



SHIRE OF WILLIAMS POLICY MANUAL

COUNCIL POLICY MANUAL
SHIRE OF WILLIAMS

CONTENTS

PRELIMINARY	3
OPERATIONAL	6
○ 1.2 Building – Outbuildings in Residential Zones R2, R2.5, R5, R12.5, R20 and R30 Policy	7
○ 1.3 Buildings – Relocatable Dwellings: Conditions of Approval Policy	9
○ 1.4 Buildings – Use of Sea Containers and Transportable Structures Policy.....	11
○ 1.5 Bush Fire Brigades Policy	13
○ 1.6 Business Incentive for Investment Policy	14
○ 1.7 Customer Complaint Handling Policy	18
○ 1.8 Community Engagement Policy	19
○ 1.9 Corporate Credit Card Policy	20
○ 1.10 Crossovers (property entrances) and Driveways Policy	21
○ 1.11 Email Policy	22
○ 1.12 Financial Reporting Policy	24
○ 1.13 Portable and Attractive Assets Policy	26
○ 1.14 Freedom of Information Officer Policy	28
○ 1.15 Integrated Workforce Planning and Management Policy	29
○ 1.16 Investment Policy	31
○ 1.17 Legal Proceedings and Prosecutions Policy	33
○ 1.18 Professional Advice Policy.....	34
○ 1.19 Local Art Acquisition Policy	35
○ 1.21 Payment of Accounts Policy.....	36
○ 1.22 Private Works Policy.....	37
○ 1.23 Purchasing Policy	38
○ 1.24 Related Party Disclosure Policy.....	43
○ 1.25 Rates – Contiguous Valuations Policy	46
○ 1.26 Rates – Request for Alternative Arrangements Policy	47
○ 1.27 Roads – Upgrading of Existing Roads Policy	48
○ 1.28 Self-Supporting Loans Policy	49
○ 1.29 Volunteer Support Policy	50
○ 1.30 COVID-19 Financial Hardship Policy	51
○ 1.31 Asset Management Policy	54
○ 1.32 Reinstatement of Firebreaks Following Fire Event Policy	55
○ 1.33 Internal Control Policy.....	56
○ 1.34 Legislative Compliance Policy.....	57
○ 1.35 Management of Bushfire Volunteers Policy	58
STAFF	59



S 2.1	Accrual of Employee Entitlements Policy	60
S 2.3	Drugs and Alcohol Policy	61
S 2.4	Equal Employment Opportunity Policy	62
S 2.5	Gratuities – Payments to terminating employees in addition to contract or award Policy	64
S 2.6	Occupational Health and Safety Policy	65
S 2.7	Bullying in the Workplace Policy	66
S 2.8	Risk Management Policy	67
S 2.9	Sexual Harassment Policy	68
S 2.10	Smoke-Free Workplace Policy	69
S 2.11	Social Media Policy	70
S 2.13	Training, Conference and Meeting Expenses – Employees and Councillors Policy	72
S 2.14	Superannuation Policy	73
S 2.15	Water Usage – Community Housing Policy	74
S 2.16	Employee Recruitment and Selection Policy	75
S 2.17	Long Service Leave Management Policy	77
COUNCIL	78
C 3.1	Elected Member Induction Policy	79
C 3.2	Honorary Freeman of the Shire of Williams Policy	80
C 3.3	iPads / Tablets – Provision for Councillors / Senior Staff Policy	81
C 3.4	Recognition of Councillor Service Policy	83
C 3.5	Attendance at Events Policy	84
C 3.6	Elected Member Training and Continuing Professional Development Policy	87
C 3.7	Temporary Employment or Appointment of CEO Policy	88

PRELIMINARY

Introduction

This Policy Manual is intended as a guide to councillors, employees and the general public, on the normal practices and activities of the Shire of Williams. The policies do not require absolute adherence, and may be changed as circumstances dictate, in accordance with Council's directions, and amended by Council from time to time.

Employees are expected to comply closely with the spirit and intention of the policies, and to use care and discretion in implementing the policies, to ensure the best possible outcome for all. Implementation should be fair, consistent and effective, with the emphasis on guidance and assistance rather than compulsion and inspection.

Council, in its absolute discretion, reserves the right to amend, add, delete or apply wholly or in part or not at all, any or all of the policies without notice.

This document does not stand alone, but is underpinned by legislative requirements, which comprises (in order of priority):

- Legislation – Acts of Parliament, Regulations etc.
- Common Law – legal precedent, interpretation and decisions made by the Courts
- Delegated legislation – local laws and by-laws, town planning policy
- General policy – administrative policy

Definitions

The *Local Government Act 1995* has not defined the term 'delegation' or 'delegated power', however:

- s 5.16 refers to *...the exercise of any of its powers and duties...*
- s 5.42 refers to *...the exercise of any of its powers or the discharge of any of its duties...*

The term 'policy' is also not defined in the *Local Government Act 1995*.

Accordingly, throughout this document, the following terms apply, insofar as they are consistent with enabling legislation:

'Authority' means the permission or requirement for a Committee or the Chief Executive Officer (CEO) to act in accordance with:

- the *Local Government Act 1995* or other legislation or regulation;
- a delegation made by Council;
- a policy made by Council; or
- a specific decision by Council.

'Delegation' means the authority for a Committee or the CEO to act on behalf of Council, where the power is either specifically or by implication, intended to be exercised by the elected members, rather than an organisational review.

'Policy', as the context requires, means either:

- a procedural direction to employees to implement Council directives in a particular way; or
- the authority for employees to act, where that authority is not considered to be a delegation, but more procedural in nature.

'Instruction' means the requirement for an employee to act in accordance with a direction given by the CEO.

Head of Power

Unless stated otherwise, the *Local Government Act 1995* constitutes the head of power for Council to make the policies.

The Council is responsible for functions and activities under numerous Acts and other legislation, many of which permit Council to assign responsibilities and authority to various officers. In order to maintain consistency with the concepts of the *Local Government Act 1995*, all delegations are made to the CEO, who is then responsible for the implementation of the function, either personally or through delegation to other officers.

It is Council's expectation that the CEO assigns responsibilities relevant to a specialist or specific position, to the appropriate person.

Process

It is a requirement of the *Local Government Act 1995* s5.18 and s5.46 (1) (2) that all delegations be reviewed at least once in each financial year. In order to ensure that there is clear authority and to ensure consistency and relevancy, the applicable policy is to be updated where a delegation applies.

A policy may be reviewed at any time as a result of:

- Legislative changes (Acts/Regulations/Local Laws) which have a bearing on a particular policy;
- Council decisions which affect the continued validity or applicability of a policy;
- Important technological or social changes; or
- Any other such circumstance that would justify an earlier review

In order to ensure that policies remain current the assigned Responsible Officer should review them on a regular basis and no less than once every two years.

New Policies

Council may make new policies at any time.

However, unless specifically stated that the authority is to be included in the Policy Manual at the time of adoption, it should be assumed that the authority to act is for a specific matter and is not a general or on-going policy.

Amended and Revoked Policies

The document is to include a version date to ensure that the most current version is being referred to. A version and amendment table is included at the front of each document to track minor changes. Complete re-writes to be noted for reference.

The history of the policy is amended to show date and resolution number of the motion of the amendment.

Amendment Record

No.	Date	Council Resolution	Amendment Details	Author
1	May 2018	181/18	Review and update All - 'Operational' Policies	CEO
2	June 2018	211/18	Review and update All - 'Staff & Council' Policies	CEO
3	July 2018	5/19	Review and update All - Entire Manual	CEO
4	May 2019	196/19	Revocation O1.12 – Fair Value Accounting O1.13 – Fixed Assets – Capitalisation Threshold O1.20 – Non-Current Assets - Depreciation	Manager of Corporate Services
5	May 2019	196/19	New Policies O1.12 Significant Accounting Policies O1.13 – Portable and Attractive Assets	Manager of Corporate Services
6	September 2019	47/20	New Policy S2.16 – Employee Recruitment and Selection	CEO
7	September 2019	48/20	New Policy S2.17 – Long Service Leave Management	CEO
8	September 2019	49/20	Amendment O1.23 – Purchasing Policy (<i>changes to purchasing thresholds</i>)	CEO
9	February 2020	133/20	New Policy C3.5 Events Policy	CEO
10	March 2020	145/20	New Policy C3.6 Elected Member Training and Continuing Professional Development	CEO
11	May 2020	155/20	New Policy O1.30 COVID-19 Financial Hardship	CEO
12	October 2020	43/21	New Policy O1.31 Asset Management	Manager of Corporate Services
13	December 2020	63/21	Amendment O1.23 Purchasing	Manager of Corporate Services
14	April 2021	97/21	Review and update – “Minor Review” All - Entire Manual	Manager of Corporate Services
15	April 2021	93/21	New Policy O1.32 Reinstatement of Firebreaks Following Fire Event Policy	CEO
16	May 2021	107/21	New Policy C3.7 Temporary Employment or Appointment of CEO Policy	CEO
17	November 2021	60/20	Revocation O1.12 – Significant Accounting Policies	Manager of Corporate Services
18	November 2021	60/20	New Policy O1.12 – Financial Reporting Policy	Manager of Corporate Services
19	November 2021	59/22	New Policies O1.33 – Internal Control Policy O1.34 – Legislative Compliance Policy	Manager of Corporate Services
20	November 2021	64/22	New Policy O1.35 – Management of Bushfire Volunteers Policy	CEO

21	December 2022	66/23	Amendment C3.7 Temporary Employment or Appointment of CEO Policy	CEO
22	December 2022	66/23	Amendment Policy O1.4 Buildings – Use of Sea Containers and Transportable Structure Policy	CEO

OPERATIONAL



○ 1.2 Building – Outbuildings in Residential Zones R2, R2.5, R5, R12.5, R20 and R30 Policy

OBJECTIVE

- To provide flexibility for outbuilding size, construction and materials for outbuildings in residential areas.
- To ensure that outbuildings are constructed and located in such a way as to minimise their impact on the amenity of the locality.
- To prevent the construction of outbuildings on vacant lots.

STATEMENT

This policy provides direction and guidance on the materials, area and height of the buildings that Council may permit within the Residential zoned areas of the Shire of Williams. The policy provides the basis for determining applications that do not meet the requirements of State Planning Policy.

This policy only applies to the Residential zones where the Residential Design Codes are applicable. The policy does not apply to the Rural Residential Zone or Rural Zones.

Definitions

<i>Outbuilding</i>	An enclosed, non-habitable structure that is detached from any building
<i>Garage</i>	Any roofed structure, other than a carport, designed to accommodate one or more motor vehicles and attached to the dwelling.
<i>Carport</i>	A roofed structure designed to accommodate one or more motor vehicles; unenclosed except to the extent where it abuts a dwelling or a property boundary on one side, and being without a door unless that door is visually permeable.
<i>Patio</i>	An unenclosed structure covered in a water impermeable material which may or may not be attached to a dwelling.
<i>Pergola</i>	An open framed structure covered in water permeable material or unroofed, which may or may not be attached to a dwelling.
<i>Note:</i>	<i>Other common private garden or backyard constructions such as cubby houses, play fixtures and dog kennels are exempted from planning control.</i>

GUIDELINES

Vacant Lots An outbuilding may not be permitted to be constructed on vacant lots. The exception to this may only be the situation where an application for a building permit for a dwelling is submitted at the same time as the building permit for the outbuilding.

Development Standards

Residential Density Code of Property	Permitted Area of Outbuilding	Permitted Wall Height	Permitted Ridge Height
R2 – 5000m ² lots	200m ²	4.5m	5.0m
R2.5 – 4000m ² lots	180m ²	4.0m	4.6m
R5 – 2000m ² lots	120m ²	3.6m	4.5m
R12.5 – Average lots 800m ²	80m ²	3.0m	4.5m
R20 – Average lots 450m ²	60m ² or 10% in aggregate of the site area, whichever is the lesser	2.7m	4.2m
R30 – Average lots 260m ²	60m ² or 10% in aggregate of the site area, whichever is the lesser	2.7m	4.2m

- Materials* Second hand materials may only be used where the materials are in good condition and are sufficient to provide a consistent appearance of the building. Council's Building Surveyor may request a report from a structural engineer for use of second hand materials. Residents are encouraged to use materials with a low reflectivity to avoid adverse impact on neighbours.
- Outbuildings* Are not attached to the dwelling; are non-habitable; not for commercial purposes; are not within the primary street setback area and do not reduce the amount of open space required by the Residential Design Codes.
- General* If the proposed outbuilding meets the criteria outlined in this policy, it is considered that the proposal meets the performance criteria of the Residential Design Codes contained in the State Planning Policy.

Responsible Officer	Chief Executive Officer Environmental Health Officer & Building Inspector
History	Adopted 16 August 2017 (Resolution 33/18) Minor update – revised language and update to regulatory references 21 April 2021 (Resolution 97/21)
Delegation	BLD 1 - Building Matters Permits, Certificates and Orders BLD 4 – Building Licences PLN 1 – Planning Matters
Relevant Legislation	State Planning Policy 7.3 - Residential Design Codes Planning and Development Act 2005 Building Act 2011
Related Documentation	Shire of Williams Town Planning Scheme No 2

○ 1.3 Buildings – Relocatable Dwellings: Conditions of Approval Policy

OBJECTIVE

- To protect the visual amenity of the Residential, Rural Residential or Rural zoned areas of the Shire of Williams by ensuring that an acceptable standard of building is maintained.
 - To specify the circumstances under which Council may allow the relocation of a second-hand transportable dwelling into a Residential, Rural Residential or Rural zoned land.
 - To outline the requirements and standards that are necessary to obtain development (planning) and building approvals to relocate a second-hand dwelling into a Residential, Rural Residential and Rural zoned area.
-

STATEMENT

The transportation to the Shire of Williams, especially in the gazetted townsite, of a second hand transportable dwelling house has the potential to have a negative impact upon the visual amenity of areas in which they are located.

In order to guard against potential negative impact of such dwellings, the Shire requires that all proposals of this type be submitted to Council for planning approval.

GUIDELINES

The transportation into a Residential, Rural Residential or Rural zoned area of the Shire of Williams of a second-hand transportable dwelling (relocatable dwelling) may be permitted, subject to the following:

1. Applications are subject to the proponent submitting a Development Application.
2. All applications to relocate a dwelling into a Residential or Rural Residential or Rural zoned area are required to be presented to Council prior to approval being granted.
3. No dwelling containing asbestos is permitted to be relocated into or within the Shire unless all asbestos is removed and replaced with suitable alternative materials prior to its transportation.
4. All relocatable dwellings are to be inspected by the Environmental Health Officer/Building Surveyor prior to transport into the Shire at the proponent's cost.
5. Building plans as per the requirements of the *Building Regulations 2012*, plus certification from a structural engineer as to structural soundness and stumping requirements are required to be submitted.
6. All stumps and sole plates (if applicable) are to be new materials
7. Any damaged or rusted building materials to be replaced to the satisfaction of the EHO/BS.
8. If deemed necessary by the EHO/BS, all external portions of the dwelling to be painted to the Shire's satisfaction.
9. If deemed necessary by Council, to improve the appearance of the dwelling, a veranda to the Shire's satisfaction may be required to be erected.
10. All exposed portions of the dwelling between ground level and the underside of the floors to be screened, by the use of new materials such as Colorbond, fibro cement, termite resistant lattice or bird boards.
11. No occupation of the dwelling is to occur until a final inspection of the dwelling by the EHO/BS has taken place and those conditions necessary for habitation have been cleared.

Responsible Officer	Chief Executive Officer Environmental Health Officer and Building Inspector
History	Adopted 18 June 2008 (Resolution 300/08) Minor update – revised language 21 April 2021 (Resolution 97/21)
Delegation	BLD 1 - Building Matters Permits, Certificates and Orders BLD 4 – Building Licences PLN 1 – Planning Matters
Relevant Legislation	Planning and Development Act 2005 Building Act 2011
Related Documentation	Shire of Williams Town Planning Scheme No 2

○ 1.4 Buildings – Use of Sea Containers and Transportable Structures Policy

OBJECTIVE

- To protect the amenity of the Williams townsite by ensuring that the visual impact of any proposal to use a sea container or transportable structure is minimised.
 - To specify the circumstances under which the Shire may permit the use of sea containers or transportable structures within the Williams townsite.
 - To outline the procedures required to be followed in seeking Council's approval to the use of sea containers or transportable structures within the Williams townsite.
-

STATEMENT

The use of sea containers and transportable structures for purposes other than the transportation of goods (e.g. storage, shed, workshop etc.) has the potential to have a negative impact upon the visual amenity of areas in which they are located due to the general size and appearance of such structures. In order to guard against the potential negative impact of such usage the Shire requires that all proposals of this type be submitted to Council for its formal planning approval prior to commencement.

GUIDELINES

The use of sea containers or transportable structures within the Williams townsite for purposes other than the transportation of goods is generally not permitted. Council may however issue its planning consent for the use of such structures for purposes other than the transportation of goods where all of the following circumstances apply:

- Where the land the subject of such an application is zoned Commercial, Industrial or Rural;
- Where the structure is located on the land so as to be effectively screened from public view;
- Where the height of such structures does not exceed 3 metres.

All applications for planning approval to use a sea container or transportable structure is to be made in the form prescribed in Schedule 2 of the Shire of Williams Town Planning Scheme No.2 and to be accompanied by the following information:

- Details of the proposed use of the structure;
- Details of the dimensions and finish of the proposed structure;
- A photo of the proposed structure;
- Details of the structure's proposed location on the subject land; and
- The proposed method of screening.

In considering any application for planning consent to use a sea container or transportable structure within the Williams townsite, Council is to have regard to the objectives and provisions of its Town Planning Scheme and may take into account any matters relevant to Town and Regional Planning, the public interest in general and the locality surrounding the proposed development in particular.

Where a sea container is being used to transport goods it is not permitted to remain on any land within the Williams townsite for a period exceeding twenty eight (28) days without Council's approval.

Conversion to a building for habitation

Sea containers or transportable structures shall not be used for habitable purposes, unless development approval is obtained and the structure(s) complies with Shire of Williams Town Planning

Scheme, the Building Code of Australia, *Public Health Act 2016* and *Health (Miscellaneous Provisions) Act 1911* as a habitable unit. The local government will have regard to other Local Planning Policies as relevant.

Responsible Officer	Chief Executive Officer Environmental Health Officer and Building Inspector
History	Adopted 19 September 2007 (Resolution 59/08) Minor update – revised language 21 April 2021 (Resolution 97/21)
Delegation	BLD 1 - Building Matters Permits, Certificates and Orders BLD 4 – Building Licences PLN 1 – Planning Matters
Relevant Legislation	Planning and Development Act 2005 Building Act 2011
Related Documentation	Shire of Williams Town Planning Scheme No 2

O 1.5 Bush Fire Brigades Policy

OBJECTIVES

The objectives of Bush Fire Brigades is to maintain an efficient bushfire fighting organisation that is ready and equipped to:

- Organise preventative measures;
 - Monitor and extinguish bush fires;
 - Prevent loss of human life;
 - Minimise losses to livestock and property; and
 - Advise the Shire on matters relating to the detection, suppression and prevention of bush fires in the respective brigade area.
-

STATEMENT

Brigade Area

The area of a brigade is the land with the boundaries as approved by Council.

Membership

Subject to any Shire Local Law, all property owners within the area are entitled to become members. A register of members is to be kept showing each member's name, address and contact details. Membership of residents outside of the Shire boundaries may be accepted as members who work in the Shire of Williams.

Management

The management of the Brigade is delegated to the Brigade Captain, who is appointed to the role by the members at a meeting.

The Annual Bushfire Brigades Meeting is to be held in October each year. The meeting is to be advertised, and all Brigade representatives and members of the Williams Volunteer Fire and Rescue Service and the DFES Area Manager are to be invited to attend.

The Chief Bush Fire Control Officer and Deputy Chief Bush Fire Control Officer positions are nominated at the Annual Bushfire Brigades AGM, with the recommendation forwarded to Council for endorsement.

Voting rights at the AGM are two per brigade.

Disputes

Any disagreement between Brigade members should be referred to the Captain. Where the matter is of sufficient importance that it is considered that the interest of the Brigade as a whole is involved, then the matter should be referred to a meeting of the brigade.

Ultimately, the Council is the final authority on matters affecting the Brigades within the Shire, and may resolve any dispute not finalised.

Responsible Officer	Chief Executive Officer
History	Amended and Adopted July 2018 (Resolution 5/19) Minor update – revised language 21 April 2021 (Resolution 97/21)
Delegation	BFA 2 – Local Government Functions under the Bush Fires Act
Relevant Legislation	Bush Fires Act 1954
Related Documentation	

O 1.6 Business Incentive for Investment Policy

OBJECTIVE

- To increase the size of the local population (market);
- To assist development of sustainable enterprises and industries;
- To increase employment opportunities through investment in the Williams district;
- To assist the growth of value adding businesses in the region.

Aim

The Shire of Williams Business Incentive for Investment Policy encourages business investment opportunities that may increase economic development which in turn strengthens the local economy, improve employment and enhance the overall quality of life for all residents of the Shire.

Goals

- To encourage the development of suitable business enterprises within the Shire involving the attraction and establishment of new businesses and support the expansion of existing businesses;
- To establish a budget allocation to provide for financial subsidies; and
- To develop mechanisms for close monitoring to ensure the objectives of the policy are being met.

The Policy aims to encourage business investment and economic development for the district through assisting:

- Local business(s) looking to expand into new areas;
- Businesses relocating into the district;
- New enterprises to establish in the district.

STATEMENT

Criteria

All initial discussions are treated as commercial-in-confidence. All Projects are considered on their merits. They should be assessed using the following criteria and the incentive support program is not made retrospectively.

To be eligible, proponents are to provide evidence of business planning, documenting anticipated investment and employment levels over 3 years and demonstrate the long-term sustainability of the proposed business. All business sectors are eligible under this policy and the level of incentive may be directly related to the relationship with following assessment criteria.

Employment Created

The number and type of employment (permanent or casual, full time, part time, apprentices) created and the likely sustainability of this employment long-term. *[Note: Both direct and indirect employment should be considered. For example, the new business may employ 4 people (direct employees), which in turn may bring 4 new families to the district, with partners employed in other businesses (indirect employees)]*

Revenue Generation for the District

The amount of revenue that an investment potentially brings to the district in dollar terms. This includes the cost of the construction and input/output figures. An income/expenditure statement (budget) for the business with a three year forward estimate needs to be provided to address this criteria.

Multiplier Effect to Other Existing Businesses

The positive on-flow a new investment creates for existing businesses in the district and the economic and employment factor levels that may result.

Value Adding to Other Sectors

The ability for the investment to value-add to products currently created in the district, thus strengthening the economic fabric of Williams, leading to long-term sustainability.

Export Potential / Import Replacement

The export or import replacement created by the prospective business. The business needs to provide evidence how the business has the potential to export their product regionally, nationally or even internationally and/or where the prospective business product may replace a product that is currently imported into the Shire regionally, nationally or even internationally. For example – a manufacturer that uses locally grown products and converts them to feed and exports to the eastern states. *[Note: This is considered at two separate levels – international export/import replacement and regional export/import replacement.]*

Environmental Issues

Compatibility with the local environment and any positive or negative impacts of a proposed new business investment. Businesses that do not impact adversely on the environment, or provide adequate mitigation methods, may be assessed favourably.

Social Issues

The impact on the wider community that a new business may have. Examples include; evidence of business policies such as drug and alcohol screening of employees, employee award rates and the prospective employment pool the business proposes to source their employees from.

Likely Revenue Flow to Council (Infrastructure enhancement)

Evidence of additional revenues (via rates, etc.) that an investment potentially brings to Williams. Rates are an important revenue stream for Council that support the maintenance of existing infrastructure and provide for investment in new infrastructure that in turn supports both the community and business alike. It is recognised that any new business to the Shire may provide new rate income which provides immediate benefits to both the Shire and the business.

Assessment

The Chief Executive Officer, with the assistance of Council, makes assessments on a case-by-case basis. The process is likely to involve an interview with the prospective business representative in order to clarify or enhance information provided. In addition to addressing each of the Criteria detailed in the previous section, Council also requires details of financial resources of the prospective business and the background of their current location, establishment or expansion opportunities is also taken into account. The final approval for any level of assistance remains with the Council.

Types of Assistance

The Policy provides for a range of incentives, primarily focused at local authority fees and charges associated with investment (e.g.: building and planning). The primary aim is to minimize any initial cost impediments a prospective business may face when establishing or expanding their operation within the Shire of Williams.

The types of incentives offered are as follows:

1. Investment Facilitation

The Shire of Williams CEO is to provide support and assistance for the prospective business in all dealings with the Shire of Williams with the aim of minimizing any potential delays that may be experienced.

Any contribution that may be required by Council, for items such as road maintenance and/or supporting infrastructure associated with new industrial buildings, may be deferred or reimbursed.

Any contribution that may be required for utility service infrastructure (i.e.: Headworks – electricity, water, sewerage), maintenance and development associated with new industrial buildings may be deferred or reimbursed.

2. Application Fees

Business application fees (e.g.: Planning, Building) that may be incurred by an investor in relation to a new development may be discounted or a payment plan introduced over a 12 month period.

Rates for the premises of the proposed new business site may be deferred or progressive payments introduced to off-set some of the initial costs associated with establishing a new business or the expansion of an existing business. These are considered on a case-by-case basis and reviewed every 12 months for duration of up to 3 years.

3. Site Works

Depending on the type of facility, Council may be able to provide assistance with earthworks on industrial land. There is also a provision to assist with earthworks for new housing developments.

4. Environmental and Health

Depending on the type of facility, the Council may provide assistance in this area to facilitate the establishment of a new project.

5. Financial Assistance with purchase of land and/or premises construction

Council may also offer (where appropriate):

- Access to reasonably priced industrial and commercial land (for the location of the proposed business);
- Access to reasonably priced residential land (for employee housing);
- Financial assistance with costs associated to construct industrial/commercial premises (i.e.: self-supporting low interest loans).

Application Procedure

Applications are only accepted after an appointment with the Chief Executive Officer and the proposal has been discussed on site (where applicable). Applications are invited in writing.

Prospective businesses applying for assistance under this policy should outline their proposal and case for assistance, specifying the areas/incentives of most significance to the business. A covering letter on company letterhead should be attached to the application.

Supporting documentation such as a business plan, cash flow projections, estimates of project costs, finance sources and demonstration of past business success should be provided to support the request. All information provided is treated in the strictest of confidence.



Applications are to be lodged with the Shire of Williams, PO Box 96 WILLIAMS WA 6391. For assistance in preparing an application, please contact the Shire of Williams Chief Executive Officer on (08) 9885 1005 or email: ceo@williams.wa.gov.au

Performance Monitoring

Information provided by businesses applying under this policy is used to determine conditions associated with offering any incentive. This includes commencement dates, employment targets and extent of works.

Incentives offered need to be accepted in writing by the prospective business, acknowledging acceptance of the set conditions and noting that any non-conformance could result in removal/withdrawal of assistance.

Upon acceptance of an offer, the prospective business agrees to allow the CEO as an authorised delegate of Council to undertake ongoing monitoring of the impact any such incentives may provide.

Responsible Officer	Chief Executive Officer
History	Adopted December 2013 (Resolution 112/14) Minor update – revised language 21 April 2021 (Resolution 97/21)
Delegation	
Relevant Legislation	
Related Documentation	

O 1.7 Customer Complaint Handling Policy

OBJECTIVE

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

The secondary objectives are:

- To monitor performance.
 - Identify the need for improvement or new services.
 - To avoid potential litigation.
-

STATEMENT

That the Shire of Williams provides a consistently high level of customer service and that a complaints system to be used to monitor that service.

GUIDELINES

The complaints procedure allows the customers /general public to provide written detail of their complaint. All complaints received are to be forwarded to the Chief Executive Officer.

Responsible Officer	Chief Executive Officer
History	Adopted July 2018 (Resolution 5/19) Minor update – revised language and detailed procedure removed 21 April 2021 (Resolution 97/21)
Delegation	
Relevant Legislation	
Related Documentation	Procedure: O1.7 Customer Complaint Handling Procedure

O 1.8 Community Engagement Policy

OBJECTIVE

Whatever the Shire does it should be more effective if the people affected by its work:

- Understand what the Shire is doing and how it can potentially impact them;
 - Are involved at whatever level they need to, to ensure the best outcome.
 - The approach the Shire uses to achieve understanding and involvement of those affected by its decision making is called *engagement*.
-

STATEMENT

The Shire of Williams intends to engage with the Community on matters/decisions before Council which may have direct impact on Economic Development, Social and Cultural Development, Land Use and Environment and Organisational Performance of Williams.

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

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

GUIDELINES

The Shire is to engage with the community at all levels using the most appropriate form of communication given the program, project or task at hand. The Shire recognises that to empower our communities and our residents, information is provided to all levels and communication occurs at all levels. The Shire believes it is important to have the community and Local Government understand each other and the systems they work within. Statutory requirements as well as funding programs need to be understood by all parties involved.

Responsible Officer	Chief Executive Officer
History	Adopted 19 September 2012 (Resolution 65/13) Amended July 2015 Amended July 2018 (Resolution 5/19) Minor update – revised language and removed background details 21 April 2021 (Resolution 97/21)
Delegation	
Relevant Legislation	
Related Documentation	

O 1.9 Corporate Credit Card Policy

OBJECTIVE

The objectives of the Policy are:

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

STATEMENT

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

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

Authority for Use of Corporate Credit Cards

Shire of Williams Corporate Credit Cards may be issued to the Chief Executive Officer or to authorised purchasing officers as delegated under the powers of Delegation Number FMR 2. The limit per credit card per officer is to be no more than \$5,000,

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

GUIDELINES

The *Local Government Act 1995* does not specifically mention the use of Corporate Credit Cards by officers in a Local Government. However, Section 6.5(a) of the 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. In addition, the *Local Government (Financial Management) Regulation 11(1)(a)* requires Local Government to develop procedures for the authorisation and payment of accounts to ensure that there is effective security and appropriate authorisation in place for the use of credit cards.

Responsible Officer	Chief Executive Officer
History	Adopted 20 December 2017 (Resolution 107/18) Amended and Adopted July 2018 (Resolution 5/19) Amended and Adopted July 2019 (Resolution 23/20) Minor update – revised language and minor change to authority with reference to delegation 21 April 2021 (Resolution 97/21)
Delegation	FMR2 – Authorisation of Purchases
Relevant Legislation	Local Government (Financial Management) Regulations 11 (1) (a)
Related Documentation	Policy – O 1.24 Purchasing Policy Forms & Templates – O1.9 Corporate Card User Instructions

O 1.10 Crossovers (property entrances) and Driveways Policy

OBJECTIVE

To provide uniform specifications and assist with drainage and visual amenity.

STATEMENT

The first standard crossover installed to each property may be subsidised 50% by the Shire following an application in writing to the CEO. All subsequent crossovers, or extra width, are to be treated as a private works request.

A standard crossover is defined to be a gravelled surface of not less than 100mm depth from the road edge to the property boundary; 4.8m wide; and if pipes are needed, to include two standard lengths (each 2.44m) of Class X reinforced concrete pipe, and headwalls.

Landowners in the Williams townsite to be refunded 50% of the cost of constructing a driveway over the standard gravel crossover from the road edge to property boundary.

GUIDELINES

The Works Supervisor is to ensure a completed works request form or other written documentation is obtained prior to commencement of works.

Responsible Officer	Chief Executive Officer Works Manager
History	Amended 16 November 2005 (Resolution 102/06) Amended June 2015 Minor update – revised language 21 April 2021 (Resolution 97/21)
Delegation	
Relevant Legislation	
Related Documentation	

O 1.11 Email Policy

OBJECTIVE

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

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

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

Introduction

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

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

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

Email as Official Records

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

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

Email messages that document:

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

Should either be printed out, with appropriate contextual details and attachments, and filed on Council's paper based files or filed in the electronic record system on the appropriate file.

STATEMENT

Council's email system and the messages sent through it are part of the Council's formal communication network. This means Council records now include information kept in electronic form.

Email messages are required to be kept if they provide evidence of Council's business and activities, are needed for use by others or affect the work of others. Staff sending and receiving emails are responsible for deciding if an email message is considered to be a Council record and making sure that these messages are documented or printed out and placed on the appropriate file to provide a formal record.

Email messages which become Council records are to be retained in accordance with the approved retention periods listed in the Local Government Disposal Schedule under the Shire's Record Keeping Plan.

Access to email is limited to Council staff, or other authorised persons, who have been given a user identification and password. Staff are not to give their password to another staff member or member of public and should not access other staff members email without appropriate authority. Unauthorised access to programs or information may result in disciplinary action.

The Email system is part of Council's computer network and all the information processes, transmitted or stored in the system are the property of Council.

Email is a business tool. Staff should make sure that all email messages are brief, concise and business related and are kept in the system only as long as required.

Email messages that are retained as Council records are accessible to the public under Freedom of Information and Privacy legislation.

Email systems should not be assumed to be secure. Staff are to be aware of the potential risks involved in sending confidential or sensitive information by email.

Responsible Officer	Chief Executive Officer
History	Adopted July 2018 (Resolution 5/19) Minor update – revised language and removed detailed procedure 21 April 2021 (Resolution 97/21)
Delegation	N/A
Relevant Legislation	State Records Act 2000
Related Documentation	Shire of Williams Code of Conduct Procedure : O1.11 Email Use Procedure

O 1.12 Financial Reporting Policy

OBJECTIVE

This Policy provides guidance on the Shire's financial framework, in addition to Accounting Standards and other statutory requirements, to ensure the Shire's accounting data is accurate, reliable and compliant.

STATEMENT

All financial reporting is to be carried out in accordance with the Australian Accounting Standards, Local Government Act 1995 and Local Government (Financial Management) Regulations 1996, along with the organisational needs of the Shire to effectively monitor financial performance. The following principles should be upheld with all aspects of financial reporting:

- Practices are conducive to good financial management;
- There is full compliance with all relevant financial standards and statutory requirements; and
- Financial practices and reports are accurate, reliable, easy to understand and consistent.

The four major reporting functions are undertaken as follows:

Monthly Reporting

Monthly reports are prepared in accordance with section 6.4(2) of the Act and regulation 34 of the Regulations. Reports are prepared on a calendar basis, in a timely manner and presented at the next available Council meeting.

Annual Financial Reporting

The Annual Financial Report are prepared in accordance with section 6.4 of the Act and regulations 36 to 50 of the Regulations. The Annual Financial Report is submitted to the Shire's auditors by 30 September in the subsequent financial year. The audited Annual Financial Report is then presented to Council.

Annual Budget

The Annual Budget for the Shire is prepared in accordance with section 6.2 of the Act and regulations 22 to 33 of the Regulations. The Annual Budget for the financial year is presented to Council after 1 June but no later than 31 August in the year to which the Annual Budget relates.

Budget Review

Budget reviews are conducted throughout the financial year as good financial practice. Any proposed budget amendments are presented to Council, for determination, as part of the Monthly Financial Statements.

The Shire undertakes a formal Budget Review as per regulation 33A of the Regulations. The review is undertaken between 1 January and 31 March each financial year. The review considers the Shire's financial performance, position and outcomes. Council is to be presented with the review within 30 days and determine whether to adopt.

The material variance thresholds are adopted by Council annually at the time of the Annual Budget Adoption.

Fixed Assets

All fixed assets are to be recognised and reported in accordance with Australian Accounting Standards and Regulation 17A, Local Government (Financial Management Regulations) 1996. For those assets that are required to be revalued within a period of no more than 5 years, the Shire opts to carry out fair valuation as follows:

2023/2024	Land, Building and Other Structures
2021/2022	Infrastructure Roads and Footpaths

These assets are to then revalued on a four yearly rotation from the dates listed above.



Capitalisation of Assets

To ensure compliance with *Local Government (Financial Management) Regulation 1996 17A (5)*, expenditure to acquire or enhance an asset should be capitalised if it is \$5,000 or above. Where a group of assets form a set, such as bins, the value is taken to be the value of the set and not the individual pieces.

Expenditure of items of equipment under \$5,000 is to be expensed and if required to be listed on a property register of portable and attractive items. Refer POLICY O1.13 for Council's definition.

Non-infrastructure assets are capitalised progressively throughout the year at the time of acquisition or commissioning ready for use. Infrastructure assets are capitalised only at the conclusion of the financial year after the close off of accounts or at the time during the financial year that it can be determined that all expenditure relating to that item has been completed.

Depreciation

In accordance with AASB116 a non-current asset begins to be depreciated when it becomes available for use. Assets shall be depreciated using the straight line method, and based on the effective useful life less residual value. The effective useful life of an asset is to be reviewed by management annually.

Major depreciation periods used for each class of depreciable asset are:

Buildings	30-50 years
Furniture and equipment	4-10 years
Plant & Equipment	5-15 years
Sealed roads and streets	
- formation	not depreciated
- pavement	50 years
- bituminous seals	20 years
- asphalt surfaces	25 years
Gravel Roads	
-formation	not depreciated
-pavement	50 years
Formed roads (unsealed)	
-formation	not depreciated
-pavement	50 years
Footpaths	
-slab	20 years
Sewerage piping	100 years
Water supply piping and drainage systems	75 years

Responsible Officer	Manager of Corporate Services
History	Adopted 22 May 2019 (Resolution 196/19) Minor update – revised language 21 April 2021 (Resolution 97/21) O1.12 Significant Accounting Policies rescinded Nov 21 (Res 60/20) Adopted new Policy 17 November 2021 (Res 60/20)
Delegation	
Relevant Legislation	Local Government Act 1995 Local Government (Financial Management) Regulations 1996 Australian Accounting Standards Board (AASB) Standards
Related Documentation	O1.13 Portable and Attractive Assets Policy O1.24 Related Party Disclosures Policy S2.1 Accrual of Employee Entitlements Policy

O 1.13 Portable and Attractive Assets Policy

OBJECTIVE

This policy enables a consistent and practical approach to the administration and control of portable and attractive assets with reference to internal control and audit requirements.

All items of capital nature are capitalised based on the threshold as determined by the *Local Government (Financial Management) Regulations 1996 – 17A(5)*. Items that are not capitalised and are considered by management to be of a portable and attractive nature, is recorded in separate Portable and Attractive Asset Register.

STATEMENT

The following is to be undertaken for this policy:

1. Assets valued at less than the asset acquisition threshold of \$5,000, which are advised by management to be of a portable and attractive nature, is recorded in a separate asset register – “Portable and Attractive Asset Register”.
 2. Portable and Attractive Asset Register is to be regularly maintained and should contain the following information as a minimum:
 - a. a description of the asset
 - b. the location of the asset
 - c. the serial number (where available)
 - d. asset value
 - e. custodian and manager details
 - f. date of stocktake
 3. A stocktake is to be undertaken of portable and attractive assets on an annual basis.
-

GUIDELINES

To be exercised in accordance with the following legislation and standards:

- The Local Government Act 1995;
- The Local Government (Financial Management) Regulations 1996;

Definitions, inclusions and exclusions

For the purpose of this policy, the following definitions, inclusions and exclusions apply:

1. The examples of inclusions and exclusions listed in this policy are considered to be a guideline only and management is to exercise discretion on all occasions.
2. Portable and attractive assets are defined as those assets which by their nature are easily transported out of the Council, or may be subject to the temptation of theft or misappropriation. It is recommended that a minimum original cost threshold of \$500.00 (excl GST) is applied.
3. Items as being “portable and attractive” may include:
 - Portable television sets
 - Computers, printer's
 - Portable screens and projectors
 - Microwaves and other kitchen equipment
 - Power Tools
 - Cameras
 - Mobile Phones
 - Survey Equipment
 - CD or DVD Players

4. Examples of exclusions from the Portable and Attractive Asset Registers include:
- Items that individually exceed the asset acquisition threshold of \$5,000 or are capitalised as a group or network asset.
 - Other items considered to be fixtures and secured to buildings or other corporate assets.

Responsible Officer	Manager of Corporate Services
History	Adopted 22 May 2019 (Resolution 196/19) Minor update – revised language and update to regulatory references 21 April 2021 (Resolution 97/21)
Delegation	
Relevant Legislation	Local Government (Financial Management) Regulations 1996 – 17A(5)
Related Documentation	Portable and Attractive Assets Register

O 1.14 Freedom of Information Officer Policy

OBJECTIVE

- To assist the public to obtain access to documents and records held by the Shire of Williams.
 - To allow documents to be obtained promptly (and at the lowest reasonable cost) unless they are "exempt" within the provisions of the Act.
-

STATEMENT

The Shire of Williams is to provide a general right of access to documents and records of the Shire in accordance with the provisions of the *Freedom of Information Act 1992* and the guidelines in this Policy.

GUIDELINES

- The Shire of Williams' Chief Executive Officer assumes the role of "FOI Co-ordinator and Decision Maker" and is hereby authorised to make decisions regarding access to information.
- The Chief Executive Officer is appointed to review an application should the applicant be dissatisfied with the results of their application.
- Procedures for determining access, exemptions, personal information, review, and the preparation of information statements are to be in accordance with the Freedom of Information Implementation Guidelines prepared by the Office of the Information Commissioner, Perth.

Responsible Officer	Chief Executive Officer
History	Amended June 2015 Minor update – revised language 21 April 2021 (Resolution 97/21)
Delegation	
Relevant Legislation	Freedom of Information Act 1992
Related Documentation	Shire of Williams - Freedom of Information Statement

O 1.15 Integrated Workforce Planning and Management Policy

OBJECTIVE

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

STATEMENT

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

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

The Shire ensures the Workforce Plan addresses current and future best practice human resource management practices that includes:

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

GUIDELINES

Responsibility

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

Monitor and Review

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

Workforce planning key performance indicators, relating to both organisational and personal performance are to be developed, implemented and monitored by the CEO and Council as

appropriate and reported as required, being mindful of human resource management confidentiality requirements.

Responsible Officer	Chief Executive Officer
History	Adopted July 2018 (Resolution 5/19) Minor update – revised language and definition on what is workforce planning 21 April 2021 (Resolution 97/21)
Delegation	
Relevant Legislation	Local Government Act (1995) Regulation S5.56(2)
Related Documentation	Shire of Williams – Workforce Plan

O 1.16 Investment Policy

OBJECTIVE

To delegate authority to the Chief Executive Officer, and to provide guidelines on the investment of funds, surplus to the planned requirements of the Council.

Rationale

Local governments are required to ensure that they have effective and accountable systems in place to safeguard the Shire's financial resources. This includes the development of proper systems to authorise, verify and record the investment of monies in appropriate financial institutions.

STATEMENT

To invest the Shire of Williams's surplus funds, with consideration of risk and at 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. While exercising the power to invest, consideration is to be given in preservation of capital, liquidity, and the return on investment.

Preservation of capital is the principal objective of the investment portfolio. Investments are to be performed in a manner that seeks to ensure security and safeguarding the investment portfolio. This includes managing credit and interest rate risk within identified thresholds and parameters. The investment portfolio should ensure there is sufficient liquidity to meet all reasonably anticipated cash flow requirements, as and when they fall due, without incurring significant costs due to the unanticipated sale of an investment.

The investment is expected to achieve a predetermined market average rate of return that takes into account the Shire's risk tolerance. Any additional return target set by Council should also consider the risk limitation and prudent investment principles.

GUIDELINES

Delegation of Authority

Authority for implementation of the Investment Policy is delegated by 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 Investment to the Manager of Corporate Services, subject to regular reviews.

Prudent Person Standard

The investment is to 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 Policy, and not for speculative purposes.

Ethics and Conflicts of Interest

Officers authorised under the relevant delegations are to refrain from personal activities that would conflict with the proper execution and management of Council's investment portfolio. This policy requires Officers to disclose any conflict of interest.

Approved Investments

Without prior approval from Council, investments are limited to:

- Investments with banks (within the meaning of the *Bank Act 1959*) having a credit rating of Long Term A or Short Term A1 (Standard and Poor Australian Ratings), or other financial institutions (restricted to short term) with the authority of the Chief Executive Officer;

- Should the credit rating of any institution or fund be downgraded then any investment is to be divested on maturity or within 30 days, whichever is sooner.

Prohibited Investments

This investment policy prohibits any investment carried out for speculative purposes including:

- Derivative based instruments;
- Principal only investments or securities that provide potentially nil or negative cash flow;
- Stand-alone securities issued that have underlying futures, options, forwards contracts and swaps of any kind; and
- The use of leveraging (borrowing for investment purposes).

Reporting and Review

- A report is to be provided to Council each month detailing the performance of all investments;
- Documentary evidence is held for each investment and details thereof maintained in an Investment Register; and

Responsible Officer	Manager of Corporate Services
History	June 2015 Minor update – revised language 21 April 2021 (Resolution 97/21)
Delegation	LGA4 – Investment of the Shire's Money
Relevant Legislation	Trustees Act 1962 – Part III Investments Bank Act 1959 Local Government Act (1995) Regulation S6.14 Local Government (Financial Management) Regulations 1996 - <i>Regulation 19, 28, and 49</i>
Related Documentation	Shire of Williams – Investment Register

O 1.17 Legal Proceedings and Prosecutions Policy

OBJECTIVE

To establish guidelines for the CEO concerning the provision of legal advice and cost constraints without Council approval.

STATEMENT

Where a breach or an offence against an Act, Regulation or Town Planning Scheme or Local Law is investigated, a report on the matter is to be made to Council. No action should be taken to institute legal action unless by specific resolution, or a resolution giving instructions to the CEO within defined guidelines (e.g.: policy).

GUIDELINES

- The breach is to be significant, that is, legal action is considered appropriate.
- Infringement notices, and also advice, are not considered to be significant.
- Where there is a need for the provision of urgent legal services before an application can be considered by Council, the CEO may give an authorisation to the value of \$2,500 provided that the power to make such an authorisation has been delegated to the CEO in writing under section 5.42 of the *Local Government Act 1995*.

Responsible Officer	Chief Executive Officer
History	Amended June 2015 Updated July 2018 (Resolution 5/19) Minor update – revised language 21 April 2021 (Resolution 97/21)
Delegation	MISC2 – SAT Appeals
Relevant Legislation	Local Government Act 1995 – Section 5.42
Related Documentation	

O 1.18 Professional Advice Policy

OBJECTIVE

To establish guidelines for the CEO concerning the provision of professional advice and cost constraints without Council approval.

STATEMENT

The CEO is authorised to obtain from the Shire's solicitor, auditors, workplace relations advisers etc, such advice and opinion as is considered to be necessary to enable the proper administration of the Shire's business. The advice sought may be in support of a report or submission to the Council or a Committee or to clarify any other matter which requires specialist advice.

GUIDELINES

Any advice which is estimated to be over \$2,500 is approved by Council prior to the appointment being made.

Responsible Officer	Chief Executive Officer
History	Former Policy 4.2.10 Amended June 2015 Minor update – revised language 21 April 2021 (Resolution 97/21)
Delegation	
Relevant Legislation	
Related Documentation	

O 1.19 Local Art Acquisition Policy

OBJECTIVE

The purpose of the Williams Local Art Acquisition Committee is to:

- Collect works by Williams based artists or artists with an identifiable association with Williams.
 - Collect works that depict the history, scenery and people of Williams.
 - Collect other works considered suitable by the Williams Local Art Acquisition Committee.
-

STATEMENT

The Shire of Williams aims to collect, purchase, store and exhibit art works for a Williams Community Collection.

GUIDELINES

Funding

The Shire may allocate an appropriate amount in the Annual Budget for the acquisition of artworks.

Assessment and Purchase of Art Works

- An assessment of both the long term cultural value and/or investment potential is to be made by the Williams Local Art Acquisition Committee when works are being considered for addition to the Collection.
- All recommendations by the Williams Local Art Acquisition Committee for purchase of art works for the collection are to be referred to the CEO for presentation to Council for final determination.

Williams Local Art Acquisition Committee

The Committee should comprise of two Councillors and two community representatives endorsed by Council, and convene when required.

Role

The Williams Local Art Acquisition Committee is to assess and purchase artworks considered suitable for acquisition in accordance with the budget allocation. This includes any donation of artworks to the Williams Artworks Collection.

Housing / Display of Artworks

The Williams Local Art Acquisition Committee may recommend to Council where the artworks should be displayed.

Responsible Officer	Chief Executive Officer
History	Adopted 15 th February 2006 (Resolution 150/06) Reviewed June 2015 Updated July 2018 (Resolution 5/19) Minor update – revised language 21 April 2021 (Resolution 97/21)
Delegation	
Relevant Legislation	
Related Documentation	

O 1.21 Payment of Accounts Policy

OBJECTIVE

The purpose of this policy is to ensure that all payments made by the Council are in accordance with the *Local Government (Financial Management) Regulations 1996*.

STATEMENT

- Council has delegated power to the CEO to make payments from the Municipal Fund and Trust Fund.
 - The CEO may delegate to others as approved by Council in the Delegations Register.
 - The CEO is only authorised to approve payment of accounts on the condition that such expenditure has been incurred in compliance with Section 6.8 of the *Local Government Act 1995*.
-

GUIDELINES

Cheques

- All cheques are to be signed by two authorised payment signatories
- All cheques to be paid in cash, such as reimbursement of petty cash floats, are signed by two authorised payment signatories.

Electronic Fund Transfer (including BPay)

- Payments by EFT or BPay are only to be made after all expenditures have been authorised by two of the authorised payment signatories.
- The listing of EFT and BPay payments is to be incorporated into the List of Payments provided to Council each month subject to such payment clearly being identified as being made by EFT or BPay.

Credit Cards and/or Debit (Purchasing) Cards

All payments made by credit/debit cards are to be in accordance with Councils *Corporate Credit Card Policy O 1.9*.

Responsible Officer	Manager of Corporate Services
History	Policy Adopted 16 th May 2001 (Resolution 217/01) Amended June 2015 Reviewed and updated July 2018 (Resolution 5/19) Minor update – revised language and minor change to authority with reference to delegation 21 April 2021 (Resolution 97/21)
Delegation	FMR1 – Payment of Creditors
Relevant Legislation	Local Government Act 1995 – Section 6.8 Local Government (Financial Management) Regulations 1996
Related Documentation	Policy : O1.9 Corporate Credit Card Policy

O 1.22 Private Works Policy

OBJECTIVE

To ensure the Shire of Williams maximises its revenue potential through utilising excess capacity within the works crew and plant, without compromising the quality of the local road network.

STATEMENT

- The Shire may carry out private works on request subject to work commitments at the discretion of the CEO and Works Supervisor, upon such terms and conditions as is considered appropriate.
 - Any private works projects involving a significant value and/or time commitment to be considered by Council.
 - The works and maintenance program is not to be adversely affected unless the Shire believes the advantages of carrying out the private works justifies some reassessment of the works program.
 - Full costs including supervision and administration costs are recovered through private works charge rates to be set annually in the budget.
 - Agreements for private works are to be made in writing and signed by the person requesting the works. Where deemed necessary, pre-payment may be required before the commencement of the work.
-

GUIDELINES

The CEO and Works Supervisor should actively seek private works.

Responsible Officer	Chief Executive Officer
History	Amended 16 th November 2005 (Resolution 102/06) Updated July 2018 (Resolution 5/19) Minor update – revised language 21 April 2021 (Resolution 97/21)
Delegation	
Relevant Legislation	
Related Documentation	

O 1.23 Purchasing Policy

OBJECTIVE

- To provide compliance with the *Local Government Act 1995* and the *Local Government Act (Functions and General) Regulations 1996*.
 - To deliver a best practice approach and procedures to internal purchasing for the Shire.
 - To ensure consistency for all purchasing activities that integrates across all of the Shire operational areas.
 - To provide guidance on ethical behaviour and ensure probity, transparency, effective competition and the avoidance of conflicts of interest and bias in all Shire procurement and contracting activities.
-

STATEMENT

The Shire of Williams (the "Shire") is committed to having efficient, effective, economical and sustainable procedures in all purchasing activities. This policy:

- provides the Shire with an effective way of purchasing goods and services
- ensures that purchasing transactions are carried out in a fair and equitable manner
- strengthens integrity and confidence in the purchasing system
- ensures that the Shire receives value for money in its procurement
- ensures that the Shire considers the environmental impact of the procurement process throughout the life cycle of goods and services
- ensures the Shire is compliant with all statutory and regulatory obligations
- promotes effective governance and definition of roles and responsibilities
- uphold respect from the public and industry for the Shire's purchasing practices that withstands probity

Ethics & Integrity

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

Value for Money

Value for money is achieved through the critical assessment of price, risk, timeliness, environmental, social, economic and qualitative factors to determine the most advantageous supply outcome that contributes to the Shire achieving its strategic and operational objectives.

The Shire should apply value for money principles when assessing purchasing decisions and acknowledges that the lowest price may not always be the most advantageous.

An assessment of the best value for money outcome for any purchasing 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, training, 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
- Financial viability and capacity to supply without the risk of default (competency of the prospective suppliers in terms of managerial and technical capabilities and compliance history)
- A strong element of competition by obtaining a sufficient number of competitive quotations wherever practicable and consistent with this Policy
- The safety requirements and standards associated with both the product design and the specification offered by suppliers and the evaluation of risk arising from the supply, operation and maintenance
- Providing opportunities for businesses within the Shire's boundaries to quote wherever possible.

Purchasing Thresholds

The following thresholds apply where the total value (excluding GST) of the full contract period for the procurement of goods and/or services (including options to extend) is, or is expected to be:

Purchase Value Threshold (exc GST)	Purchasing Practice Required
Up to \$500 (exc GST)	Purchase directly from a supplier where the market is known, low risk and the officer making the purchase has authority to do so.
From \$501 to \$5,000 (exc GST)	Seek at least (1) oral or written quotation. Purchase directly from a supplier using a Purchase Order or Corporate Credit Card issued by the Shire.
From \$5,001 and up to \$20,000 (exc GST)	Seek at least two (2) oral or written quotations from suitable suppliers. For the purchasing of WALGA Services, a minimum of one (1) written quotation is to be sought and appropriately recorded. Confirmed via Purchase Order or Contract/Agreement.
\$20,001 and up to \$50,000 (exc GST)	Seek at least three (3) written quotations from suitable suppliers. For the purchasing of WALGA Services, a minimum of one (1) written quotation is to be sought and appropriately recorded. Confirmed via Purchase Order or Contract/Agreement.
\$50,001 and up to \$250,000 (exc GST)	Seek at least three (3) written quotations from suppliers by invitation under a formal Request for Quotation. For the purchasing of WALGA Services, a minimum of one (1) written quotation is to be sought and appropriately recorded. Confirmed via Purchase Order or Contract/Agreement. The purchasing decision is to be based upon assessment of the supplier's response to a written specification for the goods, services or works required.
Over \$250,000 (exc GST)	Seek at least three (3) written quotations from suppliers by invitation under a formal request either by : <ul style="list-style-type: none"> • Seeking at least three (3) quotations from a supplier included in the relevant WALGA Preferred Supplier Arrangement and/or another tender exempt arrangement; or • Conduct a Public Request for Tender process in accordance with the <i>Local Government Act 1995</i> and relevant Shire Policy requirements. The purchasing decision is to be based upon the suppliers response to: <ul style="list-style-type: none"> • a specification of the goods, services or works (for a tender exempt process including the WALGA Preferred Supplier Arrangement); or a detailed specification for the open tender process; and • pre-determined evaluation criteria that assesses all best and sustainable value considerations. The procurement decision is to be represented using the Evaluation Report template. Confirmed via Purchase Order or Contract/Agreement.
Emergency Purchases	To be approved by the President or by the Chief Executive Officer under delegation and reported to the next available Council Meeting. An emergency purchase is defined as an unanticipated purchase which is required in response to an emergency situation as provided for in the Act. In such instances, quotes and tenders are not required to be obtained prior to the purchase being undertaken.

Purchase Value Threshold (exc GST)	Purchasing Practice Required
LGIS Services	For the purchasing of LGIS Services, a minimum of one (1) written quotation is to be sought and appropriately recorded. Confirmed via Purchase Order or Contract/Agreement.

Procurement Exemptions

The Shire is exempt from publicly inviting tenders when procurement meets any of the requirements outlined under Regulation 11(2) of the *Functions and General Regulations 1996*.

Furthermore, the Shire may not be required to undertake a competitive quotation process for the following purchases on the occasion the value does not exceed \$250,000 (exc GST):

- Memberships and subscriptions;
- Legal Services (conditional to WALGA Preferred Supplier Panels and Common Use Arrangements);
- Conferences, seminars and training programs;
- Statutory and regular expenses of a periodic nature (e.g. rates & taxes, insurance, licences, superannuation, etc.);
- Reimbursement of expenses incurred by a councillor or employee on approved Shire business, where receipts are provided or a statutory declaration is made;
- Accommodation and travel expenses, and;
- Non-contestable utility services (e.g. electricity, water, telephone).

Contracts

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

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

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

Any variation or extensions of contracts awarded are to be dealt with in accordance with Delegation LGA 11 - Contracts Variations.

Sole Source of Supply

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

Anti-Avoidance

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

Sustainable Procurement

The Shire is committed to implementing sustainable procurement by providing a preference to suppliers that demonstrate sustainable business practices (social advancement, environmental protection and local economic benefits).

The Shire should embrace Sustainable Procurement by applying the value for money assessment to ensure that wherever possible our suppliers demonstrate outcomes which contribute to improved environmental, social and local economic outcomes. Sustainable Procurement can be

demonstrated as being internally focussed (i.e. operational environmental efficiencies or employment opportunities and benefits relating to special needs), or externally focussed (i.e. initiatives such as corporate philanthropy).

Requests for Quotation and Tenders may include a request for information from Suppliers regarding their sustainable practices and/or demonstrate that their product or service offers enhanced sustainable benefits.

Local Economic Benefit

The Shire encourages the development of competitive local businesses within its boundary first, and second within its broader region. As much as practicable, the Shire should:

- 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 are to be structured to encourage local businesses to bid; and
- provide adequate and consistent information to local suppliers.

To this extent, a qualitative weighting should be included in the evaluation criteria for quotes and Tenders where suppliers are located within the boundaries of the Shire, or substantially demonstrate a benefit or contribution to the local economy. This criterion should relate to local economic benefits that result from Tender processes.

Purchasing from Disability Enterprises

An Australian Disability Enterprise may be contracted directly without the need to comply with the Threshold and Purchasing Practices requirements of this Policy, where a value for money assessment demonstrates benefits for the Shire's achievement of its strategic and operational objectives.

A qualitative weighting may be used in the evaluation of quotes and Tenders to provide advantages to Australian Disability Enterprises, in instances where not directly contracted.

Purchasing from Aboriginal Businesses

A business registered in the current Aboriginal Business Directory WA (produced by the Small Business Development Corporation) may be contracted directly without the need to comply with the Threshold and Purchasing Practices requirements of this Policy, only where:

- the contract value is or is worth \$250,000 or less, and
- a best and sustainable value assessment demonstrates benefits for the Shire's achievement of its strategic and operational objectives.

A qualitative weighting may be used in the evaluation of quotes and tenders to provide advantages to businesses registered in the current Aboriginal Business Directory WA, in instances where not directly contracted.

Purchasing Policy Non-Compliance

Purchasing activities are subject to financial and performance audits, which review compliance with legislative requirements and also compliance with the Shire's policies and procedures.

A failure to comply with the requirements of this policy may be subject to investigation, with findings to be considered in context of the responsible person's training, experience, seniority and reasonable expectations for performance of their role.

Where a breach is substantiated it may be treated as:

- an opportunity for additional training to be provided;
- a disciplinary matter, which may or may not be subject to reporting requirements under the *Public Sector Management Act 1994*;
- misconduct in accordance with the *Corruption, Crime and Misconduct Act 2003*.



Record Keeping

All purchasing activity, communications and transactions should be evidenced and retained as local government records in accordance with the *State Records Act 2000* and the Shire's Record Keeping Plan. This includes those with organisations involved in a tender or quotation process, including suppliers.

Responsible Officer	Manager of Corporate Services
History	Former Policy 4.2.5 adopted January 1980 Previously 3.5 'Purchase of Goods and Services Authorised by Budget' Adopted 21 February 2007 (Resolution 143/07) Revised with new limits 17 Feb 2016 (Resolution 175/16) New policy adopted 21 February 2018 (Resolution 128/18) Amended and Adopted 18 September 2019 (Resolution 49/20) New policy adopted 16 December 2020 (Resolution 63/21) Minor update –21 April 2021 (Resolution 97/21)
Delegation	FMR 2 – Authorisation of Purchases
Relevant Legislation	Local Government Act 1995 Local Government (Functions and General) Regulations 1996 – 11A
Related Documentation	Policy: O1.9 Corporate Credit Card Policy

O 1.24 Related Party Disclosure Policy

OBJECTIVE

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.

STATEMENT

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

The disclosure requirements apply to the existence of relationships regardless of whether a transaction has occurred or not. For each financial year, the Shire is to 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 policy is to stipulate the information to be requested from related parties to enable an informed judgement to be made.

GUIDELINES

Identification of Related Parties

AASB 124 provides that the Shire is 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 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 Chief Executive Officer or Senior Employee;
- 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 is therefore 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 (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 criterion:

- Paying rates;
- Fines;

- Use of Shire owned facilities such as [Williams Recreation Pavilion and Grounds, Williams Hall, 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 for licences, approvals or permits;
- Lease agreements for housing rental (whether for a Shire owned property or property sub-leased by the Shire through a Real Estate Agent);
- Lease agreements for commercial properties;
- Monetary and non-monetary transactions between the Shire 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 (trading arrangement);
- Sale or purchase of any property owned by the Shire, to a person identified above;
- Sale or purchase of any property owned by a person identified above, to the Shire;
- Loan Arrangements;
- Contracts and agreements for construction, consultancy or services.

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

Disclosure Requirements

For the purposes of determining relevant transaction in point 2 above, elected Council members and key management personnel as identified above, are required to complete a *Related Party Disclosures - Declaration* form for submission to financial services.

Ordinary Citizen Transactions (OCTs)

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 annually *Related Party Disclosures - Declaration* form is required.

- Paying rates;
- Fines;
- Use of Shire owned facilities such as Williams Recreation Pavilion and Grounds, Williams Hall, 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 are required to make a declaration in the *Related Party Disclosures - Declaration* form about the nature of any discount or special terms received.

All other transactions

For all other transactions listed in point 2 above, elected Council members and KMP is required to make a declaration in the *Related Party Disclosures - Declaration* form.

Frequency of disclosures

- Elected Council members and KMP are required to complete a *Related Party Disclosures - Declaration* form annually.
- Disclosures are to be made by all elected Council members immediately prior to any ordinary or extraordinary election.
- Disclosures are to be made immediately prior to the termination of employment of/by a KMP.



Confidentiality

All information contained in a disclosure return, is to 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 should 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 is to consider both the size and nature of the transaction, individually and collectively.

Responsible Officer	Manager of Corporate Services
History	Adopted 21 st June 2017 (Resolution 245/17) Minor update – revised language and removal of detailed procedure 21 April 2021 (Resolution 97/21)
Delegation	
Relevant Legislation	AASB 124 Related Party Disclosures Local Government Act 1995 Local Government (Financial Management) Regulations 1996
Related Documentation	Procedure : O1.24 Related Party Disclosure

O 1.25 Rates – Contiguous Valuations Policy

OBJECTIVE

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

STATEMENT

Group Valuations for Contiguous Unimproved Valuations (UV) Properties

Application is to be made to the Valuer Generals Office for contiguous valuation on land/location/lots that meet all of the following requirements:

1. That the land/location/lots are contiguous (touching);
2. That the land/location/lots are used for one purpose;
3. That the land/locations/lots are under the same ownership/management and the following documentation is provided:
 - a. A Statutory Declaration detailing the land involved is used for one purpose, along with ownership details and a statement of who the ratepayer is to be in the Shire's Rates database;
 - b. Copies of Certificate of Titles, Lease Documents or a statement from all 'Title Holders' confirming that the land is under one management.

Group Valuations for Contiguous Gross Rental Valuation (GRV) Properties

Application is to be made to the Valuer Generals Office for contiguous use valuation on land/locations/lots that meet all of the following requirements:

1. That the land/location/lots are contiguous (touching);
 2. That the land/location/lots are used for one purpose;
 3. That the land/location/lots are under the same ownership, and the following documentation is provided:
 - a. A Statutory Declaration detailing that the land involved is used for one purpose;
 - b. Copies of Certificates of Titles.
-

GUIDELINES

To be exercised in accordance with the *Valuation of Land Act 1978*, Sections 4 (1), 18 and 23 and that final approval be granted by the CEO.

Responsible Officer	Manager of Corporate Services
History	Adopted 20 th August 2014 (Resolution 50/15) Minor update – revised language 21 April 2021 (Resolution 97/21)
Delegation	
Relevant Legislation	Valuation of Land Act 1978, Sections 4 (1), 18 and 23
Related Documentation	

O 1.26 Rates – Request for Alternative Arrangements Policy

OBJECTIVE

To permit those persons in genuine need to make alternative arrangements for the payment of rates, in addition to those available under the *Local Government Act 1995*.

STATEMENT

The CEO is authorised to make alternative arrangements for time to pay rates, in addition to the options provided in the *Local Government Act 1995*, where application is made by the person paying the rates in writing and the payment arrangements are to the satisfaction of the CEO.

GUIDELINES

The CEO is to exercise discretion in considering applications. Evidence of hardship or difficulty in paying does not have to be recorded, to exercise the applicant's privacy; however, the CEO should be satisfied that the payment requirements of the moment cannot be met.

- A letter confirming payment arrangement details is to be issued by the CEO.
- Staff to ensure that ratepayers meet their commitments to payment arrangements.
- Defaulting on payment arrangements may result in commencement of legal proceedings.

Responsible Officer	Chief Executive Officer
History	Amended June 2015 Minor update – revised language 21 April 2021 (Resolution 97/21)
Delegation	
Relevant Legislation	Local Government Act 1995 - Division 6
Related Documentation	Forms & Templates – Request for Payment Arrangements

O 1.27 Roads – Upgrading of Existing Roads Policy

OBJECTIVE

- To provide a criteria for the upgrading of roads to a higher standard
 - To ensure consistency in the decision making process for the upgrading of roads
 - To provide clear and consistent advice to the community on the Shire's expectations before road upgrading is considered.
-

STATEMENT

Where adjoining landowner (s) request sections of a road to be upgraded to a standard higher than Council considers is warranted, Council may enter into a written agreement to upgrade the road to the desired standard.

As a general principle, the applicant landowner(s) are required to fund the cost of all materials required for the upgrading above the standard considered adequate by Council, and Council may fund all labour and plant costs required to meet the requested standard.

Written agreement is to be made prior to any work commencing.

GUIDELINES

- The landowner is required to fund the cost of all materials required; and
- The Shire may fund all labour costs
- Written agreement is to be made prior to any work commencing.

Responsible Officer	Chief Executive Officer
History	Former Policy 12.6 Amended June 2015 Minor update – revised language 21 April 2021 (Resolution 97/21)
Delegation	
Relevant Legislation	
Related Documentation	

O 1.28 Self-Supporting Loans Policy

OBJECTIVE

To assist clubs and organisations in improving community based facilities.

STATEMENT

Each request for a self-supporting loan is to be considered on its merits.

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

- The preparation of a project business plan;
- The preparation of plans and specifications for the proposed work;
- The calling of tenders or quotes for the proposed work;
- The preparation of the contract documents (if required) for the work;
- The letting of the contract;
- Sole supervision of the project;
- Sole authorisation of expenditure of funds for the project.

Each request for a self-supporting loan requires the Shire and representatives of the organisation to enter into a Deed of Guarantee and Indemnity.

GUIDELINES

Funds are only provided for capital works on the subject land when ownership of all infrastructure ultimately vest in the community (notwithstanding established leasehold arrangements).

Loans are provided at the State Treasury interest rate when drawing the loan and is fixed for the duration of the loan. The term of the loan is not to exceed ten (10) years. Loan repayments are amortised and are generally six monthly unless the applicant organisation requests otherwise. The organisation is also responsible for reimbursing the Shire the value of the Loan Guarantee Fee, applicable to Local Government loans, as imposed by State Treasury.

Responsible Officer	Chief Executive Officer
History	Adopted June 2015 Reviewed and updated July 2018 (Resolution 5/19) Minor update – revised language 21 April 2021 (Resolution 97/21)
Delegation	
Relevant Legislation	Local Government Act 1995 – Section 6.20
Related Documentation	

O 1.29 Volunteer Support Policy

OBJECTIVE

To promote, support and develop volunteerism in the Shire of Williams.

STATEMENT

To promote, support and develop volunteerism in the Shire of Williams. The Shire of Williams' Volunteer Support Policy is to:

- Recognise and value the substantial and ongoing contribution made by volunteers and voluntary groups to the quality of life of the community.
- Work in partnership with community groups and relevant stakeholders to develop volunteering opportunities, promote volunteering, improve volunteer skills, raise the profile of volunteerism, and facilitate access to information about volunteering opportunities.
- Identify and implement initiatives to financially support volunteerism in the Shire of Williams.

The Shire acknowledges that volunteers contribute to the political, social, economic, environmental, safety and cultural well-being of the community by:

- Strengthening community cohesion, social wellbeing, and trust;
 - Providing a wide range of community and emergency services;
 - Expanding the ability of the community to respond to the needs of its citizens and provide a range of services and activities;
 - Engaging the community in protecting local resources, improving the physical environment and support for environmental issues;
 - Encouraging understanding and acceptance of culture, diversity and difference.
-

GUIDELINES

In accordance with the "National Standards for Involving Volunteers in Not-For-Profit Organisations", the Shire adopts as its definition of volunteering:

Formal volunteering is an activity which takes place in not-for-profit organisations or projects and is undertaken:

- to be of benefit to the community and the volunteer;
- of the volunteer's own free will and without coercion,
- for no financial payment; and
- in designated volunteer positions only.

Funding

The Shire of Williams may allocate an appropriate amount in the Annual Budget for activities supporting volunteers.

Responsible Officer	Chief Executive Officer
History	Adopted 17 February 2016 (Resolution 176/16) Minor update – revised language 21 April 2021 (Resolution 97/21)
Delegation	
Relevant Legislation	
Related Documentation	

O 1.30 COVID-19 Financial Hardship Policy

OBJECTIVE

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

STATEMENT

To give effect to our commitment to support the whole community to meet the unprecedented challenges arising from the COVID-19 pandemic, the Shire of Williams recognises that these challenges may result in financial hardship for our ratepayers. This policy applies to:

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

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

GUIDELINES

1. *Payment difficulties, hardship and vulnerability*

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

Financial hardship occurs where a person is unable to pay rates and service charges without affecting their ability to meet their basic living needs, or the basic living needs of their dependants. The Shire of Williams recognises the likelihood that COVID-19 may increase the occurrence of payment difficulties, financial hardship and vulnerability in our community. This policy is intended to apply to all ratepayers experiencing financial hardship regardless of their status, be they a property owner, tenant, business owner etc.

2. *Anticipated Financial Hardship due to COVID-19*

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

We should write to ratepayers at the time their account falls into arrears, to advise them of the terms of this policy and encourage eligible ratepayers to apply for hardship consideration. Where possible and appropriate, we may also provide contact information for a recognised financial counsellor and/or other relevant support services.

3. *Financial Hardship Criteria*

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

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

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

4. *Payment Arrangements*

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

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

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

5. *Interest Charges*

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

6. *Deferment of Rates*

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

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

7. *Debt recovery*

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

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

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

8. *Review*

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

9. Communication and Confidentiality

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

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

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

Responsible Officer	Chief Executive Officer
History	Adopted 20 May 2020 (Resolution 155/20) Minor update – revised language 21 April 2021 (Resolution 97/21)
Delegation	
Relevant Legislation	Local Government Act 1995 - Section 6.49 Local Government (Financial Management Regulations 1996)
Related Documentation	

O 1.31 Asset Management Policy

OBJECTIVE

The key objective of this policy is to ensure that there is organisation-wide commitment to asset management and that the objectives of the Shire's Asset Management Strategy and Plan are achieved. This ensures financial data on asset renewals, maintenance of existing assets and new assets are identified and form part of the Shire's long-term financial planning.

The principal objective of asset management is to enable the Shire to meet its service delivery objectives efficiently and effectively, in a way that ensures:

- Assets are managed in accordance with relevant legislation;
- Assets are managed in accordance with recognised best practice;
- Asset Management is an integral part the IPRF Framework;
- An asset "whole-of-life" approach is taken in the management of the Shire's assets;
- Risk is considered in the development of asset strategies;
- Asset performance is measured against defined levels of service outlined in the Asset Management Plan;
- Assets are brought to account in accordance with the requirements of the appropriate accounting standards and reporting requirements;
- Informed decision making is based on reliable data; and
- Asset management is sustainable.

STATEMENT

The Shire is committed to implementing systematic asset management methodology in order to apply appropriate asset management best practices across all areas of the organisation. This includes, ensuring that assets are planned, created, operated, maintained, renewed and disposed of in line with aspirations of the Strategic Community Plan and Council's priorities for service delivery.

Asset management decisions are to consider other key Shire policies and priority should be given to existing assets and services over new assets and services. Long term resource needs contained in the Asset Management Plans are to be balanced against financial availability within the Long Term Financial Plans.

GUIDELINES

Asset Management Strategy and plans are to be reviewed and updated at a period no more than two (2) years, ensuring integration with the Shire's Strategic Community Plan and the Long Term Financial Plan. The Asset Management system needs to comply with relevant *Australian Accounting Standards, relevant Legislations & Regulations and Australian Standards*.

Responsible Officer	Manager of Corporate Services
History	Adopted 21 October 2020 (Resolution 43/21) Minor update –21 April 2021 (Resolution 97/21)
Delegation	
Relevant Legislation	Local Government (Financial Management Regulations 1996)
Related Documentation	Shire of Williams – Strategic Resource Plan

O 1.32 Reinstatement of Firebreaks Following Fire Event Policy

OBJECTIVE

To outline the process for dealing with a request from a property owner for the Shire to reinstate their property to its pre-fire state following the installation of firebreaks for fire suppression purposes.

STATEMENT

The Shire supports bush fire brigades with the provision of plant and employees to attend fire situations. At these times the Shire's Grader or Loader may be deployed to install firebreaks for fire suppression purposes at the request of a Fire Control Officer or property owner. There is no obligation on the Shire to reinstate land to its pre-fire state.

GUIDELINES

To ensure clarity around use of Shire resources at a fire situation and requests for follow-up work after the emergency, the following process occurs:

1. The attendance of Shire employees and plant at a fire situation is authorised by the CEO and/or Works Supervisor.
2. The decision on the deployment of these resources on the fire ground is made by the CEO and/or Works Supervisor taking into account the safety of the employee operating the plant.
3. Fire Control Officers, brigade volunteers or property owners have no authority to direct or instruct the use of Shire resources.
4. Consideration can be given to reinstate land to its pre-fire state, at the request of the property owner, subject to the following conditions:
 - I. The Shire has the resources and time available to undertake the work;
 - II. The work does not adversely impact on other Shire work commitments; and
 - III. The property owner agrees to reimburse the Shire for the cost incurred. This cost is calculated using private works charging rates.

Responsible Officer	Chief Executive Officer
History	Adopted April 2021 (Resolution 93/21)
Delegation	
Relevant Legislation	
Related Documentation	

O 1.33 Internal Control Policy

OBJECTIVE

To document Council's commitment to appropriate and effective internal controls, ensuring they are applied through the implementation of policies, procedures and processes designed to promote compliance, encourage effective and efficient operations and to protect the Shire's assets.

The active management of internal controls assist's the organisation in addressing the risk of material misstatement of financial information, fraud and corruption, misappropriation of funds and loss of physical assets.

STATEMENT

The Shire is committed to maintaining an emphasis on integrity, ethical values and competence.

The Council is responsible for mandating a strong internal control framework to be implemented to ensure objectives are achieved efficiently and effectively and the principles of good governance are applied throughout the organisation.

The Chief Executive Officer is responsible for developing and maintaining an appropriate and effective internal control framework.

All employees are to play a part in the internal control framework and are responsible and accountable for documenting and implementing systems, controls, processes and procedures in their area of responsibility.

GUIDELINES

The system of internal controls extends beyond the matters which relate directly to the functions of the accounting systems and relates to every aspect of the Council's operations.

The essential elements of an effective internal control framework are:

- Structure and culture of the Council
- Delegations of Authority
- Policies and Procedures
- Trained and properly qualified staff
- Review process
- IT Controls
- Liaison with auditor and legal advisors
- Senior management compliance assurance
- Liaison with auditor and legal advisors
- Risk identification and assessment

Internal controls should be reviewed and assessed through risk management activities aligned with the Risk Management Framework.

The Chief Executive Officer is to every three years review the appropriateness and effectiveness of the Shire's systems and procedures in relation to internal control as contained within Regulation 17 of the Local Government (Audit) Regulations 1996.

Responsible Officer	Chief Executive Officer
History	Adopted new Policy 17 November 2021 (Resolution 59/22)
Delegation	
Relevant Legislation	<i>Local Government Act 1995</i> sections 5.36(2), 5.37(1) and 5.39C
Related Documentation	O1.34 Legislative Compliance Policy S2.8 Risk Management Policy Risk Management Framework

O 1.34 Legislative Compliance Policy

OBJECTIVE

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

STATEMENT

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

These structures and process's aim to:

- Develop and maintain a system for identifying legislation applicable to the Shire's activities.
 - Assign responsibilities for ensuring that legislation and regulatory obligations are fully implemented.
 - Provide training for staff, elected members, volunteers and other applicable people in the legislative and regulatory requirements that affect them.
 - Provide people with the resources to identify and remain up-to-date with new legislation.
 - Establish a mechanism for reporting non-compliance.
 - Review accidents, incidents and other situations where there may have been non-compliance.
 - Review audit reports, incident reports, complaints and other information to assess how the systems of compliance can be improved.
-

GUIDELINES

This policy applies to the whole of the organisation, all Councillors and all employees.

The Chief Executive Officer is responsible for the implementation of this policy and for the allocation of roles, responsibilities and accountabilities.

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

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

Responsible Officer	Chief Executive Officer
History	Adopted new Policy 17 November 2021 (Resolution 59/22)
Delegation	
Relevant Legislation	<i>Local Government Act 1995</i> sections 5.36(2), 5.37(1) and 5.39C
Related Documentation	O1.33 Internal Controls Policy S2.8 Risk Management Policy

○ 1.35 Management of Bushfire Volunteers Policy

OBJECTIVE

This policy is designed to give guidance in managing the Shire's valuable bushfire volunteers in relation to their competency in fighting fires and expectations and requirements when attending a bushfire.

STATEMENT

The *Work Health and Safety Act 2020* does impact on the Shire's management of volunteers.

The Shire can adopt a structured approach to managing its registered bushfire volunteers.

The legislation indicates that volunteers are deemed to be 'workers' and the Shire has a duty of care with respect to their safety, training, performance and compliance.

Shire of Williams is adopting a protocol that recognises and addresses the issue of training. Recognition of Prior Learning, that is experience in fire situations, will be recognised and registered as a competency level.

Inexperienced volunteers will need to undertake a basic introduction to fire safety and procedure training to be eligible to receive a Shire Competency Certificate.

The Shire of Williams deems that a Bushfire Brigade Fire Control Officer and Deputy Chief Bushfire Control Officer are competent to assess a volunteer's recognition of prior learning status and to approve and sign a Competency Certificate.

Volunteers who attend bushfires are expected to have knowledge of, and agree to, the following:

- Follow orders of a Fire Control Officer (FCO)
 - Wear appropriate firefighting PPE
 - Understand and use the correct communication methods
 - Notify when arriving and leaving a fire ground
 - Ensure firefighting plant and equipment they use is operational.
-

Responsible Officer	Chief Executive Officer
History	Adopted new Policy 17 November 2021 (Res 64/22)
Delegation	
Relevant Legislation	Work Health and Safety Act 2020 Local Government Act 1995
Related Documentation	

STAFF

S 2.1 Accrual of Employee Entitlements Policy

OBJECTIVE

To adequately reflect long service leave liability on the Shire's balance sheet.

STATEMENT

- Wages, salaries and annual leave liability, including pro-rata annual leave, is accrued on the basis of 100% of the employee's entitlement, as at balance date.
- Long service leave liability is accrued on the basis of the number of consecutive years employed in local government, of current employees and former employees remaining in local government where known, as follows:

<i>After year of service</i>	<i>% of accrual as per formula</i>
0-1	10
1-2	15
2-3	25
3-4	40
4-5	60
5-6	80
6-7	90
7 +	100

- Method of calculating long service liability using "Present Value Basis"
 - Inflation rate – Reserve Bank of Australia year ended Consumer Price Index (CPI)
 - Discount rate – Reserve Bank of Australia (RBA) 10 year government bond yield

GUIDELINES

The long service leave liability is to be calculated in accordance with this Policy.

Responsible Officer	Manager of Corporate Services
History	Reviewed and Updated July 2018 (Resolution 5/19) Minor update – now includes method for calculating present value basis 21 April 2021 (Resolution 97/21)
Delegation	
Relevant Legislation	Local Government (Financial Management) Regulations 1996 AASB119 – Employee Benefits
Related Documentation	

S 2.3 Drugs and Alcohol Policy

OBJECTIVE

The objectives of this policy are to:

- Communicate the restrictions on the use of drugs and/or alcohol by personnel engaged in Shire controlled activities.
 - Ensure that employees or contractors who are adversely affected by drugs or alcohol are not allowed to work.
 - Assist in the creation of a safe and healthy workplace for our employees and contractors which is free of the hazards that may be associated with the use of drugs and/or alcohol in the workplace.
 - Foster and promote an attitude amongst all personnel that it is not acceptable to come to, or be at, work under the influence of drugs and/or alcohol.
 - Ensure that managers, supervisors and employee representatives are provided with guidelines to assist them to make informed decisions, and to take a consultative approach, when confronted with issues contained in the policy guidelines.
 - Provide awareness to employees about how the Employee Assistance Program (EAP) can be used to provide support and rehabilitation opportunities for employees with drug and/or alcohol problems.
 - Ensure that the Shire meets all legislative obligations with regards to providing a safe working environment for all personnel engaged in Shire controlled activities.
 - Ensure that an organisation wide approach to disciplinary action is adopted in relation to any breaches of this policy.
 - Ensure that alcohol is used responsibly at approved Shire functions.
-

STATEMENT

The Shire is committed to providing a safe, healthy and productive workplace for all its employees and contractors, and to ensuring the safety of all visitors. The Shire recognises that drugs and alcohol can affect an individual's fitness for work and can be a contributing factor in workplace injuries and incidents. Our drug and alcohol policy is designed to assist in the provision of a safe working environment. We require the support and cooperation of all Shire employees and contractors to ensure that the Shire remains a workplace free of the hazards that drugs and alcohol may introduce.

GUIDELINES

This policy applies to all organizational employees and contracted service providers engaged in any Shire controlled or authorised activities. Contractors are required to implement the intent of this policy and comply with this policy when attending Shire controlled worksites or functions.

Responsibilities

- Chief Executive Officer to authorise the Policy Guidelines and any future amendments.
- Managers/Supervisors to ensure all staff within their area of responsibility are aware of, understand and implement the Policy Guidelines.
- Employees to cooperate with management by complying with this policy.

Responsible Officer	Chief Executive Officer
History	Adopted April 2011 (Resolution 215/11) Review and Updated July 2018 (Resolution 5/19) Minor update – revised language and removal of procedure 21 April 2021 (Resolution 97/21)
Delegation	
Relevant Legislation	Occupational Safety and Health Act 1984
Related Documentation	Procedure: S2.3 Drugs & Alcohol Shire of Williams Code of Conduct Policy: S2.6 Occupational Health and Safety

S 2.4 Equal Employment Opportunity Policy

OBJECTIVE

To ensure equity in all employment related practices in accordance with the *Equal Opportunity Act 1984*.

STATEMENT

The Shire of Williams recognises its legal obligations under the *Equal Opportunity Act 1984* and promotes equal employment opportunity based solely on merit to ensure that discrimination does not occur on the grounds of gender, marital status, pregnancy, race, disability, religious or political convictions.

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

This Council does not tolerate harassment within its workplace. Harassment is defined as any unwelcome, offensive action or remark concerning a person's race, colour, language, ethnicity, political or religious convictions, gender, marital status or disability.

GUIDELINES

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

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

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

In the areas of:

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

It should also be noted that the *Equal Opportunity Act 1984* makes it unlawful to:

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

Discrimination in employment is allowed where:

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

Breaches are to be drawn to the CEO as the Equal Employment Opportunity Co-ordinator immediately.

Responsible Officer	Chief Executive Officer
History	Adopted July 2018 (Resolution 5/19) Minor update – revised language 21 April 2021 (Resolution 97/21)
Delegation	
Relevant Legislation	Equal Opportunity Act 1984
Related Documentation	Shire of Williams Code of Conduct

S 2.5 Gratuities – Payments to terminating employees in addition to contract or award Policy

OBJECTIVE

To recognise long and loyal service by employees to the Shire of Williams.

STATEMENT

The exercise of this policy is at the sole discretion of Council.

- The Shire of Williams may pay a gratuity to those employees whose employment with the Shire is finishing.
- The gratuity does not exceed \$1,000 in total.
- The gratuity may be in cash or as a gift.
- In special circumstances, Council may consider it appropriate to make a payment greater than that specified by this policy; in which case local public notice is required to be given in relation to the proposed gratuity in accordance with the *Local Government Act 1995 s5.50 (2)*.

Responsible Officer	Chief Executive Officer
History	Amended 2015 Minor update – revised language 21 April 2021 (Resolution 97/21)
Delegation	
Relevant Legislation	Local Government Act 1995 – Section 5.5 (2)
Related Documentation	

S 2.6 Occupational Health and Safety Policy

STATEMENT

The Shire of Williams provides a wide range of vital services to residents and visitors to the region. We are an equal opportunity employer committed to providing and maintaining a safe and healthy workplace for all employees. This commitment is required to be supported through the behaviours of our management representatives, employees, contracted service providers and volunteers in the workplace.

Responsibilities for addressing safety and health concerns are shared by everyone working at the Shire of Williams. 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 and health obligations. Employees assist our management team to fulfil obligations through compliance with legislative and Shire safety and health requirements, as well as actively ensuring their own safety and that of others in the workplace.

All workers engaged with the Shire of Williams are required to proactively identify and report forthwith any incident or hazard that are assessed as posing any risk to safety or health. These are to be promptly managed in accordance with the hierarchy of risk controls and accepted risk management principles.

The Shire of Williams is committed to continuously improving our workplace safety and health performance, aimed at the elimination of workplace injury and illness, through the establishment of measurable targets and objectives which are documented in our Occupational Safety and Health Management Plan.

Our Occupational Safety and Health Management Plan is supported by an occupational safety and health management system framework intended to guide our employees and subcontractors to work in a safe and healthy manner including, but not limited to, compliance with all applicable Occupational Safety and Health, other legislative regulatory requirements, relevant Australian Standards and with all other requirements placed upon the Shire or to which the Shire subscribes.

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

A safe, healthy and efficient place of work is our goal and we should all be committed to working together to achieve this outcome.

Responsible Officer	Chief Executive Officer
History	Adopted July 2018 (Resolution 5/19) Reviewed and Adopted October 2019 (Resolution 75/20) Minor update – revised language 21 April 2021 (Resolution 97/21)
Delegation	
Relevant Legislation	Occupational Safety and Health Act 1984
Related Documentation	Shire of Williams Occupational Safety and Health Guidance Notes Shire of Williams Code of Conduct

S 2.7 Bullying in the Workplace Policy

STATEMENT

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

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

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

GUIDELINES

Bullying is defined as repeated and unreasonable behaviour directed towards an employee or a group of employees that creates a risk to health and safety. Unreasonable behaviour includes behaviour that is victimising, humiliating, intimidating or threatening.

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

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

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

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

Responsible Officer	Chief Executive Officer
History	Adopted July 2018 (Resolution 5/19) Minor update – revised language 21 April 2021 (Resolution 97/21)
Delegation	
Relevant Legislation	Occupational Safety and Health Act 1984 (WA)
Related Documentation	Procedure : S2.7 Grievance and Investigation Procedures Shire of Williams Code of Conduct

S 2.8 Risk Management Policy

OBJECTIVE

The objectives of the Risk Management Policy are to:

- 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.

STATEMENT

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

It is the Shire's Policy to achieve best practice (aligned with [AS/NZS ISO 31000:2018 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 forms part of the Strategic, Operational, Project and Line Management responsibilities, and where possible, be incorporated within the Shire's Integrated Planning Framework.

The Shire CEO determines and communicates the Risk Management Policy, objectives and procedures, as well as direct and monitor implementation, practice and performance.

Every employee within the Shire of Williams is recognised as having a role in Risk Management, from the identification of risks, to implementing risk treatments and 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.

GUIDELINES

The Shire of Williams is to 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.

Responsible Officer	Chief Executive Officer
History	Adopted July 2018 (Resolution 5/19) Minor update – revised language 21 April 2021 (Resolution 97/21)
Delegation	
Relevant Legislation	Occupational Safety and Health Act 1984 (WA)
Related Documentation	Procedure : S2.8 Risk Management Procedures Forms & Templates : Risk Profile and Reporting Tool

S 2.9 Sexual Harassment Policy

OBJECTIVE

To ensure equity in all employment related practices in accordance with the *Equal Opportunity Act 1984*.

STATEMENT

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

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

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

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

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

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

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

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

GUIDELINES

Breaches are to be drawn to the attention of the Chief Executive Officer immediately.

Responsible Officer	Chief Executive Officer
History	Former Policy Minor update – revised language 21 April 2021 (Resolution 97/21)
Delegation	
Relevant Legislation	Equal Opportunity Act 1984
Related Documentation	Policy: S2.4 Equal Employment Opportunity Policy Shire of Williams Code of Conduct

S 2.10 Smoke-Free Workplace Policy

STATEMENT

The Shire of Williams promotes good health and healthy lifestyle choices for all employees and also has an obligation to ensure compliance with legislatively imposed requirements associated with smoking restrictions. The Shire recognises that individuals have the right to make personal choice to smoke, however, is committed to ensuring that persons within the workplace are not exposed to the hazards of tobacco smoke.

Scope

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

Definitions

Tobacco smoke includes that generated by cigarettes, cigars, pipes or 'e-cigarettes'. An enclosed workplace means that as defined in the *Occupational Safety and Health Regulations 1996 (WA)*, Regulation 3.44AA. An enclosed public place means that as defined in the *Tobacco Products Control Regulations 2006 (WA)*, Regulation 8.

GUIDELINES

In order to assist the Shire to comply with the regulatory requirements, smoking is prohibited within the following designated areas:

- Enclosed workplaces;
- Enclosed public places;
- Within five (5) metres of any air intake, window or entrance to Shire of Williams buildings, owned, rented or otherwise controlled by the Shire;
- Shire vehicles or mobile plant, including when there is a sole occupant;
- In the presence of non-consenting persons at the workplace;
- Where smoking is prohibited by display of signage.

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

Areas where smoking is prohibited are identified through the display of 'No Smoking' signage. Smoking is only permitted in designated smoking areas within Shire of Williams workplaces. Designated smoking areas are identified by "Smoking Permitted" signage and have dedicated smoking product disposal units installed. All waste products from smoking in areas where this activity is permitted are to be disposed of in the disposal unit and are ensured to be fully extinguished prior to disposal.

All forms of tobacco advertising, promotion, sponsorship and sale of tobacco products are prohibited at Shire workplaces. Products that are prepared and labelled for human therapeutic use, such as nicotine replacement gum, lozenges, patches and inhalers are exempt from these guidelines.

The Shire encourages employees who are considering quitting smoking to utilise available support services including:

- Make Smoking History (www.makesmokinghistory.org.au)
- Quitline – 13 78 48
- The Shire Employee Assistance Program provided by:
 - LGIS Health and Wellness Services – (08) 9483 8826

Responsible Officer	Chief Executive Officer
History	Adopted July 2018 (Resolution 5/19) Minor update – revised language 21 April 2021 (Resolution 97/21)
Delegation	
Relevant Legislation	Occupational Safety and Health Regulations 1996 (WA) Tobacco Products Control Regulations 2006 (WA), Regulation 8
Related Documentation	Shire of Williams Code of Conduct

S 2.11 Social Media Policy

OBJECTIVE

To guide elected members and employees in the responsible use of social media in all forms.

STATEMENT

The Shire of Williams use social media as a communication tool and facilitates professional development and online collaboration as a way to engage with the community.

Social Media can support an organisation in the following:

- Providing information and getting feedback;
- Demonstrating business personality/brand;
- Ensuring organisational transparency;
- Improving internal communications; and
- Market research which is low cost.

Advantages of Social Media are that it:

- Can enhance Council's reputation;
- Develop stronger, engaging relationships with community members;
- Provide essential updates to the community during a crisis or emergency;
- Promotes services, events, projects, policies and activities within the Shire;
- Is fast, effective and immediate;
- Allows for easy content creation/development/dissemination;
- Can establish large powerful networks, not just locally but a worldwide audience; and
- Is always on.

In developing, posting and responding to content, elected members and employees are to act with honesty, integrity, courtesy and professionalism. They should not be discriminatory, defamatory, harassing or encourage law breaking. Information disseminated through social media should be accurate, authorised and aligned with Council strategies, policies and decisions.

Elected members and employees intending to use social media to communicate about Council activity or policy are to ensure appropriate authorisation. Any use of social media sites should take into account the Shire's Code of Conduct, Shire's Policy Manual, confidentiality agreements and other legislative requirements.

GUIDELINES

Content Control

The Shire of Williams nominated staff provides the administration of any site under their control, it reserves the right to modify and/or delete any inappropriate postings that are seen as discriminatory, defamatory, harassing, offensive, and untrue or encourage law breaking.

The Shire of Williams endeavours to use social media comments and feedback to strengthen its customer service but it should be noted that comments, feedback and suggestions are not be treated as official complaints or submissions.

Roles and Responsibilities

Identification has been made to who may write, post content, and approve incoming content and who is responsible for responding to content both negative and positive and responsibility lies with executive staff. Staff are only to engage in social media in their area of expertise.

Content Management

Unless given authorisation by the Chief Executive Officer, employees are not authorised to speak on behalf of the Shire, nor to represent that they do so.

Where a comment or profile can identify an elected member or employee as that of the Shire, you are required to expressly state on all postings (that identify you as a shire employee) the stated views are your own and are not those of the Shires.

Elected members and employees:

- Do not post or respond to material that is offensive, obscene, defamatory, threatening, harassing, bullying, discriminatory, hateful, racist, sexist or infringes copyright;
- Establish fictitious names or identities deliberately intended to deceive, mislead or lie;
- Bring Council's integrity into disrepute or harm the operations or reputations of Council;
- separate personal opinions from professional ones; and
- Avoid the use of business email addresses for personal social media logins.

Those who fail to comply with this policy may face disciplinary action and, in serious cases, termination of their employment or election.

Responsible Officer	Chief Executive Officer
History	Adopted July 2018 (Resolution 5/19) Minor update – revised language 21 April 2021 (Resolution 97/21)
Delegation	
Relevant Legislation	
Related Documentation	Shire of Williams Code of Conduct

S 2.13 Training, Conference and Meeting Expenses – Employees and Councillors Policy

OBJECTIVE

To ensure that Councillors and staff have equitable access to a range of relevant training and professional development opportunities to enhance their ability to fulfil their roles and responsibilities and to provide good governance to the Shire.

STATEMENT

Where a Councillor, staff member or other person is authorised to attend a conference, meeting, training course or other business on behalf of the Shire, the Council may pay fees, travelling, accommodation and other incidentals.

Out-of-pocket expenses should be reimbursed upon production of receipts.

Employees undertaking study for an initial qualification relevant to Local Government as approved by the CEO, or further qualification as approved by Council, may be granted paid time off to attend study courses.

GUIDELINES

Approval to attend training, conferences, meetings, training courses or other business on behalf of the Shire is to be obtained prior to the event. Retrospective claims are only to be considered if shown that prior approval was not possible due to circumstances.

Responsible Officer	Chief Executive Officer
History	Policy 4.13 Adopted June 1985 Former Policy 4.1.9 Updated June 2015 Minor update – revised language 21 April 2021 (Resolution 97/21)
Delegation	
Relevant Legislation	
Related Documentation	Policy: C3.5 Attendance at Events Policy Policy: C3.6 Elected Member Training and Continuing Professional Development Policy

S 2.14 Superannuation Policy

OBJECTIVE

This policy sets out the criteria for the payment of additional superannuation to staff. It provides guidance for the CEO in the recruitment and retention of staff.

STATEMENT

The Shire of Williams 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 the 'Superannuation Guarantee (SG)'. The percentage payment may be adjusted by legislation from time to time.

The Shire of Williams and its employees may also make additional voluntary contributions to a complying fund.

Superannuation Choice

Employees have the 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 is Aware Super.

Policy Superannuation Capping

The Shire of Williams matches voluntary employee contributions dollar for dollar up to a maximum of 3%.

E.g.: An employee contribution of 3% is matched by Shire to 3%.

Employee Contracts

From the date of this policy's formal adoption, all new employment contracts and Offers of Employment should not contain any provisions which exceed or contravene this policy.

Salary Sacrifice and Additional Contributions

All employees have the option to salary sacrifice a nominated percentage of their salary or make additional contributions to superannuation.

Variation to Policy

Council may vary this policy from time to time with respect to legislative changes and any other mitigating circumstances.

Responsible Officer	Chief Executive Officer
History	Former Policy 4.2.2 Adopted June 1982 Current Policy adopted by Council in May 2014 (Resolution 219/14) Minor update – revised language and update default superannuation fund details 21 April 2021 (Resolution 97/21)
Delegation	
Relevant Legislation	
Related Documentation	

S 2.15 Water Usage – Community Housing Policy

OBJECTIVE

To protect the visual amenity of Shire property assets by providing incentive for tenants to water their gardens. Also to limit the expense to the Council of excessive water consumption.

STATEMENT

To encourage maintenance of gardens and lawns at Shire managed community housing, Council subsidises the consumption cost of water. The subsidy covers the cost of water consumption up to a total of 150kl in each billing year and apply to all new or renewed leases from the 1 July 2018, subject to the requirements of the *Residential Tenancies Act 1987*.

GUIDELINES

The CEO is to monitor all water accounts and to identify excess water consumption and encourage tenants to practice water saving methods where possible.

The Shire's Housing Manager is to inspect all Shire properties annually to ensure that the property is adequately maintained and any maintenance issues are brought to the Council's attention.

Responsible Officer	Chief Executive Officer
History	Amended June 2015 Updated July 2018 (Resolution 5/19) Minor update – revised language 21 April 2021 (Resolution 97/21)
Delegation	
Relevant Legislation	Residential Tenancies Act 1987
Related Documentation	

S 2.16 Employee Recruitment and Selection Policy

OBJECTIVE

This policy is designed to ensure appropriate and consistent recruitment and selection standards are applied at the Shire of Williams. This policy outlines the Shire's commitment to undertake the recruitment and selection of employees in accordance with the principles outlined in section 5.40 of the *Local Government Act 1995 (WA)* (Act) and to ensure successful recruitment and selection decisions are made.

STATEMENT

Application

This policy applies to the recruitment and selection of all vacant positions excluding the Chief Executive Officer (CEO).

CEO recruitment and employment procedures are prescribed in the relevant sections of the Act and the *Local Government (Administration) Regulations 1996 (WA)*.

If the CEO is recruiting a 'senior employee' as defined in section 5.37 of the Act, this policy applies in addition to the requirement for the CEO to inform Council of any decision to employ or dismiss a 'senior employee'.

Merit and Equity

The Shire is committed to ensuring recruitment, selection, promotion and other personnel decisions are fair, consistent, transparent, professional and compliant with the principles set out in section 5.40 of the Act. These principles are outlined below:

- employees are to be selected and promoted in accordance with the principles of merit and equity
- no power with regard to matters affecting employees is to be exercised on the basis of nepotism or patronage
- employees are to be treated fairly and consistently
- there is to be no unlawful discrimination against employees or persons seeking employment by the Shire on a ground referred to in the *Equal Opportunity Act 1984 (WA)* or on any other ground of discrimination, and
- employees are to be provided with safe and healthy working conditions in accordance with the *Occupational Safety and Health Act 1984 (WA)*.

Recruitment and selection practices are to be conducted to ensure high calibre candidates apply for vacancies.

Equal Opportunity Employment

The Shire recognises its legal, moral, social and ethical obligations to actively promote and practice the principles of equal opportunity in all aspects of employment.

The Shire ensures it meets its obligations to coordinate a process free from discrimination by ensuring:

- all advertisements, job descriptions and titles are non-discriminatory
- the most suitable person is appointed to a position based on qualifications, skills, expertise, experience and aptitude
- all personnel forms are non-discriminatory and relevant in phrasing and requirements, and
- benefits and entitlements are accessible and administered in a consistent manner throughout the workforce.

Authorities and Responsibilities

The CEO is responsible for the recruitment and selection of employees:

- by assessing the need to recruit for a position
- within the scope of their direct or indirect supervision
- within approved budget allocations
- in accordance with this policy and relevant operational procedures, and
- in consultation with the Officer responsible for Human Resources.

The Officer responsible for Human Resources is responsible for working with the CEO or their appointed nominee to ensure procedural integrity of the recruitment and selection process.

Confidentiality of Information and Conflict of Interest

All employees involved in the recruitment and selection process are bound by:

- strict standards of confidentiality, and
- disclosure of interest requirements as outlined in the Local Government's Code of Conduct.

Review of Positions

The Shire reserves the right to review the need for any position within its existing organisational structure. All positions need to comply with the allocation of resources to meet the objectives of the Workforce Plan, Community Strategic Plan and Corporate Business Plan.

Internal Appointments

The Shire recognises that it may have internal applicants for vacancies. All internal applicants are subject to the same recruitment and selection processes and pre-employment checks as external applicants.

Selection and Appointment

Selection of the preferred candidate should demonstrate substantial alignment with the requirements of the role as determined in the Recruitment Strategy.

As a general rule, all required pre-employment checks as documented in the Recruitment and Selection Procedure should be undertaken before a preferred candidate is offered a contract of employment for the position.

Probation

All new permanent or maximum/fixed term appointments of more than six months are subject to a probation period of at least three months but no more than six months.

Record Keeping

Records are to be created and maintained to evidence compliance with this policy, in accordance with the Local Government's Recordkeeping Plan and the *State Records Act 2000 (WA)*.

Responsible Officer	Chief Executive Officer
History	Adopted September 2019 (Resolution 47/20) Minor update – revised language and removal of detailed procedure 21 April 2021 (Resolution 97/21)
Delegation	
Relevant Legislation	Local Government Act 1995 (WA) Local Government (Administration) Regulations 1996 (WA) Equal Opportunity Act 1984 (WA) Occupational Safety and Health Act 1984 (WA)
Related Documentation	Procedure: S2.16 Recruitment and Selection Procedure Policy: S2.4 Equal Employment Opportunity Policy Policy: O1.23 Purchasing Policy

S 2.17 Long Service Leave Management Policy

OBJECTIVE

To ensure that employees take their leave entitlements within a reasonable time period from when it falls due and managing the liability associated with the value of the entitlement.

STATEMENT

This policy is designed to guide the use of long service leave entitlements.

GUIDELINES

1. Employees are required to commence the use of their long service leave entitlements within two years of the entitlement falling due.
2. Employees are required to use all of their long service leave entitlements before accruing a subsequent entitlement. This provision may be varied where an employee obtained written agreement from the Chief Executive Officer, prior to the adoption of this Policy by Council.
3. Notwithstanding the above, the Chief Executive Officer may, following receipt of a written request from an employee, grant a variation to the provisions of this policy for the following reasons:
 - the employee is intending to retire within five years. Under this provision the employee needs to provide the Chief Executive Officer with a declaration in writing stating they intend to retire within five years; and/or
 - the employee demonstrating that personal or financial hardship may be created by taking the leave;
 - for operational matters.
4. Where an employee:
 - (a) has a current long service leave entitlement of more than 13 weeks; or
 - (b) has a current long service leave entitlement and receives a subsequent entitlement within five years;

that employee is to reach an agreement with the Chief Executive Officer in regards to taking their leave.

Responsible Officer	Chief Executive Officer
History	Adopted September 2019 (Resolution 47/20) Minor update – revised language 21 April 2021 (Resolution 97/21)
Delegation	
Relevant Legislation	Local Government (Long Service Leave) Regulations
Related Documentation	

COUNCIL



C 3.1 Elected Member Induction Policy

STATEMENT

That upon the election of a new Councillor, the Chief Executive Officer make themselves available to conduct a New Councillor Induction.

GUIDELINES

The induction can be modified by the CEO, but a guideline would be as follows:

Initial Session (before first Council meeting):

- Declaration of office – where, when and making the declaration
- Council meeting protocol and standing orders
- Disclosure of Interest and Conflicts of Interest
- Voting requirements
- Importance of honesty and integrity
- Primary and Annual returns
- Elected members fees and expenses
- Role of Local Government
- Roles and responsibilities
- Council meetings
- Committee meetings
- Role of committees
- Other meetings
- Agenda and minutes
- Absence from meetings
- Council policies
- Induction / training courses available
- How to get something done
- Significant community events
- Briefing notes
- How to use iPad
- Other Councillor contact details

Follow up session (six months after election):

- Insurance coverage of elected members
- Defamation and limited privilege protection
- Regional meetings and groups
- Integrated Plans
- Annual Budget
- Department of Local Government
- Obtaining advice and information

Responsible Officer	Chief Executive Officer
History	Adopted July 2018 (Resolution 5/19) Minor update – revised language 21 April 2021 (Resolution 97/21)
Delegation	
Relevant Legislation	Local Government Act 1995 – Division 10
Related Documentation	

C 3.2 Honorary Freeman of the Shire of Williams Policy

OBJECTIVE

This policy sets out the circumstances under which the Shire of Williams Council may bestow the title of 'Honorary Freeman of the Shire of Williams' upon individuals who have made an outstanding and exceptional contribution to the Shire or community.

STATEMENT

Council may confer the Honorary Title of 'Freeman of the Shire of Williams' on a person who has served the community in an outstanding and meritorious manner that stands above the service and contribution of most other persons in advancing the Shire's strategic interest and in the provisions of benefits for the greater community.

GUIDELINES

A maximum of two (2) living persons may hold the title of 'Freeman of the Shire of Williams' at any time.

For avoidance of doubt, the honour should not be awarded posthumously.

Nomination for the 'Freeman of the Shire of Williams':

- a) Council encourages the community to nominate candidates for consideration as Freeman at any time.
- b) The nomination is supported by such information as is necessary for Council to make an informed decision on the matter.
- c) Nominees are not to be consulted or advised of the nomination.
- d) Council considers a nomination as a confidential item.

Entitlements

Any person declared an Honorary Freeman of the Shire of Williams:

- a) May designate themselves as 'Honorary Freeman of the Shire of Williams';
- b) Be invited to all civic events and functions, at the discretion of the President, and be acknowledged as a dignitary;
- c) Have their photograph hung in the Shire Council Chambers;
- d) The name of the Freeman of the Shire is to be included on the Shire of Williams Council Honour Board;
- e) Be provided with a special badge and certificate/plaque to commemorate receipt of their Award; and
- f) Be conferred at an appropriate civic ceremony for the purpose hosted by the Shire of Williams.

Personal Conduct

Any person who has been conferred with the honour of 'Honorary Freeman of the Shire of Williams' should display high standards of personal conduct and behaviour at all times and not bring the Shire of Williams into disrepute.

The Council reserves the right to cancel the honour, in the event that the holder is convicted of a serious criminal offence or brings the Shire into disrepute (any such decision be by an absolute majority decision of Council).

Responsible Officer	Chief Executive Officer
History	Adopted June 2015 Minor update – revised language 21 April 2021 (Resolution 97/21)
Delegation	
Relevant Legislation	
Related Documentation	

C 3.3 iPads / Tablets – Provision for Councillors / Senior Staff Policy

OBJECTIVE

This policy has the following aims:

- a) To provide clear guidance on the issuing of Shire owned iPad/Tablets;
 - b) To identify the acceptable use of Shire owned iPad/Tablets; and
 - c) To ensure that the rules relating to Shire owned iPad/Tablets are applied consistently.
-

STATEMENT

The Shire of Williams may provide Councillors and Senior Staff with an iPad/tablet for the term of their election or employment. This is to support the electronic distribution of Shire of Williams Council meeting agendas, business papers and minutes, and for use during Council meetings to enable operation in a paperless format.

GUIDELINES

Council may revoke the availability and use of an iPad/Tablet as a result of misuse or serious abuse of usage as following:

- a) Violation of copyright;
- b) Intentionally sending viruses or other destructive content;
- c) Sending and/or disclosing of inappropriate content (e.g.: illegal, immoral, offensive or obscene materials, pornographic or erotic images or race or religious based material);
- d) Sending material that uses offensive language;
- e) Sending, disclosing and/or distributing personal or confidential information held by the Shire;
- f) Sending, disclosing and/or distributing slanderous and/or defamatory material;
- g) Sending emails as a form of harassment, bullying or threatening behaviour;
- h) Making disparaging or any adverse comments about the Shire, any policy or decision of Council or any of the Shire's employees, contractors or other Councillors;
- i) Any act that contravenes a law or is a criminal offence;
- j) Any act that may have a negative impact to the Shire.

Users are to comply with the requirements of this Policy. Any breach may result in a suspension of access either permanently or on a temporary basis.

Ownership

The iPad/Tablet device and associated accessories that have been provided by the Shire, at all times, remain in the ownership of the Shire. A Councillor or employee may contribute to the cost of the device, if they wish to have access to higher capabilities than the standard device supplied by the Shire.

If a Councillor resigns, retires or their election tenure finishes that Councillor is required to return the iPad/Tablet and accessories to the Shire of Williams. If a Shire employee resigns, retires or their employment is terminated for any reason, then that employee is required to return the iPad/Tablet and accessories to the Shire. Shire issued iPad/Tablets are not the personal property of Councillors or Council staff and may be reassigned or recalled if directed by the CEO. If a Councillor or employee has contributed to a higher standard device, their contribution is to be refunded on return of the device.

Council may, at its discretion, approve the gifting of an iPad/Tablet used by a Councillor or employee on their cessation of tenure or employment, as the case may be. Such a decision by Council should be in accordance with sections 3.58, 5.50 and 5.100A *Local Government Act 1995*; r19A and r34AC

Local Government (Administration) Regulations 1996 and r30 Local Government (Functions and General) Regulations 1996. In relation to employees, consideration should be given to the Shire's Policy on payments to terminating employees in addition to contract or award. In order to place a value on the iPad/Tablet a determination should be made based on its depreciated value.

Responsible Officer	Chief Executive Officer
History	Adopted 20 th December 2017 (Resolution 110/18) Amended July 2018 (Resolution 5/19) Minor update – revised language and removal of detailed procedure 21 April 2021 (Resolution 97/21)
Delegation	
Relevant Legislation	
Related Documentation	Policy: O1.23 Purchasing Policy

C 3.4 Recognition of Councillor Service Policy

OBJECTIVE

To recognise extraordinary service to the Shire of Williams as an elected member or employee.

STATEMENT

On the completion of two (2) terms of council service or more, and retirement from office, Council may nominate a Councillor for an award under the WALGA Local Government Honours Program. Employees can be nominated where their service is considered worthy in terms of length of service or significant contribution.

GUIDELINES

WALGA recognises service to Local Government by the award of the following Honours:

- Local Government Medal
- Life Membership
- Eminent Service Award (previously Certificate of Appreciation)
- Long and Loyal Service Award
- Merit Award (previously Distinguished Service Award)
- Local Government Distinguished Officers Award

The Local Government Medal and Life Membership Award recognises outstanding achievements and significant contributions by Elected Members and Employees of Local Government.

The Eminent Service Award recognises personal commitment, eminent service and contribution to the Local Government Sector by an Elected Member or Employee of Local Government.

Those who have provided a high degree of service, either as a State Councillor for over 8 years or an Elected Member for more than 12 years, may be eligible for the Long and Loyal Award.

Merit Awards recognise Councillors who have demonstrated distinguished service to the community through their Local Government.

Local Government Distinguished Officer Award recognises Local Government Employees for their achievements.

Further details on eligibility and nomination procedures are found on the WALGA website.

Awards are presented by WALGA to recipients at a ceremony held at the Local Government Convention held in August annually.

Responsible Officer	Chief Executive Officer
History	Adopted July 2018 (Resolution 5/19) Minor update – revised language 21 April 2021 (Resolution 97/21)
Delegation	
Relevant Legislation	
Related Documentation	

C 3.5 Attendance at Events Policy

OBJECTIVE

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

STATEMENT

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

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

Note:

- If an Elected Member receives a ticket in their name, in their role as an Elected Member, of \$300 or greater value, they are still required to comply with normal gift disclosure requirements.
- Whilst the law permits gifts greater than \$300 to be accepted by the Chief Executive Officer (but not other employees), in their role with the Shire, the Chief Executive Officer and all other employees, by operation of this Policy, are prohibited from accepting any gift greater than \$300, unless from the Shire as the organiser of the event, or as a gift pursuant to Section 5.50 of the *Local Government Act 1995* (gratuity on termination).
- If the Chief Executive Officer or an employee receives a ticket in their name, in their role as an employee, of between \$50 and \$300, they are required to comply with normal gift disclosure requirements and the Code of Conduct re notifiable and prohibited gifts.
- An event does not include training, which is dealt with separately via Policy S2.13 - Training, Conference and Meeting Expenses – Employees and Councillors.
- Nothing in this Policy should be construed as diminishing the role of the Chief Executive Officer in approving attendance at activities or events by other employees that in the opinion of the CEO, are appropriate, relevant and beneficial to the Shire of Williams and its employees.

Definitions

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

Elected Members: includes the Shire President and all Councillors.

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

- Concert
- Conference
- Function
- Sporting event
- Occasions prescribed by the *Local Government (Administration) Regulations 1996*.

Acronyms

- CEO - Chief Executive Officer
- GST - Goods & Services Tax
- LGIS - Local Government Insurance Services
- WALGA - Western Australian Local Government Association.

GUIDELINES

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

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

1. Pre-Approved Events

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

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

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

- (a) Advocacy, lobbying or Members of Parliament or Ministerial briefings (Elected Members, the Chief Executive Officer only);
- (b) Meetings of clubs or organisations within the Shire of Williams;
- (c) Any free event held within the Shire of Williams;
- (d) Australian or West Australian Local Government events;
- (e) Events hosted by Clubs or Not-for-Profit Organisations within the Shire of Williams to which the Shire President, Elected Member, Chief Executive Officer or employee has been officially invited;
- (f) Shire hosted ceremonies and functions;
- (g) Shire hosted events with employees;
- (h) Shire run tournaments or events;
- (i) Shire sponsored functions or events;
- (j) Community art exhibitions within the Shire of Williams or District;
- (k) Cultural events/festivals within the Shire of Williams or District;
- (l) Events run by a Local, State or Federal Government;
- (m) Events run by schools and universities within the Shire of Williams;
- (n) Major professional bodies associated with Local Government at a local, state and federal level;
- (o) Opening or launch of an event or facility within the Shire of Williams or District;
- (p) Recognition of Service event's within the Shire of Williams or District;
- (q) Events run by WALGA, LGIS or a recognised and incorporated WA based local government professional association; and
- (r) Where Shire President, Elected Member or Chief Executive Officer's representation has been formally requested.

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

If there is a fee associated with a pre-approved event, the fee, including the attendance of a partner, may be paid for by the Shire out of the Shire's budget by way of reimbursement, unless the event is a conference which is dealt with under clause 4 of this policy.

If there are more Elected Members than tickets provided then the Shire President may allocate the tickets.

2. Approval Process

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

- Events for the Shire President may be approved by the Deputy Shire President;
- Events for Councillors may be approved by the Shire President;
- Events for the Chief Executive Officer may be approved by the Shire President; and

- Events for employees may be approved by the Chief Executive Officer.

Considerations for approval of the event include:

- Any justification provided by the applicant when the event is submitted for approval.
- The benefit to the Shire of the person attending.
- Alignment to the Shire's Strategic Objectives.
- The number of Shire representatives already approved to attend.

Where an Elected Member has an event approved through this process and there is a fee associated with the event, then the cost of the event, including for attendance of a partner, is to be paid out of the Members Receptions expense budget.

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

3. Non-Approved Events

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

- If the event is a free event to the public then no action is required.
- If the event is ticketed and the Elected Member, Chief Executive Officer or employee pays the full ticketed price and does not seek reimbursement, then no action is required.
- If the event is ticketed and the Elected Member, Chief Executive Officer or employee pays a discounted rate, or is provided with a free ticket(s), or with a discount value, then the recipient is to disclose receipt of the tickets (and any other associated hospitality) within 10 days to the Chief Executive Officer (or President if the CEO) if the discount or free value is greater than \$50 for employees, other than the Chief Executive Officer, and greater than \$300 for Elected Members and the CEO.

4. Conference Registration, Bookings, Payment and Expenses

Are to be dealt with in accordance with Council Policy, -S2.13 Training, Conference and Meeting Expenses – Employees and Councillors.

5. Dispute Resolution

All disputes regarding the approval of attendance at events are to be resolved by the Shire President in relation to Elected Members or the Chief Executive Officer; and the CEO in relation to other employees.

Procedures

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

Free or discounted invitations/offers or tickets that are provided to the Shire without denotation as to who they are for, are to be provided to the Chief Executive Officer and attendance determined by the Chief Executive Officer in liaison with the Shire President, based on relative benefit to the organisation in attending the event, the overall cost in attending the event, inclusive of travel or accommodation, availability of representatives, and the expected role of the relevant Elected Member or employee.

Responsible Officer	Chief Executive Officer
History	Adopted February 2020 (Resolution 133/20) Minor update – revised language 21 April 2021 (Resolution 97/21)
Delegation	
Relevant Legislation	Local Government Act 1995 – Section 5.90A Local Government (Administration) Regulations 1996 – r.34B
Related Documentation	Shire of Williams Code of Conduct

C 3.6 Elected Member Training and Continuing Professional Development Policy

OBJECTIVE

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

STATEMENT

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

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

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

All units and associated costs are to be paid for by the Shire and need to be completed in the twelve months immediately following election of the Elected Member. The training is valid for a period of five years.

Additionally, the Shire is required to publish, on the Shire's website, training undertaken by all Elected Members pursuant to *Local Government Act 1995*.

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

GUIDELINES

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

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

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

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

Responsible Officer	Chief Executive Officer
History	Adopted March 2020 (Resolution 145/20) Minor update – revised language 21 April 2021 (Resolution 97/21)
Delegation	
Relevant Legislation	Local Government Act 1995 – Section 5.127 and Section 5.128
Related Documentation	

C 3.7 Temporary Employment or Appointment of CEO Policy

OBJECTIVE

To outline the process by which Council appoints an Acting Chief Executive Officer, as required by Section 5.39C(1)(a) and (b) of the *Local Government Act 1995*.

STATEMENT

Council is responsible for the appointment of its CEO and the appointment of an Acting CEO.

GUIDELINES

To ensure clarity around functions and delegated authority, the following process occurs for appointment of an Acting CEO.

Employment of a person in the position of CEO for a term not exceeding one year

Council must approve, by Council resolution, a person to be appointed in the position of CEO for a term not exceeding one year.

In accordance with section 5.36(2)(b) and 5.41 of the *Local Government Act 1995*, Council must believe the person is suitably qualified for the position and can carry out the functions of a CEO and is satisfied with the provision of the proposed employment contract*.

*Absolute Majority required.

Appointment of an employee to act in the position of CEO for a term not exceeding one year

For the purposes of Section 5.36 (2) of the *Local Government Act 1995*, the Council has determined that the Manager of Corporate Services is suitably qualified to be appointed as Acting CEO by the CEO, from time to time, when the CEO is on periods of leave, subject to the following conditions:

1. The term of appointment is no longer than 20 working days consecutive;
2. That the employee's employment conditions are not varied other than the employee is entitled to, at the CEO's discretion, a salary no greater than the salary equivalent to that of the CEO during the Acting period.

In the case of the unavailability of the CEO due to an emergency, the Manager of Corporate Services is automatically appointed as the Acting CEO for up to 2 weeks from commencement, and continuation is then subject to determination by the Council.

In the case of the unavailability of the Manager of Corporate Services to act as the CEO during a period of leave or in an emergency, as described above, the Council determines that the Senior Administration/Finance/Building Officer or Community Development Officer can act in the position of CEO.

Pursuant to Section 5.37(1) of the *Local Government Act 1995*, the following employees are designated as senior employees –

- a) Manager of Corporate Services; and
- b) Work Supervisor.

Responsible Officer	Chief Executive Officer
History	Adopted May 2021 (Resolution: 107/21)
Delegation	
Relevant Legislation	<i>Local Government Act 1995</i> sections 5.36(2), 5.37(1) and 5.39C
Related Documentation	