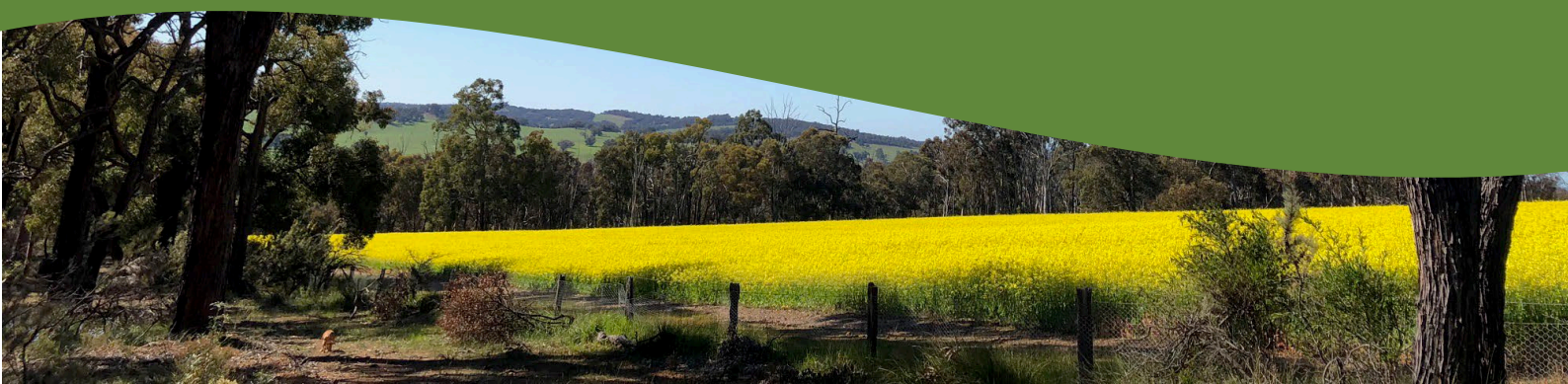
Shire of Wandering

Policy Manual



POLICY TYPE:	GOVERNANCE	POLICY NO:	0
DATE ADOPTED:	18/07/2019	DATE LAST REVIEWED:	17/09/2020 16/09/2021
LEGAL (PARENT):	*Local Government Act 1995*	LEGAL (SUBSIDIARY):	
DELEGATION OF AUTHORITY APPLICABLE:		DELEGATION NO.	

ADOPTED POLICY	
TITLE:	Definitions
OBJECTIVE:	To provide guidance on terminology used within the Policy Manual

POLICY STATEMENT

WHAT IS A POLICY?

A policy is a principle or protocol to guide decisions and achieve rational outcomes. A policy is a statement of intent, and is implemented as a procedure or protocol. Policies are generally adopted by the Council, whereas procedures or protocols would be developed and adopted by the CEO. Policies can assist in both subjective and objective decision making.

Policies to assist in subjective decision making would usually assist staff with decisions that must consider the relative merits of a number of factors before making decisions and as a result are often hard to objectively test e.g. work-life balance policy. In contrast policies to assist in objective decision making are usually operational in nature and can be objectively tested e.g. password policy.

Policy differs from rules or law. While law can compel or prohibit behaviours (e.g. a law requiring the payment of taxes on income), policy merely guides actions toward those that are most likely to achieve a desired outcome.

In summary, a policy is the "what", a procedure is the "how".

DEFINITIONS:

Insofar as they are consistent with enabling legislation, the following terms and the definitions noted apply to delegations made by Council and policy adopted by Council:

Authority means the permission or requirement for a Committee or the CEO to act in accordance with:

- The local Government Act 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 responsibility.

INTRODUCTION TO POLICY MANUAL REVIEW
DATE OF MEETING: 16/09/2021 Reviewed: 19/10/2023

Council and Management Roles in Policy Making

The Council of the Shire of Wandering has determined to develop Council Policies and Management Policies and Procedures to guide its direction and operations.

This accords with the provisions of s2.7(2)(b) Local Government Act 1995 -

2.7. Role of council

(1) The council —

(a) governs the local government's affairs; and

(b) is responsible for the performance of the local government's functions.

(2) Without limiting subsection (1), the council is to —

(a) oversee the allocation of the local government's finances and resources; and

(b) determine the local government's policies.

In addition, the Local Government Act 1995 and other Acts require, or contemplate, the development of Policies.

Policies that must be adopted by Council under various Acts include;

Local Government Act

- s5.50 Payments to employees in addition to contract or award (can be delegated to CEO under s5.42)
- s5.103 - Code of Conduct for council members, committee members and employees
- A procurement policy under regulation 11A of the Local Government (Functions and General) Regulations 1996

State Records Act, Freedom of Information Act 1992

- Record Keeping

In addition, Council makes policies under the Local Planning Scheme.

Council Policies are high level decisions intended to guide the decision-making processes of the Council, as the local government, and the CEO as the employer of all Shire employees, in implementing decisions of the Council, or under delegated authority (from various Acts). These Policies reflect current practices and procedures for the Shire to ensure compliance with relevant legislative and administrative requirements.

Many of the Council and Management Policies have been developed to support delegations and sub delegations contained within the Register of Delegations. Within the Register of Delegations, each instrument of delegation or sub delegation provides a link to the relevant Council or Management Policy, which serve to guide implementation.

In many cases there will also be detailed operational instructions in place to complement Policies. These may include CEO instructions and procedures, machinery operational instructions etc but such matters are entirely administrative and procedural.

The CEO is responsible for the development and implementation of Management Policies, but this Policy Manual contains both Council and Management Policies for completeness of the record and to ensure transparency for Shire residents and ratepayers.

Management Policies cannot be amended by Council.

Council Policy is over-ridden by:

- Commonwealth and State legislation and regulations,
- The Local Planning Scheme
- Local Laws
- Council resolutions
- Decisions made under delegated authority (although all such decisions should comply with Council Policy)

Council Policy overrides:

- Management Policy (where both are in conflict)
- Local Government Guidelines – although are not decisions of Council, close observance is strongly recommended
- Operational/Administrative directions/instructions

Council Policy is not binding on the Council, but is binding on employees, unless discretion is stated. Council Policy is to be considered as Council's standing or permanent instructions.

Council Policy Manual - Governance Context

This Manual is an essential component Council's governance framework and guides Council, Management and residents in the context of Council's decision making.

The Policies in the attached Manual are designed to provide:

a. Consistency and equity in decision making;
b. Promptness in responding to customer needs; and
c. Operational efficiency.

Policies arise generally in response to:

a. Discretionary legislated powers; and/or
b. Non-legislated functions/activities of Council; e.g. provision of a range of services, and mainly relate powers under the Local Government Act 1995.

Council Policy provides for "the rationale and guiding principles of what can be done", and Management Practice explains "how" Management will implement or carry out that Policy.

It is important to note that Policies are not legislatively binding and when good reasons prevail and are documented, can be set aside.

Reports to Council should detail relevant Policies as this provides:

a. Guidance to council members in their deliberations on the matter in hand; and
b. Information for residents

Policy is not required to be based in legislation but can be a stand-alone instruction of Council or the CEO. However, it cannot be inconsistent with legislation.

The Council and CEO will each review all relevant Policies on an annual basis, but when necessity requires a review to address circumstances this may also occur.

POLICY STATEMENT

The Shire of Wandering recognises the importance of maintaining this Policy Manual as a contemporary and relevant, appropriate document to guide the Council, administration and community.

Prior to introducing, amending or repealing a policy of Council, the proposal will go through the following process:

(a) Comparisons with other Local Governments.
(b) Likely effect on the residents - consultation if necessary.
(c) Cost impact.
(d) Legal implications.

All recommendations affecting policy must be made available to Council prior to the relevant Council Meeting and may not be introduced as a late item.

Shire of Wandering Policy Manual

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POLICY TYPE:	LEGISLATIVE	POLICY NO:	1
DATE ADOPTED:	03/02/2021 (as required prior to adoption by Council)	**DATE LAST REVIEWED:**	16/09/2021 15/08/2024

LEGAL (PARENT):	*Local Government Act 1995 s5.104*	**LEGAL (SUBSIDIARY):**	*Local Government (Model Code of Conduct) Regulations 2021*
DELEGATION OF AUTHORITY APPLICABLE:		**DELEGATION NO.**	

ADOPTED POLICY	
TITLE:	Employee Code of Conduct
OBJECTIVE:	*The Code of Conduct provides Employees of the Shire of Wandering with clear guidelines for the standard of professional conduct and behaviour expected of them in carrying out their functions and responsibilities.*

FOREWORD

The Shire of Wandering Code of Conduct for Employees, (the Code) has been adopted to ensure employees understand and respect their roles and responsibilities. This enables professional relationships to be established and maintained in the interests of providing good governance, overall integrity, and good government for the community.

Whereas previously there was a single Code of Conduct for Council Members, Committee Members and Employees, adopted by Council, new legislation requires that there be a separate Code of Conduct for Council Members, Committee Members and Candidates for Election, adopted by the Council, and for Employees, adopted by the CEO.

The Code sets out principles and standards of behaviour that employees must observe when performing their duties and is intended to promote accountable and ethical decision-making. However, the Code does not establish a rule for every situation an employee may face while performing their role and undertaking their duties daily.

The Code should be read in conjunction with the Local Government Act 1995, the Local Government (Administration) Regulations 1996, other legislation, Council and CEO Policy Manuals and operational procedures that affect employees while performing their role and duties and the Code does not override or affect those provisions or requirements.

The Code contains certain matters for employees which must be addressed as a requirement of legislation, including gifts and conflicts of interest, as well as the standards around personal behaviour, which if breached, may lead to reporting and action being taken under the Code.

In view of this, the Code details explanatory matters around key areas of:

- professional conduct
- record keeping
- use of Shire resources and finances
- conflict of interest, gifts, and benefits
- reporting breaches of the Code

Employees of the Shire of Wandering (the Shire) are subject to the provisions of the Code upon their acceptance of employment and while they remain employed by the Shire.

The Code is an important document in outlining the expectations of employee behaviour and aims to ensure that the Shire of Wandering's residents, ratepayers and stakeholders will recognise the high standards of service and ethical decision making by all employees.

If you have any concerns about anything in the Code, please raise it with your Supervisor, or the Chief Executive Officer.

1 INTRODUCTION

The Shire of Wandering Code of Conduct (the Code) provides employees with clear guidelines for the standards of professional conduct expected of them in carrying out their functions and responsibilities.

The Code addresses the broader issue of ethical responsibility and encourages transparency and accountability. The Code expresses the Shire of Wandering's commitment to high standards of ethical and professional behaviour and outlines the principles in which individual responsibilities are based.

The Code is complementary to the principles adopted in the Local Government Act 1995 (the Act) and associated regulations, which incorporate four fundamental aims:

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

1.1 Statutory environment

The Code addresses the requirement in section 5.51A of the Act for the CEO to prepare and implement a code of conduct to be observed by employees of the Local Government, and includes the matters prescribed in Part 4A of the Local Government (Administration) Regulations 1996.

The Code should be read in conjunction with the Act and associated regulations. Employees should ensure that they are aware of their statutory responsibilities under this and other legislation.

1.2 Application

For the purposes of the Code, the term employees include persons employed by the Shire of Wandering or engaged by the Shire under a contract for services. The Code applies to all employees, including the CEO, while on the Local Government's premises or while engaged in Local Government related activities. Clause 3.15 of this Code (Gifts) does not apply to the CEO.

2 VALUES/VISION/MISSION

Our Vision:

Wandering is a community of responsible, resilient and adaptable residents thriving in our scenic, economically diverse environment

3 CODE OF CONDUCT

3.1 Role of Employees

The role of employees in Local Government is determined by the functions of the CEO as set out in section 5.41 of the Act.

5.41. Functions of CEO

The CEO's functions are to:

(a) advise the council in relation to the functions of a local government under this Act and other written laws;
(b) ensure that advice and information is available to the council so that informed decisions can be made;
(c) cause council decisions to be implemented;
(d) manage the day to day operations of the local government;
(e) liaise with the mayor or president on the local government's affairs and the performance of the local government's functions;
(f) speak on behalf of the local government if the mayor or president agrees;
(g) be responsible for the employment, management supervision, direction and dismissal of other employees (subject to section 5.37(2) in relation to senior employees);
(h) ensure that records and documents of the local government are properly kept for the purposes of this Act and any other written law; and
(i) perform any other function specified or delegated by the local government or imposed under this Act or any other written law as a function to be performed by the CEO.

Local Government Act 1995

3.2 Principles affecting employment by the Shire of Wandering

The principles set out in section 5.40 of the Act apply to the employment of the Shire's employees:

5.40. Principles affecting employment by local governments

The following principles apply to a local government in respect of its employees —

(a) employees are to be selected and promoted in accordance with the principles of merit and equity; and

(b) no power with regard to matters affecting employees is to be exercised on the basis of nepotism or patronage; and

(c) employees are to be treated fairly and consistently; and

(d) 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 or on any other ground; and

(e) employees are to be provided with safe and healthy working conditions in accordance with the Occupational Safety and Health Act 1984; and

*(f) such other principles, not inconsistent with this D*ivision, as may be prescribed.

Local Government Act 1995

3.3 Personal Behaviour

Employees will:

(a) act, and be seen to act, properly, professionally and in accordance with the requirements of the law, the terms of this Code and all policies of the Shire,
(b) perform their duties impartially and in the best interests of the Shire uninfluenced by fear or favour,
(c) act in good faith (i.e., honestly, for the proper purpose, and without exceeding their powers) in the interests of the Shire and the community,
(d) make no allegations which are improper or derogatory (unless true and in the public interest)
(e) refrain from any form of conduct, in the performance of their official or professional duties, which may cause any reasonable person unwarranted offence or embarrassment; and
(f) always act in accordance with their obligation of fidelity to the Shire.

3.4 Honesty and Integrity

Employees will:

(a) observe the highest standards of honesty and integrity, and avoid conduct which might suggest any departure from these standards;
(b) be frank and honest in their official dealing with each other; and
(c) report any dishonesty or possible dishonesty on the part of any other employee to the CEO, or Executive Manager Technical Services, CRC Coordinator or Community Service Coordinator, in accordance with this Code and the Shire's policies.

3.5 Performance of Duties

(a) While on duty, employees will give their whole time and attention to the Shire's business and ensure that their work is carried out efficiently, economically, and effectively, and that their standard of work reflects favourably both on them and on the Shire.
(b) Notwithstanding (a) above, use of personal mobile phones is recognised as reasonable for those on call for personal or family and health matters, or during work breaks but should be kept to a minimum. This includes messaging, using the internet for personal reasons, and social media. Personal mobile phones should be on silent during work hours.

3.6 Compliance with Lawful and Reasonable Directions, Decisions and Policies

(a) Employees will comply with any lawful and reasonable direction given by any person having authority to make or give such an order, including but not limited to their Supervisor, or the CEO.
(b) Employees will give effect to the lawful decisions and policies of the Shire whether or not they agree with or approve of them.

3.7 Administrative and Management Practices

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

3.8 Intellectual Property

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

3.9 Recordkeeping

Employees will ensure complete and accurate local government records are created and maintained in accordance with the Shire's Recordkeeping Plan.

3.10 Dealing with Other Employees

(a) Employees will treat other employees with respect, courtesy and professionalism, and refrain from behaviour that constitutes discrimination, bullying or harassment.
(b) Employees must be aware of and comply with their obligations under relevant law and the Shire's policies regarding workplace behaviour and occupational safety and health, set out in Council and/or CEO Policy Manuals.
(c) Employee behaviour should reflect the Shire's values and contribute towards creating and maintaining a safe and supportive workplace.

3.11 Dealing with community

(a) Employees will treat all members of the community with respect, courtesy and professionalism.
(b) All Shire services must be delivered in accordance with relevant policies and procedures, and any issues resolved promptly, fairly, and equitably.

3.12 Professional Communications

(a) All aspects of communication by employees (including verbal, written and electronic), involving the Shire's activities should reflect the status, values and objectives of the Shire
(b) Communications should be accurate, polite and professional.

3.13 Personal Communications and Social Media

(a) Personal communications and statements made privately in conversation, written, recorded, emailed or posted in personal social media, have the potential to be made public, whether intended or not.
(b) Employees must not, unless undertaking a duty in accordance with their employment, disclose information, make comments, or engage in communication activities about or on behalf of the Shire, it's Council Members, employees or contractors, which breach this Code.
(c) Employee comments which become public and breach the Code of Conduct, or any other operational policy or procedure, may constitute a disciplinary matter and may also be determined as misconduct and be notified in accordance with the Corruption, Crime and Misconduct Act 2003.

3.14 Personal Presentation

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

3.15 Gifts

(a) Application

This clause does not apply to the CEO.

(b) Definitions

In this clause –

activity involving a local government discretio*n* has the meaning given to it in the *Local Government (Administration) Regulations 1996;*

> ***activity involving a local government discretion means an activity —***
> *(a) that cannot be undertaken without an authorisation from the local government; or*
> *(b) by way of a commercial dealing with the local government;*
> *[r.19AA of the Local Government (Administration) Regulations 1996]*

Associated person has the meaning given to it in the *Local Government (Administration) Regulations 1996:*

> ***associated person* means a person who —**
> *(a) is undertaking or seeking to undertake an activity involving a local government discretion; or*
> *(b) it is reasonable to believe, is intending to undertake an activity involving a local government discretion*
> *[r.19AA of the Local Government (Administration) Regulations 1996]*

gift has the meaning given to it in the *Local Government (Administration) Regulations 1996;*

gift —

(a) has the meaning given in section 5.57 [of the Local Government Act 1995]; but

(b) does not include —

(i) a gift from a relative as defined in section 5.74(1); or

(ii) a gift that must be disclosed under the Local Government (Elections) Regulations 1997 regulation 30B; or

(iii) a gift from a statutory authority, government instrumentality or non-profit association for professional training; or

(iv) a gift from WALGA, the Australian Local Government Association Limited (ABN 31 008 613 876), the Local Government Professionals Australia WA (ABN 91 208 607 072) or the LG Professionals Australia (ABN 85 004 221 818);

[r.19AA of the Local Government (Administration) Regulations 1996]

***gift** means —*

(a) a conferral of a financial benefit (including a disposition of property) made by 1 person in favour of another person unless adequate consideration in money or money's worth passes from the person in whose favour the conferral is made to the person who makes the conferral; or

(b) a travel contribution;

***travel** includes accommodation incidental to a journey;*

***travel contribution** means a financial or other contribution made by 1 person to travel undertaken by another person*

[Section 5.57 of the Local Government Act 1995]

***relative**, in relation to a relevant person, means any of the following —*

(a) a parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant of the relevant person or of the relevant person's spouse or de facto partner;

(b) the relevant person's spouse or de facto partner or the spouse or de facto partner of any relative specified in paragraph (a),

whether or not the relationship is traced through, or to, a person whose parents were not actually married to each other at the time of the person's birth or subsequently, and whether the relationship is a natural relationship or a relationship established by a written law;

[Section 5.74(1) of the Local Government Act 1995]

prohibited gift has the meaning given to it in the *Local Government (Administration) Regulations 1996;*

***prohibited gift*, in relation to a local government employee, means —**

(a) a gift worth the threshold amount or more; or
(b) a gift that is 1 of 2 or more gifts given to the local government employee by the same person within a period of 1 year that are in total worth the threshold amount or more;

[r.19AA of the *Local Government (Administration) Regulations 1996]*

***reportable gift** means:*

(a) a gift worth more than $24 but less than $51; or
(b) a gift that is 1 of 2 or more gifts given to the local government employee by the same person within a period of 1 year that are in total worth more than $24 but less than $51.

threshold amount has the meaning given to it in the *Local Government (Administration) Regulations 1996*, subject to the CEO's determination under subclause (c);

> ***threshold amount*, for a prohibited gift, means —**
>
> *(a) a gift worth the threshold amount or more; or*
>
> *(b) a gift that is 1 of 2 or more gifts given to the local government employee by the same person within a period of 1 year that are in total worth the threshold amount or more;*
>
> *[r.19AA of the Local Government (Administration) Regulations 1996]*

(c) Determination

In accordance with Regulation 19AF of the Local Government (Administration) Regulations 1996 the CEO has determined the threshold amount for prohibited gifts is $51.

(d) Employees must not accept a prohibited gift from an associated person.

(e) An employee who accepts a reportable gift from an associated person is to notify the CEO in accordance with subclause (f) and within 10 days of accepting the gift.

(f) The notification of the acceptance of a reportable gift must be in writing and include:

(1) the name of the person who gave the gift; and

(2) the date on which the gift was accepted; and

(3) a description, and the estimated value, of the gift; and

(4) the nature of the relationship between the person who is an employee and the person who gave the gift; and

(5) if the gift is one of two or more accepted from the same person within a period of one year:

(1) a description;

(2) the estimated value; and

(3) the date of acceptance,

of each other gift accepted within the one-year period.

(g) The CEO will maintain a register of reportable gifts and record in it details of notifications given to comply with subclause (f).

(h) The CEO will arrange for the register maintained under subclause (g) to be published on the Shire's official website.

(i) As soon as practicable after a person ceases to be an employee, the CEO will remove from the register all records relating to that person. The removed records will be retained for a period of at least 5 years.

PROHIBITION ON CERTAIN TYPES OF GIFTS

The CEO has determined that alcohol, in any form, may not be accepted as a gift by any employee, even if it were otherwise valued below the threshold amount, and could ordinarily be accepted (whether reportable, or not).

The CEO has also determined that cash may not be accepted as a gift by any employee, even if it were otherwise valued below the threshold amount, and could ordinarily be accepted (whether reportable, or not).

Where alcohol is provided as part of an event or seminar where a fee has been paid to attend, and the registration fee includes the dinner or hospitality where alcohol is provided, then it is not a gift and is not prohibited and need not be disclosed/reported.

Where alcohol is provided as part of an event which an employee is attending, consistent with the Attendance at Events Policy, and where alcohol is provided incidental to the event, then it is not a gift and need not be disclosed/reported.

3.16 Conflict of Interest

(a) Employees will ensure that there is no actual (or perceived) conflict of interest between their personal interests and the impartial fulfilment of their professional duties.

(b) Employees will not engage in private work with or for any person or body with an interest in a proposed or current contract with the Shire without first disclosing the interest to the CEO. In this respect, it does not matter whether advantage is in fact obtained, as any appearance that private dealings could conflict with performance of duties must be scrupulously avoided.

(c) Employees will lodge written notice with the CEO describing an intention to undertake a dealing in land which is within the district of the Shire, or which may otherwise be in conflict with the Local Government's functions (other than purchasing the principal place of residence).

(d) Employees who exercise a recruitment or any other discretionary function will disclose any actual (or perceived) conflict of interest to the CEO before dealing with relatives or friends and will disqualify themselves from dealing with those persons.

(e) Employees will conduct themselves in an apolitical manner and refrain from political activities which could cast doubt on their neutrality and impartiality in acting in their professional capacity.

The Equal Opportunity Act 1984 provides that it is unlawful to discriminate against an employee or prospective employee on the ground of political conviction.

3.17 Secondary Employment

An employee must not engage in secondary employment (including paid and unpaid work) without receiving the prior written approval of the CEO.

3.18 Disclosure of Financial Interests

(a) All employees will apply the principles of disclosure of financial interest as contained within the Act

(b) Employees who have been delegated a power or duty, have been nominated as 'designated employees' or provide advice or reports to Council or Committees, must ensure that they are aware of, and comply with, their statutory obligations under the Act.

3.19 Disclosure of Interests Relating to Impartiality

(a) In this clause, ***interest*** has the meaning given to it in the Local Government (Administration) Regulations 1996.

> ***interest —***
>
> *(a) means an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest; and*
>
> *(b) includes an interest arising from kinship, friendship or membership of an association.*
>
> *[r.19AA of the Local Government (Administration) Regulations 1996]*

(b) An employee who has an interest in any matter to be discussed at a Council or Committee meeting attended by the employee is required to disclose the nature of the interest:

(1) in a written notice given to the CEO before the meeting; or

(2) at the meeting immediately before the matter is discussed.

(c) An employee who has given, or will give, advice in respect of any matter to be discussed at a Council or Committee meeting not attended by the employee is required to disclose the nature of any interest the employee has in the matter:

(1) in a written notice given to the CEO before the meeting; or

(2) at the time the advice is given.

(d) A requirement described under (b) and (c) excludes an interest referred to in Section 5.60 of the Act.

(e) An employee is excused from a requirement made under (b) or (c) to disclose the nature of an interest because they did not know and could not reasonably be expected to know:

(1) that they had an interest in the matter; or

(2) that the matter in which they had an interest would be discussed at the meeting and they disclosed the nature of the interest as soon as possible after the discussion began.

(f) If an employee makes a disclosure in a written notice given to the CEO before a meeting to comply with requirements of (b) or (c), then:

(1) before the meeting the CEO is to cause the notice to be given to the person who is to preside at the meeting; and

(2) at the meeting the person presiding must bring the notice and its contents to the attention of persons present immediately before a matter to which the disclosure relates is discussed.

(g) If:

(1) to comply with a requirement made under item (b), the nature of an employee's interest in a matter is disclosed at a meeting; or

(2) a disclosure is made as described in item (e)(ii) at a meeting; or

(3) to comply with a requirement made under item (f)(ii), a notice disclosing the nature of an employee's interest in a matter is brought to the attention of the persons present at a meeting,

the nature of the interest is to be recorded in the minutes of the meeting.

3.20 Use and Disclosure of Information

(a) Employees must not access, use, or disclose information held by the Shire except as directly required for, and in the course of, the performance of their duties.

(b) Employees will handle all information obtained, accessed, or created in the course of their duties responsibly, and in accordance with this Code, the Shire's policies and procedures.

(c) Employees must not access, use or disclose information to gain improper advantage for themselves or another person or body, in ways which are inconsistent with their obligation to act impartially and in good faith, or to improperly cause harm, detriment or impairment to any person, body, or the Shire.

(d) Due discretion must be exercised by all employees who have access to confidential, private or sensitive information.

(e) Nothing in this section prevents an employee from disclosing information if the disclosure:

(1) is authorised by the CEO or the CEO's delegate; or

(2) is permitted or required by law.

3.21 Improper or Undue Influence

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

(b) Employees must not take advantage of their position to improperly influence any other person in order to gain undue or improper (direct or indirect) advantage or gain, pecuniary or otherwise, for themselves or for any other person or body.

(c) Employees must not take advantage of their positions to improperly disadvantage or cause detriment to the local government or any other person.

3.22 Use of Shire Resources

(a) In this clause –

Shire resources includes local government property and services provided or paid for by the Shire;

local government property has the meaning given to it in the *Act*.

> ***local government property*** means anything, whether land or not, that belongs to, or is vested in, or under the care, control or management of, the local government
>
> [Section 1.4 of the *Local Government Act 1995*]

(b) Employees will:

(1) be honest in their use of the Shire resources and must not misuse them or permit their misuse (or the appearance of misuse) by any other person or body;

(2) use the Shire resources entrusted to them effectively, economically, in the course of their duties and in accordance with relevant policies and procedures; and

(3) not use the Shire's resources (including the services of employees) for private purposes (other than when supplied as part of a contract of employment), unless properly authorised to do so, and appropriate payments are made (as determined by the CEO).

3.23 Use of Shire Finances

(a) Employees are expected to act responsibly and exercise sound judgment with respect to matters involving the Shire's finances.
(b) Employees will use Shire finances only within the scope of their authority, as defined in their position descriptions, Council and CEO Policies and procedures and administrative practices.
(c) Employees with financial management responsibilities will comply with the requirements of the Local Government (Financial Management) Regulations 1996.
(d) Employees exercising purchasing authority will comply with the Shire's Purchasing Policy, and the systems and procedures established by the CEO in accordance with regulation 5 of the Local Government (Financial Management) Regulations 1996.
(e) Employees will act with care, skill, diligence, honesty and integrity when using local government finances.
(f) Employees will ensure that any use of Shire finances is appropriately documented in accordance with the relevant policy and procedure, including the Shire's Recordkeeping Plan.

Employees should ensure they are familiar with all relevant Shire Policies and Procedures, and direct any questions for clarification to the CEO, or Executive Manager Technical Services, CRC Coordinator or Customer Service Coordinator.

3.24 Reporting of Suspected Breaches of the Code of Conduct

Employees will report suspected breaches of the Code to the CEO, Executive Manager Technical Services, CRC Coordinator or Customer Service Coordinator. In the case of suspected breaches by the CEO, or if no satisfaction from reporting toother managers, report the matter to Shire President.

3.25 Handling of Suspected Breaches of the Code of Conduct

Suspected breaches of the Code will be dealt with in accordance with the relevant Shire policies and procedures, depending on the nature of the suspected breach.

3.26 Reporting Suspected Unethical, Fraudulent, Dishonest, Illegal or Corrupt Behaviour

Employees will report suspected unethical, fraudulent, dishonest, illegal or corrupt behaviour to the CEO, Executive Manager Technical Services, CRC Coordinator or Customer Service Coordinator.

(a) In accordance with the Corruption, Crime and Misconduct Act 2003, if the CEO suspects on reasonable grounds that the alleged behaviour may constitute misconduct as defined in that Act, the CEO will notify:
    (1) the Corruption and Crime Commission, in the case of serious misconduct; or
    (2) the Public Sector Commissioner, in the case of minor misconduct.
(b) Employees, or any person, may also report suspected serious misconduct to the Corruption and Crime Commission or suspected minor misconduct to the Public Sector Commissioner.
(c) Employees, or any person, may also make a Public Interest Disclosure to report suspected unethical, fraudulent, dishonest, illegal, or corrupt behaviour, using the Shire's Public Interest Disclosure Procedures, published on the Shire's website.

3.27 Handling of Suspected Unethical, Fraudulent, Dishonest, Illegal or Corrupt Behaviour

Suspected unethical, fraudulent, dishonest, illegal or corrupt behaviour will be dealt with in accordance with the appropriate Shire policies and procedures, and where relevant, in accordance with the lawful directions of the appropriate statutory body.

POLICY TYPE:	LEGISLATIVE	POLICY NO:	1
DATE ADOPTED:	03/02/2021 (as required prior to adoption by Council)	**DATE LAST REVIEWED:**	March 2026
LEGAL (PARENT):	*Local Government Act 1995 s5.104*	**LEGAL (SUBSIDIARY):**	*Local Government (Model Code of Conduct) Regulations 2021*
DELEGATION OF AUTHORITY APPLICABLE:		**DELEGATION NO.**	

ADOPTED POLICY	
TITLE:	Model Code of Conduct
OBJECTIVE:	To comply with s5.104 *Local Government Act 1995* and *Local Government (Model Code of Conduct) Regulations 2021 - u*pdated January 2026

Western Australia

Local Government Act 1995

Local Government (Model Code of Conduct) Regulations 2021

As at 01 Jan 2026 Official Version
[PCO 00-c0-00] Published on www.legislation.wa.gov.au

Western Australia

Local Government (Model Code of Conduct) Regulations 2021

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Local Government Act 1995

Local Government (Model Code of Conduct) Regulations 2021

Part 1 — Preliminary

1. Citation

These regulations are the *Local Government (Model Code of Conduct) Regulations 2021*.

2. Commencement

These regulations come into operation as follows —

(a) Part 1 — on the day on which these regulations are published in the *Gazette*;

(b) the rest of the regulations — on the day on which the *Local Government Legislation Amendment Act 2019* sections 48 to 51 come into operation.

Part 2 — Model code of conduct

3. Model code of conduct (Act s. 5.103(1))

The model code of conduct for council members, committee members and candidates is set out in Schedule 1.

3A. Referral of complaint to Inspector (Act s. 5.105(3))

For the purposes of section 5.105(3) of the Act, a complaint must be referred to the Inspector if the person who is the subject of the complaint has, on at least 2 previous occasions, been found under a local government's adopted code of conduct (as defined in section 8A.2(1) of the Act) to have committed, on or after 1 January 2026, a behavioural breach.

[Regulation 3A inserted: SL 2025/208 r. 42.]

Part 3 — Repeal and consequential amendments

Division 1 — Repeal

4. *Local Government (Rules of Conduct) Regulations 2007* repealed

The *Local Government (Rules of Conduct) Regulations 2007* are repealed.

Division 2 — Other regulations amended

5. *Local Government (Administration) Regulations 1996* amended

(1) This regulation amends the *Local Government (Administration) Regulations 1996*.

(2) After regulation 34C insert:

Part 9A — Minor breaches by council members

34D. Contravention of local law as to conduct (Act s. 5.105(1)(b))

(1) In this regulation —

local law as to conduct means a local law relating to the conduct of people at council or committee meetings.

(2) The contravention of a local law as to conduct is a minor breach for the purposes of section 5.105(1)(b) of the Act.

6. *Local Government (Audit) Regulations 1996* amended

(1) This regulation amends the *Local Government (Audit) Regulations 1996*.

(2) In regulation 13 in the Table:

(a) under the heading "***Local Government Act 1995***" delete "s. 5.103" and insert:

s. 5.104

(b) delete:

Local Government (Rules of Conduct) Regulations 2007		
r. 11		

7. *Local Government (Constitution) Regulations 1998* amended

(1) This regulation amends the *Local Government (Constitution) Regulations 1998*.

(2) In Schedule 1 Form 7 delete "*Local Government (Rules of Conduct) Regulations 2007*." and insert:

code of conduct adopted by the [3] ..... under section 5.104 of the *Local Government Act 1995*.

Schedule 1 — Model code of conduct

[r. 3]

Division 1 — Preliminary provisions

1. Citation

This is the *[insert name of local government] Code of Conduct for Council Members, Committee Members and Candidates*.

2. Terms used

(1) In this code —

Act means the *Local Government Act 1995*;

candidate means a candidate for election as a council member;

complaint means a complaint made under clause 11(1);

publish includes to publish on a social media platform.

(2) Other terms used in this code that are also used in the Act have the same meaning as they have in the Act, unless the contrary intention appears.

Division 2 — General principles

3. Overview of Division

This Division sets out general principles to guide the behaviour of council members, committee members and candidates.

4. Personal integrity

(1) A council member, committee member or candidate should —

(a) act with reasonable care and diligence; and

(b) act with honesty and integrity; and

(c) act lawfully; and

(d) identify and appropriately manage any conflict of interest; and

(e) avoid damage to the reputation of the local government.

(2) A council member or committee member should —

(a) act in accordance with the trust placed in council members and committee members; and

(b) participate in decision-making in an honest, fair, impartial and timely manner; and

(c) actively seek out and engage in training and development opportunities to improve the performance of their role; and

(d) attend and participate in briefings, workshops and training sessions provided or arranged by the local government in relation to the performance of their role.

5. Relationship with others

(1) A council member, committee member or candidate should —

(a) treat others with respect, courtesy and fairness; and

(b) respect and value diversity in the community.

(2) A council member or committee member should maintain and contribute to a harmonious, safe and productive work environment.

6. Accountability

A council member or committee member should —

(a) base decisions on relevant and factually correct information; and

(b) make decisions on merit, in the public interest and in accordance with statutory obligations and principles of good governance and procedural fairness; and

(c) read all agenda papers given to them in relation to council or committee meetings; and

(d) be open and accountable to, and represent, the community in the district.

Division 3 — Behaviour

7. Overview of Division

This Division sets out —

(a) requirements relating to the behaviour of council members, committee members and candidates; and

(b) the mechanism for dealing with alleged breaches of those requirements.

8. Personal integrity

(1) A council member, committee member or candidate —

(a) must ensure that their use of social media and other forms of communication complies with this code; and

(b) must only publish material that is factually correct.

(2) A council member or committee member —

(a) must not be impaired by alcohol or drugs in the performance of their official duties; and

(b) must comply with all policies, procedures and resolutions of the local government.

9. Relationship with others

A council member, committee member or candidate —

(a) must not bully or harass another person in any way; and

(b) must deal with the media in a positive and appropriate manner and in accordance with any relevant policy of the local government; and

(c) must not use offensive or derogatory language when referring to another person; and

(d) must not disparage the character of another council member, committee member or candidate or a local government employee in connection with the performance of their official duties; and

(e) must not impute dishonest or unethical motives to another council member, committee member or candidate or a local

government employee in connection with the performance of their official duties.

10. Council or committee meetings

When attending a council or committee meeting, a council member, committee member or candidate —

(a) must not act in an abusive or threatening manner towards another person; and

(b) must not make a statement that the member or candidate knows, or could reasonably be expected to know, is false or misleading; and

(c) must not repeatedly disrupt the meeting; and

(d) must comply with any requirements of a local law of the local government relating to the procedures and conduct of council or committee meetings; and

(e) must comply with any direction given by the person presiding at the meeting; and

(f) must immediately cease to engage in any conduct that has been ruled out of order by the person presiding at the meeting.

11. Complaint about alleged breach

(1) A person may make a complaint, in accordance with subclause (2), alleging a breach of a requirement set out in this Division.

(2) A complaint must be made —

(a) in writing in the form approved by the local government; and

(b) to a person authorised under subclause (3); and

(c) within 1 month after the occurrence of the alleged breach.

(3) The local government must, in writing, authorise 1 or more persons to receive complaints and withdrawals of complaints.

(4) A complaint must be dealt with under clauses 12 to 15 unless —

(a) the complaint is referred to the Inspector in accordance with subclause (5); and

(b) the Inspector refers the complaint to be dealt with under Part 8A Division 5 of the Act.

Note for this subclause:

See section 5.105(1) of the Act.

(5) If the *Local Government (Model Code of Conduct) Regulations 2021* regulation 3A applies to a complaint, a person authorised under subclause (3) must refer the complaint to the Inspector under section 5.105(3) of the Act.

(6) A complaint must also be dealt with under clauses 12 to 15 if the Inspector refers the complaint to the local government under the *Local Government (Local Government Inspector) Regulations 2025* regulation 6.

[Clause 11 amended: SL 2025/208 r. 43.]

12. Dealing with complaint

(1) After considering a complaint, the local government must, unless it dismisses the complaint under clause 13 or the complaint is withdrawn under clause 14(1), make a finding as to whether the alleged breach the subject of the complaint has occurred.

Note for this subclause:

See also clause 14A in relation to the appointment of a monitor to assist the local government to deal with matters raised by a complaint.

(2) Before making a finding in relation to the complaint, the local government must give the person to whom the complaint relates a reasonable opportunity to be heard.

(3) A finding that the alleged breach has occurred must be based on evidence from which it may be concluded that it is more likely that the breach occurred than that it did not occur.

(4) If the local government makes a finding that the alleged breach has occurred, the local government may —

(a) take no further action; or

(b) prepare and implement a plan to address the behaviour of the person to whom the complaint relates.

(5) When preparing a plan under subclause (4)(b), the local government must consult with the person to whom the complaint relates.

(6) A plan under subclause (4)(b) may include a requirement for the person to whom the complaint relates to do 1 or more of the following —

(a) engage in mediation;

(b) undertake counselling;

(c) undertake training;

(d) take other action the local government considers appropriate.

(7) If the local government makes a finding in relation to the complaint, the local government must give the complainant, and the person to whom the complaint relates, written notice of —

(a) its finding and the reasons for its finding; and

(b) if its finding is that the alleged breach has occurred — its decision under subclause (4).

[Clause 12 amended: SL 2025/208 r. 44.]

13. Dismissal of complaint

(1) The local government must dismiss a complaint if it is satisfied that —

(a) the behaviour to which the complaint relates occurred at a council or committee meeting; and

(b) either —

(i) the behaviour was dealt with by the person presiding at the meeting; or

(ii) the person responsible for the behaviour has taken remedial action in accordance with a local law of the local government that deals with meeting procedures.

(2) If the local government dismisses a complaint, the local government must give the complainant, and the person to whom the complaint relates, written notice of its decision and the reasons for its decision.

14. Withdrawal of complaint

(1) A complainant may withdraw their complaint at any time before the local government makes a finding in relation to the complaint.

(2) The withdrawal of a complaint must be —

(a) in writing; and

(b) given to a person authorised under clause 11(3).

14A. Appointment of monitor

(1) The Inspector may appoint a monitor for the local government to assist the local government to deal with matters raised by a complaint.

(2) If the Inspector appoints a monitor —

(a) the Inspector may direct the local government to defer further dealing with the complaint until the monitor reports to the Inspector on the outcome of the monitoring assignment; and

(b) the local government must comply with the direction.

[Clause 14A inserted: SL 2025/208 r. 45.]

14B. Performance of local government's functions under cl. 12 and 13

(1) The local government's functions under clauses 12 and 13 must be performed by the council.

(2) Despite subclause (1), the council may, by resolution carried with an absolute majority of the council, authorise a committee of the council comprising council members only to perform a function for and on behalf of the local government.

(3) Despite subclause (1), the council may, by resolution carried with an absolute majority of the council, authorise a person who is none of the following to perform a function for and on behalf of the local government —

(a) a member of the council of any local government;

(b) a member of the governing body of any regional subsidiary;

(c) an employee of any local government or regional subsidiary;

(d) an employee of WALGA or the Local Government Professionals Australia (WA);

(e) a member of the governing body of, or an employee of, a body corporate the activities of which are, wholly or partly, advocating or otherwise acting for, or on behalf of, 1 or more of the following —

(i) local governments;

(ii) members of councils;

(iii) employees of local governments.

(4) A resolution made under subclause (3) must include the following —

(a) a statement to the effect that the council is satisfied that the person being authorised is suitably qualified and experienced to perform the function;

(b) an explanation as to why the council is satisfied as referred to in paragraph (a);

(c) a statement to the effect that the council is satisfied that the person being authorised is impartial and has no close association with any member of the council or any employee of the local government.

(5) Nothing in this clause prevents an employee of the local government from providing, in relation to the performance of a function, any advice or other assistance to the council, a committee authorised under subclause (2) or a person authorised under subclause (3).

[Clause 14B inserted: SL 2025/208 r. 45.]

15. Other provisions about complaints

(1) A complaint about an alleged breach by a candidate cannot be dealt with by the local government unless the candidate has been elected as a council member.

(2) The procedure for dealing with complaints may be determined by the local government to the extent that it is not provided for in this Division.

(3) Clauses 14A and 14B do not apply in relation to a complaint made before 1 January 2026.

Note for this clause:

See also section 5.105(4) and (5) of the Act for restrictions on the activities of a person who makes a complaint or who is alleged to have breached a requirement set out in this Division.

[Clause 15 amended: SL 2025/208 r. 46.]

Division 4 — Rules of conduct

Notes for this Division:

1. Under section 8A.3(1) of the Act, a council member commits a conduct breach if the council member contravenes a rule of conduct. Section 8A.3(2) of the Act extends this to the contravention of a rule of conduct that occurred when the council member was a candidate.
2. A conduct breach is dealt with under Part 8A Division 5 of the Act.

[Notes inserted: SL 2025/208 r. 47.]

16. Overview of Division

(1) This Division sets out rules of conduct for council members and candidates.

(2) A reference in this Division to a council member includes a council member when acting as a committee member.

17. Misuse of local government resources

(1) In this clause —

electoral purpose means the purpose of persuading electors to vote in a particular way at an election, referendum or other poll held under the Act, the *Electoral Act 1907* or the *Commonwealth Electoral Act 1918*;

resources of a local government includes —

(a) local government property; and

(b) services provided, or paid for, by a local government.

(2) A council member must not, directly or indirectly, use the resources of a local government for an electoral purpose or other purpose unless authorised under the Act, or by the local government or the CEO, to use the resources for that purpose.

18. Securing personal advantage or disadvantaging others

(1) A council member must not make improper use of their office —

(a) to gain, directly or indirectly, an advantage for the council member or any other person; or

(b) to cause detriment to the local government or any other person.

(2) Subclause (1) does not apply to conduct that contravenes section 5.93 of the Act or *The Criminal Code* section 83.

19. Prohibition against involvement in administration

(1) A council member must not undertake a task that contributes to the administration of the local government unless authorised by the local government or the CEO to undertake that task.

(2) Subclause (1) does not apply to anything that a council member does as part of the deliberations at a council or committee meeting.

20. Relationship with local government employees

(1) In this clause —

local government employee means a person —

(a) employed by a local government under section 5.36(1) of the Act; or

(b) engaged by a local government under a contract for services.

(2) A council member or candidate must not —

(a) direct or attempt to direct a local government employee to do or not to do anything in their capacity as a local government employee; or

(b) attempt to influence, by means of a threat or the promise of a reward, the conduct of a local government employee in their capacity as a local government employee; or

(c) act in an abusive or threatening manner towards a local government employee.

(3) Subclause (2)(a) does not apply to anything that a council member does as part of the deliberations at a council or committee meeting.

(4) If a council member or candidate, in their capacity as a council member or candidate, is attending a council or committee meeting or other organised event (for example, a briefing or workshop), the council member or candidate must not orally, in writing or by any other means —

(a) make a statement that a local government employee is incompetent or dishonest; or

(b) use an offensive or objectionable expression when referring to a local government employee.

(5) Subclause (4)(a) does not apply to conduct that is unlawful under *The Criminal Code* Chapter XXXV.

21. Disclosure of information

(1) In this clause —

closed meeting —

(a) means a part of a council or committee meeting that is closed to members of the public under section 5.23(2), (3) or (4) of the Act; and

(b) includes a council or committee meeting held before 1 January 2026, or a part of a council or committee meeting

held before 1 January 2026, that was closed to members of the public under section 5.23(2) of the Act as in force before 1 January 2026;

confidential document means a document marked by the CEO, or by a person authorised by the CEO, to clearly show that the information in the document is not to be disclosed;

document includes a part of a document;

non-confidential document means a document that is not a confidential document.

(2) A council member must not disclose information that the council member —

(a) derived from a confidential document; or

(b) acquired at a closed meeting other than information derived from a non-confidential document.

(3) Subclause (2) does not prevent a council member from disclosing information —

(a) at a closed meeting; or

(b) to the extent specified by the council and subject to such other conditions as the council determines; or

(c) that is already in the public domain; or

(d) to an officer of the Department; or

(e) to the Minister; or

(f) to a legal practitioner for the purpose of obtaining legal advice; or

(g) if the disclosure is required or permitted by law.

[Clause 21 amended: SL 2025/208 r. 48.]

22. Disclosure of interests

(1) In this clause —

interest —

(a) means an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest; and

(b) includes an interest arising from kinship, friendship or membership of an association.

(2) A council member who has an interest in any matter to be discussed at a council or committee meeting attended by the council member must disclose the nature of the interest —

(a) in a written notice given to the CEO before the meeting; or

(b) at the meeting immediately before the matter is discussed.

(3) Subclause (2) does not apply to an interest referred to in section 5.60 of the Act.

(4) Subclause (2) does not apply if a council member fails to disclose an interest because the council member did not know —

(a) that they had an interest in the matter; or

(b) that the matter in which they had an interest would be discussed at the meeting and the council member disclosed the interest as soon as possible after the discussion began.

(5) If, under subclause (2)(a), a council member discloses an interest in a written notice given to the CEO before a meeting, then —

(a) before the meeting the CEO must cause the notice to be given to the person who is to preside at the meeting; and

(b) at the meeting the person presiding must bring the notice and its contents to the attention of the persons present immediately before any matter to which the disclosure relates is discussed.

(6) Subclause (7) applies in relation to an interest if —

(a) under subclause (2)(b) or (4)(b) the interest is disclosed at a meeting; or

(b) under subclause (5)(b) notice of the interest is brought to the attention of the persons present at a meeting.

(7) The nature of the interest must be recorded in the minutes of the meeting.

23. Compliance with plan requirement

If a plan under clause 12(4)(b) in relation to a council member includes a requirement referred to in clause 12(6), the council member must comply with the requirement.

Notes

This is a compilation of the *Local Government (Model Code of Conduct) Regulations 2021* and includes amendments made by other written laws. For provisions that have come into operation see the compilation table.

Compilation table

Citation	Published	Commencement
Local Government (Model Code of Conduct) Regulations 2021	SL 2021/15 2 Feb 2021	Pt. 1: 2 Feb 2021 (see r. 2(a)); Regulations other than Pt. 1: 3 Feb 2021 (see r. 2(b) and SL 2021/13 cl. 2)
Local Government Regulations Amendment (Local Government Amendment Act 2024) Regulations 2025 Pt. 6	SL 2025/208 17 Dec 2025	1 Jan 2026 (see r. 2(c))

Defined terms

[This is a list of terms defined and the provisions where they are defined. The list is not part of the law.]

Defined term	Provision(s)
Act	Sch. 1 cl. 2(1)
candidate	Sch. 1 cl. 2(1)
closed meeting	Sch. 1 cl. 21(1)
complaint	Sch. 1 cl. 2(1)
confidential document	Sch. 1 cl. 21(1)
document	Sch. 1 cl. 21(1)
electoral purpose	Sch. 1 cl. 17(1)
interest	Sch. 1 cl. 22(1)
local government employee	Sch. 1 cl. 20(1)
non-confidential document	Sch. 1 cl. 21(1)
publish	Sch. 1 cl. 2(1)
resources of a local government	Sch. 1 cl. 17(1)

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By Authority: ROGER JACOBS, Acting Government Printer

POLICY TYPE:	LEGISLATIVE	POLICY NO:	2
DATE ADOPTED:	18/07/2019	DATE LAST REVIEWED:	17/09/2020 16/09/2021 17/11/2022 20/11/2025
LEGAL (PARENT):	*Local Government Act 1995* *LG Financial Management Regulations 1996*	LEGAL (SUBSIDIARY):	
DELEGATION OF AUTHORITY APPLICABLE:		DELEGATION NO.	

ADOPTED POLICY	
TITLE:	Corporate Credit Card Policy
OBJECTIVE:	To: • Provide a clear framework to enable the use of corporate credit cards • Provide employees clear and concise guidelines outlining its use • Reduce the risk of fraud and misuse of the corporate credit card. • The application of this policy is to be in conjunction with the Shire of Wandering's Code of Conduct Policy and any legislative requirements of the Local Government Act 1995 that may be enforced.

DEFINITIONS

Cardholder means an employee who has been authorised by the Chief Executive Officer to incur expenditure by means of a corporate credit card.

Credit Card means a card facility approved for use in lieu of cash transactions, to incur expenditure for goods and services for the purposes of the Shire of Wandering business activities only in accordance with relevant Shire policies.

POLICY STATEMENT

The Shire of Wandering recognises the value of corporate credit cards and supports their use, within appropriate controls and limits.

The CEO is authorised to obtain a corporate credit card/s with a maximum monthly credit limit of $5000. This limit can only be adjusted with the express approval of the Council.

The Chief Executive Officer is the primary cardholder for the Shire and may authorise additional cardholders within the Shire's approved total credit limit.

Individual credit card limits are as approved by Council (in relation to the CEO) or the CEO (in relation to other employees, but within the limits determined by Council).

DETERMINING WHEN CREDIT CARD FACILITIES ARE APPROPRIATE

Credit Card facilities may be implemented and maintained where the card facility provides benefit to the Shire of Wandering operations by ensuring:

(a) Goods and services can be obtained in a timely and efficient manner to meet the business needs of the Shire;
(b) Financial management and accounting standards are met; and
(c) Purchasing and payment functions are secure, efficient and effective.

Credit card facility providers will only be acceptable where, in the opinion of the Chief Executive Officer, they:

(a) Provide appropriate and sufficient statement, administration and acquittal controls that enable the Shire to sufficiently administer the facility; and
(b) Provide the Shire with protection and indemnification from fraudulent unauthorised transactions.

MANAGEMENT OVERSIGHT

The Chief Executive Officer shall determine and implement systems and procedures that are adequate to ensure:

(a) Assessment and selection of credit card facilities suitable to the efficient and effective operations of the Shire;
(b) Authorisation and appointment of suitably eligible cardholders;
(c) Cardholder duties and responsibilities are documented; and
(d) Cardholders provided with training; and
(e) Monitoring and auditing of credit card activities is planned and reported.

REPORTING

The Chief Executive Officer will ensure that acquitted transaction statements for each credit card facility are provided to Council as part of the monthly financial reporting regime.

MISUSE, MISCONDUCT AND FRAUDULENT USE

(a) Any alleged misuse of credit cards will be investigated and may be subject to disciplinary procedures.
(b) Where there is reasonable suspicion of misconduct or fraudulent activity arising from credit card facilities the matter will be reported to the appropriate regulatory agency, subject to the requirements of the Public Sector Management Act 1994 and the Corruption, Crime and Misconduct Act 2003.

PRINCIPLES FOR USAGE – ALLOWABLE TRANSACTIONS

Credit card facilities may only be used where:

(a) The expenditure is directly arising from a Shire operational business activity for which there is an Annual Budget provision;
(b) The expenditure is in accordance with legislation, the Shire Purchasing Policy, Code of Conduct and any conditions or limitations applicable to the individual Cardholder.
(c) The procurement of the required goods or services is impractical or inefficient if undertaken via a purchase order or is not able to be obtained other than by a credit card;
(d) Supplier surcharges (fees) on transactions are minimised and only allowable where the alternative method of obtaining the supply (i.e. by purchase order) is more onerous, not cost effective or there is no alternative mode of supply.
(e) Hospitality expenditure may only occur when it is in accordance with any Shire Hospitality Policy or is undertaken with the express permission of the Chief Executive Officer.
(f) Official travel, accommodation and related expenses may only occur in accordance with Shire policies and procedures;
(g) A sufficient record of each transaction is obtained and retained in the local government record.

Allowable transaction modes include:

(a) In-person and over the counter retail purchases;
(b) Telephone or facsimile purchasing;
(c) Mail order purchasing and subscriptions;
(d) Internet purchasing

PROHIBITED TRANSACTIONS

The Shire prohibits the use of credit card facilities for:

(a) Cash advances;
(b) Incurring expenses which are personal or private (i.e. any expenditure which is not an approved local government activity);
(c) Making deposits onto the card, whether to offset misuse or otherwise;
(d) Incurring capital expenditure;

(e) Incurring expenditure for goods or services which are subject to a current supplier contract;
(f) Incurring expenses which are not in accordance with legislation, the Shire's Purchasing Policy, the Annual Budget and / or the conditions or limitations relevant to the individual cardholder;
(g) Expenses for which another credit card is the approved facility – e.g. a corporate credit card is not to be used for purchasing fuel or oil, as the fuel card is the approved facility for that purpose;
(h) Splitting expenditure to avoid compliance with the Purchasing Policy or to negate limits or conditions applicable to the Cardholder; and
(i) Incurring expenses for the primary purpose of obtaining personal advantage through the transaction (i.e. membership or loyalty rewards).

For clarity, council members are prohibited from using Shire credit cards as the Local Government Act 1995 does not provide authority for a council member to incur liabilities on behalf of the local government. The Act limits local governments to only paying council member allowances and reimbursing council member expenses.

CARDHOLDER DUTY OF CARE AND RESPONSIBLE USE OBLIGATIONS

A cardholder is required to:

(a) Keep the credit card and access information in a safe manner; protected from improper use or loss.
(b) Only use the credit card for allowable purposes and not for prohibited purposes.
(c) Obtain, create and retain local government records that evidence transactions.
(d) Acquit the reconciliation of credit card usage in the required format and within required timeframes. The onus is on the cardholder to provide enough detail for each transaction to avoid any potential perception that a transaction may be of a personal nature.
(e) Return the credit card to the Shire before termination of employment, inclusive of reconciliation records.
(f) Reimburse the Shire the full value of any unauthorised, prohibited or insufficiently reconciled expenditure. vii) Comply with all cardholder responsibilities as outlined by the card provider.

Benefits obtained through use of a credit card (i.e. membership or loyalty rewards) are the property of the Shire and may only be used for Shire business purposes. Such benefits must be relinquished by the cardholder to the Shire. Under no circumstances may such benefits be retained as a personal benefit.

TRANSACTION EVIDENCE

An adequate transaction record must include the following minimum information:

(a) Invoice and / or receipt that includes; the date, company name, address, ABN, amount and any GST amount included;
(b) Where an invoice and / or receipt cannot be obtained, the cardholder must provide a signed statement, detailing the nature of the expense and enough information to satisfy the requirements above.
(c) Approval of the expense above is to be referred to the Chief Executive Officer for a decision.
(d) Where a credit card is used to incur an expense for hospitality, the transaction record must include for the purposes of Fringe Benefits Tax calculations and probity
(e) The number of persons entertained; ii) the names of any employees in that number; and
(f) The purpose of providing the entertainment or hospitality

CARD RECONCILIATION PROCEDURES

(a) Card statement accounts will be issued to the relevant cardholder who will, within 7 days, acquit the transactions on the account.
(b) Transactions will be supported by a GST invoice stating the type of goods purchased, amount of goods purchased, and the price paid for the goods. The receipt shall meet the requirements of the Goods and Services Tax Act 1999 to enable a GST rebate to be applied.
(c) Transactions shall be accompanied by a job number for costing purposes.
(d) Should approval of expenses be refused by the Chief Executive Officer recovery of the expense shall be met by the cardholder.
(e) The cardholder shall sign and date the card statement with supporting documentation attached stating all expenditure is of a business nature

DISPUTED TRANSACTIONS

The Shire is responsible for paying all accounts on the monthly card statement and the bank processes a direct debit from Council's operating bank account for such.

When a Cardholder believes that charges are incorrect, they should first contact the supplier to determine the causes of the discrepancy and if necessary, the Finance Officer will notify the bank in writing.

Any amounts in dispute must be highlighted on the copy of the Cardholders statement and a copy of the written notification to the bank attached.

CANCELLED CARDS

Cancellation of a Card may be necessary where the:

(a) cardholder changes job function within the local government;
(b) cardholder terminates employment with local government;
(c) the employment of the Cardholder is terminated;
(d) card is no longer required;
(e) cardholder has not adhered to set procedures;
(f) misuse of the Card; or
(g) CEO determines it is appropriate to do so

REVIEW OF CARD USE

All receipts and documentation will be reviewed and any expenses that do not appear to represent fair and reasonable business expenses shall be referred to the Chief Executive Officer for a decision.

PROCEDURES FOR LOST, STOLEN AND DAMAGED CARDS

The cardholder must formally advise the CEO of the loss or theft without delay.

The loss or theft of a credit card must be reported to the card provider as a matter of priority.

Advice of a damaged card is to be provided to the CEO who will arrange a replacement.

CARDHOLDER AGREEMENT

The Cardholder Agreement is Shown at Attachment 1.

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

CONSEQUENCES OF NON-COMPLIANCE

Failure to comply with the Delegations, Policy or Executive Instructions may result in disciplinary action up to and including termination of employment.

ASSOCIATED DOCUMENTS

Shire of Wandering Code of Conduct Policy

Shire of Wandering Purchasing & Tender Policy

Shire of Wandering Risk Management Policy

Local Government Act 1995

Goods and Services Tax Act 1999

Use of Corporate Credit Cards (Department of Local Government Guideline No 11)

WA Auditor General's Report 7 - Controls Over Corporate Credit Cards May 2018

ATTACHMENT 1

CORPORATE CREDIT CARDHOLDER AGREEMENT

I (insert cardholder name) acknowledge and accept the conditions listed below which govern the use of the Shire of Wandering Corporate Credit Card:

CONDITIONS OF USE

- Ensure the corporate credit card is maintained in a secure manner and guarded against improper use.
- The corporate credit card is to be used only for Shire of Wandering official activities, there is no approval given for any private use whatsoever.
- All documentation regarding a corporate credit card transaction is to be retained by, or provided to, the cardholder and produced as part of the reconciliation procedure.
- Credit limits may only be exceeded under exceptional circumstances, and with the approval of the Shire President.
- The use of the credit card shall not be tied to any type of reward system that provides cardholders with any personal benefit or reward.
- Observe all cardholder responsibilities as outlined by the card provider.
- Purchases on the corporate credit card are to be made in accordance with Shire of Wandering's Purchasing Policy.
- Monthly reconciliation of credit card purchases is to be completed on the supplied template within seven (7) days of the date of the credit card statement being issued.
- Transactions will be supported by a GST invoice stating the type of goods purchased, amount of goods purchased and the price paid for the goods. The receipt shall meet the requirements of the Goods and Services Tax Act 1999 to enable a GST rebate to be applied.
- Transactions shall be accompanied by a succinct explanation of why the expense was incurred.
- Transactions shall be accompanied by an authorised purchase order.
- Should approval of expenses be denied by the Shire President, recovery of the expense shall be met by the cardholder.
- The cardholder shall sign and date the corporate credit card statement with supporting documentation attached stating 'all expenditure is of a business nature'.
- Lost or stolen cards shall be reported immediately to the card provider and Shire President.
- The corporate credit card is to be returned to the Shire President on or before the employee's termination date with a full acquittal of expenses.

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

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

Name:

Position:

Signed: _____

Date: _____

POLICY TYPE:	LEGISLATIVE	POLICY NO:	3
DATE ADOPTED:	18/07/2019	**DATE LAST REVIEWED:**	17/09/2020 16/09/2021 17/11/2022 20/11/2025
LEGAL (PARENT):	*Local Government Act 1995*	**LEGAL (SUBSIDIARY):**	Equal Opportunity Act 1984 Work Health and Safety Act (2020)
DELEGATION OF AUTHORITY APPLICABLE:		**DELEGATION NO.**	

ADOPTED POLICY	
TITLE:	Equal Opportunity, Harassment and Bullying
OBJECTIVE:	• To ensure that all persons employed or engaged by the Shire understand the commitment to equal employment opportunities. • To provide guidelines to ensure the principles of equal employment opportunity are adhered to.

POLICY STATEMENT

The Shire of Wandering Council recognises its legal obligations under the *Equal Opportunity Act 1984* (as amended) and will actively promote the principles of equity and diversity in the workplace. This means that the Shire aims to provide a work environment that fosters good working relationships where employees, contractors and volunteers are fairly and equally, and that unlawful discrimination does not take place.

The Shire aims to be respected for its commitment to equal opportunity as an employer and as a service provider to the community by adopting the following practices;

APPOINTMENTS, PROMOTION AND TRAINING

Access to employment, contracts, promotion, and training is to be fair and equitable. Decisions on matters affecting (prospective and current) employees, contractors and volunteers will be made on merit and are based on relevant experience, skills and ability required for the role.

No decisions will be made on the basis of nepotism or patronage.

DIVERSITY

The Shire recognises, values, and respects social, cultural and linguistic diversity. Where it can reasonably be achieved, assistance will be provided to employees and volunteers with special needs in order to assist them in undertaking their roles effectively.

DISCRIMINATION AND HARASSMENT FREE ENVIRONMENT

The Shire promotes an environment where people can work effectively without the fear of unlawful discrimination or harassment. Discrimination is treating one person less favourably than another because of a personal attribute which is covered by equal opportunity laws, and includes gender, marital status, pregnancy, family responsibilities or status, race, religious and/or political conviction, impairment, age, gender history, and sexual orientation.

Discrimination is unlawful. Harassment is also not tolerated. Harassment includes any unwelcome behaviour that offends, humiliates or intimidates a person. Generally, unlawful harassment occurs when someone is subjected to prohibited behaviour under anti-discrimination legislation. Harassment can involve physical conduct, verbal conduct or visual conduct (e.g. in the form of posters, email, or SMS messages).

The Shire aims to provide an enjoyable, challenging, and harmonious work environment. Workplace bullying is one activity that detracts from this environment. It can create a risk to health and safety and will not be tolerated.'. Workplace Bullying can be defined as unsolicited or unwelcome 'repeated, unreasonable, or inappropriate behaviour directed towards a worker or group of workers, that creates risk to health and safety.

RESPONSIBILITIES

All employees, volunteers and contractors have a shared responsibility to apply and promote the equal opportunity principles.

GRIEVANCES

Grievances in relation to discrimination, harassment, and bullying will be dealt with fairly, quickly and confidentially by the Equal Opportunity Coordinator in accordance with grievance procedures.

The Equal Opportunity Coordinator will receive appropriate training to undertake this role. The Chief Executive Officer is the Equal Opportunity Coordinator for the Shire of Wandering.

REPORTING

Every allegation of discrimination, harassment and bullying made against an employee will be investigated by the Shire of Wandering. If after the investigation it is found that an employee has breached this policy then appropriate disciplinary action will be taken up to and including dismissal. Prior to lodging a complaint an employee may seek the support of an appropriate person to talk through the situation. An appropriate person could be internal to Shire of Wandering such as a Supervisor or external to Shire of Wandering such as the Shire's counselling service through LGIS.

At any stage in the process an employee may choose to make a complaint external to the Shire of Wandering and can lodge a complaint with the Equal Opportunity Commission, Australian Human Rights Commission, WorkSafe and/or the Fair Work Commission.

Complaints regarding Elected Members will be dealt with in accordance with the *Local Government Act 1995* and the *Local Government (Rules of Conduct) Regulations 2007*.

BREACHES

A person will be deemed to be in breach of this Policy when they:

(a) Display any behaviour or series of behaviours (directly or indirectly) that unfairly or unreasonably offends, humiliates, belittles, undermines, frightens, excludes without justification or embarrasses anyone it is directed at or anyone who sees or overhears it; and
(b) Exhibits behaviour of a sexual nature which is unwanted and unwelcome, may be regarded as offensive, and or place the victim in a vulnerable position or make them feel that they may be disadvantaged if they object to the advances; and
(c) Show any form of behaviour or series of behaviours which may constitute any form of discrimination.

This policy does not address -

(a) Mutually agreed personal relationships / friendships.
(b) Reasonable and appropriate performance management processes which are intended to manage an employee's poor performance.
(c) Enforcement of lawful instructions issued by any person authorised.

CONSEQUENCES

Engaging in harassing, discriminating or bullying conduct in the workplace constitutes a breach of this policy, the Code of Conduct and the Act, and may result in disciplinary action up to and including termination being taken against the offending employee or contractor.

Victimisation by an employee or a Council member against a complainant or person supporting the complainant in alleged misconduct of harassment, discrimination or bullying may also result in disciplinary action being taken against that person, including termination of employment.

Breaches which constitute a criminal offence will be reported to the Police.

POLICY TYPE:	LEGISLATIVE	POLICY NO:	4
DATE ADOPTED:	18/07/2019	DATE LAST REVIEWED:	17/09/2020 16/09/2021 16/02/2023

LEGAL (PARENT):	*Disability Discrimination Act 1992* *Disability Services Act 1993* *WA Equal Opportunity Act* 1984 *Commonwealth Disability Discrimination Act 1992*	LEGAL (SUBSIDIARY):	

DELEGATION OF AUTHORITY APPLICABLE:	DELEGATION NO.

ADOPTED POLICY	
TITLE:	Access and Inclusion
OBJECTIVE:	• To meet the requirements of the Disability Discrimination Act 1992 and Disability Services Act 1993 and to state the Shire of Wandering's position regarding providing an accessible, inclusive community for everyone

POLICY STATEMENT

PRINCIPLES

The Shire of Wandering is committed to ensuring that the community is accessible for all community member, their families and carers.

The Shire of Wandering interprets an accessible and inclusive community as one in which all Council functions, facilities and services (both in-house and contracted) are open, available and accessible to everyone.

The Shire of Wandering:

(a) Recognises that all residents are valued members of the community who make a variety of contributions to local social, economic and cultural life;
(b) Believes that a community that recognises its diversity and supports the participation and inclusion of all its members makes for a richer community life;
(c) Believes that all residents, , their families and carers should be supported to remain in the community;
(d) Is committed to consulting with all residents, their families and carers and relevant organisations and service providers in addressing barriers to access and inclusion;
(e) Will ensure its agents and contractors work towards the desired outcomes in the Access and Inclusion Plan (AIP);
(f) Is committed to supporting local community groups and businesses to provide access and inclusion for everyone; and
(g) Is committed to achieving the eight desired outcomes of its AIP.

OUTCOMES

All residents:

(a) Have the same opportunities to access the services of, and any events organised by, the Shire of Wandering.
(b) Have the same opportunities to access the buildings and other facilities of the Shire of Wandering.
(c) Receive information from the Shire of Wandering in a format that will enable them to access the information
(d) Receive the same level and quality of service from the employees of the Shire of Wandering.
(e) Have the same opportunities to make complaints to the Shire of Wandering.
(f) Have the same opportunities to participate in any public consultation by the Shire of Wandering.
(g) Have the same opportunities regarding employment practices (recruitment and retention) with the Shire of Wandering.

ASSOCIATED DOCUMENTS

Disability Discrimination Act 1992

Disability Services Act 1993

Equal Opportunity Act 1984.

Shire of Wandering Access and Inclusion Plan

Commonwealth Disability Discrimination Act 1992

POLICY TYPE:	LEGISLATIVE	POLICY NO:	5
DATE ADOPTED:	18/07/2019	**DATE LAST REVIEWED:**	17/09/2020 16/09/2021 16/02/2023
LEGAL (PARENT):	*Local Government Act 1995*	**LEGAL (SUBSIDIARY):**	S7A and 7B Salaries and Allowances Act 1975 (determination April 2018)
DELEGATION OF AUTHORITY APPLICABLE:	Yes	**DELEGATION NO.**	20

ADOPTED POLICY	
TITLE:	Council Member Entitlements
OBJECTIVE:	• To outline the support that will be provided to council members through the payment of allowances, reimbursement of expenses incurred, insurance cover and supplies provided in accordance with the Local Government Act 1995 while performing the official duties of office.

POLICY STATEMENT

The Shire of Wandering has determined the following principles in relation to allowances and support of council members.

ALLOWANCES (as described in Legislation)

PRESIDENT'S ALLOWANCE [Local Government Act 1995 s.5.98(5) and Local Government (Administration) Regulations 1996 Reg. 33(5) and 33(1)(b)]

The President shall be entitled to an annual local government allowance equivalent to 30% of the maximum amount permitted to be paid to the President as determined by the Salaries and Allowances Tribunal.

DEPUTY PRESIDENT'S ALLOWANCE [Local Government Act 1995 s.5.98A and Local Government (Administration) Regulations 1996 Reg.33A]

The Deputy President shall be entitled to an annual local government allowance equivalent to the minimum President's Allowance.

MEETING ATTENDANCE ALLOWANCE [Local Government Act 1995 s.5.98(1)(b) and Local Government (Administration) Regulations 1996 Reg.33(3) and 34(1)(b) and 34. (2)(b)]

The President and Council members shall be entitled to an annual meeting attendance allowance equal to the minimum amount permitted to be paid as determined by the Salaries and Allowances Tribunal.

TELECOMMUNICATIONS ALLOWANCE [Local Government Act 1995 s.5.99A and Local Government (Administration) Regulations 1996 Reg.34A]

Council members shall be entitled to an annual telecommunications allowance equal to 35% of the maximum amount permitted to be paid as determined by the Salaries and Allowances Tribunal to cover all information and communications technology costs that are a kind of expense for which Council members may be reimbursed as prescribed by Regulations 31(1)(a) and 32(1) of the Local Government (Administration) Regulations 1996.

SUPERANNUATION ENTITLEMENTS

Superannuation entitlements will be a Council Decision if these changes come into effect (Absolute Majority)

EXPENSES

REIMBURSABLE EXPENSES Local Government Act 1995 s.5.98(2), (3) and (4) and Local Government (Administration) Regulations 1996 Regs 31 and 32

TRAVELLING EXPENSES

Council members shall be entitled to reimbursement of travelling expenses incurred while using their own private motor vehicle in the performance of the official duties of their office, subject to claims being related to travel to a destination from their normal place of residence or work and return in respect to the following:

(a) Council Meetings, Civic functions, Citizenship Ceremonies or briefings called by either Council, the President or the Chief Executive Officer;
(b) Committees to which the Council member is appointed a delegate or deputy by Council.
(c) Any other occasion in the performance of an act under the express authority of Council. All claims for reimbursement should be lodged with the Shire, on the appropriate claim form by no later than 60 days from the end of the month to which the claim relates. In submitting claims for reimbursement Council members shall detail the:

- Date of the claim
- Particulars of travel
- Nature of business
- Distance travelled
- Vehicle displacement and the total kilometres travelled.

Council members are required to certify the accuracy of the information they provide with their claim forms and all claims must be accompanied by supporting documentation such as invitations or approvals where applicable. The rate of reimbursement being as prescribed by the *Local Government Officers' (Western Australia) Interim Award 2011.*

PARKING FEES

Parking fees incurred as a result of travel to any occasion referred to in "Travelling Expenses" of this policy shall be reimbursed upon lodgement of receipts accompanying the associated travel claim form. The cost of "valet" parking, however, will not be reimbursed.

CHILD CARE COSTS [Local Government Act 1995 s.5.98(2) and (3) and Local Government (Administration)

Regulations 1996 Reg.31(1), (2) and (3) and 32]

Council members shall be entitled to reimbursement of the lesser amount of actual child care costs or the amount prescribed by the Salaries and Allowances Tribunal for care of children, of which they are parent or legal guardian, whilst attending a Council meeting or a meeting of a committee of which he or she is a member.

OTHER

OTHER SUPPORT / SUPPLIES

Council members are entitled to be supplied with the following items to be used only in fulfilling the role of the office of Council member:

(a) Annual Diary - will be supplied to each Council member at the commencement of each calendar year. Note: Council members should note that any diary used by a Council member to record the scheduling or occurrence of activities related to the fulfilment of the office of Council member are subject to the State Records Act 2000 and the Freedom of Information Act 1992.

- Name badges:
- Council member's partner name badge.
- The Shire will, within reason, replace on request any name badge which is lost or irreparably damaged

INSURANCE

The Shire will insure or provide insurance cover for Council members for:

(a) Personal accident whilst engaged in the performance of the official duties of their office, however, the cover does not include medical expenses that are covered by Medicare, workers compensation, transport accident legislation or private health insurance.
(b) Professional indemnity for matters arising out of the performance of the official duties of their office provided the performance or exercise of the official duty is in the opinion of Council, not illegal, dishonest, against the interests of the Shire or otherwise in bad faith.
(c) Public liability for matters arising out of the performance of the official duties of their office but subject to any limitations set out in the policy of insurance.

POLICY TYPE:	LEGISLATIVE	POLICY NO:	6
DATE ADOPTED:	18/07/2019	DATE LAST REVIEWED:	17/09/2020 16/09/2021 18/05/2023
LEGAL (PARENT):	*Local Government Act 1995*	LEGAL (SUBSIDIARY):	
DELEGATION OF AUTHORITY APPLICABLE:	Yes	DELEGATION NO.	06

ADOPTED POLICY	
TITLE:	Council Member Recognition
OBJECTIVE:	To establish a guide for recognition of outgoing Council Members so as to avoid the necessity to refer every instance to the Department of Local Government, Sport and Cultural Industries for determination.

DEFINITIONS

"Policy" means this Shire of Wandering Policy.

"Council Members" means includes all Councillors.

"Retiring" means not being re-elected or standing down from public office.

POLICY STATEMENT

An appropriate gift, not cash, costing up to $150 may be purchased for retiring Council Members who have completed a four year term, or up to $300 if they have completed two or more four year terms on Council, along with a framed Certificate of Service. These are to be presented at the end of year Councillor dinner.

POLICY TYPE:	LEGISLATIVE	POLICY NO:	7
DATE ADOPTED:	18/07/2019	DATE LAST REVIEWED:	17/09/2020 16/09/2021 16/03/2023 19/03/2026
LEGAL (PARENT):	*Local Government Act 1995*	LEGAL (SUBSIDIARY):	
DELEGATION OF AUTHORITY APPLICABLE:		DELEGATION NO.	

ADOPTED POLICY	
TITLE:	Employee Gratuities and Gifts
OBJECTIVE:	• To allow for the recognition of employees whose employment with the Shire is ending, based on the length of their service to the Shire. This recognition may be awarded in addition to their entitlements under an Award, Workplace Agreement or Contract of Employment upon voluntarily ceasing their employment with the Shire.

DEFINITIONS

"Continuous service" does not include any period of unauthorised absence from duty, or any period of unpaid leave (unless CEO determines otherwise).

POLICY STATEMENT

GRATUITY PAYMENTS AND GIFTS TO EMPLOYEES ON RESIGNATION OR RETIREMENT

RESIGNING AND RETIRING – GIFT AND FUNCTION

As a token of appreciation, the Shire will present resigning employees with a gratuity payment or a gift voucher. Gifts should be to the maximum amount of $650, as follows for full time staff and on a pro rata basis for part time staff:

Completed Years of Continuous Service	Gift to the Maximum Value of	Calculated Gratuity Payment
5 - 10	$100 plus $25 per further completed year of service	5 yrs - $100 6 yrs - $125 7 yrs - $150 8 yrs - $175 9 yrs - $200
11 - 15	$250 plus $25 per further completed year of service	10 yrs - $250 11 yrs - $275 12 yrs - $300 13 yrs - $325 14 yrs - $350 15 yrs - $375
16 - 25	$400 plus $50 per further completed year of service	16 yrs - $400 17 yrs - $450 18 yrs - $500 19 yrs - $550 20 yrs - $600 21 yrs - $650

PROCEDURES

Gratuity payments must be preferably incorporated into the final pay for employees who resign or retire, with the amount clearly specified.

All gifts should take the form of a Gift Voucher taking the employee's preference into account. A card will be circulated for employee to sign, and collections from employees are not encouraged.

In addition, the CEO may organise the provision of an appropriate farewell function.

This token of appreciation will not be available to employees whose employment has been terminated as a result of unsatisfactory performance or misconduct.

PAYMENTS IN EXCESS OF POLICY

Council may resolve to make a payment to a terminating employee which is more than the amount set out in this policy. If such a decision is made, local public notice must be given, in accordance with s5.50 (2) of the Local Government Act 1995.

POLICY TYPE:	LEGISLATIVE	POLICY NO:	10
DATE ADOPTED:	18/07/2019	DATE LAST REVIEWED:	17/09/2020 16/09/2021 20/10/2022 30/10/2025
LEGAL (PARENT):	*Local Government Act 1995*	LEGAL (SUBSIDIARY):	
DELEGATION OF AUTHORITY APPLICABLE:	Yes	DELEGATION NO.	14

ADOPTED POLICY	
TITLE:	Investments and Borrowings
OBJECTIVE:	• To adopt a prudent approach to investments, in full compliance with all statutory requirements.

POLICY STATEMENT

1. CONSIDERATION

While exercising the power to invest, consideration is to be given in preservation of capital, liquidity, and the return of investment.

(a) 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.
(b) The investment portfolio will 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 investment.
(c) The investment is expected to achieve a predetermined market average rate of return that considers the Council's risk tolerance. Any additional return target set by Council will also consider the risk limitation and prudent investment principles.

2. APPROVED INVESTMENTS

With approvals from Council, investments are limited to:

(a) State/Commonwealth Government Bonds with a term of maturity not exceeding three years;
(b) Fixed term deposits placed with an authorised institution for a term not exceeding 12 months;
(c) Interest bearing deposits placed with an authorised institution.

3. PROHIBITED INVESTMENTS

This Policy prohibits any investment carried out for speculative purposes including the following:

(a) Derivative based instruments;
(b) Principle only investments or securities that provide potentially nil or negative cash flow;
(c) Stand-alone securities issued that have underlying futures, options, forward contracts and swaps of any kind.
(d) The use of leverage (borrowing to invest) of any investment.
(e) Deposits with any institution other than an authorised institution.
(f) Deposits for a fixed term of more than 12 months.
(g) Investment in bonds that are not guaranteed by the Commonwealth Government, or a State or Territory Government.
(h) Investment in bonds with a term of maturity of more than three years.
(i) Investment in a foreign currency.

4. INVESTMENT RISK MANAGEMENT

Investments obtained are to comply with the following three criteria:

4.1 OVERALL PORTFOLIO LIMITS

To control the credit quality on the entire portfolio, the following credit framework limits the percentage of the portfolio exposed to any credit rating category:

S&P LONG TERM RATING	S&P SHORT-TERM RATING	DIRECT INVESTMENT MAXIMUM
AAA	A-1+	100%
AA	A-1	100%
A	A-2	100%

4.2 COUNTERPARTY CREDIT FRAMEWORK

The Shire of Wandering will invest funds with authorised financial institutions that provide a service to the local community by establishing branches or agencies in the Shire of Wandering. Such institutions must maintain a minimum Standard and Poors rating of A for short term investments.

4.3 TERM TO MATURITY FRAMEWORK

OVERALL PORTFOLIO TERM TO MATURITY LIMITS	
Portfolio % < 1 Year	100% maximum, 40% minimum
Portfolio % 1-3 Years	60%

4.4 PERFORMANCE MANAGEMENT

Performance benchmarks will be as follows:

INVESTMENT	PERFORMANCE BENCHMARK
Cash	Cash Rate
Enhanced/Direct investments	UBSWA Bank Bill Rate
Diversified Funds	CPI + appropriate margin over rolling 3 year periods (depending on composition of fund)

4.5 REPORT AND REVIEW COMPLIANCE REQUIREMENTS

(a) A monthly report will be provided to Council in support of the monthly Statement of Financial Activity. The report will detail the investment portfolio in terms of performance, percentage exposure of total portfolio and maturity date.

(b) Documentary evidence must be held for each investment and details thereof maintained in the Investment Register.

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

6. BORROWING (Excluding Overdraft Facilities)

The Shire of Wandering will exercise its borrowing power in a financially responsible and prudent way to promote equity amongst current and future ratepayers.

In general, the Shire will not borrow to fund operating expenditure.

The Council will consider its forecast borrowing requirements as part of its:

(a) The Shire 's long term financial plan,

(b) The adoption of the annual budget.

POLICY TYPE:	LEGISLATIVE	POLICY NO:	12
DATE ADOPTED:	18/07/2019	DATE LAST REVIEWED:	15/08/2019 - 21/05/2020 17/09/2020 - 16/09/2021 17/08/2023
LEGAL (PARENT):	*Local Government Act 1995*	LEGAL (SUBSIDIARY):	*Local Government (Functions and General) Regulations 1996 r11A(1)*
DELEGATION OF AUTHORITY APPLICABLE:	Yes	DELEGATION NO.	9, 10, 13, 17 & 19

ADOPTED POLICY	
TITLE:	Purchasing and Tenders
OBJECTIVE:	• The objective of this purchasing policy is to ensure that goods and services are supplied to Council in the most efficient and effective way, ensuring value for money, good management practices and support local businesses; and • To provide compliance with the Local Government Act, 1995 and the Local Government (Functions and General) Regulations, 1996.

POLICY STATEMENT

The Shire of Wandering is committed to efficient, effective, economical and sustainable procedures in all purchasing activities.

This Policy:

(a) Provides the Shire of Wandering with a more effective way of purchasing goods and services.
(b) Ensures that purchasing transactions are carried out in a fair and equitable manner.
(c) Strengthens integrity and confidence in the purchasing system.
(d) Ensures that the Shire of Wandering receives value for money in its purchasing.
(e) Ensures that the Shire of Wandering considers the environmental impact of the procurement process across the life cycle of goods and services.
(f) Ensures the Shire of Wandering is compliant with all regulatory obligations.
(g) Promotes effective governance and definition of roles and responsibilities.
(h) Upholds respect from the public and industry for the Shire of Wandering's purchasing practices that withstand probity.

1. ETHICS & INTEGRITY

All employees of the Shire of Wandering shall observe the highest standards of ethics and integrity in undertaking purchasing activity and act in an honest and professional manner that supports the standing of the Shire of Wandering.

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

(a) Full accountability shall be taken for all purchasing decisions and the efficient, effective and proper expenditure of public monies based on achieving value for money;
(b) All purchasing practices shall comply with relevant legislation, regulations, and requirements consistent with the Shire of Wandering policies and code of conduct;
(c) Purchasing is to be undertaken on a competitive basis in which all potential suppliers are treated impartially, honestly and consistently;
(d) All processes, evaluations and decisions shall be transparent, free from bias and fully documented in accordance with applicable policies and audit requirements;
(e) Any actual or perceived conflicts of interest are to be identified, disclosed and appropriately managed and
(f) Any information provided to the Shire of Wandering by a supplier shall be treated as commercial in confidence and should not be released unless authorised by the supplier or relevant legislation.

2. VALUE FOR MONEY

Value for money is an overarching principle governing purchasing that allows the best possible outcome to be achieved for the Shire of Wandering.

It is important to note that compliance with the specification is more important than obtaining the lowest price particularly taking into account user requirements, quality standards quality standards, sustainability, life cycle costing, and service benchmarks.

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

(a) All relevant whole of life costs life costs and benefits whole of life cycle costs (for goods) and whole of contract life costs (for services) including transaction costs associated with acquisition, delivery, distribution, as well as other costs such as but not limited to holding costs, consumables, deployment, maintenance and disposal.

(b) 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;

(c) Financial viability and capacity to supply without risk of default. (Competency of the prospective suppliers in terms of managerial and technical capabilities and compliance history);

(d) A strong element of competition in the allocation of orders or the awarding of contracts. This is achieved by obtaining enough competitive quotations wherever practicable. Where a higher priced conforming offer is recommended, there should be clear and demonstrable benefits over and above the lowest total priced, conforming offer.

3. PURCHASING THRESHOLDS

Council has resolved that the following limits and arrangements apply:

Amount of Purchase	Number of Quotations required
Up to $ $5,000	Preference for one quote to be obtained
$5,001 - $20,000	Two verbal or written quotations
$20,001 - $50,000	Two written quotations.
$50,001 - $249,999	Three written quotations containing price and specification of goods and services. Quotations must be received in writing and offers made in writing, and all quotations and offers must be recorded in the Shire's Central Records System.
Above $250,000	All purchases exceeding $250,000 should be by public tender unless a legislated tender exemption applies.

NOTE: To reduce the number of quotations for items up to value of $49,999, refer to item "Sole Source of Supply" criteria.

Where it is considered beneficial, tenders may be called in lieu of seeking quotations for purchases under the $250,000 threshold (excluding GST). If a decision is made to seek public tenders for contracts of less than $250,000 all the procedures for tendering outlined in this policy must be followed in full.

NOTE: The general principles relating to written quotations are;

(a) An appropriately detailed specification should communicate requirement(s) in a clear, concise and logical fashion.

(b) The request for written quotation should include as a minimum:

- Written Specification
- Selection Criteria to be applied
- Price Schedule
- Conditions of responding
- Validity period of offer
- Shire of Wandering OSH requirements for Contractors

(c) Invitations to quote should be issued simultaneously to ensure that all parties receive an equal opportunity to respond.

(d) Offer to all prospective suppliers at the same time any new information that is likely to change the requirements.

(e) Responses should be assessed for compliance, then against the selection criteria, and then value for money and all evaluations documented.
(f) Respondents should be advised in writing as soon as possible after the final determination is made and approved.

4. REGULATORY COMPLIANCE

4.1 TENDER EXEMPTION

In the following instances public tenders or quotation procedures are not required (regardless of the value of expenditure):

(a) An emergency situation as defined by the Local Government Act 1995;
(b) The purchase is under a contract of WALGA (Preferred Supplier Arrangements), Department of Treasury and Finance (permitted Common Use Arrangements), Regional Council, or another Local Government;
(c) The purchase is under auction which has been authorised by Council;
(d) The contract is for petrol, oil, or other liquid or gas used for internal combustion engines;
(e) Any of the other exclusions under Regulation 11 of the Functions and General Regulations apply.

4.2 SOLE SOURCE OF SUPPLY (MONOPOLY SUPPLIERS)

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 if there must genuinely be only one source of supply.

Every endeavour to find alternative sources must be made. Written confirmation of this must be kept on file for later audit. Once determined, the justification must be endorsed by the Chief Executive Officer, prior to a contract being entered into.

NOTE: The application of provision "sole source of supply" should only occur in limited cases and procurement experience indicates that generally more than one supplier is able to provide the requirements.

4.3 ANTI AVOIDANCE

The Shire will not conduct multiple purchasing activities with the intent of 'splitting' the purchase value or contract value, so that the effect is to avoid a particular purchasing threshold or the need to call a Public Tender.

5. ADVERTISING TENDERS

Tenders are to be advertised in a state-wide publication e.g. "The West Australian" newspaper. There is no requirement to advertise E-quotes in a newspaper. The tender must remain open for at least 14 days as a minimum.

The notice request must include:

(a) A brief description of the goods or services required;
(b) Information as to where and how tenders may be submitted;
(c) The date and time after which tenders cannot be submitted;
(d) Particulars identifying a person from who more detailed information as to tendering may be obtained;
(e) Detailed information shall include;

- Such information as the Shire of Wandering decides should be disclosed to those interested in submitting a tender;
- Detailed specifications of the goods or services required;
- The criteria for deciding which tender should be accepted;
- Whether or not the Shire of Wandering has decided to submit a tender; and
- Tenders cannot be submitted by facsimile or other electronic means, as confidentiality cannot be guaranteed by these processes.

6. TENDER DEADLINE

A tender that is not received in full in the required format by the advertised Tender Deadline shall be rejected.

7. OPENING OF TENDERS

No tenders are to be removed from the tender box or opened (read or evaluated) prior to the Tender Deadline.

Tenders are to be opened in the presence of the Chief Executive Officer's delegated nominee and preferably at least one other Shire employee. The details of all tenders received and opened shall be recorded in the Tenders Register.

Tenders are to be opened in accordance with the advertised time and place. There is no obligation to disclose or record tendered prices at the tender opening, and price information should be regarded as commercial-in confidence to the Shire of Wandering. Members of the public are entitled to be present.

8. TENDER EVALUATION

Tenders that have not been rejected shall be assessed by the Shire of Wandering by means of a written evaluation against the pre-determined criteria.

The tender evaluation panel shall assess each tender that has not been rejected to determine which tender is most advantageous.

Each tenderer will be advised of the particulars of the successful tender

9. ADDENDUM TO TENDER

If, after the tender has been publicly advertised, any changes, variations or adjustments to the tender document and/or the conditions of tender are required, the Shire of Wandering may vary the initial information by taking reasonable steps to give each person who has sought copies of the tender documents notice of the variation.

10. MINOR VARIATION

If after the tender has been publicly advertised and a successful tenderer has been chosen but before the Shire of Wandering and tenderer have entered into a Contract, a minor variation may be made by the Shire of Wandering. A minor variation will not alter the nature of the goods and/or services procured, nor will it materially alter the specification or structure provided for by the initial tender.

11. RECORDS MANAGEMENT

Record retention shall be in accordance with the requirements of the State Records Act, and the Shire of Wandering's internal records management policy.

12. BUY LOCAL

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

(a) Where appropriate, consider buying practices, procedures and specifications that do not unfairly disadvantage local businesses;
(b) Consider indirect benefits that have flow on benefits for local suppliers (i.e. servicing and support);
(c) Ensure that procurement plans address local business capability and local content;
(d) 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;
(e) Avoid bias in the design and specifications for Requests for Quotation and Tenders – all Requests must be structured to encourage local businesses to bid; and
(f) Provide adequate and consistent information to local suppliers.

13. 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 of Wandering's achievement of its strategic and operational objectives.

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

14. PURCHASING FROM WA ABORIGINAL BUSINESSES

A business registered in the current Aboriginal Business Directory WA produced by the Chamber of Commerce and Industry of Western Australia Limited may be contracted directly without the need to comply with the Threshold and Purchasing Practices requirements of this Policy, only where:

(a) The contract value is worth $250,000 or less, and
(b) A best and sustainable value assessment demonstrates benefits for the Shire of Wandering's achievement of its strategic and operational objectives.

A qualitative weighting will 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.

15. PURCHASING FROM ENVIRONMENTALLY SUSTAINABLE BUSINESSES

The Shire of Wandering will support the purchasing of recycled and environmentally sustainable products whenever a value for money assessment demonstrates benefits for the Shire of Wandering's achievement of its strategic and operational objectives.

A qualitative weighting will be used in the evaluation of quotes and tenders to provide advantages to suppliers which:

(a) Demonstrate policies and practices that have been implemented by the business as part of its operations;
(b) Generate less waste material by reviewing how supplies, materials and equipment are manufactured, purchased, packaged, delivered, used, and disposed; and
(c) Encourage waste prevention, recycling, market development and use of recycled/recyclable materials

POLICY TYPE:	LEGISLATIVE	POLICY NO:	13
DATE ADOPTED:	18/07/2019	DATE LAST REVIEWED:	17/09/2020 16/09/2021 18/05/2023
LEGAL (PARENT):	*Local Government Act 1995*	LEGAL (SUBSIDIARY):	
DELEGATION OF AUTHORITY APPLICABLE:	Yes	DELEGATION NO.	15 & 16

ADOPTED POLICY	
TITLE:	Legal Representation – Council Members and Employees
OBJECTIVE:	• To describe the arrangements for legal representation for council members and employees

DEFINITIONS

Approved Lawyer is to be –

(a) A 'certified practitioner' under the Professions Act 2008;
(b) From a law firm on the WALGA's panel of legal service providers, if relevant, unless Council considers that this is not appropriate – for example where there is or may be a conflict of interest or insufficient expertise; and
(c) Approved in writing by Council or the CEO under delegated authority.

Council member or employee – means a current or former Commissioner, council member, non-elected member of a council committee or employee of the Shire.

Legal proceedings – may be civil, criminal or investigative.

Legal representation – is the provision of legal services, to or on behalf of a council member or employee, by an approved lawyer that are in respect of:(a) A matter or matters arising from the performance of the functions of the council member or employee; and

(d) Legal proceedings involving the council member or employee that have been, or may be, commenced.

Legal representation costs – are the costs, including fees and disbursements, properly incurred in providing legal representation.

Legal services – includes advice, representation or documentation that is provided by an approved lawyer.

Payments – by the Shire of legal representation costs may be either by –

(a) A direct payment to the approved lawyer (or the relevant firm); or
(b) A reimbursement to the council member or employee.

POLICY STATEMENT

1. PAYMENT CRITERIA

There are four (4) major criteria for determining whether the Shire will pay the legal representation costs of a council member or employee. These are:

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

2. EXAMPLES OF LEGAL REPRESENTATION

Examples of legal representation costs that may be approved are:

(a) If the criteria in clause 1 of this policy are satisfied, the Shire may approve the payment of legal representation costs:

- Where proceedings are brought against a council member or employee in connection with his or her functions – for example, an action for defamation or negligence arising out of a decision made or action taken by the council member or employee
- To enable proceedings to be commenced and/or maintained by council member or employee to permit him or her to carry out his or her functions – for example where a council member or employee seeks to take action to obtain a restraining order against a person using threatening behaviour to the council member or employee; or
- Where exceptional circumstances are involved – for example, where a person or organisation is lessening the confidence of the community in the local government by publicly making adverse personal comments about a council members or employees.

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

3. APPLICATION FOR PAYMENT

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

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

(a) The matter for which legal representation is sought;
(b) How the matter relates to the functions of the council member or employee making the application;
(c) The lawyer (or law firm) who is to be asked to provide the legal representation;
(d) The nature of legal representation to be sought (such as advice, representation in court, preparation of documents etc);
(e) An estimated cost of the legal representation; and
(f) Why it is in the interest of the shire for payment to be made.

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

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

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

(a) Has read and understand, the terms or this policy;
(b) Acknowledges that any approval of legal representation costs is conditional on the repayment provisions of clause 7 and any other conditions to which the approval is subject; and
(c) Undertakes to repay the shire any legal representation costs in accordance with the provisions of this Policy.

In relation to clause 3 when a person is to be in receipt of monies under this Policy, the person shall sign a document which requires repayment of that money to the local government as may be required by the local government and the terms of the policy.

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

4. LEGAL REPRESENTATION COSTS - LIMIT

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

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

5. COUNCIL'S POWERS

Council may:

(a) Refuse an application for payment of legal representation costs;
(b) Grant an application for payment of legal representation costs; or
(c) Grant subject to conditions, an application for payment of legal representation costs

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

In assessing an application, Council may have regard to any insurance benefits that may be available to the applicant under the Shire's Council members and Officers liability policy or its equivalent.

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

Council may determine that a relevant person whose application for legal representation costs has been approved has, in respect of the matter for which legal representation costs were approved:

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

A determination may be made by Council only based on, and consistent with, the findings of a court, tribunal or inquiry.

Council may decide the legal representation costs paid by the Shire are to be repaid by the council member or employee in accordance with this Policy.

6. REPAYMENT OF LEGAL REPRESENTATION COSTS

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

(a) All or part of those costs – in accordance with a determination by Council under clause 5;
(b) As much of those costs as are available to be paid by way of set-off – where the council member or employee receives monies paid for costs, damages or settlement, in respect of the matter for which the Shire paid the legal representation costs.

The Shire may act in a court of competent jurisdiction to recover any monies due to it under this Policy.

POLICY TYPE:	LEGISLATIVE	POLICY NO:	14
DATE ADOPTED:	18/07/2019	DATE LAST REVIEWED:	17/09/2020 16/09/2021 20/10/2022 30/10/2025
LEGAL (PARENT):	*Local Government Act 1995*	LEGAL (SUBSIDIARY):	*State Records Act 2000*
DELEGATION OF AUTHORITY APPLICABLE:		DELEGATION NO.	

ADOPTED POLICY	
TITLE:	Record Keeping
OBJECTIVE:	• To provide guidance to Council members and employees regarding their record keeping responsibilities in line with current legislative requirements

POLICY STATEMENT

The Shire of Wandering is committed to making and keeping full and accurate records of its business transactions and its official activities.

Records created and received by Shire personnel and contractors, irrespective of format, are to be managed in accordance are to be managed in accordance with the Shire's Record Keeping Plan and this Records Management Policy.

Records will not be destroyed except by reference to the General Disposal Authority for Local Government Records.

1. RECORDS CREATION

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

2. RECORDS CAPTURE AND CONTROL

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

3. SECURITY AND PROTECTION OF RECORDS

The Shire of Wandering is responsible for the security and protection of all records created or captured as part of the Shire's day to day operations. All Shire employee and contractors have a responsibility to apply the following security and protection measures to all records created or received when carrying out the Shire's business.

4. ACCESS TO RECORDS

Access to the Shire's records by employee and contractors will be in accordance with designated access and security classifications.

Access to the Shire's records by the general public will be in accordance with the Freedom of Information Act 1992.

Access to the Shire's records by Council members will be through the Chief Executive Officer in accordance with the Local Government Act 1995.

5. LOCAL GOVERNMENT COUNCIL MEMBERS

In relation to the recordkeeping requirements of Local Government council members, records must be created and kept which properly and adequately record the performance of member functions arising from their participation in the decision-making processes of Council and Committees of Council.

This requirement should be met through the creation and retention of records of meetings of Council and Committees of Council of Local government and other communications and transactions of council members which constitute evidence affecting the accountability of the Council and the discharge of its business.

Local Governments must ensure that appropriate practises are established to facilitate the ease of capture and management of council members' records up to and including the decision-making processes of Council.

6. APPRAISAL, RETENTION AND DISPOSAL OF RECORDS

Records will only be destroyed or otherwise disposed of by reference to the General Disposal Authority for Local Government Records issued by the State Records Office and following authorisation from the responsible Officer and the Chief Executive Officer. Records identified as a State Archive should be transferred to the State Records Office in accordance with the requirements of the General Disposal Authority for Local Government Records.

ASSOCIATED DOCUMENTS

- *State Records Act 2000*
- *s2.7 - Local Government Act 1995*
- *Freedom of Information Act 1992*

POLICY TYPE:	LEGISLATIVE	POLICY NO:	15
DATE ADOPTED:	18/07/2019	DATE LAST REVIEWED:	17/09/2020 16/09/2021 20/07/2023
LEGAL (PARENT):	*Local Government Act 1995*	LEGAL (SUBSIDIARY):	
DELEGATION OF AUTHORITY APPLICABLE:		DELEGATION NO.	

ADOPTED POLICY	
TITLE:	Integrated Planning
OBJECTIVE:	• To ensure the Shire recognises that for sustainability, good governance and the provision of effective services and facilities for the community, an integrated approach is needed to all planning and resourcing activities. The objective of this policy is to provide guidance and mandate activities to ensure compliance with the Integrated Planning Regulations of the Local Government Act 1995

POLICY STATEMENT

1. PRINCIPLES

The Council members and employees will follow the Local Government Department's Integrated Planning Framework that provides the process to:

(a) Ensure community input is explicitly and reliably generated.
(b) Provide capacity for location specific planning were appropriate.
(c) Inform long-term objectives of the Shire with these inputs.
(d) Identify the resourcing requirements to deliver against the long-term objectives.
(e) Clearly articulate long-term financial interchange implications and strategies.

2. APPLICATION

As part of the Shire of Wandering's planning cycle, the principles and practices of the integrated planning framework will be demonstrated in all consultation, research, development and implementation phases of the strategic planning process.

Outcomes from the process are a Wandering Community Strategic Plan 2018-2028 (CSP) representing the long-term community aspirations, a Corporate Business Plan 2019-2023(CBP) outlining the strategic and operational objectives to be achieved in the four-year period. The CBP will demonstrate activities and projects are fully resourced and have appropriate timelines and performance measures.

This will be underpinned by a series of informing strategies and plans which will include:

(a) A 10-year long-term financial plan;
(b) A workforce plan that is reviewed every four years in conjunction with the corporate business plan;
(c) An asset management plan for the life cycle of all assets including maintenance and replacement programs; and
(d) Any relevant issue specific strategies and plans for major projects or key developments.

The Council will ensure that there are adequate resources provided in both the integrated planning development and delivery phases to ensure timelines and legislative requirement are met and that the community expectations are addressed in a sustainable manner.

The integrated planning process and outcomes will be incorporated into the performance indicators of the CEO for the overall integrated planning process and for Managers for the components relative to their areas of control.

Council members and employees will be trained as appropriate and guideline documents and processes will be recorded appropriately and made available to all new and existing employee to ensure continuity and quality management of the integrated planning process.

ASSOCIATED DOCUMENTS

- *Local Government Act 1995*
- *Wandering Community Strategic Plan: 2018-2028*
- *Corporate Business Plan: 2019-2023*
- *Integrated Planning and Reporting – Department of Local Government and Communities Framework and Guidelines: October 2010*

POLICY TYPE:	LEGISLATIVE	POLICY NO:	16
DATE ADOPTED:	18/07/2019	DATE LAST REVIEWED:	21/05/2020 17/09/2020 16/09/2021 16/11/2023
LEGAL (PARENT):	*Local Government Act 1995*	LEGAL (SUBSIDIARY):	
DELEGATION OF AUTHORITY APPLICABLE:		DELEGATION NO.	

ADOPTED POLICY	
TITLE:	Related Parties
OBJECTIVE:	• The objective of this policy is to provide guidance on the application of AASB 124 to the Shire of Wandering's financial statements. • The objective of AASB 124 is to ensure that an entity's financial statements contain the 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 and outstanding balances, including commitments, with such parties. • The disclosure requirements apply to the existence of relationships regardless of whether a transaction has occurred or not. For each financial year, the Shire must make an informed judgement as to who is considered to be a related party and what transactions need to be considered, when determining if disclosure is required. • This policy stipulates the information requested from related parties to enable an informed judgement to be made.

DEFINITIONS

AASB 124 - the Australian Accounting Standards Board - Related Party Disclosures Standard under Section 334 of the *Corporations Act 2001*

The Act - the *Local Government Act 1995*

Key Management Personnel (KMP) see AASB 124. A*re those persons having authority and responsibility for planning, directing and controlling the activities of the entity, directly or indirectly, including any director (whether executive or otherwise) of that entity.*

Material (materiality) - means the assessment of whether the transaction, either individually or in aggregate with other transactions, by omitting it or misstating it could influence decisions that users make on the basis of an entity's financial statements.

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

Related Party –. see AASB 124.

Related Party Transaction – see AASB 124.

Significant (significance) - means likely to influence the decisions that users of the Council's financial statements make having regard to both the extent (value and frequency) of the transactions, and that the transactions have occurred between the Council and related party outside a public service provider/taxpayer relationship.

Remuneration - means remuneration package and includes any money, consideration or benefit received or receivable by the person but excludes reimbursement of out-of-pocket expenses, including any amount received or receivable from a Related Party Transaction

POLICY STATEMENT

1. PRINCIPLES

1.1 OBJECTIVES

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

This procedure outlines required mechanisms to meet the disclosure requirements of AASB 124.

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

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

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

1.2 IDENTIFICATION OF RELATED PARTIES

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

Related parties include 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.

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

(a) A council member
(b) Key management personnel being a person employed under s5.36 of the Local Government Act 1995 in the capacity of Chief Executive Officer or Senior Employee
(c) 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.
(d) 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 will therefore be required to assess all transactions made with these persons or entities.

2. 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:

(a) Paying rates
(b) Fines
(c) Use of Shire owned facilities such as [Wandering Community Centre and Sporting Grounds, Wandering Community Resource Centre, Library, Wandering Fuel Facility, parks, ovals and other public open spaces (whether charged a fee or not)]
(d) Attending Council functions that are open to the public
(e) Employee compensation whether it is for KMP or close family members of KMP
(f) Application fees paid to the Shire for licences, approvals or permits
(g) Lease agreements for housing rental (whether for a Shire owned property or property sub-leased by the Shire through a Real Estate Agent)
(h) Lease agreements for commercial properties

(i) 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)
(j) Sale or purchase of any property owned by the Shire, to a person identified above.
(k) Sale or purchase of any property owned by a person identified above, to the Shire
(l) Loan Arrangements
(m) 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 will be required.

2.1 DISCLOSURE REQUIREMENTS

For the purposes of determining relevant transactions above, elected Council members and key management personnel as identified above, will be required to complete a Related Party Disclosure declaration form on appointment of their position with the Council. A new declaration is only required where there is a change in circumstances of the elected Council member.

2.2 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 yearly Related Party Disclosures - Declaration form will be required.

(a) Paying rates
(b) Fines
(c) Use of Shire owned facilities such as [Wandering Community Centre and Sporting Grounds, Wandering Community Resource Centre, Library, Wandering Fuel Facility, parks, ovals and other public open spaces (whether charged a fee or not)]
(d) Attending council functions that are open to the public

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

2.3 ALL OTHER TRANSACTIONS

For all other transactions listed in point 2.3 above, elected Council members and KMP will be required to make a declaration in the Related Party Disclosures - Declaration form.

2.4 FREQUENCY OF DISCLOSURES

KMP will be required to complete a Related Party Disclosure - Declaration form each year. Council members will only be required to complete a Related Party Disclosure-Declaration upon election to Council, and only when there is a change in circumstances following that original disclosure.

2.5 CONFIDENTIALITY

All information contained in a disclosure return, will be treated in confidence. Generally, related party disclosures in the annual financial reports are reported in aggregate and as such, individuals are not specifically identified.

Notwithstanding, management is required to exercise judgement in determining the level of detail to be disclosed based on the nature of a transaction or collective transactions and materiality. Individuals may be specifically identified, if the disclosure requirements of AASB 124 so demands.

2.6 MATERIALITY

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

ASSOCIATED DOCUMENTS

ASB124 Related Party Disclosures
Local Government Act 1995 – PART 6 Financial Management
Local Government (Financial Management) Regulations 1996 – Regulation 5A)

ATTACHMENT 1

RELATED PARTY DISCLOSURES - DECLARATION

As per requirements of AASB 124 Related Party Disclosures, and Business Operating Procedure – Related Party Disclosures. For additional information to assist you in making a declaration, please refer to the Appendices to this form.

The following declaration must be completed by all Council members, and the Chief Executive Officer, of the Shire of Wandering who were elected or employed at any time during the financial year.

Disclosure Period (June to July):	
Person making disclosure:	
Position held by person:	

CLOSE MEMBERS OF THE FAMILY (see definitions Appendix 1)	
Name of Family Member	**Relationship to you**
If there has been no change since your last declaration, please complete "No Change"	

ENTITIES THAT I, OR A CLOSE FAMILY MEMBER CONTROLS OR JOINTLY CONTROLS (see definitions Appendix 1)	
Name of Entity	**Name of person who has control/nature of control**
If there has been no change since your last declaration, please complete "No Change"	

ORDINARY CITIZEN TRANSACTIONS – NOT PROVIDED AT ARMS LENGTH
Did you or any member of your close family use facilities provided at Recreation Centre, attend any event at the Civic Centre, or use any other council provided facility AND you received a discount or special terms that would not otherwise be offered to any other member of the public?

Name of person using the facility	Service/Facility used	Nature of transaction	Nature of discount or special conditions received.

Note: Recreation Centre membership provided as part of employment has been provided under the same terms as those memberships provided to the public.

LEASING AGREEMENTS - DOMESTIC RESIDENTIAL
Did you, a close family member or related entity, enter into a lease agreement with the Shire (either as lessee or lessor) for the provision of a domestic rental property (Includes properties owned by the Shire and privately owned properties sub-leased through the Shire from a real estate agent)? Did you receive or provide a discount or special terms that would not otherwise be offered to any other member of the public?

Name of Person party to the lease	Property Address	Term of Lease & Weekly rent	Detail of any non-arms length conditions

LEASING AGREEMENTS - COMMERCIAL
Did you, a close family member or related entity, enter into a commercial leasing agreement with the Shire for the provision of a commercial property? Did you receive a discount or special terms that would not otherwise be offered to any other member of the public?

Name of person party to the lease	Property Address	Term of Lease & Weekly rent	Detail of any non-arms length conditions

TRADING ARRANGEMENTS
Were you or a close family member (as defined above) the owner of any business (or in a position to substantially control the business) that provided goods or services to the Shire? Were those goods or services provided on the same terms and conditions as those available to any other customer? If not, please provide details of the specific terms provided to the Shire.

Business name	Goods or services provided	Approximate value for the reporting period	Terms & conditions

OTHER AGREEMENTS (Construction, Consultancy, Service Contracts)
Did you, a close family member or related entity, enter into any other agreements/arrangements with the Shire (whether or not a price was charged)?
This may include (but is not limited to): construction contracts, consultancy services, service contracts (such as cleaning, maintenance, security).
For e.g. a company that a close family member controls, was awarded a contract with the Shire for building a new office facility.

Name of person or business/company	Nature of agreement	Value of agreement	Terms & conditions

PURCHASE OF PROPERTY
Did you, a close family member or related entity, purchase any property or other assets from the Shire? (This may include vehicles or other plant items, land or buildings).
Was the purchase made at arm's length (for e.g. at public auction), and on terms and conditions available to any other member of the public? If not, please provide details of the specific terms provided to you.

Name of person or entity name	Property purchased	Value of the purchase	Terms & conditions

SALE OF PROPERTY
Did you, a close family member or related entity, sell any property or other assets to the Shire? (This may include vehicles or other plant items, land or buildings).
Was the sale made at arm's length, and on terms and conditions available to any other member of the public? If not, please provide details of the specific terms provided.

Name of person or entity name	Property Sold	Value of the Sale	Terms & conditions

FEES & CHARGES FOR APPLICATIONS **Did you, a close family member or related entity, make an application to Council for a trading, building, planning or development application, licence or approval, or any other type of permit or licence?**		
Name of person or entity name	**Application type**	**Application and/or receipt number**

SELF SUPPORTING LOANS **Did you, a close family member or related entity, enter into a loan agreement with the Shire** **For e.g. a club for which you have control (See Appendix 2 for example)**			
Name of person or entity name	**Loan details**	**Value of the loan**	**Terms & conditions**

OTHER AGREEMENTS **Please list any other agreement or arrangement you believe is a related party transaction and should be declared.**			
Name of person or business/company	**Nature of agreement**	**Value of agreement**	**Terms & conditions**

I declare that all information and details provided in this form are true and correct to the best of my knowledge, and that no known relevant information has been omitted.

I have made this declaration after reading the information supplied by Council which details the meaning of the definitions to which this declaration relates.

Signed: _____ Date: _____ /_____ / _____

Appendix 1

Close Family Members

Close family members include:

- a child, spouse or domestic partner;
- children of your spouse or domestic partner;
- dependents of you or your spouse or domestic partner;
- any other close family member;

who may be expected to influence, or be influenced by, your dealings with the council.

The following table may assist you in identifying your close family members:

A close family member	May be a close family member
Your spouse/domestic partner	Your brothers and sisters, if they could be expected to influence or be influenced by you in their dealings with council
Your children	Your aunts, uncles and cousins, if they could be expected to influence or be influenced by you in their dealings with council
Your dependants	Your parents and grandparents, if they could be expected to influence or be influenced by you in their dealings with council
Children of your spouse/domestic partner	Your nieces and nephews, if they could be expected to influence or be influenced by you in their dealings with council
Dependants of your spouse/domestic partner	Any other member of your family if they could be expected to influence or be influenced by you in their dealings with council

There may be relationships that a council has which are not identified in this appendix but still meet the definition of a related party.

Example: Cousin of Council member

A Council member for the Shire has lived in the Shire her whole life. In fact, her family has been in the area for generations.

The Council member's cousin, owns and operates the local newsagent through a company ABC Pty Ltd, in which she owns 100% of the shares. The Council member and her cousin have always been close and regularly socialise together.

From these facts it would appear that the Council member's cousin is a close family member of the Council member because she would be expected to influence, or be influenced by, that person in her dealings with Council.

Both the cousin and the company she controls, ABC Pty Ltd would therefore be related parties of Council.

Any transactions that the Council makes with the newsagent would need to be separately identified and may need to be disclosed.

Control in entities

What is an entity that I, or my close family member, control or jointly control?

Entities include companies, trusts, incorporated and unincorporated associations such as clubs and charities, joint ventures and partnerships.

You control an entity if you have

a) power over the entity;

b) exposure, or rights, to variable returns from involvement with the entity; and

c) the ability to use your power over the entity to affect the amount of your returns.

To jointly control an entity there must be contractually agreed sharing of control of the entity, which exists only when decisions about the relevant activities require the unanimous consent of the parties sharing control.

In some cases, it will be obvious that you or a family member control or have joint control over an entity. In other cases, it will be less clear.

In some cases, it will be obvious that you or a family member control or have joint control over an entity. In other cases, it will be less clear.

If you are unsure whether you, or a close family member, has control or joint control of an entity then you should contact the Chief Executive Officer for a confidential discussion.

Example: Clubs or other incorporated bodies

(A Shire Council member is the President of a local football club)

A Shire Council member is the President of Wandering Football Club Inc, the local football club. This club is overseen by a committee which comprises the President and four other committee members. Each member has a single vote when making decisions at meetings. The committee members are not related and do not have agreements to vote with one another. The club has over 100 members that each have a vote in electing the committee members at the club's annual general meeting.

From these facts the Council member does not control or jointly control the football club so it will not be a related

Other examples

Example 1 (Audit committee member)

Shire of Wandering audit committee comprises two Council members and a local retired accountant, Fred. Fred has no other connection with the council.

The audit committee attends to the functions as required under the *Audit Regulations*. It does not make any decisions on behalf of the council but simply provides reports, with recommendations, for the Shire President and council members to consider.

Based on the facts outlined Fred would not be a KMP of council.

Example 2 (Son of CFO employed by council)

Shire of Wandering has recently employed Paul's son (George) in the Council's parks and garden's area. Paul is Council's Deputy Chief Executive Officer but was not involved in hiring George. This process was managed by the Director of Parks and Gardens and included an independent assessment process. Paul did not have any influence in George securing the job.

Paul has been identified as a KMP of council, which makes him a related party.

George will also be a related party of Council because he is a close family member of Paul. The recruitment process that was undertaken for George's position is irrelevant when assessing whether George is a related party.

Example 3 (Cousin of President - related party commonly known but omitted from declaration)

Shelley, the President of Shire of Wandering forgets to include her cousin Mavis, and Mavis' company, when she completes her KMP declaration.

It is commonly known in the community that Shelley and Mavis are close, and that Shelley would be expected to influence, or be influenced by, Mavis in her dealings with Council and vice versa.

Mavis and her company are related parties of Council, even though Shelley omitted them from her declaration.

Example 4 (Example of control)

Fred is the President of Shire of Wandering and owns 100% of the ordinary shares in Wandering's Development Company Pty Ltd (the company). The ordinary shares are the only shares in the company that have voting rights.

Fred controls the company because he has the power to affect the company's decisions and the return that he will get from the company.

Fred will need to include the company on his related party declaration.

Example 5 (Example of joint control)

Fred is the President of Shire of Wandering and owns 50% of the ordinary shares in Wandering's Development Company Pty Ltd (the company). Fred's brother Stan owns the other 50% of ordinary shares. Fred and Stan are the only Directors of the company and have equal voting rights on the board.

Fred and Stan have joint control of the company because any decisions require the unanimous consent of them both.

Fred will need to include the company on his related party declaration

ASSOCIATED DOCUMENTS

AASB 124 Related Party Disclosures

Local Government Act 1995

Local Government (Financial Management) Regulations 1996

Related Party Disclosures – Disclosure Form

POLICY TYPE:	LEGISLATIVE	POLICY NO:	17
DATE ADOPTED:		DATE LAST REVIEWED:	16/09/2021 18/07/2024
LEGAL (PARENT):	*s5.38, 5.39A, s5.39B, s5.39C Local Government Act 1995*	LEGAL (SUBSIDIARY):	*Local Government (Administration) Regulations*
DELEGATION OF AUTHORITY APPLICABLE:		DELEGATION NO.	

ADOPTED POLICY	
TITLE:	Model Standards for CEO Recruitment, Performance and Termination
OBJECTIVE:	• To comply with *Local Government (Administration) Amendment Regulations 2021* and s5.39A, s5.39B, and s5.39C of the *Local Government Act 1995* by adopting the Model Standards for CEO Recruitment, Performance and Termination.

Division 1 Preliminary

These are the *Shire of Wandering Standards for CEO Recruitment, Performance and Termination*.

1. Terms used

(1) In these standards —

Act means the *Local Government Act 1995*;

additional performance criteria means performance criteria agreed by the local government and the CEO under clause 16(1)(b);

applicant means a person who submits an application to the local government for the position of CEO;

contract of employment means the written contract, as referred to in section 5.39 of the Act, which governs the employment of the CEO;

contractual performance criteria means the performance criteria specified in the CEO's contract of employment as referred to in section 5.39(3)(b) of the Act;

job description form means the job description form for the position of CEO approved by the local government under clause 5(2);

local government means the Shire of Wandering;

selection criteria means the selection criteria for the position of CEO determined by the local government under clause 5(1) and set out in the job description form;

selection panel means the selection panel established by the local government under clause 8 for the employment of a person in the position of CEO.

(2) Other terms used in these standards, which are also used in the Act, have the same meaning as they have in the Act, unless the contrary intention appears.

Division 2 — Standards for recruitment of CEOs

3. Overview of Division

This Division sets out standards to be observed by the local government in relation to the recruitment of CEOs.

4. Application of Division

a. Except as provided in subclause (2), this Division applies to any recruitment and selection process carried out by the local government for the employment of a person in the position of CEO.

b. This Division does not apply —

i. if it is proposed the position of CEO be filled by a person in a class prescribed for the purposes of section 5.36(5A) of the Act; or

ii. in relation to a renewal of the CEO's contract of employment, except in the circumstances referred to in clause 13(2).

5. Determination of selection criteria and approval of job description form

a. The local government must determine the selection criteria for the position of CEO, based on the local government's consideration of the knowledge, experience, qualifications and skills necessary to effectively perform the duties and responsibilities of the position of CEO of the local government.

b. The local government must, by resolution of an absolute majority of the council, approve a job description form for the position of CEO which sets out —

i. the duties and responsibilities of the position; and

ii. the selection criteria for the position determined in accordance with subclause (1).

6. Advertising requirements

a. If the position of CEO is vacant, the local government must ensure it complies with section 5.36(4) of the Act and the *Local Government (Administration) Regulations 1996* regulation 18A.

b. If clause 13 applies, the local government must advertise the position of CEO in the manner referred to in the *Local Government (Administration) Regulations 1996* regulation 18A as if the position was vacant.

7. Job description form to be made available by local government

If a person requests the local government to provide to the person a copy of the job description form, the local government must —

(a) inform the person of the website address referred to in the *Local Government (Administration) Regulations 1996 regulation 18A(2)(da); or*

(b) if the person advises the local government they unable to access the website address —

(i) email a copy of the job description form to an email address provided by the person; or

(ii) mail a copy of the job description form to a postal address provided by the person.

8. Establishment of selection panel for employment of CEO

a. In this clause —

independent person means a person other than any of the following —

i. a council member;

ii. an employee of the local government;

iii. a human resources consultant engaged by the local government.

b. The local government must establish a selection panel to conduct the recruitment and selection process for the employment of a person in the position of CEO.

c. The selection panel must comprise —

i. council members (the number of which must be determined by the local government); and

ii. at least 1 independent person.

iii.

A Local Government should seek independent advice from a human resources consultant where the council lacks the capacity or expertise to facilitate the recruitment and selection process (or any aspect of it). The consultant should not be associated with the local government or any of its council members. The consultant can be an independent human resource professional, recruitment consultant, or recruitment agency.

9. Recommendation by selection panel

a. Each applicant's knowledge, experience, qualifications and skills must be assessed against the selection criteria by or on behalf of the selection panel.

b. Following the assessment referred to in subclause (1), the selection panel must provide to the local government —

i. a summary of the selection panel's assessment of each applicant; and

ii. unless subclause (3) applies, the selection panel's recommendation as to which applicant or applicants are suitable to be employed in the position of CEO.

c. If the selection panel considers none of the applicants are suitable to be employed in the position of CEO, the selection panel must recommend to the local government —

i. a new recruitment and selection process for the position be carried out in accordance with these standards; and

ii. the changes (if any) the selection panel considers should be made to the duties and responsibilities of the position or the selection criteria.

d. The selection panel must act under subclauses (1), (2) and (3) —

i. in an impartial and transparent manner; and

ii. in accordance with the principles set out in section 5.40 of the Act.

e. The selection panel must not recommend an applicant to the local government under subclause (2)(b) unless the selection panel has —

i. assessed the applicant as having demonstrated the applicant's knowledge, experience, qualifications and skills meet the selection criteria; and

ii. verified any academic, or other tertiary level, qualifications

the applicant claims to hold; and

iii. whether by contacting referees provided by the applicant or making any other inquiries the selection panel considers appropriate, verified the applicant's character, work history, skills, performance and any other claims made by the applicant.

f. The local government must have regard to, but is not bound to accept, a recommendation made by the selection panel under this clause.

10 Application of cl. 5 where new process carried out

(3) This clause applies if the local government accepts a recommendation by the selection panel under clause 9(3)(a) a new recruitment and selection process for the position of CEO be carried out in accordance with these standards.

(4) Unless the local government considers changes should be made to the duties and responsibilities of the position or the selection criteria —

(a) clause 5 does not apply to the new recruitment and selection process; and

(b) the job description form previously approved by the local government under clause 5(2) is the job description form for the purposes of the new recruitment and selection process.

11. Offer of employment in position of CEO

Before making an applicant an offer of employment in the position of CEO, the local government must, by resolution of an absolute majority of the council, approve —

(a) the making of the offer of employment to the applicant; and

(b) the proposed terms of the contract of employment to be entered into by the local government and the applicant.

12. Variations to proposed terms of contract of employment

a. This clause applies if an applicant who is made an offer of employment in the position of CEO under clause 11 negotiates with the local government a contract of employment (the ***negotiated contract***) containing terms different to the proposed terms approved by the local government under clause 11(b).

b. Before entering into the negotiated contract with the applicant, the local government must, by resolution of an absolute majority of the council, approve the terms of the negotiated contract.

13. Recruitment to be undertaken on expiry of certain CEO contracts

a. In this clause —

commencement day means the day on which the *Local Government (Administration) Amendment Regulations 2021* regulation 6 comes into operation.

b. This clause applies if —

i. upon the expiry of the contract of employment of the person (the ***incumbent CEO***) who holds the position of CEO —

1. the incumbent CEO will have held the position for a period of 10 or more consecutive years, whether the period commenced before, on or after commencement day; and

2. a period of 10 or more consecutive years has elapsed

since a recruitment and selection process for the position was carried out, whether the process was carried out before, on or after commencement day;

and

ii. the incumbent CEO has notified the local government they wish to have their contract of employment renewed upon its expiry.

c. Before the expiry of the incumbent CEO's contract of employment, the local government must carry out a recruitment and selection process in accordance with these standards to select a person to be employed in the *position of CEO after the expiry of the incumbent CEO's contract of employment.*

d. This clause does not prevent the incumbent CEO's contract of employment from being renewed upon its expiry if the incumbent CEO is selected in the recruitment and selection process referred to in subclause (3) to be employed in the position of CEO.

14. Confidentiality of information

The local government must ensure information provided to, or obtained by, the local government in the course of a recruitment and selection process for the position of CEO is not disclosed, or made use of, except for the purpose of, or in connection with, the recruitment and selection process.

Division 3 — Standards for review of performance of CEOs

15. Overview of Division

This Division sets out standards to be observed by the local government in relation to the review of the performance of CEOs.

16. Performance review process to be agreed between local government and CEO

a. The local government and the CEO must agree on —

i. the process by which the CEO's performance will be reviewed; and

ii. any performance criteria to be met by the CEO in addition to the contractual performance criteria.

b. Without limiting subclause (1), the process agreed under subclause (1)(a) must be consistent with clauses 17, 18 and 19.

c. The matters referred to in subclause (1) must be set out in a written document.

17. Carrying out a performance review

a. A review of the performance of the CEO by the local government must be carried out in an impartial and transparent manner.

b. The local government must —

i. collect evidence regarding the CEO's performance in respect of the contractual performance criteria and any additional performance

criteria in a thorough and comprehensive manner; and

ii. review the CEO's performance against the contractual performance criteria and any additional performance criteria, based on evidence.

18. Endorsement of performance review by local government

Following a review of the performance of the CEO, the local government must, by resolution of an absolute majority of the council, endorse the review.

19. CEO to be notified of results of performance review

After the local government has endorsed a review of the performance of the CEO under clause 18, the local government must inform the CEO in writing of —

(a) the results of the review; and

(b) if the review identifies any issues about the performance of the CEO — how the local government proposes to address and manage those issues.

Division 4 — Standards for termination of employment of CEOs

20. Overview of Division

This Division sets out standards to be observed by the local government in relation to the termination of the employment of CEOs.

21. General principles applying to any termination

a. The local government must make decisions relating to the termination of the employment of a CEO in an impartial and transparent manner.

b. The local government must accord a CEO procedural fairness in relation to the process for the termination of the CEO's employment, including —

i. informing the CEO of the CEO's rights, entitlements and responsibilities in relation to the termination process; and

ii. notifying the CEO of any allegations against the CEO; and

iii. giving the CEO a reasonable opportunity to respond to the allegations; and

iv. genuinely considering any response given by the CEO in response to the allegations.

22. Additional principles applying to termination for performance-related reasons

a. This clause applies if the local government proposes to terminate the employment of a CEO for reasons related to the CEO's performance.

b. The local government must not terminate the CEO's employment unless the local government has —

i. in the course of carrying out the review of the CEO's performance referred to in subclause (3) or any other review of the CEO's performance, identified any issues (the ***performance issues***) related to the performance of the CEO; and

ii. informed the CEO of the performance issues; and

iii. given the CEO a reasonable opportunity to address, and implement a plan to remedy, the performance issues; and

iv. determined the CEO has not remedied the performance issues to the satisfaction of the local government.

c. The local government must not terminate the CEO's employment unless the local government has, within the preceding 12-month period, reviewed the performance of the CEO under section 5.38(1) of the Act.

23. Decision to terminate

Any decision by the local government to terminate the employment of a CEO must be made by resolution of an absolute majority of the council.

24. Notice of termination of employment

a. If the local government terminates the employment of a CEO, the local government must give the CEO notice in writing of the termination.

b. The notice must set out the local government's reasons for terminating the employment of the CEO.

POLICY TYPE:	LEGISLATIVE	POLICY NO:	18
DATE ADOPTED:	18/07/2019	DATE LAST REVIEWED:	17/09/2020 17/04/2025 16/09/2021 20/07/2023 15/08/2024
LEGAL (PARENT):	*Local Government Act 1995*	LEGAL (SUBSIDIARY):	
DELEGATION OF AUTHORITY APPLICABLE:		DELEGATION NO.	

ADOPTED POLICY	
TITLE:	Audit, Risk and Improvement Committee Terms of Reference 2025
OBJECTIVE:	To describe the functions and membership of the Audit Committee

POLICY STATEMENT

Introduction:
The Audit, Risk and Improvement Committee (ARIC) is an advisory group formally appointed by the Council that is responsible to the Council. The Committee does not have executive powers or authority to implement actions in areas over which management has responsibility and does not have any financial responsibility. The Committee does not have any management functions and is therefore independent of management.

Appointing Legislation:
The Audit, Risk and Improvement Committee (ARIC) is established under section 7.1A of the *Local Government Act 1995.*

Delegated Authority:
The ARIC has no delegated power and has no authority to implement its recommendations without approval from Council.

Purpose:
The purpose of the Terms of Reference is to;

1. facilitate the operation of the ARIC;
2. support the Council in fulfilling its responsibilities in relation to:
    a. risk management systems
    b. internal control structure
    c. financial reporting
    d. compliance with laws and regulations
    e. internal and external audit functions

Objectives:
The primary objective of the ARIC is to accept responsibility for the annual external audit and liaise with the local government's auditor so that Council can be satisfied with the performance of the local government in managing its financial affairs. The ARIC will also oversee critical areas including risk management and governance.

Reports from the ARIC will assist Council in discharging its legislative responsibilities of controlling the local government's affairs, determining the local government's policies and overseeing the allocation of the local government's finances and resources. The ARIC will ensure openness in the local government's financial reporting and will liaise with the CEO to ensure the effective and efficient management of the local government's financial accounting systems and compliance with legislation.

More specifically, the objectives of the ARIC are to oversee:

1. The integrity of external financial reporting, including accounting policies.
2. The scope of work, objectivity, performance and independence of the external auditor.
3. The establishment, effectiveness and maintenance of controls and systems to safeguard the Shire's financial and physical assets.
4. The framework and systems that are designed to ensure the Shire complies with relevant statutory and regulatory requirements.
5. The framework for recognising risks arising from the Shire's operations and consider the adequacy of measures taken to manage those risks.
6. The framework and systems which protect the Council against fraud and irregularities.

The ARIC must also add to the credibility of Council by promoting ethical standards through its work.

Members of the Committee are expected to:

- understand the legal and regulatory obligations of the Council for governing the entity;
- understand the governance arrangements that support achievement of the Shire's strategies and objectives;
- exercise due care, diligence and skill when performing their duties;
- adhere to the Shire's Code of Conduct for Council Members, Committee Members and Candidates;
- be aware of contemporary and relevant issues impacting the public sector; and
- only use information provided to the Committee to carry out their responsibilities, unless expressly agreed by Council.

Powers of the ARIC:

The ARIC is a formally appointed committee of Council and is responsible to that body. The ARIC does not have executive powers or authority to implement actions in areas over which the CEO has legislative responsibility and does not have any delegated financial responsibility. The ARIC does not have any management functions and cannot involve itself in management processes or procedures.

The ARIC is to report to Council and provide appropriate advice and recommendations on matters relevant to its term of reference in order to facilitate informed decision-making by Council in relation to the legislative functions and duties of the local government that have not been delegated to the CEO.

The ARIC has the authority of Council to:

- Review the external auditor's annual audit plans along with the outcomes / results of all audits undertaken;
- Review internal audit plans along with the outcomes / results of all audits undertaken;
- Formally meet with the Shire's appointed external auditor as necessary;
- Ensure that any matters raised by external audit that require action are actioned; and
- Advise Council on any or all of the above as deemed necessary.

Membership:

The membership criteria of the ARIC is set out below.

- The committee shall consist of four elected members, twp of which to be the Shire President and Deputy Shire President, and two independent members who will act as the Presiding Member and Deputy Presiding Member. All members shall have full voting rights.
- The CEO and employees are not members of the committee.
- The CEO and or their nominee is to attend all meetings to provide advice and guidance to the committee.
- The Shire shall provide secretarial and administrative support to the committee.
- The Council will appoint all members of the committee.
- Members shall be appointed for a period of up to two (2) years terminating on the day of the Local Government Ordinary Council Elections, unless Council resolves otherwise.
- The Presiding Member and Deputy Presiding Member will be appointed by the Council, biennially

after the Local Government Ordinary Council Elections. These positions will be filled by independent members.

*The first independent Presiding Member and Deputy Presiding Member will be appointed after the adoption of these Terms of Reference, and the advertising process is completed with a term concluding October 2025, after the Ordinary Council Elections.

- The quorum at any meeting shall be 3 voting members, including at least one independent member.
- Committee members are required to abide by the *Local Government Act 1995* and Code of Conduct in observing the requirements of declaring any proximity, financial or impartiality interests that relate to any matter to be considered at each meeting.

Meetings:

The ARIC shall meet at least twice each year or more regularly as required at the discretion of the Presiding Member of the committee, the Shire President or the CEO, with all members expected to attend each meeting in person. Elected Members, who are not part of the committee are invited to observe meetings, however they are not entitled to participate in the meeting. The CEO, or their delegate, is to attend all meetings to provide advice and guidance to the committee, however the CEO and employees are not members of the committee. The CEO will invite members of management, internal and external auditors or others to attend meetings as observers and to provide pertinent information, as necessary.

The Presiding Member will preside at all meetings. In their absence, the Deputy Presiding Member will assume the Presiding Member role for that meeting.

Each member of the Committee at a meeting will have one vote. The Presiding Member will have a casting vote and simple majority will prevail. A committee recommendation does not have effect unless it has been made by simple majority. A simple majority is the agreement of not less than half of the members present at the meeting.

Meeting agendas will be prepared and provided at least three days in advance to members, along with appropriate briefing materials. Minutes will be taken at each meeting and presented to the subsequent meeting for confirmation. Reports and recommendations of each committee meeting shall be presented to the next appropriate ordinary council meeting, which may not be meetings held on the same day.

ARIC meetings are generally open to the public unless the Presiding Member or CEO deem it necessary to proceed behind closed doors pursuant to section 5.23 of the *Local Government Act 1995*.

Duties and Responsibilities:

The duties and responsibilities of the ARIC will be:

<u>Risk Management</u>

- Review whether management has in place a current and comprehensive risk management framework and associated procedures for effective identification and management of the Shire's business and financial risks, including fraud.
- Assess whether a sound and effective approach has been followed in managing the Shire's major risks including those associated with individual projects, program implementation, and activities.
- Assess the impact of the Shire's risk management framework on its control environment and insurance arrangements.
- Review the process of developing and implementing the Shire's fraud control arrangements and satisfy itself the Shire has appropriate processes and systems in place to detect, capture and effectively respond to fraud-related information.

Business Continuity

- Assess whether a sound and effective approach has been followed in establishing the Shire's business continuity planning arrangements, including whether business continuity and disaster recovery plans have been periodically updated and tested.

Internal Control

- Review whether management's approach to maintaining an effective internal control framework is sound and effective.
- Review whether management has in place relevant policies and procedures and that they are periodically reviewed and updated.
- Assess whether the appropriate processes are in place to assess, at least once a year, whether key policies and procedures are complied with.
- Review whether appropriate policies and supporting procedures are in place for the management and exercise of delegations.
- Consider how management identifies any required changes to the design or implementation of key internal controls.

Financial Reporting

- Review significant accounting and reporting issues, including complex or unusual transactions and highly judgemental areas, and recent accounting, professional and regulatory pronouncements, and legislative changes, and understand their effect on the financial report.
- Review with management and the external auditors the results of the audit, including any difficulties encountered.
- Review the annual financial report and performance report of the Shire of Wandering and consider whether it is complete, consistent with information known to the committee members, and reflects appropriate accounting principles.
- Review with management and the external auditors all matters required to be communicated to the ARIC under the Australian Auditing Standards.
- Review the draft Annual Financial Statements and recommend the adoption of the Annual Financial Statements to Council, in accordance with the timeframes as prescribed.
- Review the mid-year budget review and recommend the adoption of this to Council.

Compliance

- Review the processes that track the effectiveness of compliance monitoring systems with legislation and regulations and the results of management's investigation and follow-up (including disciplinary action) of any instances of non-compliance.
- Keep informed of the findings of any examinations by regulatory agencies and any auditor (internal or external) observations and monitor management's response to those findings.
- Obtain regular updates from management about compliance matters.
- Review the annual Compliance Audit Return and report to the Council the results of the review.

Audit

- Note the auditor's proposed audit scope and approach for financial performance audits.
- Consider the findings and recommendations of relevant Management Letters undertaken by the external auditor and ensure the Shire implements relevant recommendations.
- Review all audit reports and provide advice to the Council on significant issues identified in audit reports and action to be taken on issues raised, including identification and dissemination of good practice.
- Provide an opportunity for the Committee to meet with the external auditors to discuss any matters that the Committee or the external auditors believe should be discussed privately.
- Annually review the performance of external audit including the level of satisfaction with external audit function.
- Monitor management's implementation of audit recommendations.

Reporting Responsibilities

- Report regularly to the Council about ARIC activities, issues, and related recommendations through circulation of minutes.
- Monitor that open communication between the external auditor and the Shire's management occurs.

Other Responsibilities

- Perform other activities related to these Terms of Reference as requested by the Council.
- Annually review and assess the adequacy of the Terms of Reference, request Council approval for proposed changes, and ensure appropriate disclosure as might be required by legislation or regulation

Payment of Independent Committee Members:

Payments will be made to Independent Committee Members at the following rates:

- Presiding Member at each ARIC meeting $150.
- Deputy Presiding Member at each ARIC meeting $150.
- Deputy Presiding Member who presides at meeting due to absence of Presiding Member $150.

Please note: If an independent member is unable to attend a meeting, they will not be paid for that meeting.

POLICY TYPE:	LEGISLATIVE	POLICY NO:	20
DATE ADOPTED:	18/07/2019	DATE LAST REVIEWED:	17/09/2020 16/09/2021 20/07/2023
LEGAL (PARENT):	*Local Government Act 1995*	LEGAL (SUBSIDIARY):	
DELEGATION OF AUTHORITY APPLICABLE:	Yes	DELEGATION NO.	28

ADOPTED POLICY	
TITLE:	Contiguous Land Valuation - Rates
OBJECTIVE:	• To provide 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.

DEFINITIONS

"Contiguous"

(a) Where survey boundaries abut or adjoin

(b) Where locations or lots are separated by a road, drain or watercourse reserve, they may be deemed contiguous

(c) In exceptional circumstances, some properties may be deemed by the Valuer General to be contiguous, even though their boundaries do not strictly adjoin. In such cases the matter should be referred to the Valuer General or appropriate Chief Valuer, who may be guided by advice provided by the local government.

"Same Ownership"

(a) Same names as per Certificate of Title

(b) Ratepayers name for recording on the Valuation Rolls, advised by the local government authority

POLICY STATEMENT

RESIDENTIAL AND LOCAL RURAL LAND

With regard to Gross Rental Value (GRV), applications for group values will be assessed only if they meet all of the following criteria:

(a) Actual occupation (primary place of residence); and
(b) Are contiguous; and
(c) Are held in the same ownership; and
(d) Are used for the same purpose.

RURAL LAND

With regard to Unimproved Value (UV), applications for group values will be assessed only if they meet all of the following criteria:

(a) Are contiguous, and
(b) Are held in the same ownership, and
(c) Are used for the same purpose

POLICY TYPE:	GOVERNANCE AND COUNCIL MEMBERS	POLICY NO:	21
DATE ADOPTED:	18/07/2019	DATE LAST REVIEWED:	17/09/2020 16/09/2021 20/04/2023
LEGAL (PARENT):	*Local Government Act 1995*	LEGAL (SUBSIDIARY):	
DELEGATION OF AUTHORITY APPLICABLE:		DELEGATION NO.	

ADOPTED POLICY	
TITLE:	Use of Shire Logos
OBJECTIVE:	• To establish guidelines for the use of the Shire of Wandering Logo. The Shire of Wandering recognises that it is important to establish a framework for the use of its logo to ensure that a consistent and professional image of the Shire is promoted publicly. • The application of this policy is to be observed by all Council members and employees

POLICY STATEMENT

The Shire of Wandering has one Logo. No other logos are approved to be used. The logo is as illustrated:

2. GENERAL USAGE

The Council wishes to highlight a distinction between the role of the Council and the Organisation using the Logo of the Shire of Wandering for Council and Council member functions for operational activities.

Below is a table that clarifies the different uses.

COUNCIL	OPERATIONAL
President / Council member correspondence (Letterhead and E-signatures, With Compliments slips	Employee Business Cards, Letterhead, With Compliments Slips, E-Signatures, Invoices
Council Policies	Operational Directives
Rates notices	Vehicles/Plant
Council member Name Badges, Business Cards and Uniforms.	Employee Uniforms and Name Badges
Entry doors to offices (as applicable) e.g., Council Chambers)	Entry doors to offices (as applicable) e.g., Administration Centre/Offices

Council Plaques and Gifts	Community Communications — Newsletters
Website	Website
Banners (Council related)	Promotional materials e.g. Schools, Giveaways
Shire Street Signage	Banners (marketing/organisational)

3. USAGE OF LOGO BY EXTERNAL GROUPS

Where an external group requests permission to use the logos on printer and other materials, the following conditions will apply:

(a) All applications to use the Shire of Wandering logo must be made in writing to the CEO and include details of the purpose, form and extent of the proposed use and the reason for such use. Although permission to use the logo in the first instance is to be referred to the CEO, he/she may delegate this assessment to another employee. The artwork for the promotional material must be supplied for assessment against this policy.

(b) Approval may be granted providing the group:

- Is based in the area and provides a service to the Shire of Wandering residents; and
- Has a direct relationship with the Shire, either through funding or operational arrangements.

(c) Eligible groups will be advised in writing that approval has been granted to use the logo, which must be in accordance with the Shire of Wandering's corporate standards.

(d) Ineligible groups will be advised in writing that approval has not been granted to use the logo and provided with an explanation under the guidelines of this policy.

(e) No fees will be charged for the use of the Shire of Wandering's logos, but eligible groups will be responsible for any costs associated with artwork, design and production,

(f) The Shire of Wandering may exercise its right to withdraw any authorisation at any time if (the approved user is deemed to be not complying with the conditions as set out in this policy or any approval.

4. PROHIBITED USAGE OF LOGO

The logo shall not:

(a) Be computer enhanced (e.g. represented in 3D perspective)

(b) Be used in a visually congested or confined manner (e.g. surrounded by a border or tightly positioned with other material.

(c) Be used for any purpose during a Local Government election that seeks to promote an individual candidate over another candidate. This inappropriate use includes candidate based promotional ballot papers, fliers, advertising, posters, letters or any other form of electoral material. A breach of this section will be considered a breach of copyright as outlined in Section 3.

5. CONSEQUENCES

This policy represents the formal policy and expected standards of the Shire. Any unauthorised use of any Shire of Wandering logo is a breach of copyright and any application that is not consistent with this policy is to be approved by the Shire of Wandering Council.

Shire of Wandering: Logo refresh

PREFERRED OPTION & Primary Logo: CMYK

Black & White logo

REVERSED OUT OPTIONS
(White out of solid colours only)

CMYK Specs	RGB Specs
75C 4M 100Y 1K	R65 G175 B73
0C 19M 100Y 0K	R255 G204 B8
27C 69M 100Y 16K	R164 G92 B38
100K	

CMYK is used for all in-house printed and external marketing and communication materials.

RGB colour is for digital usage only including web, email and Powerpoint.

Logo File Formats are supplied in your Logo Suite Folder

POLICY TYPE:	GOVERNANCE AND COUNCIL MEMBERS	POLICY NO:	22
DATE ADOPTED:	18/07/2019	DATE LAST REVIEWED:	17/09/2020 16/09/2021 15/09/2022 30/10/2025
LEGAL (PARENT):	*S9.49A Local Government Act 1995*	LEGAL (SUBSIDIARY):	
DELEGATION OF AUTHORITY APPLICABLE:	Yes	DELEGATION NO.	05

ADOPTED POLICY	
TITLE:	Use of Common Seal
OBJECTIVE:	• To establish the circumstances under which the official Council Common Seal may be affixed to documents. • The application of this policy is to be by Council members and the CEO and any legislative requirements of the Local Government Act 1995 that may be enforced.

POLICY STATEMENT

1. AFFIXING THE COMMON SEAL

The *Local Government Act 1995 s9.49A* specifies the circumstances and conditions for affixing the Common Seal.

2. DOCUMENTS REQUIRING THE COMMON SEAL TO BE AFFIXED

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

3. PROCEDURES FOR THE USE OF THE COMMON SEAL

The Chief Executive Officer is responsible for the security and proper use of the Common Seal.

4. WORDING OF THE COMMON SEAL CLAUSE

If the legislation is silent on the wording of the Common Seal clause then the following shall apply: Example - Where the Common Seal is Affixed by Resolution of Council

DATED: 20_
The Common Seal of the Shire of [name] was affixed by authority of a resolution of the Council in the presence of:
[INSERT NAME OF PRESIDENT]
PRESIDENT
[INSERT NAME OF CEO]
CHIEF EXECUTIVE OFFICER

5. COMMON SEAL REGISTER

Entries in the register are to indicate;

(a) The document to which the seal was affixed;
(b) The date the seal was affixed;
(c) The people who have attested to the seal being affixed to the document;
(d) The date on which the Council resolved to make the decision or enter into the contract to which the document relates; and the date on which the Council resolved to grant authorisation for the seal to be affixed to the relevant document

6. SECURITY OF THE COMMON SEAL

The CEO is to make appropriate arrangements for:

(a) Keeping the seal in a safe and secure location; and
(b) The appointment of a person who is to have custody of the seal.

POLICY TYPE:	GOVERNANCE AND COUNCIL MEMBERS	POLICY NO:	23
DATE ADOPTED:	18/07/2019	DATE LAST REVIEWED:	17/09/2020 16/09/2021 16/11/2023 15/08/2024
LEGAL (PARENT):	*S5.56 Local Government Act 1995*	LEGAL (SUBSIDIARY):	
DELEGATION OF AUTHORITY APPLICABLE:		DELEGATION NO.	

ADOPTED POLICY	
TITLE:	Risk Management
OBJECTIVE:	• To state the Shire of Wandering's (the 'Shire's) intention to identify potential risks before they occur so that impacts can be minimised or opportunities realised; ensuring that the Shire achieves its strategic and corporate objectives efficiently, effectively and within good corporate governance principles.

DEFINITIONS

Risk: Effect of uncertainty on objectives.

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

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

Risk Management: Coordinated activities to direct and control an organisation regarding risk.

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

POLICY STATEMENT

The Shire of Wandering seeks to achieve best practice (aligned with AS/NZS ISO 31000:2018 Risk management – Guidelines), in the management of all risks that may affect the Shire meeting its objectives.

Risk management functions will be resourced appropriately to match the size and scale of the Shire's operations and will form part of the Strategic, Operational, and Project responsibilities and be incorporated within the Shire's Integrated Planning Framework.

This policy applies to Council Members, Executive Management and all employees and contractors involved in any Shire operations.

1. POLICY DETAILS

The following points provide detail on the objective specifics:

(a) Aligns with and assists the implementation of all Shire policies.
(b) Optimises the achievement of the Shire's vision, mission, strategies, goals and objectives.
(c) Provides transparent and formal oversight of the risk and control environment enabling effective decision-making.
(d) Enhances risk versus return within the Shire's risk appetite.
(e) Embeds appropriate and effective controls to mitigate risk.
(f) Achieves effective corporate governance and adherence to relevant statutory, regulatory and compliance obligations.
(g) Enhances organisational resilience.
(h) Identifies and provides for the continuity of critical operations.

2. RISK ASSESSMENT AND ACCEPTANCE CRITERIA

The Shire's Risk Assessment and Acceptance Criteria are outlined in Appendix 1. The criteria are included within the Risk Management Framework and as a component of this policy.

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

3. MONITORING AND REVIEW

This policy will be formally reviewed biennially.

4. Roles & Responsibilities

The CEO is responsible for the:

- Implementation of this Policy.
- Measurement and reporting on the performance of risk management.
- Review and improvement of this Policy and the Shire's Risk Management Framework at least biennially, or in response to a material event or change in circumstances.

The Shire's Risk Management Framework outlines in detail all roles and responsibilities associated with managing risks within the Shire.

ASSOCIATED DOCUMENTS

s5.56 (2) - Local Government Act 1995

AS/NZS ISO 31000:2018 Risk management – Guidelines

WA Government Risk Management Framework 2024

Shire of Wandering Integrated Planning & Reporting Policy

APPENDIX 1

The tables below describe the risk assessments

Shire of Wandering Measures of Consequence							
Rating (Level)	**Health**	**Financial Impact**	**Service Interruption**	**Compliance**	**Reputational**	**Property**	**Environment**
Insignificant (1)	Near miss. Minor first aid injuries	Less than $7,500	No material service interruption	No noticeable regulatory or statutory impact	Unsubstantiated, low impact, low profile or 'no news' item	Inconsequential damage.	Contained, reversible impact managed by on site response
Minor (2)	Medical type injuries	$,7,501 - $25,000	Short term temporary interruption – backlog cleared < 1 day	Some temporary non compliances	Substantiated, low impact, low news item	Localised damage rectified by routine internal procedures	Contained, reversible impact managed by internal response
Moderate (3)	Lost time injury <30 days	$25,001 - $100,000	Medium term temporary interruption – backlog cleared by additional resources < 1 week	Short term non-compliance but with significant regulatory requirements imposed	Substantiated, public embarrassment, moderate impact, moderate news profile	Localised damage requiring external resources to rectify	Contained, reversible impact managed by external agencies
Major (4)	Lost time injury >30 days	$100,001 - $250,000	Prolonged interruption of services – additional resources; performance affected < 1 month	Non-compliance results in termination of services or imposed penalties	Substantiated, public embarrassment, high impact, high news profile, third party actions	Significant damage requiring internal & external resources to rectify	Uncontained, reversible impact managed by a coordinated response from external agencies
Catastrophic (5)	Fatality, permanent disability	More than $250,000	Indeterminate prolonged interruption of services – non-performance > 1 month	Non-compliance results in litigation, criminal charges or significant damages or penalties	Substantiated, public embarrassment, very high multiple impacts, high widespread multiple news profile, third party actions	Extensive damage requiring prolonged period of restitution Complete loss of plant, equipment & building	Uncontained, irreversible impact

Measures of Likelihood			
Level	**Rating**	**Description**	**Frequency**
5	**Almost Certain**	The event is expected to occur in most circumstances	More than once per year
4	**Likely**	The event will probably occur in most circumstances	At least once per year
3	**Possible**	The event should occur at some time	At least once in 3 years
2	**Unlikely**	The event could occur at some time	At least once in 10 years
1	**Rare**	The event may only occur in exceptional circumstances	Less than once in 15 years

Risk Matrix						
Consequence		**Insignificant**	**Minor**	**Moderate**	**Major**	**Catastrophic**
Likelihood		**1**	**2**	**3**	**4**	**5**
Almost Certain	**5**	**Moderate (5)**	**High (10)**	**High (15)**	**Extreme (20)**	**Extreme (25)**
Likely	**4**	**Low (4)**	**Moderate (8)**	**High (12)**	**High (16)**	**Extreme (20)**
Possible	**3**	**Low (3)**	**Moderate (6)**	**Moderate (9)**	**High (12)**	**High (15)**
Unlikely	**2**	**Low (2)**	**Low (4)**	**Moderate (6)**	**Moderate (8)**	**High (10)**
Rare	**1**	**Low (1)**	**Low (2)**	**Low (3)**	**Low (4)**	**Moderate (5)**

Risk Acceptance Criteria			
Risk Rank	**Description**	**Criteria**	**Responsibility**
LOW	**Acceptable**	**Risk acceptable with adequate controls, managed by routine procedures and subject to annual monitoring**	**Operational Manager**
MODERATE	**Monitor**	**Risk acceptable with adequate controls, managed by specific procedures and subject to semi-annual monitoring**	**Operational Manager**
HIGH	**Urgent Attention Required**	**Risk acceptable with effective controls, managed by senior management / executive and subject to monthly monitoring**	**Executive Manager / CEO**
EXTREME	**Unacceptable**	**Risk only acceptable with effective controls and all treatment plans to be explored and implemented where possible, managed by highest level of authority and subject to continuous monitoring**	**CEO / Council**

Existing Control Ratings		
Rating	**Foreseeable**	**Description**
Effective	There is little scope for improvement.	Processes (Controls) operating as intended and aligned to Policies / Procedures. Subject to ongoing monitoring. Reviewed and tested regularly.
Adequate	There is some scope for improvement.	Processes (Controls) generally operating as intended, however inadequacies exist. Nil or limited monitoring. Reviewed and tested, but not regularly.
Inadequate	There is a need for improvement or action.	Processes (Controls) not operating as intended. Processes (Controls) do not exist, or are not being complied with. Have not been reviewed or tested for some time.

POLICY TYPE:	GOVERNANCE AND COUNCIL MEMBERS	POLICY NO:	24
DATE ADOPTED:	18/07/2019	DATE LAST REVIEWED:	17/09/2020 16/09/2021 17/08/2023
LEGAL (PARENT):	*Local Government Act 1995*	LEGAL (SUBSIDIARY):	
DELEGATION OF AUTHORITY APPLICABLE:		DELEGATION NO.	

ADOPTED POLICY	
TITLE:	Work Health and Safety
OBJECTIVE:	• To outline the Shire of Wandering's recognition of its moral and legal obligations and commitment to continuously improve our Work Health and Safety Management Systems, including the establishment of measurable objectives and targets, with the aim of elimination of work related injuries and illness

POLICY STATEMENT

1. PRINCIPLES

The Shire of Wandering will manage Work Health and Safety including the development and implementation of an Work Health and Safety Management System that complies with or exceeds legislative requirements including, but not limited to:

(a) The Work Health and Safety Act 1984 (WA)
(b) The Work Health and Safety Regulations 1996 (WA),
(c) And with any other requirements placed upon the Shire or to which the Shire subscribes.

The Shire of Wandering will ensure that all levels of employees, including senior management, employees and contractors understand their roles and responsibilities in accordance with legislative requirements.

The Shire of Wandering will, so far as is practicable, meet our objectives by:

(a) Providing and maintaining workplaces, plant, and systems of work such that employees are not exposed to hazards;
(b) Providing such information, instruction, and training to, and supervision of, employees as is necessary to enable them to perform their work in such a manner that they are not exposed to hazards;
(c) Developing and maintaining a culture that encourages all employees to manage health and safety risks;
(d) Adopt, in consultation with employees, a risk management approach to work methods, plant and machinery acquisition and workplace design, and eliminate or control those identified risks;
(e)
(f) Consulting and cooperating with safety and health representatives, if any, and other employees at our workplaces, regarding Work Health and Safety at our workplaces;
(g) Where it is not practicable to avoid the presence of hazards at our workplaces, providing our employees with, or otherwise providing for our employees to have, such adequate personal protective clothing and equipment as is practicable to protect them against those hazards; and
(h) Making arrangements for ensuring, so far as is practicable, that:

- The use, cleaning, maintenance, transportation and disposal of plant; and
- The use, handling, processing, storage, transportation and disposal of substances, at our workplaces is carried out in a manner such that our employees are not exposed to hazards

While at work all employees, including contractors and volunteers will be expected to:

(a) Ensure their own safety and health at work; and
(b) Avoid adversely affecting the safety or health of any other person through any act or omission at work;
(c) Comply with safety and health instructions given by the Shire, including any direction to wear personal protective clothing or equipment;
(d) Report all hazards, injury or harm to health in our workplaces to the Shire in a timely fashion and assist with any investigations when required;
(e) Undertake risk assessments as per Council's Risk Management Policy (No 23). All organisational risks are to be assessed according to the Shire's Risk Assessment and Acceptance Criteria to allow consistency and informed decision making; and
(f) Cooperate with the Shire in our efforts to carry out our legislatively imposed safety and health duties

A safe and efficient place of work is our goal.

ASSOCIATED DOCUMENTS

AS/NZS 4801:2001 "Work Health and Safety Management Systems

Shire of Wandering Risk Management Policy No 23

POLICY TYPE:	GOVERNANCE AND COUNCIL MEMBERS	POLICY NO:	26
DATE ADOPTED:	18/07/2019	DATE LAST REVIEWED:	17/09/2020 - 18/03/2021 16/09/2021 - 19/10/2023
LEGAL (PARENT):	*Local Government Act 1995*	LEGAL (SUBSIDIARY):	
DELEGATION OF AUTHORITY APPLICABLE:		DELEGATION NO.	

ADOPTED POLICY	
TITLE:	Asset Management
OBJECTIVE:	Asset Management is viewed as an important corporate function of the Shire of Wandering and Council are committed to supporting the function. The purpose of this policy is to initiate Asset Management Principles/Framework and Asset Management Responsibilities to achieve the following objectives and outcomes: (a) The Shire's services and facilities are provided reliably, with the appropriate level of service to residents, visitors and the environment within the Shire; (b) Safeguarding the Shire's assets including physical assets and employees by implementing appropriate asset management strategies, practices and financial treatment of the assets; (c) Establish an environment where all Shire employees will assist in the overall management of the Shire assets. (d) Meet all legislative compliance for Asset Management; The adoption of an effective asset management approach will provide the following benefits: (a) More sustainable decisions by ensuring all lifecycle costs are included in decision processes, so that the emphasis is on sustainable efficiencies not unsustainable short-term gains; (b) Enhance customer service through improved understanding of service requirements and options; (c) Improved financial efficiency by recognition of all costs of owning/operating assets over the lifecycle of the assets.

DEFINITIONS

Asset - a physical item that is owned or controlled by Council and provides or contributes to the provision of service to the community.

Asset Register - a record of asset information considered worthy of separate identification including inventory, historical condition, construction, technical and financial.

Asset Management - the processes applied to assets from their planning, acquisition, operation, maintenance, replacement and disposal to ensure that the assets meet Council's priorities for service delivery.

Asset Management Plan - a plan developed for the management of an infrastructure asset or asset category that combines multi-disciplinary management techniques (including technical and financial) over the lifecycle of the asset. The Asset Management Plan establishes, for each Asset Category:

(a) Levels of Service (performance, construction, maintenance, and operational standards);

(b) Future Demand (rational basis for demand forecasting and selection of options for proposed new assets);

(c) Life Cycle Management Plan (including Operations and Maintenance, Renewals and Replacements, and Expansions and Upgrades);

(d) Financial Projections;

(e) Asset Management Practices; and

(f) Performance Monitoring and Improvement.

Asset Management Strategy - a strategy developed for the management of an asset that combines multi-disciplinary management techniques over the lifecycle of the asset.

Council - the Council of the Shire of Wandering

Fair Value is defined as:

"... the amount for which an asset could be exchanged, or a liability settled between knowledgeable, willing parties in an arm's length transaction."

And, as:

"... the price that would be received to sell an asset or paid to transfer a liability in an orderly transaction between market participants at the measurement date."

Level of Service - meeting community expectations in relation to the quality and quantity of services delivered by the Council.

Life Costing - the total cost of an asset throughout its life including planning, design, construction, acquisition, operation, maintenance, and disposal and rehabilitation costs.

POLICY STATEMENT

This Asset Management approach will be supported and achieved through the implementation of the Asset Management Strategy and Asset Management Plans for Infrastructure Assets within the Shire of Wandering.

The implementation of this Asset Management Policy will assist the Shire to meet community expectations by providing services in a sustainable manner.

1. PRINCIPLES

Asset Management encompasses all the various actions that Council must take to ensure that its assets are planned, delivered, managed, renewed and retired to serve both present and future communities.

1.1 MANAGING COUNCIL ASSETS

Council assets will be managed by:

(a) Council allocating enough financial resources (integrated with the Long Term Financial Plan) to ensure effective asset management practices, timely maintenance and renewal of assets so that community services are sustained in the long term.
(b) Asset information will be accurate and up to date allowing for appropriate asset planning, both in the short and long term, and for informed decision making to occur.

1.2 NEW ASSETS & RENEWAL OR UPGRADE / EXPANSION OF ASSETS

Prior to consideration of new infrastructure works, renewals or an expansion/upgrade:

(a) A strategic review of the need for, and the life cycle cost of that asset (including capital, maintenance, operating and renewal costs) will be carried out.
(b) Asset Renewal Plans will be implemented progressively based on priority (condition), the level of service required, and the effectiveness of the current performance of the asset.
(c) Plans to upgrade existing infrastructure will be considered and evaluated according to the need to increase the asset's Level of Service.
(d) Council will continually seek opportunities for multiple uses of assets, as well as, strategic community partnerships and for economic extensions to infrastructure life.

1.3 ASSET MANAGEMENT STRATEGY AND ASSET MANAGEMENT PLANS

An Asset Management Strategy will be developed in line with the Strategic Plan and informed by the community's aspirations and service requirements that are set out in the Corporate Business Plan.

In consultation with key stakeholders, Council will determine the Level of Service expected for each asset class to deliver economic, environmental and social values for the benefit of the community. These service levels will be adopted and reflected in the Asset Management Plans for each asset class.

The development of Asset Management Plans will also identify:

(a) The strategic goals;
(b) The level of service and performance standards;
(c) The full cost of providing the service
(d) The future demand; and
(e) Monitoring and improvement strategies.

1.4 FAIR VALUE GROUPINGS AND FREQUENCY

1.4.1 DEFINITIONS

Infrastructure Assets – includes roads, bridges, footpaths, recreation, drainage and other.

1.4.2 POLICY STATEMENT

The Shire of Wandering, for the purposes of fair value reporting, have adopted the following two groupings:

(a) Infrastructure; and
(b) Land and Buildings

Further to this, the Shire also has adopted the frequency of revaluations for fair value for each grouping be five (5) years commencing with Land and Buildings in 2019/2020.

1.5 LOW VALUE ASSETS

All items of capital nature will be capitalised based on the threshold as determined in the Council's "Significant Accounting Policies", e) Fixed Assets - Capitalisation of Assets. Items that are not capitalised will be recorded in separate Low Value Asset Register.

2. ROLES AND RESPONSIBILITIES

In order to support this policy, the following key roles and responsibilities have been identified:

2.1 COUNCIL

(a) To act as custodians for Council assets;
(b) To adopt an Asset Management Policy with linking to the Shire of Wandering' s 10 Year Community Strategic Plan
(c) To provide an advocacy role with State and Federal Governments and the community;
(d) Demonstrate the organisations commitment to the Council's vision and strategic objectives through an integrated and resourced asset management system to build and maintain intergenerational equity;
(e) Make informed decisions supported by asset management processes and costs;
(f) To comply with Integrated Planning Framework and Fair Value Legislation.

2.2 CEO

(a) Reporting on the status and effectiveness of asset management within Council;
(b) Continually promote asset management across the organisation;
(c) To validate and challenge proposals to ensure they meet the Shire's Strategic Plan objectives and community needs;
(d) To ensure community and key stakeholder's inputs are integrated into Asset Management Plans;
(e) To ensure employee are appropriately trained and skilled to perform the required Asset Management functions;
(f) To provide effective communication between Employee, Council and the Community;
(g) Responsible for implementing asset management systems, policies and procedures;
(h) Delegate specific assets to responsible project officers;
(i) Promote networks between the community, key stakeholders, and Council's asset managers to involve and consult with on the management of Council's assets.
(j) Develop and implement a framework for the evaluation and prioritisation of corporate project proposals incorporating whole of life costing;
(k) Develop and implement asset management processes and procedures;
(l) Implementation of Fair Value
(m) Develop framework, guidelines and processes to deal with Fair Value reporting.

The Level of Service for each asset class will drive the desired funding and when assessed against the Shire's current budget, this will represent the funding gap. Council will work to minimise this gap by renewing its assets at the most optimum time. The budgetary requirements will be fed into the Shire's Long-Term Financial Plan.

3. STRATEGIC IMPLICATIONS

Developing an Asset Management Strategy is a crucial part in contributing to Council's Corporate Business Plan (CBP), ensuring that the Local Government's assets are effectively managed and meet the needs of the community now and into the future.

It is stated in the Shire's CBP that the purpose of the asset management strategy is to:

(a) Show how Council asset portfolio will meet the service delivery needs of its community into the future,
(b) Enable Council's asset management policies to be achieved, and ensure the integration of Council's asset management with the Wandering Community Strategic Plan and Corporate Plan

This Asset Management Policy has also been developed to support the vision, goals and objectives in the Shire of Wandering' s Strategic Plan 2018-2028: Vision and Values.

"A healthy, harmonious and progressive community where all people are willing to contribute and enjoy opportunities to be successful."

Effective asset management ensures that all Infrastructure assets are well planned and delivered to the expectations of the community now and into the future.

The Shire of Wandering 10 Year Community Strategic Plan 2018 – 2028 outlines the goals and objectives relevant to Asset Management:

GOAL 04 – Infrastructure and Services that are Well Planned and Delivered

Outcome 4.1 - Infrastructure that is well constructed, maintained and utilised

(a) Maintain and further develop roads at appropriate standards
(b) Develop a strategy for the effective management of Shire owned land and buildings
(c) Ensure Shire facilities and buildings are maintained to agreed levels of service
(d) Develop asset management plans for all Shire infrastructure and assets that consider current and future needs and are linked to the Long-Term Financial Plan

Outcome 4.3 - Infrastructure that supports future community needs

(a) Develop a strategic direction for the use and management of Community Precinct
(b) Ensure a robust business case is prepared for any new Community Infrastructure
(c) Promote new infrastructure that is multi - functional

In order to achieve these goals, the Shire must allocate appropriate resources to asset management through its financial plan, define its service level expectations through service delivery plans, and ensure effective risk management.

POLICY TYPE:	GOVERNANCE AND COUNCIL MEMBERS	POLICY NO:	28
DATE ADOPTED:	18/07/2019	DATE LAST REVIEWED:	17/09/2020 16/09/2021 20/04/2023
LEGAL (PARENT):	*Local Government Act 1995*	LEGAL (SUBSIDIARY):	
DELEGATION OF AUTHORITY APPLICABLE:		DELEGATION NO.	

ADOPTED POLICY	
TITLE:	Unmade Road Contributions
OBJECTIVE:	• To provide a uniform basis for considering application for contribution towards upgrading unmade dedicated roads.

POLICY STATEMENT

Requests for construction/upgrade of roads/streets that are not constructed to a standard consistent with the functional class of the road, will result in the following provisions applying:

(a) Existing roads/streets– the developer or adjoining landholders shall be responsible for the full cost of the construction/upgrade
(b) Subdivisional Roads/Streets - the developer shall be responsible for the full cost of the construction
(c) Where a Town Planning Scheme contains provisions that are inconsistent with the terms and conditions set out in this Policy; the provisions of the Town Planning Scheme shall prevail.

Extract from Shire of Wandering Town Planning Scheme No. 3

5.12 Development on Lots Abutting Unconstructed Roads

Notwithstanding anything else appearing in the Scheme planning approval is required for development of land abutting an unconstructed road or a lot which does not have frontage to a constructed road. In considering such an application the local government shall either:

(a) Refuse the application until the road has been constructed or access by means of a constructed road is provided as the case may be; or
(b) Grant the application subject to a condition requiring the applicant to pay a sum of money in or towards payment of the cost or estimated cost of construction of the road or part thereof and any other conditions it thinks fit to impose; or
(c) Require such other arrangements are made for permanent access as shall be to the satisfaction of the local government

Footnote: Council has the right to reject an application under this policy if it considers the road/street unsuitable for the proposed use.

POLICY TYPE:	GOVERNANCE AND COUNCIL MEMBERS	POLICY NO:	30
DATE ADOPTED:	18/07/2019	DATE LAST REVIEWED:	17/09/2020 16/09/2021 18/08/2022 21/08/2025
LEGAL (PARENT):	*Local Government Act 1995*	LEGAL (SUBSIDIARY):	
DELEGATION OF AUTHORITY APPLICABLE:		DELEGATION NO.	

ADOPTED POLICY	
TITLE:	Use of Shire Facilities and Property
OBJECTIVE:	• To provide a framework for the hire and use of community facilities (hereby referred to as "facilities") and parks and reserves (hereby referred to as "reserves") across the Shire of Wandering.

DEFINITIONS

Chief Executive Officer - Where the Chief Executive Officer is mentioned in this policy it means the Chief Executive Officer of the Shire of Wandering.

Casual Hirers - Casual hirers are those users of the Shire's facilities and/or reserves that hire for a one-off specific event or intermittent and/or irregular meetings during any given year to a maximum of 5 sessions per year.

Service Clubs, Charitable Institutions and Emergency Service Organisations - Charitable institutions are those organisations recognised as licensed charities by the Charitable Collections Advisory Committee and officially listed by the Ministry of Fair Trading in their listing of licensed charities in Western Australia. Service Clubs are defined as those organisations where members may volunteer to perform community services and where these activities form a principal part of the organisation's objectives and goals. Funds raised by these groups, to be eligible under this Service Club definition, must be donated to a charitable cause and/or research designed to improve standards and overall quality of life.

Examples of service clubs include Rotary Clubs, Lions Clubs, and Apex Clubs. Specific emergency service organisations included in this definition are the State Emergency Service and volunteer Bushfire Brigades.

Facilities - Facilities are defined, for the purposes of this policy, as multipurpose community and recreation

Reserves - Reserves are defined as all those areas under the Shire's control set aside for passive recreation and sporting activities. This definition includes parks, active reserves, sport grounds and other passive reserves.

Commercial User Groups - A commercial user group is one, which is a registered business with the Ministry of Fair Trading and results in private pecuniary gain (i.e. income generation & profit). Those user groups deemed to be of a commercial nature would be charged the commercial fee for all use of the Shire's facilities.

Community User Groups - A community user group is defined as a non-profit organisation and shall include, but is not limited to sporting clubs (that are incorporated under the Associations Incorporations Act), stated not-for profit community groups, religious groups, education institutions and groups that have a focus on community needs with a social benefit. This definition also applies to private bookings such as weddings, birthday parties, christenings etc. Those groups deemed to be of a community nature would be charged the community fee for use of the Shire's facilities.

POLICY STATEMENT

This policy applies to the hire of facilities and reserves throughout the Shire for events, activities or functions that are deemed to fall within the existing capacity of the venue involved or of a nature that falls within the normal operations of the facility or reserve. All other events, activities and functions shall be referred to the Council and may be subject to the provisions of other Shire policies.

This policy **DOES NOT APPLY** to:

(a) Shire Administration Centre, Wandering
(b) Any facility throughout the Shire currently under a lease/licence agreement with a specific organisation/s.

Fees and Charges

Fees and charges applicable to all community facilities and reserves defined in this policy will be in accordance with the Schedule of Fees and Charges adopted by Council annually as part of the budget and amended from time to time.

Bonds applicable to facility and reserve hire

A refundable bond, subject to conditions, will be payable on any and all hire of facilities and reserves.

Storage and consumption of alcohol at community facilities and reserves

Consumption of alcohol

Any club/group or individual wishing to hold an event, activity or function at the Shire's facilities or reserves which involve the consumption of alcohol by attendees must apply in writing for approval prior to the activity, event or function.

Sale of Alcohol

Any club/group or individual wishing to hold an event, activity or function at the Shire's facilities or reserves which involve the sale of alcohol to attendees must apply in writing for approval prior to the activity, event or function.

Approval for the sale of alcohol will only be considered for those clubs/groups or individuals, which have been granted either an Occasional, Club or Club Restricted Liquor License from the Office of Racing and Gaming (Liquor Licensing Division).

Storage of Alcohol

The storage of alcohol is NOT PERMITTED at any of the Shire's facilities, outside the booking time, that are multipurpose in nature and defined in this policy.

Restricted/Unrestricted Liquor Licenses

Any club/group or individual wishing to have a regular restricted liquor licence at the Shire's facilities or reserves must apply in writing for approval.

Any club/group or individual wishing to have an unrestricted Club Licence at the Shire's facilities or reserves must apply in writing for approval.

CONDITIONS OF HIRE

Conditions of Hire forms as noted in this policy shall be made available to all prospective hirers when booking enquiries are made and signed by the prospective hirer prior to the function, event or activity date.

Conditions of Hire forms outline:

(a) Blocking Booking and Booking Usage
(b) Bonds
(c) Cancellations, refunds and tentative bookings
(d) Cleaning
(e) Ground Maintenance and Marking
(f) Damage
(g) Decorations and equipment
(h) Events
(i) Hired Area
(j) Liability
(k) Liquor
(l) Noise
(m) Payments
(n) Security
(o) Subsidised use

SPECIFIC BOOKINGS TAKING PRIORITY

Bookings for fixtures, including finals must be made by individual clubs prior to the commencement of their season, and must be for the current playing season only.

All other bookings made prior to seasonal fixtures bookings take precedence and the hirer will be granted exclusive use of the facility for the hire period;

OTHER

In all cases, the Shire reserves the right, at its discretion, to refuse entry or subsidised use of a facility or reserve to an individual or group.

POLICY TYPE:	GOVERNANCE AND COUNCIL MEMBERS	POLICY NO:	32
DATE ADOPTED:	18/07/2019	DATE LAST REVIEWED:	17/09/2020 16/09/2021 15/06/2023
LEGAL (PARENT):	*Local Government Act 1995*	LEGAL (SUBSIDIARY):	*Public Interest Disclosure Act 2003*
DELEGATION OF AUTHORITY APPLICABLE:		DELEGATION NO.	

ADOPTED POLICY	
TITLE:	Public Interest Disclosure
OBJECTIVE:	• To affirm the support of the Shire of Wandering for public interest disclosures.

POLICY STATEMENT

The Shire of Wandering does not tolerate corrupt or other improper conduct, including mismanagement of public resources, in the exercise of the public functions of the Shire of Wandering and its employees and contractors.

The Shire of Wandering is committed to the aims and objectives of the *Public Interest Disclosure Act 2003* (PID Act). It recognises the value and importance of contributions of employees to enhance administrative and management practices and strongly supports disclosures being made by employees as to corrupt or other improper conduct.

As a proper authority, the Shire of Wandering is responsible for:

(a) Receiving disclosures;
(b) Investigating disclosures;
(c) Taking appropriate action; and
(d) Reporting.

The Shire of Wandering will take all reasonable steps to provide protection to employees who make such disclosures from any detrimental action in reprisal for the making of a public interest disclosure. The Shire of Wandering does not tolerate any of its employees, employees or contractors engaging in acts of victimisation or reprisal against those who make public interest disclosures.

The following Code uses as its ethical base the principles of personal integrity, relationships with others and accountability as referred to in the Western Australian Public Sector Code of Ethics.

Consistent with those principles, to meet the minimum standards of conduct and integrity, persons receiving disclosures, must comply with the following Code.

1. THE CODE

(a) Be professional and courteous to those involved in a disclosure, and give prompt attention to all their lawful requirements
(b) Not use any circumstance or information connected to a disclosure for personal profit or gain
(c) Take all reasonable steps to seek to ensure informants who make a public interest disclosure are protected in accordance with the provisions specified in the PID Act
(d) Take all reasonable steps to seek to ensure that persons who are the subject of a disclosure are also provided with appropriate safeguards and protections as specified in the PID Act
(e) Maintain records that ensure all action taken about the receipt and processing of a disclosure is reviewable
(f) Declare to an appropriate person, in writing, any interests that may conflict with their obligations to impartially receive and process disclosures
(g) Immediately report corrupt behaviour that has been, or may be occurring, to an appropriate authority
(h) Provide information to the informant about their rights and responsibilities and the possible implications of lodging a public interest disclosure.

POLICY TYPE:	GOVERNANCE AND COUNCIL MEMBERS	POLICY NO:	35
DATE ADOPTED:	18/07/2019	DATE LAST REVIEWED:	17/09/2020 16/09/2021 14/12/2023
LEGAL (PARENT):	*Local Government Act 1995*	LEGAL (SUBSIDIARY):	
DELEGATION OF AUTHORITY APPLICABLE:		DELEGATION NO.	

ADOPTED POLICY	
TITLE:	Bereavement Acknowledgement
OBJECTIVE:	• To describe the Shire's approach to the passing of people who have played significant roles in the Shire.

DEFINITIONS

Death Notice - A public expression of sympathy about the death of a person.

Immediate family - Means the nucleus of a family that is a spouse; children; parents; and siblings, as recognised under Australian law.

Noongar Elder - The term Elder is used to describe a cultural construct within Aboriginal and Torres Strait Islander culture. For the purpose of this policy it is used to refer to individuals who are recognised by family and/or Aboriginal community as being a holder of cultural knowledge and respected as such. A Noongar Elder is a person who is traditionally connected to one or more of the 14 Noongar language groups which take into account the whole South West of Western Australia (Amangu, Yued/Yuat, Whadjuk/Wajuk, Binjareb/Pinjarup, Wardandi, Balardong/Ballardong, Nyakinyaki, Wilman, Ganeang, Bibulmun/Piblemen, Mineng, Goreng and Wudjari and Njunga)

POLICY STATEMENT

The Shire of Wandering is proud of its history and the people who have shaped it. As a mark of respect, Council can acknowledge the contribution made to the district by deceased persons and their immediate families.

The Bereavement Policy will recognise (but is not limited to) the following groups of people:

(a) Noongar Elders.
(b) Freemen of the Shire of Wandering and immediate family members.
(c) Persons honoured as a Wandering pioneer and immediate family members.
(d) Current and former council members of the Shire of Wandering.
(e) Chief Executive Officers appointed by the Shire of Wandering Council.
(f) Employees employed by the Shire of Wandering and "in service" at the date of their passing.
(g) Volunteers who have contributed to the Shire of Wandering services and projects and "in service" at the date of their passing.
(h) Identities of the Shire of Wandering, or other significant persons, as agreed by the Shire President and the Chief Executive Officer

1. FORM OF RECOGNITION

The Shire recognises the death of a person closely associated with the district by following established funeral etiquette, respecting the wishes of the immediate family if known, and being sensitive to the deceased's cultural or religious beliefs, if known.

Generally, this recognition will take the form of:

(a) A Public expression of sympathy on behalf of the district, by placing a notice in the Death Notices section of the West Australian Newspaper; and

(b) Sending a sympathy (condolence) card or a personal note to the immediate family if known, on behalf of Council and employee;
(c) Flying of the appropriate flag at half-mast prior to and during the day of the funeral;
(d) A floral tribute where this form of sympathy is considered acceptable by the family; and
(e) When considered appropriate by the Shire president and the Chief Executive Officer, inviting council members or senior employee to represent the Shire at the funeral service, dependent upon the type of service being held.

NOTE: Where council members, senior employee or employee have a personal connection to the deceased, it is the individual's prerogative to attend the funeral on their own behalf.

Recognition of an immediate family member of a person closely associated with the Shire of Wandering and its history will be:

(a) A sympathy card or personal note of condolence, on behalf of the district; and
(b) Inviting a council member or senior employee representative(s) to attend the funeral on behalf of the Shire, where the Shire President or Chief Executive Officer considers it appropriate.

2. TIMING OF RECOGNITION

Funeral etiquette dictates that formal recognition occurs at the time of the death or at the funeral service.

The funeral service provides for the proper remembrance of the person who has died.

Where Council is notified of a death after a funeral service has taken place, it is still appropriate to send a sympathy card or a personal note of condolence.

POLICY TYPE:	GOVERNANCE AND COUNCIL MEMBERS	POLICY NO:	36
DATE ADOPTED:	18/07/2019	DATE LAST REVIEWED:	17/09/2020 16/09/2021 14/12/2023
LEGAL (PARENT):	*Local Government Act 1995*	LEGAL (SUBSIDIARY):	
DELEGATION OF AUTHORITY APPLICABLE:		DELEGATION NO.	

ADOPTED POLICY	
TITLE:	Self-Supporting Loans
OBJECTIVE:	• To provide a framework for access to self-supporting loans

POLICY STATEMENT

1. PRINCIPLES

The Shire of Wandering has adopted the following principles:

(a) A request to Council to raise a self-supporting loan will be considered only from community not for profit organisations.

(b) Each request will be considered on its merits, and the organisation may be asked to provide guarantors or other acceptable security.

(c) In the event of Council agreeing to make funds available on a self-supporting basis for the construction of infrastructure, Council reserves the right to control and/or to carry out any of the following:

- The preparation of plans and specifications for the proposed work,
- The calling of tenders for the proposed work,
- The preparation of the contract documents,
- The letting of the contract,
- Sole supervision of the project,
- Sole authorisation of expenditure of funds for the project.

(d) Each request for a Self-Supporting loan is to be considered on its individual merits and any application is to include a minimum of the following information:

- Request for Self-Supporting Loan in the amount of $xx for a term of xx years.
- Demonstrated capacity to meet loan repayments, by provision of latest financial documents as determined by the CEO,
- Project scope,
- Total Cost of Project (project Budget) including all funding sources,
- The Total number of registered Members,
- Benefits the project will bring to members and the community, and
- Acknowledgement that the applicant is responsible for reimbursement to the Shire of Wandering of full costs associated with the loan and that the club will enter into a “LOAN REPAYMENT AGREEMENT” with the Shire of Wandering.
- Provision of the latest financial documents as determined by the CEO to demonstrate ability to repay the loan.

(e) The provision of self-supporting loans will only be at the sole discretion of Council and on terms agreed between Council and the entity seeking funding.

POLICY TYPE:	GOVERNANCE AND COUNCIL MEMBERS	POLICY NO:	38
DATE ADOPTED:	18/07/2019	DATE LAST REVIEWED:	17/09/2020 16/09/2021 14/02/2024
LEGAL (PARENT):	*Local Government Act 1995*	LEGAL (SUBSIDIARY):	
DELEGATION OF AUTHORITY APPLICABLE:		DELEGATION NO.	

ADOPTED POLICY	
TITLE:	Habitual and Vexatious Complainants
OBJECTIVE:	• To describe a framework for identifying and dealing with habitual or vexatious complainants

DEFINITIONS

"Habitual" means "done repeatedly or as a habit". The term vexatious is recognised in law and means "denoting an action or the bringer of an action.

For the purpose of this policy, the following definition of habitual or vexatious complainants will be used:

(a) The repeated and/or obsessive pursuit of:

- Unreasonable complaints and/or unrealistic outcomes; and/or
- Reasonable complaints in an unreasonable manner.

POLICY STATEMENT

The Shire of Wandering acknowledges that habitual or vexatious complaints can be a problem for employees and elected members. The difficulty in handling such complainants is that they are time consuming and wasteful of resources in terms of Officer and Member time and displace scarce human resources that could otherwise be spent on Council priorities. Whilst the Council endeavours to respond with patience and sympathy to all needs of all complainants, there are times when there is nothing further which can reasonably be done to assist or to rectify a real or perceived problem.

(a) To identify situations where a complainant, either individually or as part of a group, or a group of complainants, might be "habitual or vexatious" and ways of responding to these situations.

(b) This policy is intended to assist in identifying and managing persons who seek to be disruptive to the Council through pursing an unreasonable course of conduct.

1. SCHEDULE A – CRITERIA FOR DETERMINING HABITUAL OR VEXATIOUS COMPLAINTS

Complainants (and/or anyone acting on their behalf) may be deemed to be habitual or vexatious where previous or current contact with them shows how they meet one of the following criteria:

Where complainants:

(a) Persist in pursuing a complaint where the Shire's complaints process has been fully and properly implemented and exhausted.

(b) Persistently change the substance of a complaint or continually raise new issues or seek to prolong contact by continually raising further concerns or questions whilst the complaint is being addressed. (Care must be taken, however, not to disregard new issues which are significantly different from the original complaint as they need to be addressed as separate complaints).

(c) Are repeatedly unwilling to accept documented evidence given as being factual or deny receipt of an adequate response despite correspondence specifically answering their questions or do not accept that facts can sometimes be difficult to verify when a long period of time has elapsed.

(d) Repeatedly do not clearly identify the precise issues which they wish to be investigated, despite reasonable efforts of the Shire to help them specify their concerns, and/or where the concerns identified are not within the remit of the Council to investigate.

(e) Regularly focus on a trivial matter to an extent which is out of proportion to its significance and continue to focus on this point. It is recognised that determining what is a trivial matter can be subjective and careful judgment will be used in applying these criteria.

(f) Have threatened or used physical violence towards employees at any time. This will cause personal contact with the complainant and/or their representative to be discontinued and the complaint will, thereafter, only be continued through written communication. The Council has determined that any complainant who threatens or uses actual physical violence towards employees will be regarded as a vexatious complainant. The complainant will be informed of this in writing together with notification of how future contact with the Shire is to be made.

(g) Have, in the course of addressing a registered complaint, had an excessive number of contacts with the Council – placing unreasonable demands on employees. A contact may be in person.by telephone, letter, email or fax. Judgment will be used to determine excessive contact considering the specific circumstances of each individual case.

(h) Have harassed or been verbally abusive on more than one occasion towards employees dealing with the complaint. Employees recognise that complainants may sometimes act out of character in times of stress, anxiety or distress and will make reasonable allowances for this. Some complainants may have a mental health disability and there is a need to be sensitive in circumstances of that kind.

(i) Are known to have recorded meetings or face-to-face/telephone conversations without the prior knowledge and consent of other parties involved.

(j) Make unreasonable demands on the Shire and its employees and fail to accept that these may be unreasonable, for example, insist on responses to complaints or enquiries being provided more urgently than is reasonable or within the Council's complaints procedure or normal recognised practice.

(k) Make unreasonable complaints which impose a significant burden on the human resources of the Council and where the complaint:

- Clearly does not have any serious purpose or value; or
- Is designed to cause disruption or annoyance; or
- Has the effect of harassing the public authority; or
- Can otherwise fairly be characterised as obsessive or manifestly unreasonable.

(l) Make repetitive complaints and allegations which ignore the replies which Council employees have supplied in previous correspondence.

3. SCHEDULE B – OPTIONS FOR DEALING WITH HABITUAL OR VEXATIOUS COMPLAINANTS

The options below can be used singularly or in combination depending on the circumstances of the case and whether the complaint process is ongoing or completed:

(a) A letter to the complainant setting out responsibilities for the parties involved if the Council is to continue processing the complaint. If terms are contravened, consideration will then be given to implementing other action as indicated below.

(b) Decline contact with the complainant, either in person, be telephone, by fax, by letter, by email or any combination of these, provided that one form of contact is maintained. This may also mean that only one named officer will be nominated to maintain contact (and a named deputy in their absence). The complainant will be notified of this in person.

(c) Notify the complainant, in writing, that the Shire has responded fully to the points raised and has tried to resolve the complaint but there is nothing more to add and continuing contact on the matter will serve no useful purpose. The complainant will also be notified that the correspondence is at an end, advising the complainant that they are being treated as a habitual or vexatious complainant and as such the Shire does not intend to engage in further correspondence dealing with the complaint.

(d) Inform the complainant that in extreme circumstances the Shire will seek legal advice on habitual or vexatious complaints.

(e) Temporarily suspend all contact with the complainant, in connection with the issues relating to the complaint being considered habitual or vexatious, while seeking legal advice or guidance from its solicitor or other relevant agencies.

POLICY TYPE:	GOVERNANCE AND COUNCIL MEMBERS	POLICY NO:	39
DATE ADOPTED:	18/07/2019	DATE LAST REVIEWED:	17/09/2020 16/09/2021 17/08/2023
LEGAL (PARENT):	*Local Government Act 1995*	LEGAL (SUBSIDIARY):	
DELEGATION OF AUTHORITY APPLICABLE:		DELEGATION NO.	

ADOPTED POLICY	
TITLE:	Caretaker Policy in Lead to Elections
OBJECTIVE:	• To describe the practices and decision making of the Shire in the lead to the local government elections.

DEFINITIONS

"Caretaker Period means the period when the caretaker practices are in place prior to the election. The caretaker practices will apply from the close of nominations being 37 days prior to the Election Day in accordance with s4.49(a) of the Local Government Act 1995, until 6pm on Election Day.

Election Day means the day fixed under the Local Government Act 1995 for the holding of any poll needed for an election.

Electoral Material means any digital communications, advertisement, handbill, pamphlet, notice, letter or article that is intended or calculated to affect the result in an election but does not include:

(a) An advertisement in a newspaper announcing the holding of a meeting in accordance with s4.87(3) of the Local Government Act 1995.

(b) Any materials exempted under Regulation 78 of the Local Government (Elections) Regulations 1997.

(c) Any materials produced by the Shire relating to the election process by way of information, education or publicity, or materials produced by or on behalf of the Returning Officer for the purposes of conducting an election.

Events and Functions means gatherings of internal and external stakeholders to discuss, review, acknowledge, communicate, celebrate or promote a program, strategy or issue which is of relevance to the Shire and stakeholders and may take the form of conferences, workshops, forums, launches, promotional activities, social occasions such as dinners and receptions.

Extraordinary Circumstances means a situation that requires a major policy decision of the Council during a local government caretaker period if:

(a) In the Chief Executive Officer's opinion, the urgency of the issue is such that it cannot wait until after the local government election;

(b) There is a possibility of legal and/or financial repercussions if a decision is deferred; or

(c) In the Chief Executive Officer's opinion, it is in the best interest of the Council and/or Shire for the decision to be made as soon as possible.

Local Government Election means all ordinary and extraordinary Council member elections.

Major Policy Decision means any:

(a) Decisions relating to the employment, termination or remuneration of the Chief Executive Officer or any other designated senior officer, other than a decision to appoint an Acting or Deputy Chief Executive Officer or suspend the current Chief Executive Officer (in accordance with the terms of their contract), pending the election.

(b) Decisions relating to the Shire entering into a sponsorship arrangement with a total Shire contribution value exceeding $10,000 (excluding GST).

(c) Irrevocable decisions that commit the Shire to substantial expenditure or significant actions, such as that which might be brought about through a Notice of Motion by an Council member.

(d) Irrevocable decisions that will have a significant impact on the Shire of Wandering or the community.

(e) Reports requested or initiated by an Council member, candidate or member of the public that, in the Chief Executive Officer's opinion, may be perceived within the general community as an electoral issue that reflects upon the Council's decision making process, and has the potential to call into question whether decisions are soundly based and in the best interests of the community.

Pre-Selected Candidate means the process by which a candidate is selected by a political party to contest an election for political office.

Public Consultation means a process which involves an invitation to individuals, groups or organisations or the community generally to comment on an issue, proposed action or proposed policy.

Substantial Expenditure means expenditure that exceeds 0.01% of the Shire annual budgeted revenue (inclusive of GST) in the relevant financial year.

POLICY STATEMENT

The Shire of Wandering has determined that there is a need for a policy is to avoid the making of any major decisions by the Council, prior to an election, that would bind an incoming Council, prevent the use of public resources in ways that are seen as advantageous to, or promoting, the sitting Council members who are seeking re-election, or new candidates, and ensuring the Shire of Wandering's administration acts impartially in relation to candidates.

This policy also prohibits a Council member from using a wide range of Council resources during their candidacy for Council, State or Federal election.

1. APPLICATION

This Caretaker Policy applies to Council members, electoral candidates and employees of the Shire of Wandering.

1.1 SCHEDULING CONSIDERATION OF MAJOR POLICY DECISIONS

So far as is reasonably practicable, the Chief Executive Officer should avoid scheduling major policy decisions for consideration during a Caretaker Period, and instead ensure that such decisions are either:

Considered by the Council prior to the Caretaker Period; or

Scheduled for determination by the incoming Council.

1.2 DECISION MADE PRIOR TO A CARETAKER PERIOD

This Policy only applies to actual decisions made during a Caretaker Period, not the announcement of decisions made prior to the Caretaker Period. Whilst announcement of earlier decisions may be made during a Caretaker Period, as far as practicable any such announcements should be made before the Caretaker Period begins.

2. IMPLEMENTATION OF CARETAKER PRACTICES

2.1 ROLE OF THE CHIEF EXECUTIVE OFFICER IN IMPLEMENTING CARETAKER PRACTICES

The role of the Chief Executive Officer in implementing the caretaker practices outlined in this policy is as follows:

The Chief Executive Officer will ensure as far as possible, that all Council members and employee are aware of the Caretaker Policy and practices 30 days prior to the start of the Caretaker Period.

The Chief Executive Officer will ensure, as far as possible, that any major policy or significant decisions required by the Council are scheduled for Council resolution prior to the Caretaker Period or deferred where appropriate for determination by the incoming Council.

The Chief Executive Officer will endeavour to make sure all announcements regarding decisions made by the Council, prior to the Caretaker Period, are publicised prior to the Caretaker Period.

3. EXTRAORDINARY CIRCUMSTANCES REQUIRING EXEMPTION

3.1 EXTRAORDINARY CIRCUMSTANCES

The Chief Executive Officer may, where extraordinary circumstances prevail, permit a matter defined as a 'major policy decision' to be submitted to the Council. The Chief Executive Officer is to have regard to a range of circumstances, including but not limited to:

(a) Whether the decision is 'significant';

(b) The urgency of the issue (that is - can it wait until after the election);
(c) The possibility of legal and/or financial repercussions if it is deferred;
(d) Whether the decision is likely to be controversial; and
(e) The best interests of the Shire of Wandering

3.2 APPOINTMENT OR REMOVAL OF THE CHIEF EXECUTIVE OFFICER

Whilst the definitions of this policy establishes that a Chief Executive Officer may not be appointed or dismissed during a Caretaker Period, in the case of an emergency, the Council may act to appoint an Acting Chief Executive Officer, or suspend the current Chief Executive Officer (in accordance with the terms of the contract), pending the election, after which date a permanent decision can be made.

4. CARETAKER STATEMENT

4.1 CARETAKER STATEMENT

To ensure the Council complies with the commitment to appropriate decision making during the Caretaker Period a Caretaker Statement will be included in every report submitted to the Council for a decision.

The Caretaker Statement will specify one of the following:

(a) "The recommended decision is not a 'Major Policy Decision' within the context of the Elections – Caretaker Period Policy."
(b) "The recommended decision is a 'Major Policy Decision' within the context of the Elections – Caretaker Period Policy however; an exemption should be made due to extraordinary circumstances (insert the circumstances for making the exemption)".

5. SHIRE OF WANDERING PUBLICATIONS

5.1 PROHIBITION ON PUBLISHING LOCAL GOVERNMENT ELECTORAL MATERIAL

The Shire shall not print, publish or distribute, or cause, permit or authorise others to print, publish or distribute on behalf of the Shire any advertisement, handbill, pamphlet or notice that contains 'electoral material' during the Caretaker Period.

5.2 ELECTORAL MATERIAL RELEVANT TO PROHIBITION

Without limiting the generality of the definition of 'electoral material', material will be intended or likely to affect voting in the election if it contains an express or implicit reference to, or comment on:

(a) The election; or
(b) A candidate in the election; or
(c) An issue submitted to, or otherwise before, the voters in connection with the election.

5.3 CANDIDATE AND/OR COUNCIL MEMBER PUBLICATIONS

Candidates and/or Council members are permitted to publish campaign material on their own behalf but cannot claim for that material to be originating from or authorised by the Shire. For example, use of the Shire of Wandering logo is prohibited as is use of any of the Shire's photographs or images.

5.4 ELECTION ANNOUNCEMENTS

This policy does not prevent publications by the Shire which merely announce the holding of the election or relate only to the election process itself.

5.5 SHIRE OF WANDERING PUBLICATIONS

Any reference to Council members in the Shire's publications printed, published or distributed during the Caretaker Period must not include promotional text. Any of the Shire's publications that are potentially affected by this policy will be reviewed by the Chief Executive Officer to ensure that any circulated, displayed or otherwise publicly available material during the Caretaker Period does not contain material that may be construed as 'electoral material'.

5.6 SHIRE OF WANDERING WEBSITE

During the Caretaker Period the Shire's website will not contain any material which is precluded by this policy. Any references to the election will only relate to the election process. Information about Council members will be restricted to names, contact details, titles, membership of special committees and other bodies to which they have been appointed to by the Council. Information about candidates on the Shire's website will be restricted to their candidate profiles only.

6. PUBLIC CONSULTATION DURING THE CARETAKER PERIOD

6.1 PROHIBITION

It is prohibited under this policy for public consultation to be undertaken during the Caretaker Period (either new consultation or existing) on an issue which is contentious, unless the consultation is a mandatory statutory process or prior approval is given by the Chief Executive Officer.

7. ATTENDANCE AND PARTICIPATION AT EVENTS/FUNCTIONS/MEETINGS

7.1 PUBLIC EVENTS HOSTED BY EXTERNAL BODIES

Council members may continue to attend events and functions hosted by external bodies during the Caretaker Period.

7.2 SHIRE OF WANDERING CIVIC EVENTS/FUNCTIONS

Civic events/functions organised by the Shire and held during the Caretaker Period will be reduced to only those essential to the operation of the Shire and should not in any way be associated with any issues considered topical and relevant to the election. All known candidates are to be invited to civic events/functions organised by the Shire during the Caretaker Period, however, only sitting Council members will be formally acknowledged at such events/functions.

7.3 ADDRESSES BY COUNCIL MEMBERS

Council members that are also candidates should not, where possible, be permitted to make speeches or addresses at events/functions organised or sponsored by the Shire during the Caretaker Period. Council members may make short welcome speeches at events and functions organised or sponsored by the Shire during the Caretaker Period subject to prior approval of the Chief Executive Officer.

7.4 DELEGATES TO COMMUNITY AND ADVISORY GROUPS

Council members appointed to community groups, advisory groups and other external organisations as representatives of the Shire shall not use their attendance at meetings of such groups to either recruit assistance with electoral campaigning or to promote their personal or other candidates' electoral campaigns.

7.5 QUESTIONS AND STATEMENTS AT COUNCIL OR COMMITTEE MEETINGS

All candidates, whether current Council members or not, are required to declare that they are a candidate for the upcoming election prior to asking questions or making a statement at Council or Committee Meetings.

8. THE USE OF SHIRE RESOURCES

8.1 USE OF RESOURCES

The Local Government (Rules of Conduct) Regulations 2007 provide that the Shire's resources are only to be utilised for authorised activities (for example – prohibits the use of employees for personal tasks and prohibits the use of equipment, stationery, or hospitality for non-Council business). This includes the use of resources for electoral purposes. It should be noted that the prohibition on the use of the Shire's resources for electoral purposes is not restricted to the Caretaker Period.

The Shire's employee must not be asked to undertake any tasks connected directly or indirectly with an election campaign and should avoid assisting Council members in ways that could create a perception that they are being used for electoral purposes. In any circumstances where the use of Shire resources might be construed as being related to a candidate's election campaign, advice is to be sought from the Chief Executive Officer.

9. ACCESS TO COUNCIL INFORMATION AND ASSISTANCE

9.1 COUNCIL MEMBERS ACCESS TO INFORMATION

During a Caretaker Period, Council members can access Council information relevant to the performance of their functions as a Council member. However, this access to information should be exercised with caution and limited to matters that the Council is dealing with within the objectives and intent of this policy. Any Council information so accessed must not be used for election purposes.

9.2 ELECTORAL INFORMATION AND ASSISTANCE

All candidates will have equal rights to access public information, such as the electoral rolls and information relevant to their election campaigns from the Shire administration.

Information, briefing material and advice prepared or secured by employee for an Council member must be necessary to the carrying out of the Council member's role and must not be related to election issues that might be perceived to be of an electoral nature (refer to Part 8 of this policy).

Any assistance and advice provided to candidates as part of the conduct of the local government election will be provided equally to all candidates. The types of assistance that are available will be documented and communicated to candidates in advance. Types of assistance may include advice on manipulation of electoral roll data and interpretation of legislative requirements, amongst other matters.

9.3 INFORMATION REQUEST REGISTER

An Information Request Register will be maintained by the Chief Executive Officer during the Caretaker Period. This Register will be a public document that records all requests for information made by Council members and candidates, and the response given to those requests, during the Caretaker Period. Employee will be required to provide details of requests to the Chief Executive Officer for inclusion in the Register.

Any requests for media advice or assistance from Council members during the Caretaker Period will be referred to the Chief Executive Officer. No media advice will be provided in relation to election issues or regarding publicity that involves specific Council members. If satisfied that advice sought by a Council member during the Caretaker Period does not relate to the election or publicity involving any specific Council member(s), the Chief Executive Officer may authorise the provision of a response to such a request.

9.4 PUBLICITY CAMPAIGNS

During the Caretaker Period, publicity campaigns, other than for the purpose of conducting (and promoting) the election will be avoided wherever possible. Where a publicity campaign is deemed necessary for a Shire activity, it must be approved by the Chief Executive Officer. In any event, the Shire's publicity during the Caretaker Period will be restricted to communicating normal Shire activities and initiatives.

9.5 MEDIA ATTENTION

Council members will not use their position as an elected representative or their access to Shire employees or resources to gain media attention in support of their or any other candidate's election campaign.

9.6 SHIRE OF WANDERING EMPLOYEES

During the Caretaker Period no Shire employee may make any public statement that relates to an election issue unless the statements have been approved by the Chief Executive Officer.

9.7 ELECTION PROCESS ENQUIRIES

All election process enquiries from candidates, whether current council members or not, will be directed to the returning officer or, where the matter is outside of the responsibilities of the Returning Officer, to the Western Australian Electoral Commission.

POLICY TYPE:	GOVERNANCE AND COUNCIL MEMBERS	POLICY NO:	41
DATE ADOPTED:	18/07/2019	DATE LAST REVIEWED:	17/09/2020 16/09/2021 15/06/2023
LEGAL (PARENT):	*Local Government Act 1995*	LEGAL (SUBSIDIARY):	
DELEGATION OF AUTHORITY APPLICABLE:	Yes	DELEGATION NO.	12 & 19

ADOPTED POLICY	
TITLE:	Debt Collection
OBJECTIVE:	• To determine action for collection of outstanding rates and services charges

POLICY STATEMENT

The Shire of Wandering takes a responsible and supportive approach to debt collection based on the following:

(a) The Shire may recover unpaid rates, debtors or other charges in a court of competent jurisdiction for amounts outstanding for a period of less than three (3) years

- The Shire may lodge caveats on land where rates and service charges are in arrears and it is considered appropriate that the interest of the Council should be protected
- Caveats should only be removed once all rates and charges have been paid in full.

(b) Council approval must be sought for any action recommended for rates, debtors or other charges outstanding for three (3) years or more.

(Note: property and owner's details are prevented by the Privacy Act prevents from being published in a report to Council – only can include Assessment Number, and recommended action to be authorised by the Council.)

POLICY TYPE:	COMMUNITY	POLICY NO:	42
DATE ADOPTED:	18/07/2019	DATE LAST REVIEWED:	17/09/2020 16/09/2021 14/02/2024
LEGAL (PARENT):	*Local Government Act 1995*	LEGAL (SUBSIDIARY):	*Land Administration Act 1997*
DELEGATION OF AUTHORITY APPLICABLE:		DELEGATION NO.	

ADOPTED POLICY	
TITLE:	Memorials on Land under Control of Council
OBJECTIVE:	• To preserve the amenity of public reserves by managing the placement of private monuments and memorials; and • To provide guidelines on what memorials may be placed in public places and the process that needs to be followed to gain consent for the placement of a memorial. • The application of this policy is to be in conjunction with the Shire of Wandering Council members, employees and community members.

DEFINITIONS

Memorials means structures made of concrete, natural stone, marble or timber or the like which have words inscribed onto them and make take on a variety of sizes and shapes including monuments.

Plinths means structures onto which plaques are attached. They may be made of concrete, natural stone, marble or timber or the like.

Public Land – means freehold land, road verges or Reserves under the care and control of the Shire.

POLICY STATEMENT

1. MEMORIALS LOCATED ON PUBLIC LAND

The creation or placement of memorials or monuments on public land is not permitted unless the consent of the Shire of Wandering is provided.

1.1 SEATS

Council approval is required for the placement of seats with plaques, including any proposed wording on the plaque on public land. Applications must be made in writing describing the proposed location and wording of the plaque.

The purchase and placement of the seat will be at the expense of the applicant and the seat must meet the specifications set by the Shire, depending upon the location.

If installation of the proposed seat is required, the cost will be charged in accordance with the Council's Adopted Fees and Charges.

1.2 PLINTHS AND ROCKS WITH PLAQUES

Council approval is required for the placement of plinths and/or rocks with plaques on public land. As a guide, Council expects the person, event or location is of historical significance.

The purchase and placement of the plinth and/or rock will be at the expense of the applicant and the plinth and/or must meet the specifications set by the Shire, depending upon the location.

If installation of the proposed plinth and/or rock is required, the cost will be charged in accordance with the Council's Adopted Fees and Charges.

1.3 TREES

Council approval is required for the planting of trees on public land. Council will generally not approve plaques to be placed on any tree.

The purchase and placement of the trees will be at the expense of the applicant and the location must meet the specifications set by the Shire, depending upon the location.

If installation of the proposed trees are required, the cost will be charged in accordance with the Council's Adopted Fees and Charges.

1.4 SCATTERING OF ASHES

The Chief Executive Officer may determine applications for the scattering of ashes on public land.

2. GENERAL

(a) This policy does not apply to the erection of memorials and plaques to be place in a cemetery or memorial gardens.

(b) All plaques may be no larger than 150mm x 150mm,with the surrounding plinth or support / surround no larger than 200mm x 200mm.

(c) No responsibility is to be taken by the Shire of Wandering for the ongoing maintenance of the memorials or plaques.

(d) No responsibility is to be taken by the Shire of Wandering for any damage to any memorial or for their unauthorised removal.

(e) The Shire of Wandering reserves the right to remove any memorials at any time.

(f) In any cases not expressly covered by this Policy, Council adopts the Main Roads WA Roadside Memorial Policy and Guidelines.

POLICY TYPE:	COMMUNITY	POLICY NO:	43
DATE ADOPTED:	18/07/2019	**DATE LAST REVIEWED:**	17/09/2020 16/09/2021 15/12/2022 11/12/2025
LEGAL (PARENT):	*Local Government Act 1995*	**LEGAL (SUBSIDIARY):**	*Land Administration Act 1997*
DELEGATION OF AUTHORITY APPLICABLE:		**DELEGATION NO.**	

ADOPTED POLICY	
TITLE:	Naming of Shire Facilities, Roads, Parks, Reserves and Buildings
OBJECTIVE:	• To formalise the principles by which the Shire of Wandering (the 'Shire') names community infrastructure and public places, ensuring that a consistent, fair and equitable protocol is followed • Community infrastructure and public places are reminders of local history, culture and citizens, and are named appropriately to match the context and significance of the asset

DEFINITIONS

Community Infrastructure means any property, complex, structure, building, bridge, asset, sporting field owned or under the control of the Shire, excluding public roads.

Community Place means an area owned or under the control of the Shire that is not deemed to be a park (e.g. plaza) or public road.

GNC means Geographic Names Committee of WA

POLICY STATEMENT

1. PRINCIPLES

In general terms, naming should be unique and use form, spelling and style of contemporary Australian English. or Indigenous and Torres Strait Islander spoken languages.

A name shall be wherever possible:

(a) Relevant to Australian, preferably local, history, flora, fauna, culture, local landscape and physical characteristics;
(b) Short and simple - preferably one to two words;
(c) In all respects, in accordance with community standards;
(d) Complementary with and sensitive to existing names and design themes of adjoining assets;
(e) Not easily confused with or duplicating names within the region or nearby local governments;
(f) Be considerate of any potential risk to the reputation of the Shire and/or Council from aligning with an individual or company whose reputation may vary.
(g) Have strong local community support.

If personal names are used, the person commemorated should:

(a) Have contributed significantly to the development, protection or enhancement of the immediate locality (Wandering) that has produced long-term improvements in the area or community;
(b) Have actively served or contributed to an area of national or international importance;
(c) Have a long-term association with a local community group or service club (twenty years or more), service to the community or organisation must have
(d) Names of living persons are by their nature subject to partisan perception and change in community judgement and acceptance. For this reason, the adoption of a personal name during the lifetime of the person concerned should only be made in exceptional circumstance.
(e) Sensitivity to diverse cultural situations should be applied when selecting names and derogatory or discriminatory terms or terms likely to cause offence will not be approved.
(f) Names of commercial entities must not be used unless part of a formal sponsorship proposal.

2. RENAMING OF COMMUNITY INFRASTRUCTURE OR PUBLIC PLACES

Council approval is required for all new names or changes of names, subject to the following:

(a) Renaming will only occur in an extraordinary case. Evidence of substantial community support must be provided for a change in name.
(b) Where infrastructure or a public place has been named after a person and that person comes into disrepute through illegal activities, conviction or similar, whether retrospectively or subsequent to the naming, the name of the infrastructure or place shall be immediately removed.
(c) Where a name change is being considered for any of the Shire's infrastructure (or reserve), the request is to be firstly referred to Land Management Service (LMS) to confirm if the current name is officially approved by the Geographic Names Committee (GNC).
(d) Only after the GNC has officially approved the new name, can the Shire officially change the name of the infrastructure.

3. SIGNAGE

Any signage must be in line with the Shire's signage practices, design standards, and guidelines. The use of the Shire's logo will be in accordance with Policy 21 – Use of Shire Logos.

4. REQUIREMENTS FOR NAMING PROPOSALS

Conditions for requests for new names or name changes:

(a) Provide the address of the building or place to be named;
(b) Provide a site plan clearly identifying the location and boundaries of the asset to be named;
(c) Provide the reason for the choice of name including the history, meaning, significance and relevance to the Wandering region or national/international contribution.
(d) Provide any other support for the name change.

If the nomination is being submitted by an organisation, documented evidence (i.e. minutes from a committee / board meeting) must also be included in support of the nomination.

For personal names, the following must also be supplied:

(a) Biographical details: dates of birth & death (if relevant); length and years of service or association;
(b) Written permission from the family in the case of a deceased person.

<u>PROCEDURES AND GUIDELINES:</u>

1. Guidelines for the Naming of a Council Facility, Street, Park or Reserve

The Council, having regard for the requirements of the Geographic Names Committee Policies and Standards for Geographical Naming in Western Australia may approve the naming of a Council facility, Street, Park or Reserve following the receipt of a name deemed suitable by Geographic Names Committee.

2. Criteria for Assigning Names to a Council facility, Street, Park, Reserve or Building

a. The Council will consider all proposals to name a Council facility, street, park, reserve or building on a case by case basis and each proposal will be assessed and determined on its merit;
b. All proposals to name a Council facility, Street, Park or Reserve or Building must be based on strong community recognition and support of the proposed name;
c. All naming recommendations supported by the Council must be consistent with the Geographic Names Committee Principles, Policies and Standards for Geographical Naming in Western Australia and Procedures and their final approval (where applicable); and
d. Where the Council wishes to name a Council facility, Street, Park or Reserve or Building using a personal name, it should:-
    (i) Only be applied posthumously and not after a living person, unless there are exceptional and/or special circumstances;
    (ii) Only use names which are easy to pronounce, spell and write;
    (iii) Preferably only use names which are concise and short; and
    (iv) Only be applied where it is demonstrated that the person(s) has made a significant contribution to the local community.

3. Applications from the Community

a. Any application from the community for the naming of a Council facility, Street, Park, Reserve, Building or significant infrastructure shall be submitted in writing to the Shire, and shall include the following:-

(i) a brief history or submission in support of the naming application, which must:-

A. Demonstrate a strong relevance and/or connection to the area; and/or

B. Identify long standing links with the local community and/ or Shire;

(ii) in the case of a person, detailed information and supporting documentation (e.g. letters, newspaper articles, oral histories, photographs etc) to demonstrate their contribution(s)/relevance to the local community; or

(iii) In the case of a place/historical matter, detailed information and supporting documentation (e.g. letters, newspaper articles, oral histories, photographs etc) to demonstrate the relevance/ connection/link of the name to the area and/or local community.

4. Mechanism for Community Consultation Feedback

a. Prior to advertising, the Shire's Local History Librarian may conduct further research of the submitted information.

b. Where applicable, the recommended proposed name shall be submitted to the Geographic Names Committee for a name deemed suitable by the Geographic Names Committee (GNC).

c. Once approval of a name deemed suitable from the GNC has been received, the matter shall be reported (on a confidential basis) to the Council for consideration and determination for *'in principle*' approval, prior to community consultation.

d. The Shire shall:-

(i) advertise the proposal to name a Council facility, Street, Park or Reserve or Building on a local basis , for a period of twenty-one (21) days seeking comments on the proposal; and

(ii) submit a report to the Council detailing the submissions received, and a recommendation;

e. Should the Council approve the naming application, a request for formal approval shall be submitted to the Geographic Names Committee and the applicant is to be subsequently advised of the outcome following the granting of an approval by the GNC.

ASSOCIATED DOCUMENTS

Policies and Standards for the Geographical Naming of Western Australia.

A guideline to Aboriginal naming and dual naming of features and places in Western Australia

POLICY TYPE:	COMMUNITY	POLICY NO:	43
DATE ADOPTED:	18/07/2019	DATE LAST REVIEWED:	17/09/2020 16/09/2021 15/12/2022
LEGAL (PARENT):	*Local Government Act 1995*	LEGAL (SUBSIDIARY):	*Land Administration Act 1997*
DELEGATION OF AUTHORITY APPLICABLE:		DELEGATION NO.	

ADOPTED POLICY	
TITLE:	Place Names
OBJECTIVE:	• To formalise the principles by which the Shire of Wandering (the 'Shire') names community infrastructure and public places, ensuring that a consistent, fair and equitable protocol is followed • Community infrastructure and public places are reminders of local history, culture and citizens, and are named appropriately to match the context and significance of the asset

DEFINITIONS

Community Infrastructure means any property, complex, structure, building, bridge, asset, sporting field owned or under the control of the Shire, excluding public roads.

Community Place means an area owned or under the control of the Shire that is not deemed to be a park (e.g. plaza) or public road.

GNC means Geographic Names Committee of WA

POLICY STATEMENT

1. PRINCIPLES

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A name shall be wherever possible:

(a) Relevant to Australian, preferably local, history, flora, fauna, culture, local landscape and physical characteristics;
(b) Short and simple - preferably one to two words;
(c) In all respects, in accordance with community standards;
(d) Complementary with and sensitive to existing names and design themes of adjoining assets;
(e) Not easily confused with or duplicating names within the region or nearby local governments;
(f) Be considerate of any potential risk to the reputation of the Shire and/or Council from aligning with an individual or company whose reputation may vary.
(g) Have strong local community support.

If personal names are used, the person commemorated should:

(a) Have contributed significantly to the development, protection or enhancement of the immediate locality (Wandering) that has produced long-term improvements in the area or community;
(b) Have actively served or contributed to an area of national or international importance;
(c) Have a long-term association with a local community group or service club (twenty years or more), service to the community or organisation must have
(d) Names of living persons are by their nature subject to partisan perception and change in community judgement and acceptance. For this reason, the adoption of a personal name during the lifetime of the person concerned should only be made in exceptional circumstance.
(e) Sensitivity to diverse cultural situations should be applied when selecting names and derogatory or discriminatory terms or terms likely to cause offence will not be approved.
(f) Names of commercial entities must not be used unless part of a formal sponsorship proposal.

2. RENAMING OF COMMUNITY INFRASTRUCTURE OR PUBLIC PLACES

Council approval is required for all new names or changes of names, subject to the following:

(a) Renaming will only occur in an extraordinary case. Evidence of substantial community support must be provided for a change in name.
(b) Where infrastructure or a public place has been named after a person and that person comes into disrepute through illegal activities, conviction or similar, whether retrospectively or subsequent to the naming, the name of the infrastructure or place shall be immediately removed.
(c) Where a name change is being considered for any of the Shire's infrastructure (or reserve), the request is to be firstly referred to Land Management Service (LMS) to confirm if the current name is officially approved by the Geographic Names Committee (GNC).
(d) Only after the GNC has officially approved the new name, can the Shire can officially change the name of the infrastructure.

3. SIGNAGE

Any signage must be in line with the Shire's signage practices, design standards, and guidelines. The use of the Shire's logo will be in accordance with the Shire's image protocols.

4. REQUIREMENTS FOR NAMING PROPOSALS

Conditions for requests for new names or name changes:

(a) Provide the address of the building or place to be named;
(b) Provide a site plan clearly identifying the location and boundaries of the asset to be named;
(c) Provide the reason for the choice of name including the history, meaning, significance and relevance to the Wandering region or national/international contribution.
(d) Provide any other support for the name change.

If the nomination is being submitted by an organisation, documented evidence (i.e. minutes from a committee / board meeting) must also be included in support of the nomination.

For personal names, the following must also be supplied:

(a) Biographical details: dates of birth & death (if relevant); length and years of service or association;
(b) Written permission from the family in the case of a deceased person.

ASSOCIATED DOCUMENTS

Geographic Names Committee (GNC) WA Principles, Guidelines and Procedures

POLICY TYPE:	COMMUNITY	POLICY NO:	44
DATE ADOPTED:	18/07/2019	DATE LAST REVIEWED:	17/09/2020 16/09/2021 15/12/2022 11/11/2025 19/03/2026

LEGAL (PARENT):	*S5.56(2) Local Government Act 1995*	LEGAL (SUBSIDIARY):	
DELEGATION OF AUTHORITY APPLICABLE:		DELEGATION NO.	

ADOPTED POLICY	
TITLE:	Workforce Planning
OBJECTIVE:	• To ensure that strategic, operational and legislative objectives are met through efficient and effective management of its workforce for the delivery of service to the community in a timely and cost-effective manner.

POLICY STATEMENT

1. PRINCIPLES

The Shire of Wandering is committed to workforce planning, identifying that it is an essential management function in its operations.

The Shire of Wandering recognises that the achievement of all goals and objectives are reliant on the skills and knowledge of its workforce and their individual resilience, perseverance and unique capacity to fit the environment.

2. ROLES AND RESPONSIBILITIES

2.1 CEO AND MANAGERS

CEO and Managers of employees have the responsibility and accountability for ensuring that all employees are managed appropriately within their own 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.

All Managers will ensure effective setting of performance criteria for their employees that will meet relevant organisational objectives. Employee appraisals will 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 for inclusion in the Workforce Plan.

The CEO will collect and monitor relevant workforce data and statistics including demographics and trends as part of the integrated planning cycle.

2.2 EMPLOYEES

All employee involved in organisational, operational or project planning will ensure that workforce implications are considered and included in all strategic or operational plans.

2.3 RECOGNITION OF SERVICE

The recognition of Shire service is capture in Policy 7 - Employee Gratuities and Gifts

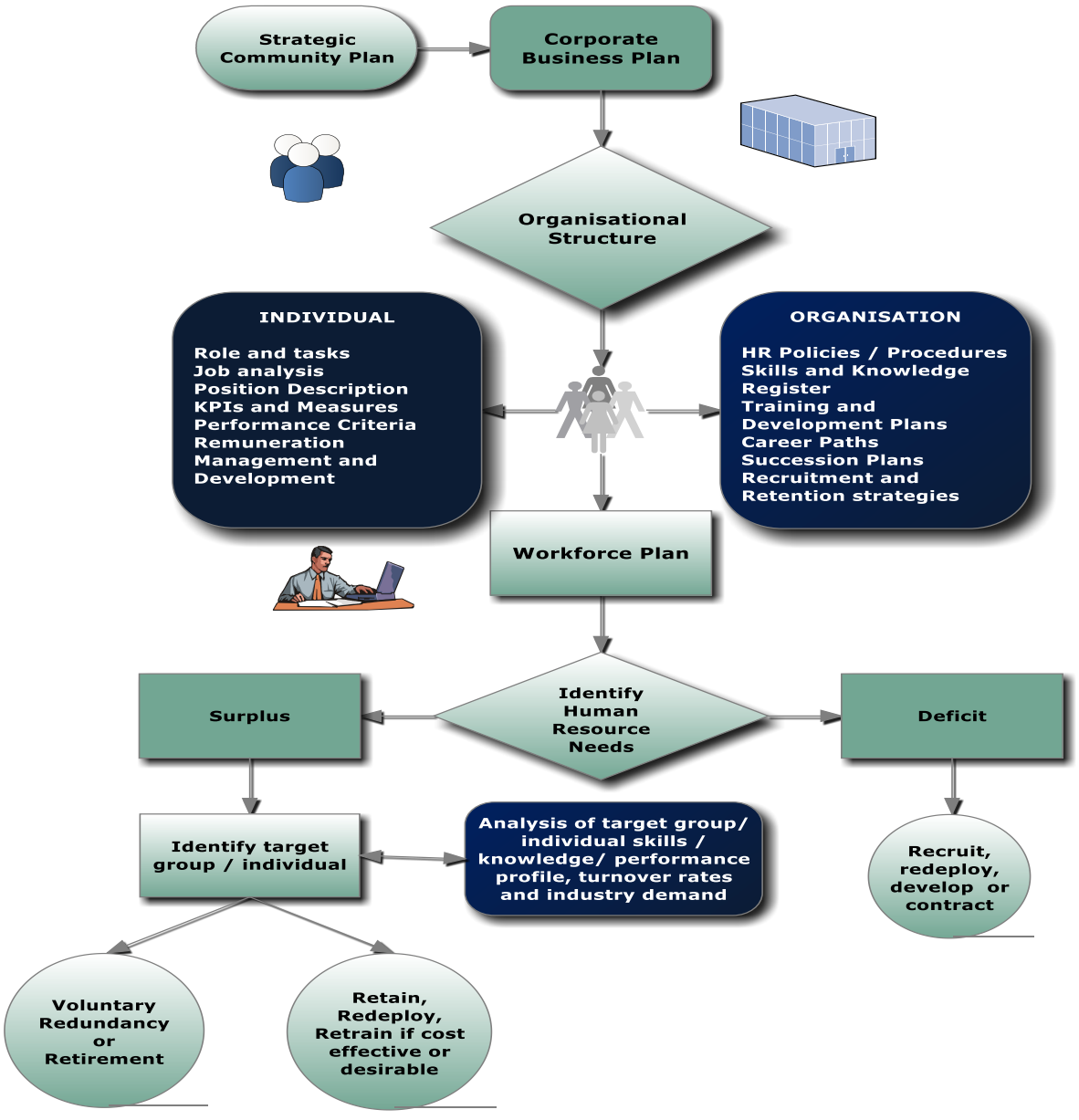
3. APPLICATION

Workforce planning is a continuous process of shaping the workforce to ensure it can achieve the Shire of Wandering's objectives into the future. It provides the framework for assessing the demand and supply of the

workforce and aims to have the right people in the right place at the right time to ensure the delivery of organisational goals resourced through effective long-term financial and business plans.

The Shire is committed to resourcing workforce requirements through its integrated planning processes as outlined in this diagram below. It recognises the responsibility for managing people lies with the person who has the executive responsibility for the objectives of the service / activity / function of their division.

3.1 WORKFORCE PLANNING DIAGRAM:



POLICY TYPE:	COMMUNITY	POLICY NO:	45
DATE ADOPTED:	18/07/2019	DATE LAST REVIEWED:	17/09/2020 16/09/2021 19/09/2024
LEGAL (PARENT):	*S5.56 Local Government Act 1995*	LEGAL (SUBSIDIARY):	
DELEGATION OF AUTHORITY APPLICABLE:		DELEGATION NO.	

ADOPTED POLICY	
TITLE:	Community Engagement and Consultation
OBJECTIVE:	To provide guidance to the Council and community on when community engagement activities should be undertaken and the level of engagement to be carried out, other than notification and consultation conducted in accordance with statutory requirements

POLICY STATEMENT

The Shire of Wandering recognises that community engagement and the opportunity for the community to participate in planning for the future are vital in ensuring we meet our strategic objective "Community Engagement" in Wandering's Community Strategic Plan: 2018 – 2028 and "Community Consultation Process" in Disability Access and Inclusion Plan.

Community Engagement is about involving the community in decisions which affect them, and to be responsive to the needs of the community. Community is defined in the broadest possible sense to include Shire of Wandering residents, ratepayers (owners and occupiers), business proprietors, community groups, and visitors.

Community engagement does not mean achieving consensus. However, it does involve seeking broad, informed agreement and the best possible solution for Council and the community.

At times it may also include other tiers of government, neighbouring Councils and other stakeholders with an interest in the Shire of Wandering. In effectively engaging the community, many diverse and different views and opinions may be conveyed to Council. Council may not always be able to reconcile these differences, nor make decisions or take actions that align with everyone's viewpoint.

1. FRAMEWORK

The Shire's approach to community engagement is based on the spectrum of engagement activities as advocated by the International Association for Public Participation. The four levels of participation are:

INFORM	CONSULT	INVOLVE	COLLABORATE
PUBLIC PARTICIPATION GOAL			
To provide the public with balanced and objective information to assist them in understanding the problem, alternatives, opportunities and/ or solutions	To obtain public feedback on analysis, alternatives and/ or decisions	To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered	To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution.

ASSURANCE TO THE PUBLIC				
We endeavour to keep you informed	We endeavour to keep you informed, listen to and acknowledge concerns and aspirations.	We endeavour to work with you to ensure that your concerns and aspirations are directly reflected in the alternatives developed.	We endeavour to look to you for direct advice and innovation in formulating solutions and incorporate your advice and recommendations into the decisions to the maximum extent possible	

2. WHEN ENGAGEMENT IS TO BE UNDERTAKEN

The Shire of Wandering endeavours to undertake community engagement when:

(a) A decision is likely to have significant impact on an individual or group in the community
(b) There is, or likely to be, strong community concern or interest in the issue;
(c) The proposal before the Council is anticipated to have significant impact on the economy, lifestyle and/or environment of the Shire and/or its residents;
(d) Significant changes to the current or future use of land or infrastructure within the Shire is being considered;
(e) Information is needed by Council about community needs, priorities or values to ensure planning is appropriate and responsive;
(f) The Council wishes to ensure all groups, including minority or disadvantaged groups have information about an opportunity to contribute to the operations and/or the planning for the Council's services, facilities and programmes.

There are 4 impact levels to measure the need for Community Engagement, where impact relates to the 'effect of an action or change on the Community.' The impact levels are as follows:

LEVEL OF IMPACT	BRIEF DESCRIPTION
Level 1	High level of impact overall or a large part of Wandering.
Level 2	High level impact of a local nature, eg a local area, specific community or user group
Level 3	Lower level of impact overall or a large part of Wandering.
Level 4	Lower level of impact of a nature, eg a local area, specific community or user group

The level of community engagement undertaken relates directly to the level of community involvement required, and should always be appropriate to the nature, complexity and impact of the issue, plan or strategy. In some cases, it may not be practicable when:

(a) The Council is to decide quickly in the interest of the Shire (e.g. Public Safety);
(b) The advice or decision is to another tier of Government about matters of broad interest (in common) to constituents of the State;
(c) The decision concerns day to day administrative matters

3. ROLES AND RESPONSIBILITIES

3.1 COUNCIL

The Council is elected to make decisions on behalf of the people of the Shire of Wandering. To do so effectively, the Council may have a need to inform themselves of current community attitudes and opinions on the issue(s).

All community engagement is undertaken in a manner that is consistent with legal obligations under;

(a) The Commonwealth Disability Discrimination Act 1992 (that is, open and accessible to all members of the community);
(b) The Information Privacy Act 2000 (regarding the handling of all personal information); and
(c) Any other relevant legislation which may relate to an issue

3.2 COMMUNITY

The Community is expected to:

(a) Inform themselves about Council functions, initiatives, activities and objectives and participate in civic affairs;

(b) Acknowledge that the Council is made up of duly elected representatives of the community and it is their role to make decisions on behalf of the community;

(c) Acknowledge that submissions addressing matters that are objective are generally considered more highly than those that demonstrate bias, or are subjective, or hypothetical; and

ASSOCIATED DOCUMENTS

Shire of Wandering Community Strategic Plan: 2018-2028

Shire of Wandering Disability Access and Inclusion Plan:

POLICY TYPE:	COMMUNITY	POLICY NO:	46
DATE ADOPTED:	18/07/2019	DATE LAST REVIEWED:	17/09/2020 16/09/2021 14/02/2024
LEGAL (PARENT):	*Local Government Act 1995*	LEGAL (SUBSIDIARY):	
DELEGATION OF AUTHORITY APPLICABLE:		DELEGATION NO.	

ADOPTED POLICY	
TITLE:	Private Works
OBJECTIVE:	• To provide the framework for undertaking works for external individuals, companies or public agencies. The Shire undertakes private works to assist external clients provide infrastructure and services where this is of benefit to the community and can be undertaken without detriment to the Shire's own works program.

DEFINITION

Private works include:

(a) Provision of works or services to external individuals, companies or government agencies
(b) Supply of Shire materials
(c) Hire of Shire plant.

Significant nature – means works, services or materials with a total value exceeding $50,000 excluding GST per event.

POLICY STATEMENT

1. PRINCIPLES

The following principles guide the Shire's involvement in private works:

(a) The Shire will not knowingly tender against private contractors for external contracts within the Shire of Wandering;
(b) Private works of a significant nature will be subject to approval by Council, and will incorporate appropriate project management and reporting processes;
(c) Private works will be priced as per Council's adopted Schedule of Fees & Charges.
(d) The Shire will carefully assess any risk associated with the undertaking of private work in accordance with the Shire's Risk Management Policy.

2. RISK

The Shire will exercise a high level of due diligence in the pricing and design of work and ensure contracts are written to ensure all costs are the responsibility of the external party.

ASSOCIATED DOCUMENTS

Shire of Wandering Purchasing and Tender Policy

Shire of Wandering Records Keeping Plan and Policy

POLICY TYPE:		POLICY NO:	47
DATE ADOPTED:	18/07/2019	**DATE LAST REVIEWED:**	17/09/2020 16/09/2021 18/05/2023 19/03/2026
LEGAL (PARENT):	*Local Government Act 1995*	**LEGAL (SUBSIDIARY):**	
DELEGATION OF AUTHORITY APPLICABLE:		**DELEGATION NO.**	

ADOPTED POLICY	
TITLE:	Australia Day Award
OBJECTIVE:	• To clarify the process of the annual Australia Day Award – Citizen of the Year and Community Group or Event of the Year.

DEFINITIONS
N/A

POLICY STATEMENT
The Shire of Wandering acknowledges worthy locals, groups and events through the Australia Day Citizen of the Year Award and Australia Day Community Group or Event of the Year Award.

Annually pending suitable nominations in October and November an advertisement is to be placed in the Wandering Echo, Shire website and Shire Facebook page calling for nominations for Citizen of the Year and Community Group or Event of the Year.

Award recipients are to be personally advised of the award to enable them to make appropriate arrangements, speeches, etc. Award recipients are also asked to participate in event related publicity and promotional activities.

Award recipients are to be recognised by the Shire on Australia Day, if a function is held, or alternatively in the absence of an event at the first Ordinary Council Meeting after Australia Day.

The successful recipients of the Awards are to be listed on the Honour Board in the front foyer of the Shire's Administration Building.

Eligibility and Criteria
Nominations for the Awards are to be judged according to the eligibility criteria published by the Australia Day Awards Guidelines each year. Nominators are excluded from the judging process.

How to Nominate
Nominations for the Awards are to be made by completing an application form which is available on the Shire website or from the Shire Administration Office.

All nominations are to be discussed, under confidential cover, and a decision made at the December Ordinary Council Meeting.

Closing Date
Nominations close on 30 November each year.

ASSOCIATED DOCUMENTS
Citizen of the Year Application Form
Community Group or Event of the Year Application Form

POLICY TYPE:	COMMUNITY	POLICY NO:	48
DATE ADOPTED:	18/07/2019	DATE LAST REVIEWED:	15/04/2021 17/09/2020 15/04/2021 16/09/2021 21/10/2021 15/06/2023
LEGAL (PARENT):	*Local Government Act 1995*	LEGAL (SUBSIDIARY):	
DELEGATION OF AUTHORITY APPLICABLE:		DELEGATION NO.	

ADOPTED POLICY	
TITLE:	Community Funding, Grants and Donations
OBJECTIVE:	• To provide financial assistance for organisations and/or projects, which benefit the community. • To provide guidelines for the consideration and approval, or otherwise, of financial assistance applications. • To maintain and build on Wandering's vibrant community spirit and welfare by providing financial support for local events which involve people coming together in the celebration and enjoyment of their culture or a common interest.

DEFINITIONS

Community Organisation means any organisation which has as its members, members of the Wandering community and which operates on a "not for profit" basis.

Not for Profit means that the proceeds of the organisation are used for the benefit of the organisation and are not available for disbursement to the members of the organisation.

Major Community Grant means any financial assistance grant over $2,000. Usually provided for the development of a capital works project eg: building construction, major purchase of equipment, ground-works, etc.

Minor Community Grant means any financial assistance up to $2,000. Usually provided for minor building construction, maintenance or repair, minor projects, equipment purchase, relief from Council fees and charges etc.

GST means the Federal Government's Goods and Services Tax. Provision of grant funds will be exclusive of GST unless the recipient organisation is registered for GST, in which case the grant amount will be grossed up by 10%.

POLICY STATEMENT

FUNDING ROUNDS

The Community Financial Assistance Program will be open all year round and applications will be considered once each financial year, with the funding being allocated from within Council's budget for that financial year. The round will be advertised on the 1st of April and close on the 30th May each year and will be considered at the June Council meeting with the project to be completed by the end of June the following year.

Once funds have been fully allocated no further funds will be available until the following financial year

APPLICATIONS

All applications shall be made on the appropriate forms.

MAJOR COMMUNITY GRANTS ($2,000+)

Major Community Grants may be used for any purpose, but are generally provided for purposes such as building purchase or construction, purchase of equipment, ground-works etc. Applications should address the following criteria:

a) Type of organisation (eg sport, community, hobby, health and welfare, artistic, religious etc);
b) Organisation membership;
c) Nature of service/facility provided;
d) Project details/planning/design/timing;
e) Demonstrated need or community benefit;
f) Financial position of the applicant;
g) Financial viability of project;
h) Other financial/in kind contributions;
i) On-going management;
j) Existing services and facilities of a like nature, within Wandering;
k) Provision of quotes (2) for all items greater than $1,000 in value; and
l) Provision of a detailed project budget including GST breakdown.
m) Details of applications to other possible funding sources. (eg Dept of Sport and Recreation, Healthways, Lotteries, etc.)
n) Licensed clubs, under the Liquor Act, must disclose the amount of income generated from the sale of alcohol.

MINOR COMMUNITY GRANTS (UP TO $2,000)

Minor Community Grants may be used for any purpose, including minor building construction, maintenance or repair, equipment purchases or hire, events or functions, relief from Council fees and charges etc.

Applications should address the following criteria:

(a) Type of organisation (eg sport and recreation, community based, general interest, health and welfare, artistic, religious etc);
(b) Organisation membership;
(c) Nature of service/facility provided;
(d) Demonstrated need or community benefit;
(e) Applicant's financial position;
(f) Purpose of the grant; and
(g) Provision of a detailed project budget including GST breakdown.
(h) Details of applications to other possible funding sources. (eg Dept of Sport and Recreation, Healthways, Lotteries, etc.)
(i) Licensed clubs, under the Liquor Act, must disclose the amount of income generated from the sale of alcohol.

WHAT IS NOT FUNDED

(j) Ongoing expenditure in the form of operating or administrative costs.
(k) Applications that are insular or of self-interest.
(l) Applications that benefit personal business aspirations.
(m) Purchase of alcohol.
(n) Projects whose goals or strategies are not included within the Shire of Wandering Community Strategic Plan.
(o) Applications for projects outside the Shire of Wandering.

CONDITIONS AND REQUIREMENTS

Groups, individuals, organisations or clubs are not to expect, as of right, any financial assistance from the Council. Requests will only be considered in respect to the overall priorities of other projects within the Shire and will also be subject to the availability of finance.

Financial assistance approvals shall be administered in accordance with the following:

(p) Project must commence and be completed in the financial year for which funding has been approved. Funds not expended by the end of the financial year in which they were approved, may be forfeited, unless a deferment has been requested by the Grantee.

(q) Where financial assistance is approved by Council for projects that are dependent upon funding from an outside source, eg: Sport and Recreation WA; Lotteries Commission etc, and that funding application is unsuccessful or the level of financial assistance from an outside source has been reduced below that requested by an organisation, the organisation shall be required to demonstrate its ability to meet the funding shortfall.

(r) Council may restrict its contribution to the project or event on a case by case basis.

(s) 50% of the approved grant will be paid on approval of the project and the balance following successful acquittal of the project.

(t) Prior approval must be sought for any substantial change of proposal.

(u) Acquittal of the grant funds must be submitted to the Shire in a timely manner.

(v) Acknowledgement that "This project was made possible through financial assistance from the Shire of Wandering" must be made in all publicity associated with the project. Use of the Shire of Wandering logo is encouraged in all promotional material.

POLICY TYPE:	COMMUNITY	POLICY NO:	50
DATE ADOPTED:	18/07/2019	**DATE LAST REVIEWED:**	17/09/2020 16/09/2021 15/12/2022 11/12/2025

LEGAL (PARENT):	*Local Government Act 1995*	**LEGAL (SUBSIDIARY):**	

DELEGATION OF AUTHORITY APPLICABLE:	Yes	**DELEGATION NO.**	04

ADOPTED POLICY	
TITLE:	Council's Responsibility on Crown Land
OBJECTIVE:	• To clarify Council's roles on Crown Land

POLICY STATEMENT

The Shire of Wandering notes the potential burden and cost placed on the community for the need for Council carrying out statutory functions on Crown Land (from which it receives no rate income).

Accordingly, there is a clear presumption that Council may not act in relation to the Health Act, Dog Act, Litter Act, Off Road Vehicles Act or other relevant Acts in relation to activities occurring on land not under the care and control of the Shire of Wandering.

POLICY TYPE:	COMMUNITY	POLICY NO:	51
DATE ADOPTED:	18/07/2019	DATE LAST REVIEWED:	17/09/2020 15/10/2020 16/09/2021 15/09/2022 20/11/2025
LEGAL (PARENT):	*Local Government Act 1995*	LEGAL (SUBSIDIARY):	
DELEGATION OF AUTHORITY APPLICABLE:		DELEGATION NO.	

ADOPTED POLICY	
TITLE:	Crossovers
OBJECTIVE:	• To ensure consistency for landholders when looking to provide access to their property from a Shire road

DEFINITIONS

A "crossover" is the part of a driveway between the property boundary and the edge of the road carriageway.

POLICY STATEMENT

The Shire of Wandering will cover up to 50% of the cost, of a standard crossover, of standard dimensions to following specifications; anything outside these dimensions/standards will need to be approved by Council.

- Residential – 3.0m
- Rural Residential – 4.0m
- Rural – 6.0m

GENERAL CONDITIONS

1. Only one crossover subsidy will be paid to each separate rate assessment. This will not be paid for Subdivisions. Any additional crossovers required by the landholder shall be at their cost.
2. Council will provide a subsidy only on roads under Council control.
3. Applications shall be made in writing by the landowner to Council before any crossover is constructed, and Council shall respond, either disallowing or approving the crossover, and setting conditions if appropriate. This applies to any crossover, whether a Council contribution is sought or not.
4. Council approval to any application shall have a two year limit, following which the landowner must reapply if the crossover is not constructed within two years from approval.
5. Upon completion, the landowner shall provide a copy of the invoice if they have requested a Council contribution. No contribution will be paid if the landowner has not put in an application and received Council approval prior to the crossover being constructed.
6. Prior to commencing any work, Council's Manager of Works will inspect the site and provide written approval or requirement for alterations to the location. The approval will specify the size of pipe, if required.
7. Works are to be carried to the set specification. Maximum and minimum dimensions of access apply.
8. Payment of the subsidy will not be made until the work is complete and has been inspected and is authorised by the Manager of Works.
9. Work in excess of that specified is fully at the landowners' cost and will not be subsidised by Council.
10. All culvert pipes to be class 4 reinforced concrete pipe.
11. Culvert pipes to be offset from the drain to allow adequate cover over the pipe.
12. No access to be located within 6.0 metres of a side road boundary.
13. Any ongoing maintenance will be the landowner's responsibility.
14. If the Shire damages a constructed crossover, it shall replace the damaged crossover with like for like construction at no cost to the landholder.

POLICY TYPE:	COMMUNITY	POLICY NO:	52
DATE ADOPTED:	18/07/2019	**DATE LAST REVIEWED:**	17/09/2020 16/09/2021 21/09/2023
LEGAL (PARENT):	*Environmental Protection Act 1986*	**LEGAL (SUBSIDIARY):**	*Environmental Protection (Clearing of Native Vegetation) Regulations 2004*
DELEGATION OF AUTHORITY APPLICABLE:	Yes	**DELEGATION NO.**	52

ADOPTED POLICY	
TITLE:	Fence Line Clearing within Road and other Reserves
OBJECTIVE:	• To define the Shire's Policy on fence line clearing within Road and other Reserves

POLICY STATEMENT

Shire approval is required for all fence line clearing that involves the clearing of native vegetation on Crown land, including road reserves, under the care and control of the Shire. Any approval granted may be subject to the following:

(a) The clearing is done in such a way as to limit damage to adjoining or nearby native vegetation;
(b) All material resulting from the clearing removed from the reserve be placed in the landholder's at the landowner's direction;
(c) Fences are replaced on any reserve boundary at the cost of the landholder;

Note: The landholder must comply with all other Acts and Regulations in force from time to time with regard to land clearing

POLICY TYPE:	COMMUNITY	POLICY NO:	53
DATE ADOPTED:	18/07/2019	**DATE LAST REVIEWED:**	17/09/2020 16/09/2021 21/09/2023
LEGAL (PARENT):	*Local Government Act 1995*	**LEGAL (SUBSIDIARY):**	
DELEGATION OF AUTHORITY APPLICABLE:		**DELEGATION NO.**	

ADOPTED POLICY	
TITLE:	Guidelines for Plantation Fire Protection
OBJECTIVE:	• To provide for consistency for landholders developing plantations

DEFINITIONS

Plantation – means any area of planted trees for the purpose of future harvest, within gazetted town sites exceeding 1ha and elsewhere exceeding 40 hectares.

POLICY STATEMENT

The Shire of Wandering adopts the Department of Fire & Emergency Services "Guidelines for Plantation Fire Protection" and applies the definition shown above.

POLICY TYPE:	COMMUNITY	POLICY NO:	54
DATE ADOPTED:	18/07/2019	**DATE LAST REVIEWED:**	17/09/2020 16/09/2021 19/10/2023
LEGAL (PARENT):	*Local Government Act 1995*	**LEGAL (SUBSIDIARY):**	
DELEGATION OF AUTHORITY APPLICABLE:		**DELEGATION NO.**	

ADOPTED POLICY	
TITLE:	Public Library and Internet Access
OBJECTIVE:	• To ensure there is appropriate use library and public internet by members of the public

POLICY GUIDELINES – PUBLIC LIBRARY AND INTERNET ACCESS:

Standards of Behaviour - While utilising the library service, including internet access, all users must respect the rights of other users.

Parents shall not leave children under the age of 12 unattended on the public internet computer in the library.

The Shire Library has free access during restricted office hours to its library and public internet computer, however, during peak times bookings may be required. Users may not make any alterations to the public internet computer, this includes making modifications to hardware or software, or downloading inappropriate information.

Public library computer users may print information for a fee as per schedule of fees and charges.

(a) No more than two persons at a time may use the public internet computer.
(b) All users of the internet must abide by the WA Censorship Act 1996, s102 which bans the use of the internet to transmit restricted material to a minor or make restricted material available to a minor. Users who disregard this will be reported to the Police.

The Shire of Wandering has no control over the information accessed through the Internet and cannot be held responsible for its content.

The Shire of Wandering does not guarantee or accept any liability for the retrieved information's accuracy, authoritativeness, timeliness, or usefulness for a particular purpose.

The Shire of Wandering shall have no liability for any direct or indirect consequential damages related to the use thereof.

POLICY TYPE:	COMMUNITY	POLICY NO:	55
DATE ADOPTED:	18/07/2019	DATE LAST REVIEWED:	17/09/2020 16/09/2021 19/09/2023
LEGAL (PARENT):	*Local Government Act 1995*	LEGAL (SUBSIDIARY):	
DELEGATION OF AUTHORITY APPLICABLE:		DELEGATION NO.	

ADOPTED POLICY	
TITLE:	Refilling at Standpipes
OBJECTIVE:	• To prevent any contamination of potable water

POLICY STATEMENT

Vehicles and water transport vessels with any pesticide or herbicide chemical contaminants or remnants onboard are not permitted to be filled at any Shire potable water standpipes.

POLICY TYPE:	COMMUNITY	POLICY NO:	56
DATE ADOPTED:	18/07/2019	**DATE LAST REVIEWED:**	17/09/2020 16/09/2021 21/03/2024
LEGAL (PARENT):	*Local Government Act 1995*	**LEGAL (SUBSIDIARY):**	
DELEGATION OF AUTHORITY APPLICABLE:		**DELEGATION NO.**	

ADOPTED POLICY	
TITLE:	Stock on Road Signs
OBJECTIVE:	• To provide guidelines for signage and other related matters.

DEFINITIONS

Local road - means a road under the control of a Local Government.

Main Roads - means the Main Roads of Western Australia.

RTC 2000 - means The Road Traffic Code 2000.

State Road means a road under the control of Main Roads

Traffic signs - mean a sign as recognised in the Australian Standards or Main Roads Signs Index.

POLICY STATEMENT

The Shire of Wandering adopts Main Roads "Technical Guidelines – Stock Crossings", which incorporates:

(a) General Guidelines
(b) Stock Crossing
(c) Droving of Stock along a Road
(d) Signs
(e) Vehicle Mounted Warning Device
(f) Stock Underpasses

for all local roads within the Shire of Wandering.

POLICY TYPE:	COMMUNITY	POLICY NO:	58
DATE ADOPTED:	18/07/2019	DATE LAST REVIEWED:	18/06/2020 17/09/2020 16/09/2021 18/04/2024
LEGAL (PARENT):	*Local Government Act 1995*	LEGAL (SUBSIDIARY):	
DELEGATION OF AUTHORITY APPLICABLE:		DELEGATION NO.	

ADOPTED POLICY	
TITLE:	Road Making Materials
OBJECTIVE:	• To provide guidance for the provision of sand/gravel supplies for road works

POLICY STATEMENT

1. IDENTIFYING GRAVEL/SAND

Areas of suitable materials shall be clearly identified and recorded in a register containing title details, landholder details, approximate quantities and life of the pit, details of when the material was accessed including quantities, details of any compensation (see below), and a map of the location.

2. NEGOTIATING WITH LANDHOLDER

Negotiations with the landholder shall be carried out with both the interests of the landholder and Shire in mind. Attempts shall be made to satisfy the concerns of the landholder in order to obtain materials, but it should be noted that the Shire may invoke the powers of the Land Administration Act 1997 to take land where negotiations have failed. A written, signed and witnessed agreement be put in place prior to any gravel being taken from the site.

3. ACCESSING

Access to pits shall be on a mutually agreeable basis, and it will be agreed with the landowner the access route to and from the pit.

4. COMPENSATION

Values for materials are to be determined by the Chief Executive Officer in negotiation with the Landholder, on a case by case basis, determined by the quality of the materials, and proximity to the job.

Landowners have an option to:

(a) Claim full payment for the materials extracted; or
(b) Claim part payment and part private works up to the value of the materials extracted; or
(c) Receive no payment and have private works carried out to the value of the materials extracted; or
(d) Provide the gravel/sand free of charge with no expectation of any quid pro quo arrangement.

The valuation of private works will be determined by the Executive Manager Technical Services, based on the Council's adopted fees and charges rates at the time the works are carried out.

The private works in part (b) and (c) above may only be carried out on the property from which materials have been extracted, subject to plant availability, and only available for two (2) years from the date the material was supplied.

Where compensation is paid by cash, the landholder shall be recompensed when the material is quarried and heaped.

5. REHABILITATION

The Shire will rehabilitate the pit and access tracks once the gravel supply is exhausted at no charge to the landholder. Any additional requirements of the landholder must be approved by Council prior to any works being carried out. For the purposes of this policy "rehabilitate" means levelling of the quarry floor and the replacement of the topsoil.

6. EFFECT OF THIS POLICY

The Shire agrees to maintain the pit in a reasonable condition, and any associated fencing and gates in the same condition as when first accessed. Any damage to fences, gates or property will be remedied by the Shire.

ASSOCIATED DOCUMENTS

Land Administration Act 1997

POLICY TYPE:	COMMUNITY	POLICY NO:	59
DATE ADOPTED:	15/10/2020	**DATE LAST REVIEWED:**	16/09/2021 18/04/2024
LEGAL (PARENT):	*Local Government Act 1995*	**LEGAL (SUBSIDIARY):**	
DELEGATION OF AUTHORITY APPLICABLE:		**DELEGATION NO.**	No

ADOPTED POLICY	
TITLE:	Christmas, New Year and Easter Arrangements
OBJECTIVE:	• To ensure equitable and uniform application of the closure of the Shire Depot and Administration office during Christmas/New Year and Easter periods annually.

POLICY STATEMENT

The purpose of this Policy is to enable the closure of the Shire Depot and Administration Office without the need for annual pre-approval from Council.

1. SHIRE DEPOT

Closure for the following periods each year:

(a) Christmas/New Year – usually 12:00noon on the last working day one week before Christmas Day, and reopens on the first working day after New Year's day, provided the closure is no greater than three weeks; and

(b) Wednesday through to the Friday after Easter (Monday being a public holiday and Tuesday being an award (govt) holiday) (three working days).

Subject to:

(a) Employees taking either time-in-lieu, paid leave or unpaid leave for these periods, excluding public holidays and RDO's; and

(b) Suitable emergency arrangements being put in place.

2. ADMINISTRATION OFFICE & COMMUNITY RESOURCE CENTRE

Restricted opening hours for the following periods each year;

(a) Closing the Administration Office and Community Resource Centre at 12:00noon on the last working day before Christmas Day.

(b) Administration Office only - Non-public holidays between Christmas and New Year, restricted opening hours of 10am – 2:00pm, resuming normal hours on the first working day after New Year's Day.

(c) Community Resource Centre to close between Christmas and New Year.

Subject to:

(a) Employees taking either time in lieu, paid leave or unpaid leave for these periods, excluding public holidays, and

(b) Suitable emergency arrangements being put in place.

POLICY TYPE:	COMMUNITY	POLICY NO:	60
DATE ADOPTED:	18/07/2019	DATE LAST REVIEWED:	17/09/2020 16/09/2021 16/05/2024
LEGAL (PARENT):	*Local Government Act 1995*	LEGAL (SUBSIDIARY):	
DELEGATION OF AUTHORITY APPLICABLE:		DELEGATION NO.	

ADOPTED POLICY	
TITLE:	Asbestos Management
OBJECTIVE:	• To assist the Shire of Wandering to comply with government policy and legislative requirements in the management of Asbestos Containing Materials (ACM) in workplaces.

DEFINITIONS

ACM (Asbestos Containing Materials) is the general term used to describe all products that contain asbestos; it is defined as any material, object, product or debris containing asbestos.

POLICY STATEMENT

This Policy is developed to assist the Shire of Wandering to comply with government policy and legislative requirements in the management of Asbestos Containing Materials (ACM) in workplaces.

The Shire of Wandering as an employer has a responsibility to maintain a safe working environment under the provisions of the *Work Health and Safety Act 2020*.

1. POLICY SCOPE

This policy applies to management of ACM in all buildings on Shire owned or managed land including, but not limited to;

(a) Ablutions and Toilets;
(b) Art and Cultural Buildings;
(c) Commercial and Community Leased Buildings;
(d) Community Buildings;
(e) Community Halls;
(f) Operations Facilities (Depots etc);
(g) Recreation Facilities;
(h) Residential Buildings;
(i) Shire Offices;
(j) Caravan Parks; and
(k) Camping Reserves

The Shire of Wandering is committed to ensuring that ACM in all buildings on Shire owned or managed land is managed and controlled to protect the health and well-being of workers, contractors and the community. The ultimate long-term aim is for all buildings on Shire owned or managed land to be free of asbestos materials.

The presence of asbestos in premises on Shire owned or managed land will be identified and the risk to health evaluated.

The programmed removal of ACM will be based on the risk to health as identified by a competent person carrying out an inspection. It is recognised that ACM in sound condition, left undisturbed, present little risk to the general community. Removal may not be immediately necessary but should be completed prior to demolition or major renovation. The Shire will manage the risks from ACM and provide a record of actions undertaken with the aim being to:

(a) Increase awareness;
(b) Prevent airborne asbestos fibre exposure;
(c) Prevent the spread of asbestos fibres;
(d) Increase competency and experience; and
(e) Control of works likely to disturb ACM.

To achieve these outcomes the Shire will:

(a) Ensure that clubs / organisations wanting to upgrade buildings or facilities on Shire owned or managed land will be required to remove ACM as part of any facility upgrade or alteration/improvement where it is necessary to do so to comply with legislative requirements.
(b) In relation to organisations seeking Council support and / or funding support for external funding from such bodies as CSRFF etc, any submission will be required to include the removal of ACM, as part of the application and/ or scope of works.
(c) Review Council's Lease Documentation to ensure ACM management in accordance with the policy is adequately provided for.
(d) Ensure that during the planning process and before commencement of major upgrades or renovations of any buildings / facility on Shire owned or managed land that priority is given to the removal of ACM in relation to funding.
(e) Where the building is located on land that the Shire owns or manages, the Shire will ensure that an appropriate risk assessment of any identified ACM has been conducted. Where the risk assessment has deemed it necessary, the ACM will be safely removed as per the requirements of the *Work Health and Safety Act 2020*and related Regulations and Codes of Practice.
(f) Ensure that all buildings on Shire owned or managed land are surveyed to identify ACM, so far as is reasonably practicable, that may be present therein.
(g) Ensure that all appropriate building surveys prior to any demolition or structural alteration of any buildings on Shire owned or managed land being undertaken.
(h) Provide information on ACM to employees, contractors, sub-contractors and any other person who may be affected by the presence of the ACM in their work area.
(i) Promote awareness of the risks from ACM and the Shire's Management Procedures through training and induction of relevant employees.
(j) Ensure that information regarding the presence of asbestos is contained in tender and Request for Quotation documentation as may be appropriate, and that contractors and sub-contractors have risk assessments, method statements etc., where appropriate for its removal and/or management in place.
(k) Ensure that any ACM that may be present in any buildings on land that it owns or manages is maintained in a condition to prevent the possibility of any harm to health occurring.
(l) Monitor the condition of ACM left in situ.
(m) Provide adequate resources to ensure the provision of appropriate information, instructions and training.
(n) The Schedule programmed removal of ACM in buildings on Shire owned or managed land to ensure the eventual long-term aim of removal of all ACM, will be based on the availability of resources, funding and the prioritisation based on a risk assessment that includes the facilities service level hierarchy, assigned level of insurance and the purpose of the facility.

Asbestos management planning will define roles and responsibilities for decisions and address appropriate methodologies for the implementation of these decisions.

The following information shall be collated and documented as a minimum as part of asbestos management planning:

(a) Asbestos Register. This includes details of the location and condition of the known or presumed ACM and the level of risk posed by the identified ACM;
(b) Process involved for the Identification of ACM hazards;
(c) Rationale for conducting risk assessments of ACM hazards;
(d) Control measures required as a result of risk assessments of ACM hazards;
(e) Details of any monitoring and management arrangements in place (i.e. labelling and signage and buildings scheduled for planned removal of ACM);
(f) Safe work methods for working with ACM;
(g) Emergency procedures;
(h) Details of consultation, information sharing and training;
(i) Any operational considerations;
(j) A timetable for review;
(k) Areas of responsibility within the asbestos management process.

This Policy is to act as a guide for the effective identification, risk assessment, monitoring and management of ACM within buildings on Shire owned or managed land; the guidelines contained within are to ensure that the requirements of government policy and legislative requirements are adhered to.

ASSOCIATED DOCUMENTS

Work Health and Safety Act 2020

POLICY TYPE:	POLICY NO: 63
DATE ADOPTED: 18/07/2019	**DATE LAST REVIEWED:** 17/09/2020 16/09/2021 18/04/2024
LEGAL (PARENT): *Local Government Act 1995*	**LEGAL (SUBSIDIARY):**
DELEGATION OF AUTHORITY APPLICABLE:	**DELEGATION NO.**

ADOPTED POLICY	
TITLE:	Firewood from Reserves
OBJECTIVE:	• To describe the Shire's position on the collection of firewood from reserves

POLICY STATEMENT

Shire approval is required for the cutting or collection of firewood from a road reserve within the Shire of Wandering, subject to:

(a) At no stage is the activity to create a traffic hazard.
(b) Only fallen dead timber can be cut.
(c) All residue to be stacked neatly so as not to cause a nuisance on road verge, or within 1.5m of the landowners fence.
(d) Care to be taken to protect existing flora and fauna.
(e) Wood may be taken for domestic use by the applicant.
(f) It is the responsibility of the applicant to ascertain if a Department of Environmental Regulation permit is also required.
(g) A collector not complying with this policy may be issued a notice to cease activity or to comply under relevant legislation, up to and including cancellation of licence, issue of an infringement notice or prosecution for non-compliance of conditions of licence.

The Shire will not approve the cutting or collection of firewood from any other Reserve under its care and control.

POLICY TYPE:	POLICY NO: 65
DATE ADOPTED: 18/07/2019	**DATE LAST REVIEWED:** 17/09/2020 16/09/2021 16/05/2024
LEGAL (PARENT): *Local Government Act 1995*	**LEGAL (SUBSIDIARY):**
DELEGATION OF AUTHORITY APPLICABLE:	**DELEGATION NO.**

ADOPTED POLICY	
TITLE:	Wildflower, Leaves and Branches, and seed Harvesting from Reserves
OBJECTIVE:	• To establish policies and procedures to deal with applications for commercial harvesting of wildflowers and seeds within the road reserve

POLICY STATEMENT

Approval is required from the Shire, from persons licensed as Commercial Wildflower Pickers by the Department of Biodiversity, Conservation and Attractions to pick flora, or seeds of flora, from road and crown reserves under the control and management of the Shire of Wandering.

1. Associated Procedure

Applications shall be considered on the following basis:

Wildflower and Seed Collecting:

(a) The applicant shall hold a current Commercial Wildflower Pickers Licence issued by the Department Biodiversity, Conservation and Attractions.
(b) The applicant shall submit a Commercial Wildflower Harvesting permit application form to the Shire for consideration.
(c) The applicant shall nominate the specific roads, portions of roads or reserves from which they seek permission to pick from.
(d) The applicant shall supply detail of the vehicle/s they will be using for picking activities.
(e) The permit holder shall maintain records of the quantity of all varieties picked and provide an annual report to the Shire.
(f) The permit holder shall not clear any portion of a road or reserve to gain access to flora, only existing access tracks may be used.
(g) The permit holder shall comply with all conditions imposed by the Department Biodiversity, Conservation and Attractions in accordance with their Commercial Pickers Licence, failure to comply with these conditions may result in the Shire permit being revoked.
(h) The permit holder shall comply with all traffic management requirements in accordance with relevant Main Roads WA Code(s) of Practice whilst undertaking picking activities within a road reserve.
(i) The permit holder shall comply with any Dieback management practices imposed as part of the permit conditions.
(j) An annual fee as determined by Council or part thereof may be payable.
(k) Permits to have a common expiry date being 30th June.
(l) Permits are not transferable.

Leaves and Branches:

The Shire is known to contain flora with leaves and branches required for culture smoking ceremonies. As such, approval from Council is not required, subject to:

(a) Damage to trees being kept to a minimum;
(b) Only branches and leaves are to be removed from trees
(c) No portion of a road or reserve is to be cleared to gain access to branches and leaves, only existing access tracks may be used.

POLICY TYPE:	COMMUNITY	POLICY NO:	66
DATE ADOPTED:	19/09/2019	DATE LAST REVIEWED:	17/09/2020 16/09/2021 16/05/2024
LEGAL (PARENT):	*Local Government Act 1995*	LEGAL (SUBSIDIARY):	*Privacy Act 1988*
DELEGATION OF AUTHORITY APPLICABLE:		DELEGATION NO.	

ADOPTED POLICY	
TITLE:	Social Media
OBJECTIVE:	• To provide guidance for the management committee and staff, including volunteers, on their professional and personal use of social media.

DEFINITIONS

The Shire of Wandering recognises that social media platforms can enhance promotion, communication, collaboration and information exchange. The Shire supports the appropriate use of social media by the Elected Members and staff, as a way to publish, share and discuss information, and explore diverse perspectives for the benefit of the Shire's business.

For the purposes of this policy, social media is content created by individuals using highly accessible and large-scale publishing technologies. It may include, but not limited to:

- Social networking sites (e.g. Facebook);
- Video and photo sharing websites (e.g. YouTube);
- Blogs, including corporate blogs and personal blogs;
- Blogs hosted by media outlets (e.g. 'Comments' under local newspaper feature);
- Micro-blogging including X and any similar platforms;
- Forums, discussion boards and groups (e.g. Google groups); and
- Instant messaging, including SMS.

The Shire of Wandering Council members and employees must recognise the potential for damage to be caused (either directly or indirectly) to the Shire in certain circumstances via their use of social media when they can be identified as an Council member, Shire employee or volunteer.

POLICY STATEMENT

5.1 Guidelines of Use

- The Shire of Wandering will ensure all posts on social media platforms are consistent with the Shire's image and the core values of the Community Resource Shires sector.
- As all social media activity is part of the public domain, users should have no expectations of privacy when using social media.
- All users of social media must follow the same ethical standards that the Shire of Wandering management committee and staff must otherwise follow.
- The Social Media Procedures set a list of rules for the professional use of social media on behalf of the Shire and personal use of social media when referencing the Shire.

5.2 Engagement of External Users

- The Shire of Wandering encourages all users, Council members, employees, the community and other stakeholders to engage with the Shire's social media posts.
- The Shire of Wandering expects that users, elected members, the community and other stakeholders will adhere to the Terms of Use of the relevant social media platform/website, as well as copyright, privacy, defamation, contempt of court, discrimination, harassment and other applicable laws.
- The views, opinions and experiences expressed by those who engage are solely those of the author and do not necessarily reflect the views of, or endorsement by, the Shire of Wandering.

- The Shire will not edit comments or posts, however, to ensure a continually positive experience for the community, the Shire may remove content or commentary containing spam, profanity or otherwise objectionable or prohibited material.

5.3 Professional Use of Social Media

- Before engaging in social media as a representative of the Shire, the individual must first be authorised to do so.
- Only the Shire of Wandering Council members and staff may be authorised to use the Shire's social media platforms, either on the Shire's premises or mobile devices.
- The Shire of Wandering will moderate and remove any posts or comments that do not comply with the relevant principles stipulated above.

5.4 Personal Use of Social Media

- The Shire of Wandering is not responsible for any content published in a personal capacity on any form of social media platform.

5.5 Breaching of the Policy

- All Council members and employees are expected to comply with this policy at all times to protect the privacy, confidentiality and interests of the Shire, Council members, employees, volunteers, users, partners and the community.
- Responsibility for breaching the proper use of social media as per this policy lies with Shire staff.
- Employees found breaching this policy will be responsible for any loss suffered by the Shire of Wandering as a result.
- Any alleged breach of this policy will be dealt with according to the Code of Conduct Policy.

ASSOCIATED DOCUMENTS

POLICY TYPE:	FINANCIAL	POLICY NO:	71
DATE ADOPTED:	16/04/2020	**DATE LAST REVIEWED:**	17/09/2020 16/09/2021 16/09/2024 20/02/2025
LEGAL (PARENT):	*Local Government Act 1995*	**LEGAL (SUBSIDIARY):**	*Local Government (Financial Management) Regulations 1996*
DELEGATION OF AUTHORITY APPLICABLE:	Yes	**DELEGATION NO.**	54

ADOPTED POLICY	
TITLE:	Financial Hardship
OBJECTIVE:	• To give effect to the Shire's commitment to support the whole community to meet the unprecedented challenges arising from declared State of Emergencies, the Shire of Wandering recognises that these challenges may result in financial hardship for ratepayers or debtors of the Shire. • This Policy is intended to ensure that the Shire offers fair, equitable, consistent and dignified support to ratepayers or debtors suffering hardship, while treating all members of the community with respect and understanding at these difficult times.

SCOPE

This policy applies to:

1. Outstanding rates, debtors and service charges as at the date of adoption of this policy; and
2. Rates and service charges levied during any period where a declared State of Emergency is in force.

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

POLICY STATEMENT

1 Payment difficulties, hardship and vulnerability

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 Wandering recognises the likelihood that a declared State of Emergency will increase the occurrence of payment difficulties, financial hardship and vulnerability in our community. This policy is intended to apply to all ratepayers or debtors experiencing financial hardship.

2 Financial Hardship Criteria

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

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

Ratepayers or debtors are encouraged to provide as much information as possible to support their individual circumstances, which will be taken into consideration during the assessment process. Preference will be for ratepayers or debtors to enter into a reasonable payment proposal. The Shire will consider all circumstances, applying the principles of fairness, integrity and confidentiality whilst complying statutory responsibilities.

3 Payment Arrangements

Payment arrangements facilitated in accordance with Clause 2 of this Policy, and Section 6.49 of the Act are of an agreed frequency and amount. These arrangements will consider the following:

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

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

4 Interest Charges

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

5 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 concession card holder, or if the property is sold or if the concession card holder ceases to reside in the property;
- may be paid at any time, BUT the concession will not apply when the rates debt is subsequently paid (deferral forfeits the right to any concession entitlement); and
- does not incur penalty interest charges.

6 Debt recovery

Debt recovery processes will be suspended whilst negotiating a suitable payment arrangement with a ratepayer or debtor. Where a ratepayer or debtor is unable to make payments in accordance with the agreed payment plan and the debtor advises the Shire, and makes an alternative plan before defaulting on the 3rd due payment, then the Shire will continue to suspend debt recovery processes.

Where a ratepayer or debtor has not reasonably adhered to an agreed payment plan, then for any rates, debt and service charges that remain outstanding on 1 July of any financial year, the Shire will offer the ratepayer one further opportunity of adhering to a payment plan that will clear the total debt by the end of that financial year.

Rates, debt and service charges that remain outstanding at the end of the said financial year, will then be subject to the rates debt recovery procedures prescribed in the *Local Government Act 1995*, and Council Policy 41.

7 Review

The Shire will advise affected ratepayers or debtors of all decisions made under this policy, and advise them of their right to seek a review by the full Council.

8 Communication and Confidentiality

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

The Shire recognises that applicants during the times of a declared State of Emergency are experiencing additional stressors, and may have complex needs, and will provide additional time to respond to communication and will communicate in alternative formats where appropriate. All communication with applicants is to be clear and respectful.

9 Conflict of Interest

Where the ratepayer or debtor has a close relationship with any employee, or Council Member, that employee or Council Member must remove themselves from any decision-making process.

POLICY TYPE:	LEGISLATIVE	POLICY NO:	73
DATE ADOPTED:	16/07/2020	**DATE LAST REVIEWED:**	17/09/2020 16/09/2021 19/09/2023
LEGAL (PARENT):	*Local Government Act 1995*	**LEGAL (SUBSIDIARY):**	*Local Government (Financial Management) Regulations 1996*
DELEGATION OF AUTHORITY APPLICABLE:	No	**DELEGATION NO.**	

ADOPTED POLICY	
TITLE:	Rating Policy
OBJECTIVE:	• To Implement a clear policy on rating within the Shire of Wandering that is: ○ Easy to understand ○ Administratively efficient to implement ○ Delivers an equitable rating treatment between like uses.

INTRODUCTION

Local Governments impose rates on properties within their district to raise rate revenue to fund services and facilities provided to residents and visitors to the Shire.

DEFINITIONS

GRV – Gross Rental Value
UV - Unimproved Value
Predominate Use – Primary use of a property to which all other uses are incidental.

POLICY

A property will be rated based on the predominate "use" of a property

Where the predominate use is rural or Mining, the basis of rating will be Unimproved Value (UV)

Where the predominate use is non-rural, the basis of the rating will be Gross Rental Value (GRV)

The following rating categories are used within the Shire of Wandering and their predominate use is defined as;

Rating Category	Predominate Use
Residential	Home Occupation, non-rural use
Rural Residential	Home Occupation, non-rural use
Industrial	Commercial activity, non-rural use
Special Use	Commercial or retail activity, non-rural use
Rural	Farming activity, rural use
Mining Tenement	Mining activity, mining use

Differential Rating
The Council does not support differential rating and from the 2024/25 year, differential rating will not be used as a method of raising rates in the Shire.

New subdivisions
When a property is subdivided, consideration must be given to the predominant use of the property after subdivision and on creation of the titles

Where the predominate use changes, application must be made to the minister in accordance with 6.28 to determine the valuation method.

Vacant Land
The predominate use of vacant land is to be considered if the land was developed.

Rate Exemptions
Council will only consider a request for a rate exemption If section 6.26 of the Local Government Act (1985) as amended can be satisfied.

POLICY TYPE:	COMMUNITY	POLICY NO:	74
DATE ADOPTED:	16/07/2020	DATE LAST REVIEWED:	17/09/2020 16/09/2021 16/05/2024
LEGAL (PARENT):	*Local Government Act 1995*	LEGAL (SUBSIDIARY):	
DELEGATION OF AUTHORITY APPLICABLE:		DELEGATION NO.	

ADOPTED POLICY	
TITLE:	Road Sealing – Dust Concerns
OBJECTIVE:	• To provide guidelines for the sealing of roads immediately adjacent to residences.

POLICY STATEMENT

The Shire may determine applications for the sealing of a minimum distance of 250 metres length and up to 7.0m width of gravel road immediately adjacent to any occupied residence.

The following conditions will apply to any approval granted:

1. The landowner agrees to pay 100% of the cost.

POLICY TYPE:	GOVERNANCE	POLICY NO:	77
DATE ADOPTED:	19/11/2020	DATE LAST REVIEWED:	16/09/2021 22/03/2024
LEGAL (PARENT):	*Australian Citizenship Act 2007 and Australian Citizenship Regulations 2016*	LEGAL (SUBSIDIARY):	
DELEGATION OF AUTHORITY APPLICABLE:	No	DELEGATION NO.	

ADOPTED POLICY	
TITLE:	Citizenship Ceremonies – Dress Code
OBJECTIVE:	• To ensure compliance with the requirements of the Federal Government in relation to the standard of dress to be worn by participants during citizenship ceremonies conducted by the Shire of Wandering

PREAMBLE

This Policy applies to the officials conducting citizenship ceremonies and everyone receiving Australian Citizenship at a formal ceremony conducted by the Shire of Wandering.

POLICY STATEMENT

The attire worn by the officials conducting citizenship ceremonies and the recipients of citizenship at the ceremony should be in accordance with this Policy and reflect the significance of the occasion.

Officials conducting the ceremony are to wear their official uniform or business attire.

People receiving citizenship at the ceremony should wear smart casual attire or their own national/traditional/cultural dress.

The following attire is not permitted:

- Beach wear
- Thongs or bare feet, unless part of national/traditional/cultural attire
- Slippers
- Sleep wear
- Clothing showing offensive slogans or pictures
- Sports apparel
- Fancy Dress costumes

RELATED DOCUMENTS

Australian Government – Australian Citizenship Ceremonies Code.

POLICY TYPE:	CUSTOMER SERVICE	POLICY NO:	78
DATE ADOPTED:	20/05/2021	DATE LAST REVIEWED:	16/09/2021 20/06/2024
LEGAL (PARENT):	*Local Government Act 1995*	LEGAL (SUBSIDIARY):	
DELEGATION OF AUTHORITY APPLICABLE:	N/A	DELEGATION NO.	

ADOPTED POLICY	
TITLE:	**Customer Service Charter**
OBJECTIVE:	• To provide service standards in the area of customer service

POLICY STATEMENT

OUR VISION:

Wandering is a community of responsible, resilient and adaptable residents thriving in our scenic, economically diverse environment.

Our Values:

- Adaptability
- Perseverance
- Accountability
- Diligence

OUR COMMITMENT TO YOU

The Shire of Wandering is committed to providing high quality customer service through access to consistent, accurate and relevant advice and information.

The Shire is committed to ensuring you experience a positive and fair outcome whenever you contact us, and we always welcome feedback on how our services can be improved and what is important to you.

We will:

- Progressively review and improve forms, systems and procedures from a customer's perspective;
- Conduct regular customer service employee training programs;
- Incorporate customer service improvements into all business plans;
- Progressively improve access to our services to all community members;
- Make information available in alternative formats for people with specific requirements; and
- Improve access to information by utilising a wide range of media types.

You should:

- Provide accurate and complete details when contacting us with any queries or requests for assistance;
- Contact us to make an appointment if you have a complex enquiry or need to see a specific officer;
- Treat employees with the same courtesy and respect given to you; and
- Acknowledge that the Shire may not have the authority to deal with your request/complaint and that you may need to refer it to another agency/organisation.

SERVICE STANDARDS – IN PERSON

We will:

- Promptly attend to you at all times in a professional, polite and attentive manner;
- Listen attentively in order to understand your needs;
- Attempt to resolve your query or request at the time of your visit; or refer your query or request to an appropriate staff member, who will keep you informed at all times
- Ensure all employees who have face-to-face contact with customers wear a name badge for ease of communication.

You should:

- Treat our staff with courtesy and respect;
- Be open and honest in your dealings with us;
- Let us know when things change such as your address or contact details;
- Respect the rights of other customers;
- Make an appointment if you wish to speak with a specific officer; and
- Refer enquiries through the correct channels

SERVICE STANDARDS – TELEPHONE

We will:

- Promptly answer all telephone calls during working hours;
- Introduce ourselves over the phone by name;
- Aim to attend to, and complete your request at the time of your contact;
- Attempt to resolve your query or request at the time of your contact; or refer your query or request to an appropriate staff member, who will keep you informed at all times;
- Take personal responsibility for your enquiry to reduce the transfer of calls and inform you of any delays if you are 'on hold'; and
- Be committed to ensuring all messages for staff are passed on immediately.

You should:

- Help us by providing us with sufficient detail to ensure you query is responded to in a timely manner;
- Treat our staff with courtesy and respect;
- Be open and honest in your dealings with us; and
- Refer enquiries through the correct channels.

SERVICE STANDARDS – WRITING, EMAILS AND WEBFORMS

We will:

- Acknowledge your contact within five (5) working days of receipt;
- Whenever possible provide a completion date when requests require in-depth research which will take longer than ten (10) working days;
- Write to you in clear, concise language that is easily understood; and
- Send out standard information within 24 working hours of the request being received.

You should:

- Let us know when things change such as your address or contact details;
- Help us by providing us with sufficient detail to ensure your query is responded to in a timely manner; and
- Refer enquiries through the correct channels.

HOW WE COMMUNICATE WITH YOU:

We are committed to communicating with you in a timely and responsive manner in order to keep you up to date on relevant issues.

The Shire recognises that it is here to serve the short and long-term needs of its community and to uphold the community's vision and values, and we will strive to meet these goals at all times.

Communication channels may include some or all of the following:

- Providing information on activities through a variety of means, including the Wandering Echo, Shire website and Facebook page, noticeboards, SMS, and mail-outs;
- Ordinary Council Meetings which are open to the public;
- Public meetings on issues of major community concerns;
- Direct contact to request community input on various issues; and
- An open invitation to send ideas, suggestions or feedback in writing.

WEBSITE DATA

The Shire website provides a number of webforms on its website, including facility booking forms, feedback forms, equipment hire, change of details, application for planning approval and SMS updates. We aim to ensure all information is up to date at all times, but welcome feedback should you find that we fail to meet your expectations.

The Shire website also contains useful information including agendas and minutes of Council meetings, bush fire information, Community Resource Centre information, news and events, animals and much more. All of this information is accessible by visiting www.wandering.wa.gov.au.

After hours emergency numbers are available on our website www.wandering.wa.gov.au or on our Facebook page www.facebook.com/wanderingshire. *Please note comments on Facebook are not monitored and not responded to.*

CONTACTING COUNCIL MEMBERS

The role of a Council Member is to:

- Represent the interests of electors, ratepayers and residents;
- Provide leadership and guidance to the community;
- Facilitate two-way communication between the community and the Council; and
- Participate in decision making processes at meetings.

Council Members can keep in touch with electors in a variety of ways including:

- Attending meetings of local organisations;
- Being available and responding to residents who wish to raise issues or concerns;
- Attending events arranged by the local government;
- Participating in functions held in the local area; and
- Communicating with the community via a newsletter, email or website.

You may contact any Council Member by email or telephone. Council Members' details are available on our website www.wandering.wa.gov.au or by contacting the Shire Office on (08) 9884 1056.

COMPLAINTS

A complaint is a statement that something is unsatisfactory or unacceptable. This includes decisions, a level or quality of service, or behaviour of an employee or agent, which can be investigated and acted upon where no right of appeal or review is available under any other legislation.

A complaint is not:

- A request for service;
- A request for information or an explanation of a policy or procedure;
- Disagreement with a policy of the Council;
- An appeal or request for an internal or external review of a decision for which a structured process applies, other than that made as the result of a complaint; and
- An expression concerning the general direction and performance of Council or its Council Members.

We will:

- Ensure all complaints are dealt with fairly, quickly and equitably;
- Record your complaint and acknowledge it;
- Direct your complaint to the most appropriate person within the Shire of Wandering who will be responsible for keeping you up to date;
- After investigation, respond outlining the outcome; and
- Seek further information if required, and keep you informed of our progress.

You should:

- Help us by providing us with sufficient detail to ensure your complaint is responded to in a timely manner; and
- Refer enquiries through the correct channels.

CUSTOMER FEEDBACK

To gauge our performance in relation to our service commitments, we encourage feedback from our customers.

This Customer Service Charter is intended as collaboration between the Council and the community it serves. Therefore, if there is something that you feel unhappy about, please utilise our simple feedback process.

Please give us the opportunity to improve our service to you. Comments, suggestions and compliments all provide an effective means by which to assess the existing service you receive.

Copies of our Complaints and Compliments Form can be downloaded from our website www.wandering.wa.gov.au, or obtained from one of our Customer Service Officers.

CUSTOMER SATISFACTION SURVEY

Date of contact with the Shire of Wandering:						
How did you contact the Shire:	☐ Email	☐ Mail	☐ In Person	☐ Telephone		
	☐ Facebook Messenger	☐ Other:				
When was your contact with the Shire:	☐ During business hours (Monday – Friday 9am – 4:30pm)					
	☐ After business hours (all other times including Saturdays, Sundays and Public Holidays)					
Which customer service area did you have contact with:	☐ Customer Service	☐ Australia Post	☐ Community Resource Centre			
	☐ Technical Services (Building, Planning etc)	☐ Corporate Services (Financial)				
Please rate each of the following aspects of your recent customer service experience:	Promptness of service	☐ Poor	☐ Fair	☐ Good	☐ Very Good	☐ Excellent
	Willingness to help	☐ Poor	☐ Fair	☐ Good	☐ Very Good	☐ Excellent
	Level of knowledge	☐ Poor	☐ Fair	☐ Good	☐ Very Good	☐ Excellent
	Professionalism of staff	☐ Poor	☐ Fair	☐ Good	☐ Very Good	☐ Excellent
	Friendliness of staff	☐ Poor	☐ Fair	☐ Good	☐ Very Good	☐ Excellent
	Information clear & easy to understand	☐ Poor	☐ Fair	☐ Good	☐ Very Good	☐ Excellent
Do you have any suggestions on how the Shire can improve interactions with its customers?						
Your Details (Optional)						
Name:						
Residential Address:						
Postal Address:						
Phone Number:						
Email Address:						
Further Information						
If you wish to be contacted regarding other surveys the Shire may conduct: ☐ Yes ☐ No						

POLICY TYPE:	GOVERNANCE	POLICY NO:	79
DATE ADOPTED:	15/07/2021	**DATE LAST REVIEWED:**	16/09/2021 16/02/2023 19/03/2026

LEGAL (PARENT):	*Local Government Act 1995:* *s.5.39 Contracts for CEO and senior employees* *s.5.39C Policy for temporary employment or appointment of CEO* *s.5.40 Principles affecting employment by Local Governments*	**LEGAL (SUBSIDIARY):**	

DELEGATION OF AUTHORITY APPLICABLE:	**DELEGATION NO.**

ADOPTED POLICY	
TITLE:	Acting and Temporary CEO Appointment
OBJECTIVE:	• To establish policy, in accordance with *s5.39C* of the *Local Government Act 1995* ('the *Act*'), that details the Shire of Wandering's processes for appointing an Acting or Temporary Chief Executive Officer (CEO) for periods of less than 12 months of planned or unplanned leave or an interim vacancy in the substantive office.

1. DEFINITIONS

1. Acting CEO means a person employed or appointed to fulfil the statutory position of CEO during a period where the substantive CEO remains employed, but is on planned or unplanned leave.
2. Temporary CEO means a person employed or appointed to fulfil the statutory position of CEO for the period of time between the end of the substantive CEO's employment and the appointment and commencement of a newly appointed substantive CEO.

POLICY SCOPE

This policy applies to the statutory position of Chief Executive Officer (CEO) of the Shire of Wandering.

POLICY STATEMENT

2. ACTING AND TEMPORARY CEO REQUIREMENTS AND QUALIFICATION

1. When the CEO is on planned or unplanned leave, or the CEO's employment with the Local Government has ended, an Acting or Temporary CEO is to be appointed in accordance with this Policy to fulfil the functions of CEO as detailed in *s5.41* of the *Local Government Act 1995*, and other duties as set out in the *Act* and associated *Regulations*.
2. Through this policy and in accordance with *section 5.36(2)(a)* of the *Act*, the Council determines that persons appointed to the substantive position of Executive Manager Technical Services are considered suitably qualified to perform the role of Acting or Temporary CEO.
3. A person appointed to act in the position of Executive Manager Technical Services is not included in the determination set out in Clause 3 (2).

3. APPOINT ACTING CEO – PLANNED AND UNPLANNED LEAVE FOR PERIODS UP TO FIVE (5) WEEKS

1. The CEO is authorised to appoint a suitably qualified person, in writing as Acting CEO, where the CEO is on planned or unplanned leave for periods not exceeding five (5) weeks, subject to the CEO's consideration of the suitably qualified person's performance, availability, operational requirements and where appropriate, the equitable access to the professional development opportunity.
2. If there is an operational need, the CEO may appoint an Acting CEO for any periods less than five (5) weeks after seeking approval from the Shire President.

3. Prior to the commencement of the Acting CEO tenure the CEO is to advise all Council Members when and for what period of time the suitably qualified person is appointed as Acting CEO.

4. APPOINT ACTING CEO FOR EXTENDED LEAVE PERIODS GREATER THAN FIVE (5) WEEKS BUT LESS THAN 12 MONTHS.

1. This clause applies to the following periods of extended leave:
    - Substantive CEO's Extended Planned Leave which may include accumulated annual leave, long service leave or personal leave; and
    - Substantive CEO's Extended Unplanned Leave which may include any disruption to the substantive CEO's ability to continuously perform their functions and duties.
2. The Council will, by resolution, appoint an Acting CEO for periods greater than five (5) weeks but less than 12 months, as follows:
    (a) Appoint one employee, or multiple employees for separate defined periods, as Acting CEO to ensure the CEO position is filled continuously for the period of extended leave; or
    (b) Conduct an external recruitment process in accordance with clause 5(1)(c).

5. APPOINT TEMPORARY CEO – SUBSTANTIVE VACANCY

1. In the event that the substantive CEO's employment with the Shire of Wandering is ending, the Council when determining to appoint a Temporary CEO may either:
    (a) by resolution, appoint an employee as the Temporary CEO for the period of time until the substantive CEO has been recruited and commences their employment with the Local Government; or
    (b) by resolution, appoint an employee as the Temporary CEO for the period of time until an external recruitment process for a Temporary CEO can be completed; or
    (c) following an external recruitment process in accordance with the principles of merit and equity prescribed in *s5.40* of the *Act,* appoint a Temporary CEO for the period of time until the substantive CEO has been recruited and commences employment with the Local Government.

6. REMUNERATION AND CONDITIONS OF ACTING OR TEMPORARY CEO

1. Unless Council otherwise resolves, an employee appointed as Acting CEO shall be remunerated up to 80% of the cash component only of the substantive CEO's total reward package.
2. Council will determine by resolution, the remuneration and benefits to be offered to a Temporary CEO when entering into a contract in accordance with the requirements of *s5.39(1)* and *(2)(a)* of the *Act*.
3. Subject to relevant advice, the Council retains the right to terminate or change, by resolution, any Acting or Temporary CEO appointment.

7. DELEGATION

Delegation 02 – has been deleted, and replaced by this Policy.

POLICY TYPE:	GOVERNANCE	POLICY NO:	80
DATE ADOPTED:		DATE LAST REVIEWED:	28/02/2022 18/07/2024
LEGAL (PARENT):	*Local Government Act 1995*	LEGAL (SUBSIDIARY):	
DELEGATION OF AUTHORITY APPLICABLE:		DELEGATION NO.	

ADOPTED POLICY	
TITLE:	CEO Conflicts of Interest
OBJECTIVE:	• To ensure that all management decisions made by the CEO (Chief Executive Officer) are based on merit and all work conducted by the CEO is carried out in an impartial, ethical and professional manner.

DEFINITIONS

'**The Shire**': The Shire of Wandering

'**Conflict of interest**': Occurs when an individual's performance of a public duty may be compromised due to that individual's personal interests. A conflict of interest may be actual or potential or where the situation can reasonably be seen to create an apprehension of bias.

'**Apprehension of bias**': Arises where there is a real possibility that a reasonable person, properly informed and viewing the circumstances realistically and practically, could conclude that the decision-maker might well be prone to bias.

'**Personal interest**': Includes the private, professional or business interests of a person, or of an individual or groups with whom they are closely associated. Personal interests may be financial or non-financial.

'**Closely Associated Persons**': is defined by s5.62 of the *Local Government Act 1995,* as:

(1) For the purposes of this Subdivision a person is to be treated as being closely associated with a relevant person if —

(a) the person is in partnership with the relevant person; or

(b) the person is an employer of the relevant person; or

(c) the person is a beneficiary under a trust, or an object of a discretionary trust, of which the relevant person is a trustee; or

(ca) the person belongs to a class of persons that is prescribed; or

(d) the person is a body corporate —

(i) of which the relevant person is a director, secretary or executive officer; or

(ii) in which the relevant person holds shares having a total value exceeding —

(I) the prescribed amount; or

(II) the prescribed percentage of the total value of the issued share capital of the company, whichever is less; or

(e) the person is the spouse, de facto partner or child of the relevant person and is living with the relevant person; or

(ea) the relevant person is a Council member and the person —

(i) gave an electoral gift to the relevant person in relation to the election at which the relevant person was last elected; or

(ii) has given an electoral gift to the relevant person since the relevant person was last elected; or

(eb) the relevant person is a Council member and the person has given a gift to which this paragraph applies to the relevant person since the relevant person was last elected; or

(ec) the relevant person is a CEO and the person has given a gift to which this paragraph applies to the relevant person since the relevant person was last employed (or appointed to act) in the position of CEO; or

(f) the person has a relationship specified in any of paragraphs (a) to (d) in respect of the relevant person's spouse or de facto partner if the spouse or de facto partner is living with the relevant person.

The following also meets the definition of "closely associated persons" for the purposes of this Policy:

*S5.74 of the Local Government Act 1995 defines a "**relative**" as:*

***relative**, in relation to a relevant person, means any of the following —*

(a) a parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant of the relevant person or of the relevant person's spouse or de facto partner;

(b) the relevant person's spouse or de facto partner or the spouse or de facto partner of any relative specified in paragraph (a),

whether or not the relationship is traced through, or to, a person whose parents were not actually married to each other at the time of the person's birth or subsequently, and whether the relationship is a natural relationship or a relationship established by a written law;

Also for the purposes of this Policy, and in addition to the above, "relative and/or family" can be: fiancé or life partner of the CEO.

POLICY STATEMENT

The Shire's approach to managing conflicts of interest is based on the following principles:

- Conflicts of interest, where they exist, even where small and considered inconsequential, are to be disclosed as soon as practicable, and be transparent and documented.
- Conflicts of interest in themselves are not necessarily wrong or unethical, however identifying and managing the conflict of interest is critical to maintaining public confidence and ensuring objective decision making.
- Conflicts of interest cannot always be avoided; however, conflicts of interest must be appropriately and efficiently managed.
- The CEO has a responsibility to minimise creating or entering into situations which may result in a conflict of interest for themselves, or other people. However, no person should be excluded from the opportunity to apply for a position of employment with the Shire simply because it might result in a situation involving a conflict of interest.

Where possible, the CEO will ensure that there is no actual or potential conflict of interest between her or his personal interests and the interests of the Shire. This will assist to ensure the impartial fulfilment of her or his professional duties.

Tendering and Purchasing

A situation may arise where the Shire is looking to purchase goods or services, and a prospective supplier is closely associated person of the CEO.

In order to avoid any actual or potential conflict of interest in such a situation, the CEO must:

- disclose to the Council that they are closely associated with a prospective supplier, prior to selecting a preferred supplier;
- not participate in the process of selecting a preferred supplier, but may authorise another suitably qualified employee to determine the matter; or
- if no suitably qualified employee is available, then the CEO must seek the approval of the Council to determine the matter.

This does not prevent a person who is closely associated with the CEO from being selected for the supply of goods or services, where the following are satisfied:

- the supply would be the most advantageous to the Shire when compared to the alternatives;
- the Shire's Code of Conduct has been complied with; and
- the Shire's Purchasing and Tender Policy has been complied with.

Employee Management

Except where it is operationally unavoidable, an employee who is closely associated with the CEO, must not report directly to the CEO.

Where the closely associated person reports directly to the CEO, all performance and salary reviews, termination and/or disciplinary matters must be undertaken by an independent HR Consultant, or another employee qualified to do so. Other matters, such as leave applications, may be determined by another employee qualified to do so. Any opportunity for promotion falls under the scope of recruitment, under the guidance of Operational Policy CEO-I-14.

Recruitment

When dealing with recruitment where a closely associated person is an applicant, a panel of three persons is a minimum requirement to undertake the recruitment processes and make a recommendation to the CEO, all ofwo of whom must have no interest in the matter. Further information regarding conflicts of interest in the recruitment process can be found in Operational Policy CEO-I-14.

Secondary employment

While on duty, the CEO will give their whole time and attention to the Shire's business and ensure that their work is carried out efficiently, economically, and effectively, and that their standard of work reflects favourably both on them and on the Shire.

The CEO must not engage in secondary employment (including paid and unpaid work) without receiving the prior approval of the Council. Such approval will not be unreasonably denied where it is community or service club based and there is no remuneration for services.

Stages for Managing a conflict of interest

The stages of managing a conflict of interest are:

1. Identifying that there may be an actual or potential conflict of interest and/or a situation that could reasonably give rise to an apprehension of bias.
2. Declaring the conflict of interest to the Council prior to the start of any decision-making or assessment process, or as soon as a conflict is identified.
3. Documenting the conflict of interest and/or situations that could reasonably give rise to an apprehension of bias.
4. Ensuring that there are appropriate mechanisms in place to manage the conflict of interest or situation that could reasonably give rise to an apprehension of bias, for example, engaging staff, external consultants, or former local government CEO(s).

ASSOCIATED DOCUMENTS

Operational Policy – Employee Code of Conduct CEO-I-15

Purchasing and Tenders (Council Policy 12)

Local Government Act 1995

Local Government (Administration) Regulations 1996

POLICY TYPE:	CUSTOMER SERVICE	POLICY NO:	81
DATE ADOPTED:	17 March 2022	DATE LAST REVIEWED:	28/02/2022, 20/02/2025
LEGAL (PARENT):	*Local Government Act 1995*	LEGAL (SUBSIDIARY):	
DELEGATION OF AUTHORITY APPLICABLE:		DELEGATION NO.	

ADOPTED POLICY	
TITLE:	Aggressive Customers Procedure
OBJECTIVE:	• To assist in the process of dealing with aggressive customers

POLICY STATEMENT

At times, Shire staff may encounter aggressive customers either in person or via phone communications.

If such a situation should occur, it is vital that the situation should be promptly de-escalated. The following provides suggestions that may assist in this process.

This policy is applicable to all Shire of Wandering workplaces.

How to de-escalate

DO	DON'T
• Speak slowly, clearly, short, simple and to the point • Allow the person to explain their issue without interruption • Listen and don't be judgemental or critical • Acknowledge their issue and show empathy • Be patient and repeat information where necessary • Offer assistance, or if you are unable to do so, refer to someone that can • Avoid behaviour that could trigger violent action	• Raise your voice • Use defensive, abusive or insulting language • Threaten, confront or provoke • Argue or debate • Use Council jargon or confusing language • Grab or attempt to handle or touch the person • Put hands behind your back, in pockets or fold your arms

Process

Phone Call	Face to Face
• Use de-escalation strategies • Make notes	• Use de-escalation strategies • Maintain a safe distance from the person by giving as much personal space as possible
• Record the persons details (name/ number), politely ask for these if you don't have • If the number displays, record it	• Move gradually to a position where there is a barrier between you and the person (eg: counter, desk, car, machinery) while maintaining an escape route
• Give warning – "I find your language insulting / offensive / abusive / threatening. If you continue I will end the call" • End the call if they continue	• Ask the person to stop the aggressive behaviour • Give warning – "I feel uncomfortable with your language / actions. I will have to leave / seek assistance from others if you continue" • Leave the situation and seek assistance if they continue
• Inform your manager of the occurrence and discuss if Police should be involved	• Inform your manager of the occurrence and discuss if Police should be involved
• Complete an incident report form • Submit completed incident report	• Complete an incident report form • Submit completed incident report

Key Points to Remember
• Maintain situational awareness and remain alert to warning signs. • If a weapon is produced or used, other workers should not become involved in the incident. Immediately leave the situation, retreat to safety and call Police. • Give at least one chance to respond to your request before you take action (eg hang up phone or calling Police) • By law, you are allowed to use reasonable force to defend yourself from an unjustified attack. This must be regarded as an absolute last resort, always attempt to leave the situation and retreat to safety in the first instance. • At no time should workers attempt to disarm or detain an aggressive customer. • The Shire has an Employee Assistance Program available to assist workers who may have been exposed to aggressive customers.

POLICY TYPE:	GOVERNANCE AND COUNCIL MEMBERS	POLICY NO: 82
DATE ADOPTED:	21 April 2022	**DATE LAST REVIEWED:**
LEGAL (PARENT):	*Local Government Act 1995*	**LEGAL (SUBSIDIARY):**
DELEGATION OF AUTHORITY APPLICABLE:		**DELEGATION NO.**

ADOPTED POLICY	
TITLE:	Vehicle Plant and Equipment Management
OBJECTIVE:	The objective of this policy is to ensure Council's vehicles, plant and equipment are standardised and meet operational requirements, required safety standards and are replaced at a time that optimises its use and minimises the whole of life costs.

POLICY STATEMENT

The Chief Executive Officer is responsible for the administration of this Policy and for the determination of the use and categories of vehicles together with application of conditions of use.

When acquiring and disposing of vehicle plant and equipment, the Shire shall apply a structured test based on the following four key principles, being:

- **Economic Criteria** - Whole of life costs shall be estimated from best available data and highest preference shall be given to the vehicle with the lowest optimised whole of life cost.
- **Functional Criteria** - Highest preference shall be given to the vehicle that best fits the functional requirements of the position for which the vehicle or equipment is being acquired.
- **Safety Criteria** - Highest preference shall be given to vehicles or equipment that have the highest safety ratings or ANCAP as applicable.
- **Environmental Criteria** - Highest preference for reduced CO2 emissions allocated to the vehicle or equipment.

Where possible the Shire of Wandering will aim for a standardisation fleet through a reputable manufacturer.

The annual budget provides allocations for each category of vehicle within the vehicle plant and equipment fleet that is consistent with and complimentary to the needs of the operators and operational requirements (fit for purpose). The allocation of vehicles and equipment is outlined as a non-exhaustive list below;

Position or Work Purpose	Type and Description	Replacement Strategy
Chief Executive Officer Vehicle	4WD Executive Wagon or Sedan – towbar, window tint, lightbar, floor mats, dash mat, first aid kit	3 years
Executive Manager(s) Vehicle	4WD Medium Wagon or Sedan, towbar, window tint, lightbar, floor mats, dash mat, first aid kit, fire extinguisher	3 years
Work Supervisor Vehicle	4WD Dual Cab Ute towbar, window tint, lightbar, floor mats, dash mat, first aid kit, fire extinguisher	3 years

Position or Work Purpose	Type and Description	Replacement Strategy
Operational Ute Vehicles	Towbar, window tint, lightbar, floor mats, first aid kit, fire extinguisher, twin beacon lights, hoist	6 years
Light Truck(s) 4 Tonne or less carrying capacity- Crew Cab and Gardeners truck	4 Tonne or less carrying capacity towbar, window tint, lightbar, floor mats, first aid kit, fire extinguisher, twin beacon lights	10 years
Heavy Truck(s) (ie Prime Mover, Tip Truck, Loader, Greater than 8 Tonne carrying capacity	Greater than 8 Tonne carrying capacity towbar, window tint, lightbar, floor mats, first aid kit, fire extinguisher, twin beacon lights	10 years
Grader(s) Blade, Pusher Block, Rear Rippers	Blade, Pusher Block and Rear Rippers	12 years
Excavator	Track and Blade, with Ripper capacity	12 years
Heavy Plant Trailers and Appliances Trailer(s), Roller(s) Low Loader(s)	Dolly(s) and Low Loader(s)	20 years
All trailers		15 years
Roller – multi-tyred, tractor	fire extinguisher, twin beacon lights	15 years
Skid-steer loader	fire extinguisher, twin beacon lights	12 years

Certain vehicles may form part of an employee's remuneration package and may be varied based on the relevant employment contract, any variation must not exceed the overall remuneration package.

This policy is intended to be the basis for the on-going review of Council's twenty (20) year plant replacement program.

POLICY TYPE:	GOVERNANCE AND COUNCIL MEMBERS	POLICY NO: 83	
DATE ADOPTED:	18 August 2022	**DATE LAST REVIEWED:**	21 August 2025
LEGAL (PARENT):	*Local Government Act 1995*	**LEGAL (SUBSIDIARY):**	
DELEGATION OF AUTHORITY APPLICABLE:		**DELEGATION NO.**	

ADOPTED POLICY	
TITLE:	Policy Manual
OBJECTIVE:	The objective of this policy is to maintain an up to date record of the various policies of Council.

POLICY STATEMENT

1.1 Additions, deletions or alterations to Council Policy Statements shall only be made by specific Council resolution stating:

- the current Council Policy number if an amendment or deletion
- the proposed policy number to clearly indicate functional area if a new Council Policy, and
- proposed wording and justification for the amendment, deletion or adoption.

1.2 All policies within the Policy Manual are to be reviewed by Council every three years, being one third of Council's policies each year in a three year period. Council may review an individual policy at any time before the next review date if it determines it to be necessary.

POLICY TYPE:	POLICY NO: 84
DATE ADOPTED: 15 September 2022	**DATE LAST REVIEWED:** 30/10/2025
LEGAL (PARENT): *Local Government Act 1995*	**LEGAL (SUBSIDIARY):**
DELEGATION OF AUTHORITY APPLICABLE:	**DELEGATION NO.**

ADOPTED POLICY	
TITLE:	Complaints Management
OBJECTIVE:	To provide the highest level of service to the Shire of Wandering's customers and establish a framework to guide the Shire in its management and handling of complaints.

The Shire of Wandering (the 'Shire') is committed to managing complaints in a consistent and unbiased manner that complies with Australian Standard Guidelines and the WA Ombudsman thus ensuring an open and responsive complaints handling process.

This policy applies to all Elected Members, staff and contractors of the Shire that receive and manage customer feedback relating to products and services delivered by or on behalf of the Shire.

For the purposes of this policy, the following is not classified as a complaint:

- Requests for Shire services;
- Requests for information or explanations of policies, procedures or decisions of Council
- Reports of damaged or faulty infrastructure (eg damaged footpath, potholes in road);
- Reports of hazards;
- Reports concerning neighbours or neighbouring property (ie noise or unauthorised building works);
- Issues over twelve months old; or
- The lodging of an appeal in accordance with policy or procedure.

DEFINITIONS

Complaint: The Australian Standard for Complaints Management (ISO 10002:2014) defines a complaint as any "Expression of dissatisfaction made to or about an organisation, related to its products, services, staff or the handling of a complaint, where a response or resolution is explicitly or implicitly expected or legally required".

Malicious Complaint: A complaint made for the purpose of hurting another person (their career, their reputation or their livelihood).

Frivolous Complaint: A complaint that has no serious purpose or value. It may have little merit and be trivial; investigating would be out of proportion to the seriousness of the issue complained about.

Vexatious Complaint: A complaint that is not supported by any evidence and there is other evidence to suggest that the complaint was made primarily for the purpose of causing annoyance.

POLICY STATEMENT

The Shire recognises that customers have a right to expect that principles of efficiency, effectiveness, fairness, impartiality and responsiveness will underpin service delivery. When customers believe that their expectations have not been met, they have the right to expect that the Shire will deal with their concerns in a professional, respectful, satisfactory and timely manner.

The Shire welcomes customer service complaints as a form of feedback, and will use this feedback to:

1) Provide opportunities for system and process improvement;
2) Provide equitable redress to the customer for poor service or processes; and
3) Provide an opportunity to actively resolve service complaints and reduce the incidence of recurring complaints.

COMPLAINTS HANDLING

The Shire will endeavour to resolve issues that are the subject of complaints at the first point of contact or within a reasonable timeframe. Complaints may be lodged with the Shire in the following ways:

- In writing;
- By telephone;
- In person; or
- Completing a Complaint Report available at the Shire Office or on the Shire's website.

Complainants are encouraged to include their name, address and contact number and a brief description of the issue.

ANONYMOUS COMPLAINTS AND CONFIDENTIALITY

An anonymous complaint will only be investigated where reasonable and sufficient information is provided and which, in the opinion of Shire staff, constitutes:

- a breach of statutory provisions;
- a breach of an approval, licence or permit;
- a matter for which the Shire is obliged to act, prescribed in the Local Government Act 1995, Corruption, Crime and Misconduct Act 2003 or under any other written law;
- a matter which if not attended to could reasonably constitute a risk to public health and safety or persons, animals or the environment; and
- a matter which is deemed to be capable of investigation and resolution without assistance from the complainant.

The Shire encourages complainants to provide full contact information when lodging complaints, however where a complainant requests their identity and complaint details remain confidential; the Shire will ensure to the best of its ability that disclosure of any personal information to third parties is not made. The Shire however cannot guarantee that they will not be identified during investigation, and as such, it is the complainants right to decide if they would like to proceed with the complaint.

MALICIOUS, FRIVOLOUS AND VEXATIOUS COMPLAINTS

While there is currently no legislative provision to deal with Vexatious complaints, the Department of Local Government has advised that it is within the local government's administrative responsibility to take whatever action it considers necessary.

Every endeavour will be made by the Shire to deal with complaints with the utmost seriousness, however the Shire may refuse to investigate a complaint if:

- the complainant behaves in an ongoing actively hostile manner;
- the complaint is considered to be trivial and/or frivolous; or
- the complainant is consistently making complaints of trivial and/or frivolous matters.

The Shire may consider it appropriate to determine that vexatious questions, complaints and repetitive communications are not given priority or that no further action will be taken regarding the complaint as the complaint may divert a substantial and unreasonable portion of the Shire's resources away from its other functions.

The Shire may, at its discretion, seek legal advice with respect to implications of the suspected malicious, frivolous or vexatious complaint.

UNREASONABLE CONDUCT BY COMPLAINANTS

Unreasonable Persistence: In some instances, the Shire will encounter complainants who refuse to accept the decision of the complaint handler solely on the fact that the decision was not in the complainants favour. Complainants may also make persistent and repeated contact with the Shire to the point that the complaint or complainant diverts a substantial and unreasonable portion of resources away from the Shire's other functions.

Unreasonable Behaviour: In some instances, the Shire will encounter complainants whose behaviour is aggressive or threatening, consistently rude, abusive or the complainant makes threats to oneself, staff or third parties (whilst using Council services or on Council premises) or in general.

Under the above circumstances, details of complaints are to be provided to the Chief Executive Officer who will recommend that:

1) further correspondence and/or telephone contact with the complainant be restricted;
2) further discussions, interviews etc will not be granted that relate to the same matter;
3) access to Council premises be restricted for a specified period of time.

The Chief Executive Officer (CEO) will consider all facts and issues of the individual case prior to acting on any recommendation/s. If a decision is made to endorse the recommendation, the CEO will write to the complainant explaining the decision.

All threats made to staff or third parties will be reported to the WA Police.

COMPLAINTS THAT WILL NOT BE INVESTIGATED

The Shire may determine that a complaint will not be investigated where that complaint:

- is considered malicious, frivolous or vexatious or not made in good faith or concerns trivial matters;
- involves a matter where an adequate remedy or right of appeal already exists, whether or not the complainant uses the remedy or right of appeal;
- where a matter is subject to an existing mediation process;
- relates to a decision made by a meeting of Council;
- relates to conduct before a court, coroner or tribunal;
- relates to a matter under investigation by the Minister for Local Government, Corruption and Crime Commission, the WA Ombudsman's office, a Minister of the Crown or Government Department or the WA Police Service;
- relates to the appointment or dismissal of an employee or an industrial or disciplinary issue;
- relates to a decision, recommendation, act or omission which is more than one year old;
- relates to actions or conduct of private individuals;
- involves a matter where the complainant declines or refuses to provide further information and/or there are threats made against the Shire and/or its staff.

Should the Shire decide not to investigate a complaint, the complainant will be advised of the reason for the decision.

COMPLAINTS REGARDING ELECTED MEMBERS

The Local Government (Rules of Conduct) Regulations 2007 provides a disciplinary framework to address matters of misconduct by local government council members. Any person may make a formal complaint about an elected member for a minor or serious breach under these Regulations.

Conduct of elected members is covered by "Code of Conduct - Elected Members". Complaints about conduct can also be made through this document which can be found on the Shire's website at www.wandering.wa.gov.au

ALLEGATIONS OF MISCONDUCT

Allegations concerning criminal, corrupt or seriously improper conduct will be dealt with independent of the Shire's complaint handling process. The Shire has appointed Principal Officers who are required by legislation to assess and if required notify the Public Sector Commission (PSC) or the Corruption and Crime Commission (CCC) for instances of minor or serious misconduct.

Misconduct by Elected Members

Any allegations of misconduct, whether minor or serious in nature, will in the first instance be referred to the Chief Executive Officer and/or Shire President for determination including whether there are reasonable grounds for the compulsory notification to the CCC or the Police.

Misconduct by Employees/Public Officers

Allegations of misconduct of a minor nature, will be referred to the PSC if the misconduct could constitute a disciplinary offence providing reasonable grounds for termination of a person's employment.

In circumstances of serious misconduct, where misconduct involves corrupt intent and/or criminal conduct, these matters will be referred to the CCC.

Further information is available from the Commissions website - www.ccc.wa.gov.au

THE PUBLIC INTEREST DISCLOSURE ACT 2003 (PID ACT)

The PID Act is designed to facilitate the disclosure of allegations or complaints about persons who are government officials, or public authorities and their contractors. This legislation specifically covers improper conduct, corruption, irregular or unauthorised use of public resources, conduct involving a substantial and specific risk or injury to public health, prejudice to public safety or harm to the environment.

Before making a disclosure it is important that you are aware of the rights and responsibilities imposed on you and others under the Act. Further information is available through the Shire's website at www.wandering.wa.gov.au

COMPLAINTS TO THE OMBUDSMAN AND THIRD PARTY AGENCIES

The Ombudsman can investigate complaints about most Western Australian public authorities, including local governments.

Generally the Ombudsman will investigate actions or decision where the decision maker has:

- Acted outside their legal authority;
- Not followed policy, or applied its policy inconsistently;
- Did not consider all the relevant information, or considered irrelevant information;
- Unreasonably delayed making a decision or informing the complainant of the decision; or
- Failed to notify the complainant of the decision or did not provide reasons for a decision.

Complaints in this category will be dealt with independent of the Shire's Complaint Handling process.

REVIEW PROCESS

Where a complainant is dissatisfied with the way in which a complaint has been dealt with and/or the final determination of the complaint by the Shire, the following is to occur:

1) The complaint is to be referred to the relevant Director to investigate the matter and review the action and steps taken to resolve the complaint;
2) A report will be provided to the CEO detailing the history of the complaint and the actions taken to resolve the issue/s;
3) The CEO will determine the appropriate resolution of the outstanding complaint and the review of the service complaint handling process.

Should the CEO consider appropriate, an independent review of the complaint will be carried out.

In circumstances where internal processes are unable to resolve a complaint or satisfy the complainant, the Shire may refer the complainant to appropriate external agencies, such as the State Administrative Tribunal or State Ombudsman Office, for review.

All complaints received by the Shire will be recorded in the mandated records management system as a 'complaint'.

POLICY TYPE:		POLICY NO:	85
DATE ADOPTED:	16/03/2023	**DATE LAST REVIEWED:**	16/11/2023 20/11/2025
LEGAL (PARENT):	*Local Government Act 1995*	**LEGAL (SUBSIDIARY):**	
DELEGATION OF AUTHORITY APPLICABLE:		**DELEGATION NO.**	

ADOPTED POLICY	
TITLE:	Continuing Professional Development for Elected Members
OBJECTIVE:	To ensure that Elected Members of the Shire of Wandering meet and comply with the prescribed professional development requirements under the Local Government Act 1995, and to further encourage participation in other conferences and training specifically designed to enhance skills and knowledge relating to roles and responsibilities, as an Elected Member of the Shire of Wandering.

DEFINITIONS

Professional Development is learning to earn or maintain professional credentials such as academic degrees to formal coursework, attending conferences, and informal learning opportunities situated in practice.

POLICY STATEMENT

The Shire of Wandering is required under the *Local Government Act 1995* to adopt and report on compulsory training, and additionally, continuing development for Elected Members.

It is policy that Elected Members of the Shire of Wandering undertake and successfully complete the following prescribed professional development training modules titled "Council Member Essentials" within the period of 12 months from the day the Council member was elected, unless a prescribed exemption applies:

- Understanding Local Government.
- Serving on Council.
- Meeting Procedures.
- Conflicts of Interest; and
- Understanding Financial Reports and Budgets.

All units and associated costs will be paid for by the Shire and completed within the 12 months following election. If a councillor cancels any scheduled training, the applicable cancellation fees payable by the Shire will be charged back to the councillor and invoiced accordingly.

Additionally, the Shire will publish, on the Shire's website, training undertaken by all Elected Members within one month after the end of the financial year pursuant to the *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.

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

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

ONGOING PROFESSIONAL DEVELOPMENT

The professional development of Elected Members is an important activity of the Shire to ensure that its decision-making is of the highest standard and is the product of informed and ethical debate by well trained and committed Elected Members acting in the best interest of the community. Elected Members are encouraged to nominate to attend other conferences or training opportunities to enhance and broaden their knowledge of local government issues to support the community.

ELIGIBLE FORMAL TRAINING EVENTS

The formal training events to which this policy applies is limited to those conducted by, or organised by any of the following organisations or individuals:

- The West Australian Local Government Association (WALGA)
- Local Government Professionals WA
- Accredited training organisations offering training which directly related to the role and responsibilities of Elected Members
- Information sessions organised by the Department of Local Government, Sport and Cultural Industries
- Seminars, training and/or information sessions provided by individuals with a demonstrably strong knowledge of local government in Western Australia.

The following are examples of other conferences or training opportunities as described above:

- National General Assembly of Local Government
- WA Local Government Convention
- Special "one off" conferences sponsored by WALGA or the Department of Local Government, Sport and Cultural Industries on important local government issues
- Annual conferences of major professions of local government
- The Annual Road Congress
- Conferences which advance the development of Elected Members in their role as Councillors
- Conferences of organisations on which an Elected Member has been elected or appointed as a delegate.

PROCEDURES

Approval of Professional Development 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 must be approved by the Deputy Shire President, in conjunction with the CEO
- Events for Councillors must be approved by either the Council or the Shire President, in conjunction with the CEO.

Travel Arrangements

All booking arrangements for other conferences and training for Elected Members are coordinated through the Chief Executive Officer.

Elected Members should note that the *Local Government Act 1995* precludes an Elected Member to pre-spend Shire funds.

The proposed duration of another conference or training attendance together with travel time and planned supplementary pre or post conference activities relevant to the Shire of Wandering will be notified to Council or the Chief Executive Officer for confirmation and/or amendment prior to the delegate's departure for the other conference or training.

EXPENSES

Expenses relating to other conferences and training as approved, will be paid direct by the Shire and when not available then expenses can be recouped with receipts. Expenses may include the following items:

Air fare.

- Travel insurance.
- Conference registration.
- Copy of conference proceedings.
- Room accommodation.
- Reasonable phone utilisation.
- Reasonable laundry expenses; and
- Meals in the hotel where registered if these are not provided during the course of the conference.

Incidental expenses include:

- Travel to and from the conference venue; and
- Travel to and from all airport destinations.

REPORTING AND PUBLISHING

All Elected Members attending any other conference or training are expected to report to Council on the benefits achieved by attending and should make the conference papers available to other Councillors.

A record of conferences or other training attended by Elected Members will be maintained by the Chief Executive Officer. The Chief Executive Officer is to prepare a report each financial year on prescribed professional development training completed by Elected Members in the financial year.
This report is to be published on the Shire official website within one month after the end of the financial year to which the report relates.

APPLICATIONS

This policy applies to Elected Members of the Shire of Wandering.

POLICY TYPE:	POLICY NO: 86
DATE ADOPTED: 16 March 2023	**DATE LAST REVIEWED:** 19/03/2026
LEGAL (PARENT): *Local Government Act 1995*	**LEGAL (SUBSIDIARY):**
DELEGATION OF AUTHORITY APPLICABLE:	**DELEGATION NO.**

ADOPTED POLICY	
TITLE:	Attendance at Events
OBJECTIVE:	The purpose of this policy is to establish guidelines for appropriate disclosure and management of acceptance of invitations to events or functions, or other hospitality occasions, where elected members and employees are invited free of charge, whether as part of their official duties as Council or Shire representatives or not.

DEFINITIONS

In accordance with section 5.90A of the *Local Government Act,* an event includes, but is not limited to the following:

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

POLICY STATEMENT

- Elected Members and the Chief Executive Officer attend events to fulfil their leadership role in the community. Elected Members and/or the Chief Executive Officer will receive tickets or invitations to attend events to represent the Shire. The event may be a paid event, or a ticket/invitation may be gifted in kind. Gifts exceeding $100 need to be included in the gift register.

- Attendance by Elected Members and the Chief Executive Officer is approved for the following events:
  - Advocacy lobbying or Ministerial briefings
  - Meetings of clubs or organisations within the Shire of Wandering
  - Any free event held within the Shire of Wandering
  - Australian or West Australian Local Government events
  - Local Government Professionals Association (WA) events
  - Events hosted by Clubs or Not for Profit Organisations within the Shire of Wandering to which the Shire President, an Elected Member or the Chief Executive Officer has been officially invited
  - Shire hosted ceremonies and functions
  - Shire hosted events with employees
  - Shire run tournaments or events
  - Shire sponsored functions or events
  - Community art exhibitions
  - Cultural events/festivals
  - Events run by a Local, State or Federal Government
  - Events run by schools and universities within the Shire of Wandering
  - Major professional bodies associated with local government at a local, state and federal level
  - Opening or launch of an event or facility within the Shire of Wandering
  - Recognition of Service events
  - RSL events

- Where Shire President, Elected Member or Chief Executive Officer representation has been formally requested
- Free public events

- All Elected Members and the Chief Executive Officer are entitled to attend a pre-approved event. If there is a fee associated with a pre-approved event, the fee, will 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 an alternative Council Policy.

- If there are more Elected Members than tickets provided, then the Shire President shall allocate the tickets.

- If an Elected Member (or Chief Executive Officer) is unable or does not wish to attend the event to which the invitation relates, the member is to advise the event organiser of their unavailability or may distribute it to another Elected Member (or member of staff) of their choosing if the event organiser agrees. Otherwise, it is at the sole discretion of the event organiser, whether the invitation, or tickets, can be redistributed.

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 as follows:
  - Events for the Shire President and Deputy Shire President do not need approval
  - Events for Councillors are to be approved by the Shire President
  - Events for the Chief Executive Officer are to be approved by the Shire President

- 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 Community Plan or advocacy positions
  - 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, will be reimbursed on request after submission of appropriate receipts.

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

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 ticketed and the Elected Member or Chief Executive Officer pays the full ticketed price and does not seek reimbursement, then no action is required.

- If the event is ticketed and the Elected Member or Chief Executive Officer pays a discounted rate or is provided with a free ticket(s), with a discount value, then the recipient must disclose receipt of the tickets (and any other associated hospitality) within10 days to the Chief Executive Officer (or President if the CEO) if the discount or free value is greater than $300 for Elected Members and the CEO. This information should be captured in the Shire's Gift Register.

Conferences and Other Training Activities

- The Shire supports Elected Members and the Chief Executive Officer in attending conferences. Conferences encourage development and networking opportunities. Council maintains various policies which apply to conference and training activities of elected members.

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

ASSOCIATED DOCUMENTS

Local Government Act 1995 – Section 5.90A
Local Government (Administration) Regulations 1996 r.34B

POLICY TYPE:	POLICY NO: 87
DATE ADOPTED: 20/04/2023	DATE LAST REVIEWED:
LEGAL (PARENT): *Local Government Act 1995*	LEGAL (SUBSIDIARY):
DELEGATION OF AUTHORITY APPLICABLE:	DELEGATION NO.

ADOPTED POLICY	
TITLE:	Information Management and Information and Communications Technology Acceptable Use
OBJECTIVE:	To demonstrate Council's commitment in upholding the legislative and administrative requirements in the use of the Shire of Wandering's Information, Communication, and Technology (ICT) resources and associated Information Management (IM) framework.

DEFINITIONS

Authorised Persons means a member of the Executive or members of the ICT Contractor including delegated representatives.

Authorised User means any person, whether an employee, elected member, or contracted party, whom has been granted authorised access to the Shire's systems and services.

BYOD means Bring Your Own Device - the practice of granting users corporate network access in order to use their personal mobile devices for business purposes.

Corporate Knowledge represents any tangible or intangible file, record, or communication thread or intellectual property that holds value for the purposes of conducting business; whether particulars be related to past, present, or future.

Electronic Communications means email, instant messaging, and any other material sent electronically.

Email System means Shire provided Microsoft Outlook, Outlook Web Access, or any Shire email system that is synchronised to a PC or mobile device; whether the mobile device is provided by and remain the property of the Shire, or owned by an authorised user.

ICT means Information, Communications, and Technology.

Information System is any organised system for the collection, storage, and communication of information.

Malware is an abbreviation of 'malicious software' and means software programs designed to cause damage and other unwanted actions on a computer system. Common examples include computer viruses, worms, spyware, and trojans.

Network Access includes connectivity from any device to Shire managed ICT infrastructure connecting both local and remote network servers.

Personal Use means all use that is not specifically related to the Shire of Wandering.

The Cloud or **Cloud Computing** describes off-site network services made available to local users over the internet. Examples are Hotmail, Google Docs, Dropbox, Doc Assembler, Docs on Tap etc.

A **Record** is defined as meaning "any record of information however recorded" and includes:

- anything on which there is writing or Braille;
- a map, plan, diagram, or graph;
- a drawing, pictorial or graphic work, or photograph;
- anything on which there are figures, marks, perforations, or symbols, having meaning for persons qualified to interpret them;
- anything from which images, sounds, or writings can be reproduced with or without the aid of anything else;
- anything on which information has been stored or recorded, either mechanically, magnetically, or electronically.

Records and Document Management means any system or service, whether hosted by the Shire or in the cloud that is responsible or related to the storage or filing of corporate data and knowledge. This is inclusive of records management systems or shared file storage.

A **Records Manager** is a user who administratively works with Shire-related correspondence or other forms of documentation or communication, and is obliged to file such appropriately in line with adopted records management policies and procedures.

Shire means the Shire of Wandering
Misconduct means unacceptable or improper behaviour, especially by an employee or affiliated person. Refer to the adopted Code of Conduct for Council Members, Committee Members and Employees.

POLICY STATEMENT

All users must be vigilant in their adherence to these procedures in order to mitigate a plethora of risks that may negatively affect the Shire due to abuse or resulting from misuse. These measures are paramount in ensuring the Shire's business continuity.

1. Objectives

The Council's objectives in establishing this Policy are to:

a. Ensure there is an understanding of the obligations of users that are provided privileged access to information systems operated by the Shire of Wandering;
b. Ensure there is an awareness of the ownership of any intellectual property that resides on Shire information systems;
c. Ensure best practice policies and procedures are followed in relation to the operation of all information systems;
d. Ensure compliance with the *State Records Act 2000* and associated records management practices and procedures of the Shire.

This Policy encompasses the following five (5) principles of information security:

1. Confidentiality
   Ensuring that information is only accessible to those with authorised access. For example, this could mean using a strong password on your computer or mobile device, shredding sensitive documents, and locking filing cabinets.
2. Integrity
   Safeguarding the accuracy and completeness of information and processing methods.
3. Availability
   Ensuring that users have access to information when they require it, ie. ensuring that no person or event is able to block legitimate or timely access to information.
4. Compliance
   Ensuring that the Shire meets all legislative obligations.
5. Responsibility
   Ensuring that appropriate controls are in place so that users have access to accurate, relevant and timely information, but that users of the Shire's ICT resources do not adversely affect other users or other systems.

All Shire records, files, and communications are considered a corporate asset, regardless of physical format, storage location, or date created and are essential to the business of the Shire.

All records will be registered in the Shire's corporate Records Management System inclusive of content and context. These records must be complete and accurate.

The Council is committed to developing and implementing information management practices which support the Shire's business and legislative requirements.

Ownership and proprietary interest of records and information created or received during the course of business is vested in the Shire.

The Shire will endeavour to retain and dispose of records and information in accordance with the retention and disposal schedules approved by the State Records Commission.

The Council is committed to capturing and preserving records and information of significant historical or cultural value to the Shire and the State.

2. Acceptable Use

The use of Shire ICT systems and content for illegal, offensive, or other inappropriate activities, is prohibited.

This includes but is not limited to:

- Interfering with the intended use of resources. Such activities may include the downloading very large amounts of data affecting the performance of internet bandwidth for all other users;
- Seeking to or gaining unauthorised access to any resource;
- Using or knowingly allowing another to use any system to defraud or to obtain money, property, services, or other things of value by false representations;
- Breaching the privacy of individuals without authorisation;
- Conducting a business or activity for commercial purposes or financial gain, including publishing material which contains any advertising or any solicitation of other network users or discussion group or list members to use goods or services;
- Publishing information which violates or infringes upon the rights of any other person or group;
- Online gambling activities or political campaigning;
- Engaging in the use of social media tools for personal use during business hours; or
- Misrepresentation of yourself or the Shire of Wandering.

3. User Accounts

Effective access controls and reporting require that all users and their actions be uniquely identified.

All network user-ids will be password protected. Passwords must be kept secret and not shared. Users are accountable for all activity conducted under their allocated user account(s).

Generic and/or shared network user-ids may also be necessary in specific situations. Creation and use of all such network user-ids must be approved by the CEO.

You should observe the following with respect to your network user-id and password:

- Never divulge your password to another person, including system administrators, support staff, family and/or friends;
- Never write your password down in a conspicuous location;
- Take care that you are not being watched when you type it in;
- Change your password immediately if you suspect that it has been compromised;
- Never allow another person to operate a computer session signed on with your network user-id and password without your supervision;
- You must never attempt to sign-on as another person, or use a session signed-on with another person's network user-id and password; and
- Your network user-id will be locked after three invalid login attempts to mitigate malicious access. You must contact the ICT Contractor to unlock the account.

4. Password Management

Passwords are a common way to verify an identity. It is important that the password for your network user-id cannot be easily guessed.

5. Internet Use

The Internet is a shared resource; and as such users must be considerate of others. Using the Internet in a manner that may cause offence or bring the Shire into disrepute is prohibited and may result in disciplinary proceedings.

Offensive material includes but is not limited to:

- Obscene or harassing language or images;
- Negative racial, ethnic, sexual, erotic or gender specific comments or images; and
- Other comments or images that would offend someone on the basis of their religious or political beliefs, sexual orientation, physical features, nationality or age.

The Shire permits its user base to access and use the internet to carry out their duties, to contribute to the achievement of Shire business objectives and for staff development.

The Shire has the right to implement systems to automatically block access to certain sites that are considered to be either inappropriate or are being abused.

- You must not deny nor disrupt access to resources required by other staff in the performance of their duties. Such activity may include but is not limited to streaming media, excessive downloads, excessive non-business use and/or inappropriate sites;
- You must take all reasonable care when downloading, accessing or executing files on or from the Internet services. The consequences of introducing viruses or any other harmful software through the Internet environment may be serious and of great expense to the organisation;
- The ICT contractor should be contacted immediately if there is suspicion that a file, communication or information may contain a virus;
- You should be particularly careful of the potential for disclosing information on the internet. The capture of information containing workstation details, browser settings, network and personal information is a significant risk on the Internet and contributes to network compromise and 'phishing' (tricks used to fool the user into surrendering private information that will be used for identity theft);
- You should not reuse an existing network user-id or password associated with the Shire on any public web sites. Since public web sites are outside the control of the Shire, there can be no assumption as to the security of the site. Using an important network user-id or password on such a site must be avoided;
- All software products must be authorised and licensed before being installed on any equipment; and
- You are reminded that copyright restrictions often apply to all Internet files including web page content, images and documents.

6. Email

Email is an important business tool but is also subject to misuse. The organisation is committed to the appropriate use of this tool and expects all users to comply with acceptable usage directives.

It is important to note that all email messages that are created, sent or received using the email service remain property of the Shire.

- The Shire email system is to be used explicitly for the conduct of Shire related business. ie. no use for personal communications is permitted.
- You should not forward unsolicited email (spam) or items such as chain letters.
- Emails are business records and should be filed into the records management system in the same way as any other business record and deleted from your Inbox. Any filing questions are to be referred to the Customer Service Coordinator.
- Elected Members are to send a copy of pertinent Council-related email records, as defined by the *State Records Act 2000*, to csc@wandering.wa.gov.au where they will be registered appropriately.

- Consider that emails are not necessarily delivered or read by the recipient immediately, so other forms of communication should be considered where the matter is urgent.
- You should take reasonable care when opening attachments received with emails. If there is a suspicion that a file may be infected by a virus, you should contact the ICT Contractor immediately.
- Judgement should be used when forwarding emails that you have received to ensure you are not breaching the confidence of the sender.
- Emails should be drafted in a professional manner. Adhere to acceptable standards of email etiquette; i.e. All capitals indicates 'yelling'. Address your recipient by name. i.e., Hi xxxx.
- Email messages must not contain content considered to be offensive. If you receive material that you believe may be offensive you should respond to the sender professionally conveying your objection.
- You should always use subject headings to help identify relevance of content for recipients.
- Email should not be considered a file transfer tool. Consider use of accepted file transfer tools such as 'Dropbox' if sending large files to external bodies.
- A size quota may apply to your email account. Size violations will result in the inability to send email, until your inbox, sent items and subfolders, are reduced.

7. Disclaimer

The following disclaimer should be added to all email sent from an officer or elected member in regard to the corporate email system:

The information contained in this email, including any attachments, may be confidential and / or contain legally privileged information. If you are not the intended recipient any use, disclosure or dissemination of this email is unauthorised. If you have received this email in error, please delete all copies, including any attachments and alert the sender. Virus scanning is the responsibility of the recipient.

Please consider the environment before printing this e-mail

8. Shires Email Addresses

The Shire's primary public e-mail address is reception@wandering.wa.gov.au. Emails to this address will be received by the Customer Service officer who will register and distribute the email to the appropriate officer.

9. Malicious Software

Malicious software is a term used to describe programs that can maliciously attack and affect computer files and cause some unwanted actions whenever those files are used. Viruses and Malware are examples of this.

The most common way for malicious software to be introduced to a system is via a file accessed from an external source, such as from a memory stick, e-mail attachment or by downloading a file from the Internet.

It is therefore important for all users to be careful that they do not introduce malicious software, and to be diligent in detecting unusual events and reporting them immediately to the ICT Contractor.

- If you encounter a message indicating that a software virus has been detected but not cleaned you must advise the ICT Contractor who will act to prevent any further distribution of the virus;
- Do not install browser plug-ins such as toolbar add-ins;
- Do not open any files attached to an email message from an unknown, suspicious or untrustworthy source;
- Do not open any files attached to an email message if the subject line is questionable or unexpected;
- If you receive an untrusted attachment, delete the file;

- Delete chain emails and junk email. Do not forward or reply to any to them. These types of email are considered spam, which is unsolicited and intrusive;
- You must not download files from suspicious web sites.

10. Computer Software and Licensing

Software that does not have a valid licensing agreement is not to be used on any Shire maintained equipment.

All software must be used in accordance with specified license or copyright terms and conditions.

Proprietary software licensed for use must only be loaded onto owned equipment. Copies must not be taken for use on other equipment, including privately owned equipment, unless explicitly permitted by the licensing agreement and /or authorised by the CEO.

The download and installation of software to Shire owned equipment is only to be performed by the ICT Contractor.

- You must comply with all formal licensing requirements with regards to all software;
- You must inform the CEO or Customer Service Coordinator of any software that you no longer require, so that it can be removed in a timely manner and reallocated if applicable;
- You must not install or use any unauthorised software designed to compromise or bypass any security controls. Use of such software is strictly prohibited and will be considered a significant breach.

11. Mobile Devices

Due to the portable nature of notebook computers and other mobile devices, there is a requirement to maintain physical and data security.

- You must take special care to ensure that the Shire's information is not compromised through use of mobile devices in a public place. You should attempt to ensure that screens displaying sensitive or critical information cannot be seen by unauthorised persons;
- Never leave notebook computers or other mobile devices unattended in a public place, in an unlocked house, or office. Where possible, they should be physically locked away.
- Do not modify settings for password validation on mobile equipment. If authentication (identity verification) is enabled, do not disable it.

12. Physical Security and Protection

Physical and environmental issues affect all aspects of information security. These issues range from unauthorised physical access and exposure to environmental factors such as fire and flooding.

Physical security must be provided for all information regardless of the technology and including telecommunications equipment or facilities to ensure that associated assets are adequately protected against loss, damage or other risk.

- Ensure that office sites are appropriately physically secured;
- Never allow external parties to access Shire premises network access points or wireless network system;
- Shire property must be adequately maintained cared for;
- Supplied protective covers must not be removed;
- Do not leave sensitive electronic equipment in hot vehicles.

13. Remote Access and Remote Working

All remote access to Shire information assets must be approved by the CEO.

- Use of a remote access facility to access systems will only be granted if it is consistent with information security standards;
- You will be held accountable for all actions performed under your network user-id and password;
- To facilitate this, you must never leave a remote access session unattended, even if you are not currently signed-on to an application or other information system;

- Always disconnect a remote access session immediately after you have signed-off an application or other system;
- Never allow another person to operate a remote access session that you have established.

14. BYOD

The Shire supports the flexibility afforded by a Bring Your Own Device scheme.

If and when approved by the CEO, a user's personal device may be used to connect to Shire email and other selected information systems.

15. Incident Response and Issue Resolution

It is important that all suspicious events which involve Shire information assets are:

- Reported;
- Investigated;
- Responded to in a timely manner; and
- Evaluated for business impact.

Routine Help Desk requests can be logged via email, whereby the ICT Contractor will attend to resolution as soon as possible. Sending an email to support@focusnetworks.com.au noting the nature of the issue will automatically create a helpdesk request and assign it to an ICT staff member to action. Your will receive a return confirmation email.

Any irregular or suspicious activity should be reported to the ICT Contractor.

16. Roles and Responsibilities

The **CEO** is responsible for:

- The provision and implementation of assets, supporting systems, applications and processes that give effect to this policy.
- The establishment and maintenance of monitoring and compliance systems and processes to ensure that the supporting mechanisms function effectively. Facilitating an appropriate user induction of ICT system usage.

All users are required to adhere to the Shires ICT directives and Code of Conduct. In extenuating circumstances, exceptions to procedures require the approval of the CEO.

Employees, Elected Members, and authorised users are to create and maintain records relating to the business activities they perform in a manner commensurate with legislation, policy, and directives, for the effective management of corporate knowledge.

Employees, Elected Members, and authorised users are to comply with this policy.

The **Chief Executive Officer** must ensure that a fit-for-purpose system is made available for the maintenance and management of records and information that is compliant with records management legislation and State guidelines and procedures.

The Executive and Supervisors are responsible for fostering and supporting a culture that promotes good recordkeeping and information management practices, and ensuring that records management organisational directives and work instructions are known and adhered to. This includes ensuring that users are appropriately trained.

All users must access ICT resources in a manner that does not contravene the law. Use must be appropriate and authorised.

All users are records managers.

Shire ICT resources and data may be accessed or monitored by authorised persons at any time without notice to the user. This includes, but is not limited to, use of email systems and other electronic documents and records; however, authorised persons must have a valid reason for accessing or monitoring such.

17. Potential Outcomes of a Breach of the Conditions of this Policy to the Shire

Non conformance with the ideals and requirements contained herein may result in:

- Breach of the Shire network by malicious parties resulting in data loss and/or reputational damage;
- Widespread viral/malware infection leading to loss of productivity;
- Unauthorised internal access to confidential material;
- Breaches of privacy;
- Access to and/or display of discriminative or offensive material;
- Legal proceedings resulting from inappropriate online activity;
- Significant incurred internet or call costs.

18. Consequences of Contravening the Policy

- May result in disciplinary action in accordance with the Code of Conduct for Council Members, Committee Members and Employees;
- May constitute an offence or crime under relevant state or federal legislation, resulting in prosecution;
- If a violation is considered a criminal offence, the appropriate law enforcement agency will be informed;
- The Crime and Corruption Commission will be notified if misconduct is suspected to have occurred.

ASSOCIATED DOCUMENTS

POLICY TYPE:	POLICY NO: 88
DATE ADOPTED: 20/04/2023	**DATE LAST REVIEWED:**
LEGAL (PARENT): *Local Government Act 1995*	**LEGAL (SUBSIDIARY):**
DELEGATION OF AUTHORITY APPLICABLE:	**DELEGATION NO.**

ADOPTED POLICY	
TITLE:	Information and Communications Technology Asset Disposal
OBJECTIVE:	To determine the guidelines for the disposal of Information and Communication Technology assets.

DEFINITIONS

Assets include personal computers, laptop computers and printers.
Not for Profit Groups or Organisations refers to a Charity that is established and run to advance or promote a charitable purpose recognised by the Charitable Collections Act 1946 and is licensed under the provisions of that Act.

POLICY STATEMENT

Principle
Information and Communication Technology (ICT) assets may be re-used within the Shire or disposed by any of the following methods:

- Donating to "Not for Profit Groups or Organisations" that operate for the benefit of the community.
- Through the Shire of Wandering Waste Transfer Station.
- In the absence of an item not being disposed, the Chief Executive Officer has the sole discretion to dispose of the item through an approved disposal and recycling contractor.
- The Shire retains the right to indemnify itself from any redress.
- Sold to Shire staff through a process that allows reasonable opportunity for all staff to participate.

Software Licence Limitations

- All disposed ICT assets will only have the original operating system installed.
- All assets are to be disposed of on an "as is" basis. In the case of laptops and desktops, ALL hard disk devices (HDD) will be removed and destroyed if beyond economic life, otherwise retained by the Shire for reuse.
- All solid state devices (SSDs) are to be recovered from Shire of Wandering assets identified for disposal for wiping and reuse.

All assets that are re-used must be re-built with Group Policies enabled.

ASSOCIATED DOCUMENTS

Local Government Act 1995 (Section 3.58)
National Competition Policy

POLICY TYPE: COMMUNITY	POLICY NO: 89
DATE ADOPTED: 18/05/2023	**DATE LAST REVIEWED:**
LEGAL (PARENT): *Local Government Act 1995*	**LEGAL (SUBSIDIARY):**
DELEGATION OF AUTHORITY APPLICABLE:	**DELEGATION NO.**

ADOPTED POLICY	
TITLE:	Level Of Service-Grading Activities
OBJECTIVE:	To ensure that Council clearly identifies the "level of service" it requires for the maintenance of bitumen and gravel roads within the Shire of Wandering (the Shire).

DEFINITIONS

Nil.

POLICY STATEMENT

Winter Grading:

- Winter grading will commence as soon as optimum soil moisture conditions permit.
- Gravel roads will be double cut from drain invert to drain invert.
- If insufficient material is evident, every effort will be made to import top-up gravel from other areas.
- Formation road widths must be maintained at 9.0m for major arterial roads and 8.0m for minor arterial roads.
- The road cross-section gravel roads where possible will be targeted at between 5% - 6% in order to maintain good road drainage.
- The first round of grading will include only major and minor arterial roads and bus routes.
- The second round of grading will include major and minor arterial roads, bus routes and minor roads.

Summer Grading:

- Summer grading will focus on local roads, verge clearing, back slopes and drains (including bitumen roads)
- No planned formation grading will occur on major and minor arterial roads, bus routes and minor roads during summer with the exception of sections of severe corrugations or where damage has been caused by heavy unseasonal summer rainfall.
- Large vegetation will be carted away with a target of 100km per annum.
- In the event of optimum soil moisture conditions due to summer rainfall, the focus will not move away from local roads. Graders may, however, formation grade other roads on the way from local road to local road.

Bitumen Shoulder Grading:

- When grading bitumen shoulders, staff will where practicable use two graders in convoy and commence as close as practicable to 1st July each year.
- Roads with a bitumen width of less than 6.50m wide will be graded once every year only if needed.
- Roads with a bitumen width of more than 6.50m wide should be graded once every two years but only if needed after the completion of roads with the width of less than 6.5m which have priority.
- Grading extents will be from drain invert to drain invert.
- Clearing of back-slopes on bitumen shoulders will be done only in summer.
- Road sweeping will be carried out during bitumen shoulder grading only when required.

Bitumen Shoulder Widening:

- Wherever possible, backslope vegetation will be laid down and stabilised and only large vegetation will be removed
- Existing shoulder sub-base / base course material is to be tested by scarifying up to 150mm with a single grader tine. If the material is suitable it will be left in-situ with minimal tinning and topped to shape with suitable imported gravel.

Sourcing of Gravel:

- All gravel for the current works program be pushed in July, August and September of that year to allow for moisture absorption.

ASSOCIATED DOCUMENTS

Nil.

RESPONSIBILITY FOR IMPLEMENTATION

The Chief Executive Officer is responsible for implementing this policy.

POLICY TYPE: COMMUNITY	POLICY NO: 90
DATE ADOPTED: 18/05/2023	**DATE LAST REVIEWED:**
LEGAL (PARENT): *Local Government Act 1995*	**LEGAL (SUBSIDIARY):**
DELEGATION OF AUTHORITY APPLICABLE:	**DELEGATION NO.**

ADOPTED POLICY	
TITLE:	Road Hierarchy / Maintenance Standard
OBJECTIVE:	• To ensure that the Roads are constructed and maintained according to Councils standards. • That Council adopt the following Road Hierarchy with regards to rural roads and associated Construction and Maintenance standards:

DEFINITIONS

Nil.

POLICY STATEMENT

1: Regional Road Group Roads Type 5

CONSTRUCTION STANDARD	MAINTENANCE STANDARD
Formation width – 16 metres Pavement width – 11 metres Seal width – 8 metres if possible	Bitumen pavement surface is to be maintained as required. Gravel shoulders are to be winter graded annually on the first round. Gravel pavement is to be winter graded annually on the first round. Offshoots and surface drains are to cleaned out when the shoulders are graded. Roadside furniture is to be maintained as required. Back-slopes on drains to be maintained as required. Prior to roadside vegetation clearing, other than normal clearing of drain lines etc during maintenance, the local Councillors are to be contacted.

2: Regional Road Group Roads Type 4

CONSTRUCTION STANDARDS	MAINTENANCE STANDARD
Formation width – 15 metres Pavement Width - 10 metres Seal width - 7 metres or 8 metres if possible	Bitumen pavement surface is to be maintained as required. Gravel shoulders are to be winter graded annually on the first round Gravel pavement is to be winter graded annually on the first round. Offshoots and surface drains are to cleaned out when the shoulders are graded. Roadside furniture is to be maintained as required. Back-slopes on drains to be maintained as required. Prior to roadside vegetation clearing, other than normal clearing of drain lines etc during maintenance, the local Councillors are to be contacted.

3: Major Arterial Roads

CONSTRUCTION STANDARD	MAINTENANCE STANDARD
Formation width – 12-16 metres Pavement width – 9 metres Material depth 120mm – 150mm (depending on sub base)	Bitumen pavement surface is to be maintained as required. Gravel road pavement is to be winter graded annually on the first round. Gravel shoulders are to be winter graded annually on the first round. Offshoots and surface drains are to cleaned out when road pavement is graded Roadside furniture is to be maintained as required. Back-slopes on drains to be maintained as required. Prior to roadside vegetation clearing, other than normal clearing of drain lines etc during maintenance, the local Councillors are to be contacted.

4: Minor Arterial Roads

CONSTRUCTION STANDARD	MAINTENANCE STANDARD
Formation width – 11-15 metres Pavement width – 8 metres Material depth 120mm – 150mm (depending on sub base)	Bitumen pavement surface is to be maintained as required. Gravel road pavement is to be winter graded annually on the first round. Gravel shoulders are to be winter graded annually on the first round. Offshoots and surface drains are to cleaned out when road pavement is graded Roadside furniture is to be maintained as required. Back-slopes on drains to be maintained as required. Prior to roadside vegetation clearing, other than normal clearing of drain lines etc during maintenance, the local Councillors are to be contacted.

5: Minor Roads/ Local Roads

CONSTRUCTION STANDARD	MAINTENANCE STANDARD
Formation width – 11-15 metres Pavement width – 8 metres Material depth 100mm-120mm (depending on sub base)	Gravel road pavement is to be summer graded as required and winter graded on the second round. Offshoots and surface drains are to cleaned out and maintained as required when road is being graded Roadside furniture is to be maintained as required. Back-slopes on drains to be maintained as required. Prior to roadside vegetation clearing, other than normal clearing of drain lines etc during maintenance, the local Councillors are to be contacted.

Current bus routes on minor or local roads are of a high priority and should be treated the same as major and minor arterial roads.

ASSOCIATED DOCUMENTS

Nil.

RESPONSIBILITY FOR IMPLEMENTATION

The Operations Manager is responsible for implementing this policy.

POLICY TYPE:	GOVERNANCE	POLICY NO:	91
DATE ADOPTED:	18/07/24	DATE LAST REVIEWED:	18/07/2024
LEGAL (PARENT):	*Local Government Act 1995 s 5.37*	LEGAL (SUBSIDIARY):	
DELEGATION OF AUTHORITY APPLICABLE:		DELEGATION NO.	

ADOPTED POLICY	
TITLE:	Senior Employees
OBJECTIVE:	• To designate Senior Employee positions and define employment processes for these positions.

DEFINITIONS

'**The Shire**': The Shire of Wandering

POLICY STATEMENT

As required by Section 5.371) of the *Local Government Act 1995* the Shire has designated the following positions as Senior Employees:

- Chief Executive Officer
- Operations Manager
- Community Resource Centre (CRC) Coordinator

The Chief Executive Officer shall:

- inform the council of each proposal to employ or dismiss a senior employee, other than a senior employee referred to in section 5.39(1a), and the council may accept or reject the CEO's recommendation but if the council rejects a recommendation, it is to inform the CEO of the reasons for its doing so.
- if the position of a senior employee of a local government becomes vacant, it is to be advertised by the local government in the manner prescribed, and the advertisement is to contain such information with respect to the position as is prescribed.
- For the avoidance of doubt, subsection above, does not impose a requirement to advertise a position where a contract referred to in section 5.39 is renewed.

ASSOCIATED DOCUMENTS

Local Government Act 1995

POLICY TYPE:	POLICY NO: 92
DATE ADOPTED: 17/10/2024	**DATE LAST REVIEWED:**
LEGAL (PARENT): *Local Government Act 1995*	**LEGAL (SUBSIDIARY):**
DELEGATION OF AUTHORITY APPLICABLE:	**DELEGATION NO.**

ADOPTED POLICY	
TITLE:	Fraud, Corruption and Misconduct
OBJECTIVE:	To articulate the Shire's commitment to a zero-tolerance approach to fraud, misconduct, bribery and corruption through the identification and implementation of strategies to prevent, detect and respond to fraud and corruption.

DEFINITIONS

Fraud is defined by Australian Standard AS8001 – 2021 as: "Dishonest activity causing actual or potential financial loss to any person or entity including theft of monies or other property by employees or persons external to the entity and where deception is used at the time, immediately before or immediately following the activity."

Fraud can take many forms including:

- The misappropriation of assets;
- The manipulation of financial reporting (either internal or external to the Shire); and
- Corruption involving abuse of position for personal gain.

Corruption is defined by Australian Standard AS8001 – 2021 as:
"Corruption is dishonest activity in which an employee or contractor of the entity acts contrary to the interests of the entity and abuses their position of trust in order to achieve some personal gain or advantage for themselves or for another person or organisation. The concept of corruption' can also involve corrupt conduct by the entity, or a person purporting to act on behalf of and in the interests of the entity, in order to secure some form of improper advantage for the entity."
Corruption is any deliberate or intentional wrongdoing that is improper, dishonest or fraudulent and may include:

- Conflict of interest;
- Failure to disclose acceptance of gifts or hospitality;
- Acceptance of a bribe;
- Misuse of internet or email; or
- Release of confidential or private information or intellectual property.

Corrupt conduct tends to show a deliberate intent or an improper purpose and motivation and may involve conduct such as the deliberate failure to perform the functions of office properly; the exercise of a power or duty for an improper purpose; or dishonesty.

POLICY STATEMENT

The Shire of Wandering has adopted a zero-tolerance approach to Fraud and Corruption and will appropriately deal with all allegations and suspected instances of Fraud and Corruption. This includes notifying, reporting or referring any such instances to the appropriate authority for investigation and possible prosecution.

In accordance with the best practice guidance as set out in the Fraud and Corruption Control Standards (AS 8001-2021) the Shire will —

- provide a complainant with access to an open and responsive complaints process;
- enhance an organisation's ability to manage complaints in a consistent, systematic and
- responsive manner;
- enhance an organisation's ability to identify trends and eliminate causes of complaints and
- improve the organisation's operational effectiveness;
- encourage and support staff to improve their skills in complaint management;
- provide a basis for the ongoing review and analysis of the complaint management system, resolution of complaints, and process improvements made; and
- reduce the likelihood of complaints developing into ongoing disputes.

Policy Scope

This policy applies to:

- Elected Members;
- Committee Members;
- All employees whether by way of appointment, secondment, contract, temporary arrangement or volunteering, work experience, trainees and interns;
- Any external party involved in providing goods or services to the Shire, such as contractors, consultants, outsourced service providers and suppliers.

Fraud and Corruption Management

This Policy along with the Code of Conduct, the Shire's values and culture and its governance and risk management policies all operate in synergy to prevent, detect and respond to potential or actual fraud and misconduct. The Shire's organisational structure provides clearly defined responsibilities and appropriate segregation of duties and controls within systems, particularly financial and procurement, that inhibits opportunities for fraud to occur. The zero-tolerance tone is set by the Chief Executive Officer and the Senior Leadership Team. The structure also includes an independent external audit function that receives reports from the Chief Executive Officer on the appropriateness and effectiveness of internal control, legislative compliance and risk management.

To provide guidance to Council members, committee members, contractors, employees, and volunteers, rules and requirements will be enforced as prescribed in relevant legislation as per the Code of Conduct. When any of the above are acting on behalf of the Shire, they must hold our values and code in the highest esteem.
The strategies relating to planning and resourcing, prevention, detection and response of fraud and corruption control includes but is not limited to:

- Training and awareness;
- Pre-employment screening;
- Risk assessment;
- Internal and external audit;
- Whistleblowing; and
- Investigation procedures

Reporting Serious or Minor Misconduct

A Public Officer or any other person may report to the Corruption and Crime Commission (CCC) or the Public Sector Commission (PSC) on any matter which that person suspects on reasonable grounds concerns or may concern serious or minor misconduct. Information on reporting to the appropriate authority is available on respective websites:
Public Sector Commission (PSC) : https://publicsector.wa.gov.au/conduct-integrity/minor- misconduct
Corruption and Crime Commission (CCC) : https://www.ccc.wa.gov.au/reporting-corruption

Public Interest Disclosure

Any person may make an appropriate disclosure of public interest information to a proper authority (includes a local government). The legislation which governs such disclosures is the *Public Interest Disclosure Act 2003.* A disclosure can be made by anyone and may be made anonymously. If disclosures are made in accordance with the Act, the person making them is protected from reprisal. This means that the person enjoys immunity from civil or criminal liability and is protected from any disciplinary action or dismissal. The Act requires local governments to appoint a person, known as the Public Interest Disclosure Officer (PID Officer), to whom disclosures may properly be made. The PID Officer should be consulted when considering whether to make a disclosure. The CEO , Shire President and Deputy President have been appointed as PID officers for the Shire of Wandering.

Disciplinary and Recovery Action

The Shire will respond to all instances of Fraud, Corruption and Misconduct in accordance with its complaints and grievances handling process which may lead to termination. The Shire will also seek to recover any losses it may have suffered through Fraud, Corruption and Misconduct.

Roles and Responsibilities

Council

Council has the responsibility to adopt the Fraud and Corruption policy and to adhere to the policy.

Audit Committee

In relation to fraud control, the Audit Committee's responsibilities include:

- overseeing development and implementation of policies and procedures, to provide assurance that the entity has appropriate processes and systems in place to prevent, detect and effectively respond to fraud and corruption; and
- providing leadership in preventing fraud and corruption.

Chief Executive Officer

The Chief Executive Officer:

- applies the Shire's resources to fraud prevention and ensures the implementation of adequate controls for managing fraud and corruption risks within the Shire.
- under the *Corruption, Crime and Misconduct Act 2003* must notify the Corruption and Crime Commission or the Public Sector Commission if misconduct is suspected.

Employees

All employees have a responsibility to contribute to preventing fraud and corruption by following the Code of Conduct, complying with controls, policies, processes, resisting opportunities to engage in fraudulent or corrupt behaviour and reporting suspected fraudulent or corrupt incidents or behaviour.

Procedure for handling complaints relating to PID Officers:

If the complaint relates to the any of the PID officers, the complaining officer may report the allegation to the Corruption & Crime Commission (CCC). or Public Sector Commission (PSC) provided there are reasonable grounds or concerns over the misconduct.

Alternatively, the complaining officer can report the allegation to any of the other PID Officers who will make necessary arrangements to investigate the matter independently in compliance with the local government act and regulations.

ASSOCIATED DOCUMENTS

Nil.

POLICY TYPE:	POLICY NO: 93
DATE ADOPTED: 17/10/2024	DATE LAST REVIEWED:

LEGAL (PARENT): *Local Government Act 1995*	LEGAL (SUBSIDIARY):

DELEGATION OF AUTHORITY APPLICABLE:	DELEGATION NO.

ADOPTED POLICY	
TITLE:	Whistleblower (Public Interest Disclosure)
OBJECTIVE:	To encourage Employees, Elected Members, contractors, consultants and members of the public, to report unlawful unethical, or undesirable conduct (Misconduct) that they genuinely believe has been committed by a person or persons in breach of the Shire of Wandering's Code of Conduct, policies or the law.

DEFINITIONS

N/A

POLICY STATEMENT

- The Shire of Wandering (Shire) is committed to the aims and objectives of the Public Interest Disclosure Act 2003. It recognises the value and importance of Employees and others to enhance administrative and management practices, and strongly supports disclosures being made as to alleged Misconduct.

- The Shire will not tolerate Misconduct and has developed this policy to assist Elected Members, Employees, contractors, consultants, and members of the public to raise concerns through a constructive and safe process.

- The Shire will take all reasonable steps to protect employees, contractors, consultants, elected members and members of the public from any detrimental action in reprisal for the making of a public interest disclosure

Detail

The Policy has been developed to:

- Demonstrate the Shire's commitment to a fair workplace and outline the process for managing matters of Misconduct.
- Protect individuals who in good faith report conduct which they reasonably believe to be Misconduct, on a confidential basis, without fear of reprisal, dismissal or discriminatory treatment.
- Assist in ensuring that matters of Misconduct and / or unethical behaviour are identified and dealt with appropriately.
- State the Shire of Wandering's commitment to the aims and objectives of the *Public Interest Disclosure Act 2003*, the purpose of which is to facilitate the disclosure of information in the public interest, and to provide protection to those who make a disclosure or who are the subject of a disclosure.

Community Consultation

Policy does not require community consultation it is a statutory requirement.

Governance

This Policy is required under legislation and is governed by the Public Sector Commissioner for issues relating to officers and contractors of the Shire or the Corruption and Crime Commission of Western Australia for matters relating to Elected Members.

Measures of Success

The success of this Policy will be measured in terms of the number of complaints being lodged through effective governance of the Shire's business.

Notes and Conditions
The Whistleblower Policy and Procedures will be reviewed periodically by the Audit and Risk Committee. A report will be made to the Council on the outcome of each review and all recommended changes to the Policy.

All information, documents, records and reports relating to the investigation of reported misconduct will be confidentially stored and retained in an appropriate and secure manner, in accordance with the Public Disclosure Act 2003.

ASSOCIATED DOCUMENTS
Policy 32 – Public Interest Disclosures
State Records Act 2000

This policy has been drafted to comply with the:

- AS 8004–2003 (Whistle blower Protection Programs for Entities) AS 8001–2008 (Fraud and Corruption Control).
- *Public Interest Disclosure Act 2003 of Western Australia*
- Public interest Disclosure regulations 2003

POLICY TYPE:	POLICY NO: 94
DATE ADOPTED: 17/05/2025	DATE LAST REVIEWED:
LEGAL (PARENT): *Local Government Act 1995*	LEGAL (SUBSIDIARY):
DELEGATION OF AUTHORITY APPLICABLE:	DELEGATION NO.

ADOPTED POLICY	
TITLE:	Caravan Park – Maximum Stay
OBJECTIVE:	To provide guidance for maximum stays at the Wandering Caravan Park

DEFINITIONS

Permanent – person(s) residing in the caravan park for residential purposes. This is not allowable under this policy. There are to be no exceptions.

Visitor – person(s) in the park for holiday purposes, usually for a very short time.

Short Stay - Short stay site means a site at a caravan park which is to be occupied consecutively by the one person or one group of persons, for no longer than 28 days.

Long Stay: Long stay site means a site at a caravan park which is to be occupied consecutively by one person or group of persons for any period of time up to a maximum of 90 days within any 12 month period. There are to be no extensions or exceptions.

POLICY STATEMENT

The primary purpose of the Wandering Caravan Park is to provide short term accommodation for visitors. This policy seeks to define long-term stay parameters for visitors to the park.

This policy applies to all members of the public who wish to stay at the Wandering Caravan Park.

Caravan Site Availability

- With the current number of showers, toilets and handbasins, the caravan park can provide 30 sites plus two cabins. These are made up of:
  - 3 'drive through' powered bays.
  - 10 powered sites on gravel, including one accessible bay.
  - 11 powered sites on the oval.
  - 6 unpowered sites on the oval.
- The Wandering Caravan Park is not available for permanent residence.
- The Wandering Caravan Park is available for long-term stay for the purpose of providing accommodation for workers employed within the Shire boundaries (in accordance with this policy). There will be no exceptions unless approved by the Chief Executive Officer.

Park Chalets

To ensure adequate chalets are available at the Wandering Caravan Park the maximum number of long term (28 continuous nights or more on the one site) chalet stays is limited to three (3). Any request for a longer stay needs to be in writing to the Chief Executive Officer who has the authority to accept or reject a stay of up to six months.

The Chief Executive Officer reserves the right to terminate any tenancy, either from a caravan and camping site or a chalet, immediately at its absolute discretion, fees may apply.

CANCELLATION POLICY / TERMS AND CONDITIONS

In the event a Hirer cancels a confirmed booking, all monies paid in advance will be refunded except when the cancellation is made within 48 hours of the booking, in which case 50% of the booking fee will be held as a cancellation fee.

If you are booking as a group you are required to pay in one transaction as a group (We do not accept individual/multiple payments for group bookings). Sites MUST be paid for upon booking and sites must be booked and paid for before staying at the park.

No specific site can be booked at the Wandering Caravan Park, we cannot guarantee your preferred site. Accessible bay bookings at the Wandering Caravan Park may be subject to an ACROD pass being sighted.

ASSOCIATED DOCUMENTS

Caravan Parks and Camping Grounds Act 1995
Caravan Parks and Camping Grounds Regulations 1997

POLICY TYPE:	POLICY NO: 95
DATE ADOPTED: 11/12/2025	**DATE LAST REVIEWED:** 11/12/2025
LEGAL (PARENT): *Local Government Act 1995*	**LEGAL (SUBSIDIARY):**
DELEGATION OF AUTHORITY APPLICABLE:	**DELEGATION NO.**

ADOPTED POLICY	
TITLE:	Dress Code & Personal Presentation Policy
OBJECTIVE:	• To ensure that Councillors, Committee members and Candidates represent the Shire of Wandering in a professional manner.

POLICY STATEMENT

The Shire of Wandering is committed to presenting itself in a professional manner while engaged in Local Government related activities. This policy applies to Shire Councillors, Committee members and Candidates when attending meetings or representing the local government in an official capacity.

The Shire of Wandering dress code and personal presentation policy takes into account:

- The Model Code of Conduct for Council members, Committee members and Candidates.
- The professional and public image of employees, councillors, committee members and candidates.

Accordingly, Council Members and Committee Members will dress in a manner appropriate to their position, in particular when attending meetings or representing the Local Government in an official capacity.

All Councillors and Executive Team members, when attending General and Committee Meetings of Council, are required to maintain an appropriate dress code and personal hygiene.

This dress code may involve such clothing as:

1. Ordinary and Special Council Meetings - Business attire is to be worn. A suit, jacket or sports coat (optional), business shirt or blouse, dress pants, dress, skirt.
2. Committee Meetings - Neat casual clothes or good work clothes (depending on the nature of the business to be discussed).
3. All Councillors and Officers should ensure their garments give appropriate coverage at all times. Dresses and skirts are to be at an acceptable length.
4. Appropriate footwear should be worn at all times. Sneakers, thongs and open toed footwear are not acceptable.
5. Councillors and Officers, wherever possible, are to wear their name badges when attending General and Committee Meetings of Council and especially when attending external meetings and/or forums.

Cultural and/or Religious Attire and Medical Reasons

The Shire of Wandering recognises and respects the importance of cultural and/or religion beliefs within its elected members and candidates. Where genuine personal religious beliefs or medical reasons dictate a different standard of dress, an exemption can be sought through the Shire President.

Prohibited Clothing

Smart business dress for work does not include clothing with loud patterns, bright colours, or novelty prints, low cut or sheer tops, tops that expose the midriff, thongs, singlets, faded jeans, frayed/ripped jeans, shorts of any kind including board shorts, athletic or workout clothing or other items of clothing deemed unsuitable by the Shire President. Clothing must not contain messages or designs that may be offensive to others. For example, this includes items of clothing which may be considered racist, sexist or derogatory.

Disciplinary Consequences
Failure to comply with this policy may constitute a breach of the Code of Conduct.

Where a councillor, committee member or candidate fails to comply with the dress standard as determined by the policy, the individual may be excluded from the meeting and/or event

Continued breaches of the dress standard will result in disciplinary action in accordance with Council's agreed disciplinary procedures.

ASSOCIATED DOCUMENTS

Nil