



SHIRE OF

Chapman Valley

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Organisational Corporate Policy, Procedures & Guidelines Manual

Version Control

This Is a Controlled Document of the Shire of Chapman Valley

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Version: 2

Amendments

Title new / removed policy	Replacing Policy	Date
Full Manual Review	Minute Reference: 07/18-10	18 th July 2018
Full Manual Review	Minute Reference: 07/19-4	17 th July 2019
Full Manual Review	Minute Reference: 03/20-13	18 th March 2020
Full Manual Review	Minute Reference: 03/21-10	17 th March 2021
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New - Complaints Handling System	Minute Reference: 2023/06-8	15 th June 2023
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New – CMP-073	Minute Reference: 2024/04-8	18 th April 2024
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Key Documents, Policies / Procedures

These are Shire specific policies, procedures and guidelines relevant to the organisation and form part of this manual to act as a reference tool.

Policies

CP-002 Objections & Appeals

POLICY NO	CP-002
POLICY	OBJECTION AND APPEALS
RESPONSIBLE OFFICER	CHIEF EXECUTIVE OFFICER
PREVIOUS POLICY/PROCEDURE No.	6.40
LEGISLATION	LOCAL GOVERNMENT ACT – SUBDIVISION 7
RELEVANT DELEGATIONS	

OBJECTIVES:

Introduce an *Objection and Appeals Policy and Checklist*. This Checklist is for decisions made under Part 3 of the Local Government Act (Functions of Local Governments) and any Local Law or Regulation that operates as if it were a Local Law.

POLICY STATEMENT/S:

Chapman Valley Shire resolved to adopt the pro-forma Objection and Appeals Checklist in regard to the giving of a notice is regarded as making a decision.

i) Advice to Be Given:

~ If a decision may be considered unfavourably by the effected person/s, have you given them written reasons for the decision and informed them of their rights to object and appeal against the decision?

ii) When A Person Lodges an Objection

~ Have you given the person reasonable time to make submissions on how to dispose of the objection?

~ Have you given the person notice in writing of how and why the objection was disposed of?

~ Has the effect of the decision been suspended until the person authorised to deal with the objection decides how to dispose of it?

~ Have you given the person notice in writing stating the urgent reasons why the effect of the decision should not be suspended? (if appropriate)

iii) When A Person Lodges an Appeal

~ Have you received a copy of the appeal?

~ Has the effect of the decision been suspended until the person authorised to deal with the appeal decides how to dispose of it?

~ Have you given the person notice in writing stating the urgent reasons why the effect of the decision should not be suspended?

iv) The Shire agree to utilise Forms 4 and 5 as stipulated in the Local Government (Functions and General) Regulations of 1996 when dealing with Objection and Appeals.

ADDITIONAL EXPLANATORY NOTES:

Appropriate staff will ensure that All Objections & Appeals will be dealt with in accordance with the relevant legislative requirements pertaining to the timing of the response.

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	10/01-9
Reviewed/Amended – Council Resolution:	05/15-23; 06/15-18; 03/17-32; 03/17-32, 03/22-08

CP-003 Complaints Handling

POLICY NO	CP-003
POLICY	COMPLAINTS HANDLING
RESPONSIBLE OFFICER	CHIEF EXECUTIVE OFFICER
PREVIOUS POLICY/PROCEDURE No.	6.70
LEGISLATION	LOCAL GOVERNMENT ACT – S 5.107 TO 5.121
RELEVANT DELEGATIONS	1020

OBJECTIVES:

A complaint handling system is an organised way of responding to, recording, reporting and using complaints to improve service to the community.

The complaint handling system includes processes for customers to make complaints and guidelines for officers to resolve complaints.

POLICY STATEMENT/S:

Objectives

To develop a structured systematic approach to dealing with complaints received by the Shire of Chapman Valley from external persons.

To assure the community that complaints may be made without fear of recrimination and that all complaints will be promptly dealt with and a (written if required) response will be given setting out the answer to the complaint providing reasons, where appropriate.

To have complaints dealt with efficiently by an appropriate employee with minimal referral.

To use complaints statistics to improve the effectiveness and efficiency of Shire operations.

Definition

A complaint is –

“an expression of dissatisfaction made to or about an organisation, related to its products, services, staff or the handling of a complaint, where a response or resolution is explicitly or implicitly expected or legally required” (as defined by the *AS/NZS 10002-2014 Guidelines for Compliant Management in Organisations*)

Policy

The Shire of Chapman Valley recognises the right of its customers to make complaints about services or service delivery, and will make it a priority to address those complaints and rectify unsatisfactory consequences.

The Council and its staff will be open and honest in its dealings with customers.

When unable to satisfy the complaint, an explanation will be provided in “plain English” why, for legislative/legal reasons, cost constraints or some other matter beyond its control, it is unable to act in accordance with a complainant’s request.

The Shire recognises that good complaints handling is an integral part of customer service and provides an effective way of reviewing performance and monitoring standards.

The Shire may determine to take the following courses of action –

- a) take no further action and advise the complainant of the reason/s;
- b) determine the complaint by use of appropriate strategies such as, but not limited to, mediation, informal discussion or negotiation;
- c) discontinue the assessment in circumstances where it becomes evident that the matter would be referred to another body or person and advise the complainant accordingly.

Confidentiality

Complainants have the right to expect that their privacy will be respected when making a complaint or having a complaint investigated. Personal information related to the complaint will be kept confidential in accordance with the *Freedom of Information WA Act 1992*.

All complaints are treated confidentially, unless required by law or the complainant provides their permission to release information.

A complaint against an employee is considered confidential under the *Freedom of Information Act 1992* and the complainant will not be advised of the outcome, unless required by law.

Application

Complaints that are to be dealt with under this policy include, but are not necessarily limited to, expressions of dissatisfaction regarding –

- a) decisions made by Council or staff;
- b) inappropriate behaviour of staff or members such as rudeness, discrimination or harassment;
- c) the standard of works or services provided by the local government;
- d) the standard or condition of a facility provided by the local government; and
- e) failure of the local government to comply with the Local Government Act, Council policies, local laws and other laws administered by the local government.

The following issues are not regarded as complaints and will not be dealt with under this policy –

- a) requests for services;
- b) compliance enforcement action;
- c) a civic dispute between private individuals;
- d) a petition;
- e) requests for information or explanations of policies and/or procedures;
- f) the lodging of a formal objection or appeal in accordance with the Local Government Act and other Acts or in accordance with Council policies or standard procedures; and
- g) the lodging of a submission in response to an invitation for comment.

Complaints regarding elected members are to be directed to the CEO who is responsible for the initial investigation and administrative responses. Matters that may require disciplinary action are to be referred to the Shire President and dealt with under the Policy 1.1 Code of Conduct.

Complaints from Councillors, the Ombudsman, the Local Government Department or from Members of Parliament shall be referred to, and dealt with by, the CEO unless the complaint relates to the CEO whereupon the complaint will be dealt with by the Shire President.

Guidelines

1. Any person or their representative can lodge a complaint.
2. Complaints in the first instance will be directed through the Shire Website (Contact Us – Complaints tab) feature. but will be accepted in writing, in person, by email or by telephone. Requests that are reported via the “Report an Issue – Snap, Send Solve” or “Online Enquiry” tab will be assessed by staff to determine if they are complaints or enquiries and treated as such. Staff will direct or enter on the complainants behalf all other communications into the Shire Website (Contact Us – Complaints tab) feature. If a verbally received complaint alleges a criminal offence, corruption or other serious matter, the receiving employee is to advise the complainant that the matter must be submitted in writing.

Report an Issue Or Lodge an Enquiry

At the Shire of Chapman Valley, we value hearing from our community. Whether it's letting us know about something that needs fixing, giving us feedback, or raising a concern, your input helps us keep our Shire a safe and welcoming place to live.

By working together and keeping us informed, we can continue to improve our services, protect our environment, and strengthen our community. Thank you for taking the time to reach out to us.

Please select one of the below tabs to begin.

[Report an Issue](#)

[Online Enquiry](#)

[Complaints](#)

3. Complainants are to be advised that anonymous complaints may not be processed as it is possible that they may be mischievous or vexatious. Depending on the nature of the complaint, it will be at the discretion of the receiving employee to act or refer the complaint or not to deal with the complaint.
4. When any complaint is made, other than a complaint referred to in clauses 16 or 17, the designated receiving employee shall, within the limit of their authority, attempt to satisfy the complainant as soon as possible.
5. If a complainant cannot be satisfied immediately, or on the same day, the designated receiving employee shall immediately issue to the complainant a written acknowledgement of the complaint and if need be, refer to the complaint and a copy of the acknowledgement to a senior employee, or the CEO, as is appropriate, for investigation and determination of the complaint.
6. The standard response times when dealing with complaints are those in the Customer Service Corporate Management Procedure Charter.
7. Where a complainant is advised of a likely delay to the handling of the complaint and the complaint is not finalised within a reasonable period of time, the complainant is to be provided with status reports from time to time until the complaint is satisfied.
8. The CEO shall establish and maintain an appropriate record of all complaints. The record will provide the following:
 - a) nature of each complaint;
 - b) services or facilities about which the complaints are made;
 - c) outcomes; and
 - d) other relevant information
9. The designated receiving employee of any complaint shall be responsible for ensuring that all details pertaining to the complaint are recorded in Records Management.

Outcomes

Where a complaint has been investigated and found to be justified, the relevant employee who dealt with the complaint will ensure that the remedy is carried out, will advise the complainant that the Shire does acknowledge substance in the complaint and the specific action that will be taken by the Shire to respond to the circumstances of the complaint. The employee will, if appropriate, make follow-up contact with the complainant to ensure that the complaint has been resolved satisfactorily.

Where a complaint may identify the need for a review of procedures to prevent re-occurrences, relevant staff are to implement any required changes which they feel appropriate. If the matter cannot be easily remedied by the employee, he or she must liaise with his/her Manager or the CEO to agree on a course of action.

Where the complaint identifies a need for a change of Council policy in a particular area or a need for additional resources, the matter shall be referred to Council as early as practicable.

Where appropriate or necessary, the CEO or relevant Executive Manager may refer the complaint to an external agency having jurisdiction in the matter.

Dealing with unreasonable complainant conduct

An unreasonable complainant is defined as the following:

- a) a rude, angry and harassing customer;
- b) an aggressive customer;
- c) habitual or obsessive behaviour which may include –
 - i. cannot 'let go' of their complaint;
 - ii. cannot be satisfied despite the best efforts of the Shire;
 - iii. makes unreasonable demands on the local government where resources are substantially and unreasonably diverted away from its other functions or are unfairly allocated

The Shire may restrict, withhold or withdraw the provision of service to unreasonable complainants by taking one of the following actions:

- a) require the complainant to make an appointment to meet with employees;
- b) limit all future dealings to writing;
- c) only respond to future correspondence which provides significant new information about the complaint or raises new issues which the Shire believes warrant fresh action; and
- d) direct all contact to be through a specific employee or area

The decision to determine an unreasonable complainant or to restrict, withhold or withdraw contact with the Shire will only be made by the Chief Executive Officer.

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	08/05-11
Reviewed/Amended – Council Resolution:	05/15-23; 06/15-18; 03/17-32; 03/17-32, 03/22-08; 2023/06-8; 2024/04-8

CP-004 Legal Representation Cost Indemnification

POLICY NO	CP-004
POLICY	LEGAL REPRESENTATION COSTS
RESPONSIBLE OFFICER	CHIEF EXECUTIVE OFFICER
PREVIOUS POLICY/PROCEDURE NO.	8.20
LEGISLATION	LOCAL GOVERNMENT ACT – S 5.101
RELEVANT DELEGATIONS	1003; 1009

OBJECTIVES:

This policy is designed to protect the interests of Elected Members and employees (including past members and former employees) where they become involved in civil legal proceedings because of their official functions. In most situations the local government may assist the individual in meeting reasonable expenses and any liabilities incurred in relation to those proceedings.

In each case it will be necessary to determine whether assistance with legal costs and other liabilities is justified for the good government of the district. This policy applies in that respect.

POLICY STATEMENT/S:

1. General Principles

- a. The local government may provide financial assistance to members and employees in connection with the performance of their duties provided that the member or employee has acted reasonably and has not acted illegally, dishonestly, against the interests of the local government or otherwise in bad faith.
- b. The local government may provide such assistance in the following types of legal proceedings:
 - i) proceedings brought by members and employees to enable them to carry out their local government functions (e.g. where a member or employee seeks a restraining order against a person using threatening behaviour);
 - ii) proceedings brought against Elected Members or employees [this could be in relation to a decision of Council or an employee which aggrieves another person (e.g. refusing a development application) or where the conduct of a member or employee in carrying out his or her functions is considered detrimental to the person (e.g. defending defamation actions)]; and
 - iii) statutory or other inquiries where representation of members or employees is justified.
- c. The local government will not support any defamation actions seeking the payment of damages for individual members or employees in regard to comments or criticisms levelled at their conduct in their respective roles. Members or employees are not precluded, however, from taking their own private action. Further, the local government may seek its own advice on any aspect relating to such comments and criticisms of relevance to it.
- d. The legal services the subject of assistance under this policy will usually be provided by the local government's solicitors. Where this is not appropriate for practical reasons or because of a conflict of interest then the service may be provided by other solicitors approved by the local government.

2. Applications for Financial Assistance

- a. Subject to item (e), decisions as to financial assistance under this policy are to be made by the Council.

- b. A member or employee requesting financial support for legal services under this policy is to make an application in writing, where possible in advance, to the Shire providing full details of the circumstances of the matter and the legal services required.
- c. An application to the Shire is to be accompanied by an assessment of the request and with a recommendation, which has been prepared by, or on behalf of, the Chief Executive Officer (CEO).
- d. A member or employee requesting financial support for legal services, or any other person who might have a financial interest in the matter, should take care to ensure compliance with the financial interest provisions of the Local Government Act 1995.
- e. Where there is a need for the provision of urgent legal services before an application can be considered by the Shire, the CEO may give an authorisation to the value of \$5,000 provided that the power to make such an authorisation has been delegated to the CEO in writing under section 5.42 of the Local Government Act 1995.
- f. Where it is the CEO who is seeking urgent financial support for legal services the Council shall deal with the application.

3. Repayment of Assistance

- a. Any amount recovered by a member or employee in proceedings, whether for costs or damages, will be off set against any moneys paid or payable by the local government.
- b. Assistance will be withdrawn where the Council determines, upon legal advice, that a person has acted unreasonably, illegally, dishonestly, against the interests of the local government or otherwise in bad faith; or where information from the person is shown to have been false or misleading.
- c. Where assistance is so withdrawn, the person who obtained financial support is to repay any moneys already provided. The local government may take action to recover any such moneys in a court of competent jurisdiction.

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	10/01-9
Reviewed/Amended – Council Resolution:	05/15-23; 06/15-18; 03/17-32; 03/17-32

CP-008 Shire of Chapman Valley Record Keeping Plan

POLICY NO	CP-008
POLICY	SHIRE OF CHAPMAN VALLEY RECORD KEEPING
RESPONSIBLE OFFICER	MANAGER FINANCE & CORPORATE SERVICES
PREVIOUS POLICY/PROCEDURE No.	9.140
LEGISLATION	STATE RECORDS ACT, 2000
RELEVANT DELEGATIONS	

OBJECTIVES:

Ensure compliance with the requirements of the State Records Act, 2000

POLICY STATEMENT/S:

Creation of Records

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

Elected Members

Records must be created and kept (by elected members) by forwarding to the Chief Executive Officer for retention and disposal in accordance with the requirements of the State Records Office of WA if: -

- The subject matter is in relation to their participation in the decision-making processes of Council and Committees of Council, and
- Deemed to be a significant or vital record. (See criteria below).

Activities or transactions not directly relevant to the decision-making processes of Council or Committees of Council are not subject to mandatory recordkeeping requirements. Accordingly, the creation and retention of records relating to these activities or transactions is at the discretion of the Elected Member.

Employees

All staff (including contractors) are to create, collect and retain records relating to the business activities they perform. They are to ensure significant records are captured into the Recordkeeping System and that all records are handled in a manner commensurate with legislation and the Shire's policies and procedures for recordkeeping.

Capture & Control of Records

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

Security & Protection of Records

All records are to be adequately secured and protected from violation, unauthorised access or destruction, and kept in accordance with necessary retrieval, preservation, access and storage requirements.

Access to Records

Access to the Shire of Chapman Valley records by: -

Staff and Contractors

Will be in accordance with the Shire of Chapman Valley Recordkeeping Standard Operating Procedures

The General Public

Will be in accordance with the Local Government Act 1995, Freedom of Information Act 1992 and Shire of Chapman Valley policy.

Elected Members

Will be via the Chief Executive Officer in accordance with the Local Government Act 1995

Appraisal, Retention & Disposal of Records

All records kept by the Shire of Chapman Valley will be retained and disposed of in accordance with the General Disposal Authority for Local Government Records, produced by the State Records Office of WA.

Significant Records

Records that contain information which is of administrative, legal, fiscal, evidential or historical value and are not recorded elsewhere on the public record. They may describe an issue, record who was involved, record why a decision was made or may embody actual policy.

The following criteria shall be used to determine whether a record is significant:

1. Does it convey information that is considered essential or relevant in making a decision?
2. Does it convey information upon which myself or others (including the Shire of Chapman Valley) will be, or are likely to be, making decisions affecting their business operations, or rights and obligations under legislation?
3. Does it commit the Shire or its staff or council to certain courses of action, or the commitment of resources or provision of services?
4. Does it convey information about matters of public safety or public interest, or involve information upon which contractual undertakings are entered into?
5. Is the information likely to be needed for future use, or is it of historical value or interest?

Vital Records

Records those are essential to the re-establishment and continued operation of the business of the Shire in the event of a disaster. Vital records protect the assets and interests of the Shire as well as the rights of individual or stakeholders.

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	02/04-17
Reviewed/Amended – Council Resolution:	05/15-23; 06/15-18; 03/17-32; 03/17-32

CP-009 Media Contact

POLICY NO	CP-009
POLICY	MEDIA CONTACT
RESPONSIBLE OFFICER	CHIEF EXECUTIVE OFFICER
PREVIOUS POLICY/PROCEDURE No.	9.170
LEGISLATION	LOCAL GOVERNMENT ACT, 1995, [s2.8(d); s5.41(f) & s5.44(1)]
RELEVANT DELEGATION	

OBJECTIVES:

To set out in straight forward sequence, the statutory and corollary principles applying to speaking on behalf of the Shire of Chapman Valley.

POLICY STATEMENT/S:

1. In accordance with Section 2.8(d) of the Local Government Act 1995, the President is the authorised spokesperson of the Council and the Shire;
2. In accordance with Section 5.41(f) of the Local Government Act 1995, the CEO may also be the spokesperson of the Council and the Shire if the President agrees;
3. If the President is not available or unable to be the spokesperson (Section 5.34) then the Deputy President may perform this function;
4. In accordance with Section 5.44(1) of the Local Government Act 1995, the CEO may delegate authority to other officers to be the spokesperson;
5. If a Councillor or staff member is approached by the press to answer questions or make comment on Shire business, unless otherwise specifically authorised by the President, or the CEO, the press be referred to the authorised spokesperson of the Shire for response; and
6. Nothing in this Policy shall prevent a member of Council expressing his/her personal opinion to the media. However, as a general principle, members having dealings with the media when approached by it to make a statement or private comment on a matter of Shire business, should have regard to any resolutions of the Council affecting the matter in question.

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	10/01-9
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Reviewed/Amended – Council Resolution:	05/15-23; 06/15-18; 03/17-32; 03/17-32
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CP-010 Freedom of Information

POLICY NO	CP-010
POLICY	FREEDOM OF INFORMATION (FOI)
RESPONSIBLE OFFICER	CHIEF EXECUTIVE OFFICER
PREVIOUS POLICY/PROCEDURE No.	13.10
LEGISLATION	FREEDOM OF INFORMATION ACT, 1992
RELEVANT DELEGATION	

OBJECTIVES:

The Shire of Chapman Valley supports the principle of the Freedom of Information Act 1992, and will release copies of documents it holds wherever possible, subject to the Act and to policy requirements.

POLICY STATEMENT/S:

The Manager of Finance and Corporate Services is the Freedom of Information decision maker and will process applications in accordance with the FOI Act and this policy.

The CEO is the Internal Reviewer and will review applications in accordance with the Act and their Policy.

All applications for documents available for purchase or inspection will be processed on payment of any required fee.

All applications for documents not normally available for public purchase or inspection will be dealt with under the provisions of the Freedom of Information Act, including payment of application (if applicable) and processing fees.

All documents subject to the Act will be released wherever possible, subject to spot editing to remove the possibility of identification of and need to consult with third parties (e.g. complainants) except Shire officers whose names may appear on documents as a normal part of their employment.

Documents containing:

- Personal information;
- Commercial or business information of a confidential nature excluding those documents which, under the Local Government Act 1995 are classed as public documents;
- Information which may impair law enforcement, public safety and property security;
- Information of Legal Professional Privilege (i.e. legal advice obtained by the Local Authority);
- Confidential communications; and
- Information of which disclosure could impair the effectiveness of methods and procedures for conducting tests, audits and spot inspections.

Will be subject to possible full exemption pursuant to Schedule 1 of the Act

The Freedom of Information Decision Maker and Freedom of Information Internal Reviewer are to exercise discretion and are to process applications for documents, which may be subject to exemptions in accordance with the overall intent of the Act to release documentation. Full reasons and rationale for decisions are to be given to applicants in cases where documents are considered to be wholly or partly exempt from release.

ADDITIONAL EXPLANATORY NOTES:

Refer also to the Shire of Chapman Valley *Freedom of Information Statement*.



SHIRE OF
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FREEDOM OF INFORMATION STATEMENT

[Reviewed: May 2026]

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1.0 VISION STATEMENT

The Shire's Vision is 'a thriving community, making the most of our coastline, ranges and rural settings to support us to grow and prosper'.

2.0 DETAILS OF LEGISLATION ADMINISTERED

2.1 Examples of Legislation Affecting the Shire

In addition to the Local Government Act 1995 the Shire of Chapman Valley is bound by and may apply, in its daily functions, a range of federal and state legislation. Examples of some of the more significant legislation applicable to the Shire's functions and operations are as follows:

- Local Government (Miscellaneous Provisions) Act 1960
- Freedom of Information Act 1992
- Bushfires Act 1954
- Planning & Development Act 2005
- Health Act 1911
- Dog Act 1976
- Cat Act 2011
- Litter Act 1979
- Dividing Fences Act 1961
- Caravan Park and Camping Ground Act 1995
- Emergency Management Act 2005
- Building Act 2011
- State Records Act 2000
- Interpretation Act 1984
- Environmental Protection Act 1986
- Criminal Procedures Act 2004

These Acts, as with others, are often supported by subsidiary legislation which will also be applied in the course of conducting various functions within the Shire.

Although the above refers to specific examples the Shire is bound more broadly by, and may have cause to enforce, the requirements of any federal or state legislation where it applies in relevant circumstances.

2.2 Local Laws

The Shire of Chapman Valley is wholly responsible for administering the following Shire local laws:

- Dogs Local Law 2016
- Standing Orders Local Law 2016
- Activities in Thoroughfares & Public Places & Trading Local Law 2016

3.0 COUNCIL STRUCTURE

Parts 2 and 3 of the Local Government Act 1995 establishes the Shire of Chapman Valley as a local government and provides for its structure and functions.

The Shire is a body corporate with perpetual succession and a common seal, and with a governing Council.

The Shire's general function is to provide for the good government of persons in the district.

The Shire has both legal and executive powers and may do all things necessary or convenient in performing its functions.

3.1 Council Structure

The Council is comprised of Seven (7) Councillors.

Role of the Council

The Council:

- governs the Shire of Chapman Valley's affairs; and
- is responsible for the performance of the Shire of Chapman Valley's functions.

The Council is also to:

- oversee the allocation of the Shire of Chapman Valley's finances and resources; and
- determine the Shire of Chapman Valley's policies.

The President and Deputy President are elected after the Local Government Elections every two years by the Elected Members. The current Shire President and Deputy President are:

Role of the Shire President

- presides at meetings in accordance with the Local Government Act 1995;
- provides leadership and guidance to the community in the district;
- carries out civic and ceremonial duties on behalf of the Shire of Chapman Valley;
- speak on behalf of the Shire of Chapman Valley;
- performs such other functions as are given to the mayor by the Local Government Act or any other written law; and
- liaises with the CEO on the Shire of Chapman Valley's affairs and the performance of its functions.

Role of the Deputy President

The Shire of Chapman Valley Deputy President performs the functions of the President when authorised to do so under section 5.34 of the Local Government Act. i.e.

If:

(a) the office of mayor or president is vacant; or

(b) the mayor or president is not available or is unable or unwilling to perform the functions of the mayor or president,

then the deputy mayor may perform the functions of mayor and the deputy president may perform the functions of president, as the case requires.

Role of Councillors

A Councillor:

- represents the interests of electors, ratepayers and residents of the district;
- provides leadership and guidance to the community in the district;
- facilitates communication between the community and the council;
- participates in the Shire of Chapman Valley's decision-making processes at council and committee meetings; and
- performs such other functions as are given to a Councillor by the Local Government Act 1995 or any other written law.

The Chief Executive Officer is appointed by the Council.

Role of the Chief Executive Officer

The Chief Executive Officer's role is to:

- Advise the Council of the functions of the local government;
- Ensure that advice and information is available to the Council so that informed decisions can be made;
- Implement Council decisions; and
- Manage the day to day operations of the Shire of Chapman Valley including staff.

No Ward System

The Shire of Chapman Valley operates under a *No Ward System*.

3.2 Committees

Council members are elected to committees by the following process: -

- i) Members identify which committees they have an interest in sitting on.
- ii) Members vote by secret ballot their choice of committee members from the list of members who have indicated their interest in being on a particular committee.

To enable Council to efficiently administer its business, committees are appointed to oversee various aspects of its operations, all Committee meetings are held on an "as needs basis".

Building & Disability Services Committee

Will meet at least annually to inspect all Shire Buildings/Properties and then subsequently to:

- ~ Review preliminary costings for proposed works for consideration in draft Council Budget;
- ~ Review the Capital & Building Works Program;
- ~ Disability Access & Inclusion Plan; and
- ~ Any other building/property items referred to the Committee by Council.

Delegation – Nil

5 x Councillors

Observers:

- ~ CEO
- ~ Building Surveyor

Audit, Risk & Improvement Committee

The purpose of the Committee in fulfilling the requirements of Local Government (Audit) Regulation 17 by assisting the Chief Executive Officer to:

- a) provide an independent oversight of the financial systems of the local government on behalf of the Council;
- b) guide and assist the local government in respect to financial management;
- c) contribute to the Shire's corporate governance, stewardship, leadership and control responsibilities in relation to financial reporting and audit;
- d) guide and assist with the Internal Audit and Risk Management;
- e) oversee the implementation of audit recommendations made by the auditor, which have been accepted by council; and
- f) oversee accepted recommendations arising from reviews of local government systems and procedures.

Delegation – Nil

4 x Councillors

1 x External, Independent Member

Observers:

- ~ CEO
- ~ Manager Finance & Corporate Services

Road Infrastructure Committee

Undertake an annual review the following:

- ~ Road Works Program;
- ~ Road Hierarchy;
- ~ Heavy Haulage Vehicle Permit Roads; and
- ~ Any other works infrastructure item referred to the Committee by Council.
- ~ Review the plant replacement program

Delegation – Nil

All Councillors

Observers:

- ~ CEO
- ~ Manager Works & Services
- ~ Deputy CEO
- ~ Works Leading Hand

Bushfire Brigade Group Management Advisory Committee

Meet at least annually to:

- ~ Elect Office Bearers;
- ~ Review previous year fire season;
- ~ Review the Shire's Fire Notice;
- ~ Liaise with external organisations (e.g. DFES, DPAW);
- ~ Review the DFES Capital & Operational Grants;
- ~ Any other bush fire related items referred to the Committee by Council.

Delegation – Nil

President (Presiding Member

3 x Councillor s

CBFCO

DCBFCO

All Brigade FCOs

Chief Executive Officer

Senior Ranger

Observers

1 x DFES Rep.

1 x DBCA Rep.

Batavia Local Emergency Management Committee

Meet as required in accordance with legislation and Council endorsed Local Emergency Management Arrangements (LEMA) to:

- ~ Review the LEMA & Recovery Plan;
- ~ Implement Emergency Exercises as required;
- ~ Any other emergency management related items referred to the Committee by Council.

Delegation – Nil

2 x Councillors

Chief Executive Officer

Community Growth Fund Advisory Group

Evaluate application received for funding under the Shire of Chapman Valley Community Growth Fund program in accordance with guideline, policies and procedures set by Council and make recommendations to Council to allocate funds

Delegation – Nil

President (Presiding member)

3 x Councillors (Members)

Chief Executive Officer

Manager Finance & Corp Svc

Comm. Develop. Officer

Tourism & Events Advisory Group

Will meet on an 'as needs' basis only to:

- ~ Evaluate annual Australia Day Award Nominations and submitting these to Council in readiness for presenting the awards at the Shire's annual Australia Day Function;
- ~ Assist with coordinating the annual Australia Day function(s);
- ~ Discuss all other item(s) referred to them by Council in the areas of tourism and events.
- ~ Liaise with external organisations

Delegation – Nil

3 x Councillors

CEO

Deputy CEO

Comm. Development Officer

2 x Community Representatives for Australia Day award nominations (recommend past winner as one rep.)

4.0 DETAILS OF DECISION MAKING FUNCTIONS

Local Laws, Policies and Corporate Management Procedures applying to this Council's district only, are made by Council under the Local Government Act 1995.

Council may provide that contravention of a provision of the local law is an offence and may provide for penalties to be imposed.

The Shire of Chapman Valley current local laws are:

- Dogs Local Law 2016
- Standing Orders Local Law 2016
- Activities in Thoroughfares & Public Places & Trading Local Law 2016

5.0 DOCUMENTS HELD

5.1 Any person can attend the office during office hours and inspect free of charge, subject to limitations any of the following in relation to council in the form in which it is normally held.

- a) annual report to electors;
- b) annual budget;
- c) annual financial report;
- d) various brochures available at the counter;
- e) shire library facilities;
- f) equal opportunity policy statement
- g) confirmed minutes of Council, committee and elector's meetings;
- h) Integrated Strategic & Operational Plans;
- i) register of financial interests;
- j) schedule of fees and charges;
- k) schedule of loan repayments;
- l) loans register;
- m) proposed local law of which State-wide public notice has been given;
- n) local laws made by Council;
- o) any written law that Council has the duty or power to enforce;
- p) rates record;
- q) confirmed minutes of council or committee meetings;
- r) minutes of elector's meetings;
- s) notice papers and agenda relating to any council or committee meeting and reports other documents that have been -
 - i) tabled at a council or committee meeting; or
 - ii) produced by council or a committee and presented at a council or committee meeting.
- t) prepared business plan;
- u) register of owners and occupiers and electoral rolls;
- v) register of delegations to committees.

5.2 Documents available to the public - for which a fee may be charged.

- a) maps of the Shire of Chapman Valley;
- b) the annual financial report;
- c) the annual budget;
- d) municipal inventory;
- e) town planning documents;
- f) freedom of information statement.

5.3 Other documents held which may be available for inspection within the Freedom of Information Act

- a) register of delegations to CEO and employees;
- b) unconfirmed minutes of council or committee meetings;
- c) notice papers and agenda relating to council or committee meetings and reports and other documents which -
 - i) are to be tabled at the meeting; or
 - ii) have been produced by the local government or a committee for presentation at the meeting.
- d) and which have been made available to members of Council or the committee.
- e) the information contained in a tender's register;
- f) property ownership enquiries.

5.4 Limits on right to inspect Local Government Information

A person's right to inspect information does not extend to the inspection of information:

- a) which is not current at the time of inspection; and
- b) which, in the CEO's opinion, would divert a substantial and unreasonable portion of resources away from other functions.
- c) in relation to any debt owed by a person other than the debt of the person making the enquiry.
- d) relating to minutes of meetings or notice papers and agenda and supporting reports and documents of a meeting which: -
 - i) was closed to the public; or
 - ii) in the CEO's opinion, could have been closed to members of the public, but was not closed.
- e) in relation to contracts for the CEO and senior employees if: -
 - i) the information relates to a matter other than the salary or the remuneration or benefits payable under the contract; and
 - ii) in the CEO's opinion, the information should not be available for inspection by members of the public because of the private nature of the information.

5.5 Format in which information is held-

- a) library holds brochures, videos, cassettes and books, available for borrowing through the library system;
- b) rates records are held on computer hard disk;
- c) minutes of meetings are held in guard and bound books;
- d) annual report to electors, financial report and budget are held in booklet form and on hard disk;
- e) register of loans - hard copy;
- f) register of tenders - hard copy;
- g) register of delegations to committee - hard copy;
- h) maps - hard copy;
- i) Integrated Strategic and Business Plans - hard copy;
- j) register of financial interests - hard copy;
- k) owners, occupiers and electoral rolls - hard disk and soft copy;
- l) municipal inventory - book.

- m) correspondence, both incoming and outgoing is in filing cabinets for short term or held in the storeroom for long term archives. A system index schedule (numbers used in filing records) is held in booklet form;
- n) personal information - held in filing system and on computer hard disk.

6.0 THE OPERATION OF FREEDOM OF INFORMATION IN THE SHIRE OF CHAPMAN VALLEY

6.1 How and to whom initial enquiries should be made?

- i) In accordance with Section 12 (i) Initial enquiries should be made
 - a) in writing;
 - b) give enough information so that the documents requested can be identified;
 - c) give an Australian address to which notices can be sent; and
 - d) be lodged at the agency with any application fee payable.

Applications and enquiries should be addressed to the Freedom of Information Coordinator: -

Chief Executive Officer

Shire of Chapman Valley

Post Office Box 1

Nabawa WA 6532

Telephone and fax numbers:

Phone: (08) 9920 5011

Fax: (08) 9920 5155

- ii) Applications will be acknowledged in writing and you will be notified of the decision within 45 days.
- iii) It is the aim of the Shire of Chapman Valley to make information available promptly and at the least possible cost, and whenever possible documents will be provided outside the Freedom of Information Process.
- iv) If information is not routinely available, the *Freedom of Information Act 1992* provides the right to apply for documents held by the agency and to enable the public to ensure that personal information in documents is accurate, complete, up to date and not misleading.

6.2 Freedom of Information Charges -

A scale of fees and charges set under the Freedom of Information Act Regulations.

- | | |
|--|----------------|
| i) Personal Information about the applicant | <i>no fee</i> |
| ii) Application fee (for non- personal information) | <i>\$30.00</i> |
| iii) Charge for time dealing with the application
(per hour, or pro rata) | <i>\$30.00</i> |
| iv) Access time supervised by staff | <i>\$30.00</i> |

	(per hour, or pro rata)	
v)	Photocopying staff time (per hour, or pro rata)	\$30.00
vi)	Per photocopy	.20
vii)	Transcribing from tape, film or computer (per hour, or pro rata)	\$30.00
viii)	Duplicating a tape, film or computer information	<i>Actual Cost</i>
ix)	Delivery, packaging and postage	<i>Actual Cost</i>
x)	Advance deposit may be required of the estimated charges	25%
xi)	Further advance deposit may be required to meet the charges for dealing with the application	75%
xii)	For financially disadvantaged applicants, those issued with prescribed pensioner concession cards, the charge payable may be reduced by 25%.	

Access to documents can be granted by way of inspection, a copy of a document, a copy of an audio or video tape, a computer disk, a transcript of a recorded, shorthand or encoded document from which words can be reproduced.

6.3 Notice of decision -

As soon as possible but in any case, within 45 days you will be provided with a notice of decision which will include details of the decision and procedures to follow.

Refusal of Access -

Applicants who are dissatisfied with a decision are entitled to ask for an internal review. Application should be made in writing within 30 days of receiving the notice of decision.

You will be notified of the outcome of the review within 15 days.

If you disagree with the result you then can apply to the Information Commissioner for an external review, and details would be advised to applicants when the internal review decision is issued.

6.4 Person responsible for decisions regarding access or the amendment of personal information under Freedom of Information -

The Chief Executive Officer makes decisions regarding access or the amendment of personal information under Freedom of Information.

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:

10/01-9

Reviewed/Amended :

05/15-23; 06/15-18; 03/17-32; 03/17-32; 2025/05-10

CP-011 Senior Staff

POLICY NO	CP-011
POLICY	SENIOR STAFF
RESPONSIBLE OFFICER	CHIEF EXECUTIVE OFFICER
PREVIOUS POLICY/PROCEDURE No.	14.230
LEGISLATION	LOCAL GOVERNMENT ACT, 1995 – SECTION 5.36
RELEVANT DELEGATIONS	

OBJECTIVES:

To designate Senior Employees in accordance with the requirements of the Local Government Act, 1995.

POLICY STATEMENT:

Designate the following members of staff as “Senior Staff” in accordance with section 5.37 of the Local Government Act 1995:

- Deputy CEO
- Manager of Finance and Corporate Services
- Manager Works and Services
- Building Surveyor / Project Officer

(Note: CEO is designated as a Senior Employee by virtue of Section 5.36 of the Local Government Act, 1995)
CEO to present Council with proposed amendments to Senior Staff contracts and remunerations as part of the annual budget consideration process or at any other time as determined by the CEO (e.g. Contract extensions, etc.)

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	07/04-5
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Reviewed/Amended :	05/05-2; 05/05-3; 06/07-31; 06/11-16; 07/14-6; 05/15-23; 06/15-18; 03/17-32; 03/17-32; 07/19-4
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CP-013 Payments to Employees in Addition to Contract or Award

POLICY NO	CP-013
POLICY	PAYMENTS TO EMPLOYEES IN ADDITION TO CONTRACT OR AWARD
RESPONSIBLE OFFICER	CHIEF EXECUTIVE OFFICER
PREVIOUS POLICY/PROCEDURE No.	14.170
LEGISLATION	LOCAL GOVERNMENT ACT, 1995 – SECTION 5.50(2)
RELEVANT DELEGATIONS	NA

OBJECTIVES:

To stipulate payments made to employees in addition to contracts or award payments as is required by the Local Government Act, 1995, s 5.50(2)

POLICY STATEMENT/S:

The Shire of Chapman Valley does not support any payment to employees either under Contract or Award other than that specifically set out in that Contract or Award when such employees finish with this Shire.

If the Council consider an individual case appropriate, it will exercise its power under the Local Government Act 1995 and Local Government Act (Administration) Regulations, 1996 whereby, if so resolved by Council, Local Public Notice will be given in relation to any such additional payments to any specific employees.

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	10/01-9
Reviewed/Amended – Council Resolution:	05/15-23; 06/15-18; 03/17-32; 03/17-32

CP-014 Employees Safety & Health

POLICY NO	CP-014
POLICY	EMPLOYEES SAFETY AND HEALTH
RESPONSIBLE OFFICER	CHIEF EXECUTIVE OFFICER
PREVIOUS POLICY/PROCEDURE No.	6.10
LEGISLATION	OCCUPATIONAL HEALTH & SAFETY ACT, 1984
RELEVANT DELEGATIONS	

OBJECTIVES:

This policy recognises that the health and safety of all workers engaged by, or working within, the Shire of Chapman Valley is a shared responsibility of the Chief Executive Officer (CEO), managers, supervisors and workers.

The Shire is committed to meeting its work health and safety obligations by providing clear leadership, strategic direction and adequate resources to support the effective management of health and safety risks, in accordance with relevant statutory requirements.

Scope

This policy applies to all workers of the Shire of Chapman Valley, including employees, volunteers, contractors and any other persons engaged to carry out work on behalf of the Shire.

The policy applies to all Shire-controlled workplaces, facilities and premises, as well as any other locations where work is undertaken for or on behalf of the Shire.

In accordance with section 19(2) of the Work Health and Safety Act, the Shire also has a duty of care to ensure, so far as is reasonably practicable, that the health and safety of other persons, including visitors, contractors and members of the community, are not put at risk by Shire activities.

Responsibilities

The Chief Executive Officer (CEO) is responsible for providing, maintaining and promoting a safe working environment, so far as is reasonably practicable, to ensure that workers are not exposed to health and safety risks.

The Senior Management Team, managers and supervisors are responsible for implementing the Shire's work health and safety systems, ensuring hazards are identified and risks are controlled, and that Shire WHS programs, policies and procedures are applied within their areas of responsibility.

The Work Health and Safety (WHS) Coordinator is responsible for coordinating the development, implementation and review of the Shire's WHS systems, providing advice and support to managers and workers, facilitating consultation on WHS matters, and assisting with incident reporting, investigations and compliance activities.

Workers, including employees, volunteers and contractors, are responsible for taking reasonable care for their own health and safety and the health and safety of others, complying with Shire WHS policies and procedures, participating in consultation, and reporting hazards, incidents and near misses.

POLICY STATEMENT/S:

In accordance with the Work Health and Safety Act 2020 and the Work Health and Safety (General) Regulations 2022, the CEO, Senior Management Team, Work Health, and Safety representatives, and workers will collectively contribute to achieving a high standard of excellence in work health and safety management in the workplace and accept relevant responsibilities under current health and safety laws. The Chapman Valley Shire is committed to:

- Maintaining a WHS management system compliant with relevant WHS legislation, WA regulations, and the ISO 45001:2018 Safety Management System Standard.
- Creating a safe, healthy, and positive workplace culture that considers physical, emotional, psychological, and social wellbeing.
- Consulting and cooperating with employees and their representatives on safety and health issues, WHS policies, procedures, and continual system improvement.
- Providing adequate physical and financial resources to achieve and sustain workplace health and safety outcomes.
- Developing key performance indicators to demonstrate compliance with workplace health and safety legislative requirements.
- Committing to continuous improvement through measurable targets and objectives, monitoring and reviewing outputs, and enhancing health and safety management systems and initiatives.
- Building a proactive reporting culture where hazards and incidents are consistently reported, enabling active identification, assessment, and control of risks.
- Conducting investigations to identify root causes and take appropriate actions to prevent reoccurrences.
- Developing and communicating policies and procedures to all staff and relevant parties.
- Supporting and encouraging employee participation in health and wellbeing initiatives and activities.
- Outlining clear accountabilities for workplace health and safety at all employee levels, which cannot be delegated.
- Maintaining Shire-owned and operated accommodation to ensure the health and safety of workers occupying these premises.

Leadership Expectations

Leaders are expected to: - Lead by example and create, adopt, and maintain safe work practices and behaviors. - Adequately resource workplaces and teams so they can operate safely. - Promote and maintain the standards defined by the safety management plan and WHS legislation. - Provide effective supervision, encourage well-planned work practices, and implement hazard management in line with Shire policies and procedures. - Accurately investigate all incidents and potentially serious occurrences to eliminate or reduce risks in the workplace.

Workers and volunteers are expected to: - Lead by example, participate in safe work practices, and demonstrate positive and respectful behaviors. - Work cooperatively with others to foster safe and healthy team environments. - Follow procedures and instructions to meet the objectives of this safety policy. - Participate in WHS training and apply the knowledge to work safely. - Report hazards, incidents, and safety concerns promptly.

Contractors are expected to: - Work within their own safety management plans, policies, and procedures and liaise with the Shire on shared safety responsibilities. - Identify and report hazards, incidents, and safety concerns. - Work respectfully and professionally with workers, volunteers, and other contractors. - Represent positive, safe, and healthy practices as contractors working for the Shire.

Where possible, the working environment is to be maintained in a manner in which workers are not exposed to hazards. The Chief Executive Officer, in partnership with all workers, working for or operating within the organisation, will attempt to recognise the potential risks associated with hazards that may exist within the workplace and will take necessary steps to identify and report identified hazards, and provide and maintain a safe and healthy work environment.

In summary, we expect our leaders to:

- To lead by a good example, create, adopt, and maintain safe work practices and behaviours to develop safe & healthy team and work environments.
- To adequately resource our workplace and our teams so they can operate safely.
- To promote and maintain the standards defined by our safety management plan and occupational safety & health legislation.

- To provide effective supervision, encourage well-planned work practices, and implement hazard management to the requirements of our policies & procedures.
- To accurately investigate all incidents and potentially serious occurrences in order to eliminate or reduce risks in the workplace.

We expect all our workers and volunteers:

- To lead by a good example, participate in safe work practices, and demonstrate behaviours to develop safe & healthy team and work environments.
- To work respectfully and foster professional and healthy relationships with fellow team members and co-workers.
- To follow work procedures and instructions to assist in meeting the objectives of this safety policy.
- To participate in the training, they have been provided with, in order to work safely.
- To report on hazards, incidents, and safety concerns within the organisation's policies and procedures.

We expect all our contractors to:

- To work within their own safety management plans, policies, and procedures and to liaise with us on ours when we share common workspaces.
- To work with us in identifying and reporting on hazards, incidents, and safety concerns.
- To work respectfully in our environment and foster professional and healthy relationships with our workers, volunteers, and our other contractors.
- To represent positive, safe, and healthy practices as contractors doing work for us in our community.

We will review our policies and procedures, and this Policy Statement, to continually improve our performance.

By all of us working together, aspiring to meet the standards, expectations, and obligations outlined in our policies and procedures, we believe we can create a safe and healthy work environment and make our shire a great place to work or volunteer.

Definitions

- **Hazard** is defined as anything that has the potential to cause injury, illness, or harm. This can include physical objects, substances, environmental conditions, and human behaviours or actions that pose a risk to the health and safety of individuals in the workplace.
- **Health:** The physical, emotional, psychological, and social well-being of an individual.
- **Psychological:** Mental health harm resulting from psychosocial hazards. This includes any adverse effects on an individual's mental health and well-being due to factors such as work-related stress, bullying, harassment, or other negative workplace interactions and conditions.
- **WHS Risk:** The likelihood of someone getting injured or ill because of a workplace hazard, determined by assessing both the probability of it happening and the potential consequences.
- **Worker:** As defined in section 7 of the Work Health and Safety Act 2020, including all paid and unpaid Shire workers, employees, contractors, consultants, volunteers, and visitors.

This policy requires a shared commitment from the Shire of Chapman Valley.

Breaches of this Policy

The Shire promotes a culture of work, health, and safety and encourages all workers to perform their duties safely. Employees breaching this policy may face performance management up to and including termination of employment. Workers may also be subject to criminal or civil action.

ADDITIONAL EXPLANATORY NOTES:

- Work Health and Safety Act 2020
- Work Health and Safety (General) Regulations 2022
- Local Government Act 1995

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES):

Adopted – Council Resolution:	10/01-9
Reviewed/Amended – Council Resolution:	05/15-23; 06/15-18; 03/17-32; 03/17-32, 26/02-5

CP-028 Habitual or Vexatious Complainants

POLICY NO	CP-028
POLICY	Habitual or Vexatious Complainants
RESPONSIBLE OFFICER	CEO
PREVIOUS POLICY No.	-
LEGISLATION	Local Government Act 1995
RELEVANT DELEGATIONS	-

OBJECTIVES:

Habitual or vexatious complaints can be a problem for Council staff and members. The difficulty in handling such complaints is that they are time consuming and wasteful of resources in terms of officer and member time and displace scarce human resources that could otherwise be spent on Council priorities. Whilst Council endeavours to respond with patience and sympathy to all needs of all complainants, there are times when there is nothing further which can reasonably be done to assist or rectify a real or perceived problem.

1. To identify situations where a complainant, either individually or as part of a group, or a group of complainants, might be habitual or vexatious and ways of responding to these situations.
2. This policy is intended to assist in identifying and managing persons who seek to be disruptive to the Council through pursuing an unreasonable course of conduct.

The term “vexatious” is recognised in law and means “denoting an action or the bringer of an action that is brought without sufficient grounds for winning, purely to cause annoyance to the defendant”.

POLICY STATEMENT/S:

1. For the purpose of this policy, the following definition of habitual or vexatious complainants will be used:

The repeated and/or obsessive pursuit of:

- (i) Unreasonable complaints and/or unrealistic outcomes; and/or
- (ii) Reasonable complaints in an unreasonable manner.

2. Where complaints continue and have been identified as habitual or vexatious in accordance with the criteria set out in Schedule A, the CEO, following discussions with the Executive Team, will seek agreement to treat the complainant as a habitual or vexatious complainant and for an appropriate course of action to be taken.

Schedule B details the options available for dealing with habitual and vexatious complaints.

3. The CEO will notify complainant, in writing, of the reasons why their complaint has been treated as habitual or vexatious, and the action will be taken. The CEO will also notify the elected members that a constituent has been designated as a habitual or vexatious complainant.
4. Once a complainant has been determined to be habitual or vexatious, their status will be kept under review after one year and monitored by the CEO with reports being taken to Council as required. If a complainant subsequently demonstrates a more reasonable approach then their status will be reviewed.

GUIDELINES:

Schedule A – Criteria for determining habitual or vexatious complainants

Complainants (and/or anyone acting on behalf) may be deemed to be habitual or vexatious where previous or current contact with them shows how they meet one or more of the following criteria:

Where complainants:

1. Persist in pursuing a complaint where the Council's complaints process has been fully and properly implemented and all avenues of review have been exhausted.
2. Persistently reframe or change the substance of a complaint or continually raise new issues or seek to prolong contact by continually raising further concerns or questions whilst the complaint is being addressed. (Care must be taken, however, not to disregard new issues which are significantly different from the original complaint as they need to be addressed as separate complaints).
3. Are resistant to explanation and repeatedly unwilling to accept documented evidence given as being factual or deny receipt of an adequate response in spite of correspondence specifically answering their questions or do not accept that facts can sometimes be difficult to verify when a long period of time has elapsed.
4. Repeatedly do not clearly identify the precise issues which they wish to be investigated, despite reasonable efforts of the Council to help them specify their concerns, and/or where the concerns identified are not within the remit of the Council to investigate.
5. Regularly focus on a trivial matter to an extent which is out of proportion to its significance and continue to focus on this point. It is recognised that determining what is a trivial matter can be subjective and careful judgement will be used in applying this criteria.
6. Have threatened or used physical violence towards employees at any time. This will, in itself, cause personal contact with the complainant and/or their representative to be discontinued and the complaint will, thereafter, only be continued through written communication. The Council has determined that any complainant who threatens or uses actual violence towards employees will be regarded as a vexatious complainant. The complainant will be informed of this in writing together with a notification of how future contact with the Council is to be made.
7. Have, in the course of addressing a registered complaint, had an excessive number of contacts with the Council – placing unreasonable demands on employees. A contact may be in person, by telephone, letter, email or fax. Judgement will be used to determine excessive contact taking into account the specific circumstances of each individual case.
8. Have harassed or been verbally abusive on more than one occasion towards employees dealing with their complaint. Employees recognise that complainants may sometimes act out of character in times of stress, anxiety or distress and will make reasonable allowances for this. Some complainants may have a mental health disability and there is a need to be sensitive in circumstances of that kind.
9. Are known to have recorded meetings or face to face/telephone conversations without the prior knowledge and consent of other parties involved.
10. Make unreasonable demands on the Council and its employees and fail to accept that these may be unreasonable, for example, insist on responses to complaints or enquires being provided more urgently than is reasonable or within the Council's complaints procedure or normal recognised practice.
11. Make unreasonable complaints which impose a significant burden on the human resources of the Council and where the complainant:

- Clearly does not have any serious purpose or value; or
- Is designed to cause disruption or annoyance; or
- Has the effect of harassing the public authority; or
- Can otherwise fairly be characterised as obsessive or manifestly unreasonable.

12. Make repetitive complaints and allegations which ignore the replies which Council officers have supplied in previous correspondence.

Schedule B – Options for dealing with habitual or vexatious complainants

The options below can be used singularly or in combination depending on the circumstances of the case and whether the complaint process is ongoing or completed.

1. A letter to the complainant setting out responsibilities for the parties involved if the Council is to continue processing the complaint. If terms are contravened, consideration will then be given to implementing other action as indicated below.
2. Decline contact with the complainant, either in person, by telephone, by fax, by letter, by email or any combination of these, provided that one form of contact is maintained. This may also mean that only one named officer will be nominated to maintain contact (and a named deputy in their absence). The complaint will be notified of this.
3. Notify the complainant, in writing, that the Council has responded fully to the points raised and has tried to resolve the complaint but there is nothing more to add and continuing contact on the matter will serve no useful purpose. The complainant will also be notified that the correspondence is at an end, advising the complainant that they are being treated as a habitual or vexatious complainant and as such the Council does not intend to engage in further correspondence dealing with the complaint.
4. Inform the complainant that in extreme circumstances the Council will seek legal advice on habitual or vexatious complainants.
5. Temporarily suspend all contact with the complainant, in connection with the issues relating to the complaint being considered habitual or vexatious, while seeking legal advice or guidance from our solicitor or other relevant agencies.

ADDITIONAL EXPLANATORY NOTES:

Legislative and Strategic Context

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES):

Adopted – Council Resolution:	2023/06-8
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Reviewed/Amended – Council Resolution:	
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EP-001 Firebreak Notice & Information Letter

POLICY NO	EP-001
POLICY	FIRE BREAK NOTICE & INFORMATION NEWSLETTER
RESPONSIBLE OFFICER	CHIEF EXECUTIVE OFFICER
PREVIOUS POLICY/PROCEDURE No.	3.10
LEGISLATION	BUSHFIRE ACT, 1954 – s33
RELEVANT DELEGATIONS	

OBJECTIVES:

Provide clear and concise information to landowners/occupiers within the Shire of Chapman Valley of fire control, suppression and prevention requirements on their land.

ADDITIONAL EXPLANATORY NOTES:

Reviewed/Amended annually by the Shire of Chapman Valley Bush Fire Brigade Group Management Advisory Committee and presented to Council for consideration and adoption prior to the annual Rate Notices being sent out. This Notice is included with the information sent out to all landowners with the annual Rate Notices.

[Link to latest Fire Notice](#)

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	10/01-9
Reviewed/Amended – Council Resolution:	05/14-10; 05/15-23; 06/15-18; 03/17-32; 03/17-32; 04/16-15; 05/15-23; 06/15-18; 03/17-32; 03/17-32; 04/16-15; 07/19-4

CP037-Public Interest Disclosure (PID) Policy

POLICY NO	CP-037
POLICY	PUBLIC INTEREST DISCLOSURE (PID) POLICY
RESPONSIBLE OFFICER	CHIEF EXECUTIVE OFFICER
PREVIOUS POLICY No.	NA
LEGISLATION	Public Interest Disclosure Act 2003, Public Disclosure Regulations 2003
RELEVANT DELEGATIONS	NA

1. Policy Intention

To detail the manner in which the Shire of Chapman Valley will comply with its obligations under the Public Interest Disclosure Act 2003 and to adopt and implement the Shire's Public Interest Disclosure Information Guidelines as the internal procedures required under that Act.

2. Policy

The Shire of Chapman Valley (the Council) acknowledges its obligations under the Public Interest Disclosure Act 2003 (the Act) and in doing so:

2.1 Will ensure staff are supported under the Act. The Council:

(a) does not tolerate corrupt or other improper conduct, including mismanagement of community resources, in the exercise of the public functions of the Shire of Chapman Valley and its officers, employees and contractors.

(b) is committed to the aims and objectives of the Act. It recognises the value and importance of contributions of staff to enhance administrative and management practices and strongly supports disclosures being made by staff as to corrupt or other improper conduct.

(c) will take all reasonable steps to provide protection to staff who make such disclosures from any detrimental action in reprisal for the making of a public interest disclosure, in accordance with the Act and the Shire's Public Interest Disclosure Information Guidelines.

(d) does not tolerate any of its officers, employees or contractors engaging in acts of victimisation or reprisal against those who make public interest disclosures.

2.2 Has in place an internal procedure, titled "Public Interest Disclosure Information Guidelines", that describes the manner in which:

(a) disclosures of public interest information shall be made to the Public Interest Disclosure Officer (PID Officer) of the Council, consistent with the requirements set out in the Public Interest Disclosure Information Guidelines.

(b) the person from time to time holding or acting in the position of Chief Executive Officer is designated as the Public Interest Disclosure Officer, or PID Officer, of the Shire of Chapman Valley.

(c) the PID Officer shall investigate the information disclosed, or cause that information to be investigated, in accordance with the Public Interest Disclosure Information Guidelines and the Act.

(d) the PID Officer may take action following the completion of the investigation, having regard to the outcomes and recommendations arising from that investigation as contemplated in the Public Interest Disclosure Information Guidelines.

(e) the PID Officer shall report to the informant as to the progress and outcome of that investigation and the action taken as a consequence, in the manner and within the timeframes outlined in the Public Interest Disclosure Information Guidelines.

(f) the confidentiality of the informant, and any person who may be the subject of a public interest disclosure, shall be maintained in accordance with section 16 of the Act and the confidentiality provisions of the Public Interest Disclosure Information Guidelines.

(g) records as to public interest disclosure shall be maintained and reporting obligations complied with, in line with the record-keeping and reporting requirements described in the Public Interest Disclosure Information Guidelines.

ADDITIONAL EXPLANATORY NOTES:

Related Documents

This Policy is to be read in conjunction with the Shire of Chapman Valley Public Interest Disclosure Information Guidelines, which set out the Shire's detailed internal procedures and must remain consistent with the Public Interest Disclosure Act 2003 and the Public Interest Disclosure Regulations 2003.

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES):

Adopted – Council Resolution:	26/03-9
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Reviewed/Amended – Council Resolution:	
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Procedures

CMP-011 Workplace Surveillance Policy

MANAGEMENT PROCEDURE No.	CMP-011
MANAGEMENT PROCEDURE	WORKPLACE SURVEILLANCE POLICY
RESPONSIBLE OFFICER	CHIEF EXECUTIVE OFFICER
PREVIOUS POLICY/PROCEDURE No.	NEW
RELEVANT DELEGATIONS	NIL

OBJECTIVES:

The Shire of Chapman Valley is committed to providing a safe environment for its employees and the community in which unlawful, antisocial, and inappropriate activity is kept to a minimum while respecting the individual rights to privacy.

The Shire of Chapman Valley will ensure that the use of workplace surveillance complies with the requirements of the relevant legislation including the *Surveillance Devices Act 1998 (WA)*.

MANAGEMENT PROCEDURE STATEMENT/S:

Surveillance may be deployed within the workplace in order to protect the assets and equipment of the Shire of Chapman Valley and improve community and employee safety.

This policy outlines the deployment of workplace surveillance in the Shire of Chapman Valley.

Electronic Surveillance Devices

The Shire of Chapman Valley may deploy electronic surveillance devices to protect assets, equipment and people through the recording of unauthorised, unlawful, inappropriate, or dangerous activity/incidents.

The Shire of Chapman Valley may deploy fixed and mobile cameras (of either motion/CCTV or still variety) in areas where assets or equipment are stored or commonly used, or in high risk work areas. Cameras may be placed in, around, or to view fixed or mobile locations.

Cameras should be placed in unobtrusive positions covering the area to be protected.

Cameras must not be placed inside toilets or change rooms, residences, or in such as position as to view inside these premises.

The Shire of Chapman Valley will erect signs to inform employees and community members that cameras are in use.

Global Positioning System (GPS) devices may be utilised in vehicles or equipment where the operator is often required to work alone, where there are risks associated with the tasks being carried out by an employee or where the Local Government has a need to monitor and protect that vehicle or equipment.

Staff Management

The Shire of Chapman Valley will not deploy workplace surveillance for the general management of the Shire of Chapman Valley employees. However, if any workplace surveillance demonstrates an employee acting in an antisocial, inappropriate, or unlawful manner, the Shire of Chapman Valley may use this information for disciplinary or other appropriate action.

Review and Retention of Images

Images that indicate unauthorised or inappropriate activity, either through a record of that activity or due to interference with the camera, are to be referred to the Chief Executive Officer. The Chief Executive Officer will retain the images and any associated information in a secure, confidential location.

Confidentiality

Image information or data recorded is to be discussed only with the Chief Executive Officer. No information regarding the location of surveillance devices or images recorded is to be released or discussed with any other person, except with the approval of the Chief Executive Officer or if required by law.

Consequences of Breaching this Policy

Any person engaged by the Shire of Chapman Valley found to have breached this policy may be subject to disciplinary action or dismissal, as appropriate. Criminal charges may also be applied, where appropriate.

Variation to this Policy

This policy may be cancelled or varied from time to time. All the organisation's employees will be notified of any variation to this policy by the normal correspondence method.

Statement of Understanding

I confirm that I have read and understood the Shire of Chapman Valley Workplace Surveillance Policy. I understand that it is a condition of my employment or engagement with the Shire of Chapman Valley that I consent to, and must comply, with, the terms and conditions contained within this Policy.

Please do not sign this document unless you fully understand the contents and requirements.

Employee Printed Full Name

Employee Signature

Date

Please forward signed copy to the Human Resources.

ADDITIONAL EXPLANATORY NOTES:

Related Corporate Documents

Code of Conduct

Add to training matrix and induction pack

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	07/18-10
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Reviewed/Amended – Council Resolution:	
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CMP-016 Administration – Council Chambers

MANAGEMENT PROCEDURE No.	CMP-016
MANAGEMENT PROCEDURE	ADMINISTRATION – COUNCIL CHAMBERS
RESPONSIBLE OFFICER	CHIEF EXECUTIVE OFFICER
PREVIOUS POLICY/PROCEDURE No.	4.120
RELEVANT DELEGATIONS	

OBJECTIVES:

Control the use of the Shire of Chapman Valley Council Chambers.

MANAGEMENT PROCEDURE STATEMENT/S:

The Council Chambers be available for meetings/events provided suitable arrangements can be made with the Chief Executive Officer with bookings to be made at the Shire Offices after President or Chief Executive Officer approval has been obtained.

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	10/01-9
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Reviewed/Amended – Council Resolution:	05/15-23; 06/15-18; 03/17-32
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CMP-022 Library Usage

MANAGEMENT PROCEDURE No.	CMP-022
MANAGEMENT PROCEDURE	LIBRARY USAGE
RESPONSIBLE OFFICER	MANAGER FINANCE & CORPORATE SERVICES
PREVIOUS POLICY/PROCEDURE No.	6.30
RELEVANT DELEGATIONS	

OBJECTIVES:

Set conditions for Library usage.

MANAGEMENT PROCEDURE STATEMENT/S:

A deposit fee system as determined by the State Library Board to be applied at the discretion of the Librarian upon authorisation of the Chief Executive Officer for a user who it is considered has abused this service.

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	10/01-9
Reviewed/Amended – Council Resolution:	05/15-23; 06/15-18; 03/17-32

CMP-023 Flag

MANAGEMENT PROCEDURE No.	CMP-023
MANAGEMENT PROCEDURE	FLYING FLAGS
RESPONSIBLE OFFICER	CHIEF EXECUTIVE OFFICER
PREVIOUS POLICY/PROCEDURE No.	6.50
RELEVANT DELEGATIONS	NA

OBJECTIVES:

The objective of this Policy is to ensure the Shire's protocols and practice of flying, displaying and lowering flags.

MANAGEMENT PROCEDURE STATEMENT/S:

Introduction

The Australian National Flag is to be flown/displayed in ordinary working hours on ordinary working days. Where additional flag poles exist, other flags may be flown/displayed in the following order of priority:

- Australian National Flag.
- Western Australia State Flag.
- Aboriginal Flag.

Flying flags

Flags will be flown in accordance with the Australian National Flag Protocols.

When flags may be flown at half-mast

The Shire may fly flags at half-mast on specific occasions to commemorate a solemn occasion, including:

- a) To coincide with national, state or regionally significant events (generally at the behest of the various levels of government protocol arrangements).
- b) When a current or former Elected Member of the Shire passes away.
- c) When a Freeman of the Shire passes away.
- d) When a current Shire employee passes away.
- e) At the Shire President request when a local identity (not mentioned above) passes away.

When flying the Australian National Flag with other flags, all flags in the set should be flown at half-mast. The Australian National Flag should be raised first and lowered last.

Approval to fly the flags at half-mast is to be given by the Chief Executive Officer on agreement from the Shire President.

Legislation Requirements

- <https://www.pmc.gov.au/government/australian-national-flag/australian-national-flag-protocols>
- <https://www.dpc.wa.gov.au/GuidelinesAndPolicies/protocol/Pages/Flags.aspx>
- <https://www.pmc.gov.au/resource-centre/government/australian-flags-booklet-part-two>
- Australian Flags Act 1953
- Local Government Act 1995

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	10/01-9
Reviewed/Amended – Council Resolution:	05/15-23; 06/15-18; 03/17-32; 12/21-16

CMP-024 Release of Unconfirmed Minutes

MANAGEMENT PROCEDURE No.	CMP-024
MANAGEMENT PROCEDURE	RELEASE OF "UNCONFIRMED" MINUTES
RESPONSIBLE OFFICER	CHIEF EXECUTIVE OFFICER
PREVIOUS POLICY/PROCEDURE No.	6.60
RELEVANT DELEGATIONS	

OBJECTIVES:

Set guidelines for the release of the Shire's Unconfirmed Minutes.

MANAGEMENT PROCEDURE STATEMENT/S:

The Shire will release copies of its unconfirmed minutes onto its website immediately after they become available to individual Councillors and for inspection to the public, with hard copies also being made available upon request at the applicable photocopying rates.

The condition for the release of such minutes is that they are to be clearly defined on both the website and the hardcopy as being "unconfirmed".

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	10/03-16
Reviewed/Amended – Council Resolution:	05/15-23; 06/15-18; 03/17-32

CMP-025 Additional Administrative Functions & Tasks

MANAGEMENT PROCEDURE No.	CMP-025
MANAGEMENT PROCEDURE RESPONSIBLE OFFICER	ADDITIONAL ADMINISTRATIVE FUNCTIONS & CHIEF EXECUTIVE OFFICER
PREVIOUS POLICY/PROCEDURE No.	6.80
RELEVANT DELEGATIONS	

OBJECTIVES:

Set what additional administrative tasks will be undertaken by the Shire as a result of impositions being placed on the Shire by other tiers of government.

MANAGEMENT PROCEDURE STATEMENT/S:

1. The Shire of Chapman Valley will not undertake any additional functions/tasks until an independent analysis has been undertaken, at the cost of the Australian Government, State Government, Department or any other organisation involved in imposing these additional functions/tasks, to determine if additional resources are required to adequately cater for the additional functions/tasks being expected of the Shire.
2. If the outcome of the analysis is the Shire would need additional resources to undertake the additional functions/tasks then the Shire will refuse to perform these functions/tasks until such resources are made available.
3. In the event additional resources are not made available functions/tasks being requested of the Shire, the Shire will formally advise the relevant organisation(s) and all relevant parliamentarians that they cannot perform these functions/tasks. This advice is to state that in the event of any claim against the Shire, due to non-compliance with the requirement to perform the additional functions/tasks, the Shire will use as a defence the fact they informed the relevant individuals and organisations of their inability to comply due to adequate resources not accompanying the additional functions/tasks.

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES):

Adopted – Council Resolution:	10/01-9
Reviewed/Amended – Council Resolution:	05/15-23; 06/15-18; 03/17-32

CMP-028 Risk Management Procedures

MANAGEMENT PROCEDURE No.	CMP-028
MANAGEMENT PROCEDURE	RISK MANAGEMENT PROCEDURES
RESPONSIBLE OFFICER	MANAGER FINANCE & CORPORATE SERVICES
PREVIOUS POLICY/PROCEDURE No.	6.120
RELEVANT DELEGATIONS	

OBJECTIVES:

Sets out the Shire's approach to the identification, assessment, management, reporting and monitoring of risks.

ADDITIONAL EXPLANATORY NOTES:

This Procedure needs to be read in conjunction with Occupational Safety & Health Policy CP-017.

SEE ATTACHED PROCEDURE

ADDITIONAL EXPLANATORY NOTES:

This Procedure needs to be read in conjunction with Occupational Safety & Health Policy CMP-017

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES):

Adopted – Council Resolution:	06/14-12
Reviewed/Amended – Council Resolution:	05/15-23; 06/15-18; 03/17-32; 12/15-15



Shire of
Chapman Valley
Love the Rural Life



Risk Management Governance Framework

➤ Risk Management Procedures

Last Updated: January 2016

Version: 0.02

Shire of Chapman Valley

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Introduction

The Policy and Procedures form the Risk Management Framework for the Shire of Chapman Valley (“the Shire”). It sets out the Shire’s approach to the identification, assessment, management, reporting and monitoring of risks. All components of this document are based on AS/NZS ISO 31000:2009 Risk Management.

It is essential that all areas of the Shire adopt these procedures to ensure:

- Strong corporate governance.
- Compliance with relevant legislation, regulations and internal policies.
- Integrated Planning and Reporting requirements are met.
- Uncertainty and its effects on objectives is understood.

This Framework aims to balance a documented, structured and systematic process with the current size and complexity of the Shire along with existing time, resource and workload pressures.

Further information or guidance on risk management procedures is available from LGIS Risk Management.

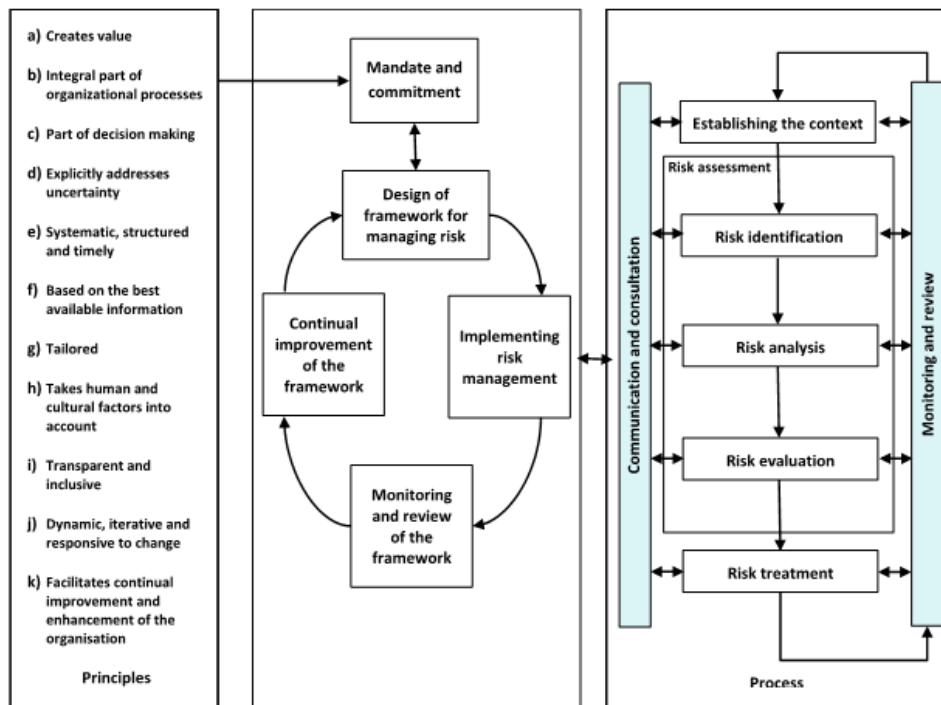


Figure 1: Risk Management Process (Source: AS/NZS 31000:2009)

Risk Management Procedures

Governance

Appropriate governance of risk management within the Shire of Chapman Valley (the "Shire") provides:

- Transparency of decision making.
- Clear identification of the roles and responsibilities of the risk management functions.
- An effective Governance Structure to support the risk framework.

Framework Review

The Risk Management Framework is to be reviewed for appropriateness and effectiveness at least every two years.

Operating Model

The Shire has adopted a "Three Lines of Defence" model for the management of risk. This model ensures roles; responsibilities and accountabilities for decision making are structured to demonstrate effective governance and assurance. By operating within the approved risk appetite and framework, the Council, Management and Community will have assurance that risks are managed effectively to support the delivery of the Strategic, Corporate & Operational Plans.

First Line of Defence

All operational areas of the Shire are considered '1st Line'. They are responsible for ensuring that risks (within their scope of operations) are identified, assessed, managed, monitored and reported. Ultimately, they bear ownership and responsibility for losses or opportunities from the realisation of risk. Associated responsibilities include;

- Establishing and implementing appropriate processes and controls for the management of risk (in line with these procedures).
- Undertaking adequate analysis (data capture) to support the decisioning of risk matters.
- Prepare risk acceptance proposals where necessary, based on level of residual risk.
- Retain primary accountability for the ongoing management of their risk and control environment.

Second Line of Defence

The Manager Finance & Corporate Services (MFCS) acts as the primary '2nd Line'. This position owns and manages the framework for risk management. They draft and implement the governance procedures and provide the necessary tools and training to support the 1st line process.

Maintaining oversight on the application of the framework provides a transparent view and level of assurance to the 1st & 3rd lines on the risk and control environment. Support can be provided by additional oversight functions completed by other 1st Line Teams (where applicable). Additional responsibilities include:

- Providing independent oversight of risk matters as required.
- Monitoring and reporting on emerging risks.
- Co-ordinating the Shire's risk reporting for the CEO & Executive Management Team and the Audit Committee.

Third Line of Defence

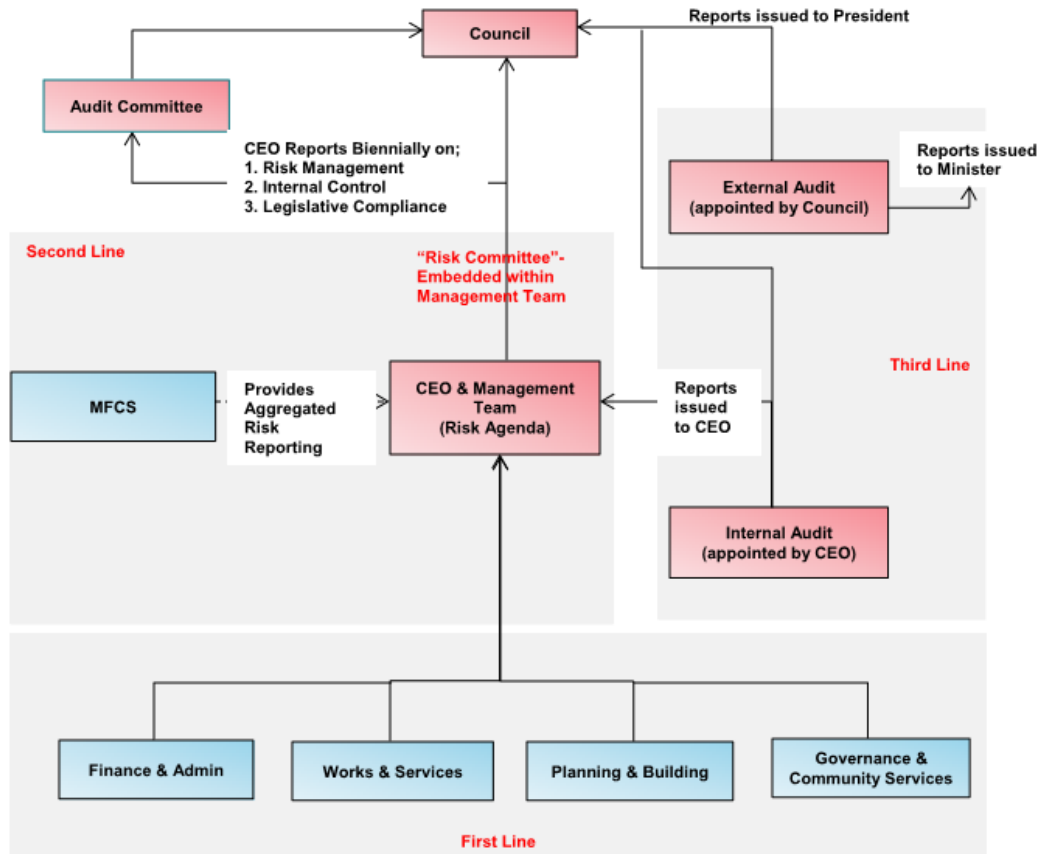
Internal & External Audit are the third line of defence, providing independent assurance to the Council, Audit Committee and Shire Management on the effectiveness of business operations and oversight frameworks (1st & 2nd Line).

Internal Audit – Appointed by the CEO to report on the adequacy and effectiveness of internal control processes and procedures. The scope of which would be determined by the CEO with input from the Audit Committee.

External Audit – Appointed by the Council on the recommendation of the Audit Committee to report independently to the President and CEO on the annual financial statements only.

Governance Structure

The following diagram depicts the current operating structure for risk management within the Shire.



Roles & Responsibilities

Council

- Review and approve the Shire's Risk Management Policy and Risk Assessment & Acceptance Criteria.
- Appoint / Engage External Auditors to report on financial statements annually.
- Establish and maintain an Audit Committee in terms of the Local Government Act.

Audit Committee

- Support Council to provide effective corporate governance.
- Oversight of all matters that relate to the conduct of External Audits.
- Must be independent, objective and autonomous in deliberations.
- Make recommendations to Council on External Auditor appointments.

CEO / Executive Management Team

- Appoint Internal Auditors as required under Local Government (Audit) regulations.
- Liaise with Council in relation to risk acceptance requirements.
- Approve and review the appropriateness and effectiveness of the Risk Management Framework.
- Drive consistent embedding of a risk management culture.
- Analyse and discuss emerging risks, issues and trends.
- Document decisions and actions arising from 'risk matters'.
- Own and manage the Risk Profiles at Shire Level.

Manager Finance & Corporate Services

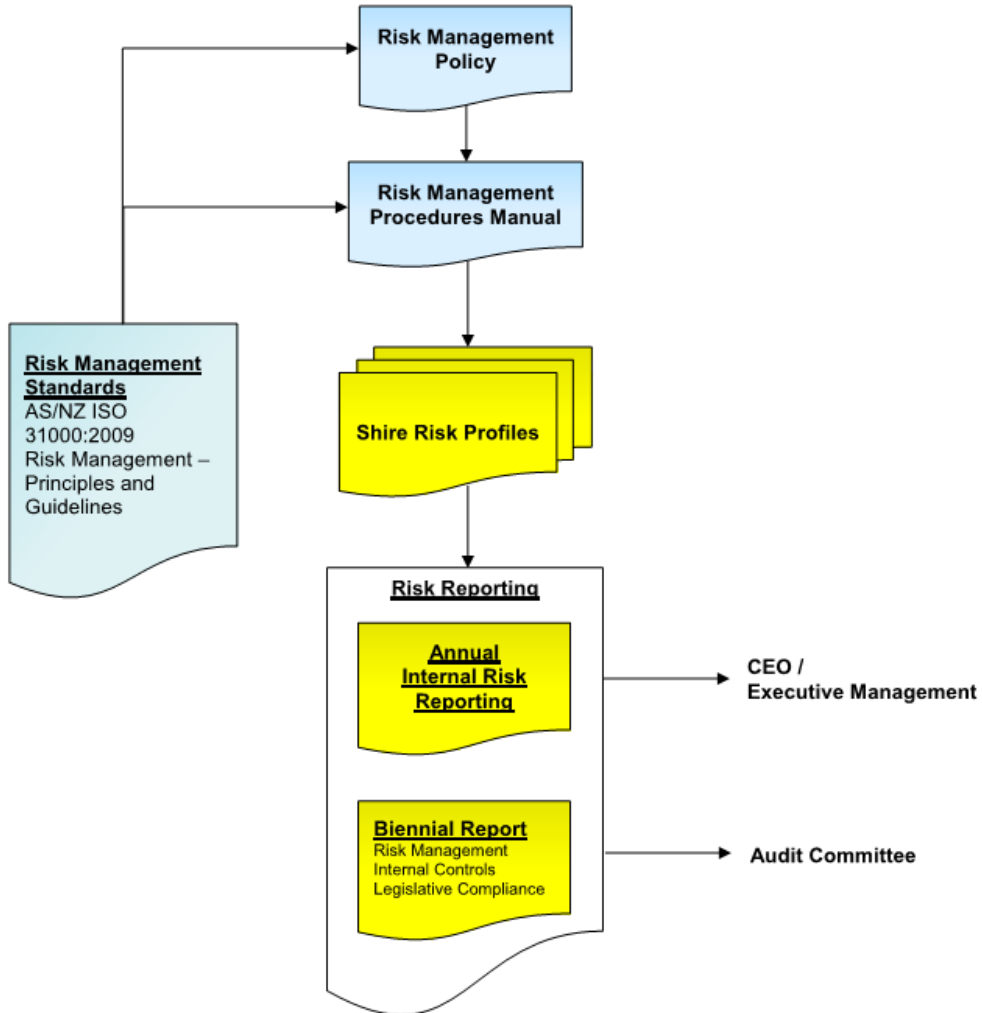
- Oversee and facilitate the Risk Management Framework.
- Support reporting requirements for Risk matters.

Work Areas

- Drive risk management culture within work areas.
- Own, manage and report on specific risk issues as required.
- Assist in the Risk & Control Management process as required.
- Highlight any emerging risks or issues accordingly.
- Incorporate 'Risk Management' into Management Meetings, by incorporating the following agenda items;
 - New or emerging risks.
 - Review existing risks.
 - Control adequacy.
 - Outstanding issues and actions.

Document Structure (Framework)

The following diagram depicts the relationship between the Risk Management Policy, Procedures and supporting documentation and reports.



Risk & Control Management

All Work Areas of the Shire are required to assess and manage the Risk Profiles on an ongoing basis.

Each Manager, in conjunction with the MFCS is accountable for ensuring that Risk Profiles are:

- Reflective of the material risk landscape of the Shire.
- Reviewed on at least a annual basis, unless there has been a material restructure or change in the risk and control environment.
- Maintained in the standard format.

This process is supported by the use of key data inputs, workshops and ongoing business engagement.

Risk & Control Assessment

To ensure alignment with ISO 31000:2009 Risk Management, the following approach is to be adopted from a Risk & Control Assessment perspective.

Establishing the Context

The first step in the risk management process is to understand the context within which the risks are to be assessed and what is being assessed, this forms two elements:

Organisational Context

The Shire's Risk Management Procedures provides the basic information and guidance regarding the organisational context to conduct a risk assessment; this includes Risk Assessment and Acceptance Criteria (Appendix A) and any other tolerance tables as developed. In addition, existing Risk Themes are to be utilised (Appendix C) where possible to assist in the categorisation of related risks.

Any changes or additions to the Risk Themes must be approved by the MFCS and CEO.

All risk assessments are to utilise these documents to allow consistent and comparable risk information to be developed and considered within planning and decision making processes.

Specific Risk Assessment Context

To direct the identification of risks, the specific risk assessment context is to be determined prior to and used within the risk assessment process. For risk assessment purposes the Shire has been divided into three levels of risk assessment context:

Strategic Context

The Shire's external environment and high level direction. Inputs to establishing the strategic risk assessment context may include;

- Organisations Vision / Mission
- Stakeholder Analysis
- Environment Scan / SWOT Analysis
- Existing Strategies / Objectives / Goals

Operational Context

The Shire's day to day activities, functions, infrastructure and services. Prior to identifying operational risks, the operational area should identify its Key Activities i.e. what is trying to be achieved. Note: these may already be documented in business plans, budgets etc.

Project Context

Project Risk has two main components:

- **Risk in Projects** refers to the risks that may arise as a result of project activity (i.e. impacting on process, resources or IT systems) which may prevent the Shire from meeting its objectives
- **Project Risk** refers to the risks which threaten the delivery of project outcomes.

In addition to understanding what is to be assessed, it is also important to understand who are the key stakeholders or areas of expertise that may need to be included within the risk assessment.

Risk Identification

Using the specific risk assessment context as the foundation and in conjunction with relevant stakeholders, answer the following questions, capture and review the information within each Risk Profile.

- What can go wrong? / What are areas of uncertainty? (Risk Description)
- How may this risk eventuate? (Potential Causes)
- What are the current measurable activities that mitigate this risk from eventuating? (Controls)
- What are the potential consequential outcomes of the risk eventuating?

Risk Analysis

To analyse the risks the Shire's Risk Assessment and Acceptance Criteria (Appendix A) is applied:

- Based on the documented controls, analyse the risk in terms of Existing Control Ratings
- Determine relevant consequence categories and rate how bad it could be if the risk eventuated with existing controls in place (Consequence)
- Determine how likely it is that the risk will eventuate to the determined level of consequence with existing controls in place (Likelihood)
- By combining the measures of consequence and likelihood, determine the risk rating (Level of Risk)

Risk Evaluation

The Shire is to verify the risk analysis and make a risk acceptance decision based on:

- Controls Assurance (i.e. are the existing controls in use, effective, documented, up to date and relevant)
- Existing Control Rating
- Level of Risk
- Risk Acceptance Criteria (Appendix A)
- Risk versus Reward / Opportunity

The risk acceptance decision needs to be documented and those risks that are acceptable are then subject to the monitor and review process.

Note: Individual Risks or Issues may need to be escalated due to its urgency, level of risk or systemic nature.

Risk Treatment

For unacceptable risks, determine treatment options that may improve existing controls and/or reduce consequence / likelihood to an acceptable level.

Risk treatments may involve actions such as avoid, share, transfer or reduce the risk with the treatment selection and implementation to be based on;

- Cost versus benefit
- Ease of implementation
- Alignment to organisational values / objectives

Once a treatment has been fully implemented, the MFCS is to review the risk information and acceptance decision with the treatment now noted as a control and those risks that are acceptable then become subject to the monitor and review process (Refer to Risk Acceptance section).

Monitoring & Review

The Shire is to review all Risk Profiles at least on an annual basis or if triggered by one of the following;

- changes to context,
- a treatment is implemented,
- an incident occurs or due to audit/regulator findings.

The (MFCS) is to monitor the status of risk treatment implementation and report on, if required.

The CEO & Executive Management Team will monitor significant risks and treatment implementation as part of their normal agenda item on a quarterly basis with specific attention given to risks that meet any of the following criteria:

- Risks with a Level of Risk of High or Extreme
- Risks with Inadequate Existing Control Rating
- Risks with Consequence Rating of Catastrophic
- Risks with Likelihood Rating of Almost Certain

The design and focus of Risk Summary report will be determined from time to time on the direction of the CEO & Executive Management Team. They will also monitor the effectiveness of the Risk Management Framework ensuring it is practical and appropriate to the Shire.

Communication & Consultation

Throughout the risk management process, stakeholders will be identified, and where relevant, be involved in or informed of outputs from the risk management process.

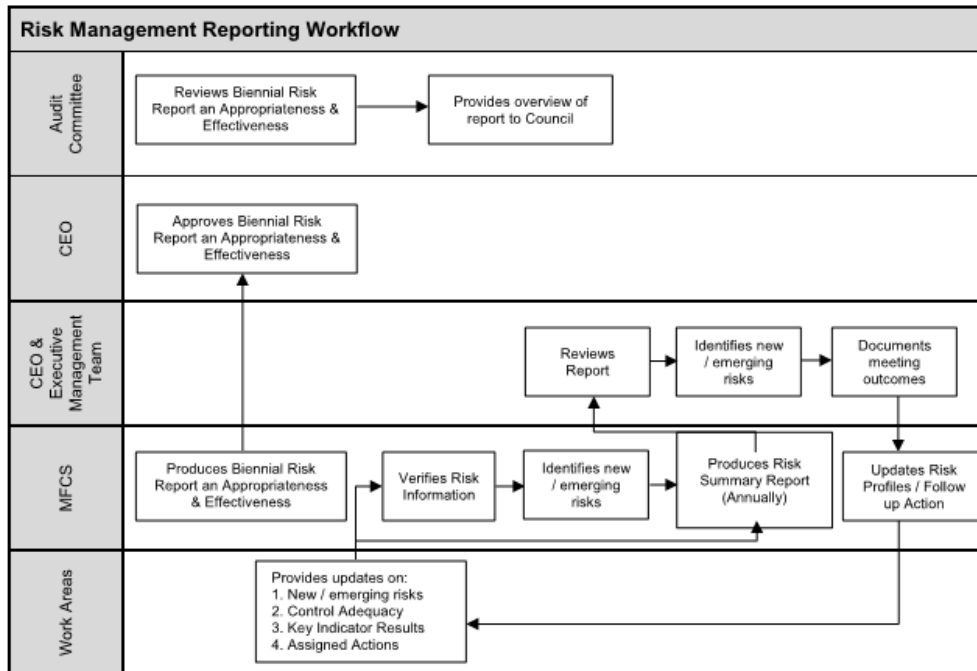
Risk management awareness and training will be provided to all staff.

Risk management will be included within the employee induction process to ensure new employees are introduced to the Shire's risk management culture.

Reporting Requirements

Coverage & Frequency

The following diagram provides a high level view of the ongoing reporting process for Risk Management.



Each Work Area is responsible for ensuring:

- They continually provide updates in relation to new, emerging risks, control effectiveness and key indicator performance to the MFCS.
- Work through assigned actions and provide relevant updates to the MFCS.
- Risks / Issues reported to the CEO & Executive Management Team are reflective of the current risk and control environment.

The MFCS is responsible for:

- Ensuring Shire Risk Profiles are formally reviewed and updated, at least on a annual basis or when there has been a material restructure, change in risk ownership or change in the external environment.
- Annual Risk Reporting for the CEO & Executive Management Team – Contains an overview of the Risk Summary for the Shire.
- Annual Compliance Audit Return completion and lodgement.

Key Indicators

Key Indicators (KI's) are required to be used for monitoring and validating key risks and controls. The following describes the process for the creation and reporting of KIs:

- Identification
- Validity of Source
- Tolerances
- Monitor & Review

Identification

The following represent the minimum standards when identifying appropriate KI's key risks and controls:

- The risk description and casual factors are fully understood
- The KI is fully relevant to the risk or control
- Predictive KI's are adopted wherever possible
- KI's provide adequate coverage over monitoring key risks and controls

Validity of Source

In all cases an assessment of the data quality, integrity and frequency must be completed to ensure that the KI data is relevant to the risk or Control.

Where possible the source of the data (data owner) should be independent to the risk owner. Overlapping KI's can be used to provide a level of assurance on data integrity.

If the data or source changes during the life of the KI, the data is required to be revalidated to ensure reporting of the KI against a consistent baseline.

Tolerances

Tolerances are set based on the Shire's Risk Appetite. They are set and agreed over three levels:

- Green – within appetite; no action required.
- Amber – the KI must be closely monitored and relevant actions set and implemented to bring the measure back within the green tolerance.
- Red – outside risk appetite; the KI must be escalated to the CEO & Executive Management Team where appropriate management actions are to be set and implemented to bring the measure back within appetite.

Monitor & Review

All active KI's are updated as per their stated frequency of the data source.

When monitoring and reviewing KI's, the overall trend must be considered over a longer timeframe instead of individual data movements. The trend of the KI is specifically used as an input to the risk and control assessment.

Risk Acceptance

Day to day operational management decisions are generally managed under the delegated authority framework of the Shire.

Risk Acceptance is a management decision to accept, within authority levels, material risks which will remain outside appetite framework (refer Appendix A – Risk Assessment & Acceptance Criteria) for an extended period of time (generally 3 months or longer).

The following process is designed to provide a framework for those identified risks.

The 'Risk Acceptance' must be in writing, signed by the relevant Manager and cover:

- A description of the risk.
- An assessment of the risk (eg. Impact consequence, materiality, likelihood, working assumptions etc)
- Details of any mitigating action plans or treatment options in place
- An estimate of the expected remediation date.

A lack of budget / funding to remediate a material risk outside appetite is not sufficient justification in itself to accept a risk.

Accepted risks must be continually reviewed through standard operating reporting structure (ie. Executive Management Team)

Appendix A – Risk Assessment and Acceptance Criteria

Measures of Consequence								
Rating (Level)	Health	Financial Impact	Service Interruption	Compliance	Reputational	Property	Environment	
Insignificant (1)	Negligible injuries	Less than \$1,000	No material service interruption	No noticeable regulatory or statutory impact	Unsubstantiated, low impact, low profile or 'no news' item	Inconsequential or no damage.	Contained, reversible impact managed by on site response	
Minor (2)	First aid injuries	\$1,001 - \$10,000	Short term temporary interruption – backlog cleared < 1 day	Some temporary non compliances	Substantiated, low impact, low news item	Localised damage rectified by routine internal procedures	Contained, reversible impact managed by internal response	
Moderate (3)	Medical type injuries	\$10,001 - \$50,000	Medium term temporary interruption – backlog cleared by additional resources < 1 week	Short term non-compliance but with significant regulatory requirements imposed	Substantiated, public embarrassment, moderate impact, moderate news profile	Localised damage requiring external resources to rectify	Contained, reversible impact managed by external agencies	
Major (4)	Lost time injury	\$50,001 - \$150,000	Prolonged interruption of services – additional resources; performance affected < 1 month	Non-compliance results in termination of services or imposed penalties	Substantiated, public embarrassment, high impact, high news profile, third party actions	Significant damage requiring internal & external resources to rectify	Uncontained, reversible impact managed by a coordinated response from external agencies	
Catastrophic (5)	Fatality, permanent disability	More than \$150,000	Indeterminate prolonged interruption of services – non-performance > 1 month	Non-compliance results in litigation, criminal charges or significant damages or penalties	Substantiated, public embarrassment, very high multiple impacts, high widespread multiple news profile, third party actions	Extensive damage requiring prolonged period of restitution Complete loss of plant, equipment & building	Uncontained, irreversible impact	

Measures of Likelihood			
Level	Rating	Description	Frequency
5	Almost Certain	The event is expected to occur in most circumstances	More than once per year
4	Likely	The event will probably occur in most circumstances	At least once per year
3	Possible	The event should occur at some time	At least once in 3 years
2	Unlikely	The event could occur at some time	At least once in 10 years
1	Rare	The event may only occur in exceptional circumstances	Less than once in 15 years

Risk Matrix						
Consequence Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		1	2	3	4	5
Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

Risk Acceptance Criteria			
Risk Rank	Description	Criteria	Responsibility
LOW	Acceptable	Risk acceptable with adequate controls, managed by routine procedures and subject to annual monitoring	Operational Manager
MODERATE	Monitor	Risk acceptable with adequate controls, managed by specific procedures and subject to semi-annual monitoring	Operational Manager
HIGH	Urgent Attention Required	Risk acceptable with excellent controls, managed by senior management / executive and subject to monthly monitoring	Director / CEO
EXTREME	Unacceptable	Risk only acceptable with excellent controls and all treatment plans to be explored and implemented where possible, managed by highest level of authority and subject to continuous monitoring	CEO / Council

Existing Controls Ratings		
Rating	Foreseeable	Description
Effective	There is little scope for improvement.	Processes (Controls) operating as intended and / or aligned to Policies & Procedures; are subject to ongoing maintenance and monitoring and are being continuously reviewed and tested.
Adequate	There is some scope for improvement.	Whilst some inadequacies have been identified; Processes (Controls) are in place, are being addressed / complied with and are subject to periodic review and testing.
Inadequate	A need for corrective and / or improvement actions exist.	Processes (Controls) not operating as intended, do not exist, or are not being addressed / complied with, or have not been reviewed or tested for some time.

Appendix B – Risk Profile Template

Risk Theme	Date		
<p>This Risk Theme is defined as: <i>Definition of Theme</i></p>			
<p>Potential causes include: <i>List of potential causes</i> □</p>			
Key Controls	Type	Date	Shire Rating
<i>List of Key Controls</i>			
Overall Control Ratings:			
Risk Ratings			Shire Rating
<i>Consequence:</i>			
<i>Likelihood:</i>			
Overall Risk Ratings:			
Key Indicators	Tolerance	Date	Overall Shire Result
<i>List of Key Indicators</i>			
<p>Comments <i>Rationale for all above ratings</i></p>			
Current Issues / Actions / Treatments		Due Date	Responsibility
<i>List current issues / actions / treatments</i>			



Appendix C – Risk Theme Definitions

Misconduct

Intentional activities in excess of authority granted to an employee, which circumvent endorsed policies, procedures or delegated authority. This would include instances of:

- Relevant authorisations not obtained.
- Distributing confidential information.
- Accessing systems and / or applications without correct authority to do so.
- Misrepresenting data in reports.
- Theft by an employee
- Collusion between Internal & External parties

This does not include instances where it was not an intentional breach - refer Errors, Omissions or delays in transaction processing, or Inaccurate Advice.

External Theft & Fraud (inc. Cyber Crime)

Loss of funds, assets, data or unauthorised access, (whether attempts or successful) by external parties, through any means (including electronic), for the purposes of;

- Fraud – benefit or gain by deceit
- Malicious Damage – hacking, deleting, breaking or reducing the integrity or performance of systems
- Theft – stealing of data, assets or information (no deceit)

Examples include:

- Scam Invoices
- Cash or other valuables from 'Outstations'.

Business Disruption

A local physical event causing the inability to continue business activities and provide services to the community. This may or may not result in Business Continuity Plans to be invoked. This does not include disruptions due to:

- IT Systems or infrastructure related failures should be captured under "Failure of IT Systems and Infrastructure".
- Contractor / Supplier issues should be captured under "Inadequate Supplier / Contract Management".
- People issues should be captured under "Inappropriate People Management".

Damage to Physical Assets

Damage to buildings, property, plant & equipment (all assets) that does not result in a disruption to business objectives (refer Business Disruption). This could be a result of a natural disaster or other events, or an act carried out by an external party (inc. graffiti and / or vandalism).

Errors, omissions, delays

Errors, omissions or delays in operational activities as a result of unintentional errors or failure to follow due process. This includes instances of;

- Human errors, incorrect or incomplete processing
- Inaccurate recording, maintenance, testing and / or reconciliation of data.
- Errors or inadequacies in model methodology, design, calculation or implementation of models.

This may result in incomplete or inaccurate information. Consequences include;

- Inaccurate data being used for management decision making and reporting.
- Delays in service to customers
- Inaccurate data provided to customers

This excludes process failures caused by inadequate / incomplete procedural documentation - refer "Inadequate Document Management Processes".

Failure of IT &/or Communications Systems and Infrastructure

Instability, degradation of performance, or other failure of IT Systems, Infrastructure, Communication or Utility causing the inability to continue business activities and provide services to the community. This may or may not result in IT Disaster Recovery Plans being invoked. Examples include failures or disruptions caused by:

- Hardware &/or Software
- IT Network
- Failures of IT Vendors

This also includes where poor governance results in the breakdown of IT maintenance such as;

- Configuration management
- Performance Monitoring
- IT Incident, Problem Management & Disaster Recovery Processes

This does not include new system implementations - refer "Inadequate Change Management".

Failure to fulfil statutory, regulatory or compliance requirements

Failure to correctly identify, interpret, assess, respond and communicate laws and regulations as a result of an inadequate compliance framework. This could result in fines, penalties, litigation or increase scrutiny from regulators or agencies. This includes, new or proposed regulatory and legislative changes, in addition to the failure to maintain updated legal documentation (internal & public domain) to reflect changes.

This does not include;

- Issues in relation to OH&S – refer "Inadequate employee and visitor safety and security"
- Procurement, disposal or tender process failures – refer "Inadequate Procurement, Disposal or Tender Practices"
- HR based legislation – refer "ineffective People Management"

Providing inaccurate advice / information

Incomplete, inadequate or inaccuracies in professional advisory activities to customers or internal staff. This could be caused by using unqualified staff, however it does not include instances relating Breach of Authority.

Inadequate Change Management

Inadequate analysis, design, delivery and / or status reporting of change initiatives, resulting in additional expenses, time requirements or scope changes. This includes:

- Inadequate Change Management Framework to manage and monitor change activities.
- Inadequate understanding of the impact of project change on the business.
- Failures in the transition of projects into standard operations.
- Failure to implement new systems
- Failures of IT Project Vendors/Contractors

This includes Directorate or Service Unit driven change initiatives except new Plant & Equipment purchases. Refer "Inadequate Plant and Equipment design, delivery and maintenance"

Inadequate Emergency Management

Failure to adequately assess and respond to both internal and external emergencies. Lack of (or inadequate) emergency response plans. Lack of training to specific individuals or availability of appropriate emergency response. Failure in command and control functions as a result of incorrect initial assessment or untimely awareness of incident. This also includes inadequacies in environmental awareness and monitoring of fuel loads, curing rates etc.

Inadequate Document Management Processes

Failure to adequately capture, store, archive, retrieve, provision and / or disposal of documentation. This includes:

- Contact lists.
- Procedural documents.
- 'Application' proposals/documents.
- Contracts.
- Forms, requests or other documents.

Inadequate employee and visitor safety and security

Non-compliance with Occupation Health & Safety (OH&S) Regulations and physical security requirements. This risk includes issues relating to:

- Inadequate Policy, Frameworks, Systems and Structure to prevent the injury of visitors, staff, contractors and/or tenants in the provision of a working or business environment.
- Inadequate security protection measures in place for buildings, depots and other places of work (vehicle, community etc).
- Public Liability Claims, due to negligence or personal injury.
- Employee Liability Claims due to negligence or personal injury.

Inadequate engagement of Community / Stakeholders / Elected Members

Failure to maintain effective working relationships with the Community (including Local Media), Stakeholders, Key Private Sector Companies, Government Agencies and / or Elected Members. This invariably includes activities where communication, feedback and / or consultation is required and where it is in the best interests to do so. For example;

- Following up on any access & inclusion issues.
- Infrastructure Projects.
- Regional or District Committee attendance.
- Local Planning initiatives.
- Strategic Planning initiatives

This does not include instances whereby Community expectations have not been met for standard service provisions such as Community Events, Library Services and / or Bus/Transport services.

Inadequate Procurement, Disposal or Tender Practices.

Failures in the procurement, acquisition, acceptance or disposal process for assets as governed by the Local Government Act. This risk theme also relates to and includes;

- Lack of formalised process to identify specific requirements prior to procurement.
- Acceptance of assets without reference to a formalised process to ensure correct receipt and / or notification of receipt (transfer of ownership).
- Disposing of P & E (either through sale or decommissioning) that did not meet expectations from either a time or financial perspective.
- Failures in the Tender process from RTF preparation, advertising, due diligence and awarding.

Inadequate Asset Management

Failure or reduction in service of infrastructure assets, plant, equipment or machinery. These include fleet assets in addition to community use based assets including playgrounds, boat ramps and other maintenance based assets. Areas includes in the scope are;

- Inadequate design (not fit for purpose).
- Ineffective usage (down time)
- Outputs not meeting expectations
- Inadequate maintenance activities.
- Inadequate or unsafe modifications.

It does not include issues with the inappropriate use of the Plant, Equipment or Machinery. Refer Misconduct.

Inadequate Stock Management

Lack of stock to ensure continuity of operations or oversupply of stock resulting in dormant (non-performing) assets. Stock includes, consumables, stationery, spare parts and / or other items used for operational purposes. This could be a result of an ineffective stock management system / processes or the peripheral processes in the issuance and / or recording of 'transactions'.

It does not include theft or loss of stock through ineffective operations; refer;

- Theft – "Misconduct" or "External Theft or Fraud"
- Ineffective operations – "Errors, Omissions or Delays".

Inadequate Supplier / Contract Management

Inadequate management of External Suppliers, Contractors, IT Vendors or Consultants engaged for core operations. This includes issues that arise from the ongoing supply of services or failures in contract management & monitoring processes. This also includes:

- Concentration issues
- Vendor sustainability

It does not include failures in the tender process; refer "Inadequate Procurement, Disposal or Tender Practices".

Ineffective People Management

Failure to effectively manage and lead human resources (full/part time, casuals, temporary and volunteers). This includes not having appropriately qualified or experienced people in the right roles or not having sufficient staff numbers to achieve objectives. This also includes:

- Breaching employee regulations (excluding OH&S).
- Discrimination, Harassment & Bullying in the workplace.
- Key person dependencies without effective succession planning in place.
- Induction issues.
- Terminations (including any tribunal issues).
- Industrial activity.

Care should be taken when considering insufficient staff numbers as the underlying issue could be a process inefficiency.

Ineffective management of Facilities / Venues

Failure to effectively manage the day to day operations of facilities and / or venues. This includes;

- Inadequate procedures in place to manage the quality or availability.
- Ineffective signage
- Booking issues
- Financial interactions with hirers / users
- Oversight / provision of peripheral services (eg. cleaning / maintenance)

Not meeting Community expectations

Failure to provide expected levels of service, events and benefit to the community. This includes where precedents have set Community perceptions or where services are generally expected. This will normally result in reputational impacts, however may have financial considerations with re-work, compensations or refunds. Examples include:

- Reducing the number or quality of events.
- Withdrawing support (or not supporting) other initiatives to provide relief/benefits to the Community.
- Loss of new or ongoing funding requirements for projects, events and other initiatives.
- Technology expectations

CMP-030 SPARE

MANAGEMENT PROCEDURE No.	CMP-030
MANAGEMENT PROCEDURE	SPARE
RESPONSIBLE OFFICER	
PREVIOUS POLICY/PROCEDURE No.	
RELEVANT DELEGATIONS	

Adopted – Council Resolution:	
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Reviewed/Amended – Council Resolution:	
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CMP-032 Corrections / Discrepancies in Minutes

MANAGEMENT PROCEDURE No.	CMP-032
MANAGEMENT PROCEDURE	CORRECTIONS/DISCREPANCIES IN MINUTES
RESPONSIBLE OFFICER	CHIEF EXECUTIVE OFFICER
PREVIOUS POLICY/PROCEDURE No.	9.60
RELEVANT DELEGATIONS	

OBJECTIVES:

Set guidelines for corrections to Minutes and avoid pedantic changes being requested.

MANAGEMENT PROCEDURE STATEMENT/S:

Councillors who are aware of any minute corrections or discrepancies prior to the meeting where the minutes are to be considered, be requested to bring them to the attention of staff at that time to allow checking or research.

No corrections to Minutes will be accepted unless the intent of the minute as recorded is incorrect.

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	10/01-9
Reviewed/Amended – Council Resolution:	05/15-23; 06/15-18; 03/17-32

CMP-033 Honour Awards

MANAGEMENT PROCEDURE No.	CMP-033
MANAGEMENT PROCEDURE	HONOUR AWARDS
RESPONSIBLE OFFICER	CHIEF EXECUTIVE OFFICER
PREVIOUS POLICY/PROCEDURE No.	9.120
RELEVANT DELEGATIONS	

OBJECTIVES:

Set conditions, guidelines and processes for bestowing awards upon recipients.

MANAGEMENT PROCEDURE STATEMENT/S:

The Chief Executive Officer is to present an item to the Council Concept Forum(s) at the appropriate time(s) each year requesting Council consideration for awards to be presented in accordance with this Operational Procedure. The Chief Executive Officer will only present a Council Agenda Item for the further consideration of relevant awards if the Concept Forum discussions determine this action is necessary.

Citizenship Ceremonies

Citizenship ceremonies be conducted at an event as considered appropriate by the Chief Executive Officer (in consultation with the President) under the following conditions:

- i. Ceremonies to be conducted in accordance with the Australian Citizenship Ceremonies Code.
- ii. Federal Members of Parliament, if attending a citizenship ceremony, should read the Minister's message;
- iii. Though there is no strict dress code for citizenship ceremonies attire should be at least smart casual dress with national or cultural dress being welcomed
- iv. A native plant be given to the recipients

Shire of Chapman Valley – Freeman of the Shire

A member of our Community may be honoured by the Shire with the title "Honorary Freeman of the Shire".

An Honorary Freeman of the Shire must have served the community of the Shire of Chapman Valley in an outstanding and meritorious manner that stands above the contributions of most other persons, and whose activities have contributed significantly to the wellbeing of the Shire's residents.

The Shire of Chapman Valley Freeman of the Shire Award recognises the outstanding achievements and dedicated service to the community by a person. The Freeman of the Shire Award is the highest honour the Shire of Chapman Valley can give to a community member.

Council may also consider conferring of the title of 'Posthumous Freeman of the Municipality'. In this case, the eligibility criteria would still apply.

Eligibility Criteria

To be eligible for nomination, a person does not have to currently reside within the Shire or have served on Council.

Nominees will be assessed on their record of service to the local and broader community against the following criteria:

1. Length of service in a field (or fields) of activity;
2. Level of commitment to the field (or fields) of activity;
3. Personal leadership qualities;

4. Benefits to the community of the Shire of Chapman Valley and/or to the State of Western Australia and/or to the nation resulting from the nominee's work; and
5. Special achievements of the nominee.

Exclusions

- A current Elected Member with the Shire of Chapman Valley cannot be nominated for the award.

Nomination Procedure

- Nominations for the Award may be made by Elected Members, individuals or organisations and are to be sponsored by an Elected Member of the Shire of Chapman Valley;
- They are to be submitted to the Chief Executive Officer in written format addressing the Eligibility Criteria;
- Nominations are to be made in the strictest confidence without the knowledge of the nominee;
- On receipt of a nomination the Chief Executive Officer is to present the nomination to Council as a Confidential Agenda Item for consideration;
- Council is to consider the item behind closed doors;
- Once a nomination has been accepted by Council, the nominee and any person(s) or organisation(s) involved in the nomination are to be informed of the decision and nominee is to be contact to confirm their acceptance of the honour;
- Should the nomination be supported by Council and accepted by the nominee the award shall be presented to the nominee at a function considered appropriate by the President.

Number of Freeman within the Shire

There is no limit on the number of persons upon which the title of Freeman of the Shire of Chapman Valley may be conveyed.

Entitlements

Any person upon whom the title 'Honorary Freeman of Shire' has been conferred may designate him/herself 'Honorary Freeman of the Shire of Chapman Valley'.

The recipient shall be presented with a special badge, which identifies them as 'Honorary Freeman of the Shire' along with a certificate to commemorate receiving the award.

Any Honorary Freeman of the Shire shall be invited to all subsequent formal Civic functions conducted by the Shire.

Revocation of Title of Freeman or Honorary Freeman

Council, by resolution, shall also have the ability to revoke the title bestowed upon a person, if;

A criminal matter, for which the Freeman in question was found guilty of, or for any other matter, was considered by Council to have caused embarrassment to the municipality or that the ongoing recognition of such a title on this person by the Shire was inappropriate.

The removal of the name from Honour Boards and other places and any other such items will be at the discretion of Council and conducted through liaison with the Chief Executive Officer.

WALGA Honour Awards

As detailed by the WALGA Awards Guidelines

Elected Members eligible due to length of service are to be automatically nominated by the Chief Executive Office.

All other award types are to be determined by Council.

Shire of Chapman Valley - Certificate of Appreciation

For personal commitment, eminent service and contribution to the Shire of Chapman Valley as an Elected Members, Community Members or Staff Member

Automatically given to Elected Members who have retired from Council or are the recipient of a Department of Local Government Certificate of Recognition.

All others as determined by Council.

Annual Agenda Item to discuss suitable nominations.

Elected Members

Presented at Annual Council Dinner/Function

Community Members

Certificate of Appreciation issued at an Annual Council Dinner/Function.

Recipient & partner invited to attend.

Shire of Chapman Valley Australia Day Awards and Function

For personal commitment, service and contribution to the community of the Shire of Chapman Valley

Nominations called in October and close in November (or as determined by the Australia Day Council).

The Council Appointed Working Group shall:

- Evaluate annual Australia Day Award Nominations and submitting these to Council in readiness for presenting the awards at the Shire's annual Australia Day Function;
- Assist with coordinating the annual Australia Day function(s);
- Discuss all other item(s) referred to them by Council in the areas of tourism and events.

Dept. Local Government & Community Services Awards

As detailed by the Department's Awards Guidelines

Elected Members eligible due to length of service are to be automatically nominated by the Chief Executive office.

All other award types are to be determined by Council.

(Note: All other Awards such as Australia Day Citizen of Year, Bushfire Brigade Service, etc, will only be dealt with by Council if nomination is initiated from within the community or by a Council resolution).

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	09/03-8
Reviewed/Amended – Council Resolution:	12/03-13; 06/04-4; 04/14-14; 05/15-23; 06/15-18; 09/15-20; 12/15-13; 03/17-32; 09/17-15; 10/19-5

CMP-034 Council Annual Function (President's Dinner)

MANAGEMENT PROCEDURE No.	CMP-034
MANAGEMENT PROCEDURE	COUNCIL ANNUAL FUNCTION
RESPONSIBLE OFFICER	CHIEF EXECUTIVE OFFICER
PREVIOUS POLICY/PROCEDURE No.	9.130
RELEVANT DELEGATIONS	

OBJECTIVES:

Provide guidelines and processes for the Annual Council Function.

MANAGEMENT PROCEDURE STATEMENT:

Council may hold an Annual Function with the structure and invitees being as follows:

- a. Structure – The function type and location will be as determined by Council.
- b. Invitees to the Annual Function will be determined by the President and may include (yet not necessarily limited to):
 - Elected members and partners.
 - Elected members who have retired/resigned from Council within the past twelve months and partner(s)
 - Senior Staff (as determined by the President) and their partners.
 - Chief Bush Fire Control Officer and partner
 - Freeman of the Shire and partners.

Other invitees will be at the Presidents discretion.

Item to be presented to Council annually at the September Concept Forum for discussion & determination.

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	12/03-14
Reviewed/Amended – Council Resolution:	05/15-23; 06/15-18; 03/17-32; 07/18-10; 07/19-4

CMP-035 WALGA AGM & Northern Country Zone

MANAGEMENT PROCEDURE No.	CMP-035
MANAGEMENT PROCEDURE	WALGA AGM AND NORTHERN COUNTRY ZONE
RESPONSIBLE OFFICER	CHIEF EXECUTIVE OFFICER
PREVIOUS POLICY/PROCEDURE No.	9.150
RELEVANT DELEGATIONS	1019

OBJECTIVES:

Give authority to Elected Member representatives at both the WALGA AGM and the Northern Country Zone of WALGA to vote on issues at their discretion.

MANAGEMENT PROCEDURE STATEMENT/S:

Delegates elected as representatives to the WALGA AGM and, Northern Country Zone (NCZ) are given the authority to vote on issues in the best interest of the Shire of Chapman Valley, rather than having to bring such issues back to Council first for direction.

If delegates believe a specific item does require a decision of Council and are not prepared to vote on such items until Council has first discussed this specific matter they will abstain from voting on these grounds and put forward a motion that the matter "lay on the table" until each individual Local Government Authority has had the opportunity to consider the item of concern.

The authorisation given to Council representatives will not: -

- Commit the Local Government Authority to any expenditure; or
- Be extended to a situation where such a matter requires a specific decision of Council in accordance with any form of legislation

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	03/04-5
Reviewed/Amended – Council Resolution:	12/05-5; 05/15-23; 06/15-18; 03/17-32

CMP-036 Community Engagement Policy

MANAGEMENT PROCEDURE No.	CMP-036
MANAGEMENT PROCEDURE	COMMUNITY ENGAGEMENT POLICY
RESPONSIBLE OFFICER	CHIEF EXECUTIVE OFFICER
PREVIOUS POLICY/PROCEDURE No.	9.180
RELEVANT DELEGATIONS	Nil

OBJECTIVES:

- To ensure Shire of Chapman Valley stakeholders are well informed about issues, strategies and plans that may directly or indirectly affect them.
- To ensure Shire of Chapman Valley stakeholders have the opportunity to be involved in Council's decision making and policy development.
- To see the views of all stakeholders, selecting engagement methods that are flexible, inclusive and appropriate to those being engaged.
- To provide members of the community with the opportunity to hear each other's opinions and to recommend appropriate solutions to community issues.
- To ensure Council is meeting its legislative requirements regarding community consultation in all areas of its service delivery.
- Recognise that there is diversity in the activities and project Council undertakes and that the type of engagement should vary accordingly.

MANAGEMENT PROCEDURE STATEMENT/S:

Council is committed to engaging with the Shire of Chapman Valley community.

Community engagement is about involving the community in decisions which affect them and it is critical to the successful development and implementation of acceptable policies and decisions and for improving services by being responsive to the needs of the community. Community engagement and the best possible solution for Council and the community.

Scope

The overarching principle is that the Shire will consult with our communities. Therefore, this policy applies not only to the Shire of Chapman Valley's Strategic Planning processes but to all facets of our operations and projects.

Benefits of Community Engagement

There are numerous benefits from community engagement:

- Increased community awareness of Council's services, planning and programs;
- Increased awareness across Council of community views and the issues that should be considered as part of the decision-making process;
- Increased awareness of the needs, priorities and diversity of the local community, which in turn ensures that Council's service provision and planning is well aligned with community expectations;
- Increased level of community ownership and acceptance of decisions;
- Council and the community working together to address local issues; and
- The potential for the Council to save time and resources.

Principles

The following principles underpin the Shire of Chapman Valley's approach to community engagement.

Be open and inclusive

1. We recognise that community participation is an integral part of informed decision making;
2. We promote and support opportunities for the community to actively participate;
3. We encourage involvement from all stakeholders and will use engagement processes that are accessible and inclusive;

Create mutual trust, respect and be accountable

1. We treat all stakeholders in the engagement process with respect and dignity;
2. We will approach engagement from an impartial perspective;
3. We will be accountable, accessible and ethical in all dealings with the community.

Engage early and be clear

1. We will seek early engagement and regularly involve the community in decision making;
2. We will communicate clearly the objectives of the engagement process and provide community members with all available, relevant information as part of the consultation engagement process to ensure informed discussion;
3. We will communicate the parameters of the engagement process to participants from the outset, including legislative requirements, Council's sphere of influence, conflicting community views, policy frameworks and context, budget constraints etc.;
4. We acknowledge that planning is a critical process to deliver successful outcomes and are committed to developing and implementing community engagement plans.

Consideration and Feedback

1. We are committed to demonstrating that we have considered all community contributions and relevant data, prior to making any decisions that affect the local community;
2. We are committed to providing participants with feedback at key stages throughout the project and upon completion and how community input influenced the decision.

Skills and Resources

1. We recognize the skills required to undertake community engagement and will provide staff with opportunities for further skill development and training;

We recognize that from time to time we may need to retain professional consultants to assist with certain engagement strategies.

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	10/09-1;
Reviewed/Amended – Council Resolution:	10/03-16; 05/15-23; 06/15-18; 03/17-32; 07/18-10; 05/19-8; 2024/04-8

CMP-040 Customer Service

MANAGEMENT PROCEDURE No.	CMP-040
MANAGEMENT PROCEDURE	CUSTOMER SERVICE
RESPONSIBLE OFFICER	MANAGER FINANCE & CORPORATE SERVICES
PREVIOUS POLICY/PROCEDURE No.	11.0
RELEVANT DELEGATIONS	

OBJECTIVES:

This Operational Procedure provides guidance to staff and customers as to the standards of service and process for making complaints in relation to the Shire of Chapman Valley.

MANAGEMENT PROCEDURE STATEMENT/S:

SCOPE

This Operational Procedure applies to all permanent, temporary and casual staff in dealing with internal and external customers.

EXPECTATIONS OF STAFF

Staff are expected to apply the following in all customer dealings:

- Professional and informative approach;
- Courteous, polite and friendly manner;
- Efficient execution of tasks;
- Listen and respond to customer needs;
- Referral of requests to the appropriate person or agency if unable to fulfil requirements;
- All information treated with highest level of confidentiality; and
- Acknowledgement and respect for customers' time.

CUSTOMER SERVICE STANDARDS

- Incoming calls are to be answered within 20 seconds, and received in a professional and friendly manner.
- Customers visiting the Shire offices should not be left waiting more than five minutes for service.
- Staff are to wear name badges at all times during office hours.
- Emails to general enquiries email address (cs@chapmanvalley.com.au) are to be responded to within 24 hours.
- Letters and other correspondence are to be responded to within 10 working days of receipt.
- When assisting customers, staff must project a positive attitude, focus on solutions and provide a "can do" approach.
- Complaints are to be treated openly, recorded on register and addressed promptly.

COMPLAINTS HANDLING

Customers who make a complaint can expect to:

- be given appropriate and easily understood information regarding the complaints process;
- have complaints treated as genuine and properly investigated;
- be informed of estimated timeframes for action;
- be provided with other pertinent information including the contact details of the officer handling the complaint; and

- participate in decisions relating to the resolution of the complaint.

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	11/07-16
Reviewed/Amended – Council Resolution:	05/15-23; 06/15-18; 03/17-32

CMP-041 Logo's on Shire Vehicles

MANAGEMENT PROCEDURE No.	CMP-041
MANAGEMENT PROCEDURE	LOGO'S ON SHIRE VEHICLES
RESPONSIBLE OFFICER	CHIEF EXECUTIVE OFFICER
PREVIOUS POLICY/PROCEDURE No.	12.60
RELEVANT DELEGATIONS	

OBJECTIVES:

To ensure specific shire owned vehicle have logo attached.

MANAGEMENT PROCEDURE STATEMENT/S:

All Shire of Chapman Valley vehicles (as determined by the CEO) to have a logo attached with the specific exception of the vehicles for the CEO and Deputy Chief Executive Officer.

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	10/09-1
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Reviewed/Amended – Council Resolution:	05/15-23; 06/15-18; 03/17-32
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CMP-062 Petition Guidelines

MANAGEMENT PROCEDURE No.	CMP-062
MANAGEMENT PROCEDURE	PETITION GUIDELINES
RESPONSIBLE OFFICER	MANAGER FINANCE & CORPORATE SERVICES
PREVIOUS POLICY/PROCEDURE No.	NA
RELEVANT DELEGATIONS	NIL

OBJECTIVES:

To provide Electors within the Shire of Chapman Valley guidelines a template form for the submission of petitions to the Shire.

MANAGEMENT PROCEDURE STATEMENT/S:

Petitions inform the Shire, in a public way, of the views of a section of the community and serve as one means of placing community concerns before the Shire and Council.

Electors of the Shire of Chapman Valley may petition the Shire to take some form of action over a particular issue. For example, petitions may ask the Shire to change an existing policy, local law or recent decision, or for the Shire to take action for a certain purpose or for the benefit of particular persons. The subject of a petition however must be a matter on which the Shire has the power to act. For instance, a petition cannot request the Shire to improve hospital services, as this is a State Government responsibility

Care must be taken in the wording of petitions as the Shire requires certain information and content to be included to be a valid petition. The Shire's Standing Orders Local Law (Clause 3.4) details what is required for a petition to be valid i.e.

A petition, in order to be effective, is to:

- (a) be addressed to the President;*
- (b) be made by electors of the district;*
- (c) state the request on each page of the petition;*
- (d) contain 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:
 - (i) a 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 to wards, the name of a district or ward or the number of councillors for a district or ward.**

PLEASE NOTE: The Shire does not accept online petitions

Petition Signature Requirements

A petition requires elector's signatures to be accepted. Although anyone can sign a petition, only those Shire of Chapman Valley electors will be recorded in the official signature count.

An elector is a person who owns or occupies rateable property within the Shire of Chapman Valley and is eligible to vote in Local Government and State Government Elections. All the signatures on a petition must meet the following requirements:

Every signature must be written on a page bearing the terms of the petition, or the action requested by the petition. Please view the [Petition of Electors Form](#)

Signatures must not be copied, pasted or transferred on to the petition nor should they be placed on a blank page on the reverse of a sheet containing the terms of the petition

Each signature must be made by the person signing in his or her own handwriting.

Petition Presentation

A petition can only be presented to the Shire at an Ordinary Council Meeting by the President, a Councillor or the Chief Executive Officer. This can be any Councillor and does not have to be a Councillor from a particular Ward.

The person initiating the petition is to forward the petition to the Chief Executive Officer, President or a Councillor prior to the commencement of the Ordinary Council Meeting at which they would like the petition presented. Although the Elected Member is not bound to present a petition, it is traditionally accepted that he or she will present it, irrespective of personal views. Presentation of a petition by an Elected Member does not mean that the Member necessarily agrees or disagrees with its content.

For details of dates, times and location of *Ordinary Council Meetings* view the Shire website www.chapmanvalley.wa.gov.au or contact the Shire on 08 99 205011.

Petitions at Council Meetings

One of the first items of business at a Council Meeting is for the Council to receive any petitions that have been presented. The Chief Executive Officer or Elected Member presenting the petition will read out a summary of the reasons for the petition being submitted and the number of signatures within it (if possible).

When the petition is received, no discussion will necessarily be entered into on the matter and the petition may be referred to the Chief Executive Officer for appropriate action.

Every petition presented may be referred to a representative of the Chief Executive Officer responsible for the matter. The Chief Executive Officer's representative will inform the petition initiator of the action proposed in dealing with the petition. This may involve having to prepare a detailed report for a future meeting of the Shire for its consideration.

ADDITIONAL EXPLANATORY NOTES:

Below is a copy of the Petition Template:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	10/09-1
Reviewed/Amended – Council Resolution:	05/15-23; 06/15-18; 03/17-32

Petition of Electors of the Shire of Chapman Valley

To the President of the Shire of Chapman Valley

We, the undersigned all being electors of the Shire of Chapman Valley, do respectfully request that the Shire:

Correspondence in respect of this petition should be addressed to:

The names and addresses of your petitioners are as follows

Date	Full Name	Address	Signature

NOTE: Petitioners may contact the Shire of Chapman Valley on 08 99 205011 if they wish to withdraw from this petition or change their comment.

CMP-071 Concept Forum Guidelines

MANAGEMENT PROCEDURE No.	CMP-071
MANAGEMENT PROCEDURE	CONCEPT FORUM GUIDELINES
RESPONSIBLE OFFICER	CHIEF EXECUTIVE OFFICER
PREVIOUS POLICY/PROCEDURE No.	ADOPTED: MINUTE REFERENCE - 04/12-8
RELEVANT DELEGATIONS	NA

OBJECTIVES:

The Shire will conduct Concept Forums involving Elected Members and employees meeting to propose, discuss and formulate philosophies, ideas, strategies and concepts for the development of the Shire.

Examples of the type of issues Concepts Forums may include are:

- Current matters of a local or regional significance;
- Matters relating to the future development of the Shire;
- Significant revenue raising requirements or expenditure needs;
- The development of internal strategic, planning, management and financial documents; and

In discussing such items, Officers will acknowledge the Elected Members' feedback and comments and this will be researched for inclusion into final reports, which will be considered at a subsequent Shire meeting.

MANAGEMENT PROCEDURE STATEMENT/S:

1. Accountability

- 1.1 During the Concept Forum meeting no opportunity for a collective Council decision or implied decision that binds the Shire of Chapman Valley are to be made. i.e. no decision making to occur;

2. Openness and Transparency

- 2.1 A significant strength of local government is the openness and accessibility of its processes to the community.
- 2.2 In conducting Council Forums the Shire of Chapman Valley embraces the concept of openness and transparency; however, Concept Forums will be closed to the public due to the nature of items to be discussed at these forums being to allow Elected Members and employees the opportunity to propose ideas, ask questions and discuss issues, which will form the basis of research undertaken by employees for inclusion into final reports, which will be considered at a subsequent Shire meeting.

3. Probity and Integrity

- 3.1 To ensure high ethical and probity standards and accountability are maintained during Concept Forums, Councillors and Staff are to comply with the same disclosure of interest rules that would apply as if they were in a Council or Committee Meeting.

4. Authority for the Chair

- 4.1 The Shire President is to Chair the Concept Forum meetings.
- 4.2 In the absence of the Shire President the Deputy Shire President is to Chair the Concept Forum.
- 4.3 In the absence of the Shire Deputy President the Councillors present are to elect a Chairperson from amongst them.
- 4.4 The Chairperson has the same power and authority to chair the Concept Forum as if the Shire of Chapman Valley Standing Orders Local Law applied at an Ordinary Council Meeting.

5. Meeting Notification

- 5.1 The CEO is to ensure that Councillors are given timely notice of the time, location and content for Concept Forum Meetings (minimum 72 hours' notice required). Concept Forum Meetings are to be held on the Third Wednesday of the month except January where there is no meeting, to be held after the Ordinary Council Meeting concludes.

6. Record Keeping

- 6.1 A general record of all Forums shall be maintained by the CEO, recording attendance, apologies, disclosures of interest with appropriate departures/returns.

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	04/12-12
Reviewed/Amended – Council Resolution:	12/15-11; 07/18-10

CMP-073 SPARE

MANAGEMENT PROCEDURE No.	CMP-073
MANAGEMENT PROCEDURE	SPARE
RESPONSIBLE OFFICER	
PREVIOUS POLICY/PROCEDURE No.	
RELEVANT DELEGATIONS	

EMP-002 Bushfire Brigade Membership

MANAGEMENT PROCEDURE No.	EMP-002
MANAGEMENT PROCEDURE	BUSHFIRE BRIGADE MEMBERSHIP
RESPONSIBLE OFFICER	CHIEF EXECUTIVE OFFICER
PREVIOUS POLICY/PROCEDURE No.	NA
RELEVANT DELEGATIONS	WORK HEALTH SAFETY ACT 2020

OBJECTIVES:

To stipulate the procedure to be followed for the recruitment and appointment of Bushfire Brigade Members in the Shire.

MANAGEMENT PROCEDURE STATEMENT/S:

1. Types of membership of bush fire brigade

The membership of a bush fire brigade consists of the following:

- a) firefighting members;
- b) auxiliary/support members;

2. Firefighting Members

Firefighting members are those persons being at least 18 years of age who undertake all normal brigade activities.

3. Auxiliary/Support Members

Auxiliary/Support members are those persons who are willing to supply free vehicular transport for firefighting members or firefighting equipment, or who are prepared to render other assistance required by the bush fire brigade, yet will not be able to participate in firefighting activities.

4. New Membership Application & Decision Process

- a) A new member is to complete the volunteer nomination form and accept the conditions for membership.
- b) The Brigade Fire Control Officer (FCO) should decide whether to recommend the application to the Chief Bush Fire Control Officer (CBFCO).
- c) The CBFCO must consider the application and make a recommendation to the Shire Chief Executive Officer (CEO) to accept or reject the application.
- d) The Shire CEO will make a determination on the acceptance or rejection of an application.
- e) The Shire CEO then must advise the applicant in writing of a final decision.
- f) The applicant has the right to appeal the decision of the Shire CEO. The appeal should be in writing addressed to the Shire CEO.
- g) The Shire CEO is to make a determination on the applicant appeal in consultation with the Brigade FCO and CBFCO.

5. Induction

All new members shall be—

- a) introduced to brigade members and shown all brigade facilities during induction by the Brigade FCO;
- b) instructed about any safety requirements by the Brigade FCO;
- c) made aware of brigade duties and responsibilities by the Brigade FCO;
- d) provided with a mentor/s until such time as they are familiar with Normal Brigade Activities by the Brigade FCO;
- e) made fully aware of the required initial and refresher training requirement of a Brigade Member or Shire Training Officer;

- f) made aware of local government guidelines, arrangements, policies and procedures by the Shire CEO.

(Note: The brigade member is to formally endorse they have completed all the above requirements in writing and provided this to the Shire CEO)

6. Dual Membership

A member may be a member of another local government brigade.

7. Conditions of Membership

- a) The conditions of membership shall refer to—
- i. Firefighters; and
 - ii. Auxiliary/Support Members.
- b) A new firefighting member is required to complete the necessary Fire Fighter Training Courses as required by the local government prior to commencing active firefighter duties.
- c) Competency in these Training Courses shall be the minimum acceptable standard required for a firefighting member to perform active supervised and unsupervised firefighting duties. Currently this includes Induction and training Courses as determined by the Shire CEO —
- i. All members must comply with the legislative requirements of the—
 - Bush Fires Act 1954 (WA);
 - FES Act 1998 (WA); and
 - Equal Opportunity Act 1984 (WA).
 - ii. All members must act within the—
 - Local Government guidelines, arrangements, policies and procedures;
 - Brigade's local policies (if applicable) yet the Local Government guidelines and policies will always take precedence over Brigade local policies;
 - Competency and commitment requirements for an active volunteer firefighter brigade member or ancillary/support member roles as required by the Shire CEO; and
 - State Hazard Plan – Relevant to Bushfires control, prevention and management
 - iii. Firefighting members must maintain currency of the appropriate licences to be able to operate brigade vehicles. Any traffic offence resulting in a suspension or loss of licence relevant to all members must be reported to the Brigade FCO, CBFCO and Shire CEO and the member must comply with the terms of their suspension.

8. Review of Membership Register Status

No later than 31 May in each year the Shire appointed Training Officer is to obtain from DFES the name, contact details and type of membership of each brigade member. This list is to be provided to the Shire CEO along with a matrix of all members training status (initial completion dates and refresher due dates).

9. Membership Requirements/Commitments

- a) Members are required to maintain currency in brigade activities and training to be deemed as an Active Firefighting Member and or be granted special considerations due to extenuating circumstances as determined by the Shire.
- b) If extenuating circumstances apply where a member is unable to meet brigade requirements /commitments, it shall be the responsibility of the member to notify the Brigade FCO of the circumstance, and the Brigade FCO will give considerations to the member and make a recommendation to the Shire CEO on the continuation of the membership (or not). The Shire CEO is then to determine the membership status of the member concerned.
- c) The Shire appointed Training Officer should endeavour to establish flexible arrangements for the member to meet training the requirements wherever possible, yet it remains the responsibility of the brigade member to ensure they comply with the training requirement as set by the Shire.

10. Failure to Comply with Requirements/Commitments

- a) Should a member of a brigade fail to comply with these Procedures, correspondence will be forwarded to the member requesting contact be made with the Shire CEO to indicate the intentions of the member's status.
- b) The Brigade Member may—
 - i. respond to the correspondence providing a reasonable explanation and request for alternative arrangements to be made for training or meeting obligations;
 - ii. request in writing for Leave of Absence from these Procedures due to personal circumstances; or
 - iii. terminate their membership.
- a) If a member fails to respond to the correspondence within fourteen (14) days a subsequent letter will be forwarded putting the member on final notice. Should a member fail to acknowledge the final notice within fourteen (14) days, the membership shall be terminated, to take effect from the date of the final notice.

11. Change of Members Details

The local government and DFES are to be notified of any change of personal details of a member. The Brigade FCO will advise the Shire CEO within fourteen (14) days of all membership detail change(s).

12. Leave of Absence

- a) A member may at any time request a Leave of Absence from all Procedural requirements/commitments for a period not to exceed twelve (12) consecutive months.
- b) The application should be made in writing and addressed to the Shire CEO.
- c) On completion of the Leave of Absence period the member must undertake any refresher training required before resuming active firefighting duties. If the request for Leave of Absence is for a medical condition the member must provide confirmation of fitness to the satisfaction of the CBFCO & Shire CEO to be able to resume active firefighting duties.

13. Grievance Process/Disciplinary Action

- a) The Shire is committed to providing an environment in which all persons can expect to be treated equally and with respect.
- b) All members are to have an understanding of the Shire's Grievance Policy and any other applicable Shire policies, procedures, arrangements, guidelines, etc.
- c) A grievance is any serious allegation, dispute or claim, arising during any training or activity in relation to an act committed by a member. Examples which may be considered a grievance include, yet not necessarily limited to—
 - i. constitute a breach of these Procedures;
 - ii. bring the brigade and/or the Shire into disrepute;
 - iii. contravene any reasonable direction given by the Shire CEO, Brigade FCO, CBFCO or their delegate;
 - iv. disregard Shire regulations, policies, procedures, arrangements, guidelines, etc. as applicable;
 - v. jeopardise the safety of the member or others; or
 - vi. result in the member being convicted of, an offence for which an offender may be imprisoned.
- d) Where a grievance arises, an investigation must be conducted by the Shire CEO (in conjunction with the CBFCO if considered necessary by the Shire CEO) in accordance with the Shire's Grievance Policy & Procedures.
- e) During the investigation it may be determined the member should be suspended from all or part of brigade activities, subject to the Shire CEO's approval. If a member is to be suspended during the investigation the Shire CEO should notify the member in writing of the terms of the suspension, including the reason for the suspension and the time period. The time period for suspension during an investigation, should not exceed three (3) consecutive months.
When an investigation is complete a report will be provided by the investigating officer to the CBFCO outlining the process of the investigation, the conclusions drawn and any recommended action.

- f) Disciplinary action in relation to the member may include—
 - i. suspension of membership;
 - ii. termination of membership; or
 - iii. any other reasonable disciplinary action as determined by the Shire CEO in consultation with the CBFCO.
- g) If a disciplinary suspension is imposed, the Shire CEO must notify the member in writing of the suspension, including the suspension period and reason for suspension. Suspension may be from complete or specific brigade duties and activities.
- h) The period of disciplinary suspension shall be determined by the Shire CEO in consultation with the CBFCO.
- i) On completion of the suspension period the member may be required to undertake refresher training before resuming active firefighting duties which will be supervised and or acknowledged by the Shire CEO and/or Training Officer.
- j) If a membership is to be terminated, the Shire CEO will notify the member in writing, and provide a reason for termination. The Shire CEO is also advise the CBFCO, relevant Brigade FCO and Shire of the decision to terminate a membership
- k) Where a membership is terminated, all property owned by the local government should be returned to the local government within fourteen (14) days of giving notice. Failure to meet these conditions may require the local government to seek reimbursement of costs against the member.

15) Rights of a Volunteer Member

- a) A member shall not be suspended or dismissed from any brigade duty without an opportunity to defend the allegation.
- b) Any member may lodge a written objection to the Shire CEO should they consider they have been unfairly dealt with by the Committee.
- c) The Shire CEO & CBFCO shall consider the objection. This may include either—
 - i. dismissing the objection;
 - ii. variation to the decision; or
 - iii. revoking the original decision; and
 - ~ imposing an independent decision; or
 - ~ referring the matter back to the Shire Council to reconsider the decision.

16) Member Resignation

- a) A member can decide to resign from brigade activities and terminate their membership by notification to the Shire CEO.
- b) Where a member resigns, all property owned by the local government should be returned to the local government within fourteen (14) days of giving notice. Failure to meet these conditions may require the local government to seek reimbursement of costs against the member.

ADDITIONAL EXPLANATORY NOTES:

Nil

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES):

Adopted – Council Resolution:	10/21-10
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Reviewed/Amended – Council Resolution:	
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EMP-003 Firefighting Costs

MANAGEMENT PROCEDURE No.	EMP-003
MANAGEMENT PROCEDURE	FIRE FIGHTING COSTS
RESPONSIBLE OFFICER	CHIEF EXECUTIVE OFFICER
PREVIOUS POLICY/PROCEDURE No.	3.50
RELEVANT DELEGATIONS	

OBJECTIVES:

To stipulate the authority for incurring Shire costs in the event of a bush fire.

MANAGEMENT PROCEDURE STATEMENT/S:

Fire Control Officers are not authorised to incur costs on behalf of the Shire.

Only Chief Executive Officer, or his/her delegate in the Chief Executive Officer's absence (and Shire President in emergencies) are authorised to incur expenditure on behalf of the Shire for firefighting purposes.

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	10/01-9
Reviewed/Amended – Council Resolution:	05/15-23; 06/15-18; 03/17-32

EMP-004 Protective Clothing – Fire Fighting

MANAGEMENT PROCEDURE No.	EMP-004
MANAGEMENT PROCEDURE	PROTECTIVE CLOTHING – FIRE FIGHTING
RESPONSIBLE OFFICER	CHIEF EXECUTIVE OFFICER
PREVIOUS POLICY/PROCEDURE No.	3.80
RELEVANT DELEGATIONS	

OBJECTIVES:

Ensure the safety of all fire fighters in the Shire of Chapman Valley when involved in fighting bush fires.

MANAGEMENT PROCEDURE STATEMENT:

All Fire Control Officers are responsible for ensuring all fire fighters attending a fire wear the appropriate protective clothing. Protective clothing is to include long sleeve shirts and trousers, or overalls, and work boots.

Any fire fighter attending a fire and not wearing protective clothing of at least the standard as determined by the Shire is to be directed by a Fire Control Officer to leave the scene of the fire and not to return until appropriately clothed. When directing a fire fighter to obtain protective clothing emphasis is to be placed on informing the fire fighter of the reasons for the protective clothing requirement and the potential for injury and liability where such requirements are not adhered to.

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES:

Adopted – Council Resolution:	10/01-9
Reviewed/Amended – Council Resolution:	05/15-23; 06/15-18; 03/17-32; 07/19-4

EMP-005 Fire Control Officer Appointments

MANAGEMENT PROCEDURE No.	EMP-005
MANAGEMENT PROCEDURE	FIRE CONTROL OFFICER APPOINTMENTS
RESPONSIBLE OFFICER	CHIEF EXECUTIVE OFFICER
PREVIOUS POLICY/PROCEDURE No.	3.90
RELEVANT DELEGATIONS	

OBJECTIVES:

This Operational Procedure provides the eligibility criteria for a person to be appointed as a Bush Fire Control Officer with the following objectives:

1. To ensure that a person has the relevant qualifications necessary to hold the position of Bush Fire Control Officer (BFCO); and
2. To ensure that these qualifications are maintained by the appointed Bush Fire Control Officer (BFCO).

MANAGEMENT PROCEDURE STATEMENT/S:

1. To be eligible for appointment as a Bush Fire Control Officer, a person must have completed the Bush Fire Control Officer Training Program not more than ten (10) years prior to appointment.
2. Notwithstanding Item 1 above, a person will be eligible for appointment as a Bush Fire Control Officer if they complete the Bush Fire Control Officer Training within six (6) months of appointment.
3. For a person to continue as a Bush Fire Control Officer, they must complete the Bush Fire Control Officer's Course or a refresher course at intervals of no more than every ten (10) years.
4. Nominations from Brigades shall be submitted to a Bush Fire Brigades Group Management Advisory Committee for recommendation to Council by 1 October, where applicable.
5. An appointment shall be for a period of one (1) year, unless revoked by Council. Bush Fire Control Officers will be eligible for reappointment unless their appointment was revoked by Council.

ADDITIONAL EXPLANATORY NOTES:

ADOPTED/REVIEWED/AMENDED (OTHER THAN ANNUAL REVIEW OF ALL PROCEDURES):

Adopted – Council Resolution:	10/01-10
Reviewed/Amended – Council Resolution:	05/15-23; 06/15-18; 03/17-32; 09/16-5