

COUNCIL POLICIES – INDEX

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Policy Type:	Council
Date Adopted:	

Policy No:	1
Date Last Reviewed:	December 2008 – Minutes #886

Legal (Parent):
<ol style="list-style-type: none"> 1. Local Government Act 1995 (As Amended) – Section 6.10. 2. Australian Accounting Standards

Legal (Subsidiary):

Delegation of Authority Applicable
No

Delegation No.

ADOPTED POLICY

Title:	1. STANDING COMMITTEES
Objective:	<p><u>Standing Committees</u></p> <p>Council has three standing committees those being:</p> <p style="padding-left: 40px;">Finance and General Purpose Works and Services Health, Building and Town Planning</p> <p>and that the areas of responsibility for these Committees be as listed below.</p> <p>That the membership of Councils standing committees be up to 6 members. That the quorum of standing Committees be set at three members.</p> <ol style="list-style-type: none"> 1. FINANCE AND GENERAL PURPOSES will deal with <ol style="list-style-type: none"> 1.a) All financial issues including surveillance over Councils finances and accountability of revenue and expenditure as determined by the current budget. b) Borrowing of funds by loan or overdraft c) Council accounts d) Appointment and remuneration of officers and matters pertaining to their employment as detailed in Councils Policy. 2. Management and Use of Council properties including buildings for

	<p>municipal use</p> <ol style="list-style-type: none"> 3. Purchase of lands or property as may be determined by council. 4. Sale, Lease or rental of Council property 5. Bylaws relating to areas of responsibility 6. Preparation and arrangement of civic functions 7. Surveillance over the preparation of the Council budget and compilation of estimated revenue and expenditure items from other standing committees to draw up draft budget for referral to Council. 8. Overview of matters relating to public relations, publications and other Council information 9. Management and conduct of community service including Library Ranger, Caravan Park and social welfare services 10. Promotion of cultural and recreational activities 11. Such matters not under the care of other Committees. <p>2. WORKS AND SERVICES</p> <p>Will deal with –</p> <ol style="list-style-type: none"> 1. Construction, maintenance and management of works in roads, streets , ways and other public places including private streets and places as approved by Council. <ol style="list-style-type: none"> 1. Purchase, maintenance and upkeep of plant and equipment, procurement of materials required for carrying out of works. 3. Construction and maintenance of road signs and street furniture. 4. Engagement and dismissal of employees in respect to work performance as per Council policy 5. Construction and maintenance of parks and reserves for recreation and public use, street trees and road verges 6. Preparation of draft works and plant programmes 7. Dealing with issues relating to caravan park, bushfires, vermin control and school bus routes. 8. Other issues relating specifically to the works division. <p>3. HEALTH, BUILDING AND TOWN PLANNING</p> <p>Will deal with;</p> <p><u>Health</u></p> <ol style="list-style-type: none"> 1. Matters pertaining to Health and well being of community pursuant to provisions of the Health Act and relevant bylaws 2. Surveillance over sanitary provisions for collection and disposal of sewerage, refuse and liquid wastes 3. Control of nuisance, offensive trades, insects and pests, distribution and sale of foods and drugs to the public 4. Providing for the protection of health and life of the community including immunisation, welfare and health education. <p><u>Building</u></p>
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1. Control of Building operations, supervision of construction in respect to all buildings, subject to provision of the uniform general building bylaws
2. Oversight of dangerous, neglected and dilapidated buildings and demolition as may be ordered by the Council.
3. Control of erection, location and upkeep of signs, hoardings, bill posting and fencing pursuant to relevant bylaws.
4. Construction and maintenance of buildings used for the purposes of the Council and matters relating there to.

Town Planning

1. Matters relating to the regulation and use of land pursuant to the provision of the Town Planning and Development Act and Town Planning Scheme and relevant bylaws.
2. Oversight of the subdivision of land, classification or zoning of land use, location and layout of streets and ways, reserves, parks and grounds for public use.
3. Control of the height, location, design purpose, dimensions or general character of buildings or other structures as provided in the Town Planning Scheme or bylaws.
4. Preparation of Town Planning Schemes for planning, replanning or reconstruction of areas for the purpose of improving and development of land and the supervision and operation of such schemes, and other issues relating specifically to the Health Building and Town Planning Division.

Policy Type:	Council
Date Adopted:	

Policy No:	2
Date Last Reviewed:	December 1999 – Minute #9112

Legal (Parent):
<ol style="list-style-type: none"> 1. Local Government Act 1995 (As Amended) – Section 6.10. 2. Australian Accounting Standards

Legal (Subsidiary):

Delegation of Authority Applicable
No

Delegation No.

ADOPTED POLICY

Title:	2. COUNCILLORS – OUT OF POCKET EXPENSES
	<p>Councillors shall be entitled to reimbursement of expenses incurred whilst engaged in the performance of their duties.</p> <p>Reimbursement is subject to completion of a written quarterly claim and copies of the accounts paid being submitted.</p> <p>Travel costs are to be paid in accordance with the provisions of Clause 42 of the Local Government Officers' (Western Australian) 1988.</p>

Policy Type:	Council
Date Adopted:	

Policy No:	3
Date Last Reviewed:	November 2008 – Minute #842

Legal (Parent):
<ol style="list-style-type: none"> 1. Local Government Act 1995 (As Amended) – Section 6.10. 2. Australian Accounting Standards

Legal (Subsidiary):

Delegation of Authority Applicable
Yes

Delegation No. 29

ADOPTED POLICY	
Title:	3. COUNCIL SEAL
Objective:	The Council seal may be applied to any legal document requiring the signature of the Shire President and Chief Executive Officer without resolutions of Council.

Policy Type:	Council
Date Adopted:	

Policy No:	4
Date Last Reviewed:	

Legal (Parent): <ol style="list-style-type: none"> 1. Local Government Act 1995 (As Amended) – Section 6.10. 2. Australian Accounting Standards
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Legal (Subsidiary):

Delegation of Authority Applicable
No

Delegation No.

ADOPTED POLICY

Title:	4. ADMINISTRATION BUILDING AND COUNCIL CHAMBER
Objective:	<ul style="list-style-type: none"> * SMOKE FREE BUILDING: The smoking of tobacco products within the Administration Building and Council Chamber is prohibited. * USE OF: The Shire President may authorise the use of the Council Chamber by community or government organisations for the purpose of conducting meetings during office hours. After hours meetings may be approved where adequate arrangements can be made.

Policy Type:	Council
Date Adopted:	

Policy No:	5
Date Last Reviewed:	November 2008 – Minute #842

Legal (Parent):
<ol style="list-style-type: none"> 1. Local Government Act 1995 (As Amended) – Section 6.10. 2. Australian Accounting Standards

Legal (Subsidiary):

Delegation of Authority Applicable
No

Delegation No.

ADOPTED POLICY	
Title:	5. MEETINGS RESULTING FROM COUNCIL MEETINGS
Objective:	It be Councils Policy that meetings arranged at an ordinary Council meeting be held prior to the next ordinary meeting.

Policy Type:	Council
Date Adopted:	

Policy No:	6
Date Last Reviewed:	August 1996 – Minute # 7656

Legal (Parent):
<ol style="list-style-type: none"> 1. Local Government Act 1995 (As Amended) – Section 6.10. 2. Australian Accounting Standards

Legal (Subsidiary):

Delegation of Authority Applicable
Yes

Delegation No.

ADOPTED POLICY	
Title:	6. TENDERS
Objective:	<p>That Council delegate to the Chief Executive Officer power to call tenders for items included in Council’s budget and subject to tender under the following conditions:</p> <ol style="list-style-type: none"> 1. Tenders are called and dealt with in accordance with the tender regulations. 2. Results of tenders are referred to council for decision.

Policy Type:	Council
Date Adopted:	

Policy No:	7
Date Last Reviewed:	November 2008 – Minute #842

Legal (Parent):
<ol style="list-style-type: none"> 1. Local Government Act 1995 (As Amended) – Section 6.10. 2. Australian Accounting Standards

Legal (Subsidiary):

Delegation of Authority Applicable
No

Delegation No.

ADOPTED POLICY

Title:	7. PETITIONS
Objective:	<p>1. Format</p> <p>In accordance with the Model Local Law for standing orders, a petition in order to be effective is to;</p> <ol style="list-style-type: none"> a) be addressed to the President, b) be made by the electors of the district c) state the request on each page of the petition d) state the names, addresses and signatures of the electors making the request, and the date each elector signed e) contain a summary of the reasons for the request. f) state the name of the person upon whom, and an address at which, notice to the petitioners can be given. g) be in the form prescribed by the Act and Local Government (Constitution) regulations 1996 if it is – <ol style="list-style-type: none"> i) proposal to change the method of filling the office of President. ii) A proposal to create a new district or the boundaries of the Local Government iii) A request for a poll on a recommended amalgamation iv) A submission about changes towards the name of a district or ward or the number of Councillors for a district or ward. <p>2. Receipt of Petitions</p> <p>A petition may either be delivered to the Council offices by mail or in person or presented to Council at a Council Meeting.</p>

3. Status

Any petition once received at the Council office or by Council at a Council Meeting shall be considered and treated as a public document unless otherwise resolved by Council.

4. Processing a Petition

- i) If a petition is received at the Council office in time to be included on the next Council agenda, a report will be prepared and presented to Council including if practical a copy of the petition or otherwise a summary of its contents and details regarding the number of signatories.
- ii) If a petition is received at the Council office after the close of the Council agenda, the petition will be referred to Council under the petitions section of the agenda.
- iii) If a petition is presented directly to the Council meeting in relation to an issue on that Council agenda, the Council will take into account the petition when considering the item and may either make a decision on the issue or defer the matter for further consideration to a later meeting.
- iv) If the matter, the subject of the petition is not listed on the Council agenda the matter will be dealt with at the subsequent Council meeting after a report has been prepared unless the Council chooses to deal with the item as a matter of urgent business.

5. Recording of Petitions

When practical the full petition will be included in the Council minutes however if considered impractical, the Chief Executive Officer, in consultation with the President may include a summary of the petition contents and details of the number of signatories in the minutes. A notation as to where the full petition is filed should be made in the minutes.

6. Withdrawal of Signatures

Once a petition has been either stamped as received by Council through its incoming mail system or received at a Council meeting it shall not be amended. Persons who wish to have their names subsequently removed from a petition once it has been received can write to Council indicating their change of heart. Such letter will be attached to the petition or summarised in reporting to Council and filed with the petition. The original petition will **not be amended.**

7. Access to Petition

Petitions will be viewed as public documents and as such will be available for viewing with other public documents.

8. Responding to Petitions

Council having dealt with a petition will respond only to the person named in (f) above. If no person is named as required and Council has dealt with the matter a response will be made to the first name on the petition.

Policy Type:	Council
Date Adopted:	

Policy No:	8
Date Last Reviewed:	December 2008 – Minute #885

Legal (Parent):
<ol style="list-style-type: none"> 1. Local Government Act 1995 (As Amended) – Section 6.10. 2. Australian Accounting Standards

Legal (Subsidiary):

Delegation of Authority Applicable
No

Delegation No.

ADOPTED POLICY

Title:	8. CIVIC AWARDS
Objective:	<p>That a Civic Awards Committee comprising the Shire President, Deputy Shire President and Chief Executive Officer be established to make recommendation to the Finance and General Purpose Committee to deal with the awarding of Australia Day Awards such as the Citizen of the Year, Young Citizen of the Year and Community Event of the Year Award. Furthermore that other Civic Awards and Presentations recommendations may be made in line with Council’s budget allowance.</p> <p>In determining Civic Award winners the Committee are able to consult with other parties considered necessary to them in coming to a decision. The decision of the Finance and General Purposes committee is to remain confidential until the announcement of the awards are made.</p>

Policy Type:	Council
Date Adopted:	24 May 2011

Policy No:	9
Date Last Reviewed:	

Legal (Parent):
<ol style="list-style-type: none"> Local Government Act 1995 (As Amended) – Section 6.10. Australian Accounting Standards

Legal (Subsidiary):

Delegation of Authority Applicable
No

Delegation No.

ADOPTED POLICY

Title:	9. ADMINISTRATION AND ELECTED MEMBERS RECORDS MANAGEMENT
Objective:	<p><i>To define the principles of the Shire of Wagin’ records management function and to document an orderly and efficient approach to the proper management of records. This policy incorporates applicable legislative requirements into standard Shire practices and enumerates basic records management requirements. This helps the CEO ensure that records and documents of the local government are properly kept for the purpose of the Local Government Act 1995 and any other written law (s.5.41(h)).</i></p> <p><i>Records are recognised as an important resource in the Shire of Wagin, and it is accepted that sound record management practices will contribute to the overall efficiency and effectiveness of the Organisation. Due to legislative requirements, the Shire of Wagin is obliged to maintain a records management system, and to dispose of those records only through an approved scheme.</i></p> <p><i>The policy applies to all external and internal records, which are handled, received or generated by the Shire of Wagin, regardless of their physical format or media type.</i></p>
Policy Statement	<p>The Shire’s records are a corporate asset. Complete and accurate records of all business decisions and transactions are to be recorded and registered in the Shire’s records management system both in respect to their content and context. They are to be managed in a cost-effective manner in accordance with records management and record keeping legislative requirements.</p> <ul style="list-style-type: none"> All records are to be managed according to whether they are <i>significant</i> or <i>ephemeral</i> records, <i>vital</i> or <i>non-vital</i> records, and in accordance with their security classification All communications in the form of records, whether paper or electronic, and

whether internal or external, are to be captured within the appropriate aspect of the record keeping system

- Registers are to be maintained of all records series and special categories, including but not limited to, registers of police, databases, FOI applications, assets, tenders photographs, forms, vital records, files and contracts
- All contractual arrangements are to ensure the Shire's ownership of *significant* records
- Any records / files in the possession of individual staff and Elected members are to be registered to them and, dependent upon security classification, kept accessible.
- Only approved record formats are to be used in effecting the Shire's business
- All records with record keeping series maintained by the Shire of Wagin are to be disposed of in accordance with the State Records Office's *General Disposal Schedule for Local Government Records*

All records are not to be removed from the Shire's sites unless in accordance with the approved retention and disposal schedule or in the custody of an officer or elected member performing approved business

Roles and Responsibilities

Chief Executive Officer

The CEO is to ensure there is a system for the maintenance and management of records that is compliant with records management legislation and State guidelines and procedures. This includes the provision of Section 5.11(h) of the Local Government Act 1995.

Elected Members

Elected members must create and keep records of communications or transactions, which convey information relating to local government business or functions. These records should be forwarded on a regular basis to the local government administration for capture into the official recordkeeping system.

Executive Officers

Executive Officers are to ensure their staff are familiar with, and adhere to the Records Management Policy and any associated procedures endorsed by the CEO.

Staff

Staff are to ensure they retain records relating to the business activities they perform. They are to identify significant and ephemeral records, ensure significant records are registered in the records management system; and, protected and disposed of in accordance with the State Records Office's *General Disposal Schedule for Local Government Records*.

Statutory Obligations

In addition to the requirements of the State Records Act 2000, the relevant aspects of the following statutes should also be considered in managing Shire records:

- Evidence Act 1906
- Limitation Act 1935
- Freedom of Information 1992

- Local Government Act 1995
- Financial Administration & Audit Act 1985
- Criminal Code 1913 (Section 85)
- Electronic Transactions Act 200
- Privacy Act 1988

Custodianship

The Shire's records are a government-owned asset. The records created during the course of business belong to the Shire of Wagin by virtue of their possession, and not the individuals who created such records during their time as a public officer or elected member at the Shire of Wagin. Officers or Elected members who acquire or create any records in the course of business shall not retain proprietary interest. Ownership of these records is vested in the Shire.

Definitions

A Record

A record as defined in the State Records Act 2000 means any record of information however recorded and includes:

- Anything on which there is writing or Braille,
- A map, plan, diagram or graph,
- A drawing, pictorial or graphic work or photograph,
- Anything on which there are figures, marks, perforations, or symbols, having a meaning for persons qualified to interpret them,
- Anything from which images, sounds or writings can be reproduced with or without the aid of anything else, and
- Anything on which information has been stored or recorded, either mechanically, magnetically, or electronically.

Records in the public sector are referred to as:

Government Records (or Public Records)

Records created or received by a public officer or elected member in the course of his or her duties regardless of whether the communication is between staff in the same agency, between different agencies, or between public officers and members of the community (both private and business).

Records may be categorised as:

Ephemeral Records

Ephemeral records are duplicated records and/or those that have only short-term value to the Shire, with little or no on-going administrative, fiscal, legal, evidential or historical value. They may include insignificant drafts and rough notes, records of routine enquires.

Significant Records

Significant records contain information which is of administrative, legal, evidential or historical value and are not recorded elsewhere on the public record. They describe an

issue, record who was involved, record why a decision was made, and may embody actual guidelines.

Important Notice: Distinguishing between significant and ephemeral records is a matter of judgement and the above definitions can only act as a guide. Reference to “records” in this guideline document should be read as relating to significant public records unless otherwise stated.

Vital Records

Vital records are records which are essential to the continued business of the Shire. Vital records include those that protect the rights of individuals and the Shire, and are absolutely essential for the Shire’s reconstruction in the event of a disaster.

Non-Records

Non-records are documents that are generally available in the public domain and do not form part of a business process in respect to the Shire’s activities. They are generally used for reference and information purposes, such as reports or plans from another organisation, a published directory, or a training manual of a third party.

Records Disposal

Disposal is by way of depositing records in the State Archives, managing the records as designated State Archives at the Council, or by destruction in accordance with *General Disposal Schedule for Local Government Records*.

Policy Type:	Council
Date Adopted:	27 September 2011

Policy No:	10
Date Last Reviewed:	

Legal (Parent):
1. Local Government Act 1995 (As Amended) – Section 6.10.

Legal (Subsidiary):

Delegation of Authority Applicable
No

Delegation No.

ADOPTED POLICY	
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Title:	10. SERVICE COMPLAINT
Objective:	<p><i>The Shire of Wagin welcomes service complaints as a form of feedback that will ultimately identify service improvement opportunities.</i></p> <p><i>The Shire acknowledges that a majority of service complaints are not reported due to customer perceptions that the process of complaining will cause more inconvenience than the actual complaint itself.</i></p> <p><i>In an effort to simplify the complaints handling process and capture as many service complaints as possible, the Shire has developed this Service Complaints Policy. This document outlines the definition of a service complaint, eligibility and the service complaint handling process.</i></p>
Scope	<p>Service complaints regarding an administrative process that leads to a decision made either by Council, or under delegated authority must be within 90 days of the actual decision.</p> <p>Service complaints cannot be made where another avenue of appeal exists e.g. State Administrative Tribunal.</p> <p>Only directly involved parties can lodge a service complaint.</p>
Definitions	Service Complaint: A service complaint is a grievance against a process or the quality of service that a customer receives when dealing with the Shire.
Policy Statement	Objectives: <ul style="list-style-type: none"> To encourage customer feedback that will provide opportunities for system and process improvement.

	<p>Eligibility:</p> <ul style="list-style-type: none"> • To provide equitable redress to our clients for poor service and processes. • To actively resolve service complaints. • Only directly involved parties can lodge a service complaint. <p>Applications:</p> <ul style="list-style-type: none"> • Service complaints regarding an administrative process that leads to a decision made either by Council, or under delegated authority, must be made within 90 days of the actual decision. • Service complaints cannot be made where another avenue of appeal exists e.g. State Administrative Tribunal. <p>Procedure:</p> <ul style="list-style-type: none"> • Service complaints that cannot be resolved by the Chief Executive Officer or relevant team Manager, will be dealt with by the Shires Review Committee. <p>Review Committee:</p> <ul style="list-style-type: none"> • Review Committee will consist of the Chief Executive Officer, Appointed Manager and three Elected Members. <p>Advice to Council:</p> <ul style="list-style-type: none"> • A monthly status report of outstanding service complaints will be provided to Council. <p>Council Approval:</p> <ul style="list-style-type: none"> • Any recommendations made by the Review Committee are subject to final Council approval prior to implementation. <p>Legislative and Strategic Context:</p> <ul style="list-style-type: none"> • This policy directly relates to the Strategic Plan. The Shire of Wagin will be an industry leader in good governance and service delivery. <p>Review Position and Date</p> <ul style="list-style-type: none"> • CEO to review on or before 30 November 2015.
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