

# Shire of Collie Policy Manual – Corporate Services Policies

## Corporate Services Policies

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### 2. Administration

#### CS2.1 Designation of Senior Employees and Acting Chief Executive Officer

##### Policy Objective

To designate Senior Employees under the terms of the *Local Government Act 1995*, and to define arrangements for the appointment of an Acting Chief Executive Officer during limited absences of the Chief Executive Officer.

##### Policy

###### ***Designation of Senior Employees***

The Council deems the position of Chief Executive Officer and the following positions to be 'Senior Employees' for the purposes of the Local Government Act 1995, Section 5.37(1):

- Director Corporate Services
- Director Development Services
- Director Technical Services

Appointment of a person to a Senior Employee position on a temporary or acting basis is to be in accordance with the Local Government Act 1995, Section 5.39.

###### ***Appointment of Acting Chief Executive Officer***

In accordance with the requirements of the Local Government Act 1995, section 5.36(2)(A), the Council has determined that persons appointed as the permanent incumbent to the position of a Director is suitably qualified to perform the role of Acting Chief Executive Officer.

Directors will be appointed to the role of Acting Chief Executive Officer at the discretion of the Shire President, having regard for advice of the Chief Executive Officer.

Appointments to the role of Acting Chief Executive Officer are to be made for a defined period not less than 5-days or exceeding 6-weeks. A Council resolution is required for longer terms of appointment.

##### **Policy adoption and review**

Council meeting held: **13 April 2021**

Adopted by Minute No: **8710**

Date to be reviewed: **April 2024**

**CS2.2 Severance Gift**

(Section 5.50 Local Government Act 1995)

Purpose of Policy:

The purpose of this Policy is to set down amounts of severance payable to terminating employees for the purpose of Section 5.50(1) of the Local Government Act 1995 (“the Act”).

Policy:

That Council recognises the contribution of employees whom have worked for the Council and make a presentation of a suitable gift up to and including the value specified in accordance with the following number of completed years of continuous service;

5 ≤ years < 7            \$150

7 ≤ years < 10         \$250

10 ≤ years < 15        \$350

15 ≤ years < 20        \$500

20 years or more        \$750; or any other amount in accordance with the Local Government

Act (ref 2.1) at the discretion and by an Absolute Majority Resolution of the Council.

The Shire of Collie further acknowledges section 5.50 of the Local Government Act 1995 and Section 19A of the Local Government (Administration) Regulations 1996, which allows for such a gratuity payment to be made within the following limitations;

The value of a payment or payments made under section 5.50(1) and (2) to an employee whose employment with a local government finishes after 1 January 2010 is not to exceed in total:

- If the person accepts voluntary severance by resigning as an employee, the value of the person’s final annual remuneration; or
- In all other cases, \$5 000

**Definitions**

“Final annual remuneration” in respect of a person, means the value of the annual remuneration paid, or payable, to the person by the local government which employed that person immediately before the person’s employment with the local government finished.

**Policy adoption and review**

Council meeting held:        **6 October 2020**

Adopted by Minute No:        8577

Date to be reviewed:         **September 2023**

**CS2.3A Motor Vehicle Usage & Replacement**

*Purpose of Policy:*

To provide Council employees with guidelines with respect to the purchase and use of Council light vehicles.

**1. GENERAL POLICY**

- The use of Council owned motor vehicles is extended to designated Council staff as a benefit to the employee, under the terms of this policy.
  - Failure of the employee to act in accordance with provisions of this policy may, at the discretion of the CEO and Council result in the removal of private use benefits afforded the staff member.
  - It is the responsibility of staff to ensure that he/she is at all times fully aware of the contents of this policy.
- a) The driver of the Council vehicle must be the holder of a current WA drivers licence.
- b) The employee responsible for the vehicle shall ensure that:
- the vehicle is maintained in a clean condition (inside & out) at the employee's own expense.
  - all manufacturer servicing is carried out.
  - in the event of an accident or damage occurring that their direct supervisor is advised immediately and all necessary insurance claims are completed promptly.
- c) The vehicle shall not be used to carry on or assist in carrying on a business or any other forms of employment.
- c) The officer responsible for the vehicle shall ensure that the vehicle is at all times kept in as safe and secure place as is possible.
- d) All vehicles will be assigned fuel cards and/or toggles to be utilised for the purposes of purchasing/obtaining fuel for the Council owned vehicle only.
- e) The Chief Executive Officer shall assign vehicles to various positions within the organisation, using the guidelines in Sections 2-4 of this Policy.
- f) The value of vehicles assigned to each position is to be guided by budget considerations, individual contracts or letters of appointment, and the Local Government Vehicle Package Values as updated from time to time.

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Determined Salary Package Value	Motor Vehicle Cost [up to, Incl GST]	Category of Use		
		Unrestricted Private Use	Restricted Private Use	Commuter Use
\$14,500	\$59,000	X		
\$13,500	\$52,000	X		
\$11,000	\$39,000	X	X	
\$9,000	\$33,000		X	
\$6,000	As determined by the CEO, on the basis of specific work requirements.			X

### **2. OFFICERS GRANTED UNRESTRICTED PRIVATE USE**

*The General Policy of this Motor Vehicle Policy applies to this section.*

- a) All vehicle running costs will be the responsibility of the Collie Shire Council notwithstanding that the officer shall pay any fuel expenses incurred whilst on periods of leave [refer 2c].
- b) The Chief Executive Officer is entitled to the use of a fuel card and/or toggle whilst on periods of leave.
- c) Whilst the officer is on periods of annual or long service leave, fuel cards shall NOT be used by the officer between 2400hours on the last working day prior to taking leave and 1700hours on the day preceding a return to work.
- d) The officer is granted full and unconditional private use of the vehicle within the state of Western Australia. Approval outside of Western Australia will only be permitted through written consent of the Council and any fuel and servicing costs incurred outside the state of WA will be the Officer's expense
- e) Private use of the vehicle is extended to the designated Council officer and to their spouse/partner.

### **3. OFFICERS GRANTED RESTRICTED PRIVATE USE**

*The General Policy of this Motor Vehicle Policy applies to this section.*

- f) The Officer is granted private use of the vehicle within a 250 km radius of the Collie CBD. During periods of annual or long service leave, the Officer may be required to leave the vehicle at the Shire Offices or Depot for departmental use at the discretion of the Executive Manager.
- g) If the Officer is permitted to retain the vehicle for use during a period of annual or long service leave, then fuel cards and/or toggles shall NOT be used by the Officer between 2400hours on the last working day prior to taking leave and 1700hours on the day preceding a return to work.
- h) All vehicle running costs will be the responsibility of the Collie Shire Council notwithstanding that the Officer shall pay any fuel expenses incurred whilst on periods of leave [refer 3b].

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- d) Private use of the vehicle is granted to the designated Council officer only. However, in extenuating circumstances the vehicle may be used for the sole purpose of rendering any unforeseen circumstance safe.

### **4. OFFICERS GRANTED COMMUTER USAGE**

- g) The officer may only use the vehicle between their Collie residence and the workplace, including stopping at incidental stops on the way to/from work. Weekend use is not permitted unless the staff member is requested to work.
- h) The vehicle must remain within the Shire of Collie at all times, unless approved in writing by the CEO.
- i) Officers granted commuting usage are only to obtain fuel from the Shire Depot.
- j) During periods of annual or long service leave, the vehicle is to remain at the Shire Depot.
- k) If an employee with commuting usage should relocate to an address not within the Shire of Collie, then the employee is no longer entitled to commuting usage of a motor vehicle.
5. All vehicles not assigned to an Officer are pool vehicles and are to remain at the Shire depot after hours unless other direction is given by the CEO or an Executive Manager. [eg. On call or emergency response].

### **6. VEHICLE ACQUISITION**

**When purchasing or leasing a motor vehicle for the use of Council and staff, the following guidelines shall be applied;**

#### **A. Budget allocation**

All motor vehicles must be purchased or leased in accordance with budget provisions and Councils purchasing policies.

#### **B. Vehicle carbon emission and pollution ratings**

A minimum combined rating of 2.5 stars is required for all vehicle acquisitions in accordance with the Green Vehicle Guide ([www.greenvehicleguide.gov.au](http://www.greenvehicleguide.gov.au)).

#### **C. Vehicle safety ratings**

A minimum rating of 5 stars is required for all vehicle acquisitions in accordance with Australian New Car Assessment Program (ANCAP) ([www.ancap.com.au](http://www.ancap.com.au))

#### **D. Timeframes for the replacement of passenger vehicles**

Changeover of light vehicles will be undertaken at an interval approved by the Chief Executive Officer based on cost / benefit assessment, however as a general indicator vehicles will be replaced within 4 years. Proposed replacements shall be incorporated into the Council annual budget.

#### **E. Cost efficiency (including whole of life costs)**

A whole of life cost (per kilometre) evaluation will be included in the decision making process when replacing any council owned light vehicles. This calculation will include factors such as;

- Cost of Capital
- Depreciation verified by industry standards (e.g. Red Book or similar)
- Cost of fuel, and
- Servicing, Insurance, Cost of Tyres etc.

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An evaluation of leasing options, either fleet or individual, against outright purchase will be undertaken periodically to compare the relative cost of each option.

If the leasing option is decided upon then a report be provided to Council.

### F. Decision weighting

In making a purchase/replacement decision the following weighting is to be applied;

Cost (whole of life) / Opportunity	50%
Carbon Emission	12.5%
Pollution Rating	12.5%
Safety	25%

- Consideration of staff contractual obligations is to be given.
- A local quote should be included in the considerations, and the local price preference be applied in accordance with Council Purchasing Policy.

### G. Colour

That new vehicles are light in colour - preferably white.

## 7. EFFECT

This policy is to come into effect from the date of adoption by Council.

### Policy adoption and review

Council meeting held:	<b>21 June 2016</b>
Adopted by Minute No:	<b>7090</b>
Date to be reviewed:	<b>N/A</b>

**This Policy is to be read in conjunction with the Councils Fleet Safety & Motor Vehicle Guidelines.**

**CS2.3B Use of Council Vehicles**

- Policy CS2.3A applies to employees with vehicle entitlements employed prior to 23 October 2018.
- This Policy CS2.3B applies to employees with vehicle entitlements employed after 23 October 2018.
- These Policies and Procedures are to read in conjunction with the Councils Fleet Safety & Motor Vehicle Guidelines.

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### COUNCIL PROVIDED VEHICLES

The Council is charged with responsibility for providing a range of services to meet the needs and wants of the local community. To enable effective delivery of services and management of resources the Council provides a range of vehicles, plant and equipment.

#### 1. Policy Objectives

##### *To provide:*

- Details of the terms and conditions for each category of vehicle use.
- Guidelines on the range of vehicles which Council will procure and offer to staff for commuting or private use.
- A way to maximise vehicle availability for business use.
- A way to minimise Fringe Benefit Tax (FBT) liabilities.
- An attractive employment benefit for staff.

#### 2. Policy Responsibility

Managers shall be responsible to ensure this policy is complied with. The Human Resources Officer will be responsible for coordinating the implementation of the policy in collaboration with the Chief Executive Officer (CEO).

#### 3. General

- Vehicles remain the property of the Council at all times.
- Vehicles shall be included in a car pool for use during business hours.
- All vehicles shall carry a log book which must be completed for a minimum of three (3) months per annum by all drivers of the vehicle.
- Vehicles are generally linked to a specified position, not the person holding the position.
- The nature and type of vehicle to be allocated to the position shall be based on business requirements as outlined in clause 10. As positions become vacant, a review will be carried out by the relevant Executive to determine the need for a vehicle allocation. That review shall be referred to Council for final determination. Vehicles will not be the subject of negotiations for the inclusion in Certified Agreements, State Workplace Agreements or Australian Workplace Agreements.
- The right to participate in the Vehicle Scheme may be suspended at any time at the discretion of the CEO, if the officer or nominee:
  - o Is convicted of a serious driving offence.
  - o Judged to have incurred excessive insurance claims.
  - o Has not maintained the vehicle in a suitable manner.
  - o Has breached any of the agreed vehicle policy conditions.
  - o Fails to provide accurate FBT information as requested.
  - o Uses the vehicle to derive income from outside business.
  - o Has acted in a manner deemed inappropriate by the CEO.

#### 4. Council's Responsibility

- Annual Registration, Insurance and FBT payments relevant to the vehicle.
- The vehicle will be replaced at intervals according to Council's Vehicle Replacement Policy.
- The Council may undertake an independent random audit or inspection of vehicles to ensure that the conditions of this policy are being met.
- The vehicle is fully serviced and maintained by the Council for 52 weeks of the year with the Council accepting all costs associated with running of the vehicle.
- A fuel card is to be provided and used when purchasing fuel and oil only.
- A payroll deduction will be made for private use of a vehicle, which may be reviewed from time to time by the CEO.

#### 4. Private Use Contribution

The CEO will determine the contribution to be paid by staff with full private and limited private use entitlements and may review the contribution from time to time. All contributions to be deducted after tax will not be suspended due to staff being on leave unless specifically approved by the CEO. Refer to Table on Page 10 – Type of Vehicle Allocated

Contribution rates shall take into account the make and type of vehicle allocated and shall be annualised and paid fortnightly over 26 pay periods. The CEO will consider the number of private km's travelled.

#### 5. Managers' Responsibilities

Managers shall be responsible for monitoring car pooling and utilisation of vehicles within their department. Swapping of vehicles should be initiated firstly within departments. If the target annual utilisation cannot be achieved, then swapping between departments should be initiated.

#### 6. Employee Responsibilities

All persons driving a Council vehicle shall hold a current Western Australian Driver's Licence.

An officer assigned a council vehicle shall:

- Enter into an agreement to confirm the type of vehicle, type of use and contribution rate, if applicable, to the use of a Council vehicle by an officer.
- Sign their acceptance to Council's conditions of use of a council motor vehicle, which governs use, care and maintenance as detailed in this policy document.

#### 7.1 Accident or Damage

In the event of an **accident or damage** to a vehicle it is the responsibility of the employee to:

- Report as soon as practicable to the Human Resources Officer/Manager and also any involvement in a motor vehicle accident or upon sustaining general damage to the vehicle.
- Report any accident in a motor vehicle to the Police where required by law.

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- Not accept or acknowledge any liability on behalf of the Council arising from an accident.
- Complete as soon as practical after the accident, the appropriate claim form and in consultation with the employee's supervisor, the incident report form (Copy Attached), and return them to the Payroll / Insurance Officer.

Employees or their nominated person found to be driving a Council vehicle under the influence of drugs or alcohol will be held personally responsible for any repairs or legal action resulting from any accident in which they are involved. Similar conditions shall apply to damage occurring as a result of inappropriate behaviour. Full costs relating to damage will be recovered from the employee. The employee would not normally be liable for any insurance excess costs involved if damage to the vehicle occurs in circumstances defined within authorised use.

### 7.2 Maintenance and Cleaning

General **maintenance** of the vehicle is the responsibility of the employee to whom the vehicle is assigned. This will include:

- Weekly check of oil, water and tyres.
- The vehicle is to be maintained in a clean and tidy condition at all times. Cleaning (internal and external) will be undertaken during the employee's own time.
- Additional features including advertising material, shall not be added to the vehicle unless it can be determined that these are required to undertake the functions of the person using the vehicle.
- The vehicle is to be made available for service maintenance and repairs as required. Mechanical defects are to be reported to the Fleet Coordinator as soon as practicable.
- All vehicles are designated as work places and shall be used in accordance with the Council's Occupational Safety and Health policies including the maintenance of a smoke free environment.

### 7.3 Appropriate Use

Vehicles shall be used in a manner that is consistent with the nature of work requirements. Employees shall be responsible for ensuring an allocated vehicle is used appropriately at all times. Vehicles other than 4 wheel drives should not be taken off road. Employees shall be responsible for paying for any damage that occurs when a vehicle has been deemed to have been used inappropriately.

Reconditioning costs at change over may be recovered from staff if the vehicle is excessively damaged through negligence.

The CEO shall decide if excessive costs are required to be paid by the officer.

An employee whose licence has been suspended shall immediately advise their supervisor and arrange for the vehicle to be returned to the Council Depot. The employee will notify the Payroll of the situation and arrange to have any deduction of payments (if being made) discontinued until the suspension expires and / or private use rights are resumed.

Excessive speeding or alcohol and drug offences while driving may result in Council withdrawing the use of a vehicle.

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### Fringe Benefit Tax Reporting

All Fringe Benefits Tax (FBT) reporting requirements are to be completed and submitted to the Payroll / Insurance officer by the due date. These include:

- Log books of vehicle use are to be completed when requested.
- Annual returns giving details of:
  - o any employee using the vehicle,
  - o the start and finish dates/times of each period of use, and
  - o details of the vehicle use when allocated to another person.

Employees allocated vehicles for commuting or limited private use are required to notify the Human Resources Coordinator of any changes to the allocation of the vehicle (e.g. during leave or staff rotation etc.). Failure to do so will result in the Council assuming the vehicle is still under the employees control and associated fringe benefits will be attributed to the employee.

### 7.5 Vehicle Utilisation

Council vehicles are to be rotated to maximise utilisation as determined by the CEO. Employees must accept that they may be allocated a different vehicle from time to time in order to increase that vehicles utilisation.

Employees superannuation surcharge and government benefits may be affected by their reportable FBT and employees allocated a vehicle are expected to actively take part in reducing the Council's FBT liabilities.

Employees are required to submit a log book of their business and non-business related travel for a period of 90 days during any FBT year (1st April - 31st March).

### 7.6 Other Responsibilities

It shall be the **responsibility** of the person to whom the vehicle has been allocated to ensure that:

- All drivers shall reveal any previous driving offences (not speeding or parking) up to 5 years previously, which may affect insurance cover.
- The person is familiar with the conditions of this policy and that all forms relating to the allocation of the vehicle (including nominee's information) are provided to the Council.
- To ensure that parking fines and traffic infringements are paid by the offending driver.
- The vehicle is housed in a secure and preferably off street location, and kept locked at all times when not in use.
- The vehicle will be available for Council business on a daily basis (excluding approved periods of leave). This will take precedence over private use.
- When the vehicle is not required during annual leave it is to be garaged at the Council Depot unless approved by the CEO.
- Only authorised persons (employee or nominee) may drive a Council vehicle. In an emergency any person holding a WA Drivers Licence may drive the vehicle provided the employee is a passenger in the vehicle at the time the vehicle is being driven.
- Employees are to ensure that passengers and load limits are not exceeded at any time. Off road use is not permitted except where the vehicle is designed for such use.

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- **No PETS** shall be allowed in council vehicles other than those used for the transport of animals.
- **No SMOKING** is permitted in council vehicles at any time.

### 8. Special Conditions

In addition to the general employee responsibilities as outlined, special conditions will apply to each category of use.

#### 8.1 Full Private Use

- The CEO and Directors are permitted unlimited use of the vehicle throughout Australia but limited to a maximum mileage of 30,000km annually.
- Managers are limited to Western Australia unless authorised by the CEO. The Managers are also limited to a maximum mileage of 30,000km annually.
- Where the CEO, Directors and Managers exceed 30,000km annually they will be required to make an additional contribution of 50% of Australian Tax Office rate reimbursement.
- The CEO and Directors may authorise their spouse / partner or another person as a user of the vehicle. The nomination form will be completed by the employee and submitted to the Insurance / Payroll Officer who will maintain a central register.
- The CEO and Directors have full access to their allocated vehicle during all periods of leave but cannot use the Councils fuel card whilst on leave. Private use is limited to within a radius of 50km from the Council Offices or Depot.

#### 8.2 Limited Private Use

- The vehicle will be made available during office hours as a pool vehicle.
- Employees will be required to make a fortnightly contribution, payable after tax as described in the schedule of fees.
- An employee with limited private use may nominate their spouse/partner as a user of the vehicle and complete the appropriate forms. The Insurance / Payroll Officer will maintain a register of authorised persons.
- In the event of a change of duties or change to the nature of work for which the employee is employed, the Council reserves the right to withdraw the provision of a vehicle.
- Use during periods of leave, will not be permitted.
- 

#### 8.3 Commuting Use

- The vehicle is available for commuting use within the Shire of Collie to and from the employee's place of work and home in recognition of work requirements. Employees will not use Council vehicles for private use such as taking family to and from work / school etc., and shall not include any substantial deviation or substantial interruption of the journey without the expressed approval by the CEO.
- Diversion to attend a course of study or professional development outside normal business hours is to be authorised by the Manager and taken as part of the journey to or from work.
- In the event of a change of duties or change to the nature of work for which the employee is employed, or change of place or residence the Council reserves the right to withdraw the provision of a vehicle.
- The vehicle will be available during office hours as a pool vehicle and will be returned to the pool during periods of long service leave, annual leave and sick leave.

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### 9. Car Pooling Priorities

All allocated vehicles shall be available for other staff to use. Priority for allocation within the pool shall be:

- 1) General Staff vehicles.
- 2) Managers' vehicles.
- 3) Directors' vehicles.

### 10. Type of Vehicle Allocated

The Council's fleet mix consists of a variety of makes and models of vehicles. Unless otherwise determined by the CEO the following vehicle types will apply to the identified positions.

Position	Use	Type of Vehicle	Employment Value in HR Package *	Weekly contribution post tax
CEO	Full Private Use	Premium Saloon or Station Wagon fitted with a tow bar or 4x4 Station Wagon	\$29,000	NIL
Directors	Full Private Use	Executive Saloon or soft road 4x4 station wagon or sedan	\$21,000	\$140
Managers	Full Private Use	4 Cylinder Saloon or other specified vehicle as required by the position.	\$18,500	\$120
Staff	Limited Private Use	4 Cylinder Automatic Sedan or other specified vehicle as required by the position.	\$16,500	\$105
Staff	Commute Use	4 Cylinder Automatic Sedan or other specified vehicle as required by the position OR 4 Cylinder Automatic Diesel Crew Cab Utility 4x4 - bull bar, tow bar, cruise control (Toyota Yaris - VW Polo - Hyundai I20 Ford Ranger, VW Amarok, Toyota HiLux - Isuzu D-Max)	\$13,000	\$85

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### Accessories:

- No optional extras are to be included on vehicles.
- Work related accessories may be fitted at the discretion of CEO.

*\* The values attributed to vehicles in the employment package are calculated using the following data*

- *The cost to lease an equivalent vehicle over a term of 60 months and 150,000km the lease cost is inclusive of all maintenance and tyres*
- *The cost of fuel based on the average fuel consumption of this type of vehicle and a fuel price of \$1.50c per litre*
- *Insurance cost at 1.1% of the cost of the vehicle*
- *Registration at 1.5% of the cost of the vehicle*

The total value of the vehicle entitlement will be included in the employee's total remuneration package. The employees have a choice of using the vehicle provided by Council or converting their vehicle entitlement to cash and providing their own vehicle by way of Novated Lease Chattel Mortgage, or other means subject to approval by the CEO.

Where the employee elects to provide their own vehicle:

- *It will be of a similar make / model like that usually provided by the Council; and*
- *It will be used by the employee for all business purposes.*
- *They will not have access to Council provided pool vehicles.*

### 10.1 Employers Responsibility

- Ensure employees understand their responsibilities to ensure vehicles are legal, safe and well-maintained.
- Check vehicle documents in advance of first use of vehicle for business purposes and at least annually thereafter.
- Carry out periodic visual inspections of employees' own vehicles used for work, follow monitoring, authorisation and reporting procedures to help manage transport usage.

### 10.2 Employees responsibility -if using their own vehicles for Council business to:

- Every 12 months on the renewal date, present the vehicle's insurance policy (with the employer noted on the policy and policy for business use of the car) and service / maintenance schedule for inspection in advance of first driving for work and thereafter on request by the employer.
- Every 6 months as a minimum present evidence that the vehicle has been serviced and safety inspected by a suitably qualified person (mechanic)
- Present their driving licence for inspection in advance of first driving for work and thereafter on request by the employer.
- Notify employer of any sanctions imposed on their licence, restrictions on ability to drive, material changes to insurance provision and vehicle defects.
- Co-operate with monitoring, authorisation and reporting procedures.

### **10.3 Minimum Vehicle Standards**

As a minimum, any employee-owned vehicle used for business purposes should meet the following standards:

- Vehicle to be of a standard normally used in LG business i.e. no exotic vehicles, sports cars, custom cars.

### **10.4 Insurance of Private Vehicle**

The vehicle entitlement will only be paid where the employee holds an insurance policy that covers bodily injury to or death of third parties, bodily injury to or death of any passenger; and damage to the property of third parties, and permits the use of the car either in connection with the business, or the business of the employing department or agency. The employers name must be noted on the insurance policy as an interested party. When first using their car on official business, employees must declare in writing that they know and understand the ownership and insurance requirements.

It is the responsibility of the employer to:

- Verify the insurance status of their employees, via either the original insurance document or a cover note. Any material changes to the employee's insurance provision shall be notified to the employer.
- Employee is to provide a declaration accepting that they are paid a vehicle allowance for providing their own vehicle for business purpose. In doing so they accept that all costs relating to the vehicle including but not limited to, fuel, maintenance, tyres, insurance, accidents, insurance excess etc are for their own account. The employee must also accept as a policy that they will not have use of a Council vehicle during work hours unless in exceptional circumstances and authorised by the CEO.

## **11. Review Period**

This policy will be reviewed by the Council two years from the date of adoption.

### **Policy adoption and review**

Council meeting held: **23 October 2018**

Adopted by Minute No: **7963**

Date to be reviewed: **October 2020**

CS2.8 Standards for CEO Recruitment, Performance and Termination

**Standards for CEO recruitment,  
performance and termination**

**Division 1 — Preliminary provisions**

**1 . Citation**

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

**2. 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, that 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 Collie

**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 that 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**

(1) 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.

(2) This Division does not apply —

(a) if it is proposed that 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

(b) 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**

(1) 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.

(2) 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 —

(a) the duties and responsibilities of the position; and

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

**6. Advertising requirements**

(1) 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.

(3) 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 —

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

(d) if the person advises the local government that the person is unable to access that 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**

(1) In this clause —

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

- (e) a council member;
  - (f) an employee of the local government;
  - (g) a human resources consultant engaged by the local government.
- (2) 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.
- (3) The selection panel must comprise —
- (c) council members (the number of which must be determined by the local government); and
  - (h) at least 1 independent person.

**9. Recommendation by selection panel**

- (1) Each applicant's knowledge, experience, qualifications and skills must be assessed against the selection criteria by or on behalf of the selection panel.
- (2) Following the assessment referred to in subclause (1), the selection panel must provide to the local government —
- (d) a summary of the selection panel's assessment of each applicant; and
  - (i) 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.
- (3) If the selection panel considers that none of the applicants are suitable to be employed in the position of CEO, the selection panel must recommend to the local government —
- (j) that a new recruitment and selection process for the position be carried out in accordance with these standards; and
  - (k) the changes (if any) that the selection panel considers should be made to the duties and responsibilities of the position or the selection criteria.
- (4) The selection panel must act under subclauses (1), (2) and (3) -
- (e) in an impartial and transparent manner; and
  - (l) in accordance with the principles set out in section 5.40 of the Act.
- (5) The selection panel must not recommend an applicant to the local government under subclause (2)(b) unless the selection panel has —
- (f) assessed the applicant as having demonstrated that the applicant's knowledge, experience, qualifications and skills meet the selection criteria; and
  - (m) verified any academic, or other tertiary level, qualifications the applicant claims to hold; and
  - (n) 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.

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(6) 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

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

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

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

(p) 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

(1) 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 —

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

(h) 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

(2) 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).

(3) 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

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

(7) This clause applies if —

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

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

(ii) a period of 10 or more consecutive years has elapsed since a recruitment and selection process for the position was carried out, whether that process was carried out before, on or after commencement day;

and,

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

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- (3) 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.
- (3) 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 that 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, that 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

- (4) 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 that are in addition to the contractual performance criteria.
- (5) Without limiting subclause (1), the process agreed under subclause (1)(a) must be consistent with clauses 17, 18 and 19.
- (6) The matters referred to in subclause (1) must be set out in a written document.

### 17. Carrying out a performance review

- (1) A review of the performance of the CEO by the local government must be carried out in an impartial and transparent manner.
- (2) The local government must —
  - (a) 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
  - (a) review the CEO's performance against the contractual performance criteria and any additional performance criteria, based on that 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 —

- (b) 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**

- (1) The local government must make decisions relating to the termination of the employment of a CEO in an impartial and transparent manner.
- (7) The local government must accord a CEO procedural fairness in relation to the process for the termination of the CEO's employment, including —
  - (c) informing the CEO of the CEO's rights, entitlements and responsibilities in relation to the termination process; and
  - (d) notifying the CEO of any allegations against the CEO; and
  - (e) giving the CEO a reasonable opportunity to respond to the allegations; and
  - (f) genuinely considering any response given by the CEO in response to the allegations.

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

- (1) This clause applies if the local government proposes to terminate the employment of a CEO for reasons related to the CEO's performance.
- (2) The local government must not terminate the CEO's employment unless the local government has —
  - (g) 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
  - (h) informed the CEO of the performance issues; and
  - (c) given the CEO a reasonable opportunity to address, and implement a plan to remedy, the performance issues; and
  - (d) determined that the CEO has not remedied the performance issues to the satisfaction of the local government.
- (3) 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.

**1. Notice of termination of employment**

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

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

**Policy adoption and review**

Council meeting held: **30 April 2024**

By Minute No: **9403**

Date to be reviewed: **2027**

3. Finance

**CS3.1 Self Supporting Loans**

**Policy Objectives**

2. To assist not-for-profit clubs and community organisations to upgrade facilities on land owned or vested in the Shire of Collie that benefit the Collie community.
3. To provide security for Council over the loan in the event of the not-for profit club or community organisation ceasing or defaulting.

**Policy Definitions**

*Deed of Agreement*

To include:

- Date of Deed
- The obligation of the community organisation to meet the repayments
- Details of security of the Loan
- If the community organisation should default in meeting it's obligations the facility will default to Council.
- Repayment Schedule

*Incorporated community groups or sporting clubs*

**Policy Statement**

Clubs/Associations seeking Council assistance to raise a loan on its behalf shall apply in writing for a self-supporting loan to be considered by Council, encompassing:

- Certificate of incorporation;
- Be based and operate within the Shire of Collie;
- Provide a statement demonstrating the inability to secure financial support through alternative funding sources;
- Provide plans, specifications and statutory approvals (if available) together with detailed costings; Provide a copy of the last 3 years professionally reviewed financial statements and current year's budget, demonstrating the organisation's ability to repay the loan;
- Provide a business plan that sets out the purpose, objectives and benefits to their members and the Collie community of the proposed use of funds;
- Provide an overview of the organisations objectives and current membership levels;
- Agree to enter into a Deed of Agreement for the period of the loan repayments;
- Provide a copy of the minutes of a legally constituted meeting of the organisation showing the formal resolution agreeing to the raising of the loan;
- Provide security to the level that Council considers appropriate. Alternatively, the organisation may provide between 2 and 20 Guarantors to ensure that the loan is repaid. In the event of the organisation defaulting on its loan repayments the guarantors will become jointly and severally liable for the repayment of the loan. Agree to insure and keep insured premises where the premises are security over the repayment of the loan.

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Self-supporting loans will generally be limited to a maximum of \$150,000 for any one applicant, including existing self-supporting loans between the Shire and the applicant. Council may, with proper justification, vary this limit.

### **Roles and Responsibilities**

#### *Council*

- Self-funding loan requests not previously approved and included in Council's annual budget, will need to be advertised in accordance with the requirements of the Local Government Act 1995, to allow for written submissions to be made, these submissions will be presented to Council, so that a decision to approve or disapprove a self-supporting loan request can be made.

#### *Organisation applying for the self-supporting loan*

- Provide documentation to Council as defined in the Policy Statement, supporting the application.
- The loan borrower will supply to Council on an annual basis a set of the professionally reviewed financial statements within four (4) months of the close of the financial year, as well as a copy of the budget for the current year. Council may at any time during the period of the loan request the loan borrower to provide current financial statements and budgets.

### **Legislation and Standards**

- Local Government Act 1995 s6.20 and s6.21
- Local Government (Financial Management) Regulations 1996

### **Policy adoption and review**

Council meeting held: **14 July 2020**

Adopted by Minute No: **8495**

Date to be reviewed: **July 2023**

## CS3.2 Conference & Training

### Policy Objective:

To Establish clear guidelines for elected members and staff attendance at conference and training courses for professional development.

### Policy Definition:

*“Conference”- A conference is defined as a training course, conference or skills development program related to and/or approved by the Local Government.*

### Policy Statement:

This policy acknowledges the obligations on staff and elected members to be properly informed on all matters pertaining to Council. Council encourages staff and elected members to attend training courses and conferences for professional development, which may be of benefit to the individual staff and elected members and Council as a whole.

This Policy establishes to:

- Provide clear guidelines on staff and elected members attendance to any training courses and/or conferences.
- Ensure that appropriate processes are followed for all associated expenditure; and
- Ensure that all staff and elected members attendance at any training courses and/or conferences comply with the Local Government Principles as contained with the *Local Government Act 1995*.

### Elected Members

4. Elected Members may be nominated and authorised to attend conferences by a direct resolution of the Council, passed at a Council meeting.
5. Council shall authorise an elected member to attend a conference or training if it is considered to be beneficial to the Council and in line with the annual budget provisions.
6. Upon returning from a conference or training the elected member is required to provide a brief oral or written report to Council on the merits of attendance.
7. A copy of the aforementioned acquittal shall be placed on the Councillor’s record.
8. The CEO shall cause for a register of all conference and training acquittals to be kept for future reference.
9. The following shall apply to elected members who are authorised to attend conferences or training under this policy:

#### 6.1 Registration:

The Council will pay all normal registration costs for elected members (or any other delegate) which are charged by the organisers, including those relating to official luncheons, dinners and tours/inspections which are relevant to the interests of Council.

#### 6.2 Accommodation:

Council will pay reasonable accommodation costs for Councillors including the night before and/or after the conference where this is necessary because of training and/or conference timetables.

#### 6.3 Travel:

Council will be responsible for the payment of all reasonable costs associated with the travel to/from authorised conferences and/or training.

## Shire of Collie Policy Manual – Corporate Services Policies 6.3.1

Travel by motor vehicle:

Elected members shall be provided with a Council vehicle to attend conferences and training where this is practical and appropriate. In the event that a Council vehicle is unavailable the Councillor shall be reimbursed for the cost of a hire car or the use of a vehicle in accordance with the kilometre rate as specified by the Australian Taxation Office.

6.3.2 Travel by other means:

Where it is deemed inappropriate to attend a conference or training by motor vehicle an alternative mode of transport shall be arranged, i.e. airplane, train, bus. Where one of the alternative methods of transport is utilised it shall be done based on the economy class. In the case where an elected member is either disabled or is willing to pay the costs associated with upgrading the status of travel Council shall approve the upgrade by an advance resolution.

6.4 Out of pocket expenses:

Council recognises that elected members attending conferences and/or training may be required to make related purchases and payments during the course of the conference or training.

In respect of this Council will make payment for reasonable day to day expenses. This payment shall be made to the elected member on presenting the appropriate receipts or invoices satisfying the requirements of a tax invoice.

6.5 Out of State Conferences and/or Training:

Council must resolve by an absolute majority to authorise for an elected member to attend conferences and/or training outside of Western Australia.

An elected member who has been authorised to attend an interstate or international conference is required to book a return flight at the earliest possible time and endeavor to achieve the most cost effective outcome. In the event that the elected member wishes to extend their stay they may do so notwithstanding that Council shall not pay for any expenses incurred after the conference and/or training has ceased. The elected member shall pay for all his/her expenses in the first instance; that is Council will not pay costs initially for the elected member to reimburse at a later date.

6.6 Where the elected member has been authorised to attend a conference and/or training and another person accompanies the elected member the following shall apply:

The “accompanying person” shall be solely responsible for paying all travel, breakfast & meals not associated with registration and/or participation in any conference programs. Council may make the initial payment to the conference and/or training provider, which shall be reimbursed to Council within 7 days of the payment being made.

Staff Members

**10.** Staff members may be authorised to attend conference and/or training if it:-

- 1.1 is in accordance with annual budget provisions,
- 1.2 has been authorised by the CEO or Directors,
- 1.3 is within the state of Western Australia or authorized by the Council if outside Western Australia (as per Clause 6.5)

**11.** The following shall apply to staff members who are authorised to attend conferences or training under this policy:

2.1 Registration:

## Shire of Collie Policy Manual – Corporate Services Policies

The Council will pay all normal registration costs for staff members that are charged by the organisers, including those relating to official luncheons, dinners and tours/inspections and which are relevant to the interests of Council.

### 2.2 Accommodation:

Council will pay reasonable accommodation costs for employees including the night before and/or after the conference, where this is necessary because of training and/or conference timetables.

### 2.3 Travel:

Council will be responsible for the payment of all reasonable costs associated with the travel to/from authorised conferences and/or training.

#### 2.3.1 Travel by motor vehicle:-

Staff members shall be provided with a Council vehicle to attend conferences and/or training where this is practical and appropriate. In the event that a Council vehicle is unavailable the staff member shall be reimbursed for the cost of a hire car or the use of a vehicle in accordance with the kilometre rate as specified by the Australian Taxation Office.

#### 2.3.2 Travel by other means:-

Where it is deemed inappropriate to attend a conference and/or training by motor vehicle an alternative mode of transport shall be arranged, i.e. Aeroplane, train, bus. Where one of the alternative methods of transport is utilised it shall be done based on the economy class. In the case where a staff member is either disabled or is willing to pay the costs associated with upgrading the status of travel Council shall approve the upgrade by an advance resolution.

### 2.4 Out of pocket expenses:

Council recognises that staff members attending conferences and/or training may be required to make related purchases and payments during the course of the conference or training.

In respect of this Council will make payment for reasonable day to day expenses. This payment shall be made to staff members on presenting the appropriate receipts or invoices satisfying the requirements of a tax invoice.

Any exceptional amounts claimed shall be paid upon a resolution of Council.

### 2.5 Out of State Conferences and/or Training:

Council must resolve by an absolute majority to authorise for a staff member to attend conferences and/or training outside of Western Australia.

A staff member who has been authorised to attend an interstate or international conference is required to book a return flight at the earliest possible time and endeavor to achieve the most cost effective outcome. In the event that the staff member wishes to extend their stay they may do so notwithstanding that Council shall not pay for any expenses incurred after the conference and/or training has ceased. The staff member shall pay for all his/her expenses in the first instance, that is Council will not pay costs initially for the staff member to reimburse at a later date.

2.6 Where the staff member has been authorised to attend a conference and/or training and another person accompanies the staff member the following shall apply:

The “accompanying person” shall be solely responsible for paying all travel, breakfast & meals not associated with registration and/or participation in any conference programs. Council may make the initial payment to the conference and/or training provider, which shall be reimbursed, by the employee to Council, within 7 days of the payment being made.

## Shire of Collie Policy Manual – Corporate Services Policies

### **Policy adoption and review**

Council meeting held: **14 July 2020**

Adopted by Minute No: **8495**

Date to be reviewed: **July 2023**

**CS3.6 Email and Internet Policy**

**Policy Objective**

To provide guidelines for the proper usage of Email and internet facilities.

**Policy**

All e-mails sent or received via the Shire’s e-mail system are the property of the Collie Shire Council and may be monitored by Shire of Collie management.

- Up to date anti-virus software should be installed on work-stations and functioning continuously. Email from unknown sources should be monitored carefully and not opened if it is suspected to contain a virus.
- The downloading of music, games, ring tones, movies or any copyright material which has been unlawfully obtained is prohibited.
- Employees shall ensure that their Wallpapers settings and screen savers are not of an offensive nature.
- No employee may send or distribute e-mail containing expletives, offensive material or pornography.
- No employee shall utilise the e-mail or Internet facilities to conduct private business and/or personal matter.
- Any Council employee receiving a questionable e-mail should delete it immediately.
- No employee will make any comment on Shire business at any social networking site or media site unless authorized by the CEO.

**Consequences**

Any employee of the Shire of Collie found to be acting in contravention of this policy will face disciplinary action. Employees who continue to disregard the above policy may face dismissal if the offence is considered to be of a serious nature.

Note that any offence associated with pornography, discrimination, sexual harassment, insulting or offensive behavior will be automatically classified as being of a serious nature.

**Policy adoption and review**

Council meeting held: **14 July 2020**  
Adopted by Minute No: **8495**  
Date to be reviewed: **July 2023**

### CS3.7 Payment of Creditors

#### Policy Objective

This policy aims to set out the procedure for payment of Creditors.

#### Policy

In accordance with clause 12 of the WA Local Government Financial Management Regulations (1996) the Council may delegate the authority to the Chief Executive Officer to authorise payments from both the municipal, trust and reserve funds in accordance with the Annual Budget provisions. The CEO shall cause for section 13 of the WA Financial Management Regulations (1996) to be adhered to with a list of accounts for approval to be presented to the Council each month

##### 1.0 Procedure for ordering and authorisation of goods and services

1.1 An Official Shire of Collie Purchase Order must be written and signed by the appropriate employee **prior to any** goods or services being purchased. Notwithstanding that in some instances the issuing of an order is not practical, the Finance Manager shall cause for a list of all goods and services not requiring an order to be attached to this policy and circulated to signing officers. The *authorised officer* is responsible for ensuring that the expense being incurred is in accordance with the Council's Annual Budget provisions and that the order clearly identifies the appropriate item to charge the expenditure to.

1.2 Upon receipt of the goods or service the authorising officer shall cause for the order to be passed to finance staff, at which time the liability will be raised. The order shall then be held until the appropriate Tax Invoice is received.

1.3 The authorising officers are determined by the Chief Executive Officer and reviewed from time to time.

##### 2.0 Payment of Accounts by cheque – Municipal & Trust Funds

Council staff shall settle accounts due and payable once a week. Notwithstanding that staff are authorised to make a special payment at any time where an incentive to pay prior to a date is offered (either a penalty or discount) or due to contract requirements.

2.1 Prior to payments being made two of the authorised signatories shall sight a list of accounts for payment (specified in Financial Management Regulation 13 "List of Accounts") and authorise their discharge, with the exception being given to wages and salaries that shall be authorised by the Finance Manager.

2.2 Each cheque paid shall be supported by sufficient documentation, including an official Council Purchase Order (where one is required) or in the absence of an order, details relating to why the expense has been incurred. An Invoice satisfying the requirements of a "Tax Invoice" must also form part of the supporting documentation.

2.3 Two signatures are required on each Council cheque and they shall comprise of either the Chief Executive Officer (CEO), Director of Corporate Services (DCS) or Director of Development Services (DDS) and Finance Manager. The Finance Manager shall be required to sign all cheques along with either the CEO, DCS or the DDS. In the absence of the Finance Manager the CEO, DCS and or the DDS may provide the two signatures.

##### 3.0 Sundry Creditors payment in Electronic Form – Municipal Funds

3.1 Where a payment is to be made electronically it shall be made utilising the Council's online banking facility. In such cases the Finance Manager, CEO, DCS, DDS or Assistant

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Accountant shall each be assigned a personal identification number, this number shall act as the signature to authorise the payment of an amount(s). The personal identification number and bank token are the responsibility of the above-mentioned employee and shall not be distributed to other employees for their use.

3.2 Where a direct debit is made from the Council's municipal fund the Finance Manager shall include these payments as part of the list of payments that is presented to the Council each month.

### 4.0 Payment from Council Petty Cash Advance

4.1 Payments from the Council's petty cash advance shall be made only upon the receipt of appropriate evidence that an employee of the Council has incurred an employment related cost. In the event that the funds are required in advance of a purchase being made the employee shall sign the appropriate form detailing the funds supplied. Upon purchasing the goods that employee shall present an invoice along with any funds not required to the officer in charge of the petty cash advance. The Finance Manager shall designate the officer in charge of the Petty Cash Advance. A receipt must support any items purchased by staff for which Council is liable for reimbursement.

### 5.0 List of Accounts Paid

A list of all accounts paid shall be presented to the Council within two months. The list shall comprise of details as prescribed in the WA Financial Management Regulations (1996)

### 6.0 Councillor & Staff Reimbursements

Staff or Councillors incurring a work-related expense warranting reimbursement shall produce an invoice, or receipt, satisfying the requirements of a "Tax Invoice". This will ensure that the Council is in a position to claim back input tax credits.

### 7.0 Credit Terms

Standard payment terms for all creditors will be 30 days from the invoice date. **Policy**

#### **adoption and review**

Council meeting held:	<b>14 July 2020</b>
Adopted by Minute No:	<b>8495</b>
Date to be reviewed:	<b>July 2023</b>

## CS3.8 Investment Policy

### Policy Objective

To provide guidelines with respect to the investment of surplus funds which ensure that returns on funds invested are maximised within levels of acceptable risk and in accordance with relevant legislation

### Policy Statement

#### 1. Investment Objectives

- To take a conservative approach to investments, but with a focus to add value through prudent investment of funds.
- To achieve a high level of security for the overall portfolio by using recognised rating criteria.
- To maintain an adequate level of diversification as detailed in Section 6D of this policy.
- To have ready access to funds for day to day requirements, without penalty.

#### 2. Statutory Compliance

All investments are to be made in accordance with:

- Local Government Act 1995 - Section 6.14
- The Trustees Act 1962 – Part III Investments as amended by the Trustees Amendment Act 1997.
- Australian Accounting Standards

#### 3. Approved Institutions

Investments shall be made with institutions which meet this policy's guidelines on diversification and credit risk.

#### 1. Authorised Investments

Authorised Investments shall include but not necessarily be limited to:

- Fixed and floating rate interest bearing deposits / securities issued by Authorised. Deposit taking Institutions (ADIs) as authorised by the Australian Prudential and Regulatory Authority (APRA), including Fixed and Floating Rate securities;
- State / Commonwealth Government Bonds;
- Specific securities approved by Council.

#### 5. Risk Profile

When exercising the power of investment the following are to be given consideration:

- The purpose of the investment, and its needs together with the circumstances.
- The nature of and the risk associated with the different investments.
- The need to maintain the real value of capital and income.
- The risk of capital loss or income loss.
- The likely income return and the timing of that return.
- The liquidity and the marketability of the proposed investment during, and at the

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determination of the term of, the proposed investment.

- The aggregate value of the investment.
- The likelihood of inflation affecting the value of the proposed investment.
- The costs (including commissions, fees, charges and duties payable) of making the proposed investment.

### 6. Investment Guidelines

The Shire of Collie’s investments must at all times be maintained within the investment parameters detailed in this policy, specifically those stated in Sections 4, 5 and 6 (A), 6 (B), 6 (C), and 6 (D). Reporting arrangements to confirm compliance are required on a monthly basis.

#### A. Council’s Direct Investments

Not less than three (3) verbal quotations shall be obtained from authorised institutions preferably with a presence within the Shire of Collie whenever an investment is proposed. The best quote on the day will be successful after allowing for administrative and banking costs, as well as having regard to the limits set above.

B. Investments placed by the Shire of Collie must be appropriately documented at the time of placement.

C. A maximum term to maturity for all individual investments of one (1) year will apply.

#### D. General Policy Guidelines

##### (i) Diversification/Credit risk

The amount invested with any one financial institution or managed fund should not exceed the following percentages of average annual funds invested. When placing investments, consideration should be given to the relationship between credit rating and interest rate.

Long Term Rating (Standards & Poors)	Short Term Rating (Standards & Poors)	Maximum of total portfolio
AAA to AA-	A1+	100%
A+ to A-	A1	75%
BBB+ to BBB-	A2	50%

##### (ii) Credit Ratings

If any of the funds / securities are down graded such that they no longer fall within the Shire of Collie’s investment policy guidelines, they will be divested as soon as is practicable.

The short term (0-365 days) rating is:

*(as defined by Standard and Poors Australian Ratings)*

A1+	Extremely strong degree of safety regarding timely payment
A1	Strong degree of safety regarding timely payment
A2	Satisfactory capacity for timely payment

The long term rating is:

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AA	Extremely strong capacity to repay
AA+ to AA-, A	Very strong capacity to repay
A+ to AA	Strong capacity to repay
BBB+ to BBB-	Adequate capacity to repay

### E. Community Benefit Factor

When comparing investment products, preference will be given to institutions that provide a higher level of benefit to the local community. If investment products offer the same rate of investment then the institution that provides the greater benefit to the Collie Community shall be awarded the investment.

### 7. Reporting

- Documentary evidence must be held for each investment and details thereof maintained in an Investment Register.
- Certificates must be obtained from the financial institutions confirming the amounts of investments held on the Council's behalf as at 30 June each year and reconciled to the Investment Register.
- A monthly report shall be submitted to Council with details of the investment portfolio.

### **Policy adoption and review**

Council meeting held: **14 July 2020**

Adopted by Minute No: **8495**

Date to be reviewed: **July 2023**

**CS3.9 Capitalisation of Road Works**

**Policy Objective**

To define Shire of Collie's policy on the accounting requirement for the capitalisation of road works.

**Scope**

This policy applies to new or additional expenditure to road works.

**Policy**

Road Works Projects undertaken by Shire of Collie shall be capitalised if they meet the criteria established in the Australian Accounting Standards for a non-current asset.

To assist staff, Road Works Projects that are valued under \$10,000 are not considered as sufficient material to warrant capitalisation and as a general rule these projects should be expensed in the year the works are undertaken.

**Relevant Legislations**

AASB 116: Property, Plant and Equipment

**Policy adoption and review**

Council meeting held: **14 July 2020**

Adopted by Minute No: **8495**

Date to be reviewed: **July 2023**

**CS3.10 Long Service Leave Accruals**

**Policy Objective**

To define Shire of Collie's policy on the Accrual of Long Service Leave at the year end.

**Policy**

Long Service Leave will be valued in accordance with AASB 119 "Employee Benefits" and accrued at the following rates dependent on the years of continuous service within Local Government.

<b>Year of Service</b>	<b>Liability</b>
0-3 years	No liability
3-5 years	25% of liability
5-7 years	70% of liability
7 + years	100% of liability

**Relevant Legislations**

AASB 119: Employee Benefits

**Policy adoption and review**

Council meeting held: **14 July 2020**

Adopted by Minute No: **8495**

Date to be reviewed: **July 2023**

**CS3.11 Leave Entitlement Reserve**

**Policy Objective**

To define the Shire's position in relation to Leave entitlement reserve maintenance.

**Policy**

The Shire of Collie has a liability for leave entitlements for its staff at the year end. It is necessary to determine and maintain a reserve to be kept for the purpose of funding employee leave entitlement. The reserve shall be kept at a level that in the opinion of the Chief Executive Officer and Finance Manager is sufficient to cover any leave entitlements that can reasonably be expected to be taken in the next 12 months.

**Relevant Legislation**

Local Government Act 1995 S6.11 Reserve Accounts

**Policy adoption and review**

Council meeting held:	<b>14 July 2020</b>
Adopted by Minute No:	<b>8495</b>
Date to be reviewed:	<b>July 2023</b>

**CS3.12 Borrowing Policy**

**Policy Objective**

This policy aims to set out the circumstances in which the Council may consider borrowings to fund the acquisition, renewal or construction of specified assets and to provide guidance as to the appropriate terms of any such borrowing.

**Policy**

The Council recognises that loan borrowings for capital works are an important funding source for Local Government and that the full cost of infrastructure should not be borne by present day ratepayers, but be contributed to by future ratepayers who will also benefit.

The Council will restrict all borrowings to expenditure on identified capital projects that are considered by Council to be of the highest priority, and which cannot be funded from revenue or reserve funds, as identified by the adopted budget.

**Principles:**

The following principles will apply in regard to the use of borrowings as a funding source and are in addition to legislative requirements of the WA Local Government Act (1995) and the Financial Management Regulations (1996).

- l) In no circumstances will Council borrow funds for operating expenditure or recurrent capital expenditure (e.g. Council’s reseal program)
- m) Borrowings will only be used where the project is considered by the Council to be beneficial to the majority of ratepayers.
- n) The term of the loan should not exceed the expected life of the asset being funded.
- o) Borrowings will only be considered for projects within identified strategic objectives of the Council.
- p) Borrowings will not be considered as a funding source if the funding will increase the Councils Debt Service Ratio (principal plus interest costs divided by available operating revenue) to more than 10%.
- q) Borrowings will not be considered as a funding source if the funding will increase the Council’s Gross Debt to Revenue Ratio (total outstanding debt divided by total revenue) to more than 60%.
- r) The Council may, in some circumstances elect to repay outstanding debt early with the use of untied surplus funds (refer End of Year Surplus Policy).
- s) As a guide, the following borrowing terms may be applied:

<b>Borrowing Amount</b>	<b>Term</b>
Less than \$250,000	5 years
\$250,001 - \$750,000	10 years
More than \$750,001	15 years

t) Quotations from not less than three (3) financial institutions will be sought when Council resolves to borrow funds. In assessing the quotes, the Council will give consideration to the ability to repay the debt early and the financial opportunity this represents.



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### Definitions:

*The Debt Service Ratio expresses the Council's debt servicing costs (principal plus interest) as a percentage of operating revenue and is a measure of the Council's capacity to repay its loans based on its current revenue streams. A 10% limit will ensure a minimal impact on other Council funded services.*

*The Gross Debt to Revenue Ratio reflects the Council's total debt commitments against its total revenue and a measure of 60% or more would indicate that the Council is over committed in terms of its capacity to repay outstanding debt.*

### **Relevant Legislations:**

Local Government Act 1995 S6.20 Power to Borrow

Local Government Act 1995 S6.21 Restrictions on borrowings

Local Government Act 1995 S6.24 Application of money

### **Policy adoption and review**

Council meeting held: **14 July 2020**

Adopted by Minute No: **8495**

Date to be reviewed: **July 2023**

**CS3.13 End of Year Surplus Policy**

**Policy Objective**

This policy aims to establish parameters for the use of untied surplus funds at the end of each financial year as identified through the Annual Budget adoption process.

**Policy**

As part of the Annual Budget process the Shire of Collie must calculate its end of year financial position, or surplus / deficit as a starting point for the following year's budget.

Included in this calculation are projects which have not been completed in the previous financial year and in most cases, these items are carried forward for expenditure in the following financial year. However, budget savings which have been achieved which cannot be readily identified at the end of the financial year are known as an "untied surplus".

The Council recognises that the allocation of untied surpluses is an important aspect in discharging its financial management responsibilities. The Council recognises that untied surpluses will not be used to offset the future annual operating costs of the Council.

**PRINCIPLES:**

The use of any identified untied surplus at the end of a financial year will be limited to one (or more) of the following transactions, in order of preference:

12. Transferred to a Reserve Account to be nominated by the Council;
13. Allocated to a "one-off" capital project nominated by the Council;
14. Retirement of debt (where possible).

**Policy adoption and review**

Council meeting held: **14 July 2020**

Adopted by Minute No: **8495**

Date to be reviewed: **July 2023**

**CS3.14 Sporting Scholarships**

A. PURPOSE OF POLICY

To financially assist by way of covering out of pocket expenses, local sporting individuals who have been selected in a Western Australian State or Australian National representative team.

B. SCOPE OF POLICY

a. Definitions

A 'local' sporting individual is a resident of the Shire of Collie, or a person who has left Collie for study/work or sporting reasons but whose family still reside in Collie. Persons who have been absent from the Shire of Collie for a continuous period of six (6) years or more shall cease to be considered to be a resident of the Shire of Collie.

A 'state' team is a team that originates as a composite of players from within Western Australia under the auspices of a recognized state sporting organisation and which participates in a competition whether that competition is at home, interstate or overseas. This shall be deemed to include a WA Country State Team.

A 'national' team is a team that originates as a composite of players from within Australia under the auspices of a recognized national sporting organisation and which participates in a competition whether that competition is in Australia or overseas. This shall be deemed to include an Australian Country Team.

b. Specific Inclusions / Exclusions

Sporting individuals of any age may apply for this scholarship if they meet policy criteria.

In cases of exceptional circumstances (such as left Collie at an age earlier than normal age for specific sporting training) Council may continue to grant a scholarship beyond the six year limit specified above.

Local sport teams will not be eligible to receive sponsorship from Council to undertake sporting tours.

C. POLICY DETAIL

i) Assistance will be provided as a sporting scholarship of \$250.

ii) A single application must be made where three or more residents are selected to participate in the same team and must be accompanied by the requirements of Section C (iv) for team members named in the application. The maximum able to be granted to the group is \$500.

iii) The assistance provided to any individual or group of team members within a calendar year will be no more than \$250 for any individual or \$500 for any group of team members.

iv) All applications must be accompanied by a statement or authorization from the relevant state or national sporting organisation confirming team selection.

v) Applicants may re-apply in subsequent years should their selection be on-going.

vi) Applications cannot be made retrospectively for past team selections.

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- vii) Nothing in this policy is to be construed as to infer that there is an automatic right of any individual to receive financial assistance.
- i) Council does not require any acknowledgement for its contribution.
- ii) Council acknowledges that the funds are freely given with no accountability attached to the recipient.
- iii) Applications must be submitted on the 'Application for Sporting Scholarships' form.

### **Policy adoption and review**

Council meeting held: **18 June 2019**

Adopted by Minute No: **8159**

Date to be reviewed: **June 2022**

**CS3.15 Guidelines for funding requests for Council projects**

**Purpose of Policy:**

To ensure that grant funding opportunities available to the Council through Government agencies and other sources are maximised and aligns with Council's strategic directions.

**Policy Details:**

The Council, through the Chief Executive Officer, will endeavour to maximise external funding for infrastructure projects being undertaken by Council. In order to maximise these opportunities the following guidelines are provided;

**15. Identification of projects**

Projects for which funding is sought must be identified in one of the following documents (directly or by reference);

- 1.1 Annual Budget
- 1.2 Long term financial plan
- 1.3 Collie Growth Plan
- 1.4 Shire of Collie Strategic Plan
- 1.5 Council minutes of the year as a direct resolution of Council

**16. Prioritisation of projects**

Priority will be given to projects which Council has made a financial commitment through its budgeting process, or by any other means

**17. Timing of applications/submission**

Funding Rounds

Council acknowledges that at various time throughout the year various Government and Non-Government Agencies will provide opportunities to seek funding through formal funding processes. The Chief Executive Officer will make application to these grant funding programs as and when they become available and advise Council of the submissions through the fortnightly Elected Member update after submissions have been lodged.

Council generated submission

In November of each year the Chief Executive Officer will correspond with appropriate State and Federal Members in regard to priority projects for the next year's State & Federal Budgets as appropriate.

The Local Member for Collie-Preston will be cc'd into all general submissions made to State Government.

In an Election, Council will liaise with candidates seeking election in State and Federal seats within which Collie sits outlining the Council priorities in accordance with the framework established in Section 1

**Policy adoption and review**

Council meeting held: **14 July 2020**

Minute Number: **8495**

Date to be reviewed: **July 2023**



### CS3.16 Rating Policy

#### Policy Statement:

The Council has committed to developing a rating policy based on the principals of transparency, equity, timeliness and comparability through its Strategic Planning Process.

In adopting this plan, the Council has committed to continue to advocate that industry covered by State Agreement Acts contribute to our rate base equitably.

#### Policy Objectives:

This policy sets a formal Council position in regards to rating issues and will align with the Council's Strategic Plan Objectives. More specifically the Policy will guide the Community and staff in relation to the following rating issues;

18. Define the process for the changing of rating valuation methods from Unimproved valued land (UV) to Gross Rental Valued land (GRV).
19. Define the framework in relation to the use of differential rates
20. Identify internal and external factors that the Council will consider when levying rates
21. Establish the Council's position in regards to the phasing in of significant increases in rates which arise as a result of valuation changes.
22. Set a framework for the granting of a rates concession to charitable organisations.
23. Establish the Council's position in regards to pensioner concessions on rubbish and recycling charges.
24. Establish a consistent formula to be used when quoting rates increases to the media and in Council publications.
25. How often land use assessment should be undertaken and treating the rating of new subdivisions.
26. To define the Council's rates collection process

#### Relevant Legislation:

WA Local Government Act (1995) – “the Act”

WA Local Government (Financial Management) Regulations (1996)

Valuation of Land Act (1978)

Rates and Charges (Rebates and Deferments) Act (1992)

#### 1.0 Valuation Methods

As per section 6.28 (2) of the Act, the key consideration in determining the correct rating category to be applied to rateable land is the assessment of predominant land use of the particular property.

As per the Act, a property will be classed as Unimproved Valuation (UV) for rating purposes where the land is predominantly used for rural purposes and classed as Gross Rental Valuation (GRV) where it is predominantly used for non-rural purposes.

Under section 6.28 of the *Local Government Act 1995* the Minister for Local Government is responsible for determining the method of valuation of land to be used by the Local Government. All changes from UV to GRV should be presented to full Council for adoption

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before being forwarded to the Department of Local Government for consideration as per the Local Government Operational Guidelines Changing Methods of Valuation of Land. Council will consider the circumstances of each case on a fair and equitable basis with a view to applying consistency across its rating role.

### 2.0 Differential Rates:

Under section 6.33 of the Act the Council can impose a differential system of rating. This system of rating is generally intended to alter the amount of rates payable by particular land uses in correlation with the consumption of Council resources.

The Council may wish to apply a different rate in the dollar to certain groups of properties which are defined under section 6.33 of the act. Section 6.33 reads as follows:

#### 6.33. Differential general rates

A local government may impose differential general rates according to any, or a combination, of the following characteristics —

- (e) the purpose for which the land is zoned, whether or not- under a local planning scheme or improvement scheme in force under the Planning and Development Act 2005; or
- (f) a purpose for which the land is held or used as determined by the local government; or
- (g) whether or not the land is vacant land; or
- (a) any other characteristic or combination of characteristics prescribed

Differential rating may be used to encourage certain land use, for example, a lower rate for commercial land may be used to encourage commercial development in the Shire. It may also be used to average out the percentage rate increase across the Shire's different rate categories that may be caused during the Valuer General's revaluations, this helps to ensure equity and fairness to all rate payers within the Shire.

### 3.0 Factors that the Council will consider when levying rates

When levying rates, the Council will give consideration to the following factors.

- Level of Funding required to be raised to pay for operational and capital expenses.
- Setting the level of minimum rates raised as close as possible to the maximum 50% of total rates raised by minimum rates in each rating category. Refer Appendix note A.
- The most recently available (and forecast) Consumer Price Index (CPI) and Local Government Cost Index Figures (LGCI) for Perth.
- Total Rates Revenue as part of General Revenue. Council will endeavour to ensure that rates revenue generated will exceed 40% of the total operating revenue in any particular year. Meeting this requirement will reduce the reliance on government grants to fund operational expenditure.

### 4.0 Valuation Changes that give rise to significant interim rate or annual rating charges.

#### Phasing in of valuations

The completion of a new dwelling, building or industrial development midyear may give rise to a rateable valuation which the Council is entitled to levy as an interim rate based on that year's adopted rating parameters. This may also be the case where the Council has successfully applied to the Minister for Local Government to change the method of valuation of a particular property, and the change in value to the property has been effected midyear.

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Council may decide to phase the valuation under 6.31 and schedule 6.1 (2) of the act to minimise the financial impact on the ratepayer if it is considered necessary.

### 5.0 Rates Exemptions

The Council will consider applications for a rates exemption made to it under either of the following categories. Applications must be in writing and must identify the owner of the property and include a summary of activities conducted at the premises to enable the Council to make a decision.

#### Charitable Rating Status

The Council has the option to grant charitable rating status under section 6.26 (g) of the Act which provides a rate exemption to those land owners. The Council will consider granting this status to those organisations which meet the following criteria;

- Land must be owned or operated by a not for profit organisation and;
- Land is used exclusively for charitable purposes

The Council has granted this status to the following organisation:

Assessment 987 – Ngalang Boodja Group

Assessment 5833, 5838, 4295, & 5219 – Alliance Housing

#### Rates Concessions

Under section 6.47 of the Act, the Council can resolve to waive a rate or service charge where it believes that the organisation is a not for profit organisation and it can be demonstrated that it is providing benefit to the community, or providing a valuable community service. A full (or partial) rates concession has previously been granted to the following organisations.

Assessment	Organisation	Concession
A3977	RSL Collie	100%
A3990	Country Women's Association	100%
A4337 A5321	Riverview Residences (Steere St and Pendleton Street)	100%
A4779	North Collie Hall Management Group	100%
A995	Energy West Hall	100%
A150	Collie Pioneer Day Lodge	100%
A5043	Collie Italian Club	100%
A4813	Red Cross Shop	100%

### 6.0 Pensioner concessions

The Council will grant a 50% concession to eligible pensioners in regards to the recycling levy.

Eligible pensioners and seniors are entitled to claim rebates on their rates in accordance with the Rates and Charges (Rebates and Deferments) Act (1992).

#### Calculation of Rates movements from year to year

For the purposes of the budget process, the following formula will be used when quoting rates increases in media releases and draft and final budget documents in a particular year.

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$$\text{Rate Increase (\%)} = \frac{(\text{Total Budgeted Rates} - \text{Budgeted Interim and Back Rates})}{\text{Total Rates Raised in Previous Year}} \times 100$$

A median \$ rate increase and rates per capita will also be included in the media release.

### 7.0 Reviews of Land Use and the Treatment of New Subdivisions

#### Review of Land Use

Land usage will be reviewed as required and any major changes to usage will be considered to attain whether or not the methodology for rating purposes is relevant to the usage of the property. Staff may also identify individual situations during the year where the current rating method is not appropriate and will report these to Council as soon as practicable.

#### Treatment of New Sub-Divisions

New sub-divisions for residential purposes will be rated GRV, any other subdivisions will be assessed on a case by case basis and rated accordingly.

### 8.0 Rates Collection Policy

The following process is to be followed for the recovery of outstanding rates and service charges. Unless otherwise arranged, legal proceedings will continue until payment of the rates and services charges is received in full.

#### 27. Issue Final Notices

A Final Notice is to be issued 14 days after the due date, to those persons who have made either no payment, or insufficient payment to cover the first instalment. The Final Notice is to specify that the ratepayer/s have seven (7) days to pay in full or to enter into a special repayment arrangement. Final Notices are not to be issued to eligible persons registered to receive the pensioner rebate under the Rates and Charges (Rebates and Deferments) Act 1992 as such persons have until 30 June in the year of rating to make payment, without incurring any late payment penalties.

#### 28. Notice of Intention to Issue General Procedure Claim (Letter of Demand)

A Notice of Intention to issue General Procedure Claim is to be issued within 28 days from the date of the final notice to those persons who did not respond appropriately to the Final Notice.

a. The Notice of Intention to issue General Procedure Claim is to specify that the ratepayer/s have fourteen (14) days to pay in full or to enter into a special repayment arrangement – failure to do so will result in a summons being issued without further notice.

b. Ratepayers are required to either pay the full amount on the General Procedure Claim or pay by instalments. If they choose to pay by instalments, they must sign the Admission of Claim on the reverse of the General Procedure Claim and enter the amount they agree to pay in each instalment. Such instalments are subject to acceptance by the Chief Executive Officer or an officer delegated by the Chief Executive Office.

c. If the Admission of Claim is not returned after fourteen (14) days of the issue of a General Procedure Claim, a letter is to be sent requesting the ratepayer/s complete the Admission of Claim and return it to the Shire within seven (7) days. If, after the further period

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of seven (7) days, the Admission of Claim is not returned to the Shire, a Property Sale and Seizure Order is to be issued.

d. If the repayment arrangement, as agreed on the Admission of Claim, is not honoured, a letter is to be sent advising that the repayment is overdue and advising that if payment is not received by the agreed date, a Property Sale and Seizure Order will be issued.

3. If the ratepayer/s has not responded to the General Procedure Claim, a Property Sale and Seizure Order is to be issued fourteen (14) days after the date of issue of the General Procedure Claim.

1. The Property Sale and Seizure Order is a goods order in the first instance and if the Property Sale and Seizure Order is returned Nulla Bona (no goods), then a land warrant is to be issued. Where a Property Sale and Seizure Order involves land where the owner resides, the approval of Council is to be obtained before the land Warrant is lodged.

2. Subdivision 6 of the WA Local Government Act (1995)  
If any rates and charges which are due to Council in respect of any rateable land have been unpaid for at least 3 years, Council may enact sections 6.63-6.75 of the act which involves taking possession of the land with a view to either selling the land, leasing the land or reverting the land to the crown. The approval of Council is to be obtained before this course of action is undertaken.

### **Policy adoption and review**

Council meeting held: **14 July 2020**

Adopted by Minute No: **8495**

Date to be reviewed: **July 2023**

**CS3.17 Review of Fees and Charges**

**Policy objective**

To ensure that Council reviews its annual fees and charges based on the principles of transparency, equity, timeliness and comparability.

**Policy**

**29.** Timeliness - The Council will review its Schedule of Fees and Charges as part of its Annual Budget Process between April – June each year in readiness for the coming financial year. The Council also reserves the right to review any fee or charge at any time during the financial year where a fee or charge needs to be imposed or requires amending.

**30.** Transparency – where a significant change is being considered to a particular fee or charge which affects a sporting or community group within the Shire, the Council will inform the affected group of the change and provide the group an opportunity to comment on the financial impacts of the impending change.

**31.** Equity and Comparability – the Shire of Collie wishes to ensure that Shire of Collie resources which are provided to all sporting and community groups are fair and equitable. In reviewing any fee or charge, the Council will consider the following factors;

- d. Current and future year CPI figures
- e. Statutory requirements
- f. Where the fee relates to a service or program, the cost to provide that service or program
- g. Any feedback received from the effected parties (refer 2 above).
- h. The level of Council support which is currently provided through other means.
- i. What other Council’s levy for similar services of facilities.
- j. Level of economic benefit that the activity generates for the Collie region.

**Policy adoption and review**

Council meeting held: **14 July 2020**

Adopted by Minute No: **8495**

Date to be reviewed: **July 2023**

**CS3.18 Community Small Grants Fund**

**32. Policy Objectives / Intent:**

The intent of this policy is to ensure that the Shire of Collie Community Small Grants Fund is administered in an open, transparent and equitable way.

**33. Grant Guidelines:**

2.1. Applications must fulfill the following criteria:

2.1.1. The application is for up to \$5,000 at the discretion of Council; and

2.1.2. The project will be undertaken within the Shire of Collie and funds expended in Collie (wherever possible); and

2.1.3. The project will deliver economic benefit and / or social and community well-being benefit to the community; and

2.1.4. The project aligns with the current Shire of Collie Strategic Community Plan.

2.1.5. Unless otherwise agreed, the applicant will need to be an incorporated not-for-profit organisation or be auspiced by an incorporated not-for-profit organisation to administer the applicant's funds and provide accountability for the grant.

2.1.6. Organisations will not be funded for more than one project in any one financial year. 2.1.7.

Council staff will assess the application using the following criteria:

- Economic weighting 10%

[estimate of local spend to be provided]

- Social/community well-being weighting 50%

Grant application forms are to include guided questions to assist applicants and for ease of comparability when applications are assessed.

- Strategic Plan Alignment weighting 40%

Grant applicants will not be required to explicitly identify alignment with the Shire of Collie Strategic Plan. The Officer's Report and Council deliberations will assess the extent to which the application aligns with the Plan which will be evidenced by the responses within the application.

**34. Application and Distribution of Grants:**

3.1. The community small grants to be offered in two rounds with funds to be split evenly between the two rounds at the discretion of Council.

3.2. The annual budget to include an allocation for Project Support (minor works relating to an event).

3.3. First round: offered in October/November

3.4. Second round: offered in February/March.

3.5. Applicants to be invited to address Council in support of their applications should they wish to do so.

**35. Other**

4.1 The Shire of Collie is to be acknowledged for its support of the event or project.



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4.2 The grant acquittal is to be submitted within 6 weeks of the completion of the event/project. Applicants who fail to submit a grant acquittal will not be eligible for future rounds of community grants.

### **Policy adoption and review**

Adopted at Council meeting held: **18 June 2019**

Adopted by Minute No: **8159**

Date to be reviewed: **June 2022**

### CS 3.19 Credit Card

#### **Purpose**

The purpose of the Credit Card Policy is to provide guidelines for the use of the Shire of Collie Corporate Credit Card.

Credit cards are a required method of payment for certain transactions, they can be a more efficient purchasing method than formal methods in some circumstances, can reduce administration costs, and the need to carry large amounts of cash.

#### **Legislation**

The use of the Corporate Credit Card is not specifically mentioned in the *Local Government Act 1995*. However the impacts of the use and control of corporate credit cards are related to the following sections of the *Local Government Act 1995*;

2. Section 2.7(2)(a) and (b) requires the council to oversee the allocation of the local government's finances and resources and determine the local government policies.

3. Section 6.5(a) requires the CEO to ensure that there are kept, in accordance with regulations, proper accounts and records of the transactions and affairs of the local government.

*Local Government (Financial Management) Regulation 11(1) (a)* requires local governments to develop procedures for the authorisation of, and the payment of, accounts to ensure that there is effective security for, and properly authorised use of cheques, credit cards, computer encryption devices and passwords, purchasing cards and any other devices or methods by which goods, services, money or other benefits may be obtained.

#### **Financial Institution**

The Shire's Corporate Credit card is to be issued by the financial institution with which municipal transactions are made.

#### **Policy**

3. The Corporate Credit Card is to be issued to the Chief Executive Officer;
4. The Corporate Credit Card may only be used for purchasing goods and services on behalf of the Shire of Collie which are authorised in the current budget and comply with Council's Purchasing Policy;
5. A purchase order is to be generated for all purchases;
6. Personal expenditure is prohibited;
7. The Corporate Credit Card is not to be used for cash withdrawals;
8. The Corporate Credit Card is to generally be kept in the Shire of Collie safe and only accessed at the direction of the Chief Executive Officer or the Finance Manager, who may grant permission for the card to be used for a purchase;
9. For all purchases a tax invoice/receipt is required, and must contain details of the purchase including the supplier's ABN, the amount, whether GST applies and a brief



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description of the goods and services purchased. The tax invoice/receipt must be submitted to the Finance Manager.

8. The *Local Government Act 1995* does not allow for the issue of Corporate Credit Cards to elected members. There are no provisions within the Act which allow an elected member to incur a debt, as would be the case with a credit card; and

36. Where the Corporate Credit Card issued by the financial institution includes reward schemes, these will be accumulated in the name of the Shire of Collie. The Chief Executive Officer, at their discretion will decide how these rewards are utilised and could include offering these to charitable institutions, or sporting clubs. Under no circumstances is the reward scheme to be used for a Staff member's/Councillor's private benefit.

### **Policy adoption and review**

Council meeting held: **14 July 2020**

Adopted by Minute No: **8495**

Date to be reviewed: **July 2023**

**CS3.20 Petty Cash**

**Purpose**

The purpose of the Petty Cash policy is to provide guidelines for the use and regulation of petty cash funds. Petty cash may be used for miscellaneous and business related expenditure of low value, where payment through the accounts payable system is not justified or appropriate.

**Policy**

The Petty Cash Policy applies to all employees of the Shire.

10. The Petty Cash float amount and procedures are to be set by the Finance Manager for all Shire locations.
11. Council will operate a petty cash system throughout the organisation for expense reimbursement only.
12. Cash advances are not permitted.
13. A limit of \$100, including GST shall apply for each transaction.
14. Approval of reimbursements shall be in accordance with Council's delegated authority.
15. An audit of petty cash floats will be undertaken at least annually.
16. The Petty Cash float will be kept in a secure location at all times.
17. Responsible officers who administer petty cash are to ensure they are aware of their responsibilities for safeguarding petty cash and the petty cash procedures.

**Policy adoption and review**

Council meeting held: **14 July 2020**

Adopted by Minute No: **8495**

Date to be reviewed: **July 2023**

**CS3.21 Disposal of Shire of Collie Property**

**Purpose**

The purpose of the Disposal of the Shire of Collie Property policy is to clarify the circumstances and method property is to be disposed.

**Policy**

**37. Definition**

Section 3.58 (1) of the Local Government Act 1995 defines

*'dispose'* includes to sell, lease, or otherwise dispose of, whether absolutely or not;

*'property'* includes the whole or any part of the interest of a local government in property but does not include money.

**38. Disposal of land**

The disposal of "land" includes the sale, lease or assignment of all or any part of the land.

Shire of Collie owned land is to be disposed in accordance to Section 3.58 (2) of the Local Government Act 1995 is either by public auction, public tender or local public notice of the intention to dispose (including details and consideration of submission thereon).

Regulation 30 (2) of the Local Government (Functions and General) Regulations details exemptions to Section 3.58 (2) of the Local Government Act 1995.

Notwithstanding the provisions of the Act or the Regulations, any disposal of Shire of Collie land is subject to valuation carried out by a qualified valuer and/or the Valuer General Office and be brought to Council for consideration.

***Council's Local Price Preference does not apply to any disposal of Land.***

**39. Disposal of other good & property (including abandoned vehicle)**

As per item 2 of this policy, disposal of any other owned good or property of Shire of Collie is to be disposed in accordance to Section 3.58 (2) of the Local Government Act 1995 is either by public auction, public tender or local public notice of the intention to dispose (including details and consideration of submission thereon).

Under Regulation 30 (3) of the Local Government (Functions and General) Regulations, an exemption applies where property to be disposed of:

(i) *its market value is less than \$20 000; or*

(b) *the entire consideration received by the local government for the disposition is used to purchase other property, and where the total consideration for the other property is not more, or worth more, than \$75 000.*

3.1 Disposal of property that is exempted under Regulation 30 (3) of the Local Government (Functions and General) Regulations shall be carried out in accordance with the following schedule ***(excluding trade ins)***



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Estimated Value of Property	Method of Disposal
\$5,001 - \$ 75,000 or less per item	With prior approval of Council,  To the highest bidder at public auction; or  To the most acceptable tender, whether or not it is the highest tender through the public tender process; or  To an external party at market value.
\$0– \$5,000 per item	At the discretion of the Chief Executive Officer but reported as part of delegations. Property may be disposed of by public auction, donated to group or scraped.

3.2 The disposal of property by way of trade in plant, equipment and vehicles will be considered in conjunction with the purchase of replacement property. Refer tenders, quotations and price preference policy (CS2.7).

3.3 Record keeping of property disposed under this policy

u) Shire of Collie Asset Disposal form

v) A register to be kept of all bids received and purchases made including a register of any property donated to local service organisation

### **Policy adoption and review**

Council meeting held: **11 December 2018**

Adopted by Minute No: **7995**

Date to be reviewed: **December 2021**

## CS3.22 Rates Payment Plan

### **Purpose**

The purpose of the Rates Payment Plan policy is to assist Ratepayers to spread the cost of their annual rates over weekly, fortnightly or monthly equal direct debit instalments.

### **Payment Plan Policy Guidelines**

#### **1 General**

1.1 The payment plan is limited to payment via direct debit only from a nominated bank account.

1.2 All payment plans entered into by a ratepayer will be for a total amount to cover the following:

1.2.1 Annual Shire rates, Emergency Services Levy and other service charges set out in the rates notice

1.2.2 Interest on unpaid rates

1.2.3 Direct debit administration fees as per the Shire's fees and charges schedule

1.3 When a payment plan is entered into the Ratepayer will be advised of the instalment amount that will be required to cover items listed in section 1.2 of this policy so that the amount is completely repaid by 30 June of the relevant rating year. The estimated interest will vary depending on the frequency of the payment.

1.4 The Shire will advise the Ratepayer in writing to change the instalment amount during the year to cover any:

1.4.1 Increase or decrease in rates

1.4.2 Change in the interest rates

1.4.3 Additional cost or charges payable by the Ratepayer to the Shire

1.5 The Ratepayer must notify the Shire in writing of any changes that will have direct impact to the payment plan including but not limited to changes to bank details, frequency of payment.

1.6 Unless advised otherwise at commencement (at which time a copy of this Policy will be provided) a payment plan will continue until the Ratepayer informs the Shire in writing that the plan is to cease.

1.7 While the Ratepayer is on a current payment plan as detailed in this policy, the Shire will not take any legal action against the property.

#### **2 Payment plan**

2.1 The Ratepayer can choose the frequency of the payment either on a weekly, fortnightly or monthly basis.

2.2 The Ratepayer will be able to choose the starting date of the first instalment and specify whether they would like the instalment amount to continue upon full payment of items listed in 1.2 of this policy.

2.3 In order for the payment plan to take place, a direct debit authorisation form will need to be completed.



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2.4 Changes to the payment plan will only be accepted if the amended instalment amount will cover the items listed in section 1.2 of this policy by 30 June in the relevant rating year.

2.5 Any rejection of a direct debit payment incurs a fee as set out in the Shire's fees and charges and is payable by the Ratepayer.

2.6 The direct debit payment will cease after 3 consecutive rejections or 5 rejections in total within the rating (financial) year. The Shire will then pursue the debt through its debt collection processes.

### 3 Implementation

3.1 The policy will be implemented as soon as is practicable after the adoption of the policy by Council.

3.2 Ratepayers entering a direct debit payment plan will be provided with a copy of this policy. The correspondence will include:

3.2.1 A copy of this policy;

3.2.2 A direct debit authorisation form; and

3.2.3 An instalment amount required to cover the current outstanding amount for the property plus items listed in section 1.2 of this policy.

3.3 Ratepayers with an existing direct debit authorisation will be notified in writing of the adoption of this policy. The correspondence will include:

3.3.1 A copy of this policy;

3.3.2 A direct debit authorisation form; and

3.3.3 A new instalment amount required to cover the current outstanding amount for the property plus items listed in section 1.2 of this policy for financial year 2019/20 to be paid in full by 30 June 2021.

### Policy adoption and review

Council meeting held: **18 June 2019**

Adopted by Minute No: **8159**

Date to be reviewed: **June 2022**

### CS3.23 Purchasing Policy

#### Policy Purpose

To provide probity and accountability for the purchasing of goods and services by ensuring compliance with the *Local Government Act 1995* and Part 4 of the *Local Government (Functions & General) Regulations 1996 (as amended)*.

#### Scope

Applies to all procurement activities undertaken by staff with the authority to purchase goods and services.

#### Objectives

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

- (c) Achieve best value for money that considers sustainable benefits, such as environmental, social and local economic factors;
- (d) Foster economic development by maximising participation of local businesses in the delivery of goods and services;
- (e) Use consistent, efficient and accountable purchasing processes and decision-making, including competitive quotation processes;
- (f) Apply fair and equitable competitive purchasing processes that engage potential suppliers impartially, honestly and consistently;
- (g) Commit to probity and integrity, including the avoidance of bias and of perceived and actual conflicts of interest;
- (h) Comply with the *Local Government Act 1995*, *Local Government (Functions and General) Regulations 1996*, other relevant legislation, Codes of Practice, Standards and Shire of Collie policies and procedures;
- (i) Ensure purchasing outcomes contribute to efficiencies (time and resources);
- (j) Identify and manage risks arising from purchasing processes and purchasing outcomes in accordance with the Shire's Risk Management framework;
- (k) Ensure records evidence purchasing activities in accordance with the *State Records Act 2000* and the Shire's Record Keeping Plan; and
- (l) Ensure confidentiality that protects commercial-in-confidence information and only releases information where appropriately approved.

#### Definitions

**CUA** - Common User Agreement

**PSP** - Preferred Supplier Program

**WALGA** - Western Australian Local Government Association

**Statement**

**1. Ethics and Integrity**

a. Misconduct

All officers and employees of the Shire undertaking purchasing activities must:

- Apply accountable and ethical decision making principles within the work environment;
- Behave in accordance with legislation, Shire of Collie policies, procurement processes and Employee Code of Conduct;
- Understand and observe the definitions of Misconduct and Serious Misconduct as defined in the Corruption Crime and Misconduct Act 2003; and
- Report any information about actual or potentially fraudulent, corrupt or illegal activities, including breaches of the Shire's Employee Code of Conduct, to their manager, director or CEO.

b. Principles of Procurement

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:

- All purchases of goods and services must have the required Council budget appropriation prior to purchase;
- Full accountability shall be taken for all purchasing decisions and the efficient, effective and proper expenditure of public monies based on achieving value for money;
- All purchasing practices shall comply with relevant legislation, regulations, and requirements consistent with the Shire's policies and Code of Conduct;
- Purchasing is to be undertaken on a competitive basis where all potential suppliers are treated impartially, honestly and consistently;
- All processes, evaluations and decisions shall be transparent, free from bias and fully documented in accordance with applicable policies, audit requirements and relevant legislation;
- Any actual or perceived conflicts of interest are to be identified, disclosed and appropriately managed; and
- Any information provided to the Shire 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**

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

Value for money assessment will consider:

- (a) All relevant Total Costs of Ownership (TCO) and benefits including transaction costs associated with acquisition, delivery, distribution, and other costs such as, but not limited to; holding costs, consumables, deployment, training, maintenance and disposal;

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- (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. This includes but is not limited to an assessment of compliances, the supplier's resource availability, capacity and capability, value-adds offered, warranties, guarantees, repair and replacement policies and response times, ease of inspection and maintenance, ease of after sales service, ease of communications, etc.;
- (m) The supplier's financial viability and capacity to supply without the risk of default, including the competency of the prospective suppliers in terms of managerial and technical capabilities and compliance history;
- (n) A strong element of competition by obtaining a sufficient number of competitive quotations consistent with this Policy, where practicable;
- (o) The safety requirements and standards associated with both the product design and the specification offered by suppliers and the evaluation of risk arising from the supply, operation and maintenance;
- (p) The environmental, economic and social benefits arising from the goods, services or works required, including consideration of these benefits in regard to the supplier's operations, in accordance with this Policy and any other relevant Shire Policy; and
- (q) Analysis and management of risks and opportunities that may be associated with the purchasing activity, potential supplier/s and the goods or services required.

### **3. Purchasing Thresholds and Practices**

#### **3.1 Defining the Purchasing Value**

The Shire will apply reasonable and consistent methodologies to assess and determine Purchasing Values, which ensure the appropriate purchasing threshold and practice is applied in all purchasing activities.

#### **3.2 Purchasing Value Assessments**

Where there is no relevant current contract, each purchasing activity is to assess the Purchasing Value based upon the following considerations:

- (a) Exclusive of Goods and Services Tax (GST);
- (h) The estimated total expenditure for the proposed supply including the value of all contract extension options and where applicable, the total cost of ownership considerations;
- (i) The appropriate length of a contract is to be determined based on market volatility, ongoing nature of supply, historical purchasing evidence and estimated future purchasing requirements;
- (j) Requirements must not be split to avoid purchasing or tendering thresholds [F&G Reg. 12].

The calculated estimated Purchasing Value will determine the applicable threshold and purchasing practice to be undertaken.

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The table below prescribes the purchasing processes the Shire must follow, based on the purchase value.

<b>Monetary threshold of the contract value, including extension and options (exclusive of GST)</b>	<b>Process Required</b>	<b>Source</b>
Up to \$4,999	Purchase directly from a supplier after obtaining at least one (1) oral or written quotation from that supplier. Evaluated by one (1) Shire officer and authorised by another Shire officer with purchasing authority.	Local supplier where practical, provided value for money principles as outlined under part 2 of this policy are reasonably considered. If no local suitable supplier, one(1) quote through: WALGA (PSP) where practical; or State CUA; or Australian Disability Enterprise; or Aboriginal owned business; or open market
\$5,000 to \$49,999	Obtain a minimum of two (2) written quotations from suppliers after providing a brief outlining the specified requirement. Evaluated by a minimum or two (2) Shire officers including the authorising manager or director in line with purchasing authority limits.	Where practical, local suppliers to be invited along with open market suppliers. Seek two (2) or more quotes through WALGA PSP where practical; or State CUA; or Australian Disability Enterprise; or Aboriginal owned business; or open market
\$50,000 to \$249,999	Obtain a minimum of three (3) written quotations from suppliers by formal RFQ. Evaluated by a minimum of three (3) Shire officers including a manager or director and authorised by the CEO and at least one director.	Where practical, local suppliers to be invited along with open market suppliers. Seek three (3) or more quotes through: WALGA PSP where practical; or State CUA; or Australian Disability Enterprise; or Aboriginal owned business; or open market

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Monetary threshold of the contract value, including extension and options (exclusive of GST)	Process Required	Source
\$250,000 and above	Conduct a public tender process in accordance with the Act and the Regulations (unless the Regulations provide an exception refer Regulation 11(2)). Evaluated by a minimum or three (3) Shire officers, including a manager and director and recommendation endorsed by the CEO. The recommendation must be submitted to Council for award.	Public open market
\$250,000 and above (Tender Exempt)	Seek three (3) or more written quotations. Evaluated by a minimum or three (3) Shire officers, including a manager and director and recommendation endorsed by the CEO. The recommendation must be submitted to Council for award.	WALGA PSP; State CUA; or Australian Disability Enterprise.

### 3.3 Purchasing Conditions

Supply of goods and services must not commence until a purchase order has been issued unless exempt from this requirement. A purchase order is unnecessary in the case of the following:

- i. Insurances;
- ii. Payments made through payroll;
- iii. Utilities (service and/or consumption charges/fees only);
- iv. Fees and payments that are statutory, this includes bank fees;
- v. Other statutory damages, infringements and penalties;
- vi. Loan repayments;
- vii. Freight, postal charges and fuel cards;
- i. Goods purchased through petty cash;
- viii. Credit card balance payments at bank;
- ix. Where a service agreement is in place; and
- Xi Eligible staff reimbursements authorised by manager.

All procurement activity must be carried out in accordance with the relevant purchasing procedures in effect at the Shire.

### 3.4 Anti-Avoidance

The Shire will not conduct multiple purchasing activities with the intent (inadvertent or otherwise) of "splitting" the purchase value or the contract value, so that the effect is to avoid

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a particular purchasing threshold or the need to call a Public Tender. This includes the creation of two or more contracts or creating multiple purchase order transactions of a similar nature.

### **3.5 Minor Variations**

- (r) In accordance with regulation 20 of the Regulations, a minor variation may be made to a contract following a tender process, by the Shire, prior to the Shire and the preferred tenderer formalising the contract;
- (s) A minor variation has been determined by the Shire to mean a variation which does not materially alter the specification or structure provided for by the initial tender;
- (t) Where the initial procurement required Council approval, and the variation does not meet the above condition, then the variation must be presented to Council for consideration;
- (u) All decisions regarding minor variations must be documented and recorded. **3.6**

### **Contract Renewals, Extensions and Variations**

Where a contract has been entered into as the result of a publicly invited tender process, then *Functions and General Regulation 21A* applies.

For any other contract, the contract must not be varied unless

- (v) The variation is necessary in order for the goods or services to be supplied and does not change the scope of the contract; or
- (w) The variation is a renewal or extension of the term of the contract where the extension or renewal options were included in the original contract.

Upon expiry of the original contract, and after any options for renewal or extension included in the original contract have been exercised, the Shire is required to review the purchasing requirements and commence a new competitive purchasing process in accordance with this Policy.

### **3.7 Expressions of Interest**

Expressions of Interest (EOI) will be considered as a prerequisite to a tender process [*F&G Reg.21*] where the required supply evidences one or more of the following criteria:

- (x) Unable to sufficiently scope or specify the requirement;
- (y) There is significant variability for how the requirement may be met;
- (z) There is potential for suppliers to offer unique solutions and / or multiple options for how the purchasing requirement may be obtained, specified, created or delivered;
- (aa) Subject to a creative element; or
- (bb) Provides a procurement methodology that allows for the assessment of a significant number of potential tenderers leading to a shortlisting process based on non-price assessment.

All EOI processes will be based upon qualitative and other non-price information only.

### **3.8 Local Economic Benefit**

The Shire promotes economic development through the encouragement of competitive participation in the delivery of goods and services by local suppliers permanently located within the Shire boundaries. As much as practicable, the Shire will:

- (cc) consider buying practices, procedures and specifications that encourage the inclusion of local businesses and the employment of local residents;
- (dd) consider indirect benefits that have flow on benefits for local suppliers (i.e. servicing and support);
- (ee) ensure that procurement plans, and analysis is undertaken prior to developing requests to understand local business capability and local content availability where components of goods or services may be sourced from within the Shire boundaries for inclusion in selection criteria;
- (ff) 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;
- (gg) avoid bias in the design and specifications for Requests for Quotation and Tenders – all Requests must be structured to encourage local businesses to bid;
- (hh) consider the adoption of Key Performance Indicators (KPIs) within contractual documentation that require successful contractors to increase the number of employees from the district first; and
- (ii) provide adequate and consistent information to local suppliers.

To this extent, a weighted qualitative criterion will be included in the selection criteria for Requests for Quotation where suppliers are located within the boundaries of the Shire, or substantially demonstrate a benefit or contribution to the local economy.

- (jj) A local price preference of 10% shall be given to suppliers located within the Shire of Collie boundaries

### **3.9 Segregation of Duties**

To allow for the segregation of duties and complete transparency with purchase order raising and approval, the officer that approves the purchase order must be more senior to and different from the officer that raises the purchase order.

### **3.10 New Suppliers**

All new suppliers must be approved by a director, CEO or finance manager prior to the issue of a purchase order.

## EXCEPTIONS TO PROCUREMENT REQUIREMENTS

### 4.1 Tendering Exemptions

Procurements above the tender threshold and sourced through tender exempt supply arrangements, must be in accordance with the Regulations and the Shire's Policies and procedures.

The exemptions are set out in the Regulations and include:

- a) Pre-qualified suppliers under the WALGA Preferred Supply Program (r.11(2)(b));
- b) Suppliers under the State Government CUA or the Commonwealth or by a regional local government or another local government [r.11(2)(e)];
- c) The goods or services are to be supplied by a person registered on the Aboriginal Business Directory WA or by Australian Indigenous Minority Supplier Office Limited (trading as Supply Nation) (subject to a maximum of \$250,000 and the Shire being satisfied as to 'value for money') [clause 11(2)(h) of the Regulations];
- d) Where the goods or services are to be supplied by an Australian Disability Enterprise and where the procurement represents value for money [r.11(2)(i)];
- e) Where the contract is for petrol, oil or other liquid or gas used for internal combustion
- f) engines [r.11(2)(g)];
- g) Where the supply of goods or services is to be obtained from expenditure authorised in a local emergency under section 6.8(1)(c) of the Act [r.11(2)(a)];
- h) The supply of goods or services associated with a State of Emergency in accordance with section 11(2)(aa), (ia) and (3) of the Regulations; or
- i) Suppliers under a Panel established by the Shire [r.11(2)(k)] and procurements covered by any other exclusions under Regulation 11 of the Regulations.

### 4.2 Emergency Purchases

Emergency purchases are defined as the supply of goods or services associated with:

- (kk) A local emergency and the expenditure is required (within existing budget allocations) to respond to an imminent risk to public safety, or to protect or make safe property or infrastructure assets; OR
- (ll) A local emergency and the expenditure is required (with no relevant available budget allocation) to respond to an imminent risk to public safety, or to protect or make safe property or infrastructure assets in accordance with s.6.8 of the Local Government Act 1995 and Functions and General Regulation 11(2)(a); OR
- (mm) A State of Emergency declared under the Emergency Management Act 2005 and therefore, Functions and General Regulations 11(2)(aa), (ja) and (3) apply to vary the application of this policy.

Time constraints, administrative omissions and errors do not qualify for definition as an emergency purchase. Instead, every effort must be made to research and anticipate purchasing requirements in advance and to allow sufficient time for planning and scoping proposed purchases and to then obtain quotes or tenders, as applicable.

### 4.3 Unique Nature of Supply (Sole Supplier)

An arrangement with a supplier based on the unique nature of the goods or services required or for any other reason, where it is unlikely that there is more than one potential supplier may only be approved where the:

- (nn) purchasing requirement has been documented in a detailed specification; and
- (oo) specification has been extensively market tested and only one potential supplier has been identified as being capable of meeting the specified purchase requirement; and



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- (c) market testing process and outcomes of supplier assessments have been evidenced in records, inclusive of a rationale for why the supply is determined as unique and why quotations / tenders cannot be sourced through more than one potential supplier.

Once determined, the justification must be endorsed by the relevant Director or Chief Executive Officer, prior to the contract being entered into.

An arrangement of this nature will only be approved for a period not exceeding one (1) year. For any continuing purchasing requirement, the approval must be re-assessed before expiry, to evidence that only one potential supplier still genuinely exists.

### **4.4 Other Exemptions**

Procurement of the following of goods or services are exempt from the requirement to obtain more than one quotation provided value for money principles as outlined under part 2 of this policy are reasonably considered:

- Annual memberships and subscriptions;
- Insurance through LGIS;
- Artwork;
- Performing arts defined as forms of creative activity performed in from an audience, such as drama, music, or dance;
- Service or supply of equipment from original equipment manufacturer or sole agent thereof, where warranty provisions may otherwise be void;
- Contributions to community groups in accordance with budgeted amounts or agreements; and
- Software licensing, maintenance and support that is part of the ongoing renewal provided an assessment is undertaken and recorded to review the performance of the current software and confirm the ongoing requirements.

### **4.5 Discretionary Purchases (CEO, Directors and Managers)**

Where the stated number of minimum quotations to be obtained cannot be achieved the decision to continue with the evaluation and selection must be documented and clearly demonstrate the achievement of value for money.

Where it is not practical to obtain multiple written and/or verbal quotations for a once off purchase, the following discretionary purchasing is permitted (prices excluding GST).

- Chief Executive Officer up to \$150,000
- Directors up to \$20,000

The request must be in writing from the relevant officer and outline the justification for purchase without multiple quotations. The written request shall be saved in the records management system and notated in the requisition system at the time of undertaking the purchase order. Information shall be readily available upon request for internal / external auditing requirements.

## **5. Panels of Pre-qualified Suppliers**

### **5.1 Objectives**

The Shire will consider creating a Panel of Pre-qualified Suppliers ("Panel") when a range of similar goods and services are required to be purchased on a continuing and regular basis.

Part of the consideration of establishing a panel includes:

- (pp) there are numerous potential suppliers in the local and regional procurement related market sector(s) that satisfy the test of 'value for money';
- (qq) the Panel will streamline and will improve procurement processes;

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- (d) The Shire has the capability to establish a Panel, and manage the risks and achieve the benefits expected of the proposed Panel through a Contract Management Plan; and
- (rr) The aggregated value of work carried out by a single contractor over the course of a financial year.

### **5.2 Establishing and managing a panel**

If the Shire decides that a Panel is to be created, it will establish the Panel in accordance with the Regulations.

Panels will be established for one supply requirement, or a number of similar supply requirements under defined categories. This will be undertaken through an invitation procurement process advertised via a state-wide notice.

Panels may be established for a maximum of three (3) years. The length of time of a Local Panel is decided with the approval of the CEO/ Director.

Evaluation criteria will be determined and communicated in the application process by which applications will be assessed and accepted.

In each invitation to apply to become a pre-qualified supplier, the Shire will state the expected number of suppliers it intends to put on the panel.

If a Panel member leaves the Panel, the Shire will consider replacing that organisation with the next ranked supplier that meets/exceeds the requirements in the value for money assessment – subject to that supplier agreeing. Council will disclose this approach in the detailed information when establishing the Panel.

A Panel contract arrangement needs to be managed to ensure that the performance of the Panel Contract and the Panel members under the contract are monitored and managed. This will ensure that risks are managed and expected benefits are achieved. A Contract Management Plan should be established that outlines the requirements for the Panel Contract and how it will be managed.

### **5.3 Distributing work amongst panel members**

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

- (ss) obtain quotations from each pre-qualified supplier on the Panel with respect to all discreet purchases; or
- (tt) purchase goods and services exclusively from any pre-qualified supplier appointed to that Panel, and under what circumstances; or
- (uu) develop a ranking system for selection to the Panel, with work awarded in accordance with the Regulations.

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

- (vv) each Panel member will have the opportunity to bid for each item of work under the Panel, with pre-determined evaluation criteria forming part of the invitation to quote to assess the suitability of the supplier for particular items of work. Contracts under the pre-qualified panel will be awarded on the basis of value for money in every instance; or
- (ww) work will be awarded on a ranked basis, which is to be stipulated in the detailed information set out under *Functions and General Regulation 24AD(5)(f)* when establishing the Panel.
  - i. Council will invite the highest ranked Panel member, who is to give written notice as to whether to accept the offer for the work to be undertaken.

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- ii. Should the offer be declined, an invitation to the next ranked Panel member is to be made and so forth until a Panel member accepts a Contract.
- i. Should the list of Panel members invited be exhausted with no Panel member accepting the offer to provide goods/services under the Panel, Council may then invite suppliers that are not pre-qualified under the Panel, in accordance with the Purchasing Thresholds stated in clause 1.4.2(2) of this Policy.
- ii. When a ranking system is established, the Panel will not operate for a period exceeding 12 months.

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

### ***5.4 Purchasing from the panel***

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

### ***5.5 Communications with panel members***

The Shire will ensure clear, consistent and regular communication with Panel Members.

Each quotation process, including the invitation to quote, communications with Panel members, quotations received, evaluation of quotes and notification of award communications must all be made through the Shire's electronic Procurement system.

### ***Sustainable Purchasing – Managing Social and Environmental Impacts***

The Shire recognises that the procurement of goods and services that have less environmental and social impacts than competing products and services is aligned to its sustainability objectives. The Shire will endeavour to lead by example and set a high benchmark for both socially and environmentally sustainable procurement practices. Considering the environmental and social impacts in goods and services procurement will contribute towards:

- managing risk to the broader environment and local community from the purchase of goods and services;
- fostering both the development of, and a viable market for, products and processes that have positive environmental and social impact;
- undertaking procurement in a manner that is consistent with the principles of sustainability; and
- providing an example to business, industry and the community in promoting the use of low environmental and social impact goods and services.

Where appropriate, the Shire will endeavour to design quotations and tenders to provide an advantage to goods, services and/or processes that minimise negative environmental and social impact. This advantage will be commensurate with the nature of the purchasing and balanced against the Shire's value for money outcomes in accordance with its sustainability objectives.

## 6. Record Keeping

All Local Government purchasing activity, communications and transactions must be evidenced and retained as local government records in accordance with the *State Records Act 2000* and the Shire's Record Keeping Plan.

In addition, the Shire must consider and will include in each contract for the provision of works or services, the contractor's obligations for creating, maintaining and where necessary the transferral of records to the Shire relevant to the performance of the contract.

### 1. Purchasing Policy Non-Compliance

The Purchasing Policy is mandated under the *Local Government Act 1995* and Regulation 11A of the *Local Government (Functions and General) Regulations 1996* and therefore the policy forms part of the legislative framework in which the Local Government is required to conduct business.

Where legislative or policy compliance is not reasonably able to be achieved, records must evidence the rationale and decision making processes that substantiate the non-compliance.

Purchasing activities are subject to internal and external financial and performance audits, which examine compliance with legislative requirements and Council's policies and procedures.

If non-compliance with legislation, this Purchasing Policy or the Code of Conduct, is identified it must be reported to the Chief Executive Officer or the Finance Manager.

A failure to comply with legislation or policy requirements, including compliance with the Code of Conduct when undertaking purchasing activities, may be subject to investigation, with findings to be considered in context of the responsible person's training, experience, seniority and reasonable expectations for performance of their role.

Where a breach is substantiated it may be treated as:

- (xx) an opportunity for additional training to be provided;
- (yy) a disciplinary matter, which may or may not be subject to reporting requirements under the *Public Sector Management Act 1994*; or
- (zz) where the breach is also identified as potentially serious misconduct, the matter will be reported in accordance with the *Corruption, Crime and Misconduct Act 2003*.

### Policy adoption and review

Council meeting held:	<b>9390</b>
Adopted by Minute No:	<b>9 April 2024</b>
Date to be reviewed:	<b>2027</b>

4. General

**CS4.1 Recognition of Returned Service People and ANZAC day ceremonies**

**Purpose**

To ensure that Council recognises the contribution made by Collie people who have served Australia during war times and acknowledges the groups that continue to honour these service people.

**Policy**

That the Shire President and/or the Chief Executive Officer, or their nominees, represent the Council by the laying of a Council provided wreath at ceremonies recognising returned service persons.

**Policy adoption and review**

Council meeting held: **6 October 2020**  
Adopted by Minute No: **8577**  
Date to be reviewed: **September 2023**

## CS4.3 CCTV Network

### 1. **Provision of CCTV**

The Shire of Collie provides a CCTV system to:

- Provide a deterrent to offences against person or property and antisocial behaviour
- Assist in the investigation of offences and the identification of offenders
- Increase the safety and security of residents and visitors

### 2. **Purpose of Policy**

Provide guidelines for the management of Council's CCTV system.

This Policy does not apply to CCTV systems on private property, as they do not fall under the jurisdiction of the Shire.

## 40. **Definitions**

### 3.1 **Authorised officer**

Means the Chief Executive Officer of the Shire of Collie and the Director of Corporate Services of the Shire of Collie.

### 3.2 **Authorised staff**

Means any staff member of the Shire of Collie or a Council appointed contractor who has been given approval by a Shire of Collie authorised officer to undertake activities relating to the operation or management of the CCTV network.

## 41. **Management**

### 4.1 **Ownership and control**

The CCTV system is owned by and is the sole property of the Shire of Collie

The Shire of Collie Chief Executive Officer has control over the system at all times. This control may be delegated to the Director of Corporate Services and / or to a third party who Council may engage under contract to manage and maintain the system.

### 4.2 **Management and Maintenance**

Council may contract out the management and maintenance of the CCTV system under a management agreement that is consistent with the terms of this policy.

### 4.3 **CCTV Operation**

All staff operating the CCTV system must be duly authorised by a Shire of Collie authorising officer. Authorised staff must follow the procedures established for the operation of the CCTV system at all times.

### 4.4 **Access to CCTV**

Only authorised officers and duly authorised staff are permitted to have access to the CCTV system. Other persons viewing the CCTV must be authorised by a Shire of Collie authorised officer.



### 4.5 Surveillance

Surveillance activities will only be undertaken by the WA Police.

### 4.6 Use of Recorded Material

The Shire will ensure that CCTV systems are used ethically at all times and in accordance with all relevant legislation and guidelines. The use of CCTV is regulated by the *Surveillance Devices Act 1998 WA* and this legislation prohibits the recording of “private activity” as defined by Section 3 of the Act.

### 4.7 Joint Operations with WA Police

The Shire of Collie will register the CCTV system on the WA Police database, a register of WA based CCTV systems established for the purpose of mapping the locations of CCTV systems that can be used by police investigators.

Members of the WA Police Service are permitted to access and operate the CCTV system.

### 4.8 Record Keeping

The details of all material recorded from the CCTV network will be registered in accordance with the *State Records Act 2000*.

## 5 Complaints

Complaints received regarding the CCTV system will be managed in accordance with the Shire of Collie complaints procedure.

### Policy adoption and review

Council meeting held: **14 July 2020**

Adopted by Minute No: **8495**

Date to be reviewed: **July 2023**

**CS4.4 Risk Management Governance Framework**

This Policy is located under Corporate Drive – Risk Management

**Policy adoption and review**

Council meeting held: **11 November 2014**

Adopted by Minute No: **6565**

Date to be reviewed: **November 2016**

**CS4.5 Eligibility for Municipal Awards Policy**

**42. Policy Objective:**

The intent of this policy is to provide guidelines for the conferring or revoking of municipal awards presented by the Shire of Collie.

**43. Guidelines for Awards:**

2.1 The conferring of the Australia Day Awards is to be guided by the selection criteria established by the Australia Day Panel and as amended from time to time by Council resolution.

2.2 The conferring of the Sportsperson of the Year Awards is to be guided by the selection criteria established by the Sportsperson of the Year Panel and as amended from time to time by Council resolution.

2.3 The rationale and selection criteria for the establishment of any other Shire of Collie municipal award is to be referred to Council for consideration.

**44. Revoking of Awards:**

3.1 The Shire of Collie reserves the right to revoke any municipal award presented by Council including any awards made prior to the adoption of this policy.

3.2 In the event of Council becoming aware of a municipal award recipient being convicted of an indictable offence or simple offence where the penalty for such offence may attract a term of imprisonment and a fine the award may be revoked.

3.3 In all circumstances an Officer's Report is to be presented to Council to examine the grounds for the revocation of an award and make a decision in Committee.

3.4 The recipient of the municipal award is to be notified in writing of the Council decision and their name is to be removed from all listings of award recipients, including Shire of Collie honour boards.

Policy adoption and review

Adopted at Council meeting held: **28 May 2018**

Adopted by Minute No: **7807**

Date to be reviewed: **May 2021**

## CS4.6 Welcome to Country and other ceremonies

### **Purpose**

The purpose of this policy is to provide guidelines for Welcome to Country and other ceremonies conducted for Council events.

The Welcome to Country ceremony is an acknowledgment and recognition of the rights of Noongar people. The act of getting a representative who has traditional local links to a particular place, area or region, is an acknowledgement of respect for traditional owners. It is respect for people, respect for rights and a respect for country as the land, waterways and culturally significant sites are still very important to Noongar people.

This acknowledgement pays respect to the traditional custodians, ancestors and continuing cultural, spiritual and religious practices of Noongar people. Further, it provides an increasing awareness and recognition of Australia's Aboriginal peoples and cultures.

### **1. Application**

A Welcome to Country may be observed at official major Shire events including but not limited to:

- All events celebrating Aboriginal and Torres Strait Islander people and culture;
- Opening of new significant buildings or other infrastructure;
- Opening of major events and meetings; and
- Welcoming significant visitors or delegations to the Shire of Collie.

### **2. General**

The Welcome to Country ceremony should be undertaken by Elders acknowledged as such by their family and community.

It is recommended that the Officer responsible for the event or activity consults with an appropriate local Elder about whether a Welcome to Country, Acknowledgement of Country or a Smoking Ceremony is appropriate for a particular event or activity.

Where a local Noongar Elder is not available, then the Officer responsible for organising the event is to determine if an appropriate alternative representative is available.

### **1. Implementation**

#### Welcome to Country

Welcome to Country should always occur as the first item in a ceremony or event. There is no specific wording or format for a Welcome to Country and it may include speech, dance, music, song and/or other cultural rituals.

Arrangements for a Welcome to Country are to be made by the Officer/s responsible for the event or activity. This includes contacting and liaising with the appropriate Elder and negotiating remuneration.

In providing cultural services such as a Welcome to Country, Aboriginal and Torres Strait Islander people are using their intellectual property and are entitled to be remunerated. Fees are to be negotiated with the Elder who is engaged to provide a Welcome to Country and are

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no more than \$400.

### Acknowledgement of Country

An Acknowledgement of Country can be undertaken by an Aboriginal and Torres Strait Islander person who is not a Traditional Custodian of the area or a non-Aboriginal person.

Where a Welcome to Country has occurred an Acknowledgement of Country should also be included in the speech notes of the MC, Senior Officer or Elected Member who is the next to speak at the event, meeting or ceremony. This Acknowledgement of Country should make a specific link or observation to the Welcome to Country that has just occurred and give thanks to the particular Elder/s that provided the ceremony.

An Acknowledgement of Country can also occur at functions where a Welcome to Country is not taking place in order to recognise the Traditional Custodians and Elders of the area in which the activity is being held.

### Smoking Ceremony

Smoking Ceremonies are conducted by Aboriginal people with specialised cultural knowledge, such as an Elder, Aboriginal people with the spiritual knowledge or cultural teacher.

The Smoking Ceremony aims to spiritually cleanse the space in which the ceremony takes place, so as to allow peace and recognise the importance of a meeting. Given the significant nature of the ceremony, Smoking Ceremonies are usually only performed on special occasions or at major events and places of spiritual significance.

A Smoking Ceremony should only be performed with permission from the Traditional Owners therefore Officer/s responsible for the event or activity must consult with the appropriate local Elder regarding all arrangements for a Smoking Ceremony.

Fees for a Smoking Ceremony are to be negotiated with the Elder who is engaged to provide the ceremony and are to be no more than \$600.

## **4. References**

Appropriate wording for Acknowledgement of Country and protocols to be observed for Welcome to Country can be found in the document South West Aboriginal Land and Sea Council (n.d). Living Culture-Living Land and its people: Noongar Protocols Welcome to Country.

Available at: <http://www.noongar.org.au/noongar-protocols/>

### **Policy adoption and review**

Council meeting held: **14 July 2020**

Adopted by Minute No: **8495**

Date to be reviewed: **July 2023**

## CS4.7 Electronic Message Board Policy

### 1.0 Introduction and background

Messages displayed on Council boards will provide important community information to residents and visitors including emergency warnings, information relating to local events and Shire notices.

### 2.0 Application of policy

This policy is to be applied to the use of all electronic messaging boards or signs managed by the Shire of Collie.

### 3.0 Policy purpose

This policy provides guidelines to determine what information and activities can be promoted through the electronic message board, and who is eligible to apply to have information displayed.

### 4.0 Policy Provisions

#### Permitted Use

- The electronic message board may be used to inform the public of events, Shire notices and emergency warnings.
- The nominated Shire staff with access to the user portal will be:
  - the Information Services Officers,
  - the Community Development Officer,
  - the CEO's PA and
  - the Recovery coordinator (in times of emergency).
- Applications for use of the electronic message board will only be approved for not
- for-profit groups or agencies (such as State or Federal Government Departments) or
- institutions (such as schools and hospitals) providing a service or delivering an event
- within the Collie local government area.
- Due to the high volume of Shire messages, third-party and not-for-profit messages will not be accepted unless the event appeals and benefits the residents of the Shire of Collie. Those messages will only be allowed at the discretion of the CEO.
- The electronic message board is remotely connected; therefore no new messages will be added after hours or on weekends unless in times of emergency.
- As a general rule the event being promoted must have a strong community focus.

#### Displayed messages

1. Messages to be displayed should be:
  - Simple and Bold
  - Informative and concise
3. Images and/or video approved by nominated staff may be displayed.
4. The Shire of Collie reserves the right to edit or alter submissions to meet display requirements and policy guidelines.
5. Applications by community organisations to use the Shire of Collie electronic message

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board must be made in writing or indicated on an approved event application form at least five (5) working days before the event is to take place.

5. If the electronic message board is already booked or required for emergency messages then appearance of messages cannot be guaranteed.

45. The Shire will endeavor to ensure that all information is correct at the time of publication but not does not accept any responsibility for any error or omission.

### **Policy adoption and review:**

**Council meeting held: 6 October 2020**

**Adopted by Minute No: 8577**

**Date to be reviewed: 23 September 2023**

## 5. Information Services

### CS5.1 Duty of Care for Children at Collie Public Library

#### **Purpose of Policy**

The following procedures and policies are written to provide guidelines to:

- Staff of the Collie Public Library
- Parents and Guardians of children using the Collie Public Library
- Visiting Artists/Performers working with children in the Collie Public Library

#### **Visiting Artists/Performers**

The following Duty of Care measures are to be observed:

- All school groups must be accompanied by an adult representative of the school (adhering to relevant Department of Education guidelines) who is to remain with the group at all times.
- In the event of specific programs and activities to which the Collie Public Library invites children to attend the library outside of school hours, a member of the library staff will remain with the children at all times until the end of the activity.

All adults invited by the Collie Public Library to work with children will be required to show a valid Working With Children Card.

#### **Unaccompanied Children in the Library**

The Collie Public Library is committed to serving children; however staff cannot supervise children while carrying out work responsibilities, neither is the library a licensed child-minding facility. Patrons are therefore expected to take responsibility for children they bring or send to the library.

School aged children (aged 6 – 16) without a parent, guardian or school leave slip, will not be allowed in the library during school hours.

All staff members working at the Collie Public Library are required to have a valid Working With Children Card as cover against the event of finding themselves alone with a child.

Library staff will carry out periodic checks to ensure equipment, furniture and resource utilized by children are child-safe.

#### **Privacy of Children in the Library**

The staff of Collie Public Library may from time to time wish to identify children for publicity purposes i.e. publishing photos in the local newspaper.

Before collecting, using or disclosing personal information from a child for publication purposes, members of staff must obtain verifiable parental consent from the child's parent/guardian.

#### **Policy adoption and review**

Council meeting held: **18 June 2019**

Adopted by Minute No: **8151**

Date to be reviewed: **June 2022**

**CS5.2 Internet use In Collie Public Library**

**Purpose of Policy**

To ensure that public Internet and computer access is fairly accessible to everyone in the community.

**Policy Details**

- At busy times, access will be limited to no more than one hour per session. The Information Services Manager may exercise discretion regarding this usage.
- Computer access for general browsing will be free. Printing of documents and use of websites that require a personal user name and password (e.g. email, social networking) will attract a charge. Fees and charges will be reviewed annually by Council.
- Patrons may use their own laptops and tablets in the library. Wi-fi will be available with fees and charges applying as above.
- The Collie Public Library takes no responsibility for technical problems beyond its control which may result in loss of computer time.
- Patrons must not modify library hardware or software in any way.
- The Collie Public Library has no control over the information on the Internet and assumes no responsibility for the accuracy, currency or quality of material obtained via the Internet.
- The Collie Public Library supports ALIA's Freedom to Read Statement and therefore does not act as a censor.
- Supervision of children up to the age of sixteen accessing the internet is the responsibility of parents or guardians. (Refer to Duty of Care Policy for further information regarding children in the library.)
- Patrons must respect laws of copyright and licensing agreements and use library computers for legal purposes only.
- Staff assistance is available as time permits and may be limited to basic procedures.
- Food or drink is not to be consumed at the public computer workstations.
- Data may be saved to removable disks or other storage devices, but the library does not check for viruses and makes no assurances about the integrity of the data.
- The Library respects users' rights to privacy but will comply with law enforcement agencies that issue warrants to inspect its electronic systems and logs.
- The viewing of inappropriate content is strictly prohibited and a ban may be imposed upon users found to be viewing inappropriate content.

**Policy adoption and review**

Council meeting held: **18 June 2019**

Adopted by Minute No: **8159**

Date to be reviewed: **June 2022**



### CS 5.3 Records Management

#### **Policy Objectives / Intent:**

To ensure the Shire of Collie manages all records in accordance with applicable legislation.

#### **Policy Definitions:**

##### *Responsible Officers*

A responsible officer is any person who creates or receives records as part of their duties for the Shire of Collie as defined within the State Records Act 2000. Responsible officers include elected members, committee members, staff, contractors and external organisations performing services on behalf of the Shire of Collie.

##### *Records*

A record is defined as meaning “any source of recorded information” and includes:

- (k) Anything on which there is text, figures, marks, symbols or tactile interpretations such as Braille having meaning;
- (l) A map, plan, diagram, graph; chart, drawing, pictorial, graphic design, or photograph;
- (m) Anything from which images, sounds, or writings can be reproduced with or without the aid of anything else; and
- (n) Anything on which information has been stored or recorded, either mechanically, magnetically, or electronically.”

##### *Ephemeral Records*

An Ephemeral Record is recorded information with only short-term value as it contains little or no ongoing administrative, fiscal, legal, evidential or historical value. Examples are;

- (o) Working papers, background notes, reference materials or drafts used to prepare, complete or are included in a final document;
- (p) Copies of records already captured in other corporate information management systems;
- (q) Duplicates of external documents and publications;
- (r) Circulars, Newsletters etc. from external organisations; and
- (s) Advertising material from external organisations.

##### *Electronic Record Management System*

An Electronic Record Management System (ERMS) is a computer based program used for the capture, storage, viewing and administration of records.

##### *Personal Communications*

Personal communications are private in nature, have nothing to do with the business of the Shire of Collie and are not subject to this policy. Examples include:

- Correspondence dealing with personal issues (e.g. doctor appointments, school meetings, servicing of private vehicles, etc); or



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- Phone call messages regarding family members or issues.

### *Record Keeping Plan*

The Recordkeeping Plan is an accurate reflection of the Shire of Collie recordkeeping program. It is supported by documentation regarding the Shire of Collie's recordkeeping system, disposal arrangements, policies, practices and processes. The Shire of Collie Recordkeeping Plan and supporting documentation constitute evidence of compliance to the State Records Act 2000 and that best practices have been implemented within the Shire of Collie.

### *General Disposal Authority for Local Government Records (GDALGR)*

The General Disposal Authority for Local Government Records is the official and current authority for the retention and disposal of State and Local Government records held by the Shire of Collie and is approved for use by the State Records Commission of Western Australia.

### **Policy Statement**

The Shire of Collie is committed to making and keeping full and accurate records of the business transactions and activities of the Shire of Collie. Records created by or received by employees, elected members, committee members, contractors and external organisations performing services on behalf of the Shire of Collie irrespective of format, are to be managed in accordance with the State Records Act 2000 and the Shire of Collie Recordkeeping Policy and Procedures.

All employees, elected members, committee members, contractors and external organisations performing services on behalf of the Shire of Collie will ensure that full and accurate records are created to provide evidence of business transactions and decisions.

The Shire of Collie is responsible for the security and protection of all records in its custody. Records will be maintained in a safe and secure environment ensuring their usability, reliability, authenticity and preservation for as long as required by law.

Access to Shire of Collie records by employees, elected members, committee members, contractors and external organisations performing services on behalf of the Shire of Collie will be in accordance with appropriate security and access controls. Access to the Shire of Collie records by the general public will be in accordance with the Freedom of Information Act 1992.

Disposal of the Shire of Collie records will be in accordance with an approved retention and disposal authority and following authorisation from the Shire of Collie CEO or other delegated authority.

### **Roles and Responsibilities**

#### *Encompassing Responsibilities*

All employees, elected members, committee members, contractors or external organisations performing services on behalf of the Shire of Collie will create and receive information relating to the activities they perform and are required to:

- Create records to document and support the Shire of Collie business activities.
- Ensure that records are captured and registered into the recordkeeping system.
- Ensure that records are secure at all times.

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The Shire of Collie and its employees, elected members, committee members, contractors and external organisations performing services on behalf of the Shire of Collie must not:

- Hold records in informal or uncontrolled files that are not registered in the recordkeeping system.
- Delete, destroy or alter records without proper authority.
- Remove official records from the Shire of Collie without permission.
- Lose, damage or cause for records to be left unsecured.
- misuse or pass on records or information to unauthorised persons.

### *a. Chief Executive Officer*

The Shire of Collie CEO or his/her delegated authority is to ensure that there is a system for the creation, maintenance and management of the Shire of Collie records that is compliant with State Government legislation and in particular the State Records Act 2000. The CEO will ensure that no record is disposed of except in accordance with an approved records retention and disposal authority.

The Shire of Collie CEO or his/her delegate will ensure training is provided to all Responsible Officers to promote compliance with this policy and the State Records Act 2000.

### *b. Executive Officers*

Executive Officers are to ensure that they and their staff members are familiar with and adhere to the Shire of Collie Records Management Policy, Records Keeping Plan and Keeping Plan Procedures.

### *a. Staff*

Staff are to ensure they understand the Shire of Collie Record Management Policy and record keeping procedures.

Staff are responsible for the management of records that they create or directly receive using the Electronic Records Management System provided.

### *b. Records Administration Staff*

Records staff are to assist the CEO in the execution of this policy through the administration and/or development of tools, procedures and staff training in line with the objectives of this policy.

### *c. Elected and Committee Members*

All Elected Members and Committee Members are to forward to the CEO all records created or received dealing with activities they perform as a Councillor or Committee Member. This information is to be entered into the electronic recordkeeping system.

Party political and personal records of elected members are exempt from this policy.

### *Legislation and Standards*

Legislation and standards applicable to recordkeeping in Western Australian State Government organisations include but not limited to are:

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- Local Government Act 1995
- State Records Act 2000
- State Records (Consequential Provisions) Act 2000
- State Building Act 2011
- Criminal Code Compilation Act 1913
- Electronic Transactions Act 2003
- Evidence Act 1906
- Freedom of Information Act 1992
- Interpretation Act 1984
- State Records Commission: Principles and Standards
- Australian Standard on Records Management: AS ISO 15489

### **Policy adoption and review**

Adopted at Council meeting held: **18 June 2019**

Adopted by Minute No: **8159**

Date to be reviewed: **June 2022**

6. Recreation – Swimming Pool

**CS6.1 Swimming Pool Use – Outside Normal Working Hours.**

That the use of the Collie Mine Workers Olympic Swimming Pool outside of the normal working hours may be permitted to individuals or organisations provided that the following conditions are met:

- The individual or organisation meets the requirements for use of the Pool as a Class 2 pool
- Certificates of Currency are provided and conditions of the Usage Agreement are met
- An Induction with the Pool Manager is undertaken prior to use.
- Payment of the amount indicated in the Council's adopted Schedule of Fees and Charges

**Policy adoption and review**

Council meeting held: **8 December 2015**

Adopted by Minute No: **6928**

Date to be reviewed: **December 2019**

**CS6.2 Swimming Pool Use – During Working Hours**

That the use of the Collie Mine Workers Olympic Swimming Pool during normal working hours for financial gain or reward may be permitted to individuals or organisations provided that the following conditions are met:

- w) In the first instance apply in writing to the Chief Executive Officer for permission to conduct private activities;
- x) All applicants must provide the Chief Executive Officer with a copy of certificates of currency for Public Liability Insurance and Professional Indemnity Insurance.
- y) The Chief Executive Officer reserves the right to grant or refuse applications based upon the perceived needs and numbers of applicants and the availability of the Collie Mineworkers Memorial Swimming Pool Facility
- z) Pay the amount as indicated in the Council's adopted Schedule of Fees and Charges.

**Policy adoption and review**

Council meeting held: **8 December 2015**

Adopted by Minute No: **6928**

Date to be reviewed: **December 2019**