

Governance Policy Manual

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1.1.01 - CARETAKER PERIOD

POLICY SUMMARY

This Policy applies during a “Caretaker Period” prior to Council general elections or a By-election for the Mayor to cover major policy decisions that made by the Council, the use of West Daly Regional Council resources, including materials published by West Daly Regional Council, as well as Attendance and participation in council functions and events and, access to Council information.

POLICY OBJECTIVES

The primary objective of this policy is to restrict the Council from making major decisions, prior to an election, which would:

- bind an incoming Council; or
- allow the use of public resources in ways that are seen as advantageous or disadvantageous to the electoral prospects of sitting Elected Members who are seeking re-election or new candidates.

The Policy recognises the requirement for the West Daly Regional Council administration to act impartially in relation to the candidates.

BACKGROUND

In Australia the term “caretaker government” is used to describe the status of a government during a period that starts when the notices are issued for an election, and continues for a short period after the election – until the next government is formed.

Caretaker conventions require that:

- a. no major new policy decisions be taken;
- b. no major contracts should be entered into; and
- c. no significant appointments or dismissals are made.

West Daly Regional Council believes that the adoption of this Policy is in accord with its commitment to good governance.

POLICY STATEMENT

This Policy applies to Elected Members and Council employees during a Caretaker Period prior to a General Election or By-election for the position of Mayor (see Terminology and References for a definition) to cover:

- Major policy decisions that are made by the Council
- Scheduling consideration and announcement of major policy decisions
- Use of the Council’s resources including material published by the Council

- Access to information
- Media
- Website
- Attendance and participation in Council organised activities and events
- Public Consultation during the Caretaker Period

Major Policy Decisions that are made by the Council

Except in Extraordinary Circumstance the Council will not make Major Policy Decisions during the Caretaker Period. (See Terminology and References for definitions and exclusions.)

Where Extraordinary Circumstances prevail, the CEO may submit a Major Policy Decision to the Council for its consideration.

To assist the Council to comply with its commitment to appropriate decision making during the Caretaker period, a Caretaker Statement will be included in each report submitted to the Council where the Council's decision would, or could, be a Major Policy Decision. The Caretaker Statement will state:

The decision the Council may make in relation to this item could constitute a 'Major Policy Decision' within the context of the West Daly Regional Council's Caretaker Policy, however, and exemption should be made because...(insert the circumstances for making the exemption)....

Scheduling Consideration and Announcement of Major Policy Decisions

So far as in reasonably practicable, the CEO should avoid scheduling Major Policy Decisions for consideration during a Caretaker Period, and instead ensure that such decisions are either considered by the Council prior to the Caretaker Period, or scheduled for determination by the incoming Council,. Announcements of earlier decisions may be made during a Caretaker Period however, as far as practicable; any such announcements should be made before the Caretaker Period begins or after it has concluded.

Use of Council Resources including material published by Council

The Code of Conduct and the Local Government Act provide that the Council's resources are only to be utilised for authorised activities (for example – use of employees for personal tasks or use of equipment, stationery, or hospitality for non-Council business in not permitted). This includes the use of resources for electoral purposes is not restricted to the Caretaker Period.

Council staff must not be asked to undertake any tasks connected directly or indirectly with an election campaign and must avoid assisting Elected Members in ways that could create a perception that they are being used for electoral purposes. In any circumstances where the use of Council resources might be construed as being related to a candidate's election campaign, advice is to be sought from the CEO.

Council resources, including material published by the Council, cannot be used for the advantage of a particular candidate or group of candidates. Council resources must only be used for normal Council business (which excludes the preparation or dissemination of campaign material).

Council resources must not be used for the advantage of a particular candidate or group of Candidates; however, Council may allow the equal use of Council resources by all candidates preparing for the election.

This Policy does not cover material authorised by the CEO or Returning Officer to facilitate the conduct of the election or encourage voter participation.

Access to Information

All candidates will have equal rights to access public information and any assistance and advice provided to candidates as part of the conduct of the Council election will be provided equally to all candidates. Usual Freedom of Information (FOI) procedures will apply.

Media

No media advice or support will be provided in relation to election issues or in regard to publicity that involves specific Elected Members. If satisfied that advice sought by an Elected Member during the Caretaker Period does not relate to the election or publicity involving any specific Elected Member(s), the CEO may authorise the provision of a response to such a request.

Website

During the Caretaker Period any new material placed on the Council website, which refers to the election should only relate to the election process by way of information, education or publicity. Information about Council Members should be restricted to names, contact details, titles, membership of committees and other bodies to which they have been appointed by the Council.

Attendance and participation at Council organised activities and events

Events and/or functions organised by the Council and held during the Caretaker Period will be limited to only those that the CEO considers appropriate and should not in any way be associated with any issues that in the CEO's opinion, are considered relevant to, or likely to influence the outcome of, and election.

Excluding the Mayor and Deputy Mayor fulfilling their functions as prescribed by Section 43 of the Local Government Act, Elected Members that are also candidates should not, without the prior approval of the CEO, be permitted to make speeches or addresses at events/functions organised or sponsored by the Council during the Caretaker Period.

All known candidates are to be invited to events/functions organised by the Council during the Caretaker Period.

Elected Members may continue to attend events and functions hosted by external bodies during the Caretaker Period.

Public consultation during the Caretaker Period

The Council will not commission or approve any public consultation where it is likely that such consultation will continue into the Caretaker Period.

This Policy does not prevent any mandatory public consultation required by the Local Government Act or any other relevant Act which is required to be undertaken to enable the Council to fulfil its functions.

TERMINOLOGY AND REFERENCES

Caretaker Period means the period of time during which the caretaker practices are in force prior to the declaration of a General Election or a By-election for the position of Mayor. The caretaker practices will

apply from the close of nominations on Nomination Day until the declaration of the Results of the election pursuant to Regulation 56 of the NT Local Government (Electoral) Regulations.

Extraordinary Circumstances means a situation that requires a major policy decision of the Council because:

- a. In the CEO's opinion, the urgency of the issue is such that it cannot wait until after the election;
- b. Of the possibility of legal and/or financial repercussions if a decision is deferred; or
- c. In the CEO's opinion, it is in the best interest of the Council for the decision to be made as soon as possible.

Major Policy Decision means a decision to:

- Enter into any contract or lease involving expenditure inclusive of GST that exceeds one per cent (1%) of the annual budgeted revenue in the relevant financial year;
- Appoint or terminate the appointment of a Chief Executive Officer;
- Make a decision relating to the Chief Executive Officer's remuneration;
- Spend unbudgeted monies;
- Conduct unplanned public consultation;
- Endorse a new policy;
- Dispose of Council land;
- Approve community grants; or
- Progress any matter which is contentious or has been identified as an election issue.

Major Policy Decisions do not include:

- Decisions that relate to the carrying out of works in response to an emergency or disaster;
- An expenditure or other decision required to be taken under an agreement by which funding is provided to the Council by the Commonwealth or Territory Government or otherwise for the council to be eligible for funding from the Commonwealth or Territory Government;
- The suspension of the CEO for serious and wilful misconduct;
- The appointment of an acting CEO.

Nomination Day means nomination Day as defined in the NT Local Government (Electoral) Regulations.

IMPLEMENTATION AND DELEGATION

Role of the CEO in Implementing Caretaker Practices

The role of the CEO in implementing the caretaker practices outlined in this policy is as follows. The CEO will ensure, as far as possible, that:

- All Elected Members and staff are aware of the Caretaker Policy and practices at least 30 days prior to the start of the Caretaker Period; and
- Any major policy or significant decisions required to be made by the Council are scheduled for Council consideration prior to the Caretaker Period or deferred where possible for determination by the incoming Council.

EVALUATION AND REVIEW

This Policy should be reviewed once during the term of the Council.

REFERENCES

Local Government Act

Local Government (Electoral) Regulations

FURTHER INFORMATION:

Human Resource Advisor

Approved by:	[insert]
Approval Date:	
Review Date:	1 st December, 2017
Review Authority:	Chief Executive Officer
Applicable to:	All Council employees and Elected Members
Version No:	1

1.1.02 – CHIEF EXECUTIVE OFFICER

SUMMARY

The Chief Executive Officer is responsible, among other things, for:

- The implementation of Council Policies;
- The day to day management of Council;
- The appointment and management of Council staff;
- Provision of advice and information to Council to facilitate Council decision-making;
- Communication between Council and its constituent communities;
- Management and maintenance of Council assets and resources; and
- Ensuring the proper financial management of Council.

Council has agreed that careful selection and appointment of its Chief Executive Officer is of paramount importance and accordingly has determined that future recruitment action and appointments will be managed in accordance with the policy below. In determining this policy, Council has duly considered the contents of Ministerial Guideline #3.

The *Local Government Act* section 100 states:

- (1) A Council must have a CEO and may have a Deputy CEO.*
- (2) If the CEO is absent or unavailable to carry out official duties:*
 - a. The Deputy CEO, if there is a Deputy CEO who is available to act, acts as CEO; and*
 - b. If there is no Deputy CEO or the Deputy is absent or unavailable to act, a person nominated by the CEP to act in that situation acts as CEO.*
- (3) The CEO must notify the principal member of the Council of a nomination made by the CEO under subsection 2(b).*
- (4) Appointments to the office of CEO are to be made, as occasion requires, by the Council in accordance with the relevant Ministerial guidelines.*

POLICY

(A) Recruitment Process

1. All recruitment action and appointments of a CEO for this Council will be managed directly by Council who will appoint a panel of at least three (3) Elected Members to oversee the recruitment process, determine shortlisting of applicants, undertake interview and referee checks and make recommendation to Council.

2. The Recruitment Panel may seek advice on current best practice in relation to recruitment processes from the local Government Association of NT (LGANT) and/or Local Government Manages Australia (LGMA).
3. Once the Recruitment Panel agrees on a position description and selection criteria, it will appoint a professional recruitment agency to undertake advertising and initial short listing and to act as a facilitator of the recruitment process.

(B) Considerations

1. When appointment the CEO, the Recruitment Panel must consider:
 - a. CEO Skills and attributes. The CEO must have:
 - i. A tertiary qualification in a related field such as law, management, human resources, business or finance, community development, or commensurate work experience which can demonstrate capacity at an equivalent level and the capability of recognised prior learning by an education institution;
 - ii. Proven high leadership and management capabilities; and
 - iii. High level financial governance expertise.
 - b. Any relevant criminal history.
 - i. The Panel must take into account the criminal history of the applicant to avoid the recruitment of an inappropriate person with due regard to the *Anti-Discrimination Act* which warns there should not be discrimination on the basis of an irrelevant criminal record.
 - ii. The definition of ‘relevant criminal history’ may be based on Council policy but should at least include offences of dishonesty and fraud and/or forgery related offences.
2. All conflicts of interest, whether perceived, potential or actual, must be identified and given due consideration.
3. Advertisements for the CEO position must contain, amongst other relevant information, the request to applicants to disclose any foreseeable conflicts of interest and consent to a criminal history check.
4. When recruitment action has been completed, the Panel will make its recommendation to Council who will make the final decision regarding appointment of a CEO. No indication or offer of appointment can be made without formal resolution of Council.

REFERENCES

Local Government Act
Ministerial Guideline #3

FURTHER INFORMATION:

Chief Executive Officer

Approved by:	
Approval Date:	
Review Date:	1 st December, 2017 (annually)
Review Authority:	Chief Executive Officer
Applicable to:	Chief Executive Officer
Version No:	1

1.1.03 – CODE OF CONDUCT (Elected Members)

SUMMARY

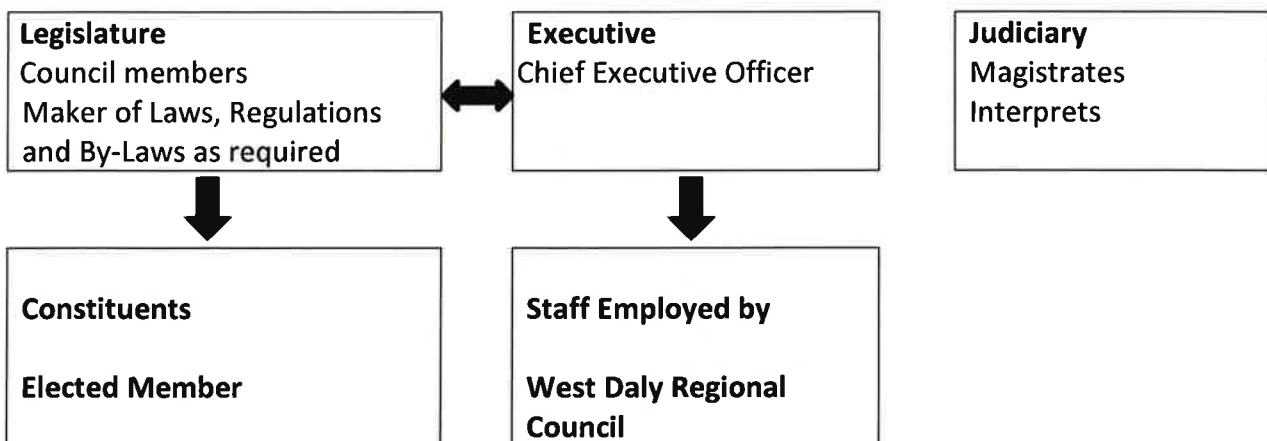
The *Local Government Act* requires West Daly Regional Council to adopt a Code of Conduct that governs the behaviour and actions of all persons associated with the Council. This includes Elected Members and those appointed to a Local Authority.

West Daly Regional Council recognises the importance of democracy and separation of powers and expects that Council and Local Authority members respect the doctrine and as such this Code of Conduct as a commitment to the principle. This code of Conduct is the framework which must be strictly applied supporting transparency, democracy and the institution of government for which Council and Local Authority members of West Daly Regional Council respect and comply with.

UNDERSTANDING SEPARATION OF POWERS DOCTRINE

The **doctrine** of the **separation of powers** in Australia divides the institutions of government into three (3) branches:

1. Legislative – the legislature makes the law
2. Executive – the executive puts the laws into operation
3. Judicial – the judiciary interprets the laws



West Daly Regional Council being the Legislature must accept the doctrine and as such only communicate with the CEO about Council business. At no time should a Council member or a representative of the Legislature interact with employees of West Daly Regional Council on Council business including the prompting for comment or innuendo. The CEO is the only representative of Executive that can respond to any issue that the Council presents, adhering to the separation of powers doctrine.

The CEO has the authority to act in response to any issues that may arise and has the discretion to provide a timeline allowing for investigation.

OBJECTIVE

To promote the high standard of behaviour as the community will often judge a Council according to its perception of the behaviour and image of individual members. It is essential therefore, for all Council members to conduct themselves in a manner that will promote a high standing of the Council within the community.

POLICY

Code of Conduct

1. **Honesty and Integrity**
A member of Council must act honestly and with integrity in performing official functions.
2. **Care and Diligence**
A member of Council must act with reasonable care and diligence in performing official functions.
3. **Courtesy**
A member of Council must act with courtesy towards other members, Council staff, constituents being members of the public, treating everyone with respect and courtesy and without harassment.
4. **Conduct towards council staff**
A member must not direct, reprimand, or interfere in the management of Council staff.
5. **Respect of Cultural diversity, gender, age or disability**
A member of Council must respect an individual's diversity and must not discriminate against others based on their culture, gender, age or disability and on all occasions comply with the *Anti-Discrimination Act*.
6. **Conflict of Interest**
A member of Council, must, if possible, avoid conflict of interest (real or apparent) between their private interests and official functions and responsibilities.

Where a conflict in fact exists, the individual must declare the details to the Chief Executive Officer immediately to ensure the premise of transparency. There is a general ethical obligation for public officers (including both councillors and council officers) to avoid conflicts of interest. The *Local Government Act* sets down particular obligations and prohibitions that apply to councillors and others in relation to 'interests' and 'conflicts of interest'. These obligations and prohibitions must be understood within the specific terms of the *Local Government Act*. In other words, the must be considered separately from the more general rule relation to conflict of interest.

Such conflicts arise where the public official's duty to make decisions or take actions may be reasonably perceived to affect their personal interests. Those interests may be pecuniary, for example, a re-zoning decision that may affect the value of land owned by the official; or non-pecuniary, such as the interests of the official's family or other close associates, or organisations to which the official belongs.

In each case the concern is that the official may be influenced by self-interest, thereby compromising their primary duty to act in the public interest. The public official must therefore be at pains to avoid such situations of conflict.

The rule does not apply to interests held in common with the community; it only applies to interests that are reasonably perceived to be 'material' to the particular situation. An interest in material wherever there is a reasonable perception that it will have an impact on an official's actions. Clearly, the interest must be sufficiently real for the official to be potentially affected by it, not just merely hypothetical or an extreme possibility.

The rule helps maintain public confidence in the operations of government.

7. Respect for Confidences

A member or employee must respect the confidentiality of information obtained in confidence which in an official capacity.

A member or employee must not make improper use of confidential information obtained in an official capacity to gain a private benefit or to cause harm to another.

A member or employee must not make improper use of inside information and/or the employee's duties, status, power or authority in order to gain, a benefit or advantage for the employee or for any other person.

8. Gifts

A member or employee must not solicit or encourage gifts or private benefits from any person who might have an interest in obtaining a benefit from the Council.

9. Accountability

A member or employee must be prepared at all times to account for their performance in regards to the use of Council resources including computers, vehicles, equipment and building.

As a representative of West Daly Regional Council a member of Council or employee must not be under the influence of drugs and/or alcohol where the good reputation of the Regional Council or Local Authorities is questioned.

10. Interests of municipality, region or shire to be paramount

A member or employee must act in a manner where they genuinely believe to be in the best interests of the Council and region.

In particular, a member or employee must seek to ensure that decisions and actions are based on an honest, reasonable, and properly informed judgement about what will be advance the bests interests of the Council and region.

11. Comply with Australian Laws

When acting in the capacity of Council member or employee compliance with all applicable Australian and Northern Territory laws, regulations, Regional Council by-laws and policies is expected.

12. Use of Information and Communication Technology

By using West Daly Regional Council computers and having access to the internet, users are reminded that inappropriate use of electronic equipment may constitute a breach of the Code of

Conduct which may result in further action being taken under the CouncilBiz Information and Communication Technology (ICT) End use Policy.

Council members may face Disciplinary proceedings compliant to Local Government Act division 2. IT is recognised that users may have reason to ICT services for private purposes on occasion.

The use of OCT services for private purposes must not be excessive in the circumstances. The Chief Executive Officer may determine what level of private use of ICT services is appropriate. In the absence of such a determination, use of the ICT services for private purposes must be kept to a minimum and be able to be justified by the user as to why it should be considered appropriate.

Should an Elected member of Council wish to have further clarification on what is expected in this important representative role, please visit the website Local Government Association of the Northern Territory under Publications, a document titled "So You Want to be on Council".

REFERENCES

Local Government Act
Australian Constitution
Ant-Discrimination Act
CouncilBiz Information and Technology (ICT) End user Policy

FURTHER INFORMATION:

Chief Executive Officer

Approved by:	[insert]
Approval Date:	
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Review Authority:	Chief Executive Officer
Applicable to:	All Council employees
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1.1.04 – COMMUNITY BENEFITS GRANTS

SUMMARY

West Daly Regional Council's Community Grants Program aims to encourage community organisations, groups and individuals to deliver new and improved services, projects and programs that benefit the community and the region or objectives. Council wishes to support those organisations, groups and individuals improving the social, natural, built and economic environment through access to community grants.

In addition, Council receives numerous unsolicited requests for financial and in-kind support. Accordingly, Council wishes to establish clear guidelines for the provision of such assistance.

PRINCIPLES

Consideration of any applications for financial and/or in-kind assistance must include the following principles in relation to the application:

- The grant application furthers the aims and objectives of the Local Authority and Council by enhancing the social, cultural and environmental aspects of the community as well as contributing to the local economy.
- The grant application is consistent with the Local Authority and Council's values, policies, strategies and forward planning and will not involve Council to adverse criticism or controversial political or cultural issues.
- Any relationship established by virtue of the grant application will be transparent, produce outcomes of integrity and deliver tangible benefits to the community.
- Use of Council's logos must be approved by the Executive Manager involved.
- The proposed program must be able to demonstrate community enthusiasm and support and have the initial endorsement of the Local Authority.

POLICY

1. Community events including festivals, sports carnivals, school parades etc., are often organised and staged by the community. They may be managed by establishing a community event committee or through the efforts of members of the Local Authority. The Community Benefit Grants Program is designed to assist such events and may also extend to school fund raising support, individual involvement in sports outside their community and projects which would provide ongoing employment and economic or community development.

2. Applications for grant assistance will be sought in two annual rounds during July and September each year and must be submitted in the first instance to the Local Authority in each community for endorsement to Council.
3. Applications for assistance may be submitted using the official form which can be obtained from any Council service centre, or by written submissions that provide full explanation of the aims behind any project, the support being received from the community including endorsement by the Local Authority, a project management plan, a detailed financial budget and an outline of benefits that will flow onto the community.
4. Assistance under this program will be available to:
 - a. Individuals

Individual residents who live within the West Daly Regional Council's boundaries who require assistance for sporting academic, cultural and artistic endeavours including competing in their chosen field outside the community or compassionate and/or cultural purposes not covered by any other source of assistance. Individual grants may not be used for self-profit or for any other purpose than as approved.
 - b. Groups and Organisations

To qualify for assistance, groups and organisations must be located within the West Daly Regional Council's boundaries or the program, if it proceeds, will provide benefits to a significant number of the region's residents. The groups or organisations must be registered as not-for-profit, community based or public charities.
5. Financial or in-kind assistance under the Community Benefits Program will be limited to \$250.00 to individuals or up to \$1,000.00 to non-profit groups and organisations. These limits may be increased or varied by Council resolution.
6. Grants under this program will not be available where:
 - The grant is for self-profit and not for community improvement;
 - Any financial assistance would duplicate Council responsibilities or programs (although programs that would complement existing Council programs would be favourably considered); and
 - Any financial assistance would duplicate or replace Commonwealth or Northern Territory Governments' assistance unless specifically approved by Council.
7. Funding will only be provided once per each calendar year to an individual or group.
8. Financial assistance must be spent in the financial year of allocation and cannot be carried over to the next financial year. Any surplus or unspent funds must be returned to Council.
9. Financial or in-kind assistance can only be used in the manner, and for the purposes, outlined in the original grant application.
10. Applications will be considered by a committee of Elected Members who will consider recommendations from Council officers. The Committee has the authority to approve grants for financial or in-kind assistance. Where the recommended grant exceeds the values indicated in Clause 3, the grant must be approved by Council resolution.

11. On completion of each program, project or grant activity, Council will seek a brief report on the success or otherwise of the activity.

REFERENCES

Local Government Act

FURTHER INFORMATION:

Chief Executive Officer

Approved by:	[insert]
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1.1.05 – COMMUNITY EVENTS

SUMMARY

The West Daly Regional Council supports all community events throughout the West Daly Region provided they are designed to support all community residents and are not favourable to one or two persons at the expense of others. The community event must also satisfy a local need, such as a promotion of local indigenous art, and be enthusiastically supported by the majority of local residents in the community.

This policy outlines guidelines covering Council's support to festivals and events conducted within its boundaries. The policy recognises and supports the need to promote community enjoyment and appreciation of the region's cultural heritage. It also focusses on community capacity building which can be achieved and strengthened by collaboration by all members of the community working in tandem with Council.

POLICY

1. Community events including festivals, sports carnivals, school parades etc., are often organised by the community. They may be managed by establishing a community event committee or through the efforts of members of the Local Authority.
2. The Local Authority for the community intending to stage the community event should indicate its support or otherwise for the event to the Regional Council and the Council Service Manager.
3. The West Daly Regional Council will auspice funding for community events and local Council staff. The event committee will be responsible for planning, coordination and staging of the event and seeking support from funding bodies for the event. The Regional Services Manager may be a member of the event committee but such inclusion is at his/her personal discretion.
4. Council will assist an event committee in seeking funding through such sources as the Community Benefit Fund or Commonwealth grant funding areas. The Council Regional Services Manager in each community, having discussed any community proposal with the event committee, will prepare a submission under the Community Benefit Grants Policy to Council's Grants Officer making appropriate recommendations for financial and/or in-kind support to the event. In-kind support will be limited to use of Council equipment and labour force in preparation. The extent of in-kind support should be discussed with the appropriate Executive Manager. While Council is agreeable to assist in seeking special funding for community events, it gives no assurance or undertaking that its, or others' efforts, will be successful.
5. Council will auspice funding for a supported community event, pay accounts when they are duly recommended for payment and prepare a financial acquittal report on behalf of the event committee for any funding bodies seeking same. The Grants Officer is then responsible for applying and negotiating with funding bodies.

6. Council will encourage new and innovative community events and festivals in accordance with its Strategic Plan. These will feature cultural diversity, support local industry and encourage visitors from outside the community.
7. Where an event, such as a football and sports carnival is based on the major initiative of another local community agency such as the community store, that support will be required to include the cost of freight of any portable toilets. Council will make all efforts to keep community facilities open and available but will not be placed into a situation of excessive cost to provide communal facilities not already available.

REFERENCES

Local Government Act

FURTHER INFORMATION:

Chief Executive Officer

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1.1.06 – CONFLICT OF INTEREST

SUMMARY

This policy outlines procedures to be followed when Elected Members (including members of Local Authorities), employees or their associates having real or perceived conflicts of interest that could affect any Council or Local Authority decision, execution of a Council or community project, program or other activity.

DEFINITIONS

A **“Conflict of Interest”** occurs when an employee, Elected Member, a Member of a Local Authority or their associate has a personal or financial interest in the outcome of a matter being considered by Council or Local Authority regardless of whether this conflict of interest may or may not influence any decision. A conflict of interest can also arise when a Council employee is involved in the management of a project where they have a personal or financial interest in the final outcome.

The *Local Government Act* section 73 (2) outlines exceptions to that interest when the matter involves:

- A query about the level of allowances or expenses being set for Members;
- An interest that the Elected Member or associate shares in common with the general public;
- An interest as an elector or ratepayer that is shared in common with other electors or ratepayers;
- An interest the Elected Member or associate has in non-profit body or association, including appointment or payment of membership fees; or
- An interest so remote or insignificant that it could not be reasonably regarded as likely to influence a decision of Council.

“Disclosure of Interest”. The *Local Government Act* requires the Elected Member or Member of a Local Authority as soon as practicable when they become aware of a conflict of interest in a matter that has or will arise before the Regional Council or Local Authority to disclose their interest at either that meeting as well as to the Chief Executive Officer. Where this occurs the disclosure should be minuted along with any action taken – e.g.: “Councillor X left the meeting for the duration of discussion of this matter”. Once a disclosure has been made to a meeting the Elected Member involved is unable to *“to participate in any decision on the question”* – that is, they are unable to vote on the matter; *Local Government Act* section 74(3)(b).

Similarly, an employee who feels they have a conflict of interest with a Council project program or other operation should disclose this interest to the Chief Executive Officer as soon as possible.

A **“Register of Interests”** must be maintained by the Chief Executive Officer or his/her delegate which contains details of all disclosures made.

POLICY

1. Employees, Elected Members and Members of Local Authorities are required to advise on any potential conflict of interest in a matter that arises, or are likely to arise. This can be done at a meeting at which the Elected Member or Member of a Local Authority attends. This advice should be declared at the meeting before any discussions on the matter commence, or by notification to the Chief Executive Officer prior to the actual meeting.
2. The Chief Executive Officer will maintain a Register of Interests.
3. The Elected Member must not, without the Minister's written approval, be present at any meeting of the Council or Local Authority whilst a matter in which they have a conflict of interest is under consideration nor can they participate in a vote to determine the matter in question.
4. All employees who consider they have a conflict of interest in a Council project, program or other activity, should disclose this conflict of interest to their Executive Manager, Manager or the Chief Executive Officer as soon as the employee realises there is such a conflict. The Chief Executive Officer, Executive Manager, or the Manager will instruct the employee appropriately.

REFERENCES

Local Government Act

FURTHER INFORMATION:

Chief Executive Officer

Approved by:	[insert]
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Review Authority:	Chief Executive Officer
Applicable to:	All Council employees
Version No:	1

1.1.07 – COUNCIL COMMITTEES

SUMMARY

West Daly Regional Council has established two (2) committees.

- Finance Committee; and
- Audit and Risk Management Committee.

1. **Finance Committee**

The *Local Government (Accounting) Regulations 10 and 11* require Council to establish an audit committee monitor:

*“10(2)(b)(i) compliance by the Council with property standards of financial management; and
(ii) compliance by the Council with these regulations and the Accounting Standards.*

11 If a Council is not required to hold an ordinary meeting at least once each month, the Council must appoint a committee and delegate to the committee the necessary powers to carry out, on behalf of the Council, financial functions of the Council in the months the Council does not hold an ordinary meeting”.

2. **Audit and Risk Management Committee**

The practice of risk management is recognised as being a core component of an organisation’s corporate governance framework.

Risk Management is defined through international standards (International Standard for Risk Management ISO 31000:2009) as being an ongoing process of defined steps that are used to support all levels of an organisation’s management of decision making processes by providing a greater awareness of the risks to, and impacts upon, all aspects of business activity.

This document outlines the authority and a responsibility conferred on the internal Audit function by Council and explains the role of internal audit within Council. The Audit and Risk Management Committee Charter is an attachment to the Audit and Risk Management Policy established using the *Local Government (Accounting) Regulations* section 10 as a guide.

The objectives of this policy are to:

- a) Establish an internal, independent, professional audit, assurance and advisory Internal Audit function to monitor and improve its processes, procedures and internal control environment to assist with the management of risks;
- b) Embed a culture of continuous improvement practices across Council;
- c) Provide assurance and assist the Chief Executive Officer, management and the Council and effective discharge of their responsibilities by providing them with analyses, appraisals,

recommendations, counsel, reports and information concerning the activities reviewed and also by promoting effective internal controls at reasonable cost;

- d) Agree with the *Local Government (Accounting) Regulations*.

POLICY

1. Finance Committee

- (i) Council has established the Finance Committee in accordance with the *Local Government (Accounting) Regulations* Part 5.2.
- (ii) Council will nominate five (5) Elected Members to sit on this committee with senior executive staff. The committee will meet monthly.
- (iii) The Finance Committee has been established to:
 - a. To receive reports from Council's Finance Department, monitor expenditure and revenue trends in accordance with Council's budget and make any necessary recommendations to Council;
 - b. To act as a tender committee under the *Local Government (Accounting) Regulations* regulation 29(2)(b) and 30C(1)(e) apply;
 - c. To review at least once annually Council's rating policy, fees and charges and make necessary recommendations to Council;
 - d. To receive the annual audit of financial statements and make recommendation to Council;
 - e. To Consider and make recommendations to Council on all financial matters generally including budgeting, borrowing and investment.

2. Audit and Risk Committee

- (i) Council has established the Audit and Risk Management Committee in accordance with the Local Government Act Part 5.2 with the role, functions, membership and powers as defined in the Audit and Risk Management Committee Charter.
- (ii) Council shall establish a financial budget for the Committee to provide for engagement of external advisors and necessary and for the remuneration of independent committee members.
- (iii) The Committee Charter defines the composition of members of the committee. Council will review committee membership every two years, immediately following the Council general election and at the midpoint in the electoral cycle. The chairman will be appointed by Council.
- (iv) The Committee shall prepare an annual report to Council detailing the activities and recommendations of the Committee.

REFERENCES

Local Government Act

Local Government (Accounting) Regulations

Internal Standard for Risk Management ISO 31000:2009

FURTHER INFORMATION:

Chief Executive Officer

Approved by:	[insert]
Approval Date:	
Review Date:	1 st December, 2017 (annually)
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Applicable to:	All Council employees
Version No:	1

1.1.08 – DEALING WITH PUBLIC COMPLAINTS

SUMMARY

Public relations are a vital part of the makeup of any public organisation and West Daly Regional Council is no exception. Councillors are elected by public opinion and trust and accordingly, Councillors remain extremely conscious of the needs of the constituents. The sole purpose of a Council is to provide local government services to its member communities. There is a community expectation that Council will provide an efficient and universal service. Yet, in so doing, there will be occasions when not all members of the public are totally satisfied with the extent or level of services provided and so will voice their opinions or dissent from time to time.

Comments and complaints from the public should be viewed as valuable tools that allow Council and its employees to gauge the level of public opinion in respect to a particular service and carefully review the services provided. Council and its employees are able to reflect on the type and outcome of services being offered and consider community perceptions. While public complaints and criticism may not always be justified, they should always be carefully considered as a barometer of community expectations and any changed to improve community outcomes implemented where possible.

The other aspect to consider is that if public comments and complaints are not dealt with expeditiously and efficiently, they invariably tend to take on unjustified importance regardless of their details and ultimately it will become more difficult to achieve a universally accepted outcome.

Council's policy is that public complaints should be investigated and responded to as soon as possible after receipt regardless of how vexatious or unjustifiable they may appear.

POLICY

1. All complaints and comments by members of the public regarding Council and/or its services, are to be in writing and recorded in a Register of Public Comment held at each Council office. If required, the complainant should be assisted to write out the complaint providing as much background detail as possible so an investigation can be thorough.
2. The registered complaint should then be directed to the appropriate Executive Manager for investigation and depending on the seriousness may be forwarded on the Chief Executive Officer for response.
3. A written acknowledgement shall be sent to the complainant in all cases within **48 hours** of receipt of any complaint.
4. The complaint will be investigated and any recommendations shall be forwarded onto the appropriate Management delegate. If required, action will be taken to either remedy the problem as soon as possible or determine that no action apart from an explanation is needed. If disciplinary action is appropriate then the Management delegate will action.

5. In all cases, when the matter is resolved by either remedial action or explanation, details of the resolution should be sent to the complainant with a copy to the Executive Manager (if not already handled at that level) and the Chief Executive Officer.
6. Where a matter is raised by an Elected Member either during a Council meeting or privately, details of the explanation or resolution should be forwarded to that member by the Chief Executive Officer or their delegate.
7. If an Elected Member is approached by a constituent outside a scheduled meeting, the Member should immediately refer the matter to the Community Services Manager, Executive Manager or Chief Executive Officer rather than wait to raise the matter at a Council meeting.

REFERENCES

Local Government Act

FURTHER INFORMATION:

Chief Executive Officer

Approved by:	[insert]
Approval Date:	
Review Date:	1 st December, 2017 (annually)
Review Authority:	Chief Executive Officer
Applicable to:	All Council employees
Version No:	1



1.1.09 – ELECTED MEMBERS ALLOWANCES

SUMMARY

The *Local Government Act section 71* provides for payment of allowances to Elected Members “at a rate fixed by Council (subject to any guidelines that the Minister may make) for the relevant financial year”. The level and maximum annual amount payable are determined by Council as part of the Council’s budget for the relevant financial year. To assist Councils’ the Minister for Local Government issues guidelines each year which include a maximum level of allowances that can be paid during the coming year.

Similarly section 72 of the Act provides that Council members “are entitled to payment or reimbursement of reasonable expenses for travel and accommodation necessary for:

- (a) Attending a meeting of the Council, local authority, local board or council committee; or
- (b) Attending to the business of the Council in accordance with a prior resolution of the Council”.

This policy outlines the type, level and background to allowances to be paid to Elected Members. The allowances outlined in the policy are for Elected Members of the Regional Council only. Members of Local Authorities receive meeting fees as outlined in policy # 1.1.14 entitled “Local Authorities”.

Each allowance is determined by Council in conjunction with conditions and maximum levels as contained within the Ministerial Guidelines and applicable legislation. Elected Member allowances do not apply to members of Local Authorities who are entitled to be paid sitting fees and expenses in accordance with the Local Government Act.

DEFINITIONS

Subject to Council resolution, Elected Members are entitled to the following allowances:

BASE ALLOWANCE

This allowance, paid fortnightly in arrears, covers day to day electoral activities of each Member. Authority for payment of the Base Allowance is derived from the *NT Local Government Act* and the Ministerial Guidelines. These guidelines are issued annually by the Minister for the Local Government and set the maximum level of allowance that can be paid to a Member for the relevant financial year. While Council can agree to a lower rate, the total paid over the relevant year cannot exceed the maximum level determined in the Ministerial Guidelines. The annual rate and frequency of payment of the allowance are determined by Council when the Council’s budget for the relevant financial year is adopted. Once set they cannot be altered. (Section 128(2) – *Local Government Act*). The exceptions are specific situations endorsed by Council for payment of an Extra Meeting Allowance. The base Allowance includes, but is not limited to, agenda study and meeting preparation, attendance at scheduled meetings, attendance at community functions as a Council representative including scheduled meetings of a Local Authority within the members ward, constituency responsibilities and Council representation outside the regional area.

ELECTORAL ALLOWANCE

The Electoral Allowance, which is also paid fortnightly in arrears, is provided to assist Elected Members with carrying out electoral (community) matters. Authority for, and guidelines for adoption of the level of the allowance is determined by the Ministerial Guidelines as for the Base Allowance. This allowance may be used entirely at the discretion of the Member. An example might include small payments to community members assisting the Elected Member in gaining an appreciation of a community situation. Any decision to make such payments would be the responsibility of the Member and not reflect any liability towards Council. Electoral or Base Allowances are paid monthly in arrears and Members are not under any obligation to account to Council for their application.

EXTRA MEETING ALLOWANCE

Council has determined that where applicable, Extra Meeting Allowances in compliance with legislation will be covered and be for attendance at those meetings or functions which Council has resolved will be covered by this allowance. This level is based on the daily rate of payment for an Elected Member acting as Mayor. Extra Meeting Allowances are not applicable to the Mayor and Deputy Mayor. The type and level of daily payments are also reviewed annually within the limits outlined in the Ministerial Guidelines. Members should also note that, as with other allowances, Extra Meeting Allowances have a maximum annual level as determined by the Ministerial Guidelines. Once that level of aggregate payment has been reached, no further payments can be made to Members for their attendance at these meetings.

Council has determined the Extra Meeting Allowance will apply to:

- additional Council meetings other than the six ordinary meetings scheduled annually,
- members of Committees for meetings held on days other than the days of ordinary Council meetings;
- inclusion in staff selection meetings;
- any meeting for which the CEO requests the attendance of the Elected Member; and
- all other meetings prior approved by Council for payment of this allowance.

Extra Meeting Allowances can only be paid on receipt of an actual claim by Elected Members. Such claims must be lodged within three months of the meeting or event; claims reflecting attendance more than three months after the event or meeting will not be paid unless by direct resolution of the Council. Only one Extra Meeting Allowance may be claimed for any one calendar day. Claims for payment will only cover actual attendance with the proviso that the Member attends at least 75% of the duration of the meeting. Travelling time prior to and after the meeting will be covered by Travel Allowance at prescribed rates and additional Extra Meeting Allowances are not applicable.

It should be noted that this Allowance is not applicable to either the Mayor or Deputy Mayor or to an Elected Member acting in either position as this allowance is incorporated into the Base Allowance of these positions.

PROFESSIONAL DEVELOPMENT ALLOWANCE

This allowance has been designed to cover any course or conference specifically intended to provide professional development to any Elected Member. Payment of this allowance is subject to approval by Council and is payable on direct claim by the Elected Member. Conditions of payment include confirmation of attendance for at least 75% of the duration of the event where the Member has actually travelled to that event, unless non-attendance is supported by a medical certificate in case of injury or illness. Elected Members should note the maximum amount that can be paid in any financial year is annually set by the Minister.

TRAVEL AND EXPENSES ALLOWANCE

Elected Members are entitled to claim all reasonable expenses and travel costs at the prescribed rate applicable to Elected Members and council staff. Travel Allowance will include attendance at scheduled meetings and events or attending to business of Council in accordance with a prior resolution of the Council.

The meeting or event must be held outside the Member's ward and must meet at least one of the following criteria:

- be in the interests of the West Daly Regional Council;
- be as a result of a formal invitation to the Elected Member to meet with Commonwealth or Northern Territory Government Ministers or departments or instrumentalities such as Power and Water Corporation, Telstra or other relevant non-government organisations;
- formal invitations to relevant meetings with commercial interests who currently or in the future conduct significant business with the Regional Council; or
- a meeting where the Mayor or Chief Executive Officer believe it is important to have a council representative attend.

If an Elected Member is a member of an external organisation or board and that organisation or board pays an attendance allowance or covers expenses involved, that Elected Member will not be entitled to claim travel or expenses from the Council even if that organisation or board is relevant to the West Daly Regional Council. In all instances the Mayor or Chief Executive Officer will have discretion on what is an appropriate claim.

ACTING MAYOR OR DEPUTY MAYOR ALLOWANCE

Where a casual vacancy occurs in the office of Mayor or Deputy Mayor, the person appointed to fill that casual vacancy is entitled to the Base and Electoral Allowances (but not the Extra Meeting Allowance) applicable to the position being filled.

However, the Ministerial Guidelines state that, "*The maximum number of days (including Saturdays, Sundays and public holidays) that a council member may be paid as the acting principal member is an aggregate of 90 days in a financial year. A member may continue to hold the position for a longer period if council so resolves, however, the allowance reverts to the usual rate for that member.*"

The following table is used a guide and applicable from 1 July 2016

ALLOWANCE	ORDINARY COUNCIL MEMBER	DEPUTY PRINCIPAL MEMBER	PRINCIPAL MEMBER
Base Allowance	\$13,151.83	\$27,039.81	\$73,125.37
Electoral Allowance	\$4,812.67	\$4,812.67	\$19,247.18
Professional Development Allowance	\$3,653.68	\$3,653.68	\$3,653.68
Max Extra Meeting Allowance	\$8,767.88	Not applicable	Not applicable
TOTAL CLAIMABLE	\$30,386.06	\$35,506.16	\$96,026.23
<i>Acting principal Members daily rate \$254.42 for maximum of 90 days not exceeding \$22,897.80</i>			

POLICY

1. The maximum level and amount of annual allowances will be determined annually when Council adopts its budget for the forthcoming financial year.
2. Elected Members' Allowances will be paid directly to the Elected Member's banking account. These allowances will be paid in monthly instalments in arrears.
3. Extra Meeting Allowances, Professional Development Allowance as well as Travel and Expenses Allowances must be subject to actual claim while the Base and Electoral Allowances will be remitted monthly.
4. Unless otherwise negotiated with the Chief Executive Officer or delegate, all allowance payments will be at the full amount without deduction for either taxation or superannuation purposes. Elected Members are able to request that taxation be deducted and/or superannuation contributions be paid to a nominated fund.
5. Extra Meeting Allowances for attendance at those meetings or functions which Council has resolved will be covered by this allowance.
6. Council has determined the Extra Meeting Allowance will apply to Elected Members who attend:
 - additional Council meetings other than the six ordinary meetings scheduled annually,
 - as members of Committees for meetings held on days other than days of ordinary Council meetings;
 - inclusion in staff selection meetings;
 - any meeting for which the CEO requests the attendance of the Elected Member; and
 - all other meetings prior approved by Council for payment of this allowance.
7. Extra Meeting Allowances are not applicable to the Mayor, Deputy Mayor or any Elected Member acting as Mayor or Deputy Mayor.
8. Payment of the Professional Development Allowance is subject to approval by Council and is payable on direct claim by the Elected Member. Conditions of payment include confirmation of attendance for at least 75% of the duration of the event where the Member has actually travelled to that event, unless non-attendance is supported by a medical certificate in case of injury or illness.
9. Where a meeting or event is held outside the Member's ward and meets at least one of the following criteria, then a Travel and Expenses Allowance is payable. The meeting or event must:
 - be in the interests of the West Daly Regional Council;
 - be as a result of a formal invitation to the Elected Member to meet with Commonwealth or Northern Territory Government Ministers or departments or instrumentalities such as Power and Water Corporation, Telstra or other relevant non-government organisations;

- there is a formal invitation to a relevant meeting with commercial interests who currently or in the future may conduct significant business with the Regional Council; or
- a meeting where the Mayor or Chief Executive Officer believe it is important to have a council representative attend.

REFERENCES

Local Government Act

FURTHER INFORMATION:

Chief Executive Officer

Approved by:	[insert]
Approval Date:	
Review Date:	1 st December, 20 (annually)
Review Authority:	Chief Executive Officer
Applicable to:	All Council employees
Version No:	1

1.1.10 – ELECTIONS – STAFF POLICY

SUMMARY

In all Northern Territory elections including those held for local government, the NT Electoral Commissioner is the Returning Officer. The conduct of the election will be as laid down in the NT *Electoral Act* and *Local Government (Electoral) Regulations* and in accordance with this policy which will determine the actions and responsibilities of employees of the West Daly Regional Council.

Commonwealth Government elections are conducted by the Australian Electoral Commission under the terms of the *Commonwealth Electoral Act*.

During any official election within the region, employees of the West Daly Regional Council are often asked to assist. This policy defines the level of involvement of staff. The overriding policy regarding elections is that at no time can the Council or its staff be seen to be favouring one candidate over another or taking a leadership role in the election.

A Council employee is disqualified under the *Local Government Act* section 37 to be an Elected Member of the same Council with which they are employed. If a Council employee wishes to contest a local government election (or an election for the Legislative Assembly or the Commonwealth House of Representatives or the Senate) they must resign their position with Council not more than 28 days prior to close of nominations, clearly indicating the reason why and indicating that, in the event they are unsuccessful in their candidature, they intend to apply within seven (7) days of the poll declaration to have their Council employment position restored to them. Their absence will then be treated as unpaid leave between the dates of resignation and reinstatement. Authority for this action is contained in the *Local Government Act* section 110 (1).

POLICY

1. In all dealings with political candidates, their supporters, campaign staff and others, Council staff are to adopt a politically neutral attitude. Under no circumstances is any candidate or political party to be given, or be seen to be given, any assistance or preference over others apart from normal courtesies not related to the election.
2. No election poster is to be displayed on any Council building, vehicle or in the grounds of any Council property. The exception to this will be any candidate's election banners or material on the actual polling day displayed more than ten (10) metres from the entrance to the polling booth, and any material that the Northern Territory Electoral Commission or the Australian Electoral Commission request be displayed.
3. Election material authorised by the Northern Territory Electoral Commission or the Australian Electoral Commission for the purpose of conducting an official election may be displayed in a manner or location as requested by election officials.

4. No candidate for political office is to be permitted to canvass votes or otherwise influence potential voters within the office or grounds of any Council office and no Council member or employee, while on duty, is to engage in activities that could be viewed as promoting any particular candidate. This latter policy does not apply to staff members who, if assisting or working with a candidate, are not on duty at the time.
5. Candidate's election material is not to be stored or held in any West Daly Regional Council building or office. Should material be sent to a community by mail or other means and is received in the Council office, it should be passed as soon as possible to the designated receiver.
6. During any election, officials of the Northern Territory Electoral Commission or the Australian Electoral Commission may request assistance in the form of manpower, furniture or equipment and/or the use of a Council room, office or part of a building. This may be provided and, for the term and purposes of the election, the electoral officials will have full control and authority over the activities surrounding the election.
7. Should the Northern Territory Electoral Commission or the Australian Electoral Commission seek the ongoing use of a Council room, office or part of a building for the purposes of an election, this should be referred to either the Council Service Manager or the Chief Executive Officer to negotiate an appropriate hire rate with the Commission.
8. In addition to the above, Council vehicles and drivers may be used to transport elderly and sick people to and from the polling booth **on the day of polling only**. Council vehicles are not to be used for any purpose connected with the election except as in direct co-operation with, and at the request of, polling booth officials.
9. Any query in respect to this policy should be referred to the Chief Executive Officer.
10. If a Council employee wishes to contest a local government election (or an election for the Legislative Assembly or the Commonwealth House of Representatives or the Senate) they must resign their position with Council not more than 28 days prior to close of nominations, clearly indicating the reason why and indicating that, in the event they are unsuccessful in their candidature, they intend to apply within seven (7) days of the poll declaration to have their Council employment position restored to them. If unsuccessful in their election bid, their absence will be treated as unpaid leave between the dates of resignation and reinstatement and they may resume their previous employment with Council.

REFERENCES

Local Government Act
Commonwealth Electoral Act
NT Electoral Act
Local Government (Electoral) Regulations

FURTHER INFORMATION:

Chief Executive Officer

Approved by:	[insert]
Approval Date:	
Review Date:	1 st December, 20 (annually)
Review Authority:	Chief Executive Officer
Applicable to:	All Council employees
Version No:	1

1.1.11 – ENTERTAINMENT AND HOSPITALITY

SUMMARY

There are certain situations where Council is obliged to cover entertainment and hospitality costs. This policy is designed to provide an indication of such situations where it would be considered reasonable and appropriate that council provides entertainment and hospitality.

Overall, the Chief Executive Officer has the discretionary authority to approve such expenditure depending on the circumstances.

POLICY

1. All entertainment and hospitality expenditure must be incurred in the public interest. This means the Elected Member or officer authorising the expenditure must be able to demonstrate the expenditure would benefit the public generally or facilitate Council business.
2. The cost spent on entertaining and hospitality must be reasonable having regard to the benefit of Council.
3. Expenditure incurred by Council which is found to be private and not reasonable or appropriate should be charged to the person authorising the expenditure.
4. Council will meet the cost of food and non-alcoholic drinks in the following circumstances:
 - a. A list meal can be provided to employees required to work during a meal time and when an alternative meal break period cannot be conveniently taken. This includes committee and working group meetings, conference seminars and training sessions.
 - b. Where a meeting or other function is arranged and employees and visitors will be present during a normal meal period, Council may, if it facilitated the event, arrange for refreshments.
 - c. If an employee attends a meeting or other function at Council cost, Council will pay for meals (including alcoholic drinks) if they are included in the overall cost for the event. Where an employee receives a meal at a non-Council function, then Travelling Allowance, if applicable, will require adjustment.
5. The following examples should be taken as a guide for situations where entertainment and hospitality at Council expense are reasonable and appropriate.
 - a. Civic functions such as a citizenship ceremony or other functions involving the community;
 - b. Employer reward and recognition presentations, such as length of services presentations, employee farewells where a reasonable time has been served with Council;

- c. Anzac and Remembrance Day wreaths;
 - d. Annual Christmas celebration – a contribution may be made by Council to an employee celebration;
 - e. Condolence wreaths and floral presentations;
 - f. Visits by delegates for cultural or economic development purposes; and
 - g. Ordinary and Special Meetings of Council where Councillors work through a meal break.
6. Other types of expenditure considered reasonable as official hospitality include provision of tea, coffee, sugar, milk and morning and afternoon tea for visitors and involved staff.

REFERENCES

Local Government Industry Award
Local Government Act

FURTHER INFORMATION:

Chief Executive Officer

Approved by:	[insert]
Approval Date:	
Review Date:	1 st December, 2017 (annually)
Review Authority:	Chief Executive Officer
Applicable to:	All Council employees
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1.1.12 – Gifts, Tips and Favours

SUMMARY

The intent of this policy is to provide staff with the guidelines to consider when giving and receiving gifts and benefits in the course of their official duties.

As with all areas of local government, activities of the West Daly Regional Council are dictated by procedures largely laid down in pertinent legislation. There are certain core responsibilities such as waste management, roads and parks maintenance. However, there remains a need to be flexible in approach and the Council may determine where they might concentrate their efforts, economic development in remote areas, road works, social aspects of West Daly Regional Council communities or even personal development by imparting transportable skills opening up employment possibilities.

Local Government is a service area and must, by its very constitution, provide for all constituents without prejudice, preference or favour. On this basis alone, Elected Members and employees should derive satisfaction knowing that whatever they might accomplish or achieve, it is with integrity and universality, providing for all in the community equally. Consequently acceptance of any personal gratuities or gifts simply for carrying out prescribed duties and responsibilities is completely inappropriate.

In the normal course of their duties, Elected Members and employees may come across people whom having dealt with Council, wish to express their appreciation for service or assistance provided to them by the Councillor or employee by offering a gift. The Code of Conduct (refer to Policy #1.1.03 – Code of Conduct) specifically forbids Elected Members or employees asking for or accepting gifts and gratuities.

DEFINITIONS

“Gift” means the voluntary transfer of property or the giving of a benefit (including hospitality) to an employee or Elected Member at no charge or at a discounted charge or free of any other consideration as a consequence of the employee or Elected Member’s service on behalf of Council to the person offering the gift.

“Gratuities” are a synonym for gifts and includes any tips or favours as a reward for services rendered.

POLICY

1. All Elected Members and Council employees must not, under any circumstances, accept any gifts or gratuities unless the gift becomes the property of the Council. The only exception to this would be where an Elected Member or an employee is given a gift in recognition of service, condolence, get well, retirement or resignation.
2. In the event that an Elected Member or Council employee accepts any gift on behalf of Council, this must be noted at the next Ordinary Meeting of Council.
3. General Principles associated with expenditure by the Council on gifts and benefits are defined as:

- a. A staff award, reward or other token of recognition;
- b. Hospitality or catering for staff events;
- c. Farewell or retirement gifts for staff;
- d. Catering for farewell or retirement of staff; and
- e. Floral tributes.

4. Celebrations of events such as birthdays, marriages or the birth of children should not be funded using Councils money.
5. With the CEO, relevant Executive Managers or Managers approval staff may purchase with Council funds and give a gift or benefit to a staff member for condolence, get well or to recognise a significant event to the agreed value.
6. Farewell gifts to staff are an important and accepted way of acknowledging the contribution a staff member has made to the Council. With the CEO, relevant Executive Managers or Managers approval a gift and morning tea may be purchased and provided to the agreed value.
7. The agreed value of a gift or benefit will be:
 - Up to the value of \$150.00 for a staff member;
 - Up to the value of \$250.00 for an executive member.

Anything above these values is to be funded by private contribution.

8. Proposed expenditure for formal events are to be considered by the CEO on a case by case basis and must have the CEO's approval to occur.
9. Item 5 of the Code of Conduct is to be followed at all times.

REFERENCES

Local Government Act

FURTHER INFORMATION:

Chief Executive Officer

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Review Authority:	Chief Executive Officer
Applicable to:	All Council employees
Version No:	1

1.1.13 – INFORMATION TECHNOLOGY

SUMMARY

West Daly Regional Council provides access to the internet, electronic software, e-mails and other communication facilities through CouncilBiz. Council requires that electronic facilities are used correctly in a professional and responsible manner. Inappropriate use of this technology will be viewed as a serious disciplinary issue.

Employees and users of Council technology should not access, nor should they have cause to access, material considered being objectionable to others.

POLICY

1. The electronic facility including all e-mails and general software utilised by West Daly Regional Council is to be the only electronic application to be used for Council electronic business communications, accounting or other business. New or external software, other than that supplied or approved through CouncilBiz, is not to be used in any Council application unless agreement has been received from the Executive Management or the Chief Executive Officer.
2. Council provides an e-mail system for business communication. Accordingly, all e-mails sent or received by employees are the property of West Daly Regional Council. Consequently, the Chief Executive Officer, the Executive Management or Manager of any employee has the right to access staff e-mails at any time.
3. Employees are not to send or distribute e-mails containing offensive words, images or pornography under any circumstances. This includes e-mail messages containing derogatory, inflammatory, insulting, or libellous information about any other employee, customer, associate or other person, other organisations or activity.
4. Electronic games and emails containing material such as jokes, personal matters and letters, chain letters or similar, which have no relevance to Council activities, are to be discouraged.
5. Council facilities are not available for downloading material of a personal nature such as films or moves. Council reserves the right to seek reimbursement from any employee of any costs incurred by the actions of that employee in downloading such material.
6. A size limit per mailboxes including Inbox, Sent Items and Deleted Items has been implemented to ensure optimum mail system efficiency. Employees should delete items in their mailboxes on a regular basis.
7. Internet access is granted to all Council employees as a research tool. All files (work related or private) must be scanned for viruses immediately they are downloaded. Information on this procedure can be obtained from the IT Manager.

8. Employees may have limited private use of the internet outside normal office hours including Linked In, Facebook, Twitter and other social networking sites. Private use does NOT include private business transactions or activities, private advertising, political messages, recreational games or personal web home pages.
9. All staff are prohibited from visiting any Internet sites or other Internet facilities that contain pornographic pictures or information, or illegal or offensive data. Logs are reviewed regularly and any inappropriate access will be referred to senior management. Penalty for breach of this policy can be summary for termination.
10. Employees should refrain from downloading any screen saves, pictures or executable files.

REFERENCES

Local Government Act
Local Government Regulations
Fair Work Australia Act

FURTHER INFORMATION:

Chief Executive Officer

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Review Authority:	Chief Executive Officer
Applicable to:	All Council employees
Version No:	1



1.1.14 – LOCAL AUTHORITIES

PURPOSE

Local Authorities are formed to achieve integration and involvement of local communities in the system of Local Government. This policy has been developed to ensure that Local Authorities are run in accordance to the provisions of the Local Government Act and that the community has a strong voice and is actively engaged in their local community affairs.

ORGANISATIONAL SCOPE

This policy applies to all West Daly Regional Council's Local Authorities.

POLICY STATEMENT

The Local Authority established within the boundaries of the West Daly region shall:

1. Advise West Daly Regional Council (WDRC) on service delivery plans including infrastructure requirements for communities and associated outstations, or local region or wards, and to contribute to the development of Councils Regional Plans and Regional Management Plans.
2. Be actively supported by the Council to ensure opportunities exist for residents to meaningfully engage in local government processes.
3. Alert and advise WDRC on new and emerging issues within the scope of WDRC activity.
4. Advise on specific Council, community and social projects that impact on community or region.
5. Advise and support the WDRC staff on local implementation of the Regional Plan, particularly in the area of cross-cultural best practice in the governance and service delivery.
6. Respond to identified community needs, if appropriate, by participating and organising activities such as community events, youth, community safety, housing and community planning and infrastructure development.

DEFINITIONS

Appointed member – means a local authority member who has been appointed pursuant to section 53C(1)(b) of the Act [Section 4, Guideline 8].

Member – includes appointed members and non-appointed members [Section 4, Guideline 8].

Non-appointed member – means a person who is a local authority member by virtue of section 53C(1)(a) or (2) of the *Local Government Act* [Section 4, Guideline 8].

Provisional meeting – means, at the time and place set for a local authority meeting when a quorum has not been established, a majority of appointed members [Section 4, Guideline 8].

Note: A provisional meeting is able to make recommendations to Council pursuant to clause 13 (provisional meeting where quorum not present). There must be more than half of the appointed members present. [Section 4, Guideline 8].

PRINCIPLES

1. Roles and Functions of a Local Authority

The Local Authority shall be a voluntary group that provides advice and recommendation to WDRC on their communities' issues. Recommendations made at Local Authority meetings are not 'final' decisions as Council needs to decide on all issues or requests from all communities.

The functions of a Local Authority include:

- a) To involve local communities on issues related to local government.
- b) To ensure that local communities are given an opportunity to express their opinions on questions affecting local government.
- c) To allow local communities a voice in the formulation of policies for the locality as well as policies for the area and the region.
- d) To take the views of local communities back to council and act as advocates on their behalf.
- e) To take Council information and decisions back to the community.
- f) To contribute to the development of the relevant regional management plan and the relevant municipal or council plan.
- g) To provide a representative of the Local Authority for employment selection advisory panels in relation to managerial positions in the Local Authority area.

2. Membership

a. Membership size

The size of the Local Authority should reflect the community size and structure representing key groups in the community. The membership of Local Authority will include community members, Ward Councillors and Mayor of the WDRC. The number of community members that a Local Authority should have is a minimum of six (6) and up to a maximum of fourteen (14).

People nominated for Local Authority membership are to be approved by the Council at the next Ordinary Meeting of Council.

b. Period of Membership

Local Authority members will be appointed for the term of Council (4 years). Once the new Council is elected, Council will call for new nominations. The previous members will be eligible to apply for new Local Authority membership.

c. Eligibility for Membership

Community residents over 18 years of age who live in the ward, for the majority of the time, can nominate or be nominated for the Local Authority member.

To become a Local Authority member, the candidate needs to fill in a Local Authority Nomination Form. The completed Nomination Form can be handed directly to the Council Services Manager (CSM) or tendered at the next Local Authority meeting. The Nomination Form will then be given to the Governance Department and will be submitted to the Council for Council to deliberate on at the next Ordinary Meeting of the Council.

Council will have the final say on Local Authority membership.

d. Membership Termination

Local Authority members stop being members if they:

- i. Resign in writing;
- ii. Do not attend two (2) consecutive meetings without an apology;
- iii. Finish their 4-year term;
- iv. Convicted of a serious offence or are sent to prison (Council can use its discretion);
- v. Are dismissed by Council.

e. No proxies

A member of a Local Authority may not be represented by a proxy (substitute) during a meeting or provisional meeting [Section 12.08 – Guideline 8]

f. Local Authority Meetings

The following points cover the running of Local Authority Meetings.

A Local Authority:

- i. Shall hold a minimum of four (4) and a maximum of six (6) meetings per year;
- ii. Shall elect a permanent chair at the first meeting of the Local Authority;
- iii. The quorum for a Local Authority meeting will be of half plus one of the community-nominated members;
- iv. Supported by the staff of WDRC who will provide the Local Authority's secretariat and act as advisor to the chair and board but will not run the meeting;
- v. Are advertised through meeting notices with draft agendas at least three days before the meeting;
- vi. Follow and adopt the draft agenda suggested by Council.

g. When reporting to and from the Local Authority

- i. Local Authority members will advise on strategic, not operational matters (operational matters are the responsibility of Council Officers);
- ii. The Council discusses both the Local Authority reports and the management responses and decides on actions;
- iii. The Mayor and Ward Councillors will report to Local Authorities on Council decisions and take the views of the Local Authority to Council;
- iv. Local Authority report to their community about their advice to Council and take community views to Council.

Each new Local Authority will receive training at its first meeting on roles and responsibilities, meeting procedures, council responsibilities and separation of powers.

Anyone wishing to make a deputation to a Local Authority must seek permission from the Local Authority's chair person in writing at least 14 days prior to the meeting.

h. Provisional Meeting where quorum not present

In the event that a quorum is not present for a meeting, but the majority of appointed members are present, the members that are in attendance may hold a provisional meeting [Section 13.1 – Guideline 8].

- i. During a provisional meeting, all agenda items may be discussed and minutes must be kept. [Section 13.2 – Guideline 8].
- ii. Members at the provisional meeting may, by majority vote, make recommendations to the regional council, including Local Authority projects, provided any such recommendation is specifically qualified as being a recommendation of a provisional meeting, rather than the Local Authority. [Section 13.3 – Guideline 8].
- iii. A provisional meeting may not approve the minutes of a Local Authority meeting but a Local Authority may approve the minutes of a provisional meeting. [Section 13.4 – Guideline 8].
- iv. A provisional meeting does not have the powers or functions which a council may have delegated to a Local Authority. [Section 13.5 – Guideline 8].

i. Administrative support and secretariat

Local Authority meetings are convened by the CEO and the Governance Department will be responsible for coordinating the Local Authority meetings.

Dates for Local Authority meetings shall be set on the beginning of the calendar year. If there are any changes to the scheduled meeting time, members of the Local

Authority must be given at least seven (7) days notice about the re-scheduled date, time and venue for the meeting.

Relevant Community Services Managers or staff under the Community Services Managers will provide administration support as required for creating and distributing agendas, recording minutes and organising meeting venue.

Governance Department will be a central depository and will be responsible for keeping records of Local Authority Members' details, agendas, minutes and attendance.

j. Community Meetings

Community meetings can be called at any time. Community meetings are different from Local Authority meetings and these types of meetings will determine their own procedures. Decisions made at these meetings may be used to advise the Local Authority.

k. Local Authority Member Allowances

Local Authority member allowance is a sum of money provided to the Local Authority member when member attends a Local Authority Meeting.

West Daly Regional Council will provide Local Authority Member Allowance to the member in a manner that adheres to the *Local Government Act, Local Government Regulations* and *Local Government Guideline 8*.

Local Authority Members will be paid at the end of the month on which the meeting occurs.

WDRC Staff attending a Local Authority Meeting, as a Local Authority Member within that staff members normal hours of work, will not be paid a Local Authority Member Allowance. If a meeting is held outside the staff members normal hours of work, that staff member, who is a Local Authority Member, will be entitled to the Local Authority Member Allowance.

REFERENCES

Local Government Act

Local Government Guideline 8 – Regional Councils and Local Authorities.

FURTHER INFORMATION:

Chief Executive Officer.

Approved by:	[insert]
Approval Date:	
Review Date:	1 st December, 2017 (annually)
Review Authority:	Chief Executive Officer
Applicable to:	All Council employees
Version No:	1



WEST DALY
Regional Council

1.1.15 – LOCAL GOVERNMENT ELECTION

SUMMARY

Matters included in this policy relation to Elected Members of the West Daly Regional Council.

Matters concerning Local Authorities located within West Daly Region are included in Policy #1.1.14.

1. **General Local Government Elections**

The *Local Government Act* section 85 stipulates that established Councils such as the West Daly Regional Council will hold a general election at intervals of four (4) years commencing from August 2017. The Minister for Local Government will determine the actual date of the election.

Should a vacancy occur for any reason amount Elected Members, a By-Election will be held unless the vacancy occurs less than twelve (12) months prior to the next general election.

2. **Returning Officer**

In all Northern Territory elections, including those held for Local Government, the NT Electoral Commissioner is the Returning Officer. The conduct of the election is as laid down in the *NT Electoral Act* and *Local Government (Electoral) Regulations*.

3. **Eligibility to Stand**

Section 36 of the *Local Government Act* defines eligibility to stand for election and states “a person is, unless disqualified, eligible for election or appointment as a member of a Council is enrolled as an elector in respect of a place of residence within the Council’s area.”

Section 37 of the Act outlines grounds for disqualification and states:

“(1) A person is disqualified from office as a member of a Council if the person:

(a) Holds a judicial office (other than a Justice of the Peace); or

(b) Is bankrupt or subject to a composition or arrangement with creditors under the *Bankruptcy Act 1966 (Cth)*; or

(c) Has been sentenced to a term of imprisonment (which has not expired) of one (1) year or more; or

(d) Is an employee of the Council; or

(e) Is indebted to the Council for rates or surcharge and fails to discharge the debt within six (6) months after the debt becomes due and payable; or

(f) Is certified mentally unfit to carry out the functions of a member.”

4. **Council Employees Wishing to Contest Local Government Elections**

If a Council employee wishes to contest a Local Government Election (or an election for the Legislative Assembly or the Commonwealth House of Representatives or the Senate) they must resign their position with Council not more than 28 days prior to close of nominations, clearly indicating the reason why and indicating that, in the event they are unsuccessful in their candidature, they intend to apply within seven (7) days of the poll declaration to have

their Council employment position restored to them. Their absence will then be treated as unpaid leave between the dates of resignation and reinstatement. Authority for this action is contained in the *Local Government Act* section 110(1). [Refer also to Policy #1.1.10 – Elections – Staff Policy].

5. Caretaker Period – Local Government Elections

Refer to Policy #1.1.01 – Caretaker Period

POLICY

1. The Principle Member of the West Daly Regional Council will be known as the “Mayor” under the terms of the Local Government Act Section 42 (3) whom will be elected by voters during each local government election.
2. The Deputy Principal Member of the West Daly Regional Council will be known as the “Deputy Mayor” and will be appointed in accordance with Section 45 of the Act, at the first meeting of the Council to be held after a general election, to hold office until the next general election or otherwise as Council may resolve.
3. If a Council employee wishes to contest a Local Government Election (or an election for the Legislative Assembly or the Commonwealth House of Representatives or the Senate) they must resign their position with Council not more than 28 days prior to close of nominations, clearly indicating the reason why and indicating that, in the event they are unsuccessful in the candidature, they intend to apply within seven (7) days of the poll declaration to have their Council employment position restored to them. If unsuccessful in their election bid, their absence will be treated as unpaid leave between the dates of resignation and reinstatement and they may resume their previous employment with Council.

REFERENCES

Local Government Act
Ministerial Guideline #2

FURTHER INFORMATION:

Chief Executive Officer

Approved by:	[insert]
Approval Date:	
Review Date:	1 st December, 2017 (annually)
Review Authority:	Chief Executive Officer
Applicable to:	All Council employees
Version No:	1

1.1.16 – MANDATORY REPORTING

SUMMARY

The *Domestic and Family Violence Act* (the Act) section 124A(1)(i) and (ii), requires that every adult in the Northern Territory must report to Police, if they believe on reasonable grounds that either, or both of the following situations exist:

- “.....a person has caused, or is likely to cause, harm to someone else (the victim) with whom the other person is in a domestic relationship.”; and/or
- “....the life or safety of another person (also the victim) is under serious or imminent threat because of domestic violence has been, or is able to be committed.”

The Act at section 125 makes it clear that any reporting of abuse, neglect or violence is not a breach of confidentiality or professional ethics.

West Daly Regional Council employees are required to comply with the Act and this policy endorses such actions and provides information to assist employees in their understanding of their obligations under the *Domestic and Family Violence Act*.

REPORTING ABUSE:

Any person over the age of 18 can report abuse. Normally such a matter is reported to the Local Police Station. If there is no local police officer available, then telephone 131 444 or, if it is to be considered an emergency, telephone 000.

The Act does not require personal details to be divulged to the Police when making a report however, if an employee is making a report in a professional capacity, it is reasonable to provide their name and contact details as a record of their actions.

If the safety of the reporting person or a colleague may be compromised in making a report, then unless the matter is considered to involve the life or safety of another person (also the victim) and there is a serious imminent threat, an immediate report is not necessary however, the matter should be reported to the Police when it is deemed safe to do so.

If a person hears about an incident through hearsay and it meets the definition of serious physical harm, or there is a serious imminent threat to life and safety, then they are mandated to make a report to the Police.

A. Child Abuse

Child abuse reporting can be made directly to the Child Abuse Hot Line on 1800 700 250 or, where it is believed that there is a serious or imminent threat to life and safety, telephone 000. In relation to Council and its employees, this policy advocates only reporting where employees sincerely consider there is a danger to any child.

DEFINITIONS

“Child” includes all persons less than 18 years of age.

“Child Abuse” includes:

- **Physical** – hitting, beating, shaking, biting, burning or any actions which result in the child’s body being harmed.
- **Emotional** – contact criticism, teasing, belittling or constantly shouting and screaming at a child, ignoring or refusing to help, threatening, withdrawing love and affection or threatening to do so.
- **Neglect** – When a child does not have enough food, perhaps does not attend a local school, is homeless, and/or does not have necessary medical, dental and health care (including medication for health conditions).
- **Sexual** – Sexual suggestions, exhibitionism, showing pornography, inappropriate touching and forcing a child to perform sexual acts on another person.

B. Domestic and Family Violence

Domestic and family violence includes all forms of violence between intimate partners and violence between members of a family, household or community. This violence may include but is not limited to physical abuse, sexual assault, social isolation, property damage, financial damage, deprivation, emotional abuse and spiritual abuse.

C. Violence between men and women

The Act is not gender specific in relation to men and women. It could therefore cover a situation equally where a woman is the offender and man was the victim.

POLICY

West Daly Regional Council does not condone any form of abuse.

West Daly Regional Council and its employees are bound by the *Domestic and Family Violence Act* and Council is committed to the good order, health and welfare of the communities in which it works. Consequently, where employees sincerely believe there is a reportable offence occurring in their community, they must report their knowledge to the appropriate authorities.

If unsure, contact should be made with the Human Resource Manager to discuss any allegations. Doing nothing is an offence as it is mandatory to report abuse.

Should any member of Council need to report abuse, they will have the total support of West Daly Regional Council.

REFERENCES

*Domestic and Family Violence Act
Local Government Act and Regulations*

FURTHER INFORMATION:

Chief Executive Officer

Approved by:	[
Approval Date:	insert]
Review Date:	1 st December, 2017 (annually)
Review Authority:	Chief Executive Officer
Applicable to:	All Council employees
Version No:	1



1.1.17 – MAYOR’S WORK ENTITLEMENTS

SUMMARY

The Purpose of this policy is to:

1. Ensure that the Mayor has the facilities and equipment required to perform his/her duties; and
2. Make clear how these facilities and equipment are to be used.

POLICY

OFFICE SPACE

The Mayor will have access to office space both at the West Daly Regional Council Head Office in Darwin and the Council office of their home community. The office space will be equipped with access to a telephone, computer, printer, internet and email facilities.

MOBILE PHONE

The Mayor will have a mobile phone with limited private use. “Limited Private Use” means the use of the phone is predominately used for work purposes. The Mayor will be required to reimburse the Council all excessive or obviously personal use (for example: premium rate telephone calls and credit services).

MOTOR VEHICLE

The Mayor will have full private use of a council vehicle, in line with the Council Vehicle Policy and Rules. “Full Private Use” means year-round access to the vehicle. The Mayor can use the vehicle in the Northern Territory, whether on official council business or not.

The Mayor’s spouse can also drive the car and must also follow Council Vehicle Policy and Rules.

West Daly Regional Council will pay all vehicle operating expenses (ie: fuel, oil, comprehensive insurance, registration, repairs and servicing) in relation to the Council provided vehicle.

The Mayor will at all times, maintain, service and clean the car in an appropriate manner. At the end of his/her term, the Mayor will return the car in good order to West Daly Regional Council.

DISCIPLINARY ACTION

Failure to comply with this policy is deemed a disciplinary matter and will be dealt with under the Local Government Act and Council’s disciplinary procedures.

REFERENCES

Local Government Industry Award
Local Government Act

FURTHER INFORMATION:

Human Resource Advisor

Approved by:	[insert]
Approval Date:	
Review Date:	1 st December, 2017 (annually)
Review Authority:	Chief Executive Officer
Applicable to:	All Council employees
Version No:	2



1.1.18 - MEDIA

SUMMARY

It is imperative that there be a consistency regarding messages with all media releases, live interviews, press articles and other media contacts in respect of the activities, policies and proposed future programs and projects of West Daly Regional Council.

This policy has been adopted to provide the required consistency of interaction with the media. For the purposes of this policy, "media" refers to all releases, public newspapers, magazines, television, radio and other journalistic outlets regardless of whether they are live to air or recorded. Refer also to Policy #2.1.35 – Social Media.

POLICY

1. The official spokesperson for West Daly Regional Council is the Mayor.
2. In the event that the Mayor is unavailable, then the Deputy Mayor, Chairperson of the Local Authority Committee or a Councillor may respond consultation with the Chief Executive Officer. If it is an administrative matter, then the Chief Executive Officer has the discretion to talk directly to the media if required.
3. During any general election of Council, the Chief Executive Officer will be the spokesperson between the date of calling for nominations until the poll is declared.
4. If a request for a media response is received from the media by the Chief Executive Officer, the request will be referred to the Mayor in the first instance and he/she will either respond or may select the appropriate person to respond.
5. No West Daly Regional Council employee is authorised to speak to the media on any Council issue without the prior approval of the Chief Executive Officer.
6. On those occasions when it is appropriate for an employee to talk to the media, then this will be either the Chief Executive Officer or a person appointed by the Chief Executive Officer to do so.
7. If it is necessary or expedient for the Chief Executive Officer to speak directly to the media to ensure the overall reputation of Council is protected and/or enhanced, then they will do so.
8. When speaking to the media, an Elected Member shall ensure that they state their position and whether they are commenting as a private citizen providing a private viewpoint or as an Elected Member on behalf of Council.
9. While Elected Members often need to be responsive to community issues, they also need to adequately communicate the attitudes and decisions of Council. In so doing, Elected Members should acknowledge that:

- a. As a member of Council, there is a respect for the decision making processes which are based on a decision of the majority of Councillors;
 - b. Information of a confidential nature must not be communicated;
 - c. Information relating to decisions of Council on approvals or permits should only be communicated by the Chief Executive Officer of delegate;
 - d. Information concerning adopted policies, procedures and decisions of Council is conveyed accurately;
 - e. Any expression of personal views must not indicate disrespect for Council, its decisions, processes or other Elected Members or employees.
10. Elected Members and Council employees are not to use or disclose information gained in the ordinary business of Council in a way that may cause significant damage or distress to any person, damage to Council interests or confer an unfair commercial or financial advantage to a person or business when dealing with the media.
11. When a significant event has occurred or is being planned or Council wishes to issue a media release to comment on a specific issue, then this release must be approved by the Chief Executive Officer and the Mayor. If the Mayor is not available, then the Deputy Mayor is to be contacted for approval. Copies of the media release will be transmitted to all members of Council.

REFERENCES

Local Government Act

FURTHER INFORMATION:

Chief Executive Officer

Approved by:	[insert]
Approval Date:	
Review Date:	1 st December, 2017 (annually)
Review Authority:	Chief Executive Officer
Applicable to:	All Council employees
Version No:	1



1.1.19 – MEETING PROCEDURES

1. SUMMARY

The Meeting Procedures Policy has been developed to provide a structure for the orderly and efficient proceedings of meetings.

2. ORGANISATIONAL SCOPE

This policy applies to all Council, Finance and Audit Committee meetings. For Local Authority meetings refer to Policy #1.1.14 – Local Authorities.

3. POLICY STATEMENT

West Daly Regional Council acts as a representative, informed and responsible decision maker in the interests of its constituencies and to exercise and perform its powers and functions of Local Government as assigned under the *Local Government Act*.

4. DEFINITIONS

This policy applies to all Council, Finance and Audit Committee meetings. For Local Authority meetings

Agenda - means a list of items for consideration at the meeting together with reports and other attachments relating to those items.

Amendment - means a motion that is seeking to amend or alter an existing motion.

Casting Vote – means a vote that may be exercised by the chairman in the event of a tied vote.

Chairperson - means the person who is presiding over an official meeting of Council.

CEO – means the Chief Executive Officer of West Daly Regional Council.

Committee – means the Committee established by the Council.

Confidential Session – is a meeting of Council or a Committee from which the media and the public has been excluded by a resolution carried in accordance with Regulation 8 of the Local Government (Administration) Regulations.

Councillor - means the elected member of the West Daly Regional Council.

Deputy Mayor – means the Deputy Mayor of the West Daly Regional Council.

Ex Officio - refers to a right, because of the office held, of a person to attend a meeting. For example, the Mayor has the right to attend, and be a member of, every Local Authority within the region of West Daly Regional Council.

Mayor – means the Mayor of the West Daly Regional Council.

Meeting Room - means any location inside the doors of the room being used for the meeting, but does not include any area set aside the public media representatives or guests.

Minutes - means the record of the proceedings of any meeting of the Council and its committees.

Motion - is a formal proposal for the meeting to consider. In most cases it requests a mover and a seconder before it can be officially debated.

Mover - is a person at a meeting who initiates the motion.

Notice of Motion - is the provision of advice of intention to seek movement of a particular motion at a specified meeting. Notices of Motion are to be in writing and specify the wording of the foreshadowed motion.

Ordinary Meeting of Council – refers to publically scheduled meetings of Council as specified in the *Local Government Act* section 58(1).

Point of Order - is taken when an Elected Member official draws the attention of the chairman of the meeting to an alleged irregularity.

Put to the Vote - means the act of the Chairman of a meeting in formally seeking participants views on a particular motion in order that Council, as a whole, can determine its policy or decision on a particular matter.

Quorum – is the minimum number of members needed to be present to constitute a valid meeting of Council. The *Local Government Act* section 61(2) states “A quorum at a meeting of a council consists of a majority of the council’s members”. If there are five (5) Elected Members, including the Mayor, a quorum of an ordinary meeting of Council would be 3 being 50% + 1.

Record - means a document including a any written or printed material or object that is or has been made or received in the course of official duties by a Councillor or an employee of the Council and, in particular, includes the minutes of meetings of the Council or Committee of the Council.

Resolution – is a motion that has been passed by a majority of Councillors at the meeting. While in practice it means the ‘council decision’, the word ‘resolution’ also indicates the process by which the decision was made.

POLICY

1. MEETING ATTENDANCE

- a. Elected Members are expected to attend every Ordinary Council meeting. If they are unable to attend, they should send an apology no later than 24 hours before the scheduled commencement of the meeting and explain why they are unable to attend the meeting. Such apologies may be provided to the Mayor, Chief Executive Officer or to the Community Services Manager in the home community of the Elected Member.
- b. In accordance with the *Local Government Act* section 39(1)(d), if an Elected Member is absent, without permission of the Council, from two (2) consecutive meetings of Council, then it is considered that the Elected Member ceases to hold office. An acceptable apology must be provided to Council to obtain permission from Council to be absent from a meeting.

- c. Elected Members may attend Ordinary, Special or Committee meetings by technological means (such as audio or audio-conferencing facilities) where these means are available and by giving reasonable notice to the CEO or the Community Services Manager. This procedure satisfies requirements of the *Local Government Act* section 61(4)(a).

2. SCHEDULE OF MEETINGS

- a. The dates, times and paces of all Ordinary Council meetings and Committee meetings will be determined annually in advance by Council, normally at its last meeting before the end of the financial year. The schedule will be provided to all Elected Members and displayed on Council's website and constitutes notice of those meetings in compliance with the *Local Government Act* section 59. In a year of a general election of Council, Council shall establish meeting dates and times for the remainder of the calendar year at the first Ordinary Council meeting following the general election.
- b. Ordinary Council meetings are scheduled every second month with an extra Council meeting to be held in intervening months. A claim for an extra meeting allowance may be made for these meetings.
- c. Council may resolve to change the date and time of any scheduled Ordinary Council meeting in circumstances where it would be inappropriate to conduct the meeting such as when prior knowledge indicates that a quorum is unattainable.

3. PUBLIC ATTENDANCE

- a. All Ordinary meetings of Council will be open to the public except for those closed sessions where confidential matters are discussed.
- b. A member of the public attending an Ordinary or Special meeting of Council must not take part, or attempt to take part, in the proceedings of a meeting unless invited to do so by the Chairperson.
- c. As a matter of protocol any visitor at a meeting for another Local Government, Territory, State or Federal jurisdiction, whether formal or informal, will be acknowledged and introduced to Council at the beginning of the meeting.
- d. A deputation wishing to attend and be heard at a meeting must apply to the CEO no less than five (5) working days before that meeting. The application must state the reasons for wishing to attend and be heard. The CEO on receiving the request must inform the Mayor of the intention. The Mayor will decide if the deputation will be heard and advise the CEO accordingly. If the deputation is to be heard, the CEO shall indicate a suitable time of the agenda. Any speaker from the deputation addressing Council must be temperate in speech and manner and must not use insulting or offensive language.
- e. The Chairperson may halt an address by a person in a deputation if the Chairperson is satisfied the purpose of the deputation has been sufficiently explained or the person is severe in speech or manner or uses insulting or offensive language.
- f. Each Ordinary meeting of Council will include a period where members of the public may ask questions of the meeting. The Chairperson may invite questions, submissions or comments from members of the public at the meeting however is not obliged to do so.
- g. If the Chairperson feels that a questions, comment or statement from a member of the public at a meeting of Council is offensive, irrelevant, culturally inappropriate, and unduly

long or deals with a confidential matter, the Chairperson may rule the matter out of order and proceed to deal with or proceed to the next item of business.

4. CHAIRPERSON

- a. At all Ordinary meetings of Council the Mayor will chair the meeting or, if they Mayor is absent for any reason, the Deputy Mayor will preside. In the event that neither the Mayor or the Deputy Mayor are available to chair the meeting, a Chairperson, for that meeting only, will be from an Elected Member who is in attendance.

5. AGENDAS AND MINUTES

- a. The order of business for an Ordinary meeting or Council shall be (as follows or as the Council from time to time may determine).
 - i. Formal opening of the meeting by the Mayor;
 - ii. Persons Present;
 - iii. Apologies and Leave of Absence;
 - iv. Disclosure of Interest;
 - v. Confirmation of Minutes from previous ordinary and special meetings;
 - vi. Confirmation Minutes from Finance and Audit Committee meetings;
 - vii. Minutes from the Local Authority Meetings;
 - viii. Incoming and Outgoing Correspondence;
 - ix. Matters referred to Council from a Committee;
 - x. Chief Executive Officer report
 - xi. Reports from Community Services Managers for each community;
 - xii. Human Resources report;
 - xiii. Financial Report;
 - xiv. Common Seal Report;
 - xv. Call for items of General Business;
 - xvi. Closed Session for Confidential Items;
 - xvii. Next Meeting details;
 - xviii. Close of meeting.
- b. The Agenda (and any attachments) for an Ordinary meeting will be circulated to all Elected Members and available on the Council's website at least three (3) working days prior to the scheduled meeting of the Council.
- c. In the case of a Special Meeting then the Agenda (and any attachments) will be circulated to all Elected Members and available on Council's website no less than (4) hours prior to the scheduled time of the meeting.
- d. All meetings will be minuted with the draft minutes being uploaded onto Council's website no later than ten (10) days following the date of the meeting. Such draft minutes will have been checked by the CEO for accuracy and must clearly bear the watermark "unconfirmed".
- e. All Council minutes are to be available for downloading from the website or for reading at any Council office.
- f. The Confidential agenda and minutes will be restricted to Elected Members, the CEO and Council's Executive Management Team.

- g. An Elected Member may give written notice of at least ten (10) working days to the CEO of a motion to be considered at the next Council meeting. The CEO will include this item on the relevant agenda.

6. MOTIONS, DEBATES, RESOLUTIONS AND VOTING PROCEDURES

- a. All motions must have a mover and a seconder to allow debate. If a motion has no seconder, it will be recorded in the minutes as having lapsed. Debate can only proceed on the basis of a motion being formally accepted by the Chairperson. Notwithstanding, a mover of a motion or an amendment to a motion, may speak in support of the motion or amendment before it is seconded.
- b. Where an Elected Member has given due notice of an intended motion under Clause 22 and for whatever reason, that Elected Member is not in attendance at the meeting, the motion may be:
 - i. Moved by another member at the meeting; or
 - ii. Deferred to the next Ordinary Meeting of Council.
- c. Debate on any motion on the floor will commence with the Chairperson asking for, and allowing, any Elected Member to speak against the motion. Debate will continue until all elected Members that wish to speak for or against the matter have been heard.
- d. An Elected Member speaking for or against the motion, must confine his or her remarks to the matter under consideration.
- e. When a motion has been moved and seconded but not put to the vote, it becomes the property of the meeting and may not be withdrawn without the consent of the Councillors present.
- f. An Elected Member may move an amendment to a motion so long as the amendment still relates to the motion. Any amendment must not negate the intent of the original motion. For example: If Council X and Councillor Y moved a motion for a Council to have a community swimming pool closed, an amendment that specifically stated the swimming pool was to remain open could not be moved, although an amendment that the pool be closed only on certain days could be allowed for debate.
- g. An Elected Member who moves or seconds a motion shall not propose or second an amendment to the motion.
- h. The Chairperson shall rule on any proposed amendment and may reject any amendment to the motion that attempts to negate the original motion or replace the original motion.
- i. Only one amendment to a motion can be dealt with at any one time. Once an amendment has been moved, no further amendment can be considered until that amendment is disposed of, either because it lapses for want of a seconder, or is seconded and put to the vote.
- j. Council must dispose of any amendment motion that has been formally moved and seconded, before it deals with the original motion.

- k. If an amendment to a motion is lost, further amendments may be considered until a motion is carried (be it the original motion or a variation of it).
- l. The Chairperson of a meeting may impose a time limited on any speeches in support or against a motion.
- m. Once all debate on a motion is concluded, but before the motion is put to the vote, the mover of the original motion has a right of reply and may speak of all observations made in reference to the motion.
- n. If the Chairperson decides that any motion, amendment or other matter (including a matter he or she considers to be objectionable) is out of order, it must be rejected and not be considered further.
- o. The Chairperson of a meeting has the right to conclude debate on a motion if he or she considers there has been sufficient debate on the topic. Similarly, an Elected Member wishing to end the debate and have voting concluded on the original motion, may move that "the motion be now put". If a seconder concurs with the motion to have the original/amended motion put to the vote, and Councillors present agree, then the motion that "the motion be now put" is voted upon and, if passed, then the chairperson is to seek an immediate vote on the original motion.
- p. A Councillor can move a motion to have debate on a matter put off to the next Council meeting and have the meeting move to the next item of business:
 - i. If the motion is carried, the CEO must ensure the matter is included in the agenda for the next meeting; or
 - ii. If the motion is lost, the chairperson must not accept a similar motion within 30 minutes after the motion was lost.
- q. The Chairperson may move or second motions as well as take part in a discussion upon any motion or business before the meeting and when doing so shall adhere to the general procedures for motions.
- r. A resolution passed by Council may only be altered or negated within three (3) months of its adoption, by a further motion which must have the support of at least three (3) Elected Members. This further motion is known as a Rescission Motion and recorded separately in the minutes.

7. MEETING BEHAVIOUR AND RULES OF CONDUCT

- a. If the Chairperson indicates an intention to speak to a matter under consideration, any Councillor speaking, or proposing to speak to the debate, must be silent until the Chairperson has been heard.
- b. Elected Members must address other Elected Members and Council employees properly and courteously at meetings and may not make inappropriate personal remarks or suggest improper motives about any other Elected Member or Council employee at a meeting.
- c. An Elected Member may ask a question at a meeting for reply by another Member or Council employee. The Chairperson will accord such time as necessary for the response. A question raised during a meeting shall be asked categorically and without argument and

- no discussion shall be permitted at the meeting in relation to the reply or a refusal to reply.
- d. An Elected Member or Council employee of whom a question is asked as per Clause 7c., may request that the question be taken on notice until the next meeting.
 - e. An Elected Member may ask a question at a meeting for reply by another Member or Council employee. The Chairperson will accord such time as necessary for the response. A question raised during a meeting shall be asked categorically and without argument and no discussion shall be permitted at the meeting in relation to the reply or a refusal to reply.
 - f. An Elected Member or Council employee of whom a question is asked as per Clause 7c., may request that the question be taken on notice until the next meeting.
 - g. All Elected Members shall, at all times during a meeting, address and refer to another Member or Council employee by the Member's or Employee's official title or designation.
 - h. At all times the Chairperson must maintain order within the meeting and call upon any Councillor present to come to order if considered necessary. A Councillor who considers that another Councillor is out of order may also request the Chairperson to maintain order. This includes the right of the Chairperson to ask an Elected Member to resume their seat and cease talking if, in the Chairperson's opinion, that the Elected Member is out of order, is overly loud and abusive or is being offensive.
 - i. Any call for order must be dealt with immediately, without further discussion, in accordance with Council's Code of Conduct (refer Policy #1.1.03 Code of Conduct (Elected Members)). Where a Councillor calls for order, the Chairperson must rule on the call by determining whether the comments made by any Councillor are out of order or not.
 - j. Where the Chairperson rules that a Councillor is out of order on more than three (3) occasions at a meeting, he or she will request the Councillor to leave the meeting.
 - k. An Elected Member is guilty of an act of disorder if, at a meeting:
 - i. The Elected Member is in breach of the *Local Government Act and Regulations* or this policy;
 - ii. The Elected Member uses language that, according to common usage, would be considered disorderly or offensive.
 - iii. The Elected Member is dressed and/or conducts themselves in a manner or uses an expression inconsistent with good order and decorum, or
 - iv. The Elected Member says or does anything calculated to bring Council into public disrepute or contempt.
 - l. If two or more Elected Members speak at the same time, the Chairperson will decide the order of speaking.
 - m. At all times during a meeting, the Chairperson has the right to demand that any person present (member of the public, Council employee or Elected Member) leave the meeting for a specific or indefinite time if, in the Chairperson's opinion, that person is out of order, is overly loud, abusive or is being offensive.

- n. The Chairperson may, when disorder arises at a meeting, adjourn the meeting without notice for 15 minutes and quit the Chair. On resumption of any meeting adjourned for disorder, the Chairperson shall immediately move a motion, which does not require a mover or a seconder and which shall be put without debate, to determine whether the meeting is to proceed. Where the motion is lost, the Chairperson shall declare the meeting closed.
- o. Members of the public and any Council employees may be asked to leave a meeting when Council is dealing with matters defined as “confidential” under the *Local Government (Administration) Regulations* regulation 8.
- p. The meeting should formally resolve to move into “Confidential Matters” and similarly formally resolve to move out of “Confidential Matters” and revert to the Ordinary meeting. Such resolutions and times of passing are to be recorded in the minutes.

8. VOTING

- a. At all meetings, every Elected Member present shall vote when a motion is put except where the Act requires otherwise provides. If any Elected Member who is required to vote at the meeting fails to do so, the Chairperson shall call upon the Member to vote.
- b. At any meeting where there is an equal division of votes upon any motion, the Chairperson may cast a second vote*. This is known as a “casting vote”.

*NOTE: The determination by Council on whether the Chair can have a casting vote can only be made at the first meeting following a general election and cannot be changed during the term of the Council (refer *Local Government Act* section 71(7)).

- c. The Chairperson shall, in taking the vote on any motion or amendment, put the question first in the affirmative and then in the negative. The Chairperson may do so as often as is necessary to determine the majority.
- d. Voting shall be by a show of hands except where the Chairperson considers a secret ballot is required as in an internal election or where an Elected Member is prevented by a physical disability when a separate system of voting may be agreed upon. Where voting is unanimous, this is to be reflected in the meeting minutes.

9. QUORUM

The Local Government Act section 61(2) states:

“(2) A Quorum at a meeting of Council consists of a majority of the Council’s members.

“(3) If a quorum is not present within 30 minutes after the time appointed for a meeting, the meeting is postponed to a time and place fixed by the CEO and notified to the members.”

If it is known in advance that a quorum is unattainable, the CEO, in liaison with the Mayor, shall cancel the intended meeting to a time and place to be indicated.

10. COMMITTEE MEETINGS

- a. Committees of Council shall follow the same procedures as provided for other Council meetings unless the committee resolves otherwise.

- b. Minutes of committee meeting shall be included in the agenda of the following Council meeting as a recommendation for Council to adopt in whole, or part, or be simply noted with no further action required.

11. LOCAL AUTHORITY MEETINGS

- a. The minutes of all Local Authority meetings held in the period since the previous Council meeting shall be tabled and any recommendations or observations duly noted and actioned. Where a decision is made based on the comments/recommendations of a Local Authority, details of the decision shall be transmitted to the next meeting of that Local Authority.
- b. The Mayor is ex officio a member of all Local Authorities within Council’s boundaries.
- c. Each Local Authority Chairperson is considered the meeting Chairperson for their Local Authority meetings.
- d. Local Authorities shall hold at least 4 (four) meetings annually but no more than 6 (six).
- e. The Council Services Manager shall provide secretarial services to the Local Authority in their community.

REFERENCES

Local Government (Administration) Regulations

FURTHER INFORMATION:

Chief Executive Officer

Approved by:	[insert]
Approval Date:	
Review Date:	1 st December, 20 (annually)
Review Authority:	Chief Executive Officer
Applicable to:	All Council employees
Version No:	1



1.1.20 – PERSONAL TAX LIABILITY

SUMMARY

From time to time, various allowances are paid to Elected Members and employees. These allowances extend from the Base, Electoral and Professional Development Allowances paid to Elected Members to Travel Allowances and expenses paid to Members and employees.

As a general rule, all these allowances are paid to the recipient without consideration of personal taxation – ie: no taxation deduction made.

If an Elected Member is an employee of a community agency or otherwise, the amount of allowances will also be included in their gross earnings and may affect their annual taxation return calculations. Should an Elected Member or employee have concerns as to the level of taxation being deducted from their payments, they should discuss the matter with the Human Resources Manager or the CEO.

POLICY

1. As a general rule all allowance payments made to Elected Members and employees will be gross and without deduction of either personal taxation or superannuation contributions.
2. It is the responsibility of Elected Members or employees to make necessary arrangements with the regional office of Council for voluntary deductions to be made from their gross payments.

REFERENCES

Local Government Act

FURTHER INFORMATION:

Chief Executive Officer

Approved by:	[insert]
Approval Date:	
Review Date:	1 st December, 2017 (annually)
Review Authority:	Chief Executive Officer
Applicable to:	All Council employees
Version No:	1

1.1.21 – PRIVACY AND CONFIDENTIALITY

SUMMARY

The West Daly Regional Council is committed to a right of privacy to all individuals who have business dealings with Council. Council will undertake necessary actions to ensure that personal information provided by customers and employees remains strictly confidential.

This policy applies to employees and customers of Council and covers personal information that is collected, retained, stored and used by Council where it is necessary for one or more of the Council's functions or activities.

DEFINITIONS

Personal Information – can be defined as information or an opinion (including information forming part of a database) whether true or not, and whether recorded in a material form or not, about an individual whose identity is apparent, or can reasonably be ascertained, from the information or opinion. It is therefore any information that can be used to identify an individual.

POLICY

1. Collection of Personal Information

- a. Council will only collect personal information if it is necessary for one or more functions or activities or is collected in order to comply with laws and regulations.
- b. Whenever Council collects personal information about a customer or employee, that information and the reasons for its collection will be shared with those customers or employees upon request. The information collected may not be provided to other customers or employees who are not connected or involved.
- c. Council and its employees will only use personal information for the purposes for which it was collected and for any other use authorised for required by law, including law enforcement and compliance activities.
- d. Sensitive information shall not be collected without consent unless the collection is required by law.

2. Use and Disclosure of Personal Information

- a. Council will not divulge information to a third party outside Council for their independent use unless the person to whom the information relates has authorised Council to do so, or the disclosure is required or allowed by law. Council and its employees will not sell, trade or make available personal information to others. Information provided by members of

the public will only be shared with other business units with the West Daly Regional Council where necessary.

- b. Contracts with third parties will include clear provisions about the purposes for which the contract is to use the information and other provisions necessary to ensure the contractor does not make unauthorised disclosures. They will also contain provisions about how the contractor is to keep the information secure and what they must do with the information when they have completed the contracted out activity.

3. **Data Quality**

Council will take all reasonable steps to ensure that customers' personal information is accurate, complete and up to date. Council will respond to any requests from the public to correct inaccurate information in a timely manner.

4. **Data Security**

- a. Council will take steps to protect the personal information it holds from misuse and loss and from unauthorised access, modification and disclosure.
- b. Council employees are responsible for protecting personal information from misuse, loss, corruption or disclosure. Personal information will be handled with care and only used for authorised persons.
- c. All employees must maintain public confidentiality and respect of the privacy of individuals who have dealings with Council. Employees must treat all personal information as confidential and sensitive information as highly confidential. Council employees will not disclose any confidential information, use any information to their personal advantage or permit unauthorised access to such information.
- d. Council files are strictly confidential and under no circumstances should a member of the public have access to files. Employees must also be conscious of security with the office environment when members of the public are present. External customers must not be left unattended with Council files.
- e. Destruction of records containing personal information, including personal records, must be by secure means. Ordinarily, garbage disposal or recycling or intact documents are not secure means of destruction and should only be used for documents that are already in the public domain. Reasonable steps to destroy paper documents that contain personal information include shredding, pulping or the disintegration of paper. All computers that are removed from use and made available for non-Council purposes will have all data removed from the hardware.

5. **Access and Correction to Data**

- a. Individuals are permitted to access information about them which is held by Council. Individuals are entitled to know generally what sort of information Council holds about them, for what purposes and how it collects, holds, uses and discloses that information.
- b. Requests for access to such information are to be made in writing to the Human Resources Manager.

- c. Council will respond to public requests to correct information in a timely manner.
- d. Council will provide written reasons when a request for access or correction of personal information is refused.

6. Anonymity

Whenever it is lawful and practicable to do so, customers will be given the option of not identifying themselves when dealing with Council.

REFERENCES

Local Government Act

FURTHER INFORMATION:

Chief Executive Officer

Approved by:	[insert]
Approval Date:	
Review Date:	1 st December, 2017 (annually)
Review Authority:	Chief Executive Officer
Applicable to:	All Council employees
Version No:	1



WEST DALY
Regional Council

1.1.22 – SECURITY – PERSONNEL AND ASSETS

SUMMARY

The principal aim of local government throughout the Northern Territory is to provide a public service to its constituent communities and ratepayers. As a public service all Council facilities, vehicles, plant and equipment are publically funded through the government and ratepayers. In addition, damage, theft and misuse of facilities can render Council unable to continue rendering a particular service over the short and/or medium term.

POLICY

1. Council requires that all employees contribute to a safe and secure situation for all assets, facilities, vehicles, plant and equipment and the well-being of all employees and their families.
2. Council facilities, vehicles, plant and equipment are not available for private use and must only be utilised for community purposes.
3. All Council facilities, vehicles, plant and equipment are to be secured after business hours and vehicles and plant parked in Council depots unless specific approval has been provided for home garaging or use in an on call situation.
4. Employees should report any damage or vandalism to Police or the Community Services Manager in the Community.
5. No employee or their family should bring into the community any pet or item that has the potential to cause harm to the community.

REFERENCES

Local Government Act

FURTHER INFORMATION:

Chief Executive Officer

Approved by:	[insert]
Approval Date:	
Review Date:	1 st December, 2017 (annually)
Review Authority:	Chief Executive Officer
Applicable to:	All Council employees
Version No:	1

1.1.23 – WHISTLE BLOWING

SUMMARY

West Daly Regional Council is aware of the difficulties and conflicts that may arise for employees and Elected Members who suspect a colleague of fraud, theft or corruption. Nevertheless, it is essential that all instances are reported to the appropriate area without delay. It is incumbent on all employees and Elected Members to report instances or suspicions of fraud, theft or corruption against Council. In situations where their supervisor is suspected of involvement in corrupt or fraudulent activity, the matter should be reported to the next higher level of management of the CEO directly.

Wherever possible all reported instances will be treated in the strictest confidence. It is Council's intention that any person reporting a concern or an incident will as far as is possible, have their identity kept confidential. It should be understood however, that it is impossible to guarantee anonymity, especially where disciplinary action or civil or criminal prosecution arises. A whistle blower would be protected under the *Public Interest Disclosure Act*.

Council is sensitive to the potential difficulties employees and Elected Members may face if they report an incident and subsequently have to continue working with the individual/s concerned. It is Council's intention that every reasonable measure will be taken to ensure that no reprisals are taken against whistle blowers.

No person will be penalised for making an allegation that is subsequently proved to be groundless, where the allegation was made in good faith. Council will not however tolerate individuals making malicious, vexatious or unfounded allegations and disciplinary action may be taken against such persons.

DEFINITIONS

Corruption – is defined by the Crime and Misconduct Commission as behaviour that may involve fraud, theft, misuse of position or authority or other acts that are unacceptable to an organisation and which may cause loss to the organisation, its clients, or the general community. IT may also include such elements as breaches of trust and confidentiality. The behaviour need not necessarily be criminal. The Australian Standard on Fraud and Corruption Control defines corruption as dishonest activity in which a director, executive manager, employee or contractor of the entity acts contrary to the interests of the entity and abuses their position of trust in order to achieve some personal gain or advantage for themselves or for another person or entity.

Fraud – can be viewed as a major subset of corruption and is a deliberate, intentional and premeditated dishonest act or omission acted out for the purpose of deceiving to gain advantage from a position of trust or authority. It includes such acts as theft, making false statements or representations, evasion, manipulation of information, criminal deception and abuse of property or time. The Australian Standard on Fraud and Corruption Control defines fraud as dishonest activity causing actual or potential financial loss to any person or entity including theft of monies or other property by employees or persons external to the entity and whether or not deception is used at the time, immediately before or immediately following the activity. This also includes the deliberate falsification, concealment, destruction or use of

falsified documentation used or intended for use for a normal business purpose or the improper use of information or position.

Whistle Blower – refers to someone who exposes wrong doing, fraud or dishonesty within an organisation.

POLICY

1. In the event that employees and/or Elected Members become aware of possible fraud, theft or corruption involving Council property, finances or facilities, they should report their concerns to the CEO or an Executive Manager.
2. The Executive Manager, Governance and Compliance will investigate the matter and, in conjunction with the CEO, take appropriate action to either commence disciplinary or other action or determine there is no foundation for the allegation.
3. If it is determined that fraud or theft has occurred, then depending on the level of fraud or theft, the matter will be reported to the NT Police. The CEO has the discretionary authority to not report the matter to NT Police but to take appropriate disciplinary action which may include termination.
4. During all investigations, the identity of the whistle blower will be kept strictly confidential at all times.
5. In the event that any allegation is investigated and found to be without foundation, the whistle blower will be advised accordingly.
6. No person will be penalised for making an allegation that is subsequently proved to be groundless, where the allegation was made in good faith. Council will not, however, tolerate individuals making malicious, vexatious or unfounded allegations and disciplinary action may be taken against such persons.

REFERENCES

Local Government Act

Public Interest Disclosure Act

FURTHER INFORMATION:

Chief Executive Officer

Approved by:	[insert]
Approval Date:	
Review Date:	1 st December, 2017 (annually)
Review Authority:	Chief Executive Officer
Applicable to:	All Council employees
Version No:	1

Human Resource Policy Manual

Policy Number	Policy Name	Version	Approved By	Date Approved	Review Date
2.1.01	Abandonment of Employment	2			
2.1.02	Attendance, Leave and Absence from Work	2			
2.1.03	Children in the Workplace	2			
2.1.04	Conferences and Seminars	2			
2.1.05	Conflict of Interest	2			
2.1.06	Discipline	2			
2.1.07	Driving in Remote Areas	2			
2.1.08	Drugs and Alcohol at Work	2			
2.1.09	Employee and Contractor Code of Conduct	2			
2.1.10	Employee Farewell, Gifts, Benefits, Favours and Events				
2.1.11	Equal Employment Opportunity	2			
2.1.12	Fatigue				
2.1.13	Firearms				
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2.1.15	Grievance Resolution	2			
2.1.16	Higher Duties Allowance				
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2.1.20	On Call Allowances				
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2.1.36	Risk Management				
2.1.37	Smoke Free Workplace and Environment				
2.1.38	Social Media				
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2.1.40	Staff Performance				
2.1.41	Staff Travel	2	Council	15-Dec-16	1-Dec-17
2.1.42	Study Leave and Assistance				
2.1.43	Telephones				
2.1.44	Traineeships and Apprenticeships				
2.1.45	Uniforms and Protective Clothing				
2.1.46	Volunteers				
2.1.47	Work Health and Safety	2			
2.1.48	Working with Children	2			
2.1.49	Workplace Bullying & Harassment	2	Council	15-Dec-16	1-Dec-17



2.1.41 STAFF TRAVEL

If you travel as part of your work with West Daly Regional Council, Council will ensure you are not out-of-pocket for all reasonable expenses.

USE OF PRIVATE VEHICLE

If you are required to travel on behalf of the Council, or to travel away from your usual place of work to cover for another team member, or to undertake special duties, you are allowed to either:

- Claim reimbursement for actual expenses incurred, or
- Claim a travel allowance in respect of accommodation, meals and incidental expenses.

Claims for reimbursement can only be made after you have incurred the relevant expenditure. You need to keep receipts to substantiate your claim.

A claim for travel allowance must be made before commencement of the travel, or as soon as practicable after commencement of the travel. It will be paid at the relevant ATO rates.

For the purposes of this policy, you are considered to be travelling if you are required to travel 200 Km or more from your usual place of work, or the nature of your duties requires you to stay overnight in temporary accommodation.

MINIMUM STANDARDS OF ACCOMMODATION

You will be provided with accommodation that is at least consistent with the 3-star rating used in RACQ/NRMA/RACV/AANT etc. accommodation directories, except where this standard is not available in a particular location. Accommodation costs should be limited to a maximum of the ATO rates, unless special circumstances exist.

LIMITS ON MEALS

You are limited to actual and reasonable meal costs, provided the meals are not excessive. The reimbursement per meal is limited to the maximum of the approved ATO rate. You are not entitled to expenses or meal allowance for meals that are provided at Council's expense or as part of a fare, such as meals on a plane. You will not be reimbursed for alcoholic beverages or items from a mini bar.

INCIDENTAL EXPENSES

Official telephone calls, faxes, internet access and postage costs will be paid by Council.

Other incidental expenses such as newspapers, magazines, coffee etc., private telephone calls or personal items necessary for travel will be covered through payment of the incidental allowance at ATO rates. This amount is payable in respect of any day on which you travel as part of your work.

EXPENSES AND TRAVEL ALLOWANCE FORMS

You must claim reimbursement of expenses using an Expenses Form and attach copies of any receipts. In some instances it may not be possible to obtain a receipt, in which case a statutory declaration needs to be completed with the details and the nature of the expenditure. The statutory declaration must be signed and submitted with the reimbursement claim.

You must claim Travel Allowance using a Travel Allowance Form.

APPROVALS

All travel must be approved before commencement of travel.

All travel applications and claim forms required to be signed by your Manager, or in the case of Managers, by the Chief Executive Officer.

Following travel, the confirmation page of the Travel Allowance must be completed and signed.

REFERENCES

Local Government Industry Award 2010

Local Government Act

Australian Taxation Office

FURTHER INFORMATION:

Human Resource Advisor

Approved by:	Council
Approval Date:	15 December 2016
Review Date:	1 December 2017
Review Authority:	Chief Executive Officer
Applicable to:	All Council employees
Version No:	2

2.1.01 ABANDONMENT OF EMPLOYMENT

SUMMARY

Abandonment of employment occurs when a Council employee does not attend their designated work place for five (5) consecutive working days without reasonable cause and without notification to their supervisor or other responsible Council Service Manager. This policy applies to all Council employees, regardless of their employment category, etc. permanent, temporary or casual and provides for action to be taken by Council.

The Chief Executive Officer has authority under the *Local Government Act* section 101 to “appoint, manage and where necessary, terminate the appointment of Council staff”.

POLICY

1. All Council employees who are unable to attend their designated duties are required to notify their team leader or manager of the reason for their absence by 9.00 am on the first day of absence. If their supervisor is not contactable the employee or their representative must inform another relevant manager (for example the Council Services Manager for community based positions) or a staff member who can pass on the message to the relevant area. Notification of abandonment of work will be forwarded to the Human Resource Advisor. This is to be done by the program Team Leader, Council Services Manager or Manager within three (3) days of the issue occurring. The Team Leader, Council Services Manager or Manager involved is then required to provide further advice if the employee remains absent without cause for a consecutive five (5) day period or longer.
2. Employees who do not come to work for five (5) consecutive work days without approval from their Manager and who have made no contact with their Team Leader or other Manager will be deemed to have abandoned their position and may be subject to dismissal by the Chief Executive Officer.
3. If the employee returns to work within the five (5) day period, they will need to apply for relevant leave, i.e. sick, recreation or leave without pay. If this leave is not approved, details of the absence should be placed on their personnel record.

NOTE: Employees attributing their absence to sickness or injury and seeking Sick or Carer’s Leave of two (2) days or longer must provide a medical certificate verifying that he or she was unfit for work.

REFERENCES

Local Government Industry Award 2010
Local Government Act
National Employment Standards
Fair Work Act

FURTHER INFORMATION:

Human Resource Advisor

Approved by:	[insert]
Approval Date:	
Review Date:	1 st December, 2017 (annually)
Review Authority:	Chief Executive Officer
Applicable to:	All Council employees
Version No:	2

2.1.02 ATTENDANCE, LEAVE AND ABSENCE FROM WORK

SUMMARY

This policy details attendance at work, various types of leave and absence from work generally.

In striving for maximum efficiency in its delivery of services to communities, Council relies heavily on its greatest asset, its employees. It is considered essential that employees regularly utilise available leave in the interests of safety, recreation and personal health. Council is committed to encouraging optimum achievement and efforts by its employees and recognises the often unique cultural needs of its indigenous employees. This policy outlines the various types of leave and the conditions under which they may be utilised.

The Chief Executive Officer has authority vide the *Local Government Act* section 101 to “appoint, manage and where necessary, terminate the appointment of Council staff”.

In relation to Public Holidays, the *Public Holidays Act* states “where an employee is absent from work without reasonable cause on the working day before, or the working day after the Public Holiday, the employee should not be entitled to any pay in respect of that Public Holiday”

POLICY

1. **“Attendance at Work”** covers expected attendance at an employee’s designated place of employment. The weekly full time ordinary hours of work for Council employees are 38 hours and are carried out within the hours of 6.00 am to 6.00 pm on weekdays (other than gazetted public holidays), unless otherwise stipulated in the employer’s Offer of Employment. All absence from work is to be covered by an approved leave application, normally completed and approved before the leave commences. Repeated late attendances or absences from work without valid reason will be cause for disciplinary action, which could ultimately lead to termination of employment.
2. **“Leave”** covers absence from the designated place of employment for reasons of Annual Leave, Sick and Carer’s Leave, Compassionate Leave, Special Leave, Parental Leave, Supporting Partner Leave, Long Service Leave, Community Service Leave, Defence Reserves Leave and Public Holidays. All other absences from the place of employment authorised or otherwise will be considered Leave without Pay. All leave, apart from Public Holiday leave, must be prior approved and covered by a leave application submitted to the immediate supervisor. All absences not covered with approved leave and notification are considered to be Away Without Leave.

3. **“Annual Leave”** (May also be known as recreational leave)

- (a) **Accrual of Annual Leave credits.** Annual Leave accrues at the rate of six (6) weeks for each 12 months of work for full-time employees and at an equivalent pro rata rate for part-time employees. Annual Leave accrues on a pro rata basis during each 12 months of employment and is credited to employees each fortnight. However, Annual Leave credits will not accrue during any unauthorised absences or unpaid leave not counting as service. Annual Leave is subject to prior approval by the Chief Executive Officer or delegate.

Where an employee accrues Annual Leave credits in excess of 8 weeks, the Chief Executive Officer or delegate *may* require the employee to take Annual Leave to reduce the remaining credit to six (6) weeks. The timing of this required leave will be subject to mutual agreement where possible but where this is not achievable, the employee will be given at least six (6) weeks' notice of any instruction to take leave.

- (b) **Leave Loading.** Non-contract employees will be paid their normal rate of pay plus an Annual Leave Loading of 17.5% while on Annual Leave.
- (c) **Casual employees** are not entitled to Annual Leave.
- (d) **Cashing Out.** Subject to receiving a written request from an employee, the Chief Executive Officer or delegate and the employee involved *may* agree to cash out unused Annual Leave credits. Such requests are subject to the employee having taken at least three (3) weeks Annual Leave in the previous 12 months or agreeing to take at least three (3) weeks Annual Leave at the time of cashing out and the Annual Leave balance reducing to not less than four (4) weeks. The Annual Leave Loading of 17.5% will be included in any credits cashed out.
- (e) **At Resignation or Termination.** All outstanding Annual Leave Credits including the 17.5% Annual Leave Loading will be paid to an employee at time of resignation or termination of employment. Other credits such as Sick Leave have no redeemable value from time of resignation or termination.

4. **“Sick and Carer’s Leave”** is available to cover full or part-time illness or injury which renders that employee unfit for work or allows the employee to provide care or support for a member of the employee’s immediate family or household member at a time of an unexpected emergency affecting their immediate family or household member. It is expected that such an emergency would require the actual employee to render assistance and support at the home of that immediate family or household member. Sick and Carer’s Leave is paid at the level of the employee’s normal rate of pay. Sick and Carer’s Leave cannot be utilised while on Parental Leave.

- (a) **Accrual of Sick and Carer’s Leave credits.** Sick and Carer’s Leave credits accrue at a rate of ten (10) days for each 12 months employment and at a pro- rata rate for part-time employees. (To avoid confusion, employees should understand that the annual total credit for Sick and Carer’s Leave is ten (10) days rather than ten (10) days for Sick Leave and a further ten (10) days for Carer’s Leave.) Credits can be

applied to either sick or carer situations. Credits accrue at a pro-rata rate during each 12 month period. However credits do not accrue during any unpaid leave that does not count as service, any period of Worker's Compensation or during any unauthorised absences. Where an employee does not have any available leave credits, the Chief Executive Officer or delegate may approve an additional five (5) day's leave in any year where it is considered by the Chief Executive Officer or delegate that such leave is justified in the particular circumstances. Casual employees are not entitled to be paid Sick and Carer's Leave. Sick and Carer's Leave will not be available to an employee while they are on paid Parental Leave.

- (b) **Notification of absence.** Employees wishing to utilise Sick and Carer's Leave should notify Council (their immediate supervisor or other senior manager such as the Council Service Manager for community based employees) prior to commencing Sick and Carer's Leave. If unable to do so prior to proceeding on leave, notification should occur as soon as possible on the first day of absence.
 - (c) **Verification of reason for leave.** Where an employee takes Sick and Carer's Leave due to personal illness or injury and the expected period of leave is for three (3) consecutive days or more, the employee must provide a medical certificate verifying they are unfit for work for the period. It should be noted that the Chief Executive Officer or delegate may also request the employee to provide a medical certificate for any period of leave or require the employee to undergo a medical examination. If the absence of a medical certificate in circumstances beyond the employee's control, a statutory declaration can be accepted as an alternative. In the event of an unexpected emergency affecting an immediate family or household member a statutory declaration or other form of verification acceptable to the Chief Executive Officer or delegate may be provided. Where an employee fails to provide the required verification other than in circumstances beyond their control, the leave taken *may* be regarded as unauthorised and will not be paid.
 - (d) **Unpaid Sick and Carer's Leave.** If an employee does not have any accrued Sick and Carer's Leave available and there is a verifiable illness, injury or an unexpected emergency affecting an employee's immediate family or household member, the Chief Executive Officer or delegate may grant an amount of unpaid Carer's Leave to a maximum of three (3) days per occasion.
5. **"Compassionate Leave"** (includes Bereavement Leave) is applicable up to a maximum of three (3) days per each occasion when a member of an employee's immediate family or household is suffering from a life threatening illness or injury or dies. Compassionate Leave may be taken as a block of three (3) days or as separate absences totalling three (3) days. The leave is paid at the employee's normal rate of pay and is payable more than once in any one year provided different family or household members are involved. The Chief Executive Officer or delegate may approve an additional two (2) days for bereavement reasons due to exceptional circumstances such as attending a funeral involving many days travel. This policy also accepts that Compassionate Leave for bereavement purposes is available on the death of a member of the employee's kinship group or extended family.

Compassionate Leave is available only for permanent and temporary employees. Compassionate Leave cannot be utilised while an employee is on Parental Leave.

6. **“Special Leave”**. Is only provided to staff that transitioned from Victoria Daly Regional Council to West Daly Regional Council and are covered by the VDRC Enterprise Agreement 2013 – 2015. Special Leave provides up to five (5) days leave per annum for an employee who is unable to attend work due to unavoidable circumstances not covered by Sick and Carer’s Leave or Compassionate Leave. However Special Leave is not available to any employee who has had an unauthorised absence or a finding of misconduct in the 12 months prior to a possible application for leave.
7. **“Parental Leave”**. After a minimum of 12 months’ continuous service with Council, permanent or temporary employees are entitled to 12 months of unpaid Parental Leave. Parental Leave is provided to cover the birth or adoption of a child where the employee has the prime responsibility for the child. The child in question must be younger than 16 years old at the time of adoption and has not lived continuously with the employee for at least a six (6) months period at time of leave commencement. “Adoption” occurs when a person assumes or acquires the permanent legal status of parenthood in relation to a child under 18 years of age in place of the child’s birth or biological parents. Parental Leave is defined by the *National Employment Standards*.
8. **“Long Service Leave”**. The NT *Long Service Leave Act* provides that all council employees are entitled to Long Service Leave of 13 weeks after ten (10) years continuous service and an additional six and a half (6.5) weeks of Long Service Leave after every subsequent five (5) year period of continuous service. If an employee has more than seven (7) but less than ten (10) years continuous service with the Council and where their employment ceases for any reason other than serious misconduct, then they are entitled to be paid a pro rata amount of Long Service Leave. The *Local Government Act* confirms that Long Service Leave credits are portable between local government bodies in the Northern Territory with the previous local government employer contributing the financial amount pro-rated to the current local government employer; unless such contribution has already been taken by the employee in the form of leave or cash benefits.
9. **“Community Service Leave”** covers any leave required to undertake any period of jury service, voluntary emergency management activity, attendance at training, ceremonial activities and any other activity associated with the employee’s membership of a voluntary emergency body or any other activity prescribed in the *Fair Work Regulations* as being applicable to Community Service Leave. Such leave must be approved in advance of commencement by the Chief Executive Officer or delegate and will be paid at the normal rate of pay reduced by the equivalent of any payments made to the employee for their community service. The Chief Executive Officer or delegate has the prerogative to determine the length of the leave.
10. **“Defence Reserves Leave”** is applicable to any employee who is a member of the Defence Reserves and is required to participate in compulsory activities. Council agrees to cover any gap between the pay received for the Defence Forces activity and their normal rate of pay. Such leave should be prior approved with some verification of the Defence Forces activity period in a form acceptable to the Chief Executive Officer or delegate.
11. **“Public Holidays”** recognised by this Council include:

- New Year's Day (1 January),
- Australia Day (26 January),
- Anzac Day (25 April),
- Easter Good Friday,
- Easter Monday,
- Queen's birthday holiday (second Monday in June),
- Christmas Day (25th December),
- Boxing Day (26th December)
- Picnic Day (first Monday on August),
- May Day (first Monday in May),
- Darwin Show Day, and
- NAIDOC Week (one day to be specified by the CEO or delegate).

In addition to the foregoing, Council recognises any other day declared by, or under a law of, the Northern Territory to be a Public Holiday.

All employees who would normally be required to work and are on approved leave on a Public Holiday, will be paid their normal rate of pay for that day. Employees on Leave without Pay or absent without leave on the working day immediately prior to, or on the working day immediately following, the Public Holiday, will not be paid for the Public Holiday.

12. **"Leave Without Pay"**. The Chief Executive Officer or delegate may approve Leave without Pay where the employee is unfit for work due to illness or injury yet does not have any Sick and Carer's Leave credits, Annual Leave or Special Leave credits available. Leave without Pay also includes absences for religious or cultural reasons. As in cases of all leave, prior notification should be given to the employee's team leader, Council Services Manager or Manager of the intended leave.
13. **"Notification to Council"** will be in the form of verbal advice to a Council supervisor either by the employee involved or another person acting on the request of the employee involved, or a leave form detailing the dates of absence and the reason for leave that requiring approval by their manager, for example the Council Service Manager for community based positions.
14. **"Reasonable Cause"** refers to the reason for the non-attendance. "Reasonable" is interpreted as what would be considered reasonable by the average person. An example of reasonable cause could be an illness or injury requiring the person involved to be urgently evacuated from the community unexpectedly without notice and/or without family or other community members being aware. In all cases acceptance or otherwise of the reasonable cause will be the prerogative of the Chief Executive Officer or delegate.

REFERENCES

Local Government Industry Award 2010

National Employment Standards

Long Service Leave Act

Local Government Act

FURTHER INFORMATION:

Human Resource Advisor

Approved by:	[insert]
Approval Date:	
Review Date:	1 st December, 2017 (annually)
Review Authority:	Chief Executive Officer
Applicable to:	All Council employees
Version No:	2

2.1.03 CHILDREN IN THE WORKPLACE

SUMMARY

As an employer committed to equal opportunity, the West Daly Regional Council supports its employees to balance the various demands they face with family, social and community responsibilities. The Council understands that childcare arrangements can break down and there may occasionally be the need for staff to bring their children into the workplace.

However it is a firm Council policy that children should only be brought temporarily to an office work area when all other possible initiatives have been considered. Under no circumstances should children be brought into any other council work area other than an office. In these circumstances, employees are to follow the steps outlined in the procedure.

The Chief Executive Officer has authority as per Section 101 of the *Local Government Act* to “*appoint, manage and where necessary, terminate the appointment of Council staff*”.

POLICY

1. Council's Responsibilities

Under the *NT Work Health and Safety Act 2011* all employers have a duty of care to ensure the health and safety of all employees in the workplace. This extends to making sure there is no unnecessary risk of exposure to infectious diseases or other hazards. There is also a responsibility to ensure the safety of others who come into the workplace including children of employees.

2. Employee's Responsibilities

All employees need to be aware that what constitutes a safe work environment with appropriate safeguards for employees may not be equally safe for children. For this reason any employee that brings a child to the workplace are directly responsible for their supervision at all times. Paper shredders, metal scissors, staplers, photo copiers, guillotines are all commonplace in an office situation where employees are trained in their use, but that can constitute a threat to a child's safety. There are also many restricted areas including storerooms, kitchens, construction sites, and other areas where toxic or hazardous substances are kept. In such an environment, there is not only a risk to the child, but a potential risk to other people as a result of the actions of a child. Further, there is a potential risk of damage to Council property and consequently allowing children to use equipment such as photocopiers or computers should be avoided.

Council does have liability insurance covering its properties and employees but all employees who bring children onto Council premises do so entirely at their own, and their children's risk. Before seeking to bring a child in the workplace, employees should be encouraged to explore other options, such as care by a neighbour etc. Most importantly they should first seek permission from their Manager before bringing a child to work.

Council provides leave to cover a variety of situations. For instance if a child becomes ill, Sick and Carer's leave is available. An employee must not threaten the health of other employees by exposure to a sick child. Where childcare arrangements break down at the last minute flexible working hours may be negotiated.

3. Manager's Responsibility

A Manager should treat requests for children to be in the workplace sensitively and make a decision on a case by case basis having regard to the reason for the request and current work conditions. The Manager must be satisfied that the child will be supervised by the care giver at all times and that having a child in the workplace is on a temporary basis only.

Where a risk is later identified, where the child becomes disruptive or it is not being adequately supervised, the Manager has the right to ask that the carer responsible to remove the child from the workplace. The Manager should ensure that a child being present in the workplace is not an ongoing arrangement, and in each case there is justifiable cause not to organise alternative arrangements for the child.

4. Seeking Approval

Bringing young children, especially babies or toddlers into the workplace should be an action of last resort. Efforts should be made to seek appropriate alternatives such as care by a neighbour while the parent is required to work. Employees are required to request permission from their Manager on each occasion that they bring a child into the workplace. The Manager can decide whether it is appropriate that the child be allowed to be on the premises. Employees must understand that when permission is granted, having a child in the workplace is only temporary due to difficult circumstances and should not be for more than one day at a time. Should the Manager consider the workplace is too dangerous for the child, then the employee involved will have to absent themselves from the workplace utilising leave credits as may be applicable.

5. Supervision of Children

At all times children under the age of 16 years remain the sole responsibility of their parent/carer while in any Council workplace. Employees are fully responsible for the behaviour and actions of their children whilst on the premises. Such supervision must be able to prevent accidents.

Parents/carers must:

- Continually assess the risks to which their children are/could be subjected and attempt to minimise these.
- Take into account that children will be unfamiliar with the working environment.
- Accompany their children at all times.

The Manager has the right to ask for the removal from the premises of children who are disruptive in any way to the work of other staff, visitors or contractors.

6. Workplace areas that are prohibited to children.

All children under the age of 16 years are prohibited at all times in the following areas unsupervised:

- Kitchens
- Staff (rest) rooms
- Storage cupboards

- Any areas where chemicals, dyes, cleaning fluids and any other potentially hazardous substances are in use or stored
- Any areas where tools or machinery are located or used – even when these are not in use.

7. Application of this policy.

This policy applies across all Council premises, including car parks and other outdoor areas. Children must not be left alone in parked vehicles.

8. Facilities and Equipment

Children are not permitted to use any Council equipment including computer equipment.

9. Exceptions to Policy

This policy does not apply to the children of staff attending organised events where they are the responsibility of their school or other institution.

REFERENCES

Local Government Industry Award
Local Government Act
Work Health Safety Legislation
Fair Work Act

FURTHER INFORMATION:

Human Resource Advisor

Approved by:	[insert]
Approval Date:	
Review Date:	1 st December, 2017
Review Authority:	Chief Executive Officer
Applicable to:	All Council employees
Version No:	2

2.1.04 CONFERENCES AND SEMINARS

SUMMARY

The intent of this policy is to establish conditions for all elected Members and staff attending conferences and seminars recognised by the Council or the Chief Executive Officer as relevant to the West Daly Regional Council.

POLICY

1. Elected Members' attendance at a conference or seminar will be at the discretion of Council and will be subject to funds being available.
2. Employee attendance at a conference or seminar will be at the discretion of the Chief Executive Officer and will be subject to funds being available.
3. Prior to registration or attendance at any conference or seminar, the request to attend and details of registration fees, travel costs and allowances must be recommended by the immediate supervisor or Manager before being forwarded to the Chief Executive Officer for approval.
4. Where the West Daly Regional Council covers all costs and resources for attendance at the conference or seminar, all materials, books, videos will become and remain the property of the Council.
5. Following attendance at the conference or seminar, each attendee must provide a report summarising key elements and highlights of the event. This report is to be provided to the Chief Executive Officer in the first instance.
6. Employees may attend professional conference or seminar at the discretion of the Chief Executive Officer. Note that this level of attendance should not be considered an automatic right and in all cases is subject to Council's budgetary ability and relevance to the employee's position and duties.
7. Attendance at conferences and seminars will be approved on a case by case basis at the discretion of the Chief Executive Officer or Council as applicable based on relevance of the conference or seminar to the attendee and Council, the costs involved and Council's budgetary ability.
8. It is a Council expectation that a conference or seminar attendee sponsored by Council will be present for 100% of the conference or seminar unless there are circumstances beyond the attendee's control.

REFERENCES

Local Government Industry Award
Local Government Act

FURTHER INFORMATION:

Human Resource Advisor

Approved by:	[insert]
Approval Date:	
Review Date:	1 st December, 2017 (annually)
Review Authority:	Chief Executive Officer
Applicable to:	All Council Elected Members and employees
Version No:	2

2.1.05 CONFLICT OF INTEREST

SUMMARY

This policy outlines procedures to be followed when Elected Members (including Members of Local Authorities), employees or their associates have a real or perceived conflict of interest that could affect any Council or Local Authority decision, execution of a Council or community project, program or other activity.

DEFINITIONS

A “**Conflict of interest**” occurs when an employee, Elected Member, a Member of a Local Authority or their associate has a personal or financial interest in the outcome of a matter being considered by Council or Local Authority regardless of whether this conflict of interest may or may not influence any decision. A conflict of interest can also arise when a Council employee is involved in the management of a project where they have a personal or financial interest in the final outcome.

The Local Government Act section 73 (2) outlines exceptions to that interest when the matter involves:

- an interest in a question about the level of allowances or expenses to be set for members; or
- an interest that the member or associate shares in common with the general public or a substantial section of the public; or
- an interest as an elector or ratepayer that the member or associate shares in common with other electors or ratepayers; or
- an interest that the member or an associate has in a non-profit body or association; or
- an interest of the member or an associate:
 - in appointment or nomination for appointment to a body with predominantly charitable objects; or
 - in payments or reimbursements of membership fees, or expenses related to membership, in such a body; or
- an interest so remote or insignificant that it could not reasonably be regarded as likely to influence a decision.

“**Disclosure of interest**”. The Act requires Elected Member’s, a Member of a Local Authority as soon as practicable when they become aware of a conflict of interest in a matter that has or will arise before the Regional Council or Local Authority to disclose their interest at either that meeting as well as to the Chief Executive Officer. Where this occurs the disclosure should be minuted along with any action taken e.g. “Councillor X left the meeting for the duration of discussion of this matter”. Once a disclosure has been made to a meeting, the Elected Member involved is unable to “participate in any decision on the question” i.e. they are unable to vote on the matter; Local Government Act section 74 (3) (b).

Similarly, an employee who feels they have a conflict of interest with a Council project, program or other operation, should disclose this interest to the Chief Executive Officer as soon as possible.

A “Register of Interest” must be maintained by the Chief Executive Officer or his/her delegate which contains details of all disclosures made.

POLICY

1. Employees, Elected Members and Members of Local Authorities are required to advise of any potential conflict of interest in a matter that arises, or are likely to arise. This can be done at a meeting at which the Elected Member or Member of a Local Authority attends. This advice should be declared at the meeting before any discussion on the matter commence, or by notification to the Chief Executive Officer prior to the actual meeting or in the case of the Chief Executive Officer notification to the Mayor.
2. The Chief Executive Officer will maintain a Register of Interests and in the event the Chief Executive Officer declares a conflict of interest the Mayor will ensure it is minuted and placed on the Register of Interests.
3. The Elected Member must not, without the Minister’s written approval, be present at any meeting of the Council or Local Authority while a matter in which they have a Conflict of interest is under consideration nor can they participate in a vote to determine the matter in question.
4. The Mayor will decide on the future participation of the Chief Executive Officer at any time during which the matter is being considered or discussed or may be voted on by Council or the Committee.
5. All employees who consider they have a conflict of interest in a Council project, program or other activity should disclose this conflict of interest to their Director, Manager or the Chief Executive Officer as soon as the employee realises there is such a conflict. The Chief Executive Officer Director or the Manager will instruct the employee appropriately.

REFERENCES

Local Government Act

FURTHER INFORMATION:

Chief Executive Officer

Approved by:	[insert]
Approval Date:	
Review Date:	1 st December, 2017
Review Authority:	Chief Executive Officer
Applicable to:	Elected Members and Council employees
Version No:	2

2.1.07 DRIVING IN REMOTE AREAS

SUMMARY

West Daly Regional Council's operational area extends over 14,000 square km's with service delivery centres in Wadeye (Thamarrurr/PindiPindi), Peppimenarti (Tyemirri) and Palumpa (Nganmarriyanga) all connected by gravelled roads and tracks often with minimal traffic. In some areas travel is by four wheel drive vehicles. Weather conditions vary between the annual monsoon season and long months without rain. Rivers, creeks, sand and the actual distances between communities are all potential hazards for driving in this area. Roads are subject to storm and flood damage that create dangerous wash outs, scours and rough surfaces. During the wet season, rivers and floodway's can become extremely hazardous. Similarly in the dry season, road surfaces may become badly corrugated with large areas of loose sand. Ideally all employees who are required to drive from time to time should complete a 4WD driving course.

This policy sets out certain rules in order to maintain optimal safety standards when travelling in remote areas. They are to be implemented by all Council employees regardless of the experience and ability of any driver or the type of vehicles and equipment being driven.

POLICY

1. The overall responsibility of the West Daly Regional Council is that of safety to all employees under the Work Health Safety Act. This is especially so in regard to operation of motor vehicles. Consequently all employees using Council vehicles or their own vehicle for official business are to adhere to the following procedures regarding vehicle equipment, speed limits, crossing rivers/floodway's, fatigue and general safety requirements.
2. It is accepted that not all Council employees are sufficiently experienced and confident to drive alone in remote areas over comparatively long distances. If this situation arises, the employee should discuss this with their supervisor who may arrange for a companion to travel with the employee. The companion may or may not be a Council employee but ideally will be used to such driving conditions as may be experienced. In the event that the companion is not a Council employee, they are authorised to drive subject to providing their licence details and completed vehicle usage agreement to the Human Resources Department or the relevant Manager. A further alternative would be for the employee to defer their meetings and travel at a later date with others.
3. All Council vehicles and plant equipment must be fitted out with safety equipment including one or more spare wheels, wheel jack and tools, first aid supplies, a snatch strap or tow line capable of towing the vehicle involved and a supply of fresh water. A satellite telephone must be carried when travelling beyond immediate community areas.
4. Drivers of all Council vehicles must be holders of a current Northern Territory vehicle licence of appropriate class and have legal blood levels when driving.
5. Drivers and users of all Council owned vehicles and plant must notify the Council Services Manager of any vehicle repairs required. Vehicles and plant equipment are to be kept registered

at all times and in roadworthy condition. While this standard is the prime responsibility of the Community Services Manager, drivers also have a duty of care and responsibility to ensure that any allocated vehicle is roadworthy and safe.

6. While all employees are to abide by the official speed limits as apply to any road within the region, they should drive with due regard for road conditions.
7. Council accepts no liability or responsibility for vehicle offences caused deliberately or otherwise by the driver. Any fines or other penalties are the responsibility of the driver involved and Council will reject any liability and nominate the driver involved.
8. Vehicles being driven on all unsealed roads of dual width should not exceed 80 kmh and on unsealed roads of single lane width a maximum speed of 60 kmh applies. However road conditions may determine that slower speeds and caution is required.
9. All vehicles and plant equipment being manoeuvred within Council depots are to travel at a maximum speed of 8 kmh and where precision driving in a reduced manoeuvring area is required, other employees should be asked to act as "spotters".
10. Vehicle headlights must be on at all times when travelling on unsealed roads and at all times of reduced visibility.
11. Council vehicles and plant equipment must not attempt to cross any rising or fast flowing waterways if the depth exceeds 0.4 metres or if the driver believed that doing so is not safe. If there is any doubt the vehicle and its passengers should remain until the water drops to a safe level.
12. In the event of a vehicle break down in an isolated area, the driver and passengers shall remain with the vehicle until they are located using the satellite telephone to seek assistance.
13. Trips should be planned to avoid travelling at night and to avoid driver fatigue
14. No alcohol, illegal or illicit drugs are to be transported in any Council vehicle. Any employee contravening this policy will be subject to summary dismissal.
15. Smoking is not permitted in Council vehicles.
16. Prior to commencing any extended trip, the driver shall notify a reliable person of their travel plans including the proposed route, make, registration and colour of the vehicle and the expected time of arrival at their destination. On arrival at their destination they must notify the contact person and/or the Council Services Manager. In the event the travel party become more than one hour overdue at their destination, the council Service Manager should instigate a search and recovery action after notifying the Chief Executive Officer.
17. All accidents and incidents must be reported to the Community Services Manager using the appropriate form.
18. While the Council has appropriate insurance cover for all vehicles and plant, it reserves the right to seek reimbursement from the driver of a Council vehicle in the event of any repairs or accidental damage incurred to that vehicle through misconduct or drivers ignoring this policy.

REFERENCES

Local Government Industry Award
Local Government Act
Work Health Safety Legislation
Fair Work Australia Act

FURTHER INFORMATION:

Human Resource Advisor

Approved by:	[insert]
Approval Date:	
Review Date:	1 st December, 2017 (annually)
Review Authority:	Chief Executive Officer
Applicable to:	All Council employees
Version No:	2



WEST DALY
Regional Council

2.1.09 EMPLOYEE AND CONTRACTOR CODE OF CONDUCT

SUMMARY

The Code of Conduct sets out how all West Daly Regional Council employees or contractors are to conduct themselves and the expected standard of behaviour for carrying out their roles and responsibilities. The code of conduct has been developed to assist employees and contractors to:

- Understand the standards of conduct that are expected of them;
- Enable them to fulfil their statutory duty to maintain proper standards of integrity, diligence and concern for public interest;
- Enable them to comply with the statutory requirements as set out in sections 107 and 108 of the Local Government Act; and
- Act in a way that enhances public confidence in the integrity of local government.

POLICY

Employees and contractors of West Daly Regional Council will conduct themselves in a manner which is honest, respectful, and safe. They will act with integrity and exercise due diligence and care when performing tasks for which they are qualified. Employee and contractors will act in accordance with all other West Daly Regional Council policies and Legislative requirements including the Workplace Safety and will not divulge confidential information or make public comment in a public arena without prior authorisation from the CEO.

West Daly Regional Council requires all employees and contractors to familiarise themselves and comply with the Code of Conduct. Failure by an employee or contractor to comply with West Daly Regional Councils code of conduct may give rise to disciplinary action which may include termination.

CODE OF CONDUCT

1. Principles

Employees and contractors must not place themselves under any financial or other obligation to any individual or organisation that might reasonably be thought to influence you in the performance of your duties, role or responsibilities.

- Be open and transparent with your dealings;
- Use power responsibly;
- Avoid conflicts of interest; and
- Strive to earn and keep a high level of public trust.

2. Due Care and Diligence

Exercise due care, diligence and skill in performing your duties, role and responsibilities. Get all the relevant information, ask questions, and understand the ramifications of your decisions and actions.

3. Public Interest

Employees and contractors have a duty to act in the best interest of the Council, by promoting and supporting the key principles by leadership and example to maintain and strengthen the public's trust and confidence in the integrity of the Council.

4. Disclosure of Interest

Employees and contractors must disclose any conflict of interest. An employee or contractor who has a personal or financial interest in a matter in regard to which the member is required or authorised to act or give advice:

- a. Must disclose the interest:
 - i. If the employee is the CEO to the council; or
 - ii. In any other case to the CEO; and
- b. Must not act in the matter except as authorised by the CEO or the council (as the case requires).

5. Must not Disclose Confidential Information

Confidential West Daly Regional Council business must stay confidential. An employee or contractor must not disclose confidential information obtained in the course of the staff member's work except as may be required for the staff member's official duties. An employee or contractor must not make improper use of confidential information obtained in the course of their work.

An employee or contractor makes improper use of information if the staff member uses it to gain some private benefit or to inflict harm on another.

6. Respect

Employees and contractors must treat others with respect at all times. This means not using derogatory terms towards others, observing the rights of other people, treating people with courtesy and recognising the different duties and roles others have within West Daly Regional Council.

7. Accept Reasonable Direction

Comply with any lawful and reasonable direction given by someone in West Daly Regional Council who has authority to give that direction.

8. Public Conduct

Employees and contractors will not make public comments on matters relating to West Daly Regional Council or their employment within a public capacity, (other than those delegated by the Council). Employee or contractors will be aware of situations that may cause tension between the public and private roles and in such cases give priority to their public role.

9. General Conduct

All employees and contractors must avoid behaviour that could constitute and act of disorder or misbehaviour. Specifically, you must avoid conduct that:

- Contravenes the Act, associated regulations and West Daly Regional Councils relevant administrative requirements.
- Is detrimental to the pursuit of the charter of West Daly Regional Council.
- Is improper or unethical.
- Is an abuse of power or otherwise amounts to misconduct.
- Causes, comprises or involves intimidation, harassment or verbal abuse.
- Causes, comprises or involves discrimination, disadvantage or adverse treatment in relation to other employee or contractors, members of the public or your decision making process.
- Causes, comprises or involves prejudice in the provision of a service to the community.

Employees and contractors must act lawfully, honestly and exercise a reasonable degree of care and diligence in carrying out your functions as a West Daly Regional Council employee or contractor under the Act or any other Act.

Employee and contractors must treat others with respect at all times.

10. Fairness and equity

Employee or contractors have an obligation to perform their duties and role in a consistent manner, act promptly and fairly. This involves dealing with matters in accordance with established procedures and in a non discriminatory manner.

REFERENCES

Local Government Act
Work Health and Safety Act

FURTHER INFORMATION:

Chief Executive Officer

Approved by:	[insert]
Approval Date:	
Review Date:	1 st December, 20 (annually)
Review Authority:	Chief Executive Officer
Applicable to:	All Council employees
Version No:	2



WEST DALY
Regional Council

2.1.11 EQUAL EMPLOYMENT OPPORTUNITY

SUMMARY

The West Daly Regional Council is committed to being an Equal Employment Opportunity Employer with an aim to ensure that every employee and job applicant feel they are valued, treated fairly and are given due recognition for their contribution. All employees are to be treated fairly and equally when employment decisions are made and all forms of discrimination are avoided. It is important that all employees work in a harassment-free work environment.

The Chief Executive Officer has authority under the Local Government Act section 101 to “*appoint, manage and where necessary, terminate the appointment of Council staff*”.

1. An employee will not be treated less favourably because of a personal attribute they might have. Discrimination is unlawful if based upon:

Sex	Race
Colour	Nationality
Descent	Ethnic origin
Religion	Disability
Age	Compulsory Retirement
Pregnancy	Marital status
Homosexuality	Transgender
Racial vilification	Homosexual vilification
HIV/AIDS vilification	Transgender vilification

Any of the above attributes are irrelevant when employment is being considered.

2. All recruitment, selection, promotion and transfer processes within Council are fair and based solely on merit principles.
3. All employees are to have fair access to all workplace opportunities and benefits including:
 - Training and development;
 - Promotion opportunities;
 - Shifts, rosters, hours of work and overtime;
 - Salary levels and packages;
 - Leave arrangements;
 - Pregnancy arrangements and maternity/parental leave;
 - Performance assessment;
 - Disciplinary procedures; and
 - Organisational restructure.
4. All employees are to be encouraged to make full use of their particular skills and abilities.

REFERENCES

Local Government Act
Anti Discrimination Act

FURTHER INFORMATION:

Human Resource Advisor

Approved by:	[insert]
Approval Date:	
Review Date:	1 st December, 20 (annually)
Review Authority:	Chief Executive Officer
Applicable to:	All Council employees
Version No:	2



WEST DALY
Regional Council

2.1.27 PRIVACY AND CONFIDENTIALITY

SUMMARY

The West Daly Regional Council is committed to a right of privacy to all individuals who have business dealings with the Council. Council will undertake necessary actions to ensure that personal information provided by customers and employees remains strictly confidential. This policy applies to employees and customers of Council and covers personal information that is collected, retained, stored and used by Council where it is necessary for one or more of the Council's function or activities.

The Code of Conduct stipulates that *"keep confidential Regional Council business private and confidential and don't use the information for your own benefit or to harm others"*.

DEFINITION

"Personal Information" can be defined as information or an opinion (including information forming part of a database) whether true or not, and whether recorded in a material form or not about an individual whose identity is apparent, or can reasonably be ascertained, from the information or opinion. It is therefore any information which can be used to identify and individual.

POLICY

a. Collection of Personal Information

1. Council will only collect personal information if it is necessary for one or more functions or activities or is collected in order to comply with laws and regulations.
2. Whenever Council collects personal information about a customer or employee, that information and the reasons for its information collected may not be provided to other customers or employees who are not connected or involved.
3. Council and its employees will only use personal information for the purposes for which it was collected and for any other use authorised or required by law, including law enforcement and compliance activities.
4. Sensitive information shall not be collected without consent unless the collection is required by law.

b. Use and Disclosure of Personal Information

5. Council will not divulge information to a third party outside Council for their independent use unless the person to whom the information relates has authorised Council to do so, or the disclosure is required or allowed by law. Council and its employees will not sell, trade or make available personal information to others. Information provided by members of the public will only be shared with other business units within the West Daly Regional Council where necessary.
6. Contracts with third parties will include clear provisions about the purposes for which the contractor is to use the information and other provisions necessary to ensure the contractor does not make unauthorised disclosures. They will also contain provisions about how the contractor is

to keep the information secure and what they must do with the information when they have completed the contracted out activity.

c. Data Quality

7. Council will take all reasonable steps to ensure that customers' personal information is accurate, complete and up to date. Council will respond to any requests from the public to correct inaccurate information in a timely manner.

d. Data Security

8. Council will take steps to protect the personal information it holds from misuse and loss and from unauthorised access, modification or disclosure.
9. Council employees are responsible for protecting personal information from misuse, loss, corruption or disclosure. Personal information will be handled with care and only used for authorised purposes.
10. All employees must maintain public confidentiality and respect the privacy of individuals who have dealings with Council. Employees must treat all personal information as confidential and sensitive information as highly confidential. Council employees will not disclose any confidential information, use any information to their personal advantage or permit unauthorised access to such information.
11. Council files are strictly confidential and under no circumstances should a member of the public have access to files. Employees must also be conscious of security within the office environment when members of the public are present. External customers must not be left unattended with Council files.
12. Destruction of records containing personal information, including personal records must be by secure means. Ordinarily, garbage disposal or recycling of intact documents are not secure means of destruction and should only be used for documents that are already in the public domain. Reasonable steps to destroy paper documents that contain personal information include shredding, pulping or the disintegration of paper. All computers that are removed from use and made available for non-Council purposes will have all data removed from the hardware.

e. Access and Correction to Data

13. Individuals are permitted to access information about them which is held by Council. Individuals are entitled to know generally what sort of information Council holds about them, for what purposes and how it collects, holds, uses and discloses that information.
14. Requests for access to such information are to be made in writing to the Human Resource Department. The Human Resource Department will establish the identity of the individual asking for the information.
15. Council will respond to public requests to correct information in a timely manner.
16. Council will provide written reasons when a request for access or correction of personal information is refused.

f. Anonymity

17. Whenever it is lawful and practicable to do so, customers will be given the option of not identifying themselves when dealing with Council.

REFERENCES

Local Government Act

FURTHER INFORMATION:

Human Resource Advisor

Approved by:	[insert]
Approval Date:	
Review Date:	1 st December, 20 (annually)
Review Authority:	Chief Executive Officer
Applicable to:	All Council employees
Version No:	2



2.1.30 RECRUITMENT AND SELECTION

SUMMARY

The West Daly Regional Council is committed to recruitment, selection, promotion, and other personnel decisions being fair, consistent and compliant with Part 9.2 of the Local government Act. The West Daly Regional Council is committed to ensuring that the associated processes will be based on merit and expressed in terms of the selection criteria established. This policy covers all positions other than the Chief Executive Officer's. The recruitment and selection processes for the Chief Executive Officer position will comply with the relevant sections of the Local Government Act.

The Fair Work Act section 172 applies to all employees of the West Daly Regional Council. The Chief Executive Officer has authority "to appoint, manage and, where necessary, terminate the appointment of council staff" as per the Local Government Act section 101.

OBJECTIVES

This policy is designed to ensure that appropriate recruitment standards are maintained throughout the West Daly Regional Council and to provide a resource to assist managers to carry out the recruitment of employees and maximise the probability of successful recruitment and selection decisions.

RECRUITMENT

The West Daly Regional Council reserves the right to review the need for any position within West Daly Regional Council's existing structure. A corporate approach will be taken to employee recruitment and selection and the process will be conducted in accordance with this policy and any associated Human Resources procedures.

The commencement of recruitment process for any position must only occur after consideration has been given to the present and future corporate needs of the West Daly Regional Council. This may include investigating possible alternative staffing actions such as structural change and/or redistribution of duties to other positions.

AUTHORITY TO COMMENCE RECRUITMENT AND APPOINTMENT OF EMPLOYEES

The recruitment process may not commence for any budgeted position unless the appropriate written authority has been provided by the relevant Officer.

For any positions that are not within the budget, an agenda item must be submitted to the Chief Executive Officer for presentation and adoption at the next Council Meeting.

Human Resources must be provided all completed paperwork in advance of any person commencing paid employment or exiting West Daly Regional Council.

COMMUNICATION TO EMPLOYEES ABOUT VACANCIES

Prior to any advertisement for a position being lodged, where deemed appropriate, all employees may be advised that a position is being advertised. Such communication should include the:

- Position title, location and salary;
- Contact person; and
- Closing date.

CONFIDENTIALITY OF INFORMATION

All employees involved in the recruitment and selection process shall be bound by strict standards of confidentiality.

ACHIEVING EQUAL EMPLOYMENT IN THE WORKPLACE

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

SELECTION AND APPOINTMENT

As per Guideline 8 Regional Councils and Local Authorities, one of the functions of a Local Authority is to provide a representative of the Local Authority for employment selection advisory panels in relation to senior positions in the Local Authority area.

In filling vacant positions, the selection process shall follow the appropriate Human Resource procedures in effect at the time. Council Officers and Local Authority Members (for senior positions) participating in the selection decision must declare any associations they may have with the applicants before the interview process commences. A vacant position may be filled through other means without any requirement for the West Daly Regional Council to advertise or re-advertise the vacancy.

Candidate selection methods may include, but are not limited to:

- Assessment of the CV against the position description and selection criteria;
- Interviews;
- Testing; and
- Referee reports.

PROBATION

All appointments shall require a probation period of six months, unless otherwise authorised by the Chief Executive Officer.

Where probation periods are to be applied, the employee may be given specific performance criteria that will be used to assess whether he/she has satisfied his/her probation requirement.

VARIATION TO THIS POLICY

This policy may be cancelled or varied from time to time to reflect changes in organisational policy, best practice in recruitment processes and compliance with the relevant legislation. All the organisation's employees will be notified of any variation to this policy by the normal correspondence.

REFERENCES

Local Government Industry Award

Local Government Act

Local Government Guideline 8

Fair Work Act

FURTHER INFORMATION:

Human Resource Advisor

Approved by:	[insert]
Approval Date:	
Review Date:	1 st December, 2017
Review Authority:	Chief Executive Officer
Applicable to:	All Council employees
Version No:	2



WEST DALY
Regional Council

2.1.42 STUDY LEAVE AND ASSISTANCE

SUMMARY

West Daly Regional Council is supportive of the professional development and training for employees. This policy refers to employees wishing to undertake further professional development and studies.

Council encourages employees to further their skills through short courses, higher education and study. Council may provide financial and other support such as study leave where there is an outcome that will have benefit to the employee and the activities of Council. The intent of this policy is to establish standard conditions for all employees wishing to undertake approved accredited courses of study that are recognised by the Chief Executive Officer as being relevant to the West Daly Regional Council. While local government is not essentially an education or training organisation, it is committed to supporting its employees, regardless of current occupation or designating, to undertake further study, especially in those areas relevant to local government.

POLICY

a. General Policy

1. Council wishes to encourage its employees to undertake short courses and higher education where there is a clear benefit and relevance to local government.
2. Subject to the discretion of the Chief Executive Officer or delegate, Council may provide full or partial reimbursement towards study fees, tuition fees and text books. It is a condition of any assistance that any financial support will be on a reimbursement basis only and totally dependent on a successful study outcome, i.e. completion and graduation of the course. Reimbursement must be based on the production of cash receipts.
3. Where the cost of any text books is reimbursed by Council, such books will become the property of Council.
4. It is a primary requirement that study assistance may only be provided to permanent employees who have successfully completed their initial probation period.
5. Council assistance may be in the form of financial reimbursement of costs or time off (paid or unpaid leave) to attend lectures or examinations. Where study leave is granted, this will not affect employee credits for other types of leave, e.g. annual or special Leave. Annual leave credits will continue to accrue where an employee utilises approved Study Leave.
6. Employees wishing to gain Council support and possible assistance must have their intended course of study approved prior to commencement of the course. Employees must not presume Council assistance will be automatically forthcoming.
7. Applications for study leave or financial assistance must be recommended by the relevant Manager or Human Resources Department for approval by the Chief Executive Officer.

b. Study Leave

8. The Chief Executive Officer may approve an application for paid or unpaid study leave to permit an employee to attend lectures or tutorials (including time of travel to and from the location

where the lectures or tutorials are being given) so long as the leave does not extend beyond five hours per week.

9. The Chief Executive Officer may approve an application for paid study leave to permit an employee undertaking an approved course of study as an external student to comply with a residential requirement of the course. Study leave will be for a total period not exceeding four (4) weeks in any year including travel time. This leave may be taken, with appropriate approval, in a number of short periods to a total absence not exceeding four (4) weeks in any year including travel time.
10. The Chief Executive Officer shall not approve an application where the lectures or tutorials for a course are available outside normal working hours. Study leave may only apply to attendance at lectures, tutorials or examinations available only during working hours.
11. Approved study leave will be accepted as continuity of service with Council for Long Service Leave requirements.

c. Reimbursement of course Fees

12. Where an employee is undertaking an approved course of study, the employee may apply for reimbursement of fees incurred in respect of that study on a unity by unit basis or at the conclusion of the course.

13. In considering reimbursement applications, the following will be taken into consideration:

- I. The employee's current designation;
- II. The course being studied;
- III. Relevance of the qualification to be gained on course completion to local government; and
- IV. Length of, and application to, their employment with Council.

14. In considering Clause 13 (III) and Clause 14, successfully completed studies in such areas as accounting, public administration, civil engineering, community development or similar which are highly regarded within local government will be considered "essential" as will trade studies. Preferred trades are those which have community relevance, e.g. construction trades, animal health and environment. "Highly desirable" will be those professions or occupations which are the responsibility of other agencies such as health, but are relevant to community needs. "Desirable" or "not required" will be applied to studies in arts and sciences.

15. The Chief Executive Officer will determine the rate of reimbursement using the table below as a guide.

Course Specific	Reimbursement Level	Included
Essential (Studies utilised Local Government or community)	100%	Course and text book costs and examination attendance on full pay to a maximum of five hours per week inclusive of travel time.
Highly Desirable (Studies community value)	50%	Course and text book costs and examination attendance on full pay to a maximum of five hours per week inclusive of travel time.
Desirable	25%	Course and text book costs and examination attendance on full pay to a maximum of five hours per week inclusive of travel time.
Not Required (or not approved)	Nil	Nil

To be eligible for reimbursement, the employee must:

- Have gained prior approval from the Chief Executive Officer to undertake the course with Council support;
- Produce evidence of successfully meeting all study requirements as determined by the educational institution or course provider;
- Have successfully graduated from the course; and
- Produce evidence of payment of costs associated with the course.

16. The Chief Executive Officer shall not authorise reimbursement of fees which are graduation fees, late fees payable as a result of failure by the employee to enrol by a specified time or date, accommodation or activities associated with attendance at residential institutions or any other fees paid by another organisation.

17. Where financial support has been substantial, e.g. an approved degree or post degree course where course fees have been reimbursed to a minimum of at least \$5,000 per year, it will be a condition of the reimbursement that the employee would remain in the employ of the Council for at least an additional twelve (12) months after the actual reimbursement. In the event the employee ceases, for whatever reason, to remain in Councils' employ for at least twelve (12) months following the date of actual reimbursement, then Council may seek full or partial reimbursement of fees paid. Any decision to seek reimbursement will be given favourable consideration if the employee gains ongoing employment with another Northern Territory Local Government Agency.

REFERENCES

Local Government Act

FURTHER INFORMATION:

Human Resource Advisor

Approved by:	[insert]
Approval Date:	
Review Date:	1 st December, 20 (annually)
Review Authority:	Chief Executive Officer
Applicable to:	All Council employees
Version No:	2

2.1.47 WORK HEALTH AND SAFETY

SUMMARY

West Daly Regional Council recognises its moral and legal responsibility to provide a safe and healthy work environment for employees and others. This commitment extends to ensuring that Council's operations do not place its communities, employees and others at risk of injury or illness.

Council believes that safety is an integral part of every job where accidents and injuries are preventable and that industrial safety is a positive ideal. Council's approach to work safety is based upon consultation, cooperation, coordination, learning and continual improvement.

OBJECTIVES

Council's adopted objectives for Work Health and Safety are to:

- protect workers and other persons against harm to their health, safety and welfare through elimination and minimisation of risks arising from their occupation or work places;
- improve compliance and performance with Work Health and Safety Act (WHS);
- ensure planning for implementation, integration, monitoring and review of WHS Risk Management, Health Promotion and Consultation processes;
- promote the provision of advice, information, education and training in relation to WHS as and when requested;
- allocate and make available appropriate resources and processes to maintain a safe and healthy work place; and
- provide an Injury Management Program aimed at early, safe and durable return to work of injured employees.

STRATEGIES

Council intends to:

- integrate WHS Risk Management systems into all aspects of operational management, purchasing building and service planning;
- detail WHS responsibilities and accountabilities for all levels and categories of employees as outlined in the WHS Policy and position descriptions;
- establish a system for development, review, evaluation and improvement of all WHS policies, procedures and programs;

- encourage employee participation through consultation, promotional activities and support of WHS Committees;
- provide WHS relevant training and information to the Chief Executive Officer, managers and employees;
- provide appropriate resources for the management and promotion of a safe and healthy workforce and workplace;
- implement and evaluate hazard management systems and hazard minimisation programs using risk management principles;
- implement and evaluate a comprehensive incident and injury/illness management system; and
- provide access to professional WHS advice and other resources to support WHS initiatives in the workplace.

POLICY

1. Commitment to and implementation of this policy is the responsibility of every Council employee.
2. There is to be consultation and cooperation between management and employees regarding WHS implementation. Employees are to be involved in developing, reviewing and revising the policy. Participation in development and review of the policy will be conducted on a face to face basis.
3. All employees are to receive information about Council's WHS policy at time of induction.
4. Council is committed to provision of safe, healthy and secure workplaces for employees, contractors and visitors, promotion of employee wellbeing, achieving continuous improvement in work health and safety by establishing and reviewing measurable targets and objectives, compliance with all relevant health and safety legislation and provision of adequate resources to achieve this objective, provision of WHS training to all employees, active response to all incidents ensuring that injured employees are returned to suitable work at the earliest possibility, and regular inspection of all workplaces and plant to ensure they are safe and comply with WHS policy standards.
5. Employees and contractors must ensure that by their acts or omissions they do not put at risk their own health and safety or that of other employees, contractors or the public.
6. Employees must cooperate with management in all aspects of health, safety and security including proper use of equipment, following procedures, undertaking and completing any WHS training, reporting incidents and participating in rehabilitation programs.
7. Contractors and visitors have a responsibility to take care of their own health and safety and for that of others who may be affected by their acts or omissions.

REFERENCES

Local Government Act
Work Health Safety Act

FURTHER INFORMATION:

Chief Executive Officer

Approved by:	[insert]
Approval Date:	
Review Date:	1 st December, 20 (annually)
Review Authority:	Chief Executive Officer
Applicable to:	All Council employees
Version No:	2



2.1.49 WORKPLACE BULLYING & HARASSMENT

West Daly Regional Council is committed to ensuring a healthy and safe working environment, free from hostility, offensiveness, intimidation and harassment, and any form of unlawful discrimination. These forms of behaviour within the workplace are unacceptable and will not be tolerated.

Bullying or harassment may cause the loss of trained and talented team members, and damage team member's morale and productivity. This policy reflects the belief that all team members should be able to work in an environment free of intimidation and harassment.

You are responsible for your own behaviour. If you think your behaviour may offend, then don't do it.

DEFINITION OF WORKPLACE BULLYING

Bullying occurs when:

- a person or group of people repeatedly behaves unreasonably towards a team member or a group of team members at work, and
- the behaviour creates a risk to health and safety.

Bullying does not include reasonable management action taken in a reasonable way by West Daly Regional Council in connection with your employment.

Detailed below are examples of behaviours that may be regarded as bullying behaviour if the behaviour is repeated and unreasonable and which create a risk to health and safety. Examples include:

- aggressive or intimidating conduct,
- belittling or humiliating comments,
- victimisation
- spreading malicious rumours,
- practical jokes or 'initiation ceremonies',
- exclusion from work-related events,
- unreasonable work expectations,
- displaying offensive material, or
- pressure to behave in an inappropriate manner.

DEFINITION OF SEXUAL HARASSMENT

Sexual harassment is any form of unwelcome sexual attention. It has nothing to do with mutual attraction or friendship between people, which is normal and positive. Sexual harassment involves humiliation or offence to the victim. It's not fun, flattering or flirting. Sexual harassment can happen to anyone and it's against the law wherever and whenever it occurs.

Sexual harassment could be:

- unwelcome physical touching, hugging, massaging or kissing,
- sexual or suggestive comments, jokes, taunts or name calling,
- unwelcome requests for sex,
- insinuations about a person's private or sex life, or sexual preference,
- offensive gestures or staring,
- sending sexually explicit text messages or emails,
- unwelcome or uncalled for remarks or insinuations about a person's appearance,
- posting of inappropriate comments, pictures, video's or blogs on websites, or
- the display or circulating of clearly sexual material (such as photos, pin-ups, screensavers or pictures) or reading matter (such as e-mails, faxes, social media links or letters).

Sexual harassment doesn't have to be repeated or ongoing to be against the law. Some actions or remarks are so offensive that they're clearly sexual harassment, even if they're not repeated. Other incidents, such as an unwanted invitation or compliment, are probably not harassment if they are "one-offs".

The harassment doesn't have to be deliberate. It can also occur in cases where a reasonable person would have expected that the behaviour was going to be offensive.

Some sexual harassment matters, such as sexual assault, indecent exposure and stalking are also criminal offences which will be reported to the relevant authorities.

ACTIONS THAT ARE NOT BULLYING OR HARASSMENT

Legitimate and reasonable management actions and business processes are not considered to be bullying or harassment, provided these actions are conducted in a reasonable way.

This includes:

- performance management processes,
- disciplinary action for misconduct,
- informing a team member about unsatisfactory work performance or inappropriate work behaviour,
- asking a team member to perform reasonable duties in keeping with their job, or
- maintaining reasonable workplace goals and standards.

EFFECTS OF BULLYING OR HARASSMENT ON PEOPLE AND WEST DALY REGIONAL COUNCIL

Bullying or harassment have detrimental effects on people and West Daly Regional Council. It can create an unsafe working environment, result in a loss of trained and talented team members, the breakdown of teams and individual relationships, and reduced efficiency. People who are bullied or harassed can become distressed, anxious, withdrawn, depressed, and can lose self-esteem and self-confidence.

WEST DALY REGIONAL COUNCIL STRATEGIES TO ELIMINATE BULLYING AND HARASSMENT

West Daly Regional Council will take the following actions to prevent and control exposure to the risk of workplace bullying or harassment:

- provide all team members with workplace bullying and harassment awareness training,
- develop a code of conduct for team members to follow,
- introduce a complaint handling system and inform all team members on how to make a complaint, the support systems available, options for resolving grievances and the appeals process, and
- regularly review the workplace bullying and harassment prevention policy, complaint handling system and training.

RESPONSIBILITIES OF TEAM MEMBERS

requires all team members to behave responsibly by complying with this policy, to not tolerate unacceptable behaviour, to maintain privacy during investigations and to immediately report incidents of workplace bullying or harassment to your Manager.

If you believe you have seen behaviour towards another team member, which you consider amounts to workplace bullying or sexual harassment; you are encouraged to discuss the matter with your Manager.

RESPONSIBILITIES OF MANAGERS

Managers must ensure that team members are not exposed to workplace bullying or harassment. Managers are required to personally demonstrate appropriate behaviour, promote the workplace bullying and harassment prevention policy, treat complaints seriously and ensure where a person lodges or is witness to a complaint, that this person is not victimised.

VICARIOUS LIABILITY

Under the Anti-Discrimination legislation, employers can be held liable for the actions (including sexual harassment) of their team members or agents. This is called vicarious liability and employers need to take reasonable steps to ensure that they protect their team members from sexual harassment and other types of discrimination and vilification, and to try to make sure their workplaces are free of this type of behaviour.

An employer or organisation can't avoid their liability under the act, simply because they were not aware of the sexual harassment done by their team members.

COMMITMENT TO PROMPTLY INVESTIGATE

Any reports of workplace bullying or harassment will be treated seriously and investigated promptly, fairly and impartially. A person making a complaint and/or who is a witness to workplace bullying or harassment will not be victimised.

CONSEQUENCES OF BREACH OF POLICY

Disciplinary action will be taken against a person who harasses or bullies a co-worker, client or supplier or who victimises a person who has made or is a witness to a complaint. Complaints of alleged workplace bullying or harassment found to be malicious, frivolous or vexatious may make the complainant liable for disciplinary action.

Discipline may involve a warning, counselling or dismissal, depending on the circumstances.

REVIEW OF POLICY

This policy and the actions outlined above will be reviewed every two years unless required earlier because of changes to the risk profile of the workplace or relevant legislation. If necessary, further changes and actions may be introduced to ensure that workplace bullying and harassment is prevented and controlled.

REFERENCES

Local Government Industry Award 2010
Local Government Act Sect. 104
Fair Work Act
Work Health Legislation
NT Anti-Discrimination Act

FURTHER INFORMATION:

Human Resource Advisor

Approved by:	Council
Approval Date:	15 December 2016
Review Date:	1 st December, 2017
Review Authority:	Chief Executive Officer
Applicable to:	All Council employees
Version No:	2

Finance Policy Manual

Policy Number	Policy Name	Version	Approved By	Date Approved	Review Date
3.1.01	Borrowings	1			
3.1.02	Cost Allocation	1			
3.1.03	Credit Cards	3			
3.1.04	Debt Management	1			
3.1.05	Fraud Protection Plan	1			
3.1.06	Fuel Cards	1			
3.1.07	Investments	1			
3.1.08	Leases	1			
3.1.09	Procurement	2			
3.1.10	Rates Management	1			
3.1.11	Rating Principle	1			
3.1.12	Receipt and Banking of Monies	1			
3.1.13	Tendering Process	1			



WEST DALY
Regional Council

3.1.01 - BORROWINGS

SUMMARY

West Daly Regional Council is committed to sound management of the existing and future debt of Council. The objectives are to:

- ensure funds are available as required to meet approved delays;
- ensure risks are acknowledged and responsibly managed; and
- outstanding debt is repaid as quickly as possible resulting in gross debt being minimised.

POLICY

The only borrowing that can take place is to provide capital expenditure on core service activities, with the intention of improving services to ratepayers.

If surplus funds become available, and it is financially expedient to do so, one off loan repayments will be made to reduce the term of existing loans.

Loan drawdowns will be spaced so as to optimise cash flow and minimise interest expenses.

The debt service ratio is to be the key indicator of Council's ability to sustain its level of debt. It is considered a target of 25% is appropriate considering the current growth phase of Council. Two other indicators should also be considered, viz. Debt to Revenue (no higher than 80%) and Net Financial Liabilities to Revenue (no higher than 80%).

New loans are to be borrowed for a period that maximises efficiency. Repayments will occur over the physical life of an asset as determined by Australian Tax Office depreciation guidelines, with a renewal every 5 years.

Borrowings shall be raised at the most competitive rates available and from available sources as defined by legislation and with a financial credit rating acceptable to NT Treasury.

The Chief Executive Officer shall report to Council on an annual basis detailing the loan portfolio.

REFERENCES

Local Government Industry Award
Local Government Act

FURTHER INFORMATION:

Chief Executive Officer

Approved by:	[insert]
Approval Date:	
Review Date:	1 st December, 2017
Review Authority:	Chief Executive Officer
Applicable to:	All Council employees
Version No:	1



WEST DALY
Regional Council

3.1.02 - COST ALLOCATION

SUMMARY

The Northern Territory *Local Government (Accounting) Regulations 9(g)* requires Council to provide:

“Details of all administrative and accounting procedures, policies and delegations or authority, including:

- (i) Details of internal control procedures; and*
- (ii) Details of personnel and financial delegations; and*
- (iii) A chart of accounts divided into assets, liabilities, income, expenses and council equity accounts; and*
- (iv) Procedures relating to the receipt and banking of money the payment of salaries and wages, the allocation of machinery operating costs to council functions, the purchase of goods and services and the granting of credit to council debtors”.*

ALLOCATION OF MACHINERY OPERATIONS COSTS TO COUNCIL FUNCTIONS

The range of vehicle, plant and machinery owned and leased by West Daly Regional Council is extensive in number and variety. Equipment is utilised in grant funded programs or on a shared basis between various programs, areas, and centres. For example a front end loader at one service centre purchased primarily for road maintenance and civil engineering work might travel to various neighbouring centres periodically to perform waste management duties. The operational and capital cost including depreciation of the plant item must therefore be shared proportionately between programs based on the level of activity by centre and program.

The hourly operational cost of an item is determined on such factors as initial purchase cost and depreciation, hourly operational running costs including fuels, operator costs, service costs and ongoing maintenance. The Assets Manager is then responsible not only for determining hourly operational costs but ensuring these are allocated to the appropriate cost centre based on data received from the field.

An exception to this would be those grant funded programs such as Night Patrol where capital costs are provided by the funding agency to purchase equipment such as motor vehicles exclusively for that service. Consequently depreciation is not a calculable operational cost to Council in this instance.

REFERENCES

Local Government Industry Award
Local Government Act

FURTHER INFORMATION:

Chief Executive Officer

Approved by:	[insert]
Approval Date:	
Review Date:	1 st December, 2017
Review Authority:	Chief Executive Officer
Applicable to:	All Council employees
Version No:	1



WEST DALY
Regional Council

3.1.03 - CREDIT CARDS

SUMMARY

Use of credit cards provides West Daly Regional Council with a convenient method for purchasing items and services where store accounts, purchase requisitions and orders are not available or are impractical and speed of purchase is of the essence.

However their use attracts service and interest fees and must be tightly controlled to prevent misuse and overuse.

POLICY

1. Credit cards may be issued on a permanent basis under controlled conditions.
2. Allocation of credit cards and financial limits on those cards will be restricted only to those staff that the Chief Executive Officer deems necessary.
3. Credit cards should be used as a purchase method only when normal Purchase Requisitions are not available or acceptable to a merchant.
4. Credit card holders must retain all receipts, invoices and other documentation relating to each transaction to be attached to each reconciliation statement.
5. Credit card holders must reconcile their card usage statement by attaching receipts and any explanations on a monthly basis. In the event that a particular purchase cannot be verified by a receipt, invoice or other commercial document, the card holder will provide a Statutory Declaration with all details in relation to the purchase. Reconciliations will be vetted by the Senior Financial Consultant who will discuss any differences or discrepancies with the card holder.
6. Prohibited credit card purchases include, but are not limited to:
 - cash advances;
 - personal usage, even if the card holder intends to reimburse Council;
 - personal food and accommodation unless on official travel for which travel allowance has not been allocated;
 - stationery and other supplies normally provided by Council;
 - payment of any traffic infringements or other fines personally incurred;
 - any purchase of a personal nature where Council is not involved.
7. Credit card purchases used for private use without approval of the Chief Executive Officer, regardless of circumstances, will lead to termination of employment of the card holder.

8. Any Council employee who considers they have an official need for a credit card must make written application through their direct manager to the Chief Executive Officer for consideration.
9. Any Council credit card that is damaged, stolen or lost, must be immediately reported to the Chief Executive Officer or authorised person nominated by the Chief Executive Officer. The Chief Executive Officer or authorised person nominated by the Chief Executive Officer will advise the issuing bank as soon as possible of the situation.
10. The card holder will keep the card secure at all times and not permit usage by any other person.
11. The credit card must be returned to the Chief Executive Officer or authorised person nominated by the Chief Executive Officer when the card holder leaves the employment of Council for any reason.

REFERENCES

Local Government Industry Award
Local Government Act

FURTHER INFORMATION:

Chief Executive Officer

Approved by:	[insert]
Approval Date:	
Review Date:	1 st December, 2017
Review Authority:	Chief Executive Officer
Applicable to:	All Council employees
Version No:	1

3.1.04 - DEBT MANAGEMENT

SUMMARY

Efficient and capable management of finances is one of the most essential areas of the West Daly Regional Council Organisation. Finance is a basic prerequisite for all operational areas and essential for ongoing operations and projects.

While annual revenue is derived from the Commonwealth and Northern Territory Governments, various funding agencies, service fees and rates, there is a reasonable expectation by the community that Council will manage accounts payable and receivable in an efficient and speedy manner, with appropriate internal checks to ensure management integrity and regular public reporting.

This policy considers debt management of rating and charges raised by Council during the course of normal business. Council's debtor levels must be constantly monitored and receive timely attention.

POLICY

1. Rating Debts (refer also Policy #3.1.12 – Rating Principle)

- a. Rate Notices will be sent as soon as possible following the Declaration of Rates and Charges. Ratepayers will have the option of payment by quarterly instalments, without accruing the declared interest.
- b. Council will issue a statement of outstanding rates and details of any interest accrued as at the completion of the prior instalment period. The statement is to be accompanied by a notice indicating that default interest is not being applied and, that if rates remain outstanding at the date the second instalment is due, Council may take action to recover the debt.
- c. If a rate debt remains outstanding by the end of each rateable period, Council will take action to lodge a statutory charge over the land in accordance with the *Local Government Act* section 171.
- d. Any legal and other lodgement or cancellation fees for lodgement and removal of a statutory charge are to be charged to the ratepayer.
- e. If rates on a property remain in arrears for at least (3) years, Council will take action to sell the property for recovery of the outstanding debt, legal and sale costs in accordance with Part 11.9 Division 4 of the *Local Government Act*.

2. Non Rating Debts

- a. Invoices will be issued for all charges other than rates and associated charges as soon as possible depending on the type of service provided.
- b. All payments will be receipted as received and appropriate entries made to financial data.
- c. Recorded Financial data will be used to provide monthly financial management reports aging all debts, other than rates, into 30, 60 and 90 days or longer.
- d. Statements and advice of outstanding charges will be provided to the last known address of any debtor and, if payment is not received or queried, outstanding charges of 60 days or longer will be passed to a debt collection agency. Levels of debt will be an integral part of each monthly report to Council by the Chief Financial Officer.
- e. If a debt remains outstanding after reasonable debt recovery action has proved fruitless, the matter will be referred to the Chief Executive Officer for determination of further action.
- f. All debt write off action must be a resolution of Council.

REFERENCES

Local Government Industry Award
Local Government Act

FURTHER INFORMATION:

Senior Financial Consultant

Approved by:	[insert]
Approval Date:	
Review Date:	1 st December, 2017
Review Authority:	Chief Executive Officer
Applicable to:	All Council employees
Version No:	1

3.1.05 - FRAUD PROTECTION PLAN

SUMMARY

The West Daly Regional Council recognises that a fraud and corruption protection plan is an integral part of good governance and management. Council has adopted a zero tolerance policy on fraud and corruption and is committed to maintaining an organisational culture which will ensure that effective prevention of fraud is an ongoing and essential aspect of Council management.

The Australian Standard on Corporate Governance – Fraud and Corruption Control (AS8001:2008) sets a basis for fraud protection. An integrated management approach for effective fraud and corruption control has been developed by the Crime and Misconduct Commission in its policy paper “*Fraud and Corruption Control – Guidelines to Best Practice.*” The policy is based on the guidelines and principles of the Financial Accountability Act 2009, Crime and Corruption Act 2001 (CC Act) and the Australian Standard: AS8001-2008 Fraud and Corruption Control (The Australian Standard).

West Daly Regional Council has a zero tolerance stance on fraud and corruption by being committed to minimising the risks of such behaviour and ensuring continuing organisational integrity and transparency in all Council activities consistent with its Codes of Conduct and the law.

Where an employee or Council member is aware of, or suspects, fraudulent or corrupt conduct they must report these suspicions immediately to the Chief Executive Officer. Confidentiality must be maintained throughout any investigative process.

DEFINITIONS

Anti-fraud - is defined as the measures taken within the Council organisation to prevent, detect and investigate instances of fraud.

Corruption - is defined by the Crime and Misconduct Commission as behaviour that may involve fraud, theft, misuse of position or authority or other acts that are unacceptable to an organisation and which may cause loss to the organisation, its clients or the general community. It may also include such elements as breaches of trust and confidentiality. The behaviour need not necessarily be criminal. The Australian Standard states that corruption is a dishonest activity in which a director, executive, manager, employee or contractor of the organisation acts contrary to the interests of the entity and abuses their position of trust in order to achieve some personal gain or advantage for themselves or for another person or entity.

Fraud - is defined by the Australian Standard on Fraud and Corruption Control as a dishonest activity causing actual or potential financial loss to any person or entity including theft of monies or other property by employees or persons external to the entity whether or not deception is used at the time. It also includes the deliberate falsification, concealment, destruction or use of falsified information used or intended for use for a normal business purpose or the improper use of information or position.

Theft - is the dishonest appropriation of Council's property with intent to deprive Council and the community of the item on a permanent basis.

POLICY

West Daly Regional Council is committed to ensuring that its culture will continue to be one of honesty and opposition to fraud, theft and corruption. There is an expectation and requirement that all individuals and organisations connected or associated in any way with Council will act with integrity and that Council staff and Elected Members, at all levels, will lead by example.

1. Council staff are required to report all suspected fraud, theft, corruption and any irregularities to their manager, Executive Manager or the Chief Executive Officer. Such concerns are to be treated in the strictest confidence and properly and urgently investigated.
2. No person will be penalised for making an allegation that is subsequently proved to be groundless, where the allegation was made in good faith. (Refer Policy #1.1.23 – Whistle Blowing).
3. Depending on the nature and anticipated outcome of any allegations of fraud, the Executive Manager and the investigating officer, will work closely with management and all relevant agencies such as Police to ensure that all allegations and evidence are properly investigated and reported upon.
4. The investigator will:
 - a. deal promptly with the matter;
 - b. record all evidence and ensure it is sound, safe and adequately supported;
 - c. contact and liaise with all involved agencies; and
 - d. have continual liaison with the Chief Executive Officer.
5. Council will notify Police where financial impropriety is discovered. Referral to Police ensures that offenders are dealt with according to the law.
6. The Chief Executive Officer, Executive Managers and senior managers are to ensure there is a continuous review of systems and internal controls by government agencies, internal committees such as the Audit and Risk Management Committee, staff, Council's external auditors and, where feasible such as with the management of grants, Commonwealth Government agencies.
7. Senior managers are expected to deal swiftly and firmly with those who defraud or steal from Council or who are corrupt. The Council should be considered as robust in dealing with financial irregularity or malpractice. There is a need to ensure that all incidents are dealt with firmly and fairly.
8. A key preventative measure against fraud and corruption is to consider the previous record of new employees during the recruitment phase. While staff recruitment must be in accordance with policy guidelines, recruitment officers are expected to follow up on referee reports and criminal history checks. Any irregularities should be carefully considered.
9. The Chief Executive Officer or an authorised person nominated by the Chief Executive Officer has responsibility for developing internal controls and policies regarding receipt and handling of cash and valuables.

10. Members of the public are encouraged to report any suspected instances of fraud, theft or corruption to the Mayor or Chief Executive Officer. Similarly should an Elected Member receive advice regarding an alleged fraudulent matter, they should provide such information as soon as practicable to the Chief Executive Officer.

REFERENCES

Local Government Act

FURTHER INFORMATION:

Chief Executive Officer

Approved by:	[insert]
Approval Date:	
Review Date:	1 st December, 2017
Review Authority:	Chief Executive Officer
Applicable to:	All Council employees
Version No:	1



WEST DALY
Regional Council

3.1.06 - FUEL CARDS

SUMMARY

Use of fuel cards obtained through a contracted supplier provides West Daly Regional Council with a convenient method for purchasing fuels and oils.

POLICY

1. Fuel cards may be issued on a permanent basis under controlled conditions.
2. Fuel card users must retain all receipts, invoices and other documentation relating to each transaction.
3. Fuel card holders must reconcile their card usage statement by attaching receipts and any explanations on a monthly basis. In the event that a particular purchase cannot be verified by a receipt, invoice or other commercial document, the card holder will provide a Statutory Declaration with all the relevant details. Reconciliations will be vetted by the Administration Department.
4. Council fuel cards are limited to purchase fuels and oils only for Council owned and operated vehicles, plant and machinery.
5. Fuel card purchases cannot be for private use or for supplies for a private motor vehicle.
6. Any Council employee who considers they need a fuel card should make application to their Community Services Manager. Only the Administration Department can order new fuel cards with the approval of the Community Services Manager. Approved applications will be sent to the fuel supplier seeking a new or replacement card. The Administration Department will then forward the card to the Community Services Manager.
7. Any Council fuel card that is damaged, stolen or lost must be immediately reported to their Community Services Manager who must advise the Administration Department.
8. The card holder will keep the card secure at all times and not permit usage by any other person.
9. The fuel card must be returned to the Community Services Manager when the card holder leaves the employment of the Council for any reason.

REFERENCES

Local Government Act

FURTHER INFORMATION:

Chief Executive Officer

Approved by:	[insert]
Approval Date:	
Review Date:	1 st December, 2017
Review Authority:	Chief Executive Officer
Applicable to:	All Council employees
Version No:	1

3.1.07 - INVESTMENTS

SUMMARY

The *Local Government Act* section 121 in regards to investments, states:

- “(1) A council may invest money not immediately required for the purposes of the council.
(2) The Minister may, after consultation with the Treasurer, issue investment guidelines from time to time.
(3) An investment must be consistent with guidelines in force at the time the investment is made.”*

The Minister has issued a guideline on investments and this policy details a set of guiding principles to ensure the sound management of the existing and future investments of West Daly Regional Council and to comply with legislation and the guideline.

OBJECTIVES

To invest Council’s surplus funds, with consideration of risk and at the most favourable rate of interest available at the time for that investment type, while ensuring that Council’s liquidity requirements are being met. While exercising the power to invest, consideration is to be given to preservation of capital, liquidity, and the return of investment.

1. Preservation of capital is the principal objective of the investment portfolio. Investments are to be made in a manner that seeks to ensure the security and safeguarding of the investment portfolio. This includes managing credit and interest rate risk within identified thresholds and parameters.
2. The investment portfolio must ensure there is sufficient liquidity to meet all reasonable anticipated cash flow requirements, as and when they fall due, without incurring significant costs due to the unanticipated sale of an investment.
3. The investment is expected to achieve a predetermined market average rate of return that takes into account the Council’s risk tolerance. Any additional return target set by Council must also consider the risk limitation and prudent investment principles.

POLICY

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

Staff shall refrain from personal activities that would conflict with the proper execution and management of Council’s investment portfolio. Any conflict of interest must be disclosed to the Chief Executive Officer.

Consideration should be given to applying any funds that are not immediately required to meet approved expenditure to reduce Council's level of borrowings or to defer and or reduce the level of new borrowings that would otherwise be required.

Funds should be invested in a manner which allows those funds to maximise interest earned for as long as possible but retain flexibility in accessing the funds for Council purposes.

Consideration should be given to retaining a buffer of funds in an interest bearing at call account to ensure sufficient funds are available to meet Council's commitments.

Unless Council by resolution determines differently, investments are limited to:

1. State/Commonwealth Government Bonds;
2. Interest bearing deposits such as bank accounts and term deposits, including the Territory Insurance Office;
3. Bank accepted/endorsed bank bills;
4. Commercial paper (a loan of less than 270 days backed by assets such as loans or mortgages);
5. Bank negotiable Certificate of Deposits; and
6. Managed funds with a minimum long term Standard & Poor (S&P) rating of "A" and short term rating of "A2".

Any investment carried out for speculative purposes is prohibited including:

1. Derivative based instruments;
2. Principal only investments or securities that provide potentially nil or negative cash flow; and
3. Stand-alone securities issued that have underlying futures, option, forwards contracts and swaps of any kind,

The use of leveraging (borrowing to invest) is also prohibited.

Investments obtained must comply with key criteria as indicated below relating to: credit exposure of the portfolio

Portfolio Credit Framework: limit overall credit exposure of the portfolio

Counterparty Credit Framework: limit exposure to individual counterparties/institutions.

- Term to Maturity Framework: limits based upon maturity of securities;
- Protection of Principal: investments entered into must be structured to minimise risk of loss of principal;
- Grant Funding Conditions: conditions relating to grant funding available to invest must be complied with.

Overall Portfolio Limits

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

REFERENCES

Local Government Act

FURTHER INFORMATION:

Chief Executive Officer

Approved by:	[insert]
Approval Date:	
Review Date:	1 st December, 20 (annually)
Review Authority:	Chief Executive Officer
Applicable to:	All Council employees
Version No:	1

3.1.08 – LEASES

SUMMARY

A distinction is made between financial leases which effectively transfer from the Lessor to the Lessee substantially all the risk and benefits incidental to ownership of leased non-current assets (finance leases), and Operations leases under which the Lessor effectively retains substantially all such risks and benefits.

The *Local Government Act* section 182(1) provides that:

“Subject to the Minister’s guidelines, a council may deal with or dispose of property of which the council is the owner.”

POLICY

As a general rule, Council being the custodian of public assets, provides that a long term lease on all property through an open market format is to ensure due probity of process and optimal financial return with minimal risk.

However, one of Council’s roles of participating in the marketplace via property ownership is to facilitate desired goals and objectives to ensure growth and prosperity of the Council which, if left to the private marketplace alone, may not be achievable.

The Policy applied to any form of contract which legally or potentially binds the Council and includes formal contracts and other forms of contractual arrangements including heads of agreement, in principle agreement, options to purchase, leases etc.

A long term lease is one which will exceed a period of ten (10) years at the time of negotiation inclusive of any renewal options. It does not take into consideration any retrospective periods of the lease which may have already expired.

A short term lease is one which occurs annually or due to Consumer Price Index (CPI) changes. One of these leases are:

1. S.19 Lease that Council endorses. This covers lease payments to Traditional Owners who own the land on which Council facilities such as offices, depots and staff housing are situated. However, the additional need to negotiate leases of Council services and facilities will place additional financial strain on Council. Such additional costs are not being readily supported by government.

The *Local Government Act* s26(1) provides:

“(1) A Council acts:

- (a) Through local authorities, local boards or council committees, officers, staff and agents to whom the council has delegated powers or authorised to act on its behalf; or
- (b) Through officers or other persons authorised by this Act (or a by-law) to act on the Council's behalf; or
- (c) Under its common seal.

Note: It follows that a contract will be made by a Council under its common seal or by an officer or other agent of the Council with authority to act on its behalf."

2. Financial Leases are for photocopies and equipment that allotted payments from the budget is made.

Council can alter this Policy or replace it with a new Policy at any time so long as it does not affect a process which has already commenced.

REFERENCES

Local Government Act

FURTHER INFORMATION:

Chief Executive Officer

Approved by:	[insert]
Approval Date:	
Review Date:	1 st December, 2017 (annually)
Review Authority:	Chief Executive Officer
Applicable to:	All Council employees
Version No:	1



3.1.09 – PROCUREMENT

SUMMARY

The procurement (or purchasing) policy and procedures contained herein apply to all employees of West Daly Regional Council and represents Council policy.

Overall, Council is committed to carrying out business with its suppliers and clients in an equitable, professional and efficient manner. It is also conscious of the need to support the local traders and businesses and those supplies who, while not resident within the boundaries of the West Daly Region, provide services to regional communities.

DEFINITIONS

Contract – is an agreement between Council and an external supplier for the provision of specified work, goods or services.

Delegations – are the authority given by Council to specific officers employed by Council to make decisions in relation to the negotiation of, or entering into, contracts for the carrying out of the work, the supply of goods and services to Council.

Period Contracts – are specific arrangements with a supplier following their selection by a public tender process. The agreements have specific commencing and finishing dates and are advertised initially with similar suppliers.

Preferred Supplier Arrangement – is an arrangement entered into between the Council and a particular supplier for supply of goods or services up to \$100,000.00 per transaction.

Purchasing Agreement – is a contract for the supply of goods or services under agreed pricing and other conditions relation to delivery, quality of goods or services or timing. The arrangements are regularly reviewed by the Finance Department.

Specifications – are a detailed description of the work to be executed, the goods or materials to be supplied or the service to be rendered.

Tender – refers to a detailed quotation by a supplier of goods or services in response to a general advertisement by Council. A tender includes details of the goods and services to be offered, pricing conditions, delivery terms and quality of the items. Public tenders must be kept in a locked tender box and opened only under specific conditions after the published conclusion date and time has passed (Refer to Policy #3.1.13 – Tendering Process).

POLICY

All purchasing arrangements for West Daly Regional Council will be based on the following procurement principles:

- Open and effective competition;
- Value for money;
- Listed Preferred Suppliers;
- Enhancement of the capabilities of local business and industry;
- Environmental protection;
- Ethical behaviour and fair and equitable dealing; and
- Advancement of employment opportunities for those residing within Council's area.

Council purchasing officers are required to adhere to the following:

Purchase Costs (Excluding GST)	Procedure
Up to \$999	Direct Procurement
Over \$1,000 but less than \$5,000	One quotation (written or verbal) to be obtained
Over \$5,001 but less than \$10,000	Three quotations (written or verbal) to be obtained
Over \$10,001 but less than \$100,000	Three written quotations to be obtained
Over \$100,000	Three tenders to be obtained through open tender process (refer Policy #3.1.13 – Tendering Process)

Where a verbal quote has been sourced, details including description of goods and services being purchased, the name and contact details of the supplier and the quoted purchase cost should be recorded by the enquiring employee in the 'comments' section of the purchase requisition with the Technology One system. A written quotation is to be attached to the purchase requisition.

Where the value of the goods and services is expected to exceed \$100,000, public tenders must be called. Refer to Policy #3.1.13 – Tendering Process).

Quotations or tenders are not required for the purchase of land, a consultancy or other professional service, travel and accommodation or in any instance where the Minister dispenses with the requirements under the *Local Government (Accounting) Regulations*, regulation 30.

Similarly quotations are not required to be sought if the supplies or services are to be obtained from a supplier or contractor who has a similar contract with:

1. The Northern Territory Government
2. A Commonwealth Government
3. A State or another Territory
4. Another Council*
5. A Local Government or subsidiary* or
6. Local Government Association of NT (LGANT)*

*subject to conditions of the Local Government (Accounting) Regulations, regulation 30.

Local Buy is part of the National Procurement Network to which LGANT is a member. Therefore, if Council purchases through Local Buy, it is not obligated to apply public tender requirements.

Under no circumstances are orders to be split so that the total value of the order falls under the amount of the individual's delegated authority or reduce the value of the purchase to a level where written quotations are not mandatory. This would be considered as violating Council's Fraud and Corruption Policy and could result in deferment of the purchase under an investigation can be completed.

Council employees are particularly instructed to always consider local traders and businesses and those suppliers who, while not resident within the boundaries of Victoria Daly Region, provide services to regional communities within it.

Public liability insurance should be relevant to the works performed and the CEO has the delegation to change the amount required.

Please refer to the West Daly Regional Council Register for delegations covering purchases.

REFERENCES

Local Government Act

FURTHER INFORMATION:

Chief Executive Officer

Approved by:	[insert]
Approval Date:	
Review Date:	1 st December, 2017 (annually)
Review Authority:	Chief Executive Officer
Applicable to:	All Council employees
Version No:	2

3.1.10 – RATES MANAGEMENT

SUMMARY

Note: The following policy outlines administrative procedures covering rate management including options available to Council should rates become seriously outstanding. This policy should be read in conjunction with Policy #3.1.12 – Rating Principles, which outlines background principles behind local government rating.

The authority for rating by Local Governments is found in the *Local Government Act* section 141 which states:

“Rateable Land

*All land within a local government area is **rateable** unless it is:*

- *Conditionally rateable for which there is no approved rating proposal currently in force; or*
- *Exempt land.”*

Rates are a traditional source of revenue for local government and generally represent the land owners’ to services received. They are also considered a form of taxation contributed to by land owners for the work of the local government.

This policy outlines expectations of the Victoria Daly Regional Council regarding:

- Setting rate levels;
- Rate concessions;
- Conditionally rateable land proposals;
- Recovery of overdue rates; and
- Writing off rate debts.

DEFINITIONS

Commonwealth Land – is land owned by the Commonwealth Government and is only rateable if the Commonwealth Government agrees and in that event on conditions agreed to by the Commonwealth.

Conditionally Rateable Land – is land held under a pastoral lease and land occupied under a mining tenement (*Local Government Act* section 142).

Exempt land – is those categories of land which are outlines in the *Local Government Act* section 144.

Mining Tenement – is land on which there is a statutory lease or authority authorising the commercial production of minerals, petroleum or natural gas. For rating purposes, this means that rates can only be

levied on operations mines or areas where commercial interests exist. It does not refer to land which is simply under geological exploration ie: prospecting (*Local Government Act* section 3 – Definitions).

Rate Concession – applies to any specific concession on whole or part of rates resolved by Council where imposition of normal rates would cause financial hardship. Council has authority to apply concessions to alleviate financial hardship (refer to *Local Government Act* Part 11.8 – Rate Concessions).

Rating proposal – for conditionally rateable land is a proposal by Council under Section 142 of the Act for a level of rating for the forthcoming financial year.

Relevant Interest Rate – is a rate of interest fixed by the Council to apply to rates not paid by the specified date. If a ratepayer defaults in payment, all remaining instalments become due and payable. Interest therefore accrues on the total amount of the unpaid rates and not merely the amount of the instalment (*Local Government Act* section 161(2) and Part 11.7 – Interest on Unpaid Rates).

Unimproved Capital Value – is the assessed value of land which an average buyer might pay. It is the value of the land only and any capital improvements are ignored. The assessor is the Valuer-General's office.

POLICY

Setting Rate Levels

Rates and service charges will be reviewed annually and determine for each financial year at the last meeting prior to 31st July of that year. In setting rates, Council will consider both the CPI (Consumer Price Index) of LGCI (Local Government Cost Indexing) which is provided by the Local Government Association of NT annually, and any major increase in costs to Council such as utility charges.

Unless otherwise resolved by Council, annual rating shall be based on a valuation based charge calculated as a proportion of the assessed unimproved capital value of each allotment to provide an overall approved level of revenue.

Council will make allowances for payment of rates by quarterly instalments but, unless otherwise determined, no discount will be offered for payment of rates and services in full.

In accordance with the Local Government Act, rates will not be imposed on Commonwealth Government land unless there is an agreement for rates with the ownership agency, an Aboriginal Community Living area Association unless the land has been leased out or is occupied by a person or association not being the Aboriginal Community Living Area Association and Land owned by a Land Trust.

Rate Concessions

Ratepayers wishing to seek rate concession on the basis of financial or personal hardship should state their case in writing to Council to consider. Such applications should be assessed by relevant senior staff and appropriate recommendations made for Council's consideration at its next ordinary meeting. Council is under no obligation to grant concessions or enter into a payment agreement unless it so resolves.

If a payment arrangement is made with a ratepayer and the agreed conditions are not fulfilled by that ratepayer within seven (7) days when originally due without acceptable reason, Council will regard the arrangement as void and the original conditions of level of rates and due dates for payment including accrued interest will apply.

Conditionally Rateable Land Proposals

Rating proposals for rating of conditionally rateable land shall be approved at a Council meeting prior to February of the year for which rates are being considered.

Rating proposals for conditionally rateable land will contain the information outlined in Ministerial Guideline #6.

Recovery of Overdue Rates

Council will issue a statement of outstanding rates and interest accruing as at the completion of each instalment round. The statement is to be accompanied by a notice indicating that default interest is now being applied and, that if rates remain outstanding at the date the second instalment is due, that Council may take action to recover the debt.

If a rate debt to Council remains outstanding by the end of each rateable period, Council will take action to lodge a statutory charge over the land in accordance with the *Local Government Act* section 171.

Any legal and other lodgement or cancellation fees for lodgement and cancellation of a statutory charge are to be charged to the rate payer.

If rates on a property remain in arrears at least three (3) years, Council will take action to sell the property for recovery of any outstanding rates and service charges plus legal and selling expenses in accordance with the *Local Government Act* Part 11.9.

Writing off Rate Debts

Council will write off rate debts in accordance with the following table:

Function	Amount and/or Qualification (where applicable)	Delegated Authority
Rate Debts	Where principal debt has been paid and balance of less than \$5 remains	Rates Officer
	Not exceeding \$100	Senior Financial Officer
	Greater than \$100	Council

REFERENCES

Local Government Act

Local Government (Accounting) Regulations

FURTHER INFORMATION:

Chief Executive Officer

Approved by:	[insert]
Approval Date:	
Review Date:	1 st December, 20 (annually)
Review Authority:	Chief Executive Officer
Applicable to:	All Council employees
Version No:	1

3.1.11 – RATING PRINCIPLE

NOTE: The following policy relates to “Rating Principles” ie: the background principles behind local government rating. This policy should be read in conjunction with Policy 3.1.10 – Rates Management. “Rating Management” outlines administrative procedures covering rate management including options available to Council should rates become seriously outstanding.

GENERAL

The West Daly Regional Council is required to consider and adopt a rating policy which governs application of Council rates for ensuing years. Rates are an essential ingredient of revenue for Council but in past years have made up less than 3% of overall annual income for Council with the balance of revenue being derived from direct financial grants from Governments.

Income that any Council requires to provide services comes from three main streams:

- (a) Government operation funding distributed in the Northern Territory through the NT Grants Commission;
- (b) Financial grants that are normally tied to specific community programs and projects; and
- (c) Rates and service fees which constitute the public contribution towards local government services in the area.

A common assumption is that services and facilities should be provided in direction proportion to the level of rates collected. This is not, and cannot, always be the case. However rating should be applied with fairness and consideration of the special needs and abilities of local residents.

It has been an ongoing debate for some time that pastoral properties in the Northern Territory do not receive services to the level that residents in the larger urban centres and communities do. While it can be argued that residents on pastoral properties have the same access to urban facilities such as libraries, community events, public roads, waste management etc., in reality most property owners provide directly for their own internal roads, waste management and other needs without calling upon local government. It is nationally recognised that local government rates covering a pastoral property represent that property’s specific contribution to the community well-being within the local government area in which they are located. This is commonly accepted in all other states and territories. Rating of pastoral properties in the Northern Territory has only occurred in recent years since the majority of the Northern Territory land area became incorporated under local government.

The *Local Government Act* section 141 states that “*all land within a local government area is rateable...*”. Under section 170 of the Act, overdue rates become based on the land rather than an individual. Consequently, if land is transferred from one owner to another, any outstanding rates become the liability of the new owner.

Rates for each financial year must be set by Council prior to 31 July of that year and a formal declaration published in the local newspaper and on Council's website. At this time, Council may also resolve to allow a discount for prompt payment of rates in full.

With consideration of rates, Council also considers its service charges for any service it carries out. Service charges are applicable to rating exempt properties if Council provides services.

Rating Background and Methods of Calculation

In provision of core local government services to the region, there is a need to provide and maintain significant levels of infrastructure and plant including roads, drainage, buildings, parks, sporting and recreation facilities, along with staff accommodation in isolated communities. Each area and category of resident requires a differing mix of services. These range between roads and infrastructure in a small community to the needs of special land use groups such as pastoralists and mining operations. Essentially, Council needs to attract sufficient rate revenue to continue these facilities and services. However, there is also moral obligation to consider certain background principles in the application.

The *Local Government Act* categorises land within Council's area as:

- **Rateable** land is all that land within the boundaries of West Daly Regional Council that is not conditionally rateable or exempt.
- **Conditionally rateable** land is generally an operational pastoral or mining lease or tenement. The level of rates on conditionally rateable land must be approved by the Minister for Local Government and accordingly, each Council must advise the Minister of their recommendation for land within their boundaries four months before 1st July annually, viz. by February. It is Council's policy that it be allowed to determine the appropriate rating levels in its area, albeit within the Ministerial guidelines.

Background rating principles

General principles include fairness and equity, simplicity, efficiency and effectiveness. Although to most residents, local government rates are considered unavoidable, they should be consistently applied and open to public scrutiny.

Fairness/Equity

Rates must be applied as far as possible between those ratepayers with similar ability to pay. This is referred to as horizontal equity. In this instance, rating should be similar in application level. The alternative, vertical equity, considers that those ratepayers with greater ability to pay should accept higher rating than others. Inherent in rating equity is the acceptance that some resident groups, despite paying a higher level of rating, might actually access benefits at a lesser level.

Simplicity

The principle of simplicity refers to the comprehension of various ratepayers of how rates are calculated. Calculations must be transparent.

Efficiency

Rates must be applied in an efficient manner. They should be issued at similar times annually and be able to be easily understood applying equally to most ratepayers in a particular area. Rate revenue must also be utilised in an efficient manner.

In setting rates for ensuring years, Council generally consider either CPI (Consumer Price Index) or LGCI (Local Government Indexing) which is provided by Local Government Association of Northern Territory (LGANT) based on national benchmarks.

DEFINITIONS

Conditionally rateable land – is generally either a pastoral lease or a mining tenement that is operational. The level of rates on conditionally rateable land must be approved by the Minister for Local Government accordingly, each Council must advise the Minister of their recommendation for land within the boundaries of four months before 1st July annually and viz. by February.

Exempt land – is those categories of land which are outlined in the *Local Government Act* section 144.

Fixed Rate – occurs when a Council charges a fixed rate on each title or allotment of land regardless of its size, location or capital improvements.

Improved capital value – is the assessed value of land which an average buyer might pay. It includes buildings and all capital improvements but not machinery and plant, tools and machines. The assessor is the Valuer General's Office.

Rateable land – is all that land within the boundaries of the West Daly Regional Council that is not conditionally rateable or exempt.

Unimproved capital value – is the assessed value of land which an average buyer might pay. It is the value of the land only and any capital improvements are ignored. The assessor is the Valuer General's Office.

POLICY

Land rates in the West Daly Region will be based on Unimproved Capital Value (UCV) except where Council by resolution declares a fixed rate per property.

Rates and service charges will be reviewed annually and determined for each financial year at the last meeting prior to 31 July annually of that year. In setting rates, Council will consider either CPE or LGCI which is provided by LGANT.

Unless otherwise determined, Council will not offer a discount for early payment of rates in full but will make arrangements for ratepayers to make quarterly instalments if they prefer.

REFERENCES

Local Government Act
Local Government (Accounting) Regulations
NT Valuation of Land Act

FURTHER INFORMATION:

Chief Executive Officer

Approved by:	[insert]
Approval Date:	
Review Date:	1 st December, 20 (annually)
Review Authority:	Chief Executive Officer
Applicable to:	All Council employees
Version No:	1



WEST DALY
Regional Council

3.1.12 – RECEIPT AND BANKING OF MONIES

SUMMARY

The Northern Territory *Local Government (Accounting) Regulations* regulation 9(g) requires Council to provide:

“Details of all administrative and accounting procedures policies and delegations of authority, including:

- (i) Details of internal control procedures; and*
- (ii) Details of personnel and financial delegations; and*
- (iii) A chart of accounts divided into assets, liabilities, income, expenses and council equity accounts; and*
- (iv) Procedures relating to the receipt and banking of money, the payment of salaries and wages, the allocation of machinery operating costs to Council functions, the purchase of goods and services and the granting of credit to Council debtors.”*

POLICY

West Daly Regional Council is committed to a transparent procedure of handling monies and valuables in all Council offices.

The following procedure should be implemented in all Council offices.

All payments made directly to a Council reception area should be immediately receipted with as much details as necessary to enable due processing of the payment.

All monies should be kept in a locked cash drawer, receptacle or office safe at all times. Access to the drawer, receptacle or safe should be limited to those necessary.

At the end of each day, a financial reconciliation should be done comparing actual receives with cash at hand. The reconciliation should be prepared by the receptionist or administration assistant and confirmed as correct by the office manager or supervisor.

If possible, all monies should be banked daily or if banking facilities are not available, transferred to the Regional Office as soon as possible by safe hand.

REFERENCES

Local Government Act

Local Government (Accounting) Regulations

FURTHER INFORMATION:

Chief Executive Officer

Approved by:	[insert]
Approval Date:	
Review Date:	1 st December, 2017 (annually)
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Applicable to:	All Council employees
Version No:	1



3.1.13 – TENDERING PROCESS

SUMMARY

When the value of the goods and services is expected to exceed \$100,000 public tenders must be called through public notices in local newspapers, ie: NT News and a further notice placed on Council's website.

A Tender refers to a detailed quotation by a supplier of goods or services in response to a general advertisement by Council. A tender includes details of the goods and services to be offered, pricing conditions, delivery terms and quality of the items. Public tenders must be kept in a locked tender box and opened only under specific conditions after the published conclusion date and time has passed.

POLICY

Notices for a call for public tender through the local newspaper and Council's website must include:

- A description of the goods or services required including a scope of works;
- How a prospective tenderer can source specific details of the goods or services required included contact details of the employee handling the tender process;
- How tenders should be lodged; and
- The tender closing date and time.

All tender applications shall be kept confidential until their official opening and marked accordingly. All tenders delivered, mailed or emailed to specified addresses should be received in sealed envelopes (or sealed in the case of e-mails) and placed in the locked tender box at the Council head office in Parap.

Following the advertised closing date and time of the public tender, any tenders received in response to a public advertisement shall be opened either before Council itself, a Council Committee established for that purpose or a panel of three (3) members of Council staff comprising one executive member and a person from Council's finance area.

Any member of a tender evaluation committee should declare any conflict of interest to an Executive Manager or the CEO and, if possible, should not take any further involvement, particularly with tender assessment.

The tender period may only be extended if there is a late or complex addendum to the specifications or if the original period specified is insufficient for contractors to obtain prices from suppliers or subcontractors. Where there is a late addendum, tenderers should note on their tenders that they have taken this addendum into account.

If, following tender evaluation, no tender is acceptable in its presented form, negotiations will be conducted with any/all of the tenderers with preference being given to the highest assessed tenderer.

The report prepared for Council following the opening of the tenders, especially when the proposed expenditure is outside the Chief Executive Officer's delegation, will outline:

- the tenders received;
- a comparison of prices and performance reports;
- results of any interviews and reference checks;
- financial considerations and recommendation.

Once a tender called for is accepted, Council should advise the outcome in writing to all tenderers and on Council's website.

Quotations or tenders are not required for the purchase of land, a consultancy or other professional service, travel and accommodation or in any instance where the Minister dispenses with the requirements under the *Local Government (Accounting) Regulations*, regulation 30.

Similarly quotations are not required to be sought if the supplies or services are to be obtained from a supplier or contractor who has a similar contract with:

- The Northern Territory Government;
- The Commonwealth Government;
- A State or another Territory;
- Another Council*;
- A Local Government Subsidiary*;
- Local Government Association of NT (LGANT)*.

*subject to conditions of the *Local Government (Accounting) Regulations*, regulation 30(3).

Local Buy is a part of the National Procurement Network to which LGANT is a member. Therefore if Council purchases through Local Buy, it is not obligated to apply public tender requirements.

Under no circumstances are orders to be split so that the total value of the order falls under the amount of the individual's delegated authority or reduce the value of the purchase to a level where written quotations are not mandatory. This would be considered as violating Council's Fraud and Corruption Policy and could result in deferment of the purchase until investigation can be completed.

Council employees are particularly instructed to always consider local traders and businesses and those suppliers who, while not resident within the boundaries of the West Daly Region, provide services to regional communities within it.

REFERENCES

Local Government Act

Local Government (Accounting) Regulations

FURTHER INFORMATION:

Chief Executive Officer

Approved by:	[insert]
Approval Date:	
Review Date:	1 st December, 2017 (annually)
Review Authority:	Chief Executive Officer
Applicable to:	All Council employees
Version No:	1

Accounting Policy Manual

Policy Number	Policy Name	Version	Approved By	Date Approved	Review Date
4.1.01	Accounting Business Systems	1			
4.1.02	Annual Financial Statement	1			
4.1.03	Chart of Accounts	1			
4.1.04	Chief Executive Officer Duties	1			
4.1.05	Financial Management Reporting	1			
4.1.06	Internal Controls	1			
4.1.07	Introduction	1			
4.1.08	Organisational Chart	1			
4.1.09	Principle Accounting Policies	1			



WEST DALY
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4.1.01 – ACCOUNTING BUSINESS SYSTEMS

SUMMARY

Regulation 9 of the Northern Territory *Local Government (Accounting Regulations)* requires Council to provide “*the information necessary to ensure the proper operation of any computer based accounting system in use*”.

COMPUTER BASED ACCOUNTING SYSTEM

West Daly Regional Council utilises TechnologyOne Enterprise Suite as its primary financial management system.

The TechnologyOne product is managed and maintained on behalf of Council by CouncilBiz located at 14 Shepherd Street, Darwin NT 0800.

Manuals and user guides can be downloaded (accessed) from the home page of Council's records management system InfoXpert under the heading “Instruction Sheets (How To's)” and “Training Manuals”.

The following table details existing computer-based Accounting Procedures Manuals and the responsible Council officer.

Manual	Responsible Officer
Authority Manuals	Senior Finance Manager CouncilBIZ
Rates	Senior Finance Manager CouncilBIZ
Accounts Payable	Senior Finance Manager CouncilBIZ
Accounts Receivable	Senior Finance Manager CouncilBIZ
Payroll	Payroll Officer, CouncilBIZ and Human Resource Advisor
Financial Reporting	Senior Finance Manager CouncilBIZ
General Ledger	Senior Finance Manager CouncilBIZ

REFERENCES

Local Government Act

Local Government (Accounting) Regulations

FURTHER INFORMATION:

Chief Executive Officer

Approved by:	[insert]
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Review Date:	1 st December, 2017 (annually)
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Version No:	1



WEST DALY
Regional Council

4.1.02 – ANNUAL FINANCIAL STATEMENT

SUMMARY

The Northern Territory *Local Government (Accounting Regulations)* regulation 9 requires Council to provide a “*statement of procedures the council considers necessary to facilitate the timely presentation of the council’s annual financial statement*”.

The *Local Government Act* section 199 states;

- “(1) *A council must, on or before 15 November in each year, report to the Minister on its work during the financial year ending on the preceding 30 June.*
- “(2) *The report must include a copy of the council’s audited financial statement for the relevant financial year.*
- “(3) *The report must also contain an assessment of the council’s performance against the objectives stated in the relevant municipal, regional or shire plan (applying indicators of performance set in the plan), and, in the case of a regional council, of the activities of any local authority within the council’s area.*
- “(4) *As soon as practicable after the report has been delivered to the Minister, the council must:*
 - (a) *publish the report on the council’s website; and*
 - (b) *publish a notice in a newspaper circulating generally in the area informing the public that copies of the report may be downloaded from the council’s website or obtained from the council’s public office”.*

The *Local Government (Accounting) Regulations* also require the annual financial statement must be provided to the NT Grants Commission before 15 November in each year.

PROCESS AND PROCEDURE

The *Local Government (Accounting) Regulations* – regulation 16 requires the Annual Financial Statement to be passed to the Minister for Local Government and the NT Grants Commission on or before 15th November each year. This requires completion of an independent audit and consideration and acceptance of a Management Report by the auditor. It also requires drafting of an Annual Report acceptable to Council.

The audited Annual Financial Statement is incorporated into the Annual Report which is prepared by the Governance and Compliance section in conjunction with all Council areas. The Annual Report is to be laid before the Council at its Ordinary meeting in October if not before, for formal adoption.

To achieve the target dates, the following timetable must be followed:

Key Objective	Completion Date	Officer Responsible
Council auditor completed preliminary audit of period July/September in subject financial year	15 June	Chief Executive Officer /Auditor
Accounting system closed as at 30 June in each year	15 July	Senior Financial Consultant
Balance sheet accounts reconciled including: <ul style="list-style-type: none"> • Infringement debtor accounts • Rates debtor accounts • Superannuation control account • Cheque writing control accounts 	15 July	Senior Financial Consultant
Bank Reconciliation as at 30 June each year is completed	15 July	Senior Financial Consultant
Letters forwarded to all third parties to obtain data for statements including investment bodies, banks, government departments, other bodies as necessary.	15 July	Chief Executive Officer
Asset audit and revaluations completed as necessary	31 July	Chief Executive Officer
Balance day adjustments are completed (Asset revaluations, suspense accounts are cleared)	31 July	Senior Financial Consultant
Annual Report drafting commenced	31 July	Governance and Compliance
Accounts are closed and Trial Balance completed	1 August	Senior Financial Consultant
Audited Annual Financial Statement reviewed	7 September	Senior Financial Consultant
Draft Annual Report completed	30 September	Governance and Compliance
Audit and General Purpose Financial Statement completed including: <ul style="list-style-type: none"> • Table of contents • Auditor's Certificate 	30 September	Senior Financial Consultant / Auditor
Audited Annual Financial Statement presented to Finance Committee and then to October Ordinary Council Meeting as part of draft Annual Report	31 October	Chief Executive Officer
Matters resulting from management audit implemented	31 October	Chief Executive Officer

Audited Annual Financial Statement included in Annual Report and forwarded to (a) Minister, (b) NT Grants Commission and (c) funding bodies with auditor's certificate of any grant acquittal.	15 November	Chief Executive Officer
Annual Report placed on Council's website and newspaper advertisement indicating availability of Annual Report published	30 November	Chief Executive Officer

REFERENCES

Local Government Act

Local Government (Accounting) Regulations

FURTHER INFORMATION:

Chief Executive Officer

Approved by:	[insert]
Approval Date:	
Review Date:	1 st December, 2017 (annually)
Review Authority:	Chief Executive Officer
Applicable to:	All Council employees
Version No:	1



WEST DALY
Regional Council

4.1.03 – CHART OF ACCOUNTS

SUMMARY

The Northern Territory *Local Government (Accounting) Regulations* regulation 9(g) requires Council to provide:

“Details of all administrative and accounting procedures, policies and delegations of authority, including:

- (i) Details of internal control procedures; and*
- (ii) Details of all personnel and financial delegations; and*
- (iii) A chart of accounts divided into assets, liabilities, income, expenses and council equity accounts; and*
- (iv) Procedures relating to the receipt and banking of money , the payment of salaries and wages, the allocation of machinery operations costs to council functions, the purchase of goods and services and the granting of credit to Council debtors.”*

PURPOSE

This policy outlines the set up and maintenance of the Chart of Accounts. It identifies the reconciliation process to ensure information held in the chart of accounts reflects the financial situation of West Daly Regional Council.

PRINCIPLES

West Daly Regional Council is committed to establishing and maintaining high standards of accuracy, integrity and completeness in its financial records and reporting.

POLICY

West Daly Regional Council Chart of Accounts has four segments which form the account string. All segments of the account string are compulsory for Profit and Loss accounts to ensure transactions are valid when processing.

The functions of the segments are:

- Segment 1 – Location Code
- Segment 2 – Program Code
- Segment 3 – Fund Code
- Segment 4 – Natural or Cost Code

Number	Name
Assets	
11110 – 15180	Current Assets
36110 – 37900	Non Current Assets
Liabilities	
22210 – 27140	Current Liabilities
Income	
61110 – 61900	Rates and Charges
62100 – 63500	Other Income
Expenses	
71110 – 71601	Employee Expenses
72100 – 72580	Councillors Expenses
73110 – 73910	Operational Expenses
73540 – 73542	Insurances
73830 – 73836	Repairs and Maintenance
74310 – 74400	Disposal costs and Write offs
74110 – 74790	Depreciation/Other Expenses
79020 – 79020	Committee Fees and Travel
79000 – 79080	Other Expenses
Equity	
51110 – 51200	Accumulated Surplus / Deficit
53100 – 53100	Asset revaluation reserve

Amendments to the Chart must be requested in writing to the Senior Financial Consultant.

REFERENCES

Local Government Act

Local Government (Accounting) Regulations

FURTHER INFORMATION:

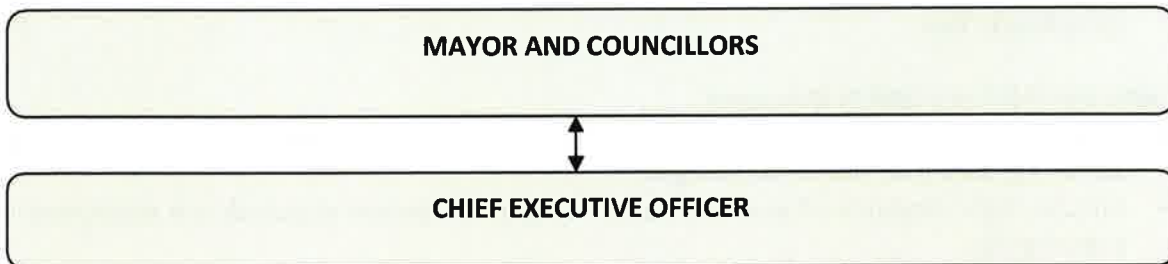
Chief Executive Officer

Approved by:	[insert]
Approval Date:	
Review Date:	1 st December, 2017 (annually)
Review Authority:	Chief Executive Officer
Applicable to:	All Council employees
Version No:	1

4.1.04 – CHIEF EXECUTIVE OFFICER DUTIES

SUMMARY

CHIEF EXECUTIVE OFFICER (CEO) DUTIES AND RESPONSIBILITIES



This position is responsible for:

- Performing the role of the CEO of the Council as prescribed under the Northern Territory *Local Government Act* and *Local Government Regulations* applicable to Local Government in the Northern Territory;
- Managing and administering the business plans of Council;
- Ensuring the development and implementation of Council policies and the efficient and effective operation of the organisation;
- Ensuring best practice human resource management of staff and the promotion of community development and self-management.

Core Competencies

The core competencies expected of the Local Government Authority Chief Executive Officer position.

Creates Vision and Gives Direction

- Takes leadership role in implementing Council's vision;
- Influences and inspires others to share ownership of the organisation's goals;
- Demonstrates sound strategic thinking and planning to ensure the Council moves towards its vision;
- Manages change by initiation, developing, communicating and coordinating activities.
- Embeds ethical practices into the Council's culture and processes.

Develops People

- Builds the competence of Elected Members through sound advisory and development strategies as directed by Council;
- Motivates, develops and empowers staff to achieve quality outputs;
- Supports and contributes to the development of all stakeholders of the Council;
- Takes an active role in managing the Council's relationship and interactions with the groups in the community to support building community capacity to initiate and implement projects and programs;
- Creates a work environment where people are encouraged to develop their potential;
- Fosters a collaborative work environment and establishes mutual trust and respect.

Manages Resources and Risks

By adhering to the policies set by Council.

- Ensures that human and physical resources including financial, technological and information requirements are available and effectively and ethically used to meet the strategic and operational service delivery needs;
- Plans the allocation and management of resources;
- Negotiates effectively to obtain resources to achieve outcomes;
- Evaluated the use of resources to ensure continual improvement;
- Ensures the Council is compliant with all Acts, laws, regulations and policies;
- Implements Council's risk management policies to address strategic, operational and legislative compliance risks.

Promotes and Achieves Quality Outcomes

- Establishes organisational structures, business plans and procedures that support Council delivering quality services and strategies;
- Ensures high standards of work practice and customer service standards are embedded in the organisation;
- Promotes and monitors standards and continuous improvement;
- Evaluates the outcomes achieved against set standards and implements improvements.

Understands Relationships

- Establishes and maintains positive working relationships with Council and government and diverse groups of people within the public and private sectors and the wider community;
- Collaborates and employs effective communication strategies;
- Leads the involvement of the region's community in communicating with and influencing Council;
- Fosters relationships with elected members based on partnerships and a team approach;
- Leads Council in providing services equitably and appropriately with respect to the diversity of groups in the community;
- Approaches all situations with a clear perception of the political context and reality;
- Effectively identifies and manages conflict and potential sources of conflict or dissatisfaction.

Self Awareness and Self Management

- Acts with integrity by being aware of own strengths and behaviour and self manages to have the best possible impact on the behaviour of others;
- Engages in regular critical reflection on feedback and experiences in the workplace and acts on the reflections to facilitate professional growth;
- Models and promotes appropriate social, ethical and organisational standards in all interactions;
- Values the well-being of self and others.

REFERENCES

Local Government Act

FURTHER INFORMATION:

Chief Executive Officer

Approved by:	[insert]
Approval Date:	
Review Date:	1 st December, 20 (annually)
Review Authority:	Chief Executive Officer
Applicable to:	All Council employees
Version No:	1



WEST DALY
Regional Council

4.1.05 – FINANCIAL MANAGEMENT REPORTING

SUMMARY

Monthly Financial Management Reports

Financial Management reports are provided at least monthly to all senior managers, Executive Managers and Chief Executive Officer. They are then scrutinised by the Finance Committee, the Audit and Risk Management Committee and at each Council meeting.

Process

A monthly report is compiled using data obtained from Council's financial records. This report is then:

- (a) Completed by staff at the Regional Office;
- (b) Reviewed and approved by the Senior Financial Advisor;
- (c) Presented to the Chief Executive Officer and executive management; and
- (d) Listed as an agenda item on either the Finance Committee or Council meetings each alternate months.

Any queries from Council Management, either Council Committee or Council, are immediately reviewed and responses prepared. If alternative action is to be taken, this will be carried out.

Annual Financial Statement

Under the *Local Government (Accounting) Regulations* regulation 16, Annual Financial Statements are required to be forwarded to the Northern Territory Grants Commission on or before 15th November of each year. This requires completion of an independent audit and consideration and acceptance of an audit report prepared by the auditor. Should the Commissioner require additional information, Council is to provide the information as requested.

REFERENCES

Local Government Act

Local Government (Accounting) Regulations

FURTHER INFORMATION:

Chief Executive Officer

Approved by:	[insert]
Approval Date:	
Review Date:	1 st December, 2017 (annually)
Review Authority:	Chief Executive Officer
Applicable to:	All Council employees
Version No:	1

4.1.06 – INTERNAL CONTROLS

SUMMARY

The Northern Territory *Local Government (Accounting) Regulations*, regulation 9(g) requires Council to provide details of internal control procedures.

Internal controls are required to be established to:

- (a) Safeguard the assets of the Council (refer to Policy #5.1.04);
- (b) Ensure accuracy, completeness and reliability of the accounting data refer:
 - a. Policy #1.1.07 - Council Committees;
 - b. Policy #4.1.02 - Annual Financial Statement;
 - c. Policy #4.1.03 - Chart of Accounts;
 - d. Policy #3.1.04 - Debt Management;
 - e. Policy #3.1.05 - Fraud Management Plan; and
 - f. Policy #3.1.10 - Rates Management
- (c) Ensure compliance with the relevant legislation which is referenced in Policies:
 - a. Policy #1.1.15 - Local Government Election;
 - b. Policy #3.1.11 - Rating Principles;
 - c. Policy #1.1.03 - and Policy #2.1.06 - Code of Conduct
 - d. Policy #2.1.07 - Driving in Remote Areas;
 - e. Policy #2.1.08 - Drugs and Alcohol at Work;
 - f. Policy #2.1.10 - Equal Employment Opportunity;
 - g. Policy #2.1.12 - Firearms;
 - h. Policy #1.1.16 - Mandatory Reporting;
 - i. Policy #1.1.23 - Whistle Blowing
- (d) Establish a Fraud Protection Plan (Refer Policy #3.1.05 - Fraud Protection Plan).
- (e) Establish and Audit Committee (Refer to Policy #1.1.07 - Council Committees).

REFERENCES

Local Government Act

Local Government (Accounting) Regulations

FURTHER INFORMATION:

Chief Executive Officer

Approved by:	[insert]
Approval Date:	
Review Date:	1 st December, 2017 (annually)
Review Authority:	Chief Executive Officer
Applicable to:	All Council employees
Version No:	1

4.1.07 – INTRODUCTION

SUMMARY

The Northern Territory *Local Government (Accounting) Regulations 9(1)*, requires Council maintain an accounting and policy manual which must include, or incorporate by reference, the following:

- “(a) An organisational chart showing the functions of the Council, its committees and responsible officers;*
- (b) A statement of the duties and responsibilities of the CEO and responsible officers;*
- (c) A statement of the principal accounting policies of Council;*
- (d) Information about the timing and content of financial management reports to the Council and the CEO;*
- (e) A statement of the procedures the council considers necessary to facilitate the timely preparation of the Council’s Annual Financial Statement;*
- (f) The information necessary to ensure the property operation of any computer based accounting system in use;*
- (g) Details of all administrative and accounting procedures, policies and delegations of authority, including:*
 - (i) Details of internal control procedures; and*
 - (ii) Details of all personnel and financial delegations; and*
 - (iii) A chart of accounts divided into assets, liabilities, income, expenses and council equity accounts; and*
 - (iv) Procedures relating to the receipt and banking of money, the payment of salaries and wages, the allocation of machinery operating costs to council functions, the purchase of goods and services and the granting of credit to council debtors.”*

The Accounting Policy Manual is therefore written to meet the statutory requirements of the Northern Territory *Local Government (Accounting) Regulations* and to document and safeguard assets, secure the accuracy and reliability of accounting data and financial reporting for promoting the operational efficiency of West Daly Regional Council as a general policy reference source for all Councillors and Council employees.

The responsible officer for maintenance of this manual is the Chief Executive Officer.

SCOPE

The Accounting Policy Manual has been prepared to developed in order to provide West Daly Regional Council with guidelines that well ensure sound financial management and internal controls to safeguard

and manage the Councils financial obligations. The objective of the manual is to ensure an efficient and effective use of funds whilst implementing the Council's programs and safeguard the assets of the organisation.

REFERENCES

Local Government Act

Local Government (Accounting) Regulations

FURTHER INFORMATION:

Chief Executive Officer

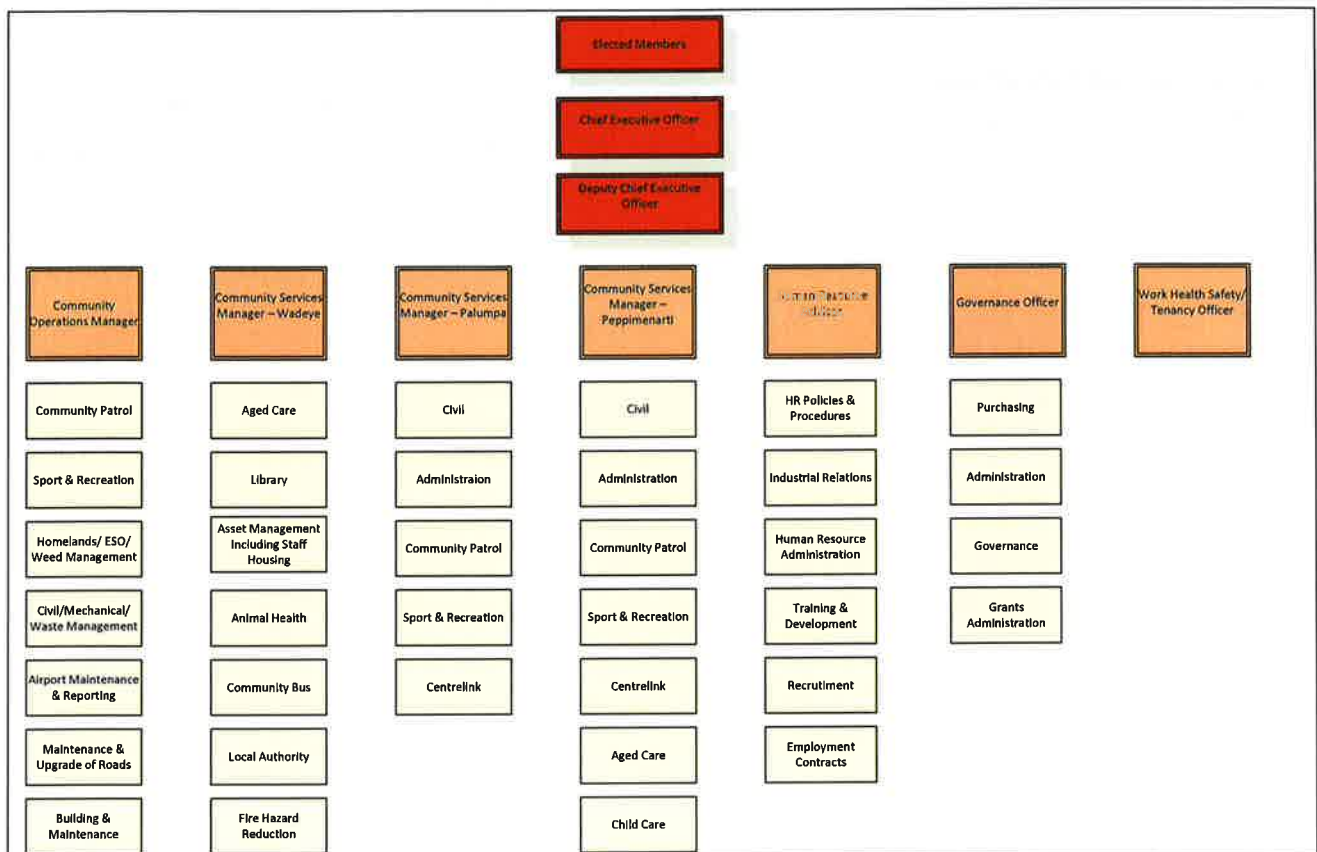
Approved by:	[insert]
Approval Date:	
Review Date:	1 st December, 2017 (annually)
Review Authority:	Chief Executive Officer
Applicable to:	All Council employees
Version No:	1



WEST DALY
Regional Council

4.1.08 – ORGANISATIONAL CHART

As per the Local Government Act the Chief Executive officer is responsible for the appointment of staff in accordance with a staffing plan/organisational chart which has been approved by Council.



SUMMARY

The Mayor is the principal member of Council. Their role is to chair meetings of the Council and to speak on behalf of Council as Council's principal representative. They carry out civic and ceremonial functions and any other official duties. The Mayor oversees Councillor conduct and ensures Councillors act in a manner expected of a person holding that position.

The role of a Councillor is to represent the interests of all community members within the area – or local ward – for which they were elected. They participate in the deliberations of Council and provide leadership and guidance to Council. Their role is to facilitate communication between the residents within the local ward and the Council. Councillors must act in the best interests of their constituents. They are elected for a fixed-term and may serve on Council committees.

Local Authorities became a legal requirement for Council in 2013. They replace the previous Local Boards. Each community has an elected Local Authority comprised of community members who are familiar with the issues of that community. The Local Authority is required to hold at least four meeting per year and no more than six times a year to discuss matters that affect community members. Issues of particular

importance are then referred to Council so that action can be taken if required. The Local Authorities play a very important role in informing Council on how community members wish the community to progress. They advise on budgets, construction projects and programs – as well as keeping Council informed on any matters of importance to community members.

REFERENCES

Local Government Act

FURTHER INFORMATION:

Chief Executive Officer

Approved by:	[insert]
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Review Date:	1 st December, 2017 (annually)
Review Authority:	Chief Executive Officer
Applicable to:	All Council employees
Version No:	1

4.1.09 – PRINCIPLE ACCOUNTING POLICIES

SUMMARY

This policy sets out the principle accounting policies adopted in the preparation of annual financial statements. These statements are prepared in accordance with Australian equivalents to International Financial Report Standards (AIFRS) as they apply for not-for-profit entities, other authoritative pronouncements of the Australia Accounting Standards Board, Urgent Issues Group Interpretations (UIGS) and relevant Northern Territory legislation.

OBJECTIVES

The objective of Council is to provide a true and correct view of West Daly Regional Council's financial position on the basis upon which that assessment has been made for the guidance of ratepayers, electors, creditors, regulators, government in general and other stakeholders.

1. STATEMENT OF COMPLIANCE

Annual financial statements are prepared in accordance with Australian Accounting Standards and Interpretations, the requirements of the *Local Government Act*, the *Local Government (Accounting) Regulations* and other authoritative pronouncements of the Australian Accounting Standards Board. Accounting standards include Australian equivalents to International Financial Report Standards (AIFRS). Compliance with AIFRS ensures that the financial statements of Council comply with the International Financial Reporting Standards (IFRS).

Financial statements are prepared on an accrual basis and are based on historical costs, modified where applicable, by the measurement at fair value of selected non-current assets. All amounts are presented in Australian Dollars unless otherwise noted.

In the application of Council's accounting policies, management is required to make judgements, estimates and assumptions about the carrying values of assets and liabilities that are not readily apparent from other sources. The estimates and associated assumptions are based on historical experienced and various other factors that are believed to be reasonable under the circumstances, the results of which form the basis of making judgements. Actual results may differ from these estimates.

The estimates and underlying assumptions are reviewed on an ongoing basis. Revisions to accounting estimates are recognised in the period in which the estimate is revised if the revision affects only that period, or in the period of the revision and future periods, if the revision affects both current and future periods. Where applicable, material, critical judgements in applying Council's accounting policies, and key sources of estimation uncertainty are disclosed in the notes to the financial statements.

Adoption of New and Revised Accounting Standards

The Council has adopted all of the new and revised standards and interpretations issued by the Australian Accounting Standards Board (AASB) that are relevant to its operations and effective for the current annual reporting period.

Future Australian Accounting Standard Requirements

The new standards, amendments to standards or interpretations have been issued by the AASB but are effective for future reporting periods. It is estimated that the impact of adopting these pronouncements when effective will have no material financial impact on future reporting periods.

2. REVENUE RECOGNITION

Rates

Rates are recognised as revenue when the Council obtains control over the asset comprising the receipt. Rates are an enforceable debt linked to rateable property that will be recovered when the property is sold, and therefore, control normally passes at the time of levying or where earlier upon receive of rates paid in advance. The rating period and reporting period for Council coincide and accordingly, all rates levied for the year are recognised as revenue.

Uncollected rates are recognised as receivables. A provision is recognised when full collection is no longer probable.

Grants, Donations and Other Contributions

Grants, donations and other contributions are recognised as revenues when Council obtains control over, or the right to receive the assets, it is probable that future economic benefits comprising the asset will flow to Council and the amount can be readily measured. Control over granted and contributed assets is normally obtained upon the receipt (or acquittal) and is valued at their fair value at the date of transfer. Grants received on the condition that specified services are delivered, or conditions are fulfilled, are considered reciprocal. Such grants are initially recognised as a liability and revenue is recognised as services are performed or conditions fulfilled. Revenue from non-reciprocal grants is recognised when received.

Interest Revenue

Interest is recognised as it accrues, when future economic benefits will flow to Council and can be measured reliably.

3. CASH AND CASH EQUIVALENTS

Cash comprises cash on hand and demand deposits. Cash equivalents are short term highly liquid investments that are readily convertible to known amounts of cash and which are subject to an insignificant risk of change in value.

Bank overdrafts are shown within borrowings in current liabilities in the statement of financial position.

4. FINANCIAL INSTRUMENTS

A financial instrument is recognised if Council becomes a party to the contractual provisions of the instrument. Financial assets are recognised at trade date (less impairment). Financial assets are de-recognised if Council transfers the financial asset to another party without retaining control or substantially all risks and rewards of the asset. Financial liabilities are de-recognised if Council's obligations specified in the contract expire or are discharged or cancelled.

Financial Assets

Council classifies its financial assets as loans and receivables. The classification depends on the purpose for which the financial instrument was acquired. Council determines the classification of its financial instruments at initial recognition and re-evaluates this designation at each reporting date.

Loans and Receivables

Trade receivables, loans and other receivables that have fixed or determinable payments that are not quoted in an active market are classified as 'loans and receivables'. Loans and receivables are measured at amortised cost using the effective interest rate method less impairment.

Effective Interest Rate Method

The effective interest rate method is a method of calculating the amortised cost of a financial asset and of allocating interest in come over the relevant period. The effective interest rate is the rate that exactly discounts estimated future cash receipts (including all fees on points paid or received that form an integral part of the effective interest rate, transaction costs and other premiums on discounts) through expected life of the financial assets, or where appropriate, a shorter period.

Impairment of Financial Assets

Financial assets are reviewed at each Statement of Financial Position date to determine whether there is a objective evidence of impairment. A Financial asset or group of financial assets is impaired and impairment losses are incurred if there is objective evidence of impairment, resulting from one or more loss events that occurred after initial recognition that indicates it is probable that the entity will be unable to collect all amounts due. The carrying amount of a financial asset identified as impaired is reduced to its estimated recoverable amount.

De-Recognition of Financial Assets

Council de-recognises a financial asset only when the contractual rights to the cash flows from the asset expire, or it transfers the financial asset and substantially all the risks and rewards of ownership to another entity. If Council neither transfers nor retains substantially all the risks and rewards of ownership and continues to control the transferred asset, Council recognises its retained interest in the asset and an associated liability for the amounts it may have to pay. If Council retains substantially all the risks and rewards ownership of a transferred financial asset, Council continues to recognise the financial asset and also recognises a collateralised borrowing for the proceeds received.

Financial Liabilities

Council classifies its financial liabilities as other financial liabilities. The classification pertains to financial liabilities that are not held for trading or not designated as a Fair Value through Profit and Loss (FVPL) upon inception of the liability. The classification depends on the purpose for which the financial liability was incurred. Council determines the classification of its financial liability at initial recognition and re-evaluates this designation at each reporting date.

Trade and Other Payables

These amounts represent liabilities for goods and services provided to Council prior to the end of the financial year which remain unpaid. The amounts are unsecured and are usually paid within 30 days of recognition.

Borrowings

Borrowings are initially measured at fair value, net of transaction costs. Borrowings are subsequently measured at amortised cost using the effective interest rate method with interest expense recognised on an effective yield basis. The effective interest rate method is a method of calculating the amortised cost of a financial liability and of allocating interest expense over the relevant period. The effective interest rate is the rate that exactly discounts estimated future cash payments through the expected life of the financial liability, or where appropriate, a shorter period.

5. INVENTORIES

Inventories are valued at the lower of cost and net realisable value. Costs, including an appropriate portion of fixed and variable overhead expenses, are assigned to inventory on hand by the method most appropriate to each particular class of inventory, with the majority being valued on a first in first out basis. Net realisable value represents the estimated selling price less all estimated costs of completion and costs necessary to make the sale.

6. PROPERTY, PLANT AND EQUIPMENT

Recognition of Property, Plant and Equipment

Property, plant and equipment is recognised at cost less accumulated depreciation and any impairment allowance. Cost includes expenditure that is directly attributable to the acquisition. Cost related to property, plant and equipment gifted, donated or granted to Council or transferred to Council from the former constituent councils is the fair value of the asset, plus cost directly attributable to the acquisition.

Revaluation of Property, Plant and Equipment

Following initial recognition at cost, property, plant and equipment are carried at fair value less subsequent accumulated depreciation and accumulated impairment losses. Council's property, plant and equipment are revalued by an independent valuer along with buildings and infrastructure every three years.

The fair value of plant and equipment, furniture and fittings and motor vehicles was determined on the amount for which the assets could be exchanged between knowledgeable, willing parties in an arm's length transaction.

Revaluation adjustments are made on a class basis. Any revaluation increment is credited to equity under the heading of asset revaluation reserve except to the extent that it reverses a previous revaluation decrement of the same asset class that was previously recognised in surplus/deficit except to the extent that they reverse a previous revaluation increment for that class.

Any accumulated depreciation as at the revaluation date is eliminated against the gross carrying amount of the asset and the asset is restated to the revalued amount.

Depreciation

Depreciation is provided on property, plant and equipment, including freehold buildings but excluding land. Depreciation is calculated on a straight line basis so as to write off the net cost or other revalued amount of each asset over its expected useful life to its estimated residual value. The estimated useful lives, residual values and depreciation method are reviewed at the end of the each annual reporting period, with the effect of any changes recognised on a prospective basis.

Land Under Roads

Council has elected not to value or recognise as an asset land under roads acquired prior to 1st July 2008 in accordance with the election available under AASB 1051 *Land under roads*. Lands under roads acquired after 1st July 2008, will be recognised at cost. The cost of the land under roads will be the fair value as at the date acquired.

7. IMPAIRMENT OF ASSETS

The carrying values of plant and equipment are reviewed for impairment when events or changes in circumstances indicate the carrying value may not be recoverable. If such an indication exists and where the carrying value exceeds the estimated recoverable amount, the assets are written down to their recoverable amount.

The recoverable amount of plant and equipment is the greater of fair value less costs to sell the value in use. Value in use is the present value of the future cash flows expected to be derived from the asset. Where the future economic benefits of an asset is not primarily dependent on an asset's ability to generate further cash flows, and the asset would be replaced if Council was deprived of the asset, its value in use is taken to be the depreciated replacement cost.

Impairment losses are recognised in surplus/deficit for the year.

8. EMPLOYEE BENEFITS

Provision is made for employee benefits accumulated as a result of employees rendering services up to the reporting date. These benefits include wages, and salaries, annual leave and long service leave.

Liabilities recognised in respect of employee benefits expected to be settled within 12 months are measured at their nominal amounts based on remuneration rates which are expected to be paid when the liability is settled. All other employee benefit liabilities are measured at the present value of the estimated future cash outflow to be made in respect of services provided by employees up to the reporting date. In determining the present value of future cash outflows, the market yield as at the reporting date on national government bonds, which have terms to maturity approximating the terms of the related liability are used.

The Superannuation expenses for the year is the amount of the contribution Council makes to the superannuation plan, which provides benefits for employees.

Defined Contribution Plans

Contributions to defined contribution superannuation plans are expensed when employees have rendered service entitling them to the contributions.

9. TAXATION

Council is tax exempt under Section 50-25 of the *Income Tax Assessment Act 1997*, being a local governing body.

10. GOODS AND SERVICES TAX

Revenue, expenses and assets are recognised net of the goods and services tax (GST), except:

- Where the amount of GST incurred is not recoverable from the Australian Taxation Authority, it is recognised as part of the cost of acquisition of an asset or as part of a term of expense; or
- For receivables and payables which are recognised as inclusive of GST, the net amount of GST recoverable from, or payable to the Australian Taxation Authority is included as part of receivables or payables.

11. ECONOMIC DEPENDENCE

Each year Council receives grants from the Northern Territory and Australian Governments and the future operation of the Council is dependent upon continued government funding.

12. NATURE AND PURPOSE OF RESERVES

Asset Revaluation Reserve

The asset revaluation reserve is used to record the increments and decrements in the fair value of Council's property, plant and equipment to the extent that such decrements relate to a net increment on the same asset previously recognised in the reserve.

Asset replacement reserve

An asset Replacement reserve is an amount of money set aside because building components or equipment will wear out in relatively short time and need to be replaced. Replacement reserves can be a mere accounting entry as a phantom expense item reducing net operations income each month, or it can be money actually deposited into an account and earmarked for replacements.

REFERENCES

Local Government Act

Local Government (Accounting) Regulations

FURTHER INFORMATION:

Chief Executive Officer

Approved by:	[insert]
Approval Date:	
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