



SHIRE OF RAVENSTHORPE

CEO OPERATIONAL POLICY MANUAL

May 2023



BACKGROUND TO THE MANUAL

The Operational Policy Manual is intended to direct authorised officers and other staff in procedural and operational matters within the Shire of Ravensthorpe.

It is important to note that while this manual contains the policy statements of the Chief Executive Officer it does not contain Council policy.

The policies contained within this manual are those determined by the Chief Executive Officer and are not amendable by individual directorates. The development of the operational policies involves input from staff across the organisation, and the operational policy manual is a 'living' document that is constantly reviewed.

Some policies require individual staff to acknowledge provision of the policy and their understanding of it, and in these cases a signed copy of the policy will be placed on the Employees personnel file.

POLICY FRAMEWORK

Each policy is developed in order to address specific matters. They relate to objectives of the Shire of Ravensthorpe, and, in some instances, are required by legislation. The principles behind the policies are directly related to the Shire's values as an organisation. These are that the Shire:

- will work with the community in a way which is friendly, helpful, professional and inspires confidence;
- believes it is essential that the Council and Council Staff are honest, dedicated and show respect for others;
- will aim for equity and fairness in all we do; we will focus on the needs of the customer; and strive for continuous improvement;
- wants the Council to be a dynamic organisation, flexible and innovative, with strong team spirit – a great place to work and a welcoming place for the community to visit; and
- is committed to the principles of Freedom of Information.

Essentially, policies developed by the Shire of Ravensthorpe are aimed at ensuring and encouraging equity fairness, access to information and decision-making and effective management of community resources.

Each policy includes:

- An objective statement (what the policy aims to achieve);
- A policy statement (what the policy is);
- A nominated person responsible for the policies implementation;
- The date of commencement;
- The date of the scheduled review.

Policy Review Process

At least annually, the entire policy manual will be reviewed. The Chief Executive Officer will coordinate the review process.

DOCUMENT CONTROL

PREVIOUS COUNCIL POLICY NUMBER	NEW CEO OPERATIONAL POLICY NUMBER	POLICY NAME	SECTION	ADOPTED	NEXT REVIEW	AMENDMENTS
A4 - Administration	G1	Code of Conduct for Employees	Administration	19/07/22 – Item 12.1.2		Transferred from Council Manual
A6 - Administration	To be consolidated with G23 Communications and Social Media Policy (to be developed).	Internet and Email Usage G23 ICT, Communications and Social Media	Administration Council Policy Manual - Governance	19/07/22 – Item 12.1.2		Transferred from Council Manual Reinstate to Council Policy Manual
A7- Administration	HR7	Fitness for Work, Drug and Alcohol Policy	Administration	19/07/22 – Item 12.1.2		Transferred from Council Policy Manual and updated to include Drug and Alcohol
A9- Administration	HR4	Corporate Uniform	Administration	19/07/22 – Item 12.1.2		Transferred from Council Manual
A12- Administration	HR13	Staff Training and Development	Administration	19/07/22 – Item 12.1.2		Transferred from Council Manual
A13- Administration	HR13	Staff – Education and Study Assistance	Administration	19/07/22 – Item 12.1.2		Transferred from Council Manual
G23- Governance	To be consolidated with G23 ICT, Communications and Social Media Policy (to be developed).	Communications and Social Media Policy	Governance	19/07/22 – Item 12.1.2		Transferred from Council Manual Reinstate to Council Policy Manual
G14- Governance	HR14	Senior Employees	Governance	19/07/22 – Item 12.1.2		Transferred from Council Manual

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ADMINISTRATION

A1 ADMINISTRATION AND WORKS DEPOT HOURS

Operational Policy Objective

To detail the hours of operation for the Shire of Ravensthorpe Administration Offices and Works Depots in Ravensthorpe and Hopetoun.

Operational Policy

- a) The Administration Offices in Ravensthorpe and Hopetoun are to be open to the public on normal working days as follows:

Monday, Tuesday, Wednesday, Thursday and Friday – 9.00am – 4:00pm (Department of Transport, Other Payments and Telephone Enquiries).

- b) The Works Depots in Ravensthorpe and Hopetoun are to be open on normal working days as follows:

Monday, Tuesday, Wednesday, Thursday and Friday – 6.30am – 4:30pm.

Legislation

N/A

Policy Name:	A1 Administration and Works Depot Hours	CEO Approved	Date: 23/05/23
Version	1		
Review Date:	September 2025	Responsible Executive:	CEO

A2 FLAG ETIQUETTE

Operational Policy Objective

The objective is to provide guidelines for the use of the Shire flags (Australian National Flag and Australian Aboriginal Flag).

To ensure that the Shire's protocols and practice of flying and lowering flags to half-mast is exercised in a consistent, respectful and appropriate manner.

Operational Policy

- a) The Australian National Flag and the Australian Aboriginal Flag are to be flown at the Shire Administration Offices in both Ravensthorpe and Hopetoun during ordinary working hours when the Shire offices are open to the public, unless prohibited by weather conditions.
- b) The Shire may fly flags at half-mast on specific occasions to commemorate a solemn occasion, including:
 - (i) To coincide with national, state or regionally significant events (generally at the behest of the various levels of government protocol arrangements);
 - (ii) When a current or former Elected Member passes away;
 - (iii) When a current or former Citizen of the Year passes away;
 - (iv) When a current Shire employee passes away;
 - (v) When a person is buried in either Ravensthorpe or Hopetoun Cemeteries; or
 - (vi) If authorised by the Chief Executive Officer on the request of a member of the community as a sign of mourning.

If the occasion above occurs on a day other than an ordinary working day, the Shire may fly flags at half-mast on the day prior to the occasion when the Shire office/s are open to the public.

Authorisation from a recognised local First Nations Elder should be obtained prior to flying the Aboriginal Flag at half-mast.

The extract below is taken from the following publication:

The Australian National Flag written by Carol & Richardson Flags published in 1995 – The Australian National Flag at Half Mast on page number 16:-

"To achieve the half-mast position, the flag should be raised to the top of the flagpole, then in a continuing movement lowered slowly to half-mast. It is important that the flag appears to be at half-mast, and not to have fallen away from the top of the flagpole. This will generally be attained when the top of the flag is one third of the total length of the flagpole from the top.

Before lowering the flag for the day, it should be raised once again to the top of the flagpole and then lowered slowly to the ground."

- c) The Chief Executive Officer is authorised to allow the use of the Shire of Ravensthorpe Australian National Flag at all civic ceremonies, public function, Local Government week, agricultural field days and sports events held in the Shire and for representative's sports team participating in events outside the Shire.

In all cases, the user shall be responsible for ensuring the flag is returned to the Shire Office in a clean, undamaged condition within 48 hours of the event and the user shall be responsible for the full replacement cost in the event of damage or loss from any cause whatsoever.

Legislation

Flags Act 1953

Protection of Australian Flags (Desecration of the Flag) Bill 2003

Policy Name:	A2 Flag Etiquette	CEO Approved:	Date: 23/05/23
Version	1		
Review Date:	September 2025	Responsible Executive:	CEO

A3 CUSTOMER SERVICE STANDARDS

Operational Policy Objective

To establish a shared set of standards that guide the development of an organisational culture focused on meeting the needs and expectations of its customers and to continuously improve its services for customers.

Operational Policy Scope

This policy applies to all Shire of Ravensthorpe Employees.

Operational Policy Statement

How will we achieve meeting the needs and expectations of our customers? -

- a) By including in all Employee recruitment processes selection criteria requiring a positive attitude towards customer service.
- b) By conducting customer service training programs.
- c) By making the development of positive customer service attitudes part of the performance appraisal and development program of all Employees.
- d) By progressively reviewing and improving forms, systems and procedures from a customer's perspective.
- e) By progressively improving access to our services for people with disabilities.
- f) By improving access to Shire information by producing regular information pages in the local press, website, official social media pages and by making Council agenda's and minute's readily available in the Public Libraries and website.
- g) By the Executive Team reinforcing the importance of achieving excellence in customer service.

Service Standards

A3.1 Face to Face

Customer Service Officers (CSOs) will:

- a) welcome customers to the Reception area in a professional, polite and attentive manner. (Office hours: 9.00a.m. to 4.00p.m. Monday to Friday);
- b) wear a name badge showing only their first name for ease of communication;
- c) listen to the customer and discuss their requirements; and
- d) endeavour to satisfy a customer's request at the first visit.

When enquiries of a technical or specialised nature are made at Reception, (ie; a Planning and Development query) the CSO will call the appropriate Officer to attend to the customer's query. If the Officer is unavailable, the CSO will take a detailed message (via Synergy) and forward to the appropriate Officer, who will endeavour to contact the customer within two (2) working days.

Our aim is to assist in achieving a positive outcome.

A3.2 On the Telephone

Customer Service Officers will:

- a) introduce themselves using their first name;
- b) provide customers with an e-mail or contact number, for further communication where needed; and
- c) return any telephone enquiry within two (2) working days, or if the appropriate Officer is not available, redirect the enquiry to another Officer who may be able to assist.

A3.3 In Writing

Employees will:

- a) acknowledge correspondence upon receipt and endeavour to respond within seven (7) working days;
- b) consider if the general enquiry requires more of a technical or detailed response that will take longer than seven (7) working days, acknowledge the correspondence and advise the writer of an expected reply date; and
- c) write to the customer in clear, concise language that is easily understood.

A3.4 By email

Employees will:

- a) respond in clear, concise language that is easily understood;
- b) endeavour to respond to within seven (7) working days; and
- c) consider if the general enquiry proves to be more technical and requires research or consideration by Council that will take longer than seven (7) working days, acknowledge the email and provide the writer with an expected reply date.

A3.5 Building and Planning Applications

The Planning and Development Officer will:

- a) process standard building applications that can be dealt with under delegated authority within twenty (20) working days (subject to the provision of all required information);
- b) acknowledge in writing, receipt of a complete planning application and provided the planning application is received by the cutoff date for the agenda present the planning application to Council for consideration at the next Ordinary Council Meeting; and
- c) acknowledge complex building and planning applications within seven (7) working days and keep the customer informed at each stage as the application progresses.

A3.6 Complaints

If a customer is not satisfied with the Shire's level of service, a CSO can:

- a) refer the customer to the appropriate Officer they have been dealing with to give him/her a chance to resolve the problem;
- b) refer the customer to an Executive Manager, if available;
- c) advise the customer that if they feel their problem is still unresolved, they can write to the Chief Executive Officer at PO Box 43, Ravensthorpe WA 6346 or by email: shire@ravensthorpe.wa.gov.au; and

- d) advise the customer that if they are not satisfied with the Chief Executive Officer's response, they may raise their concerns with the Shire President, Deputy Shire President, or the WA State Ombudsman.

A3.7 Responding to Repetitive and/or Abusive Requests

Shire Employees are not required to respond to any written communication, facsimile, email or telephone communications of a repetitive and/or abusive nature. A response should only be provided if it is considered to be going to "significantly advance the matter" and provided that the subject matter of the questions has not been previously dealt with and having regard to their commitments to the provision of good local government to the community generally.

Further to this, when a response is considered appropriate, Employees are to respond only to written communication, including facsimiles or emails registered as inwards mail.

Offensive language or threatening/intimidating behaviour will not be tolerated and may result in the communication exchange being ceased immediately by the Shire Employee.

Where questions are directed to the local government, other than questions to be asked at a Council meeting, then it is open to the Chief Executive Officer, or the Shire President, if questions are directed to the President, to respond that the questions have been previously dealt with and that the matter would not be significantly advanced by further response. Resources would also be directed away from providing efficient and effective local government to the community generally.

Alternatively, the Chief Executive Officer or the Shire President need not respond at all on the basis that there have been numerous questions and answers on the same subject matter previously.

The Chief Executive Officer must ensure that the Shire has in place the required Executive Policies and Procedures to ensure the Shire delivers high quality customer service at all times.

Definitions

'Customer' – relates to any person or organisation having dealings with the Shire.

Legislation

Nil.

Other Relevant Policies / Key Documents

Nil.

Policy Name:	A3 Customer Service Standards	Date: 23/05/23	Date: 23/05/23
Version	1		
Review Date:	September 2025	Responsible Executive:	CEO

A4 USE OF SHIRE VEHICLES, FINES AND INFRINGEMENTS

Operational Policy Objective

The objective of this policy is to provide clear guidelines with respect to the use of Shire vehicles by Employees and to ensure that the Shire does not condone any action that does not conform to the *Road Traffic Act 1974* and associated codes and regulations, including Local Authority or other Agencies Parking Local Laws.

Operational Policy

Designated Driver

The designated driver of a specific vehicle shall be an Employee of the Shire who has:

- a) Been assigned the vehicle as part of their duties and/or conditions of employment;
- b) Holds an appropriate licence;
- c) Has private use of the vehicle in accordance with their conditions of employment; and
- d) Is responsible for the care and management of the vehicle.

Authorised Driver

The following persons holding an appropriate driving licence shall be Authorised Drivers of any Council vehicle available:

- a) Any Employee on Council business acting with the prior knowledge of the CEO and the Authorised Designated Driver;
- b) Any person, provided an Authorised Designated Driver is physically present in the vehicle;
- c) Any person authorised by the Chief Executive Officer or a designated senior officer;
- d) Any Employee of the Council not being a Designated Driver who is authorised by the Designated Driver;
- e) Outside of normal working hours by the spouse or partner of a Designated Driver who has Private Use of a vehicle provided for in their Employment Contract.

General Conditions

Designated Drivers and Authorised Drivers must comply with the following conditions with respect to the vehicle in their care:

- a) Vehicles are to be brought onto the job every working day (except those days an Employee is on paid leave as agreed), and used for all normal working hours and on occasions may be required outside working hours subject to direction by the Chief Executive Officer and/or designated Executive Manager;
- b) All Employees to whom vehicles are allocated are responsible for their care, including exterior and interior cleaning;
- c) No modifications are to be made to the vehicle without the approval of the Chief Executive Officer;
- d) The vehicle will not be used to compete in automotive competitions, ie: motor races;
- e) Organise servicing when required;
- f) Report all accidents immediately;

- g) A Designated Driver or Authorised Driver convicted of drunk or dangerous driving in association with an accident involving a Shire vehicle must pay the cost of associated repairs in the event that the Shire's insurers disclaim responsibility; and
- h) No Employee shall drive a vehicle whilst under the influence of Drugs, whether they are prescribed Drugs or illicit Drugs, or Alcohol. An exception to 'prescribed drugs' may be granted in exceptional circumstances in accordance with CEO Operational Policy 'HR7 Fitness For Work, Drug and Alcohol', clause 'HR7.5 - Prescribed and Over the Counter Medications'.

Private Use

A vehicle made available for private use shall be subject to the following condition;

- Conditions contained within individual Employee Employment Contract takes precedence over this policy.

Reimbursement

Where vehicles are used privately outside the Employee's conditions of employment, approval is required from the Chief Executive Officer, who may request a financial contribution from the Employee to cover any associated costs.

Fines and Infringements

Council does not condone any action that does not conform to the *Road Traffic Act 1974*, associated codes and regulations including parking or other infringements against other local authorities or agencies local laws, and accordingly any subsequent fines incurred by Shire Employees whilst undertaking their duties or whilst in control of a Shire owned vehicle shall be the responsibility of the Shire Employee.

Legislation

Road Traffic Act 1974

Other Relevant Policies / Key Documents

Nil.

Policy Name:	A4 – Use of Shire Vehicles, Fines and Infringements	CEO Approved:	Date: 23/5/23
Version	1		
Review Date:	September 2025	Responsible Executives:	EMCS & EMIS

A5 WORKPLACE SURVEILLANCE

Operational Policy Objective

Surveillance may be deployed within the workplace in order to protect the assets and equipment of the Shire of Ravensthorpe (the Shire) and improve community and Employee safety.

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

Operational Policy

The Shire of Ravensthorpe's Commitment

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

a) Electronic Surveillance Devices

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

The Shire 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 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 is risks associated with the tasks being carried out by an Employee or where the Shire has a need to monitor and protect that vehicle or equipment.

b) Staff Management

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

c) 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.

d) **Confidentiality**

Image information or data recorded is to be discussed only with the Chief Executive Officer, or Executive Manager Corporate Services. 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.

e) **Consequences of Breaching this Policy**

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

f) **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.

Legislation

Surveillance Devices Act 1998 (WA)

Other Relevant Policies / Key Documents

Council Policy LO6 Installation and Use of Closed Circuit Television (CCTV) and

Council Policy LO7 Closed Circuit Television (CCTV) Operations

Policy Name:	A5 - Workplace Surveillance	CEO Approved:	Date: 23/05/23
Version	1		
Review Date:	September 2025	Responsible Executive:	CEO

GOVERNANCE

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Operational Policy Objective

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

Operational Policy

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

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

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

Statutory Environment

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

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

Application

For the purposes of the Code, the term 'Employees' includes persons employed by the Shire or engaged by the Shire under a contract for services and includes volunteers. The Code applies to all Employees, including the CEO, while on the Local Government's premises or while engaged in Local Government related activities. [Clause G1.15 of this Code (Gifts), does not apply to the CEO.]

Values and Vision

In 2020 Council adopted a ten-year Strategic Community Plan 2020 – 2030 with the following vision:

*"A growing community, thriving and resilient,
sharing our natural wonderland with the world"*

Values

The community can rely on us for:

1. Passionate commitment to service
2. Proudly promoting and advocating for our community
3. Clear and regular communication
4. Openly reporting on progress and listening to community feedback

The community wants us to be a Council and an organisation that is committed to designing and delivering services and facilities that fits community needs and aspirations; to grow business and

employment; put in place the right resources and infrastructure to support local commerce and industry; ensure people have access to attractive community facilities, activities and events which support activity and health, community involvement and enjoyment of life and that financial systems are effectively managed.

Outcomes

1. **Economy:** The population is growing, in tandem with a thriving, resilient local economy;
2. **Community:** This is a safe and family-friendly community where people of all ages have access to services and facilities, and there is plenty to blow your socks off;
3. **Built Environment:** The built environment is accessible, honours history and provides for the economic and social needs of residents, industry and visitors;
4. **Natural Environment:** Our unique world class biosphere is valued and protected for the enjoyment of current and future generations;
5. **Governance and Leadership:** The Shire of Ravensthorpe partners the community, and is an effective advocate and responsible steward.

CODE OF CONDUCT

G1.1 Role of Employees

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

Functions of the CEO (section 5.41 of the Act)

The CEO's functions are to:

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

G1.2 Principles Affecting Employment by the Shire of Ravensthorpe

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

Principles affecting employment by local governments (section 5.40 of the Act)

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

- a) Employees are to be selected and promoted in accordance with the principles of merit and equity; and
- b) no power with regard to matters affecting Employees is to be exercised on the basis of nepotism or patronage; and
- c) Employees are to be treated fairly and consistently; and
- d) there is to be no unlawful discrimination against Employees or persons seeking employment by the Shire on a ground referred to in the *Equal Opportunity Act 1984* or on any other ground; and
- e) Employees are to be provided with safe and healthy working conditions in accordance with the *Work, Health and Safety Act 2020 (WA)*; and
- f) such other principles, not inconsistent with this Division, as may be prescribed.

G1.3 Personal Behaviour

Employees will:

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

G1.4 Honesty and Integrity

Employees will:

- a) observe the highest standards of honesty and integrity, and avoid conduct which might suggest any departure from these standards;
- b) be frank and honest in their official dealing with each other; and
- c) report any dishonesty or possible dishonesty on the part of any other Employee to their Team Leader or the CEO in accordance with this Code and the Shire's policies.

G1.5 Performance of Duties

While on duty, Employees will give their whole time and attention to Shire's business and ensure that their work is carried out efficiently, economically and effectively, and that their standard of work reflects favourably both on them and on the Shire.

G1.6 Compliance with Lawful and Reasonable Directions, Decisions and Policies

Employees will comply with any lawful and reasonable direction given by any person having authority to make or give such an order, including but not limited to their Team Leader, Executive Manager or the CEO.

Employees will give effect to the lawful decisions and policies of the Shire, whether or not they agree with or approve of them.

G1.7 Administrative and Management Practices

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

G1.8 Intellectual Property

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

G1.9 Recordkeeping

Employees will ensure complete and accurate local government records are created and maintained in accordance with Council Policy A5 Records Management.

G1.10 Dealing with Other Employees

Employees will treat other Employees with respect, courtesy and professionalism, and refrain from behaviour that constitutes discrimination, bullying or harassment.

Employees must be aware of, and comply with their obligations under relevant law and the Shire's policies regarding workplace behaviour, [Council Policy A3 Work Health and Safety Policy](#) and CEO Operational Policy HR 10 Discrimination, Harassment and Bullying.

Employee behaviour should reflect the Shire's values and contribute towards creating and maintaining a safe and supportive workplace.

G1.11 Dealing with Community

Employees will treat all members of the community with respect, courtesy and professionalism.

All Shire services must be delivered in accordance with relevant policies and procedures, and any issues resolved promptly, fairly and equitably.

G1.12 Professional Communications

All aspects of communication by Employees (including verbal, written and electronic), involving the Shire's activities should reflect the status, values and objectives of the Shire, and in accordance with CEO Operational Policy [A3 Customer Service Standards](#).

Communications should be accurate, polite and professional.

G1.13 Personal Communications and Social Media

Personal communications and statements made privately in conversation, written, recorded, emailed or posted in personal social media, have the potential to be made public, whether intended or not.

Employees must not, unless undertaking a duty in accordance with their employment, disclose information, make comments or engage in communication activities about or on behalf of the Shire, its Council Members, Employees or contractors, which breach this Code and CEO Operational Policy HR3 Confidential Information Undertaking.

Employee comments which become public and breach the Code of Conduct, [Council Policy G23 Communications and Social Media](#), or any other operational policy or procedure, may constitute a disciplinary matter and may also be determined as misconduct and be notified in accordance with the *Corruption, Crime and Misconduct Act 2003*.

G1.14 Personal Presentation

Employees are expected to comply with professional, neat and responsible dress standards at all times, in accordance with the CEO Operational Policy HR4 Corporate Uniform, Dress Code and UV PPE Clothing Standards.

G1.15 Gifts

Application — This clause does not apply to the CEO.

Definitions in this clause —

[Activity involving a local government discretion](#) has the meaning given to it in the *Local Government (Administration) Regulations 1996*;

[Activity involving a local government discretion](#) means an activity —

- (a) that cannot be undertaken without an authorisation from the local government; or
- (b) by way of a commercial dealing with the local government;

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

[Associated person](#) has the meaning given to it in the *Local Government (Administration) Regulations 1996*;

[Activity involving a local government discretion means an activity](#) —

- (a) is undertaking or seeking to undertake an activity involving a local government discretion; or
- (b) it is reasonable to believe, is intending to undertake an activity involving a local government discretion.

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

[Gift](#) has the meaning given to it in the *Local Government (Administration) Regulations 1996*;
[gift](#) —

- (a) has the meaning given in section 5.57 [of the *Local Government Act 1995*]; but
- (b) does not include —
 - (i) a gift from a relative as defined in section 5.74(1); or
 - (ii) a gift that must be disclosed under the *Local Government (Elections) Regulations 1997* regulation 30B; or
 - (iii) a gift from a statutory authority, government instrumentality or non-profit association for professional training; or

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

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

gift means —

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

- (b) a travel contribution;

travel includes accommodation incidental to a journey;

travel contribution means a financial or other contribution made by one person to travel undertaken by another person.

[Section 5.57 of the *Local Government Act 1995*]

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

- (a) a parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant of the relevant person or of the relevant person's spouse or de facto partner;
- (b) the relevant person's spouse or de facto partner or the spouse or de facto partner of any relative specified in paragraph (a), whether or not the relationship is traced through, or to, a person whose parents were not actually married to each other at the time of the person's birth or subsequently, and whether the relationship is a natural relationship or a relationship established by a written law.

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

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

prohibited gift, in relation to a local government Employee, means —

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

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

reportable gift means:

- (a) a gift worth more than \$0 but less than \$300; or
- (b) a gift that is 1 of 2 or more gifts given to the local government Employee by the same person within a period of 1 year that are in total worth more than \$0 but less than \$300.

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

threshold amount, for a prohibited gift, means —

- (a) a gift worth the threshold amount or more; or

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

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

(c) Determination

In accordance with Regulation 19AF of the *Local Government (Administration) Regulations 1996* the CEO has determined that the threshold amount for prohibited gifts is \$0. This means that Employees should not accept any gifts.

If there is an instance when accepting a gift is unavoidable or when refusal of a gift may be inappropriate all Employees must be aware of the requirements below:

- (i) any gift offered, whether accepted or declined, must be disclosed by completing the Shire's gift declaration form;
- (ii) accepted gifts will require explanation for acceptance of the gift; and
- (iii) any gift accepted with a value above \$50 will be included in the Shire's Register of Gifts which is published on the Shire's website.

G1.16 Conflict of Interest

Employees:

- (a) will ensure that there is no actual (or perceived) conflict of interest between their personal interests and the impartial fulfilment of their professional duties;
- (b) will not engage in private work with or for any person or body with an interest in a proposed or current contract with the Shire, without first disclosing the interest to the CEO. In this respect, it does not matter whether advantage is in fact obtained, as any appearance that private dealings could conflict with performance of duties must be scrupulously avoided;
- (c) will lodge written notice with the CEO describing an intention to undertake a dealing in land which is within the district of the Shire, or which may otherwise be in conflict with the Local Government's functions (other than purchasing the principal place of residence);
- (d) who exercise a recruitment or any other discretionary function will disclose any actual (or perceived) conflict of interest to the CEO before dealing with relatives or friends and will disqualify themselves from dealing with those persons;
- (e) will conduct themselves in an apolitical manner and refrain from political activities which could cast doubt on their neutrality and impartiality in acting in their professional capacity.

G1.17 Secondary Employment

An Employee must not engage in secondary employment (including paid and unpaid work) without receiving the prior written approval of the CEO, in accordance with CEO Operational Policy HR15 Secondary Employment.

G1.18 Disclosure of Financial Interests

All Employees will apply the principles of disclosure of financial interest as contained within the Act.

Employees who have been delegated a power or duty, have been nominated as 'designated Employees' or provide advice or reports to Council or Committees, must ensure that they are aware of, and comply with, their statutory obligations under the Act and in accordance with the Shire of Ravensthorpe's Delegations of Authority Register.

G1.19 Disclosure of Interests Relating to Impartiality

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

Interest means —

- (a) means an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest; and
- (b) includes an interest arising from kinship, friendship or membership of an association.

[r.19AA of the Local Government (Administration) Regulations 1996]
- (b) an Employee who has an interest in any matter to be discussed at a Council or Committee meeting attended by the Employee is required to disclose the nature of the interest:
 - (i) in a written notice given to the CEO before the meeting; or
 - (ii) at the meeting immediately before the matter is discussed.
- (c) an Employee who has given, or will give, advice in respect of any matter to be discussed at a Council or Committee meeting not attended by the Employee is required to disclose the nature of any interest the Employee has in the matter:
 - (i) in a written notice given to the CEO before the meeting; or
 - (ii) at the time the advice is given.
- (d) a requirement described under (b) and (c) excludes an interest referred to in Section 5.60 of the Act.
- (e) an Employee is excused from a requirement made under (b) or (c) to disclose the nature of an interest because they did not now and could not reasonably be expected to know:
 - (i) that they had an interest in the matter; or
 - (ii) that the matter in which they had an interest would be discussed at the meeting and they disclosed the nature of the interest as soon as possible after the discussion began.
- (f) if an Employee makes a disclosure in a written notice given to the CEO before a meeting to comply with requirements of (b) or (c), then:
 - (i) before the meeting the CEO is to cause the notice to be given to the person who is to preside at the meeting; and
 - (ii) at the meeting the person presiding must bring the notice and its contents to the attention of persons present immediately before a matter to which the disclosure relates is discussed.
- (g) If:
 - (i) to comply with a requirement made under item (b), the nature of an Employee's interest in a matter is disclosed at a meeting; or

- (ii) a disclosure is made as described in item (e)(ii) at a meeting; or
- (iii) to comply with a requirement made under item (f)(ii), a notice disclosing the nature of an Employee's interest in a matter is brought to the attention of the persons present at a meeting, the nature of the interest is to be recorded in the minutes of the meeting.

G1.20 Use and Disclosure of Information

- (a) Employees must not access, use or disclose information held by the Shire except as directly required for, and in the course of, the performance of their duties.
- (b) Employees will handle all information obtained, accessed or created in the course of their duties responsibly, and in accordance with this Code, CEO Operational Policy HR3 Confidential Information Undertaking and Shire's policies and procedures.
- (c) Employees must not access, use or disclose information to gain improper advantage for themselves or another person or body, in ways which are inconsistent with their obligation to act impartially and in good faith, or to improperly cause harm, detriment or impairment to any person, body, or the Shire.
- (d) due discretion must be exercised by all Employees who have access to confidential, private or sensitive information.
- (e) nothing in this section prevents an Employee from disclosing information if the disclosure:
 - (i) is authorised by the CEO or the CEO's delegate; or
 - (ii) is permitted or required by law.

G1.21 Improper or Undue Influence

- (a) Employees will not take advantage of their position to improperly influence Council Members or Employees in the performance of their duties or functions, in order to gain undue or improper (direct or indirect) advantage or gain for themselves or for any other person or body.
- (b) Employees must not take advantage of their position to improperly influence any other person in order to gain undue or improper (direct or indirect) advantage or gain, pecuniary or otherwise, for themselves or for any other person or body.
- (c) Employees must not take advantage of their positions to improperly disadvantage or cause detriment to the local government or any other person.

G1.22 Use of Shire of Ravensthorpe's Resources

- (a) In this clause –
 - (i) Shire of Ravensthorpe's resources includes local government property and services provided or paid for by the Shire;
 - (ii) local government property has the meaning given to it in the Act.

local government property means anything, whether land or not, that belongs to, or is vested in, or under the care, control or management of, the local government.

[Section 1.4 of the *Local Government Act 1995*]

(b) Employees will:

- (i) be honest in their use of the Shire's resources and must not misuse them or permit their misuse (or the appearance of misuse) by any other person or body;
- (ii) use the Shire's resources entrusted to them effectively, economically, in the course of their duties and in accordance with Shire Policies;
- (iii) not use the Shire's resources (including the services of Employees) for private purposes (other than when supplied as part of a contract of employment), unless properly authorised to do so, and appropriate payments are made (as determined by the CEO).

G1.23 Use of Shire Finances

- (a) Employees are expected to act responsibly and exercise sound judgment with respect to matters involving the Shire's finances.
- (b) Employees will use Shire finances only within the scope of their authority, as defined in [position descriptions, policies and procedures, administrative practices].
- (c) Employees with financial management responsibilities will comply with the requirements of the *Local Government (Financial Management) Regulations 1996*.
- (d) Employees exercising purchasing authority will comply with [Council Policy F2 Purchasing Policy](#), and the systems and procedures established by the CEO in accordance with regulation 5 of the *Local Government (Financial Management) Regulations 1996*.
- (e) Employees will act with care, skill, diligence, honesty and integrity when using local government finances.
- (f) Employees will ensure that any use of Shire finances is appropriately documented in accordance with the relevant policy and procedure, including the [Council Policy A5 Records Management](#).

G1.24 Reporting of Suspected Breaches of the Code of Conduct

Employees may report suspected breaches of the Code to their Team Leader, any Executive Manager or the CEO, in accordance with the CEO's Operational Policy [HR12 Grievance Management and Resolution Policy and Procedure](#).

G1.25 Handling of Suspected Breaches of the Code of Conduct

Suspected breaches of the Code will be dealt with in accordance with the CEO's Operational Policy [HR11 Disciplinary Policy](#), depending on the nature of the suspected breach.

G1.26 Reporting Suspected Unethical, Fraudulent, Dishonest, Illegal or Corrupt Behaviour

- (a) Employees may report suspected unethical, fraudulent, dishonest, illegal or corrupt behaviour to their Team Leader, any Executive Manager, or the CEO in accordance with this Policy .
- (b) In accordance with the *Corruption, Crime and Misconduct Act 2003*, if the CEO suspects on reasonable grounds that the alleged behaviour may constitute misconduct as defined in that Act, the CEO will notify:
 - (i) the Corruption and Crime Commission, in the case of serious misconduct; or

- (ii) the Public Sector Commissioner, in the case of minor misconduct.
- (c) Employees, or any person, may also report suspected serious misconduct to the Corruption and Crime Commission or suspected minor misconduct to the Public Sector Commissioner.
- (d) Employees, or any person, may also make a Public Interest Disclosure to report suspected unethical, fraudulent, dishonest, illegal or corrupt behaviour, using the Shire's Public Interest Disclosure Procedures, published on the Shire's website.

G1.27 Handling of Suspected Unethical, Fraudulent, Dishonest, Illegal or Corrupt Behaviour

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

G1.28 Code of Conduct Review

The Shire of Ravensthorpe's 'Code of Conduct' is to be reviewed at least biennially by the Chief Executive Officer prior to the annual Employee performance review cycles. It is during the annual review process that Employees will be advised of any changes or amendments that have been made or are proposed. If any amendments are made a new acknowledgement statement will need to be signed by all Employees acknowledging the amendments.

STATEMENT OF UNDERTAKING

I _____ have read and understand the content of this document, being the Shire of Ravensthorpe Employee Code of Conduct, and agree to adhere to and promote the Code.

Signature

Date

Policy Name:	G1 – Employee Code of Conduct		CEO Approved:	Insert date
Versions	Decision Reference:	Decision Reference:		
1	OCM 19/11/19 – Item 13.4	Amended Policy – Separating Elected Members from Employees		
2	OCM 21/07/20 – Item 13.2	2020 - Comprehensive policy register review.		
3	OCM 19/07/22 – Item 12.1.2	2022 Comprehensive Policy Manual review – move Policy from Council Policy Manual to CEO Operational Policy Manual	Approved	23 May 2023
Legislation	s. 5.103(1) [Codes of Conduct] of the <i>Local Government Act 1995</i> r34B. [Codes of conduct about gifts] of the Local Government (Administration) Regulations 1996 r34C. [Codes of conduct about disclosing interests affecting impartiality] of the Local Government (Administration) Regulations 1996 <i>Corruption, Crime and Misconduct Act 2003</i> <i>Public Interest Disclosure Act 2003</i>			
Industry	WA Local Government Association – “ <i>Model Code of Conduct</i> ” Public Sector Commission WA – “ <i>Developing a Code of Conduct guide for Local Government.</i> ”			
Review Date:	September 2024		Responsible Executive:	CEO

HUMAN RESOURCES

HR.1 RECRUITMENT AND SELECTION MANAGEMENT

Operational Policy Purpose

The Shire of Ravensthorpe Recruitment and Selection Management Procedure (the Procedure) is designed to ensure appropriate and consistent recruitment standards are maintained throughout the Shire of Ravensthorpe operations in accordance with the principles outlined in section 5.40 of the *Local Government Act 1995 (WA)* and maximize the probability of successful recruitment and selection decisions.

Operational Policy Objectives and Principles

The Shire of Ravensthorpe (the Shire) provides a unique set of opportunities and challenges in relation to attracting and retaining Employees while ensuring an engaged and productive workforce.

With a small population base, the Shire must deliver a broad scope of works to the community in a cost effective way. In order to achieve this, the workforce must have a diverse range of skills and qualifications.

The Shire has obligations outlined in section 5.40 under the *Local Government Act 1995* to ensure the principles of merit and equity are met in the selection and promotion of Employees.

In developing a practical, merit based and cost effective recruitment strategy for the Shire, we adopt the following principles:

- a) supports local and regional advertising in recruitment campaigns to attract people currently located within the region;
- b) supports the development of internal talent in order to retain high performing Employees;
- c) recognises that for specialised positions (usually those requiring a tertiary qualification or demonstrated experience) wider advertising may be required; and
- d) recognises that the employment market changes over time requiring different recruitment strategies e.g. skills shortage in certain areas.

Policy Scope

This procedure shall apply to all areas of the Shire of Ravensthorpe organisation.

This policy covers the recruitment and selection of all Shire of Ravensthorpe vacant positions other than the Chief Executive Officer (CEO).

For the CEO recruitment and employment procedures refer to the Council Policy Manual V10; Policy G24 CEO Recruitment, Performance and Termination and as prescribed in the relevant sections of the *Local Government Act 1995* and the Local Government (Administration) Regulations 1996.

Definitions

Candidate - means any person who applies or shows interest in a role at Shire of Ravensthorpe. Candidates can apply for advertised or specific roles as well as general vacancies and expressions of interest.

Team Leader - means the person who is responsible for identifying the recruitment need and actively participating in the recruitment process in order to recruit and select a suitable candidate.

Tracking Systems - currently the Shire uses Outlook to receive electronic applications and to communicate with candidates. The two email addresses are: payroll@ravensthorpe.wa.gov.au and shire@ravensthorpe.wa.gov.au

Advertising - means all online and print publications that contain the Shire of Ravensthorpe logo are available for public viewing.

Recruitment Model - means the intention of the recruitment process at Shire of Ravensthorpe.

Region - Great Southern/ Goldfields

HR1.1 Equal Employment in the Workplace

The Shire recognises its legal, social and ethical obligations to actively promote and practice the principles of equal opportunity in all aspects of employment.

The Shire will ensure:

- all advertisements, job descriptions and titles are non-discriminatory; and
- the most suitable person is appointed to a position based on qualifications, skills, expertise and work experience.

HR1.2 Employment of family members, relatives or members of the same household

In order to adhere to the principles affecting employment by local governments under the *Local Government Act 1995* the Shire will avoid, where possible:

- the employment of family members, relatives or members of the same household within the same team or department; and
- having Employees reporting to or managing family members, relatives or members of the same household.

The aim of this is to avoid incidents or the perception of nepotism and conflict of interest within the workplace.

HR1.3 Accountabilities

Candidate	<ul style="list-style-type: none">- Apply via email or submit hard copy.- Participate in the recruitment process.- Supply all required documentation.
Team Leader	<ul style="list-style-type: none">- Complete Request to Recruitment form including appropriate approvals to commence recruitment.- Ensure position is within budget and Workforce Plan.- Review Position Description (PD) and ensure the PD is in the updated PD Shire of Ravensthorpe template.- Brief the Payroll Officer to determine position requirements and formulate recruitment strategy.- Determine appropriate selection panel (a minimum of two interviewers).- Handle enquiries related to the position as posted in advertisement.- Create an interview guide with questions to be approved by the Payroll Officer.- Take notes throughout the interview as a record of the interview.- Conduct referee checks and record responses.- Provide a recommendation to the relevant Executive Manager outlining how the preferred candidate has met the requirements outlined in the position description.

	<ul style="list-style-type: none"> - Provide a selection report of the recruitment campaign. - Ensure verbal feedback is provided to Candidates who were interviewed. - Provide feedback to Candidates on request. - Submit all recruitment documentation to Human Resources for recording.
Human Resources Representative	<ul style="list-style-type: none"> - Ensure position is within Workforce Plan or approved by CEO. - Formulate recruitment strategy with Team Leader. - Post job adverts. - Holds all applications until the closing date via email inbox payroll@ravensthorpe.wa.gov.au. - Ensure that all applicants are sent an acknowledgment email after the closing date of the advertisement. - Contact applicants to arrange interviews time and location. - Coordinate medicals and police checks with the successful applicant. - Ensure all unsuccessful applicants receive an email notification. - Provide training to Team Leaders to ensure they have the appropriate skills and resources to support a recruitment process. - Maintain and save key documentation in Synergy. - Create written employment offers. - Support Team Leader throughout recruitment process.
Executive Manager & CEO	<ul style="list-style-type: none"> - Participate in the recruitment process when required. - Approve job offers. - Sign off on selection report and preferred candidate. - Uphold policy and procedures.

HR1.4 Recruitment

The Shire of Ravensthorpe staff recruitment model is a shared responsibility between the relevant Team Leader and Payroll Officer.

HR1.5 Approval to Recruit

Prior to commencing the recruitment and selection process, the Team Leader should review the need for the position in relation to strategic and annual operation plans, the diversity of staff profiles, current staffing and skills levels, and approved budgets. The human resources representative can assist and advise the Team Leader with workforce planning activities.

The Team Leader is required to complete and seek relevant approvals on the 'Request to Recruit' form before any recruitment activity can commence. A completed signed form is to be scanned to email, payroll@ravensthorpe.wa.gov.au or placed in the Payroll/ HR in-tray.

All new roles will need to be approved by the CEO.

HR1.6 Position Description

All positions must have an up-to-date position description using the approved Shire template. The maintenance of position descriptions and ensuring they are reviewed prior to commencing a recruitment and selection process is the Team Leader's responsibility. This will form the basis for short-listing candidates progressing to interview stage.

HR1.7 Recruitment Briefing

Upon receipt of a completed and approved Request to Recruit form and position description, the human resources representative will contact the Team Leader to discuss a recruitment strategy.

The recruitment briefing will:

- Determine the Team Leader's accountabilities for the recruitment process; this will include reviewing resumes, completing interviews and liaising with human resources representative throughout the recruitment process;
- Define exactly what the department is seeking in terms of a desired candidate;
- Define the advertising/attraction strategies; and
- Establish the timelines for the recruitment process.

HR1.8 Recruitment Types and Advertising

The Shire adopts the following recruitment strategies;

a) **Recruitment**

When a role becomes available a recruitment strategy will be developed between the Team Leader and Payroll Officer. An advertising campaign will commence and the selection process as outlined in HR1.9 Advertising Strategy will commence.

b) **Internal Advertising Only**

In some cases internal advertising only, will be the preferred method of recruitment if it is determined that satisfactory skills are available from the existing workforce.

In this case the role should attract a minimum of two to three suitable internal applicants in order for a competitive recruitment process to be undertaken. For the purposes of this clause internal applicants must be Permanent Employees of the Shire.

c) **Fixed term – 12 months and less**

Where there is a critical need, direct fixed term appointments for 12 months or less without advertisement may be made under the following circumstances:

- i) Urgent operational requirement to fill role due to unplanned leave, Employee departures or significant increase in workload or critical need;
- ii) A recruitment process needs to be undertaken to fill the role on a permanent basis;
- iii) The position requirements include a unique set of skills only required for a short time; or
- iv) A business case is made and approved by the CEO.

d) **Promotion**

Identified individuals may be appointed to a more senior position without advertisement where:

- i) The Employee has been through a competitive recruitment process with the Shire;

- ii) The role is a specialised area requiring tertiary qualifications or has demonstrated experience;
- iii) Where the position description is substantially the same to the lower level however an increased level of complexity and seniority; and
- iv) The Employee is a high performing Employee demonstrating the values of the Shire.

HR1.9 Advertising Strategy

For all other recruitment all advertisements will be placed on the Shire website, Facebook page and where appropriate the local noticeboards. A variety of other forms of media may be used including print and online Local Government Employment Assist or other online job directory.

For more Senior or specialised roles or where there is a skills shortage wider advertising may be required (eg Seek, The 'West Australian' Newspaper).

The Team Leader and Payroll Officer will formulate a strategy together based on the requirements of the role.

The Payroll Officer is to upload advertisements to all required outlets.

HR1.10 Labour hire

At times, it may be more beneficial to use a Labour hire firm as opposed to recruiting a Shire Employee. This will be discussed with the Payroll Officer at the time and must be approved by the CEO. Labour hire placements should not exceed six months as a general rule (dependent upon the circumstances and type of work being conducted).

HR1.11 Confidentiality

All applications and relevant information will be treated with the strictest confidentiality, and in accordance with the national Privacy Principles.

HR1.12 Selection Process

The Shire will adopt the principle of merit in the recruitment selection processes.

The recruitment process will consist of the following steps:

1. Job advertisements;
2. Interview;
3. Reference check;
4. Medical and National Police Clearance; and
5. Pre-employment Drug and Alcohol, and Hearing tests.

a) Receipt of Applications

All applications in response to an advertisement will be acknowledged. The preferred method of communication will be via email however other formats will be made available.

b) Shortlisting Applications

The Team Leader and interview panel will;

- i) Receive an envelope from the Payroll Officer containing documents for all applicants.
- ii) Sign a Conflict of Interest in recruitment declaration.
- iii) Review all applications to create a short list of preferred Candidates based on responses in the resume and covering letter against the position requirements outlined in the Position Description, then reach a consensus on shortlist for interview as applicable; and
- iv) Arrange a suitable time and location to conduct the interview, information to be passed on to human resources representative to contact applicants and arrange interviews.

c) Interviews

- i) The interview questions will be developed by the Hiring Lead with the support of the human resources representative and used to ensure merit selection principles are applied.
- ii) The human resources representative will create interview packs for the interview panel.
- iii) All applicants will be asked the same base set of questions.

d) Reference Checking

The Team Leader will conduct one, but preferably two reference checks to qualify the outcomes of the interview. All references will be conducted in accordance with the National Privacy Principles. References are preferred from previous and/or current supervisors.

If an Employee of the Shire is aware of a suitable referee from a previous role that would be able to provide relevant information, and wishes to speak to that person, they must not do so until the applicant has given their approval to do so.

e) Pre-employment Medical Assessment

As part of Shire's commitment to health and safety, any person who is required onsite at any Shire operation must complete a Medical Assessment including Drug and Alcohol and Hearing tests prior to commencement. The medical form must be the standard Medical Assessment form as supplied by the Shire.

Pre-employment Medical Assessments should be undertaken at the cost of the Shire before an offer of employment can be made.

All candidates must be deemed medically "fit" to perform the role in which they are being recruited for.

All Medical Assessments will be conducted by the Shire's Preferred Medical Practitioner.

In the event the Pre-Employment Medical Information is not to the Shire's standard, the Shire reserves the right to withdraw the employment offer.

f) National Police Clearance

A National Police Clearance, if one has not previously been obtained within the last 3 months, should be undertaken before an offer of employment can be made. This will be at the cost of the Candidate.

In the event the National Police Clearance is not to the Shire's standard, the employment offer will be withdrawn.

g) Recommendations

The Team Leader will make a recommendation to the CEO with a Summary Selection Report of the recruitment process.

If the recruitment practice identifies that there are no suitable candidates, a review of the role requirements and strategy will be conducted.

h) Offers of Employment

Written Offers of Employment are to be prepared by the Payroll Officer for approval.

Once a written Offer is signed by the CEO the Team Leader is responsible for contacting the Candidate and making the Offer of Employment.

If the Candidate accepts the offer, the following should occur:

- i) The Team Leader contacts the unsuccessful Candidates interviewed and provides feedback, if requested;
- ii) The Payroll Officer notifies other unsuccessful candidates via email.
- iii) If a candidate requests feedback they can request this by emailing payroll@ravensthorpe.wa.gov.au.

Related Documents

- *Local Government Act 1995*
- *Local Government (Administration) Regulations 1996*
- *Fair Work Act 2009*
- *Equal Opportunity Act 1984*
- *Work Health and Safety Act 2020 (WA)*

Policy Name:	HR1 – Recruitment and Selection Management	CEO Approved:	Date: 23/05/23
Version	1		
Review Date:	September 2025	Responsible Executive:	CEO

HR2 PROBATIONARY PERIODS OF EMPLOYMENT

Policy Objective

A probationary period will apply to all full-time, part-time, fixed-term, maximum-term and casual employees commencing employment with the Shire of Ravensthorpe.

Notification upon Appointment

All Shire of Ravensthorpe (Shire) Executive Managers will endeavour to adhere to the following guidelines when establishing a probationary period for an employee:

- a) The probationary period must be committed to writing at the outset of the employment relationship, so both the Shire and Employees are clearly aware and informed of the probationary period. This may be in the form of a letter of offer, contract of employment, policy or enterprise agreement. The length of the probationary period will be determined after having regard to the nature of the position and the required time frame for assessment; and
- b) A probationary period must be determined in advance and prior to appointment;
- c) The Shire will endeavour to notify the employee in writing of their probationary period and the discretion of the Shire to extend the probationary period, in either the letter of appointment or the contract of employment.

Termination of Employment during Probationary Period

An Employee may be dismissed during a probationary period pursuant to their contract of employment. However, it is important that if an Employee's employment is terminated, that:

- a) The Shire outlines the reasons for termination; and
- b) The Employee is given an opportunity to respond to the reasons for the termination of their employment.

Permanent Appointment to Position

Where it has been decided that an Employee has performed satisfactorily in order to be granted ongoing employment, the following procedures shall be followed:

- a) The Employees permanent status will be confirmed in writing;
- b) The manager and Employee will meet to discuss any performance issues, areas of improvement and areas of positive performance, and record these discussions in writing;
- c) Any training needs of the Employee will be identified and record these training needs in writing;
- d) The Employee should be given the opportunity to provide feedback regarding the probationary process and the matters that were discussed during the probationary process; and
- e) Identify and explain areas within the Key Performance Indicators which require improvement.

Failure to complete a final probationary review within the set timeframe will not automatically result in an employee being permanently appointed to that position. If the final probationary review is not completed within the set timeframe, the employee on probation will be contacted as soon as practicable and informed that their probationary period will be extended to allow for a final assessment to be conducted.

Extension to the Probationary Period

The Shire may decide to extend the probationary period beyond the initial probationary period rather than appoint the Employee permanently. Any decision to extend the probationary period should take into account the factors outlined below:

- a) Employee absence or change in management;
- b) The Employee's performance;
- c) The guidelines set out in the relevant award, letter of employment and/or contract of employment;
- d) The measures taken during the probationary period to discuss the deficiencies of the Employee;
- e) The nature and seriousness of the deficiencies;
- f) The efforts by the employee to rectify any deficiencies;
- g) Review of the Employee's efforts to rectify their performance;
- h) Whether the nature of the work requires a longer probationary period in order to assess the Employees capacity to perform the role;
- i) Any other factor deemed relevant by the Shire.

The Employee should be informed where the Shire decides to extend the probationary period and this extension should be confirmed in writing.

Variation to this Policy

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

Related Corporate Documents

Shire of Ravensthorpe Employee Code of Conduct

Policy Name:	HR2 – Probationary Periods of Employment	CEO Approved:	Date: 23/05/23
Version	1		
Review Date:	September 2024	Responsible Executive:	CEO

HR3 CONFIDENTIAL INFORMATION UNDERTAKING

Policy Objective

To provide guidance to Employees of the Shire of Ravensthorpe (Shire) in order to protect and preserve the Shire's Confidential Information.

All Employees of the Shire must agree to abide by the terms of this Undertaking.

Policy

This policy applies to all Shire Employees, volunteers and work experience students.

Definitions

'Confidential Information' means any information, whether or not marked as confidential, owned, received, held or developed by the Shire, and which is not publicly available and relates in any manner to the operations of the Shire or their suppliers or residents including but not limited to each of the following:

- i) the Shire's Intellectual Property;
- ii) personnel, policies, business plans, marketing strategies, products, services, product and service development, finances, funding, pricing policies, or other transactions or affairs of the Shire;
- iii) customer lists, ratepayers information, databases, supplier information, partners, alliances;
- iv) trade secrets, know-how, secret or confidential operations, processes, approaches or techniques developed by the Shire in the course of its business and operations;
- v) any other information that is or may be commercially valuable to the Shire or its suppliers or clients.

'Intellectual Property' means all present and future rights to each of the following used by or on behalf of the Shire or developed in connection with the business or operations of the Shire before, during or after the employment:

- i) know-how;
- ii) trademarks, whether registered or unregistered;
- iii) inventions and improvements;
- iv) domain or business names;
- v) confidential information;
- vi) concepts, ideas and information;
- vii) processes, data and formula;
- viii) copyright, moral rights, inventions, patents, patent applications, designs; and
- ix) any other intellectual property.

Undertaking

(a) Undertaking to not Disclose Confidential Information

During and after the Employee's employment, the Employee must:

- i) not use or disclose Confidential Information unless the disclosure is required by law, or agreed to with the prior consent of the Shire Chief Executive Officer and/or Executive Managers;
- ii) not at any time during the course of the employment or subsequently, except as specifically authorised by the Shire, disclose, sell or share with any person, or copy or make use of any Confidential Information;
- iii) not allow any unauthorised person to have access to places where Confidential Information is displayed, reproduced or stored; and
- iv) take all necessary precautions to maintain the secrecy and prevent the disclosure of Confidential Information.

(b) Exceptions to Undertaking not to Disclose Confidential Information

Despite clause (a), the Employee may disclose Confidential Information;

- i) that was public knowledge when the undertaking was signed or became so at a later date, otherwise than as a result of a breach by the Employee; or
- ii) that the Employee is required by a court, a tribunal or law to disclose, in which event the Employee must inform the Shire prior to disclosure.

(c) Disclosure in the Course of the Employee's Duties

The Employee may only disclose Confidential Information pursuant to clause (b) if;

- i) the disclosure is solely to perform the Employee's duties; and
- ii) the disclosure is to persons who:
 - A. are aware and agree that Confidential Information must be kept confidential; or
 - B. have signed any confidentiality obligation required by the Shire;and either:
 - C. have a need to know, and only to the extent that each has a need to know; or
 - D. have been approved by the person or persons nominated by the Shire.

(d) Preservation of Confidential Information

The Employee must take whatever measures are reasonably necessary to preserve the Confidential Information including;

- i) complying with all security measures established to safeguard Confidential Information from access or unauthorised use;
- ii) keeping Confidential Information under the Employee's control; and
- iii) not removing Confidential Information from, or accessing Confidential Information from outside the Shire's premises, without the prior approval of the Shire.

(e) Notification of Unauthorised use of Confidential Information

The Employee must immediately notify the Shire of any suspected or actual unauthorised use, copying or disclosure of Confidential Information.

Policy Name:	HR3 – Confidential Information Undertaking	CEO Approved:	Date: 23/05/23
Version	1		
Review Date:	September 2024	Responsible Executive:	CEO

HR4 CORPORATE UNIFORM AND OUTDOOR ENVIRONMENT UV PPE CLOTHING STANDARDS

Operational Policy Objective

To provide guidance on the allocation of corporate uniforms, PPE clothing, sun protection and eye protection to existing and new Employees of the Shire of Ravensthorpe (the Shire).

To protect the health, safety and welfare of all Shire Employees. To reduce the incidence of skin cancer amongst workers who are exposed to UV rays by providing adequate protection.

Operational Scope

This policy applies to all Shire of Ravensthorpe Employees, volunteers and work experience students.

Shire Employees who work in an environment where they are exposed to UV rays shall be provided with personal protective equipment and clothing to reduce the risk of exposure to UV rays.

Responsibilities

All Shire Employees are responsible for their own personal health, safety and welfare.

In addition, Employees must avoid adversely affecting the safety and health of any other person through any act or omission.

HR4.1 Corporate Uniform

This section applies to Employees in the Administration, Childcare and Operational areas:-

- a) It shall be an employment requirement that Employees involved in these designated areas wear the required corporate uniform at all times during the performance of their duties unless a specific task necessitates otherwise. The apparel must only be worn whilst on official duty including travel to and from work.
- b) That in order to promote a corporate professional image and to be identified with the Shire, to encourage a feeling of pride amongst Employees, the Shire will provide corporate uniform clothing to the value of \$300 in the first 6 months of employment and, after successful completion of their Probation period, \$500 annually thereafter. Payment will be made direct to the supplier.
- c) That, in conjunction with the annual subsidy of \$500, the Shire will provide a payroll deduction facility/sundry debtor account, whereby Employees are permitted to repay any excess payment for the purchase of the uniform. All purchases are to be reimbursed within 6 months of purchase or by 30th June in the financial year of purchase, whichever is sooner. All outstanding monies must be reimbursed before termination of employment.
- d) Should an Employee leave the service of the Shire within six months of receiving their initial clothing order, the Employee may be required to repay 50% of the original cost of the clothing.
- e) The Shire endorses the corporate wardrobe and currently has an agreement with Local Government Corporate Collection NNT for their uniform provisions.
- f) That corporate uniforms be presented in a neat, clean and appropriate matter.

- g) That the cleaning and the repair of the corporate wardrobe is the responsibility of the individual Employee.
- h) Permanent part time Employees working less than 25 hours per week shall be entitled to a maximum of \$250 per year.
- i) To be eligible for an Employee uniform allowance under this policy the uniform must be worn to work on a regular basis.
- j) Employee uniform is not to be worn outside of workplace ordinary working hours unless representing the organisation. Incidental use before or after work is acceptable.
- k) Employees who are provided with a work uniform or protective clothing are not eligible for a uniform allowance under this policy.
- l) Employees are entitled to be reimbursed for purchases of other clothing items from a retailer of their choosing as long as the overall look is the same as those items purchased from NNT and the Executive Manager Corporate Services approves the reimbursement (e.g. pants, skirts, jackets in black/navy/charcoal, work appropriate shirts, blouses, tops, etc.). This reimbursement will be deducted from the overall annual allowance of \$500.

HR4.2 Outdoor Environment Uniform and Personal Protective Equipment

This section applies to Employees who are required to work in the outdoor environment, including the Shire Works Depot, Landfill, Building Maintenance, Rangers, Emergency Services and Child Care areas.

Rationale – Cancer Council of WA

Australia has the highest rate of skin cancer in the world. Despite being an almost entirely preventable disease, it continues to affect at least two in every three Australians before the age of 70. Of all new cancers diagnosed in Australia each year, 80% are skin cancers.

Workers who spend all or part of the day outdoors have a higher than average risk of skin cancer. This is because ultraviolet (UV) radiation from the sun is a known carcinogen.

All skin types can be damaged by exposure to UV radiation. Damage is permanent and irreversible, and increases with each exposure.

The Shire of Ravensthorpe has an obligation under the *Work Health and Safety Act 2020 (WA)* to ensure that the health and safety of Employees and other people in the workplace is not put at-risk from the work being carried out. This obligation includes taking proper steps to reduce the known health risks associated with exposure to UV radiation for outdoor work.

This policy aims to provide appropriate sun protection control measures to ensure a safe working environment and to provide ongoing education that promotes personal responsibility for skin cancer prevention.

(a) Employer Responsibilities

The *Work Health and Safety Act 2020 (WA)* states that employers must as far as practicable provide and maintain a working environment in which Employees are not exposed to hazards.

Employers are to:-

- provide and maintain equipment needed to protect outdoor workers from the sun;
- set up systems of work to reduce the amount of time Employees spend in the sun; and
- provide information, instruction, training and supervision.

The Employer must also ensure that Employees comply with the *Work Health and Safety Act 2020 (WA)* requirements through supervision.

(b) Supervisors/Team Leaders Responsibilities

Supervisors and/or Team Leaders are responsible for ensuring the health, safety and welfare of Shire outside Employees under their control and to ensure compliance with this policy.

(c) Employee Responsibilities

An Employee must, while at work, co-operate with the employer or other person so far as is necessary to enable compliance with the *Work Health and Safety Act 2020 (WA)*, the Work Health and Safety (General) Regulations 2022 (WA), Codes of Practice and Australian Standards, and Council Policy A3 Work Health and Safety Policy.

For example, an Employee **must** wear protective equipment/clothing issued for their health and safety.

(d) Clothing Protection

Shire Outdoor Environment Employees working in an environment exposed to UV rays will wear the following protective clothing and personal protective equipment at all times, when working during daylight hours:

- Long sleeved Shirts (50+UPF)
- Long trousers (50+UPF)
- Sun protective hats
- Wrap sunglasses (dark safety glasses AS1337)
- Broad Spectrum Sunscreen SPF 30+ or above.

(e) Long Sleeved Shirts / Long Trousers

Shirts worn by Employees deemed to be conducting tasks predominantly outdoors, shall be high visibility, 50+UPF quality, close weave and loose fitting to allow for air circulation and comfort. Shirts shall include the Shire crest.

Long trousers worn by Employees shall be loose fitting, made from at least 50% cotton or natural fibre and be 50+UPF quality.

(f) High Visibility Clothing

Because of the requirements for the Shire, to ensure Employees are easily seen by vehicle users, high visibility clothing (either high visibility shirt, jumper, jacket or vest),

of some description must be worn by workers while within the road reserve or near vehicle access ways.

Should over garments (eg; jumpers and jackets) be needed, then a high visibility vest must be worn over jumpers, etc.

(g) Sun Protective Hats

A sun protective hat is one that shades the face, head, ears and neck. Broad-brimmed hats, bucket hats or legionnaire style hats provide the best protection and must be worn. A hat with a wide brim reduces the amount of UV radiation reaching the face by as much as 50%.

(h) Sunglasses (dark safety glasses)

Dark safety glasses shall conform to Australian Standard AS/NZS 1337 and offer 99% protection from ultraviolet rays.

Employees that wear prescription glasses can be provided with a pair of over-glasses which will protect their prescription glasses. The Shire will only provide prescription safety glasses in special circumstances.

The Shire will provide up to one replacement pair of dark safety glasses in a calendar year. Replacement of safety glasses will only be provided when the broken pair is returned to the Works Supervisor. If additional replacement glasses are required, it will be at the discretion of the Works Supervisor who will take into account whether the previous glasses had been fairly treated.

(i) Sunscreen

Sunscreen will be provided to all Employees that are required to work in the Outdoor Environment. To provide the best protection a sunscreen that is at least 30+ SPF, broad spectrum and water resistant will be provided.

To be effective, sunscreen should be applied 20 minutes before going out in the sun, and be applied generously and reapplied every two hours.

It is recommended that sunscreen be used on the face, neck and ears all year round.

Do not keep sunscreen in the glovebox of vehicles. The most suitable place is in an esky or lunch box.

(j) Supply of Personal Protective Equipment (PPE)

The following items will be supplied on an individual needs basis:

- Safety Glasses / Over Glasses / Goggles;
- Sun protective hats;
- Hard hats;
- Hearing protective muffs;
- Hearing protective plugs;
- Dust masks;
- Gloves;
- Safety footwear;

and any other safety equipment recommended by Worksafe WA.

(k) Administrative Controls

When UV levels are 3 and above, management will where possible:

- Schedule outdoor work tasks for earlier in the morning or later in the afternoon;
- Schedule indoor/shaded work tasks to occur in the middle part of the day;
- Encourage Employees to rotate between indoor/shaded and outdoor tasks to avoid exposing any one individual to UV radiation for long periods of time.

(l) Clothing – Replacements on a 'Fair Wear and Tear' Basis

The Shire will replace items, only if the unserviceable item/s are returned to the Works Supervisor.

The Employee is responsible for the maintenance and safe-keeping of all personal protective equipment at all times.

Document Control Box							
Custodian:	Chief Executive Officer						
Decision Maker:	Chief Executive Officer						
Compliance Requirements:							
Legislation:	Work Health and Safety Act 2020 (WA) Work Health and Safety (General) Regulations 2022 (WA) Occupational Safety & Health Regulations 1996 AS/NZS 4399:2017 Sun Protection Clothing – Evaluation and Classification AS/NZS 2604:2012 Sunscreen Products – Evaluation and Classification Australian Standard AS/NZS 1337						
Industry:	Sun-Protective Clothing Information Sheet https://www.sunsmart.com.au/downloads/resources/info-sheets/sun-protective-clothing-info-sheet.pdf						
Organisational:	Council Policy A3 - Work Health and Safety Policy						
Document Management:							
Risk Rating:	Low	Review Frequency:	Every Four Years	Next Due:	2026	Ref:	
Version #	Decision Reference:		Description				
1.	OCM 18/08/20 – Item 13.3		2020 - Comprehensive policy register review.				
2.	OCM 19/07/22 – Item 12.1.2		2022 Comprehensive Policy Manual review – transferred from the Council Policy Manual to the CEO Operational Policy Manual. Minor amendments made to the document including Sun Smart information.				
3.	CEO Approved		23/05/23 – CEO Operational Policy Manual				

HR4 ANNEXURE - CORPORATE EMPLOYEES UNIFORMS

Corporate uniform allocation for Administration Employees

- Shirt/Blouse – Short or long sleeves, Embroidered with the Shire Logo on the Left hand Side
- Dress, Skirt – choice from supplier
- Pants – Three Quarter Pants or longer
- Jackets, Jumpers or Cardigans – short or long sleeved (no hoods), embroidered with the Shire Logo on the left hand side
- Appropriate footwear (no thongs)
- Minimum of 1 x Team Shire Polo Shirt. Any additional Team Shire Polo Shirts will be deducted from the Staff member's uniform allowance.
- Uniform allocated to Casual or Part Time Staff as per percentage of days or hour worked per week as approved by the Executive Manager Corporate Services.

Additional payment will only be provided to replace damaged uniform items while undertaking work duties;

- A damaged uniform payment only up to \$40 per item not supplied by the Shire as approved, reimbursed on presentation of receipts and approved reimbursement form

Each new Employee will be provided the following uniform allowance on commencement;

- A start up uniform allowance up to \$300 reimbursed on presentation of receipts and approved reimbursement form.

Each new Employee who has completed Probation;

- Minimum of 1 x Team Shire Polo Shirt
- A commencement uniform allowance up to \$500 reimbursed paid on presentation of receipts and approved reimbursement form.

Annual allocation to each Employee not on Probation;

- A annual uniform allowance up to \$500 reimbursed paid on presentation of receipts and approved reimbursement form

Childcare/Early Learning Staff

- Polo Shirt – Green – Short or long sleeves, embroidered with the Shire Logo on the Left hand Side
- Skirts – as available by Supplier
- Pants – long or $\frac{3}{4}$ length (no leggings)
- Shorts
- Jackets, Jumpers or Cardigans – Short or long sleeves with no hoods – Embroidered with the Shire Logo on the Left hand Side
- Wide Brim Hat with skirt to cover neck – Embroidered with Shire Logo in middle at the front
- Appropriate footwear
- Minimum of 1 x Team Shire Polo Shirt
- Uniform allocated to Casual or Part Time Staff as per percentage of days or hour worked per week

Each new Employee will be provided the following uniform allowance on commencement;

- 3 x Polo Shirts
- 1 x Wide Brim Hat
- 1 x Sunscreen
- A start up uniform allowance of \$200 reimbursed on presentation of receipts and approved reimbursement form

Each new Employee who has completed Probation;

- 2 x Polo Shirts
- 1 x Beanie
- Minimum of 1 x Team Shire Polo Shirt
- A commencement uniform allowance of \$200 reimbursed on presentation of receipts and approved reimbursement form.

Annual allocation to each Employee not on Probation;

- 3 x Polo Shirts
- An annual uniform allowance of \$400 reimbursed paid on presentation of receipts and approved reimbursement form.

Additional payment will only be provided to replace damaged uniform items while undertaking work duties;

- A damaged uniform payment only up to \$40 per item not supplied by the Shire as approved, reimbursed on presentation of receipts and approved reimbursement form

Operational Workforce (Cleaners, Landfill, Building and/or Works Depot Staff)

- **Shirts** – Yellow and Navy Blue – Can be Button up or Polo with Long Sleeves (Shirts must be 50+UPF) – Embroidered with the Shire Logo on the Left hand Side and option of Name on Right Hand Side
- **Wide Brim Hat** with or without skirt to cover neck – Navy Blue – Embroidered with Shire Logo in middle at the front
- **Bomber Jacket** – Yellow and Navy Blue – Long Sleeve – Embroidered with the Shire Logo on the Left hand Side and option of Name on Right Hand Side
- **Fleecy Jumper** – Yellow and Navy Blue – Long Sleeve – Embroidered with the Shire Logo on the Left hand Side and option of Name on Right Hand Side
- **Pants** (Drill Type or Jeans) – Navy Blue – Long
- **Beanie** – Navy Blue – Embroidered with Shire Logo in middle at the front
- **Boots** Steel Cap – Lace or Zip up – Shoe or Boot
- **Water Bottle** – 5Ltr
- **Gumboots** Steel Cap – Black or Grey
- **Wet Weather Jacket and Pants** – Yellow with High Vis Strips on Jacket and Pants – Set
- **Safety Glasses** – Wrap around tinted or not – Quality certified to meet Australian Standards and fit for purpose
- **Ear Muffs** – Wrap around or Over Head – Quality certified to meet Australian Standards and fit for purpose
- **Sunscreen** – To be 30 + and meet Australian Standards
- **Gloves** – Quality and fit for purpose
- **High Visibility Vest** Yellow with Reflective Stripes
- Minimum of 1 x Team Shire Polo Shirt
- Uniform allocated to Casual or Part Time Staff as per percentage of days or hour worked per week as approved by the Employees Director.

Each New Staff Member will be issued the following on commencement;

- 3 x Pants
- 3 x Shirts
- 1 x Wide Brim Hat
- 1 x Bomber Jacket
- 1 x Boots Steel Cap
- 1 x Water Bottle
- 1 x Safety Glasses
- 1 x Sunscreen
- 1 x High Visibility Vest
- 2 x Set of Gloves

Each New Staff Member Completed Probation;

- 2 x Pants
- 2 x Shirts
- 1 x Fleecy Jumper
- 1 x Beanie
- Minimum of 1 x Team Shire Polo Shirt

Annual allocation to each Staff not on Probation;

- 3 x Pants
- 3 x Shirts

Following Items are only to be provided if deemed a requirement for the position;

- 1 x Gumboots Steel Cap
- 1 x Wet Weather Jacket and Paints – Set
- 1 x Ear Muffs
- 2 x Set of Gloves

Following items can only be replaced new for old at any time if damaged or unsafe;

- Pants
- Shirts
- Wide Brim Hat
- Bomber Jacket
- Fleecy Jumper
- Beanie
- Boots Steel Cap
- Water Bottle
- Gumboots Steel Cap
- Wet Weather Jacket and Paints
- Safety Glasses
- Ear Muffs
- Sunscreen

AIRPORT ATA / Ranger

- 3 Hi vis shirts long sleeve
- 3 Pants drill or denim work pants
- 3 Ranger blue shirts long sleeve
- 3 Pants drill blue
- 1 wide brim hats in plain colours eg, black, brown, beige
- 1 Baseball cap
- 1 Fleece jumpers
- 1 Hi Vis vest – lined wind breaker
- 1 High Vis Vest – Shire
- 1 High vis vest (Ranger)
- 1 vest lined (High Vis)
- 2 Bomber jackets (1 for Airport work and 1 for Ranger work)
- 2 Rain Jackets
- 2 wet weather pants
- 1 Beanie
- 1 Steel cap boots
- 1 water bottle
- 2 safety glasses
- 1 ear muffs
- 3 pairs of work gloves
- 1 Shire team polo shirt

Some items are required for both the Airport and Ranger Services. As the Airport job gets the clothes and outer wear dirty and stained, separate items are needed as a Ranger.

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ARO / Ranger

- 5 High Vis Shirts
- 5 pants drill or denim work pants
- 1 Ranger blue shirt long sleeve
- 1 Pants drill blue
- 1 wide brim hat in plain colours eg, black, brown, beige
- 1 Baseball cap Ranger Logo
- 1 Hi Vis vest – lined wind breaker
- 1 Light Hi Vis Vest Shire Logo / Ranger across back
- 2 Bomber jackets (1 for Airport 1 for Ranger)
- 2 Rain Jacket (1 for Airport 1 for Ranger)
- 2 wet weather pants
- 2 safety glasses
- 2 Beanie (1 for Airport work 1 for Ranger work)
- 1 Steel cap boots
- 3 work gloves
- 1 Shire team polo shirt

HR5 EMPLOYEE SUPERANNUATION SALARY SACRIFICE

Policy Objective

To document the circumstances where the Shire will provide opportunities for staff superannuation salary sacrifice and the provision of a Shire Co-Contribution scheme to encourage staff members to save for their retirement.

Policy

The Shire of Ravensthorpe offers, at its discretion, superannuation salary sacrifice to eligible Employees in accordance with appropriate legislation, award provisions and policy provisions as follows:

- a) An eligible Employee is a member of a registered Superannuation Plan who is covered by award provisions that provide for salary sacrifice.
- b) The provision of normal superannuation salary sacrifice is offered on the basis that:
 - There is no additional cost or significant administrative burden to the Shire as deemed by the Chief Executive Officer.
 - That all provisions comply with taxation, superannuation and award requirements and salary sacrifice contributions are made direct to a registered superannuation fund from Shire remittances.
- c) There are no maximum salary sacrifice caps imposed by the Shire, however Employees should familiarise themselves with superannuation concessional caps imposed by the Australian Taxation Office.
- d) In operation with regular superannuation salary sacrifice arrangements the Shire of Ravensthorpe provides a co-contribution scheme whereby the Shire will match additional salary contributions to a superannuation fund by an Employee, or as otherwise negotiated with contracted Employees. The maximum amount is capped at an additional 5% of the Employees base salary. This additional payment is designed to encourage Shire Employees to plan and adequately save for their retirement.
- e) The Shire shall ensure that the provision of superannuation salary sacrifice complies with taxation and other relevant laws.
- f) Council reserves the right to withdraw the superannuation salary sacrifice provision and co-contribution scheme where such provisions do not continue to comply with legislative requirements, conditions as specified above, or exceeds the financial capacity of the organisation in the case of co-contributions.
- g) Superannuation is a complex issue. Employees are advised to seek the services of a financial adviser or superannuation specialist to determine the most favourable option for their personal situation.

Note: If a conflict arises in respect to this Policy between any Shire of Ravensthorpe Enterprise Bargaining Agreement or individual contract of employment then the Enterprise Bargaining Agreement or individual contract of employment will have precedence and be applicable to the relevant Employee's conditions of employment.

Document Control Box							
Custodian:	Executive Manager Corporate Services						
Decision Maker:	Chief Executive Officer						
Compliance Requirements:							
Legislation:	Superannuation Guarantee (Administration) Act 1992 Local Government (Employee Superannuation) Regulations 2016						
Industry:							
Organisational:	Shire of Ravensthorpe Enterprise Bargaining Agreement						
Document Management:							
Risk Rating:	Medium	Review Frequency:	Biannual	Next Due:	2022	Ref:	
Version #	Decision Reference:		Description				
a)	OCM 21/07/20 – Item 13.2		2020 - Comprehensive Council policy register review.				
b)	OCM 19/07/22 – Item 12.1.2		2022 – Comprehensive Council Policy Manual review.				
c)	OCM19/07/22 – Item 12.1.2 – Resolution 41/22		Policy Repealed from Council Policy Manual and transferred to CEO Operational Policy Manual				
d)	CEO Approved 23/05/23		CEO Operational Policy Manual				

HR6 EMPLOYEE PERFORMANCE MANAGEMENT AND DEVELOPMENT POLICY AND PROCEDURE

To be completed

HR7 FITNESS FOR WORK, DRUG AND ALCOHOL POLICY

Operational Policy Objectives

The objectives of introducing a Fitness for Work, Drug and Alcohol Policy are to:-

- a) ensure that no person's health and safety is adversely affected by an Employee working while Under the Influence of Drugs and/or Alcohol; and
- b) to assist the Shire of Ravensthorpe fulfil all relevant legal obligations in regard to Employee safety.

This policy applies to all Employees and is not aimed at regulating an individual's private behaviour outside the workplace, providing that behaviour does not have a residual effect on work performance.

The purpose of this policy is to detail the guidelines and actions required to manage an Employee's fitness for work within the workplace, including:

- illicit Drug use;
- Alcohol use;
- prescription medication;
- other medication;
- fatigue;
- mental health; or
- any other factors where concentration and agility of an Employee is affected.

Operational Policy Statement

The Shire of Ravensthorpe (the Shire) recognises its obligation to provide a safe and healthy working environment for all Employees through the provision of safe systems of work and safe plant and equipment. The Shire's safety management system is implemented throughout the Shire with a risk management focus and with the aim of eliminating hazards associated with unsafe work practices as a result of inappropriate Drug or Alcohol use.

The Shire considers that Employees who are Under the Influence of Drugs and/or Alcohol during Work Hours present a potential risk to their own safety, other Employees, and members of the public especially considering Council's broad range of activities and number of Employees. Therefore, all Employees have a responsibility not to be Under the Influence of Drugs or Alcohol during Work Hours.

The Shire has an Employee Assistance Program (EAP), which provides Employees with access to professional counselling in relation to Drugs and Alcohol. Details regarding the Shire's EAP are available from the Human Resources Officer.

Whilst Council is committed to supporting Employees through its EAP, Council recognises the need for appropriate and consistent action where an Employee is found to be Under the Influence of Drugs or Alcohol that may adversely affect their safety or productivity, or the safety, productivity or morale of other Employees during Work Hours.

Accordingly, as set out in this Policy, the Shire has discretion to conduct Drug and Alcohol testing of Employees to ensure that the objectives of this Policy are met.

Operational Policy

This policy should be read in conjunction with the Shire of Ravensthorpe (the Shire) [Policy G1 Employee Code of Conduct](#), where if there is any inconsistency, then the adopted Employee Code of Conduct shall prevail.

This policy outlines guidelines and the expectations of the Shire to demonstrate a duty of care under the *Work Health and Safety Act 2020* and the *Work Health and Safety Regulations 2022* and other relevant statutory requirements to identify and control the incidence of risk of injury or accident, or damage to Shire equipment, plant, machinery or property, as a result of an Employee being Unfit for Work.

Employees found to be under the influence of or suffering from the adverse effects of Drugs, Alcohol or any other substance whilst at work will be disciplined in accordance with [Policy HR11 Disciplinary Policy](#). Serious or repeat offences may result in instant dismissal as per [Policy HR11 Disciplinary Policy](#).

Drug and Alcohol tests may also be applied to Contractors. Any positive result shall result in immediate removal of the person or persons from site.

HR7.1 Definitions

For the purpose of this Policy the following definitions apply:

Accredited Laboratory – means a testing facility accredited by the National Association of Testing Authorities to conduct testing under AS/NZS 4308:2008.

Alcohol – means liquor as defined in the *Liquor Control Act 1988*.

Authorised Officer – Direct Supervisors, Executive Management Team Member or the Payroll Officer.

BAC – Blood Alcohol Concentration

Confirmed Positive Result - means the result from an Accredited Laboratory or Accredited Practice confirming that the presence of a substance being tested for exceeds the target concentration specified in AS/NZS 4308:2008.

Drugs – Drug means any Illegal Drug or Medication.

Employee – means all Employees of the Shire, whether employed on a permanent, temporary casual, or part-time basis and includes volunteers, Councillors, job applicants and Employees of businesses and entities contracted to provide services to, or on behalf of Council.

Executive Team Member – CEO or Executive Manager.

Fatigue – the inability to perform work effectively or safely due to lack of sleep, or the adverse effects of medication, Alcohol, Drugs and/or other substances (including “hangovers” and/or “come downs”, etc).

Fit for Work – not being under the influence of or affected by the adverse effects of Drugs, Alcohol or any other substance, mental health impediment or not being fatigued.

Fitness For Work Process (FFWP) – the Shire’s fair and reasonable process of return to work as a result of illness, injury and/or absence from work with a known condition.

High Risk Activities – includes but is not limited to the following activities:

- a) High risk construction work as defined by the Work Health and Safety (General) Regulations 2022 (WA) and *Work Health and Safety Act 2020 (WA)*;
- b) High risk work as defined by the Work Health and Safety (General) Regulations 2022 (WA) and *Work Health and Safety Act 2020 (WA)*;
- c) Operating vehicles requiring a LR licence or above;
- d) Operating earthmoving equipment;
- e) Traffic control;
- f) Handling hazardous chemicals;
- g) Electrical work;
- h) Operation of chainsaws;
- i) Operation of demolition saws;
- j) Operation of stump grinders and/or wood chippers;
- k) Welding and/or grinding activities; and/or
- l) Childcare.

Illegal Drug – means any Drug prohibited by any State, Territory or Federal law in Australia or any other laws (including foreign and international laws) to which Council is subject or which apply to the work performed by Employees and includes prescription or over the counter medications which are used without the necessary prescription or for purposes for which they are not intended.

Impaired Work Performance – sudden or gradual deterioration in a person's ability to function appropriately at work.

Law – includes Council policies and local laws.

Medication – means a prescription or over the counter medication which may impact upon an Employee's ability to perform their role safely or efficiently, or may return a Non-Negative Result if subjected to a Drug test. In this policy, Medication does not include prescription or over the counter medications which are used without the necessary prescription or for purposes for which they are not intended.

Mental Health – any psychological condition that may create a perceived risk to self or others in the workplace.

Misuse – inappropriate use of a substance on the Shire of Ravensthorpe premises or property, including overdose of a Drug or the failure to take a prescribed Drug in accordance with medical advice.

Negative Result – means the result from the first test of a Drug test sample that indicates no presence of a substance being tested for.

Non-Negative Result – means the result from the first test of a Drug test sample that indicates that there may be a presence of a substance being tested for.

Over the Limit – means the result from a breath sample which indicates a BAC correlated with being Under the Influence of Drugs or Alcohol.

Qualified Collector – means a person from the Testing Provider who has been trained and assessed as competent in the use of Drug and/or Alcohol testing equipment in accordance with the Australian Quality Training Framework (AQTF) requirements.

Reasonable Suspicion of being under the Influence of Drugs or Alcohol – means where an Authorised Officer forms the belief that an Employee shows signs of being Under the Influence of Drugs or Alcohol.

Significant Incident – means an incident that did or could have resulted in serious injury or illness to people, danger to health, and / or damage to property or the environment.

Substance – any Drug that may have adverse effects causing impaired work performance.

Team Leader/Supervisor - line manager that an Employee reports to.

Testing Provider – means collecting agency as defined in AS/NZS 4308:2008 and AS 4760:2006.

Under the Influence of Drugs or Alcohol – means for all Employees, a Confirmed Positive Result.

Under the Limit – means the result from a breath sample which indicates a BAC correlated with not being Under the Influence of Drugs or Alcohol.

Work Hours – means core working hours, during call out activities, break times, the period of travel to and from work from the Employee's residence, and attendance at Council functions or functions where the Employee has been invited as a Council representative.

HR7.2 The Individual's Responsibility

In accordance with the *Work Health and Safety Act 2020*, workers must take reasonable care of their own safety and health and not endanger the safety and health of others at the workplace.

The consumption of Alcohol and/or Drugs while at work is unacceptable.

Employees are required to present themselves for work and remain, while at work, capable of performing their work duties safely. An Employee who is Under the Influence of Alcohol and/or Drugs at the workplace, or is Impaired, may face disciplinary action including possible termination of employment.

All Employees are expected to comply with the Shire's [Employee Code of Conduct](#) at all times. They should carry out their duties in a professional, responsible and conscientious manner and refrain from any conduct (including Alcohol abuse or substance misuse) which could adversely affect their personal work performance and/or the safety and well-being of others.

HR7.3 Consumption of Alcohol on the Shire Premises

Except in situations where the Shire holds a function on the premises and Alcohol is provided, Employees must not bring in and/or consume/or sell Alcohol in the workplace.

HR7.4 Drug Use on the Premises

Employees who buy, take, or sell Drugs on Shire premises, may be found to have engaged in serious misconduct. Such behaviour will result in disciplinary action up to and including dismissal and may be referred to the relevant authorities.

HR7.5 Prescribed and Over the Counter Medications

Employees using Medications (prescribed and/or Over the Counter Medications) must:-

- a) follow their Medical Practitioner's instructions in respect of prescribed or over the counter medications. If the medication affects an Employee's ability to perform a task safely and efficiently, they must advise their Team Leader or an Executive Manager.
- b) not commence duties if their doctor or pharmacist indicates that it would not be safe to do so.
- c) provide to the Payroll Officer, upon request, a Certificate or letter from their Medical Practitioner listing the Employee's Medication and certifying that they are able to work safely (considering the Employee's role requirements).

Employees are not required to disclose the nature of the condition being treated.

The categories of Drugs and substances prohibited by the Shire are outlined as per the Australian Standard AS 4308 for Drugs of Abuse.

It is recommended for the Employer to record any information regarding an Employee taking prescription Medication or any known allergic reactions to any Medication an Employee may have (ie penicillin), that may be referred to in the case of a medical emergency.

Failure to follow these requirements may result in disciplinary action.

Upon being notified, and prior to undertaking work, the Team Leader/Supervisor, in consultation with the Payroll Officer/Executive Manager must ensure tasks allocated to the Employee for the duration of the effect of their Medication are suitable and will not jeopardise the safety of the Employee or others.

The Team Leader/Supervisor must monitor the Employee's performance to ensure tasks are undertaken safely. If it is deemed that there are no suitable duties available for the Employee, the Employee is able to access leave entitlements until they are able to return to work without restrictions.

If the Medication is determined by a Medical Practitioner to place the Employee or others at risk, the Employee may be stood down from work and required to use accrued leave entitlements until the risk has passed. The Employee's Executive Manager may offer the Employee the opportunity to transfer to an alternative position if available, having regard to the Employee's skill set, ability and capacity, as well as the directions of the Medical Practitioner.

Where an Employee has been advised that the Medication will not adversely influence their capacity to work safely and efficiently, however it may return a Non-Negative Result through Drug and/or Alcohol testing, they must still produce a Letter or Certificate from their Medical Practitioner certifying that they are able to work safely (considering the Employee's position requirements) if requested.

HR7.6 Alcohol

(to be read in conjunction with Clause HR7.7 Drug and Alcohol Testing, (c) Reasonable Suspicion of being under the Influence of Drugs or Alcohol)

Employees under the influence of Alcohol will not be permitted to work on the Shire premises or use Shire equipment, motor vehicles and/or operate plant machinery.

Employees will be given the opportunity to self-test for Alcohol prior to commencing work to determine their Fitness for Work. The Shire's Authorised Officers may supervise the self-testing of staff.

If an Employee deems him/herself fit for work, commences work and subsequently appears impaired due to the influence of Alcohol including working under the adverse effects of Alcohol, will be stood down from their duties and taken for a blood Alcohol test to the Shire's Preferred Medical Practitioner.

If the Employee operates vehicles or plant machinery and is found to have a Confirmed Positive Result, then instant dismissal may follow.

All Employees in charge of Council vehicles and/or plant machinery may be required to provide a breath, urine and/or other sample prior to operating a vehicle or plant machinery, to ensure compliance with the provisions of this Policy.

HR7.7 Drug and Alcohol Testing

Employees must have the capacity to perform their duties safely. Therefore, the Shire intends to conduct Drug and Alcohol testing as outlined below:

a) Pre-Employment Medical Tests

As part of the recruitment selection process, preferred candidates for employment positions will be required to attend a medical assessment at the Shire's Preferred Medical Practitioner, which includes Drug and Alcohol testing.

An applicant who through testing is deemed to be Under the Influence of Drugs and/or Alcohol will not be able to progress in their application for employment.

b) Discretionary Testing

The Shire may undertake discretionary testing at any time throughout the year.

Testing shall be conducted in accordance with the Australian Standard AS/NZS 4308:2008 – procedures for specimen collection and the detection and quantitation of Drugs of abuse in urine..

c) Reasonable Suspicion of being under the Influence of Drugs and/or Alcohol

If the Shire has reasonable grounds to believe that an Employee is affected by Drugs and/or Alcohol, it will take steps to address the issue.

Employees who believe that another Employee is Under the Influence of Drugs and/or Alcohol during Work Hours must notify the other Employee's Authorised Officer as soon as practicable.

What amounts to a Reasonable Suspicion of being Under the Influence of Drugs and/or Alcohol will depend on the specific situation, and it is important to exclude other factors such as stress or fatigue or another medical condition. However, a non-exhaustive list of factors that may give rise to a Reasonable Suspicion of being Under the Influence of Drugs and/or Alcohol may include:

- an admission of being Under the Influence of Drugs and/or Alcohol;
- uncharacteristic and unexplained changes in speech, movement or appearance;
- erratic behaviour or manner; and
- possession of Drugs and/or Alcohol.

If the Shire suspects that an Employee is not fit for work it may:-

- direct an Employee to attend a Shire preferred medical practitioner and submit to a medical assessment to determine whether the Employee is fit to safely perform their duties; and/or
- require that an Employee undergo Drug and Alcohol testing administered by the Shire's Preferred Medical Practitioner, and/or
- direct an Employee to go home.

A medical assessment may include a Drug and/or Alcohol test. Testing shall be conducted in accordance with the Australian Standard AS/NZS 4308:2008 – procedures for specimen collection and the detection and quantitation of Drugs of abuse in urine.

In circumstances where an Employee indicates the consumption of prescription or pharmacy Drugs, the Shire may request further information from the medical practitioner conducting the assessment about the effects and proper usage of the prescription or pharmacy Drugs being taken. The Shire may direct the Employee to go home following the medical assessment until it can be established that they are fit to undertake their duties.

If an Employee refuses to attend a medical examination or refuses to submit to an Alcohol or Drug test, the Employee will immediately be directed to go home. Refusal to attend a medical assessment or refusal to go home, constitutes a breach of this policy and may result in disciplinary action being taken against the Employee up to and including the termination of employment.

The following steps are to be taken where an Employee who has submitted to a medical assessment returns a positive test result for Alcohol and/or Drugs:-

- the Employee tested and the Team Leader (or Executive Manager) will be informed of the result;
- the Payroll Officer/Executive Manager Corporate Services will check if the Employee has submitted a Declaration of Medication prior to the test;
- a disciplinary discussion will take place in accordance with the CEO's Operational [Policy HR11 Disciplinary Policy and Procedure](#).

A breach of this policy may result in disciplinary action being taken against the Employee up to and including termination of employment.

Note:

Where there may be a time lapse between the tests being undertaken and the results being received, the Employee if sent home, will be paid. However, if the test results are returned positive the Employee's pay for the relevant period will be forfeited.

d) **Post Incident**

An Employee may be required to undergo Drug and Alcohol testing following a Significant Incident.

HR7.8 Drug Test Results

a) **Negative Result**

If an Employee produces a sample which records a Negative Result, they will be considered fit for work and will return to normal duties.

b) Non-Negative Result - Declared Medication

Employees will be given an opportunity to declare Medication prior to the test being undertaken.

If following a declaration by an Employee, they produce a sample which records a Non-Negative Result for a substance known to be in the declared Medication, the Employee will be considered fit for work and will return to normal duties provided they have medical evidence from a medical practitioner stating they are able to work safely (considering the Employee's position requirements) whilst taking the Medication. The Employee must also declare that they are not taking any substance other than the declared Medication as intended.

If the Employee has declared the use of Medication prior to testing, however is not able to produce clearance from a medical practitioner stating that they are able to safely work whilst taking the Medication, they will have 48 hours to provide the medical evidence. The Employee will be stood down from work duties without pay until the documentation is produced.

The initial non-negative sample will be sent to an Accredited Laboratory to confirm solely the presence of the declared Medication. If a result is returned not consistent with the declared Medication, the Employee will be immediately stood down and will be required to show cause as to why their employment should not be terminated.

c) Non-Negative Result

If the Employee produces a sample which returns a Non-Negative Result for a substance not known to be in the declared Medication or the Employee has not declared Medication, they will be immediately stood down from work without pay.

The non-negative sample will be sent to an Accredited Laboratory for confirmatory testing.

Arrangements will be made for the Employee to return home safely, as they will not be able to drive a Council or personal vehicle. The Employee is responsible for collection of their personal vehicle if applicable.

d) Return to Work - Confirmed Negative Result

If subsequent confirmatory testing of the non-negative sample returns a Negative Result, the Employee will be eligible to return to work immediately and no loss of pay will apply for the time stood down.

HR7.9 Drug / Alcohol Treatment Programs

Where an Employee acknowledges that they have an Alcohol or Drug problem and are receiving help and treatment, the Shire may provide the following assistance to the Employee:-

- Allow an Employee to access any accrued personal or annual leave whilst they are undergoing treatment; and
- Will take steps to return an Employee to their employment position after completion of the treatment program, if practicable in the circumstances.

Where an Employee acknowledges that they have an Alcohol or Drug problem and are receiving help and treatment, the Team Leader or an Executive Manager will review the full circumstances and agree on a course of action to be taken. This may include redeployment to suitable alternative employment, or possible termination from employment if the Employee is unable to safely carry out the requirements of their role.

HR7.10 Responsibilities

The Shire considers that the use of Alcohol or other Drugs is primarily a health issue for individual Employees, however, when an Employee's performance or conduct affects his/her health and safety, and/or others in the workplace, the Shire is committed to appropriately managing the issue.

A likely outcome of any breach of this policy will be disciplinary action (up to and including termination of employment), however the Shire may also manage the issue by:-

- providing appropriate education and training to Employees;
- providing professional counselling and support where needed.

HR7.11 Senior Management Responsibilities– Consumption of Alcohol at Work Sponsored Functions

There may be occasions when Alcohol may be included as part of a work function or other recognised work event.

Where management has properly approved the consumption of Alcohol, Employees must continue to behave in a sensible and responsible manner with due care for their own and other people's safety and wellbeing. Failure to behave in a sensible and responsible manner with due care, or any failure to follow any directions given by management with regard to the consumption of Alcohol may result in disciplinary action.

Executive Managers/Team Leaders shall:

- ensure their staff make alternative arrangements for transport to and from work prior to the function;
- ensure that the following is made available: Low Alcohol beer, soft drinks and water. Beverages: Tea, Coffee and Food;
- if the Executive Manager/Team Leader believes a person may be Under the Influence, assist the person with safe transport home (including contacting a family member or arranging a taxi); and
- if the Executive Manager/Team Leader has to leave the function early, appoint a delegate to oversee the rest of the function.

HR7.12 Fatigue

Fatigue can be the result of many different situations. Due to this, this policy will directly reflect the implications of fatigue through the following external triggers (but are not limited to):

- lack of sleep due to illness or other personal issues
- voluntary work
- other external work commitments

In the interest of safety and health it is important that Employees remain alert and function at full capacity whilst at work. When affected by fatigue, actions may be impaired through lack of concentration and poor judgement, therefore increasing the potential to cause injury or harm to themselves, other personnel or members of the public.

It is the Shire's policy to provide a safe place of work for its Employees. It is an Employee's responsibility to report to their Team Leader any other work commitments or voluntary commitments outside their employment with the Shire that may impact accordingly.

Depending on the circumstances, the Shire may agree to come to a compromise with the Employee to ensure there is an equilibrium between regular hours worked at the Shire, sleep/rest and additional hours worked elsewhere (including paid and voluntary work).

If deprivation of sleep is the cause of fatigue due to other external circumstances (that are not listed above), Drug and Alcohol testing may be required. Refer to '[Clause HR7.7 Drug and Alcohol Testing](#)' above.

If sleep deprivation is due to illness or personal issues the Shire will endeavour to find a short term compromise and support the Employee in whatever capacity is appropriate.

In circumstances where the Employee is unfit to remain at work as to the judgement of their employer, the Employee may be stood down from work for the remainder of the day and depending on the circumstances this may occur with or without pay.

HR7.13 Mental Health

The Team Leader should, in the first instance, have a discussion with the Employee from the perspective of a well-being check to see how the Employee is doing and whether they would like to have time off work or discuss alternative work arrangements if appropriate, required, and whether the Shire is able to cater for it.

Following on from such discussions, if the Team Leader has concerns; about the safety of the Employee, the workplace, any other Employees or members of the public, the Shire may request that the Employee undergo a Fitness for Work Process. This is an approach based on the requirement that Employees are fit to perform their roles and are an essential part of an employer's obligation at common law and under safety legislation [Work Health and Safety Act 2020 \(WA\)](#) to provide a safe workplace.

Requesting an Employee to participate in a Fitness for Work Process, including an independent medical examination by the Shire's preferred medical practitioner, is an important tool in meeting safety obligations.

HR7.14 Employee Assistance Program

The Shire has engaged an organisation to implement an Employee Assistance Program to provide assistance to all Employees and their families on a voluntary and confidential basis.

The aim of the Employee Assistance Program is to provide access for all Employees and their families to a competent external agency for assessment of, and assistance with, personal and/or work related problems. The expectation is that early identification of problems and the counselling given will improve quality of life and work performance of individuals entering the program.

The program shall extend to all Employees of the Shire (at all levels) and their immediate family members. It shall be provided free of charge to all Employees and their immediate family members.

HR7.15 Fitness for Work Process (FFWP)

In the context of fitness for work, the Shire will follow a fair and reasonable process that is well-documented when making decisions to assist with managing industrial risk whilst aiming for a return to work in the most reasonable timeframe.

HR7.16 Employee Participation in the Fitness for Work Process (FFWP)

The Shire may request an Employee to undergo a FFWP for the following reasons:

- an Employee has an illness or injury affecting their ability to undertake the inherent requirements of their role, and/or
- an Employee has been absent from work for a period of time with a known injury or illness and the Employee is seeking to return to work.

The right of the Shire to request an Employee to participate in a FFWP will be 'lawful and reasonable' and whether the request is reasonable will depend on the circumstances of each case.

The relevant considerations to determine if a request is reasonable may include the following:

- whether there is a genuine indication of the need for the examination such as prolonged absences from work, absences without explanation or evidence of an illness which relates to the capacity to perform the inherent requirements of the job?
- whether the Employee has provided adequate medical information which explains the absences and demonstrates fitness to perform duties?
- whether the workplace is particularly dangerous or risky?
- whether there are legitimate concerns that the Employee's illness will impact on others in the workplace?
- whether the Employee agreed to the assessment by the practitioner selected by the employer?
- whether the Employee has been advised of the details of the conduct which led to the concerns that they are not fit for duty?
- whether the medical assessment is truly aimed at determining, independently, whether the Employee is fit for work?

HR7.17 Steps involved in a Fitness for Work Process (FFWP)

The following steps are to be taken by the Team Leader in consultation with Human Resources in the context of undertaking a FFWP:

- a) Review the Employee's position description, performance at work as it relates to the inherent requirements of the role, medical evidence, attendance record, safety concerns and determine whether there are reasonable grounds to make a Fitness for Work Request.
- b) Meet with the Employee and discuss the following:
 - i) any concerns about their ability to fulfil their duties or the inherent requirements of the job. Provide reasons such as long unexplained absences from work, inadequate medical reasons, and safety concerns.

- ii) based on those concerns the Employee is to attend a medical examination by the Shire's preferred medical practitioner, to be organised by and paid for by the Shire.
 - iii) the information that the Shire will be providing the Shire preferred medical practitioner (letter requesting the assessment, position description and task assessment form) and give the Employee a copy of those documents.
 - iv) advise the Employee they will be given a copy of the report.
 - v) ask the Employee to sign a consent form giving the medical practitioner permission to release the report to the Local Government.
- c) After the meeting give the Employee the following documents:
- i) letter to the Employee directing them to attend a medical examination by the Shire's preferred medical practitioner;
 - ii) copy of the letter to the medical practitioner and job task assessment; and
 - iii) consent form to be signed by the Employee to release medical information to the Local Government.

If the Team Leader is concerned about having difficulties with having the Employee attend a meeting, then it is recommended that the Team Leader address this practically and take reasonable steps to assist the Employee. For example, perhaps the meeting can be conducted virtually or over the phone.

If it is not possible to provide all the documents to the Employee at this meeting, then a follow-up meeting may be required to supply the necessary documents and obtain the consent form.

To assist the Team Leader with this process it is recommended to use the following template documents which can be requested from Human Resources:

- i) letter to Employee directing them to attend a medical examination by the Shire's preferred medical practitioner;
 - ii) letter to medical practitioner;
 - iii) sample task assessment form; and
 - iv) consent for release of medical information.
- d) Responsibility for cost:
- If the Shire directs the Employee to attend the Shire's preferred medical practitioner, then the Shire is responsible for paying all costs associated with the medical examination. This includes paying the Employee for the time spent attending the appointment, unless the Employee is already on paid or unpaid personal leave, in which case attendance at medical appointments will be covered by such leave.
- e) An effective medical examination:

To obtain the most effective medical examination the Shire will need to provide complete information to the medical practitioner about the Employee's work. It is recommended to include the:

- i) Employee's position title, duties and responsibilities detailed in a job description or list of tasks the Employee is expected to perform.
- ii) physical requirements of the role including where is it located, whether it is sedentary, the tools or machinery used by the Employee, whether the Employee is required to drive Shire plant or machinery and how work is scheduled.
- iii) work history including past attendance history.

In this situation, providing information on the degree of interaction with other Employees and members of the public may also be relevant.

- f) If an Employee fails to follow the Fitness for Work Request:

If the Employee fails to attend the medical examination or provide requested medical information, that may be considered a failure to follow a reasonable and lawful direction and be grounds for disciplinary action, in accordance with the CEO's Operational Policy [HR11 Disciplinary Policy](#).

- g) Workers' Compensation:

If the Employee has made a claim under Workers' Compensation an FFWP may not be appropriate and the Shire will need to seek advice from LGIS on any steps that the Shire may need to take, or considerations to be aware of.

HR7.18 General Guidelines

Any Employee who tests positive to an Alcohol or Drug screen will be stood down from their work and will not be permitted to resume work until such time as they have proven they are fit for work.

Any person who is found to be significantly fatigued or mentally compromised may also be stood down from work with or without pay, depending on the circumstances, until such time as they have proven they are fit for work.

Following the first instance and warning if the Employee continues to come to work unfit for work, then a second warning will be given. The Employee may be dismissed following a third offence.

HR7.19 References

- Australian Standard AS/NZS AS 4308 – 2008; Procedures for the collection, detection and quantitation of Drug abuse in urine
- *Work Health and Safety Act 2020 (WA)*
- Work Health and Safety Regulations 2022
- *Medicines and Poisons Act 2014*

Policy Name:	HR7 - Fitness for Work, Drugs and Alcohol	CEO Approval	Date: 23/05/23
Review Date:	September 2025	Responsible Executive:	Executive Services

HR8 LEAVE MANAGEMENT

Operational Policy Objective

To ensure that Shire of Ravensthorpe (the Shire) Employees are familiar with the process for accessing their leave accruals in accordance with the National Employment Standards and the provisions of the relevant industrial instrument.

Operational Policy

The purpose of this policy is to provide a consistent application of the leave provisions in the relevant industrial instrument by:

- (a) Facilitating consistency throughout the Shire in administering the leave provisions for Employees.
- (b) Providing information to effectively manage the Annual and Long Service Leave entitlements of Employees.
- (c) Encouraging Employees to take leave by reinforcing the positive benefits of taking leave when it becomes due.

HR8.1 Procedure

This policy applies to all Employees who are employed on a full time or part time basis, but does not apply to Employees employed on a casual basis (apart from long service leave which apply to casuals):

- (a) Employees shall be entitled to Annual and Long Service Leave consistent with the provisions of the National Employment Standards and the applicable industrial instrument.
- (b) All Employees should take annual leave and long service leave within one year from the date in which it is accrued unless it is postponed with the written permission of the Shire.
- (c) Employees should be informed that under the provisions of the Local Government (Long Service Leave) Regulations:

"Where the commencement of long service leave has been postponed to meet the convenience of the Employee beyond a period of six months, the rate of payment for or in lieu of that leave shall be at the rate applicable to the Employee for ordinary time (excluding allowances) at the end of the period of 6 months unless otherwise agreed in writing between the Local Government and Employee"

The Executive Managers and/or Team Leaders shall manage the taking of leave and maintain a leave roster ensuring that adequate coverage of functions is maintained:

- (a) The Shire will endeavour to approve leave applications to meet the convenience of the Employee, however the operational needs of the Local Government must also be considered.
- (b) Employees are entitled to receive 'pay in advance' for leave providing applications are approved and supplied to payroll before the end of the last pay period prior to them going on leave.

- (c) Leave application forms should be signed by the applicant and signed by the responsible Executive Manager. All leave application forms need to be forwarded to payroll for action.
- (d) Employees should ensure that all Annual Leave applications are made for a period equal to or greater than one week as leave applications for lesser periods may be refused.
- (e) Where an Employee requires a period of personal leave, such as for injury of illness while on annual leave they may apply to have the leave reversed in line with the notice and evidence requirements set out in the Fair Work Act.

HR8.2 Leave Rosters

- (a) Executive Managers are required to develop and maintain leave rosters that identify proposed relief/coverage arrangements for all Employees within their area of responsibility.
- (b) Where relief is required, this is to be negotiated with the relevant Executive Manager and if necessary, recruitment is commenced through Human Resources.
- (c) To encourage effective workforce planning, teams must monitor the leave roster to ensure that sufficient Employees are available to cope with peak workload periods. It is therefore essential that supervisors regularly refer to the current operational and business plans to determine those peak periods.
- (d) Supervisors should regularly monitor the leave taken to ensure that the total accrued leave does not exceed this policy.

HR8.3 Approvals and Obligations

- (a) Leave application forms are required to be completed and then to be submitted for approval to the relevant Executive Manager;
- (b) Leave applications will be considered in the context of needs of the Employee operational requirements and the team leave roster (in particular if there are multiple Employees seeking leave at the same time);
- (c) Executive Managers must consider how the duties and responsibilities of the position will be delivered in the absence of the Employee on leave;
- (d) After approval, leave forms are forwarded to payroll for processing; and
- (e) As a general rule Executive Managers should advise all Employees of their absence and what acting arrangements, if any, have been effected.

Where coverage is not possible to accommodate all leave applications, it shall be the responsibility of the Executive Manager to consult the Employees regarding the situation and allow discussion to enable Employees to resolve the situation. There may be a situation where some Employees are happy to accommodate others leave applications but it is preferable that Employees attempt to resolve the situation without any type of arbitration by the Shire.

HR8.4 Deferral of Long Service Leave

- (a) Within 6 months of long service leave becoming due, Executive Managers will be advised by Human Resources of Employees within their team who have not cleared long service leave for that year, if the entitlement has become due;
- (b) Employees are required to formally seek approval from their Executive Manager to defer long service leave. This deferral request must be in writing and clearly identify the amount of leave accrued, at what date it will be cleared and why it has not been cleared; and
- (c) Where the commencement of long service leave has been postponed to meet the convenience of the Employee beyond a period of six months, the rate of payment for or in lieu of that leave shall be at the rate applicable to the Employee for ordinary time (excluding allowances) at the end of the period of six months, unless otherwise agreed in writing between the Shire and Employee.

Deferrals in excess of this period require the approval of the Executive Manager.

Variation to Policy

This policy may be cancelled or varied from time to time at the discretion of Chief Executive Officer. All Employees will be notified of any variation to this policy by the normal correspondence method. All Employees are to read this policy prior to applying for leave.

Policy Name:	HR8 Leave Management	CEO Approval:	Date: 23/05/23
Version	1	Amendment:	
	2		
Review Date:	September 2024	Responsible Executive:	Corporate Services

HR9 EMPLOYEE ON CALL PROCEDURE

Policy Objective

The Shire of Ravensthorpe recognises that it is necessary to develop a set of on-call arrangements that meet the current community and regulatory needs and allow the Shire the capacity to respond to situations that align with community expectations and the Shires responsibilities.

Policy

On call is the practice of designating specific people to be available at specific times to respond in the event of an urgent service issue, even though they are not formally on duty.

On call is a critical responsibility inside ranger (and airport) teams who run services where the community expect 24/7 availability. Team members take turns staffing an on-call rotation, providing coverage outside of normal business hours. The on-call ranger is empowered to respond immediately to any community or visitor issue within their normal scope of authority and to assist in emergency situations occurring within the Shire.

On-call Rosters

On call rosters will be developed by the Senior Ranger and approved by the Executive Manager. Where possible on call will be coordinated with regular weekend work rosters.

On call will occur on a weekly basis (Monday through to Sunday) unless otherwise approved by agreement with the ranger team and the Executive Manager or at the direction of the CEO.

On call will generally be from 6pm – 6am, Monday to Sunday unless directed by the Executive Manager.

On-Call Handover

Handover to each on call officer will be carried at the commencement of shift each Monday. The on-call phone and register booklet is to be provided.

The on-call phone number is 0427 381 098. The password is 616959.

On-call Pay

Providing customers with a seamless experience means ensuring you have the right people on call and available to respond to an incident, should one arise. Since on call is a stressful job and usually demands work outside of typical business hours, an on-call allowance has been accommodated within the Shire of Ravensthorpe Enterprise Bargaining Agreement. Employees are compensated for the time they spend being ready and available for work.

On-call Service

Advice only

Where possible, the on-call person will respond immediately or as soon as possible to the callers' request over the phone.

The below table comprises of the most common incidents that are outside the scope of the ranger services. The caller should be directed to the appropriate area over the phone. Callers are to be provided with the relevant number and also directed to the website. All calls must be recorded.

Council

Live

Work

Play

Contact Us

Shire Office Contact Details

After Hours Contact

Online Enquiry

Road Works Request

Noise Complaint

After Hours Contact Numbers

In all emergency situations please call 000

For all Shire related after hours emergencies please call 0427 381 098

For all other emergencies please see below for relevant contact numbers.

Emergency Services	Fire, Police, Ambulance	000
SES	Emergency Assistance	132 500
Main Roads	Road Hazards on South Coast Highway, Hopetoun-Ravensthorpe Road, Newdegate-Ravensthorpe Road	138 138
Western Power	Power lines down, Power outages, Ravensthorpe	13 13 51
Horizon Power	Power lines down, Power outages, Hopetoun	13 23 51
Water Corporation	Sewerage (Hopetoun only), Water supply, Burst pipes etc	13 13 75
WAPOL	Noise Complaints/ Suspicious Activity/ Vandalism/ Antisocial Behaviour/ Off Road vehicles on Road	131 444
Swans Vet	Injured Animals	08 9071 5777
Wildcare	Injured Wildlife Assistance	08 9474 9055
RSPCA	Animal Cruelty	1300 278 3589
DBCA	Dead Sea Animals	08 9842 4500
Water Police	Shark Reporting	08 9442 8600

Next Day Service

Where calls are of a non-urgent nature and queries can be responded to on the next business day, rangers will communicate this to the caller. A follow up call should be provided if appropriate. Rangers are to use their knowledge, skill and experience in ascertaining a non-urgent call.

Rangers must carry their Shire supplied Surface Pros with them at all times when on-call. Where calls can be logged directly into Synergy, rangers should do so. The physical register will be used to record in real time, the time, nature and response of the call. Where possible the caller's name and contact details are to be registered.

Call-outs

Where a call out is required, rangers will attend as soon as possible.

Rangers must provide the on-call phone number to the caller, so that if a situation has been resolved, the caller is able to contact the ranger.

Rangers must note the time of the call, length of the call out and any information required to confirm the call out time period. Location, action and outcome should be noted in the register or directly into Synergy as a works request.

Rangers will be remunerated for call-outs as per the EBA and at the discretion of the Executive Manager. TOIL will be the preferred option, unless other factors are provided and approved by the Executive Manager.

Incidents requiring call-out:

CALL OUT REQUIRED	
Dog Attack in progress	
Dog Attack – dog still at large	
Dog/cat Found but can't be held	
Shark Attack or sighting	Beach closure required
Livestock on Road	
Any emergency service agency requesting assistance	

Escalation

When an incident strikes, the best-case scenario is that the on-call ranger can resolve it quickly and on their own.

Where this is not the case, for example, the resolution calls for a larger team, specialised knowledge, or more senior skills, the following hierarchical escalation procedure will generally apply;



Where functional escalation is required, that is, situations and emergencies that require numerous Shire department involvement, the Shire will also use a 'Small Group' SMS service. For example, shark attack and bush fire, or where an emergency services department requests assistance.

Where emergency situations will involve reputational risk to the Shire the CEO must be called as soon as possible.

General On-call Arrangements

A ranger on-call must be fit for work and competent to be able to attend work or carry out work remotely as required.

Response times, i.e. the maximum length of time in which the ranger must respond, will be agreed with the Senior Ranger. Rangers must ensure they are in a position to comply with these requirements when on call.

On-call arrangements will be reviewed on a regular basis, bearing in mind changes in staffing levels, the pattern and nature of call-outs and any other relevant factors.

Policy Name:	HR9 Employee On Call Procedure	CEO Approval:	Date: 23/05/23
Version	1	Amendment:	
Review Date:	September 2024	Responsible Executive:	

HR10 DISCRIMINATION, HARRASSMENT AND BULLYING

Operational Policy Objective

The Shire of Ravensthorpe (Shire) and its Employees are committed to providing a working environment whereby every Employee is treated equally, fairly and without prejudice.

For the purposes of this policy the term "Employee/s" will extend to cover contractors, volunteers, work experience students and any person performing work for or with the Shire in any capacity.

Operational Policy

HR10.1 Unlawful Discrimination

An Employee is directly discriminated against if they are treated less favourably than another person in the same or similar circumstance, because of any one of the grounds of discrimination outlined below. Indirect discrimination can occur where a practice or requirement is imposed upon all Employees; however a high proportion of Employees with an attribute cannot comply with, or are affected by, that practice or requirement. The Shire acknowledges its responsibilities and obligations pursuant to State and Federal equal opportunity and anti-discrimination laws.

The Shire and its Employees acknowledge they are subject to State and Federal equal opportunity and anti-discrimination legislation. The following is a non-exhaustive list of the grounds of discrimination for which it is unlawful to discriminate against an individual:

- Age;
- Family responsibility or status;
- Race or colour;
- Sex including gender identity, sexual orientation and intersex status;
- Physical or mental disability;
- Marital status;
- Political or religious conviction;
- Pregnancy;
- Criminal record;
- Breastfeeding;
- Gender history;
- Impairment;
- National extraction or social origin; and
- Trade union activity

HR10.2 Sexual Harassment

The *Equal Opportunity Act 1984 (WA)* and the *Sex Discrimination Act 1984 (Cth)* provide that it is unlawful to engage in sexual harassment. Sexual harassment can be defined as any unwelcome conduct of a sexual nature, such as an unwelcome sexual advance or an unwelcome request for sexual favours, in circumstances in which a reasonable person would anticipate that the person harassed would be offended, humiliated or intimidated.

Some examples of sexual harassment include, but are not limited to:

- a) Physical contact (touching, rubbing, patting, embracing, brushing up against etc.);
- b) Gestures of a sexual nature;
- c) Leering or staring;
- d) Offensive telephone calls, emails, text messages or notes;
- e) Sexual suggestive jokes or comments;
- f) Tales of sexual exploits;
- g) Repeated requests for a date;
- h) Unwelcome comments or questions about a person's sex life, appearance or dress; and
- i) Sexually graphic material (poster, calendars, cartoons, graffiti, messages, emails).

HR10.3 Bullying

Bullying is defined as repeated and unreasonable behaviour directed towards an Employee or a group of Employees that creates a risk to health and safety. Unreasonable behaviour amounts to behaviour that a reasonable person in the circumstances would see as unreasonable including behaviour that is victimising, humiliating, intimidating or threatening.

Bullying is also unlawful under the *Work Health and Safety Act 2020 (WA)* and the *Occupational Safety and Health Regulations 1996 (WA)*.

Some examples of bullying include, but are not limited to:

- a) Loud, abusive or offensive language or comments;
- b) Yelling and screaming;
- c) Unjustified criticism and insults;
- d) Unjustified threats of dismissal or other disciplinary action;
- e) Acts of sabotaging another's work by withholding information which is required to fulfil tasks;
- f) Spreading malicious rumours or misinformation;
- g) Inappropriate comments about an Employee's appearance, lifestyle or family;
- h) Deliberately excluding an Employee from workplace meetings or activities;
- i) Hiding documents or equipment or withholding vital information required for effective work performance;
- j) Constantly changing targets or work guidelines;
- k) Overloading an Employee with work and impossible deadlines;
- l) Setting tasks that are unreasonably below or beyond an Employee's level of skill;
- m) Threats of assault or violence or actual violence;
- n) Teasing and practical jokes; and
- o) Isolating or ignoring an Employee on a constant basis.

Where an Employee makes a threat of violence or assaults another Employee, the police should be called.

HR10.4 Reasonable Management Action

The Shire has a right to take reasonable management action to direct the way in which work is conducted and to give Employees lawful and reasonable directions to complete work in a certain manner. Reasonable management action is not workplace bullying.

Some examples of reasonable management action include, but are not limited to:

- a) The establishment and regular use of performance appraisal systems;
- b) The setting of reasonable performance targets and deadlines;
- c) Providing Employees with constructive feedback or counselling to assist workers to improve their work performance or the standard of their behaviour;
- d) Issuing a lawful and reasonable direction to an Employee to complete a work task;
- e) Preparing and amending a roster for Employees;
- f) Transferring an Employee to a different work location for operational reasons;
- g) Implementing organisational change;
- h) Informing an Employee about inappropriate behaviour in a confidential manner; and
- i) Taking disciplinary action against an Employee.

HR10.5 Other Behaviours not Considered to be Bullying

Where two or more Employees have a difference of opinion and disagree on an issue, this is not usually considered to be workplace bullying. However, where conflict escalates and is repeated, it may meet the definition of workplace bullying.

Additionally bullying does not occur where bullying behaviour is a one-off occurrence and if that behaviour does not create a risk to health or safety,

HR10.6 What are the Ways in which Bullying can Occur?

There are a variety of ways bullying behaviour can occur in the workplace such as verbally, through email or text message or via social media. Bullying can be directed at an individual Employee or a group of Employees, and can be carried out by one or more Employees. Bullying can occur between Employees, downwards from Executive Managers to Employees or upwards from Employees to Supervisors, Team Leaders or Executive Managers.

HR10.7 What to do if you think you are being Discriminated Against, Sexually Harassed or Bullied?

Refer to Policy HR Grievance Policy and Grievance Procedure for steps to take if you think you are being discriminated against, sexually harassed or bullied, or if you suspect another Employee is experiencing any of those things.

HR10.8 Roles & Responsibilities

To ensure the intent of this policy is realised, various roles within the Shire must assume certain responsibilities as follows:

a) The Employer

The Shire will endeavour to:

- i) provide all workplace participants with a workplace free from discrimination, sexual harassment and bullying;
- ii) provide and maintain safe systems of work;
- iii) provide a fair and effective procedure to investigate and resolve Complaints of sexual harassment, discrimination and bullying;
- iv) treat all Employees fairly; and
- v) take suitable disciplinary action against any Employee who is found to have sexually harassed, discriminated, bullied or victimised another Employee.

b) All the Organisation's Employees

Employees are required to:

- i) report any incidents of sexual harassment, discrimination or bullying they may see happening around them to an appropriate manager or supervisor;
- ii) follow all policies and procedures of the Shire;
- iii) ensure they do not victimise any person making a Complaint of sexual harassment, discrimination or bullying; and
- iv) treat all Employees fairly and with respect.

HR10.9 Support

The Shire engages the services of an external Employee Assistance Provider who can provide Employees with confidential counselling. Please see Human Resources for details of the Employee Assistance Provider.

HR10.10 Consequences of Breaching This Policy

Any breach of this policy, may result in disciplinary action up to and including termination of employment, in accordance with [HR11 Disciplinary Policy](#).

Variation to This Policy

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

Related Corporate Documents

- Grievance Policy
- Grievance Procedure

Policy Name:	HR10 Discrimination, Harassment and Bullying	CEO Approval:	Date: 23/05/23
Version	1	Amendment:	
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HR11 DISCIPLINARY POLICY

Operational Policy Application

This policy applies to all Employees who work at the Shire of Ravensthorpe (the Shire) including contractors, volunteers and any person performing work for or with the Shire of Ravensthorpe in any capacity.

Operational Policy Statement

The Shire may from time to time consider that issues of Employee behaviour, misconduct or unacceptable performance levels require disciplinary action.

Commitment

The Shire is committed to providing the best possible service and ensuring its Employees perform and conduct themselves in accordance with Shire policies, procedures and guidelines. Any disciplinary procedure will be applied in a consistent, fair and objective manner, and it will ensure that, where reasonable, Employees are given an opportunity and assistance to improve.

Authority to take Disciplinary Action

Disciplinary action may only be taken when authorised by the Executive Manager or the Chief Executive Officer. The Authorising Officer may only approve disciplinary action after consultation with Human Resources.

HR11.1 When the Disciplinary Policy Applies

Some examples of when this policy may be invoked include breaches of Shire policy and procedures including, but not limited to:

- a) breaches of the Code of Conduct such as failing to disclose a conflict of interest, or accepting a prohibited gift; or
- b) poor performance such as frequently attending for work late or producing a poor quality of work; or
- c) inappropriate personal behaviour such as theft, violating the Discrimination, Harassment and Bullying Policy, or wilfully disobeying a lawful instruction.

HR11.2 General Disciplinary Principles

The following principles will apply to any disciplinary action taken:

- a) **Nature of allegation and investigation:** Before formal disciplinary action is taken, the nature of the allegations made against an Employee will be put to the Employee and an investigation may ensue, in accordance with the CEO Operational Policy HR12 Grievance Management and Resolution Policy and Procedure.
- b) **Right to a support person:** Where an Employee is required to attend a formal meeting regarding a disciplinary matter or procedure, the Employee may be accompanied by a support person where practicable. The role of a support person is not to advocate on behalf of anyone, but to simply provide emotional or other support.
- c) **Confidential:** All parties must keep matters related to a disciplinary process confidential.

- d) **Fair and impartial:** The Shire strives to keep the disciplinary process fair and impartial, meaning that all parties involved will have an opportunity to put their case forward and be given an opportunity to respond.

HR11.3 Serious Misconduct

Serious misconduct pursuant to the Fair Work Regulations 2009 (Cth) includes, but is not limited to:

- a) wilful or deliberate behaviour by an Employee that is inconsistent with the continuation of the contract of employment;
- b) conduct that causes serious and imminent risk to:
 - i) the health or safety of a person; or
 - ii) the reputation, viability or profitability of the Shire of Ravensthorpe's organisation;
- c) the Employee, in the course of the Employee's employment, engaging in:
 - i) theft; or
 - ii) fraud; or
 - iii) assault;
- d) the Employee being intoxicated at work; or
- e) the Employee refusing to carry out a lawful and reasonable instruction that is consistent with the Employee's contract of employment.

If an Employee engages in serious misconduct, disciplinary action that may be taken include, but is not limited to, summary dismissal (termination of employment without notice).

HR11.4 Other Disciplinary Action

With the exception of serious misconduct, where an Employee has engaged in an act or omission which is inconsistent with any of the Shire's Policies, the Employee could be disciplined as follows:

- a) **Verbal warning** – Where an Employee engages in an act or omission which is inconsistent with the Policies, management has the discretion to issue the Employee with a verbal warning. The verbal warning should be noted in a file note and placed on the Employee's personnel file.
- b) **Written warning** – If the Employee engages in a more serious act or omission, or acts in a manner which is inconsistent with the Policies, management has the discretion to issue the Employee with a written warning. The Employee must be given a copy of the written warning.
- c) **Termination of employment with notice** – In cases other than summary dismissal, an Employee's employment may be terminated with notice or payment in lieu of notice provided the Shire has a valid reason for terminating the Employee's employment and the Employee has an opportunity to respond to the reasons for termination.

Whenever an Employee is required to attend a meeting regarding a disciplinary issue, the Employee may have a support person present where practicable. The type of disciplinary action taken against an Employee is at the Shire's discretion and the type of disciplinary

action will depend on the seriousness and frequency of any misconduct or performance issue.

HR11.5 Principles to be Applied

Where disciplinary action is taken, the principles of procedural fairness must prevail. These principles are expanded on in the CEO Operational Policy HR12 Grievance Management and Resolution Policy and Procedure.

HR11.6 Investigation Procedures for Alleged Misconduct

Investigations into alleged misconduct should follow the processes detailed in the CEO Operational Policy HR12 Grievance Management and Resolution Policy and Procedure.

HR11.7 Reporting Obligations

If an officer or Employee of the Shire has reporting obligations pursuant to the *Corruption and Crime Commission Act 2003 (WA)* and suspects on reasonable grounds that a matter arises which concerns or may concern misconduct, the Corruption and Crime Commission must be notified of that matter as soon as reasonably practicable.

Employees must also be aware of and adhere to any obligations pursuant to the *Public Interest Disclosure Act 2003 (WA)*.

HR11.8 Variation to this Policy

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

Related Corporate Documents

- CEO Operational Policy
- CEO Operational Policy HR12 Grievances, Investigations & Resolution Policy and Procedure
- CEO Operational Policy Employee Code of Conduct
- CEO Operational Policy HR7 Fitness for Work, Drug and Alcohol Policy

HR12 GRIEVANCE MANAGEMENT AND RESOLUTION POLICY & PROCEDURE

Operational Policy Objective

All Employees have a right to express any genuine grievances or complaints via an impartial internal process. All Employees involved in a grievance process are expected to participate in good faith. For the purposes of this policy, the term "Employee/s" will extend to cover contractors, volunteers and any person performing work for or with the Shire of Ravensthorpe in any capacity.

Operational Policy Statement

The Shire of Ravensthorpe (Shire) is committed to providing Employees with the ability to raise a grievance or complaint with respect to their employment via an impartial internal process. All Employees have a right to express any genuine grievances or complaints and are expected to participate in good faith.

This management policy aims to ensure that grievances and complaints are resolved in a timely, fair and transparent manner in accordance with the principles of natural justice.

Scope

This policy applies to Employees at all Shire worksites.

For the purposes of this policy the term "Employee" will extend to cover:

- Employee;
- Contractor;
- Trainee;
- Student gaining work experience;
- Volunteer; and
- Any person performing work for or with the Shire in any capacity.

A complaint is defined as a grievance relating to employment or workplace matters raised by the complainant.

Roles

The Shire acknowledges its responsibilities and obligations pursuant to State and Federal equal opportunity and anti-discrimination laws.

Complainant – An Employee who raises a complaint about a matter regarding the workplace.

Respondent – An Employee who is alleged to have acted in a manner which caused the complainant to raise a complaint.

Support Person – A Complainant and/or a Respondent may choose to bring a Support Person with them to a meeting, where practicable. The role of a Support Person is not to advocate on behalf of anyone, but to provide emotional and practical support at a meeting.

Witness – A person (including an Employee) who is requested by the Shire to assist the process by providing relevant information which may be regarding the complaint.

Team Leader – A person employed by the Shire who has direct reporting (eg Team Leader/ Supervisor). The Team Leader is accountable for providing assistance, direction and seeking appropriate advice and may be part of the complaint handling process.

HR12.1 What to do if you have a complaint?

If an Employee (Complainant) is the subject of inappropriate behaviour from another Employee (Respondent) that is inconsistent with Shire policies, procedures or guidelines (Policies), the Complainant should, where reasonable or practicable, first approach the Respondent for an informal discussion. If the nature of the complaint is deemed to be sufficiently serious, the Complainant should contact their Team Leader and/or Executive Manager Corporate Services directly.

If the inappropriate behaviour continues, the Complainant is encouraged to make a formal complaint to their direct Team Leader. If the direct Team Leader is the Respondent in the matter or if the Employee feels uncomfortable approaching their Team Leader, the Complainant should approach the next in line Manager or the Executive Manager Corporate Services.

The person who receives the complaint must contact the Executive Manager Corporate Services and decide upon the most appropriate way to take the matter forward, whether it is an informal discussion with the Complainant and/or the Respondent, or the commencement of a formal investigation of the complaint.

If the complaint is about the CEO, the Grievance Policy and Procedure will not apply. A complaint about the CEO must be raised directly with the Shire President.

If the complaint involves a breach of the *Local Government Act 1995 (WA)*, the Local Government must comply with its obligations to report minor or serious misconduct to either the Public Sector Commission or the Corruption and Crime Commission in accordance with the *Corruption, Crime and Misconduct Act 2003 (WA)*.

Employees must also be aware of and adhere to any obligations pursuant to the *Public Interest Disclosure Act 2003 (WA)*. The designated officer for the reporting of Public Interest Disclosure is the Executive Manager Corporate Services.

Where an Employee is unable to follow the Shire grievance policy and procedures as detailed above, the Shire provides Employees access to an external human resource advisory service. This service is free of cost to the Employee, confidential in nature, and is designed to guide the Employee in the correct complaint process to follow.

The external human resource advisory service is accessible during normal business hours by phoning Elite HR Solutions on 0438 785 550 and referencing Shire of Ravensthorpe HR Employee Support Service.

HR12.2 Key Principles in the Complaint Resolution Process

The following principles are necessary for the fair investigation and resolution of a complaint:

- a) **Confidential** – Only the Employees directly investigating or addressing the complaint will have access to the information about the complaint. The Shire may inform or appoint a third party to investigate or advise on the investigation. All parties including the Complainant, Respondent and those involved in dealing with the complaint are required to keep the matter confidential. Information will only be placed on an Employee's personnel file if they are disciplined as a result of the complaint;

- b) Impartial (fair/unbiased)** – Both parties will have an opportunity to put their case forward. No assumptions are made and no action will be taken until all available and relevant information has been collected and considered;
- c) Timely** – The Shire aims to deal with all complaints as quickly as possible and in accordance with any legislative requirements;
- d) Documented** – All complaints and investigations must be documented. In formal grievance processes, records must be kept of all documents collected and/or drafted as part of that process. For more informal processes, a file note or note in a diary may be sufficient;
- e) Natural Justice** – The principles of natural justice provide that:
 - i) a Respondent against whom allegations are made as part of a grievance process has the right to respond to the allegations before any determination is made;
 - ii) a Respondent against whom an allegation is made has the right to be informed of (where possible and appropriate) who made the allegation;
 - iii) anyone involved in the investigation should be unbiased and declare any conflict of interest;
 - iv) decisions must be based on objective considerations and substantiated facts; and
 - v) the Complainant and the Respondent have the right to have a Support Person present at any meetings where practicable.
- f) Procedural Fairness – The principles of procedural fairness provide that:**
 - i) the Respondent is advised of the details (as precisely and specifically as possible) of any allegations when reasonably practicable;
 - ii) the Respondent is given an opportunity to respond to any allegations made against them by a Complainant;
 - iii) any mitigating circumstances presented to the Shire through the grievance process are investigated and considered;
 - iv) the Respondent has the right to have an appropriate support person present during any inquiry or investigation process where practicable or necessary;
 - v) any witnesses who can reasonably be expected to help with any inquiry or investigation process should be interviewed; and
 - vi) all interviews of witnesses are conducted separately and confidentially.

HR12.3 Outcome of Making a Complaint

If a complaint is substantiated, there are a number of possible outcomes.

If the complaint involves a performance issue, the Team Leader of the Respondent may commence a formal or informal performance management process with the Respondent.

If the complaint involves a breach of a Policy or any other behaviour that is inconsistent with the employment relationship, the Team Leader of the Respondent, in consultation with the Executive Manager Corporate Services, may elect to discipline the Respondent.

HR12.4 Vexatious or Malicious Complaints

Where a Complainant has deliberately made a vexatious or malicious complaint, that Complainant may be subject to disciplinary action, including but not limited to, termination of employment.

HR12.5 Victimisation of Complainant, Respondent or Witness

A Complainant, Respondent or Witness must not be victimised by any other Employee of the Shire for making or intending to make a complaint, being the subject of a complaint or providing information as a witness or acting as a support person. Anyone responsible for victimising behaviour may be subject to disciplinary action, including but not limited to, termination of employment.

Relevant Legislation

Local Government Act 1995

Equal Opportunity Act 1984 (WA)

Work Health and Safety Act 2020 (WA)

Work Health and Safety Regulations 2020 (WA)

Disability Discrimination Act (1992) (Commonwealth)

Racial Discrimination Act (1975) (Commonwealth)

Sex Discrimination Act (1984) (Commonwealth)

Human Rights and Equal Opportunity Commission Act 1986 (Commonwealth)

Criminal Code (WA)

Fair Work Act 2009

Related Documents

Shire of Ravensthorpe Grievance Management and Resolution Procedure

Shire of Ravensthorpe Employee Code of Conduct

HR12 GRIEVANCE MANAGEMENT AND RESOLUTION PROCEDURE

The following procedure, based on the principles outlined in the Grievance Management Policy, is to be used in the resolution of any Complaint.

A Complaint should be dealt with internally in the first instance where reasonable and practicable.

The aim of this procedure is to resolve the Complaint as quickly and confidentially as possible.

HR12.6 FIRST STEP – Self Resolution

A Complainant should attempt to resolve the issue directly with the person(s) concerned in the first instance.

The Complainant should identify the specific conduct which has caused offence, explain the impact of that conduct on them, and request that the conduct stops. In some circumstances, the Respondent may be unaware that their behaviour offends the Complainant.

These actions should be taken as soon as possible.

If the Complainant is not comfortable attempting to resolve the issue directly with the Respondent, if their attempts to resolve the issue are unsuccessful or if the issue is deemed sufficiently serious, the Complainant should seek guidance from Human Resources on the options available to the Complainant.

The Complainant has the choice whether to proceed with their complaint formally, noting that the complaint can be withdrawn at any stage. Alternatively if a complaint is withdrawn and the Shire of Ravensthorpe deems that matter to be sufficiently serious, the Shire may continue to investigate the complaint even if it has been withdrawn.

HR12.7 Informal Complaint Process

A complaint can be dealt with on an informal basis where:

- a) the allegations are not deemed sufficiently serious, for example interpersonal conflict or potentially amounting to a minor breach of some Shire of Ravensthorpe policies, procedures and guidelines (Policies);
- b) the Complainant is reluctant to lodge a formal complaint; or
- c) the Complainant and the Respondent work together closely on a regular basis and the preservation of the employment relationship is paramount.

The informal complaint procedure may be approached as follows:

- a) The Complainant should approach their direct Team Leader or Human Resources, to outline their concerns, the desired outcome and any ideas for resolution of the complaint.
- b) If the Complainant chooses to proceed with the complaint, Human Resources may consider a range of options including:
 - i) arrange for mediation between the Complainant and the Respondent; and/or

- ii) meet with the Complainant and the Respondent separately to discuss the issues and explore possible solutions; and/or
- iii) write to the Complainant and the Respondent to obtain further information about the complaint and to explore potential solutions.

If the matter is resolved to the satisfaction of all parties, the matter will be concluded.

If the matter is not resolved, the Team Leader and Human Resources will determine whether any further action is required. All meetings with the Complainant and the Respondent will be documented and any correspondence between the parties will be retained on a confidential basis by Human Resources.

HR12.8 Formal Complaint Process

A complaint should be dealt with through the formal complaint procedure where:

- a) the complaint involves sufficiently serious allegations, including but not limited to, discrimination, harassment, bullying, criminal conduct, or breaches of Shire of Ravensthorpe policies or breach of the Local Government Act 1995 (WA);
- b) the complaint involves a particularly sensitive or personal matter; or
- c) a formal complaint procedure is deemed appropriate in the circumstances by the Team Leader and Human Resources.

HR12.9 Submitting a Formal Complaint

A formal complaint should be made in writing and include the following information:

- a) the Complainant's name and contact details;
- b) details of the specific incident or issue being complained about; including the time, date, location and what was said or done;
- c) if the complaint is about a person(s), the identity of the Respondent/Respondents and their relationship to the Complainant;
- d) the names of any Witnesses who were present during the specific incident or who have first-hand knowledge of the issue being complained about;
- e) the outcome the Complainant is seeking; and
- f) any action that has already been taken in an effort to resolve the issue.

HR12.10 Preliminary Inquiry

Before commencing a formal investigation, the relevant Team Leader or Human Resources are able to conduct a preliminary inquiry if further information about the complaint is required to determine the level of seriousness involved. The purpose of a preliminary inquiry is to:

- a) obtain details about the complaint and assess the seriousness of the allegations;
- b) determine the level of factual dispute;
- c) assess whether there is sufficient evidence to proceed to a formal investigation; and

- d) determine whether the Shire of Ravensthorpe should proceed with an investigation or refer the matter to an external authority.

It may be appropriate to refer a matter to an external authority where the alleged conduct is potentially of a criminal nature, potentially breaches the Local Government Act 1995 or may need to be dealt with by the Corruption and Crime Commission.

HR12.11 Full Investigation

If deemed necessary, the relevant Team Leader or Human Resources may require a formal investigation to be conducted. The Shire of Ravensthorpe can elect to appoint a person from outside the Shire of Ravensthorpe to conduct the formal investigation or an appropriate Shire of Ravensthorpe Employee may conduct the investigation (the Investigator).

The role of the Investigator is to collect information about the complaint and make findings about whether any allegations are able to be substantiated. The Investigator is responsible for ascertaining facts, reviewing documentation, interviewing parties and making a determination about whether any further action against the Respondent is warranted. The depth and scope of the investigation will depend on the nature of the complaint, however, as a general guide the following should be covered by the investigation report:

- a) the circumstances of any allegations made;
- b) a list of allegations made by the Complainant, the Respondent's response to the allegations and whether any of the allegations are substantiated;
- c) outline where any policies or legislation have been breached;
- d) evidence stemming from the complaint including any documentation such as emails; letters and signed witness statements; and
- e) any mitigating circumstances that have been presented through the investigation on behalf of the Respondent.

HR12.12 Outcome and Action

The outcome of the investigation will dictate whether any disciplinary action may be warranted. Whether any disciplinary action is required will be at the discretion of the Chief Executive Officer in consultation with Human Resources.

HR12.13 Substantiated Complaints and Potential Outcomes

Outlined below are some examples of actions that may be taken after a formal complaint is investigated and outcomes have been substantiated:

- a) apology from the Respondent to the Complainant (written or oral/verbal);
- b) agreement from the Respondent that the behaviour will not be repeated;
- c) a Respondent can be issued with a verbal or written warning;
- d) transfer, demotion or termination of the Respondent's employment;
- e) counselling of the Complainant and/or Respondent;

- f) implementation of a training program; or
- g) changes to the Shire of Ravensthorpe's Policies.

HR12.14 Frivolous or Vexatious Complaint

If a complaint is found to be deliberately vexatious or malicious after an investigation, the Employee making that complaint may be subject to disciplinary action, including but not limited to, termination of employment.

Other Resources

An investigation into a complaint may require the Shire of Ravensthorpe to utilise resources from outside the organisation to help resolve the situation, including:

- a) LGIS confidential counselling;
- b) an independent mediator; or
- c) an independent investigator.

Relevant Legislation

Local Government Act 1995

Equal Opportunity Act 1984 (WA)

Work Health and Safety Act 2020 (WA)

Work Health and Safety (General) Regulations 2022 (WA)

Disability Discrimination Act (1992) (Commonwealth)

Racial Discrimination Act (1975) (Commonwealth)

Sex Discrimination Act (1984) (Commonwealth)

Human Rights and Equal Opportunity Commission Act 1986 (Commonwealth)

Criminal Code (WA)

Fair Work Act 2009

Related Documents

Shire of Ravensthorpe Grievance Management and Resolution Policy

Shire of Ravensthorpe Employee Code of Conduct

HR13 EMPLOYEE EDUCATION AND STUDY ASSISTANCE

Operational Policy Purpose

To encourage further education of Shire Employees in areas that are of mutual benefit to the Employee and the Shire of Ravensthorpe (the Shire).

Operational Policy

The Shire encourages Employees to pursue professional development studies relevant to the functions of Local Government in general and to the disciplines relevant to their respective duties.

This policy applies to full time and part time permanent Employees only.

HR13.1 Shire Assistance

Employees undertaking courses of study (usually long term, run by a College, TAFE or a University) may be assisted by the Shire, subject to the following:

- Such courses are appropriate to local government and directly related to the duties being undertaken by the Employee;
- Such courses and the method of undertaking such courses must be supported by the relevant Executive Manager and approved by the Chief Executive Officer;
- The subjects involved shall not be repeat subjects. Repeated subjects must normally be completed in the Employees own time, although submissions for time off for repeated subjects without pay or with such time to be made up, however this can be considered by the relevant Executive Manager based on merit; and
- That there are sufficient funds budgeted.

The Chief Executive Officer will have regard to issues such as staffing levels, impact on customer service levels or the delivery of the capital works program.

HR13.2 Time off

Employees may be permitted time off with pay up to five (5) hours per week, including traveling time, providing the equivalent period of time attending lectures and travel is incurred in the Employee's own time.

Employees undertaking examinations arising from an approved course of study may apply to the Chief Executive Officer for time off with pay to sit for examinations that are scheduled during working hours.

HR13.3 Travel

Where travel is involved, the cost of travel by the shortest most practical route to and from the event venue will be met by the Shire for the respective Employee.

Travel should be by a Shire vehicle unless written authorisation is received from the Chief Executive Officer for use of a private vehicle with reimbursement of a vehicle kilometre rate being paid in accordance with the Australian Taxation Office determination.

HR13.4 Fees and Charges

An Employee who undertakes an approved course of study may apply to the Chief Executive Officer to have compulsory fees (other than for supplementary examinations,

higher education contribution scheme and late enrolment or late entry fees) partially reimbursed, after successful completion of the semester/term.

Reimbursement shall be limited to fifty percent (50%) or greater at the Chief Executive Officer's discretion depending on organisational need, of all normal fees relating to that semester's study to a maximum of \$1,000 per semester (based on two (2) semesters per year).

Expenditure for books, stationery, equipment and parking will not be reimbursed.

The Shire will pay 100% of the fees for Employees that are employed under a traineeship or apprenticeship;

Claims for payment shall be accompanied by official receipts for fees paid, together with an official statement from the educational organisation, evidencing successful completion of each semester's subjects.

Note: If a conflict arises in respect to this Policy between any Shire of Ravensthorpe Enterprise Bargaining Agreement or individual contract of employment then the Enterprise Bargaining Agreement or individual contract of employment will have precedence and be applicable to the relevant Employee's conditions of employment.

Policy Name	HR13 Employee Education and Study Assistance	Version	V1
Versions		Amendment	
Compliance Requirements	Appropriate Annual Budget Allocations	Legislation	
Review Date	September 2024	Responsible Executive	CEO – 23/05/23

HR14 SENIOR EMPLOYEES

Operational Policy Purpose

To designate the Employee positions which are determined by the Chief Executive Officer as 'Senior Employees' for the purposes of section 5.37 of the *Local Government Act 1995*.

Policy

The following are designated senior Employees for the purpose and compliance with section 5.37 of the *Local Government Act 1995*:

- Executive Manager Corporate Services
- Executive Manager Infrastructure Services
- Executive Manager Development and Community Services

In accordance with the provisions of Section 5.37(4) of the *Local Government Act 1995*, the Chief Executive Officer will exercise the right to renew employment contracts for senior Employees.

Policy Name:	HR14 – Senior Employees	Version	V3: OCM xx/xx/22 Item xx.x.x - Transferred from Council Policy Manual to CEO Operational Policy Manual
Previous Versions	V1: OCM 21/07/20 – Item 13.2 – Council Policy Manual Review V2: OCM 19/07/22 – Item 12.1.2 – Council Policy Manual Review	Amendments:	
Compliance Requirements	Requirement for Senior Employees to complete Primary Return [s5.75] and Annual Returns [s5.76] of the <i>Local Government Act 1995</i> . AASB 124 Related Party Disclosures	Legislation	s5.37 [Senior Employees] and s5.39 [Contracts for Senior Employees] of the <i>Local Government Act 1995</i>
Review Date:	September 2025	Responsible Executive:	CEO Operational Policy Manual – 23/05/23

HR15 SECONDARY EMPLOYMENT

Policy Objective

For the purposes of this policy, secondary employment includes paid employment with another organisation, running a business, maintaining a professional practice or consultancy, contract work and being a director of an organisation. It may also include voluntary activities if those activities have the potential to affect employment with the Shire of Ravensthorpe.

Policy Statement

The Shire of Ravensthorpe (Shire) recognises that its Employee's may engage in secondary employment outside of their employment at the Shire. This policy aims to provide guidance on the disclosure, implications and limitations regarding 'secondary employment' in the context of perceived and actual conflicts of interest with the work conducted at the Shire.

Commitment

The Shire will exercise the discretion to consent to an Employee's application for secondary employment, unless the secondary employment will, or is likely to have an adverse impact on their employment with the Shire. In considering any such application, the Shire will have due regard to principles affecting employment by Local Governments under Section 5.40 of the *Local Government Act 1995*.

Requirement

An Employee must not engage in secondary employment outside the service of the Shire without first informing the Chief Executive Office (CEO). The CEO will review the nature of the secondary employment and provide the Employee with an outcome. If the CEO elects not to give consent to secondary employment, the CEO must provide an explanation outlining any perceived or actual adverse impacts that secondary employment may have on their employment with the Shire.

Conflicts of Interest with the Local Government

Secondary employment can lead to conflicts of interest and/or conflicts of duties. An Employee must not use Shire time, resources, or information obtained from the Shire of Ravensthorpe in the course of secondary employment, or otherwise take advantage of their position at the Shire for the benefit of their secondary employment.

An assessment of any secondary employment will be undertaken annually or more regularly if required in order to minimise risks including but not limited to:

- a) the creation of an actual or perceived conflict of interest between official and private business interests;
- b) misuse of Shire of Ravensthorpe resources, especially telephones, email and office stationery and material;
- c) unauthorised use of information and intellectual property;
- d) absenteeism due to competing commitments;
- e) diminished work performance resulting from tiredness, distraction or time pressures;
- f) increased load on co-workers who must 'cover' the reduced performance of one Employee; and
- g) adverse effects on the public's perception of the integrity of the Shire of Ravensthorpe.

Responsibility of Employee

An Employee must avoid and appropriately resolve any conflict or incompatibility between his or her private or personal interests and the impartial performance of his or her public or professional duties.

Employees with approval to engage in secondary employment have a duty to notify the CEO of any change in circumstances which might give rise to a conflict of interest, incompatibility with the Shire employment or any real or perceived adverse impact on their performance of professional duties.

Responsibility of Chief Executive Officer

The CEO may deny an application to engage in secondary employment where it presents a conflict with their Shire duties.

The CEO may make the termination of secondary employment a condition of commencement or continuation of employment with the Shire of Ravensthorpe. Further, the CEO may place any necessary restrictions on secondary employment so as to not interfere with the position with the Shire of Ravensthorpe. An Employee who engages or continues to engage in secondary employment after being informed that their application has been denied may be subject to disciplinary action. In some circumstance, the Shire may be obliged to notify an external agency, such as the Corruption and Crime Commission, if the secondary employment arrangement requires further investigation.

The Chief Executive Officer may delegate his/her authority to deal with all or any part of this policy and procedure to an appropriate Officer.

Voluntary & Community Organisations

Shire Employees are encouraged to contribute to the community and be involved in voluntary and community organisations. Within the context of this Policy, an Employee is free to fully participate in voluntary and community organisations, charities and in professional associations. However, this must be in the Employee's own time, except where permission is granted by the CEO for participation during work hours. All involvement in voluntary and community organisations must be disclosed and approval sought from the CEO. This further extends to unpaid external work and work experience, including internships.

Appeals

If an Employee who does not receive approval from the Shire to undertake secondary employment wishes to appeal the decision, they are entitled to make their appeal in writing to the CEO for reconsideration.

Variation to This Policy

This policy may be cancelled or varied from time to time. All Shire Employees will be notified of any variation to this policy by the normal correspondence method. All Employees are responsible for reading this policy prior to engaging in secondary work.

Related Corporate Documents

Code of Conduct

HR16 SMOKE FREE WORKPLACE

Operational Policy Objective

It is recognised that it is the right of individuals to decide whether they choose to smoke or not. However, the Shire of Ravensthorpe (the Shire) is committed to the safety and wellbeing of its Employees, Volunteers, Contractors and Visitors.

The Shire recognises that passive smoking is hazardous to health and that non-smokers should be protected from the involuntary inhalation of tobacco smoke.

Operational Policy

As an employer, the Shire has a duty to provide a safe working environment and to protect the health of all Employees from hazards in the workplace.

Smoking by Employees, Volunteers, Contractors and Visitors is prohibited in all internal or enclosed work areas, including all Shire vehicles and plant (as per Occupational Safety & Health Regulations, 1996, Reg 3.44B).

Application

There will be no smoking within all internal or enclosed work areas. This includes all offices and buildings which are regularly occupied by Employees.

To reduce the amount of smoke entering buildings, the Department of Health recommends no smoking within at least 5 m from entrances and openings or within at least 10 m of air intakes. Smoking is also strictly prohibited in those areas or workplaces which are signposted with prohibitive signs, where there is a high fire risk or in all Shire vehicles and plant/equipment.

Smoke breaks are not in addition to prescribed breaks but form part thereof. They must not impact on work performance.

Employees who wish to quit smoking by utilising a recognised 'quit program' may be supported. Non-smoking signs will be displayed in all Shire locations, plant and motor vehicles.

New employees will be advised of the Shire's Smoke Free Workplace Policy as part of the induction process.

Responsibility for Implementation

The Chief Executive Officer is responsible for the implementation of this Policy.

Executive Managers and Team Leaders are responsible for ensuring compliance with this Policy.

All Employees have a responsibility for ensuring that the Shire's Smoke Free Workplace Policy is politely brought to the attention of anyone who may be in contravention of it.

References

- Occupational Safety & Health Regulations, 1996
- Publication- *Tobacco Products Control Act 2006*, Smoking in Enclosed Public Places, Version 1.0
Department of Health

HR17 EMPLOYEE RELOCATION EXPENSES

Operational Policy Objective

The purpose of this policy is to clarify the provision of relocation expenses to assist in attracting Employees into key roles in the organisation based on operational requirements.

Operational Policy

The Chief Executive Officer may provide financial assistance to Employees to assist in their relocation to the Shire of Ravensthorpe. The Shire will pay up to \$6,000 to assist in removal expenses including moving furniture, vehicles, pets and flights for specialised staff.

Council will have discretion to pay additional relocation costs to secure the services of the Chief Executive Officer, and the Chief Executive Officer will have the authority to pay up to \$8,000 to assist in removal expenses for the appointment of Executive Managers.

A minimum of two quotes must be obtained prior to acceptance of a furniture removalist.

If alternate arrangements are made to reimburse resettlement expenses the Chief Executive Officer will document and record the agreement outlining the resettlement expenses with the Employee.

Up to \$6,000 will be reimbursed on production of receipts after the Employee has commenced employment.

If the Employee is terminated or resigns within 24 months the Employee may be required to pay back the relocation expenses based on the following:-

1. Less than 12 months service – 100% of relocation expenses reimbursed.
2. More than 12 months service but less than 24 months service – 50% of expenses reimbursed.

HR18 EMPLOYEE HOUSING

Operational Policy Objective

To provide housing or a housing subsidy to certain category of Employees for the purpose of attracting and retaining those Employees.

Operational Policy

The Shire will provide the following type of houses and housing conditions for certain levels of Employees. Rent is able to be salary sacrificed subject to this being at no additional cost to the Employer (subject to applicable Fringe Benefit Tax legislation).

The Shire acknowledges the housing market within the Shire of Ravensthorpe is over-subscribed and internally maintains a limited stock of housing to attract and retain Employees in key roles to meet operational demands and contributes positively and effectively to the work performance of the Shire of Ravensthorpe.

Housing allocation will be aligned with a structured framework, and where possible, will be allocated in support of personal family circumstance bases.

The Chief Executive Officer, can allocate Shire accommodation to Shire Employees and contractors without referral to Council.

Housing allocation, including configuration and room structure will ensure the most appropriate and cost-effective outcome for the Shire whilst recognising provision of housing benefits under an Employee's remuneration package.

HR18.1 Standards

In alignment with the structure of this policy, the Shire provides a framework for the Chief Executive Officer to consider provision for an Employee with a Shire owned property or pay a housing allowance in lieu of a Shire-owned property.

If a Shire owned property is provided it will be based on the following standards:

- Chief Executive Officer /Executive Managers – Executive standard (3 bed, 2 bath or greater)
- Executive Managers/Team Leaders, professional or specialised staff as determined by the Chief Executive Officer and based on availability (suitable and aligned to market availability - 2 bed, 1 bath or greater)

HR18.2 Value

Where an Employee is entitled to the provision of a housing allowance it will be treated as a taxable allowance, regarded as taxable income and attracts the minimum superannuation guarantee.

The value of the housing allowance is detailed below:

- **Chief Executive Officer**
Shire owned Executive Residence provided rent and utility cost free. A housing allowance of is applicable if the Officer chooses to secure their own accommodation facilities privately and paid to the Officer as a taxable allowance;
- **Executive Managers**

Shire owned Executive Residence provided rent and utility cost free. A housing allowance of is applicable if the Officer chooses to secure their own accommodation facilities privately and paid to the Officer as a taxable allowance;

- **Executive Managers, Professional or Specialised Staff (as identified as level 9,10 & 11)**
Will be provided a Shire owned Residence, subject to availability at the nominated rent. A housing allowance of is applicable if the Officer chooses to secure their own accommodation facilities privately and paid to the Officer as a taxable allowance;
- **All Other Employees**
Where housing stock exists surplus to requirements, staff will have the opportunity to apply to rent the property from Council aligned to the market-rate of the property.

The provision of a Council house or payment of a housing allowance is only available for one member of a household if employed by the Council. Where an Employee's spouse or other member of the residence is in receipt of subsidised housing or a housing-allowance, the Shire of Exmouth will provide a subsidy up to the value of any shortfall only, between Council's allowance, and that of the other member of the household.

If an Employee owns a house within the Shire boundaries the Employee will not be eligible for a Council house however will be eligible for a housing allowance.

HR18.3 Residential Tenancy Agreement

Each tenancy shall be subject to the *Residential Tenancies Act 1987 (WA)* ("the Residential Tenancy Act") and must be supported by a Residential Tenancy Agreement.

Rent payable by the Employee will be determined by the Chief Executive Officer. Employees will receive prior notice of any increase in rent in accordance with the *Residential Tenancies Act 1987*.

HR18.4 Property Condition and Inspection Protocol

Provision of Employee housing is a privilege and tenants are required to maintain the property (internally and externally) in a clean, tidy and sustained condition at all times, including and not limited to lawns and gardens being maintained and sustained.

At least six-monthly, Council will undertake property condition report in accordance with the *Residential Tenancies Act 1987*. In the event a tenant is deemed to be in breach of condition of the tenancy agreement, the appropriate notice will be issued to the tenant in accordance with the *Residential Tenancies Act 1987*.

HR18.5 Water Allocation

To assist Employees to maintain gardens at Council owned houses.

Council will meet the cost of water consumption to a maximum of 400kl per annum at houses that are occupied by Council Employees, Council will pay for in order to establish the garden.

In addition to this policy, an allowance will be made for Council properties that have new gardens put in. The Chief Executive Officer in consultation with Council's horticulturalist will determine the appropriate amount of water that is required to maintain the new plants.

Responsibility for Implementation

The Chief Executive Officer is responsible for implementing this policy.

HR19 RECOGNITION OF SERVICE – EMPLOYEES

Operational Policy Objective

The Shire of Ravensthorpe's Chief Executive Officer recognises that the length of service of an Employee does not necessarily equate to the value of their contribution to the Shire of Ravensthorpe (Shire), but seeks a balanced approach to recognise the loyalty, contribution and length of service.

Operational Policy

The Shire will recognise long serving Employees with more than 10 years of service on their resignation or retirement from the Shire.

Pursuant to the provisions of Section 5.50 of the *Local Government Act 1995*, the Chief Executive Officer (CEO) has adopted the following guidelines with respect to recognition of service payments to Employees who are leaving the organisation.

In using discretionary power, the CEO will use the following as a guide;

- a) Less than 5 years continuous service; farewell morning/afternoon tea or end of day bbq.
- b) 5 to 10 years continuous service; as a) above plus gift to the value of \$100.
- c) Over 10 years continuous service; as a) above plus gift to the value of \$500.

The Council reserves the right to pay an additional amount to that as set out in this Policy, where it considers circumstances warrant, in which case, local Public Notice is to be given.

Statutory Requirements

Section 5.50(1) of the *Local Government Act 1995* states that Local Government is to cause local public notice to be given in relation to the Policy.

Document Control Box							
Custodian:	Chief Executive Officer						
Decision Maker:	Council						
Compliance Requirements:							
Appropriate Annual Budget Allocations							
Legislation:	s5.50 [Payments to Employees in addition to contract or award] of the <i>Local Government Act 1995</i>						
Industry:							
Organisational:							
Document Management:							
Risk Rating:	Low	Review Frequency:	Four Yearly	Next Due:	2026	Ref:	
Version #	Decision Reference:		Description				
1.	OCM 21/07/20 – Item 13.2		2020 - Comprehensive policy register review.				
2.	OCM 20/10/20 – Item 13.3		Adjusted values commendable and continuous service.				
3.	OCM 19/07/22 – Item 12.1.2		2022 – Comprehensive Policy Manual review.				
4.	CEO Approved 23/05/23		CEO Operational Policy Manual				

HR20 EMPLOYEE USE OF COUNCIL PLANT AND EQUIPMENT NON-WORK RELATED

Policy Objective

That Employees of the Shire of Ravensthorpe (Shire) may be permitted to utilise Plant and Equipment (P&E) owned or controlled by the Shire for their own private purposes, in accordance to the Shire's Fees and Charges, on the following basis:

Policy

Permission being granted by the CEO or Executive Manager Infrastructure Services (EMIS) for each incidence of use, with the Employee having the appropriate licences, training and / or induction in its use and operation of the P&E;

- a) The use of the P&E being within the Shire, with the exception of trailers, unless exceptional circumstances are warranted and authorised by the CEO or EMIS;
- b) This policy does not apply with respect to vehicles, mobile phones or other items of P&E expressed permitted under a lawful contract of employment;
- c) The P&E is not required by other Employees for work purposes;
- d) Any damage or loss being the responsibility of the user and reported immediately to the CEO or EMIS;
- e) Nothing in this policy permits anyone other than staff to utilise the P&E;
- f) Nothing in this policy prevents Shire Employees utilising P&E for community volunteer purposes authorised under any other Council Policy;
- g) The usage does not involve the exchange of goods, services or monetary consideration of any form;
- h) The volume of usage not being considered excessive or prolonged in the opinion of the CEO or EMIS;
- i) The P&E being utilised on the employers, Employees or another Council Employee's land or buildings.
- j) Any P&E (not including items in clause (l)) requiring fuel to operate being returned with a full tank;
- k) Chainsaws are not to be lent out to any Employee under any circumstance;
- l) Items of P&E **not permitted** to be utilised without charge for private Employee purposes include:
 - i) Graders
 - ii) Loader
 - iii) Backhoe
 - iv) All trucks and light vehicles
 - v) Tractors
 - vi) All heavy trailers (>5 tonne)

- vii) All tractor attachments (Gang mowers / slashers etc)
- viii) Community Transport Vehicles (Bus, Transport Van and Bus Trailer).
- m) Items identified in clause (l) may be hired, at internal charge out rates at the discretion of the Chief Executive Officer or Executive Manager Infrastructure Services.

AFTER HOURS USE OF LOCAL GOVERNMENT FACILITIES, PLANT AND EQUIPMENT

Please complete your details, obtain the necessary approvals and forward to the Shire of Ravensthorpe Works Supervisor at least 5 (five) business days prior to the date of hire.

Ph / **Mobile** / **Email:** ao@ravensthorpe.wa.gov.au

Staff Member:.....

Department/Section:.....

Signature of Supervisor:

Reason for Requesting Use of Plant/Equipment:.....

.....

DETAILS OF PLANT / EQUIPMENT TO BE UTILISED:

DATE TO BE COLLECTED	APPROVED (Name)	BY	MAKE	MODEL	SERIAL NO.	DATE TO BE RETURNED	RETURNED AND CHECKED BY (Name Signature)

DETAILS OF FACILITIES TO BE UTILISED / KEYS ISSUED:

DATE OF FUNCTION	ISSUED BY (Name)	DATE KEYS RETURNED	NAME AND SIGNATURE OF RETURNING OFFICER

I hereby acknowledge that I have read and understood the Shire of Ravensthorpe's Policy in respect of staff member use of the Shire's facilities, plant and equipment outside of working hours.

I declare that I am trained / skilled in the use of the plant / equipment detailed above and hold the necessary licences. I confirm that I attach a copy of the relevant licences.

Signature of Staff member:

Date: __/__/20__

PLEASE FORWARD THIS FORM TO THE WORKS SUPERVISOR AND WORKS ADMINISTRATION OFFICER