September 1996</b>
<b>Amended:</b>	<b>19 July 2016</b>

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**Objective:** To ensure that the quality and standard of developments in the Shire are kept to a level to ensure the maximum benefit to both Council assets and adjacent properties.

- To ensure that development costs are kept to a minimum to assist property owners, but not allow unregulated development.

**Policy:** ***Footpaths/dual use paths***  
Footpaths/dual use paths are to be constructed in concrete:

- to a depth of 75mm deep
- 25mpa concrete; and
- to a width of up to 2.0m.

***Townsite crossovers***

1. A standard crossing as referred to by the Regulation 15 of the Uniform Local Provisions Regulations comprises either:
  - A 150 mm compacted and water bound road base driveway, sealed with two coat of bitumen and topped with an approved aggregate.
  - A minimum of 75mm reinforced concrete over a compacted sub-base; or
  - other as approved by Council

from kerb to the front boundary line and tied in or made contiguous with abutting structures (kerbs, footpaths and driveways).
2. The minimum width of the standard crossing shall be 3.0 metres for residences, 4.0 metres for commercial, 6.0 metres for light industrial, 6.0 metres for heavy industrial and 7.5 metres for service stations each with a 1.5 metre radius "fishtail" onto-the kerb line.
3. The gradient shall be positive 2% for the first 1.5 metres from the kerb line.
4. The Shire will contribute to one crossing per property only.



## SHIRE OF CORRIGIN REGISTER OF POLICIES

5. Where the ratepayer elects to construct a crossover, the Council's contribution shall not exceed 50% of the cost of the crossover as defined in paragraphs (1) and (2) and in Council's Fees and Charges Schedule. The square metres calculated shall be the length (from the road kerb to the property line) multiplied by the nominal width. The ratepayer must produce documents stating the full cost of the crossing.

### **Rural Crossover**

1. A standard rural crossover is to be 8 (eight) metres wide.



## SHIRE OF CORRIGIN REGISTER OF POLICIES

### 11.6 STREET TREES

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**Policy Owner:** Works and Services  
**Person Responsible:** Manager Works and Services  
**Date of Approval:** 18 September 1996  
**Amended:**

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**Objective:** To guide Council and Administration on appropriate removal of street trees within the Shire of Corrigin.

**Policy:** Individual trees within Council reserves or grounds which are diseased, hazardous or roots of which are causing pavement damage shall be removed on approval of the CEO.



## 11.7 VEGETATION ON NEW FENCE LINES

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**Policy Owner:** Corporate Services  
**Person Responsible:** Chief Executive Officer  
**Date of Approval:** 15 November 2000  
**Amended:**

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**Objective:** To provide guidance on the clearing of vegetation on new fence lines within the Shire of Corrigin.

**Policy:** When farmers or landowners are installing a new fence, they are not to remove any vegetation on the road reserve, other than within 1 metre of the survey line with all debris to be placed on the farmer's property.





## 11.8 ROAD NAME CHANGES

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<b>Policy Owner:</b>	Governance and Compliance
<b>Person Responsible:</b>	Chief Executive Officer
<b>Date of Approval:</b>	15 November 2000
<b>Amended:</b>	

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**Objective:** To provide easy identification of Shire roads.

**Policy:** Except as provided below, a road name shall not be proposed for a new existing road if that road name is currently in use within the Shire. This includes the use of:

- like-sounding names e.g. names with the addition/deletion of "s"; or
- same name with a different suffix, e.g. road as opposed to street;
- where a road is closed or access denied as it crosses a main thoroughfare, one (1) portion of the road shall be renamed.

Roads shall be named or renamed (as the case may be):

- so as to avoid repetition as outlined above specifically within suburbs; and
- from the approved reserved list of names for roads.

Road names are to be sourced from:

- persons, entities, places or events of historical or heritage significance and directly related to the Corrigin area and its neighbourhood;
- persons having a distinguished record of achievement within the Shire's history.

A brief explanation of the relationship and significance of the name shall accompany all nominations for road names to the Shire.

Acceptance of nominated names for incorporation into a reserved road names list and for applying to particular thoroughfares will be put before Council for approval.

Support to name or rename roads in established areas can be obtained by applying to Council stating their reasons, and Council is to write to all landholders adjoining the affected road to obtain their views.

Once a name has formally been assigned to the road and adopted by the Geographic Names Committee, all relevant Government bodies, servicing authorities and Australia Post shall be notified of the final action taken and the commencement date.



SHIRE OF CORRIGIN  
REGISTER OF POLICIES

# 12 FOOD SAFETY COMPLIANCE AND ENFORCEMENT POLICY



## 12.1 FOOD SAFETY COMPLIANCE AND ENFORCEMENT POLICY

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<b>Policy Owner:</b>	Governance
<b>Person Responsible:</b>	Environmental Health Officer
<b>Date of Approval:</b>	18 October 2011
<b>Amended:</b>	

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### Objective:

### Scope and Objectives

#### Scope:

The Department of Health (WA) administers the *Food Act 2008* (The Act). The Shire of Corrigin is a designated enforcement agency under the provisions of the Act.

The objectives of the Act as defined in Section 3 of the Act include the following:

- to ensure food for sale is both safe and suitable for human consumption,
- to prevent misleading conduct in connection with the sale of food,
- to provide for the application in the State of the Food Standards Code.

The Food Standards Code means the Australia New Zealand Food Standards Code as defined in the Food Standards Australia New Zealand Act, 1991 of the Commonwealth of Australia. Enforcement of the Food Act is essential for the effective management of food safety risks and the prevention of misleading conduct in connection with the sale of food. Accordingly the Department of Health (WA) and the Shire of Corrigin are committed to ensuring there is a high level of compliance with the Food Act and Regulations.

This policy sets out the Shire's policy on compliance and enforcement that will facilitate the effective achievement of the regulatory goals of the Act in a manner that is:

- Authorised by law;
- Procedurally fair;
- Accountable and transparent;
- Consistent; and
- Proportionate.

The policy recognises that most food businesses want to comply with the law and produce food that is safe and correctly labelled. The compliance and enforcement role of the Shire of Corrigin is to protect consumers from a minority who may not act in the interests of food safety.

The enforcement options of this policy are not required to be enacted on food businesses who act responsibly and it is the Council's aim to provide education to food handlers to maintain the safety of food products produced or sold within the Shire of Corrigin. It is however important that these enforcement options are clearly understood so that any action the Council takes against a food handler or food premises is within the scope of the law and is appropriate for the given circumstances.

The range of offences under the Act and Regulations vary greatly in their seriousness and accordingly a variable range of penalties and enforcement options that are available under the Act and Regulations.



## SHIRE OF CORRIGIN REGISTER OF POLICIES

This policy describes the options that are available and provides details of the matters that will be considered in their application toward achieving the objectives of the Act.

This policy also sets out the principles the Council will apply in its compliance and enforcement activities. Breaches of the Act are classified as criminal offences and penalties of up to \$500,000 and/or two years imprisonment apply.

### Objectives:

The objectives of this policy are:

- To provide transparency to consumers and industry on how the Shire of Corrigin will make decisions on enforcement action;
- To guide decision making and action by Council Officers in the use of enforcement options;
- To use regulatory implements in such a way as to best achieve the Council's strategic and operational objectives.

### **Compliance and Enforcement Principles**

As a regulatory authority the Shire of Corrigin will endeavour to:

- Act in the public interest;
- Act consistently, impartially and fairly according to law;
- Promote consistency through effective liaison with field staff and the adherence to policies and procedures;
- Ensure we do not discriminate on the basis of race, religion, sex, national origin or political association;
- Ensure that enforcement action is taken against the right person for the right offence;
- Ensure that all relevant evidence is placed before the courts or appeals tribunals;
- Make food businesses aware of their legal obligations through the widest possible dissemination of information;
- Explain the benefits of compliance to food businesses and discuss specific compliance failures or problems;
- Provide advice on mechanisms that can be used by food businesses to improve compliance;
- Confirm advice in writing when requested and provide written advice in a clear and simple manner, explaining what and why remedial work is to be undertaken, over what time period and ensure that all legal requirements are clearly explained;
- Advise proprietors of their right of appeal where provided by law;
- Provide alleged offenders with an opportunity to discuss the circumstances of their case; and
- Seek the support of industry leaders to influence compliance levels.

### **Decision Making Criteria**

Each case will be considered individually and the appropriate enforcement action to be taken determined on the particular circumstances of the case.

The Prosecution Policy of the Commonwealth states:

"The objectives previously stated – especially fairness and consistency – are of particular importance. However, fairness need not mean weakness and consistency does not mean rigidity.



## SHIRE OF CORRIGIN REGISTER OF POLICIES

The criteria for the exercise of this discretion cannot be reduced to something akin to a mathematical formula; indeed it would be undesirable to do so. The breadth of the factors to be considered in exercising this discretion indicates a candid recognition of the need to tailor general principles to individual cases<sup>(1)</sup>

The following issues need to be considered and balanced in making a decision as to the type of enforcement action, if any, that is applied:

- The knowledge of the alleged offender as to the consequences of their actions;
- The degree of care taken by the alleged offender to ensure they did not commit an offence;
- The capability of the alleged offender to understand, cope and comply with the relevant requirements;
- The alleged offender's antecedents and background, including culture and language ability;
- The openness, honesty and cooperation demonstrated by the alleged offender;
- The contrition demonstrated by the alleged offender;
- Any mitigating or aggravating circumstances;
- The culpability of the alleged offender and role played by other parties that may have contributed to the offence;
- The timeliness, the age, duration and magnitude of the offence;
- The totality of offences that may have been allegedly committed;
- The proportionality of the selected enforcement option so that the action will not be unduly harsh or oppressive;
- The prevalence of the alleged offence within the industry and any need for a deterrent effect;
- The difficulty and resources expended by the Shire of Corrigin in investigating and proving the elements of the particular offence or the type of offence;
- The efficiency and cost to the Shire of Corrigin of the compliance and enforcement option that is used;
- Whether the enforcement action required to achieve the objectives of the Act are appropriate;
- Whether or not the enforcement action would be perceived as counterproductive – for example, by bringing the law into disrepute;
- Whether or not the offence is of considerable general public concern;
- The necessity to maintain public confidence in the enforcement of the Act;
- The existence of any risk to public health and the nature and extent of that risk;
- The extent to which consumers have been defrauded;
- The need to protect the consumers either in or visiting the Shire of Corrigin.

The overriding consideration in taking enforcement action will always be the public interest.

(1) Commonwealth Director of Public Prosecutions 2004, *Prosecution Policy of the Commonwealth*.



## SHIRE OF CORRIGIN REGISTER OF POLICIES

### Privacy

The Shire of Corrigin must observe the privacy principles set out in the *Freedom of Information Act 1992*. Information relating to compliance and enforcement action will generally be made available only where consistent with the *Freedom of Information Act 1992* and Section 121 of the *Food Act 2008*.

### Policy:

#### Application of Compliance and Enforcement Options

A range of compliance and enforcement options are available to Authorised Officers. This section gives guidance on when these options may be applied. The decision-making criteria outlined in Section 3 will be considered in deciding which, if any, enforcement action is appropriate in each case.

#### Types of Compliance and Enforcement Action

The compliance and enforcement options available to Authorised Officers include:

- Verbal advice;
- Warning letters;
- The issuing of a statutory Improvement Notice which requires cleaning, repair, replacement, revision of food safety program, implementation of a food safety program or implementation of the Food Safety Standards;
- The issuing of a Prohibition Order which controls certain activities where there is failure to comply with an Improvement Notice or to prevent or mitigate a serious danger to public health;
- The seizure of food, vehicles, equipment, and labelling or advertising materials which do not comply with a provision of the Act or Regulations;
- The issuing of a Penalty Infringement Notice;
- The institution of proceedings in the Magistrates Court;
- Request for court orders for corrective advertising by a person found guilty of an offence;
- Publication of the names of offenders immediately after conviction.

#### Verbal Advice and Warning

Authorised Officers will routinely give advice on compliance to food businesses. This advice will relate to principles of food safety and explain the benefits of compliance or the purpose of the law. Verbal warnings should normally only be given for extremely trivial offences, where the offence is only of a technical nature or where there is insufficient evidence to justify a warning letter.

#### Written Warnings

Where there is evidence that minor breaches of the Act have occurred, written warning may be issued at the discretion of the Authorised Officer. Written warnings may be inappropriate where there are a large number of minor offences on one occasion within one food business. Similarly written warnings will not normally be issued for a series of offences within a relatively short period of time or in those cases where written warnings have previously been issued.



## SHIRE OF CORRIGIN REGISTER OF POLICIES

The totality of the offences should be considered in deciding the appropriate course of action. Where significant non-compliance is evident, more significant enforcement action may be appropriate.

Warning letters will detail the exact nature of the offence, required remedial action, cite relevant clauses of the legislation, and specify the maximum penalty for the offence and the intention of the Council to enforce the legislation. Warning letters will be followed-up within no less than 3 months to ensure the required actions have been taken. Further written warnings will not be issued for a subsequent similar offence except in exceptional circumstances.

### Improvement Notices

Authorised Officers may serve Improvement Notices under Section 63 of the Act. An Improvement Notice is an order that may require, in relation to premises, food transport vehicles or equipment, cleaning, repair, replacement, and relating to the handling of food, revision of a food safety program, implementation of a food safety program or implementation of the Food Safety Standards. The orders may also require food to be handled in a specified way or for a specified purpose.

Improvement Notices should be issued with the same considerations as for a warning letter but should also only be used where there is an intention to proceed to a Prohibition Order following non-compliance with that Improvement Notice. In other circumstances a warning letter or other enforcement options should be considered.

An Improvement Notice must specify the specific legislative provision to which it relates and may specify the particular action to be taken by a person. The Improvement Notice must specify the date by which compliance must be achieved.

While extension of the date of compliance is at the discretion of the Authorised Officers, extensions of time for compliance will not be granted for matters related to cleaning or food handling without the prior approval of the CEO. Appeals concerning Improvement Notices will be considered by the CEO.

Improvement Notices must be served on the proprietor of the food business. The person on whom an Improvement Notice has been served must be provided with a copy of the Improvement Notice upon request. Should the proprietor wish to seek an extension of time for compliance, that request must be in writing stating the reasons the extension is being sought. That request is to be submitted to the Shire of Corrigin before the date of compliance as indicated in the Notice.

Improvement Notices are differentiated from warning letters in that they are a statutory notice that may lead to the issuing of a Prohibition Order under Section 65 of the Act. The issuing of an Improvement Notice does not preclude the issuing of a Penalty Infringement Notice or the institution of court proceedings in circumstances where these types of actions may be warranted.

### Prohibition Orders

Prohibition Orders may be issued where an Improvement Notice has been issued and there has been a failure to comply with the Improvement Notice by the date of completion **or** where the issue of a Prohibition Order is necessary to prevent or mitigate a serious danger to public health.



## SHIRE OF CORRIGIN REGISTER OF POLICIES

A Prohibition Order will take a form that prohibits the handling of food on specified food premises, vehicle or equipment, or that food is not to be handled in a specified way or for a specified purpose.

It should be noted that Section 8 of the Act defines food handling very broadly, including activities such as collection, transporting, storing or displaying food. Breach of a Prohibition Order will normally result in prosecution.

A Prohibition Order will remain in place until a Certificate of Clearance is issued following a written request for an inspection. An inspection will be undertaken within 48 hours of a written request being made by the proprietor of the food business to the Shire of Corrigin or to the Authorised Officer who made the order. If an inspection is not made within 48 hours of the written request for an inspection, a Certificate of Clearance is deemed to have been granted.

Section 69 of the Act provides for appeal to the State Administrative Tribunal (SAT) if there is a refusal to issue a Certificate of Clearance. Section 70 of the Act provides for compensation to be paid if there were no grounds for the making of the Prohibition Order. Prohibition Orders may only be issued by the CEO, being a duly authorised delegate under Section 118 of the Act. A brief of evidence sufficient to prove all elements of a prosecution will be the normal standard required prior to the issue of a Prohibition Order.

### Seizure Powers

Authorised Officers have power under Section 40 of the Act to seize food, vehicles, equipment, and labelling and advertising materials which the Authorised Officer reasonably believes do not comply with a provision of the Act or Regulations or which there is evidence that an offence has been committed.

Whilst seizures are undertaken to collect evidence or to prevent further offences being committed, they effectively impose a penalty upon the person from whom the food, vehicle, equipment and labelling or advertising materials is seized. The impact of a seizure should be considered in the application of any other enforcement action. Persons from whom items are seized must be provided with a statement that describes the items seized, states the reasons for the seizure and the address at which the items will be held.

Where it becomes evident that there has been no contravention of the Act or Regulations in relation to items which have been seized they are to be returned as soon as possible to the person from whom the items were seized. The person from whom items have been seized must also be informed of their right under Section 57 to appeal within 10 days of the seizure to the Magistrates Court for an order disallowing the seizure. Compensation may be paid if there has been no application to a Magistrates Court and no contravention of the Act or Regulations had occurred in relation to the seized items.

### Penalty Infringement Notices

An Infringement Notice is a notice to the effect that the person to whom it is directed has committed a specified offence and that, if the person does not wish to have the matter dealt with by a court, the person may pay the specified amount for the offence within a specified time.





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A penalty notice is issued under Section 126 of the Act. The notice requires payment of a specified monetary penalty, unless the person alleged to have committed the offence elects to have the matter dealt with by a court.

When an Authorised Officer during an inspection of premises, vehicles or equipment, detects or observes conditions or circumstances that give rise to the potential for the issue of an infringement notice, verbal advice will be given, at that time, to the person allegedly responsible for the alleged offence that an infringement notice may be issued for that alleged offence.

Prior to an infringement notice being issued, Authorised Officers must prepare briefs of evidence, which prove each element of the alleged offence to the standard required for prosecution. Further than establishing a prima facie case there must also be a reasonable prospect of a conviction being secured if the alleged offender chooses to have the matter heard in a court.

That brief is to be submitted to the Principal Environmental Health Officer for consideration and authorisation for the penalty notice to be issued.

When a decision has been made that an infringement notice is to be issued, that notice will be forwarded by post or hand delivered to the person alleged to have committed the offence. The infringement notice is to be accompanied by a written advice giving the reasons for the issuing of the infringement notice in that instance and also providing advice and information as to the means or requirements for the remedying or rectification of that condition or circumstance that gave rise to the infringement notice.

The decision-making criteria outlined in Section 3 will be considered in the issuing of an infringement notice. Infringement notices provide a cost effective and efficient method of dealing with offences and will generally be sufficient response to breaches of the Act.

Infringement notices should not be used where the penalty is considered totally inadequate for the offence or where the penalty is likely to have no impact on the proprietor of the food business.

Infringement notices are not available for serious offences contained in Part 3, Division 1 of the Act. These relate to the handling of food in a manner that a person knows will render, or is likely to render, the food unsafe or where the food is handled in a manner that the person ought reasonably to know is likely to render the food unsafe.

A payment of a penalty notice is not an admission of liability and the person is not liable to any further proceedings for the alleged offence.

### Prosecution

Prior to any prosecution being launched Authorised Officers must prepare briefs of evidence which prove each element of the alleged offence to the standard required for prosecution. That brief is to be submitted to the CEO for consideration and authorisation for the prosecution to proceed.

The resources available for prosecuting are finite and should not be expended pursuing inappropriate cases. The decision-making criteria outlined in Section 3 will be considered in



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making a decision to prosecute. Prosecution will normally be reserved for the more serious breaches.

While the Act provides that proceedings must be commenced within 6 months for matters relating to food samples and 12 months for other matters, all matters should be prepared for hearing as quickly as possible.

The Act extends liability to a wide range of persons who may be involved in some way with contraventions of the Act or Regulations, including employees, proprietors, and individual directors of companies.

Where the Shire of Corrigin has selected prosecution as the appropriate option, the Council will not necessarily proceed against all those who may be potentially liable under the legislation.

Prosecutions are eligible for publication by the Department of Health (WA).

### **Conclusion**

This policy provides information as to the processes and actions that will be followed in the cases dealt with under the *Food Act 2008*, however due to the variety of circumstances that may be encountered through the range of inspections and enforcement procedures, the policy cannot be used to limit the discretion of the Shire of Corrigin to take any enforcement action for the purposes of obtaining high standards of food safety.

The policy is to be interpreted as general guidance on how the Council will undertake enforcement action. It should further be recognised that it is not the aim of the Shire of Corrigin to undertake enforcement action except where absolutely necessary and that priority should be given to educating food handlers to prevent food safety standards from being compromised in any instance.