

# **Promoting Better Practice Program**

## **REVIEW REPORT**

### **BOURKE SHIRE COUNCIL**

**SEPTEMBER 2013**



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## **EXECUTIVE SUMMARY**

### ***About the Review***

A Promoting Better Practice Review of Bourke Shire Council (the Council) was undertaken in November 2012 by the Division of Local Government, Department of Premier and Cabinet (the Division). The Promoting Better Practice Program aims to assist in strengthening the local government sector by assessing performance and promoting continuous improvement. The reviews are designed to act as a 'health check' examining a number of areas:

- governance
- strategic planning and delivery
- financial and asset management
- workforce management
- community and social service provision
- land-use planning
- regulatory functions.

This report identifies where better practice exists, to both acknowledge the strengths of the Council and contribute to improvement in the Local Government sector. It also discusses key areas of the Council's activity that require improvement or development to meet its legislative obligations as well as to meet community expectations.

### ***About Bourke Local Government Area***

Bourke Shire is located in North Western NSW and covers an area of 43,116 square kilometres. The town of Bourke is located on the banks of the Darling River and is the crossroads of the Mitchell Highway, Kamilaroi Highway and the Kidman Way. It is approximately 772km from Sydney, 1000km from Melbourne, 930km from Brisbane and 1,130km from Adelaide.

Bourke Shire is home to a number of small villages and is considered a gateway into south west Queensland and the far west of NSW. The shire is home to approximately 2,868 people with around 30.2% of the population identifying as Aboriginal or Torres Strait Islander People, compared with a State average of 2.5%.

Bourke Shire Council is an undivided Local Government Area without separate wards. The Council is comprised of ten councillors, including the Mayor who is elected by the councillors at the first meeting of the Council. The Mayor serves in this role for the full term of the Council. The Council employs 88 full-time equivalent staff, and during 2011/12 the Council spent \$21.96M on its continuing operations.

### ***Summary of key findings***

Bourke Shire Council is generally performing very well, with the majority of its policies, practices and systems being of a fair to good standard. A number of areas requiring development have been identified. However in most cases the Council is in the process of implementing appropriate strategies to affect positive change.

The councillors and the General Manager demonstrated a good understanding of Integrated Planning and Reporting requirements. The Council meeting that was observed by the reviewers was efficiently conducted, and generally followed good meetings practice. The Council transacted its business effectively at the observed meeting.

The review team observed strong teamwork within the management team. Working relationships within the management team appeared productive. Overall, the culture of the organisation is perceived as being hard-working and positive.

### **Governance**

Overall, the Council has sound governance processes and systems. The Council does need to review its suite of policies to ensure they are current and consistent with each other and the needs of the community and the organisation.

### **Strategic planning and delivery**

Consistent with the integrated planning and reporting framework for NSW local government, the Council has worked with the community to develop the Community Strategic Plan. The plan sets out a shared vision for the community, and sets the long-term direction for the local government area. The Council has sound strategic planning processes but does need to ensure that it links its resourcing strategy documents more closely to the delivery and operational plans.

### Financial and asset management

The Council's ongoing financial sustainability, in particular ongoing budget deficits, is of concern as the Council is heavily reliant on continued grant funding. However, over the past few years the Council has demonstrated the capacity to improve its financial position and should continue this focus.

The Council has continued to develop its asset management plans and work programs. The Council appears to be performing well in this area.

### Workforce management

The Council appears to have a positive culture with a motivated workforce. Staff members who met with the review team appeared very committed to continuing to support the current positive direction of the organisation. They were almost universally enthusiastic about the organisation and their work.

A systematic review and renewal of the Council's policy framework, and the introduction of a positive performance assessment process, will enhance the Council's management of its workforce and provide surety to the staff and the community.

### Community and social service provision

The Council supports community and social services mainly through the provision of premises from which many State and other agencies operate. The Council is focusing on developing economic opportunities and fostering tourism growth through regional partnerships and innovative thinking.

### Land-use planning

Development of the new Local Environmental Plan (LEP) has been a lengthy process for the Council, and the recent adoption of the new instruments will provide a sound basis for future development in Bourke Shire. The Council has also demonstrated some innovative ways of managing the Development Application process and is working well with its community in this aspect of its work.

Regulatory functions

The Council needs to develop an overall Compliance, Enforcement and Prosecutions policy applicable to the unique circumstances of the local government area. That said, the Council is successfully delivering regulatory services in an often-challenging environment.

**Next steps**

The review team has made 18 recommendations to guide improvement in key areas. These are discussed in the report and listed in Part V. The action plan is to be completed by the Council. The completed action plan, including the Council's comments, will be reproduced in the final report.

The final report is to be adopted by the Council to guide the implementation and monitoring of the recommendations in this report. Upon issue of the final report, the Division will advise the Council if it intends to monitor the implementation of the recommendations of the report, or leave this responsibility with the elected body and senior management of the Council.

## **PART I      BACKGROUND**

### **1      ABOUT THE REVIEW**

Reviews of councils are undertaken by the Division of Local Government through its Promoting Better Practice Program.

#### ***Program Objectives***

By promoting better practices, the Division aims to:

- work with councils toward strengthening the local government sector by assessing performance and promoting a culture of continuous improvement with an emphasis on:
  - governance
  - strategic planning and delivery
  - financial and asset management
  - workforce management
  - community and social service provision
  - land-use planning
  - regulatory functions.
- work cooperatively with councils to promote strong relationships within the sector.
- identify trends and issues arising from reviews to support policy and legislative changes for the local government sector.
- encourage and facilitate innovation by responding creatively to identified trends and issues.

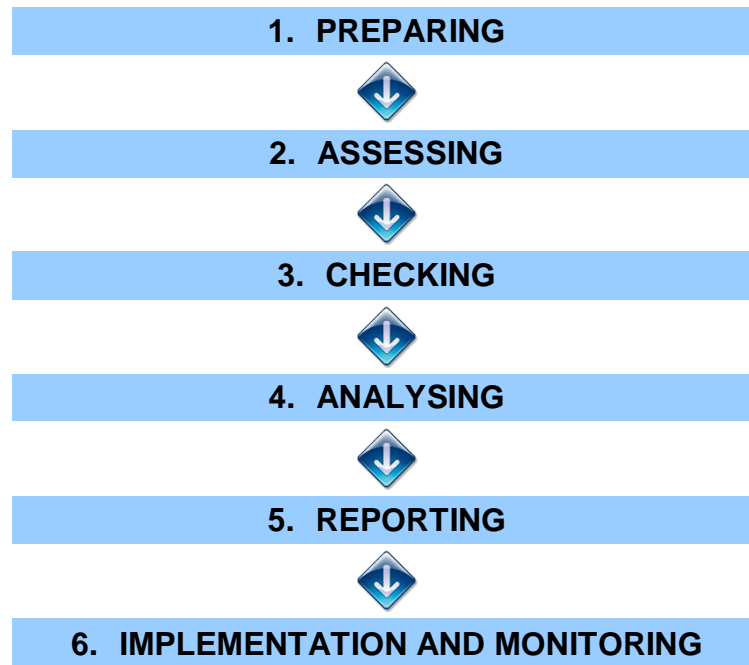
#### ***Review Process***

The reviews are designed to act as a ‘health check’, giving confidence about what is being done well and helping to focus attention on key priorities. They are conducted by a review team from the Division of Local Government.

A risk-based approach is taken, targeting resources to areas identified as core matters for examination, and those matters considered to be important having regard to the

local circumstances of an individual council. In other words, a review does not examine every aspect of a council's operations.

A review essentially involves six key steps, as follows:



1. Preparing: This involves the completion of a comprehensive self-assessment checklist by the council and the examination of a range of documents by the review team.
2. Assessing: The review team examines the local context/circumstances in order to understand the pressures on the council and how the council has sought to manage that environment.
3. Checking: The review team visits the council to 'reality check' what they have found in the material received from the council. Activities usually include meeting with senior officers, talking with individual staff and councillors, observing a council or committee meeting, and viewing systems or processes in action. Determining whether the council has frameworks in place to monitor its own performance is also important.
4. Analysing: Post visit, the review team examine a range of information obtained from the council to determine whether this material is in line with applicable legislation, policy, guidelines and available good practice indicators.
5. Reporting: The scope of the review report is limited to identifying areas of better practice and areas requiring further development, as defined below:



<p><b>Better practice</b></p>	<ul style="list-style-type: none"> <li>• Beyond or above minimum compliance requirements, published guidelines or in some way better than standard industry practice.</li> <li>• Innovative and/or very effective.</li> <li>• Contributes to continuous improvement within the local government sector.</li> </ul>
<p><b>Requires further development</b></p>	<ul style="list-style-type: none"> <li>• Does not satisfactorily meet minimum compliance and good practice indicators, and may impact negatively on the council's operations.</li> <li>• Significant improvement initiatives are in progress and need to be continued.</li> </ul>

The review team prepares a draft report that provides an assessment against a number of areas of council operations and includes recommendations where further development is required. Areas of council activity that are not assessed as 'better practice' or 'requires further development' are rated as satisfactory. The council is asked to provide comments on the draft report and complete the action plan. These will be reproduced in the final report.

6. *Implementation and monitoring*: The final report is to be adopted by the council to guide the implementation and monitoring of the recommendations in the report. Upon issue of the final report, the Division will advise the council whether it intends to monitor the implementation of the recommendations of the report, or leave this responsibility with the elected body and senior management of the council.

### ***Conduct of the review***

The Promoting Better Practice Review is not intended to be a detailed audit of a council's compliance with the *Local Government Act 1993* and other legislation that the council is required to comply with. Rather, as mentioned earlier, the reviews are designed to act as a 'health check', giving confidence about what is being done well and helping focus attention on key priorities.

The review team is required to exercise due diligence in carrying out the review. This means the members of the team have an individual and collective responsibility to:

- be accurate and factual.
- be as objective as possible.

- act professionally.
- make assessments based within the applicable legislative and policy framework.
- work cooperatively with representatives of the council.
- prepare a report which provides a fair presentation of the council.
- work within the Code of Conduct issued by the Division of Local Government, Department of Premier and Cabinet.

Similarly, the Division of Local Government encourages the council to exercise due diligence when participating in the review. For example, the review team relies on the council to complete the self-assessment checklist accurately and to provide the team with up-to-date information during the review process. The council is given the opportunity to provide detailed feedback in relation to the draft report. This will help to facilitate the preparation of a report which presents a balanced assessment of the council's operations and local circumstances.

### ***Review of Bourke Shire Council***

The review team members were Grant Astill, Principal Program Officer and Leonie Myers, Acting Program Officer.

The on-site component of the review took place from 26-30 November 2012. It involved the following activities:

- initial interviews with the Mayor and the General Manager
- interviews with a cross-section of staff
- observation of a meeting of the Council
- a review of the Council's policies, and other documents and systems.

The review team takes this opportunity to thank the councillors and staff members who participated in the review and provided us with valuable assistance.

## 2 ABOUT THE COUNCIL AND THE AREA



Bourke Shire is home to a number of small villages and is considered a gateway into south west Queensland and the far west of New South Wales. It is home to approximately 2,868 people with around 30.2% of the population identifying as Aboriginal or Torres Strait Islander People (compared with a State average of 2.5%).

Bourke Shire is part of the Murdi Paaki region and the history of Aboriginal occupation of this region extends back at least forty thousand years. Evidence of Aboriginal ownership from 32,000 years ago is found in burial sites at Lake Mungo, South West NSW, and burials which are even older have been found at Lake Victoria.

At the time of the first white settlement in the area, the Bourke area was home to the Ngemba people, part of the Wongaibon group of north Western NSW.

European settlement in the Shire dates from 1835, when Major Thomas Mitchell established Fort Bourke stockade. Squatters arrived in the area in the 1850's and began the grazing industry. A request for the establishment of a town was made in 1859, and from this time onwards Bourke was a major regional centre for the transportation of goods along the Darling River. River transport ceased in 1931, giving way to rail and road.

The Shire's prosperity is built around the pastoral, irrigation, tourism and service industries which are strongly supported by a wide range of attractions and activities. The Shire's main industries have traditionally included cotton, soft fruit, citrus, cattle production, irrigated wheat, wool, wild goat and kangaroo harvesting. It should be noted



that as a result of recent drought that many of the Shire's local industries have recently been in decline.

### The Council

Bourke Shire Council is an undivided Local Government Area without separate wards. The Council is comprised of ten councillors including the Mayor who is elected by the councillors at the first meeting of the Council. The Mayor serves in this role for the full term of the Council.

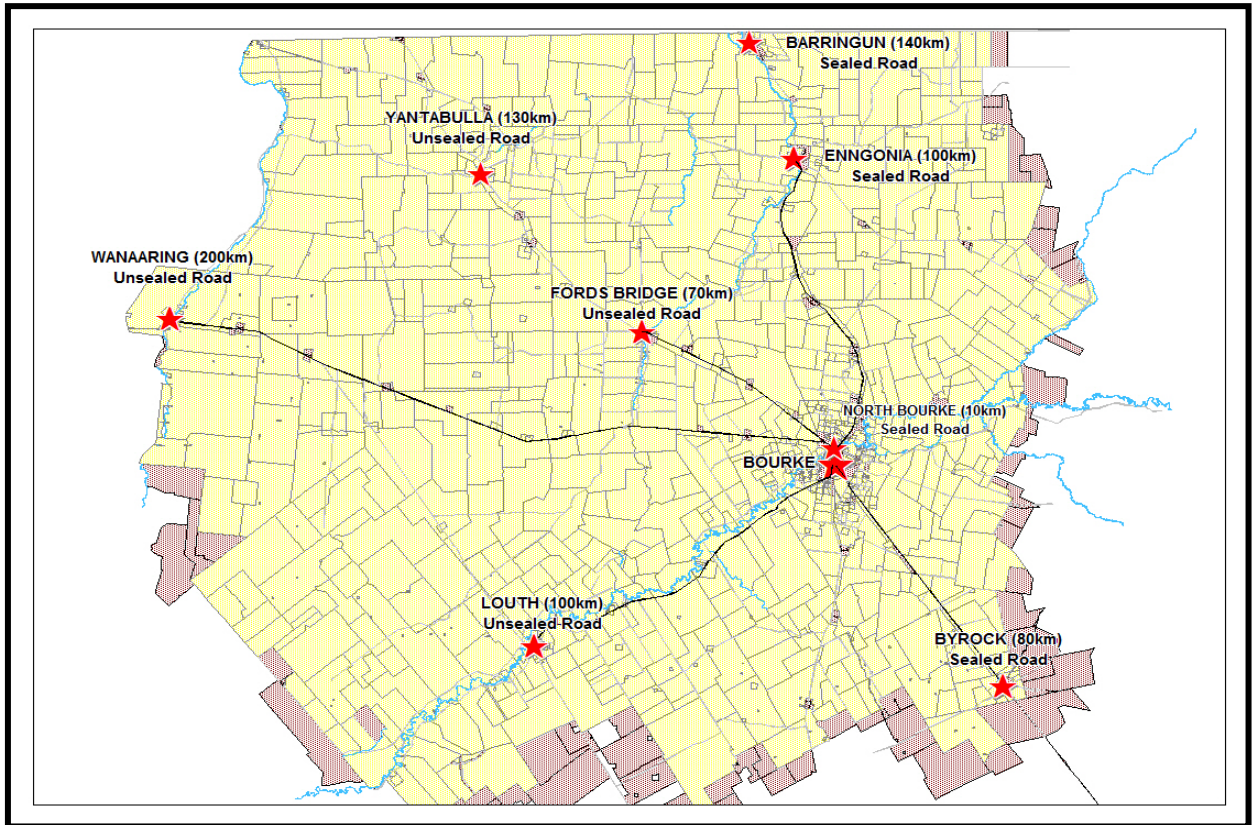
Bourke Shire Council's operation is structured into six key areas. The Council's management team is made up of seven employees. The General Manager has been recently employed at the Council and has inherited an experienced management team supported by long-serving staff who possess a sound knowledge of local government operations. The staff have a high community focus and are capable of responding to the many challenges facing the local community. The Council has recently faced a number of challenges including bushfires, storms and damage to local infrastructure.

Bourke Shire Council is a member of the Orana Regional Organisation of Councils (OROC), which also includes Bogan, Brewarrina, Cobar, Coonamble, Dubbo, Gilgandra, Narromine, Walgett, Warren, and Warrumbungle councils.

The OROC region has a number of General Purpose councils which have identified a need to work more closely together to achieve greater efficiencies, and to deliver significant benefits to all members through the coordination and consolidation of a range of activities. For example, Bourke was one of four councils that collaborated to develop a computer-based integrated planning and reporting management system.

### Location and demographics

Bourke Shire is located in North Western NSW and covers an area of 43,116 square kilometres. The town of Bourke is located on the banks of the Darling River and is the crossroads of the Mitchell Highway, Kamilaroi Highway and the Kidman Way. It is approximately 772km from Sydney, 1000km from Melbourne, 930km from Brisbane and 1,130km from Adelaide.



Bourke Local Government Area map (source: Bourke Shire Council)

Key demographics:

- Population: 2,868
- Projected population (2036): 2,400
- Median age: 35
- Density: 15 persons per sq km
- Aboriginal and Torres Strait Islander People: 867 (30.2%)
- People from non-English speaking backgrounds: 18
- People aged 60 years and over: 485
- Young people aged under 15 years: 730

(Source: Australian Bureau of Statistics)

The Murdi Paaki region has a high birth rate resulting in 12% of the Aboriginal population in the region being under 4 years old. Just over one-third of young people in the region aged 15–19 years old are at school or in training, compared with a national rate of 68%.

Local issues

The past decade has been challenging for the Bourke Shire communities as well as for those businesses reliant on the farming sector. The Shire has suffered the effects of



prolonged drought which has been devastating for many agricultural businesses in the area. Numerous hectares of citrus trees have been cut to the stumps for survival or knocked over as it is no longer viable to try to keep them growing.

After a decade of drought, Bourke Shire was affected by flooding from the Darling River in January 2012. Levee banks surround the town of Bourke and a number of villages in the Shire to protect the community from rising floodwaters.



The Darling River in flood 2012 (source: Bourke Shire Council)



Going to School during the 2012 flood (source: Bourke Shire Council)

Bourke Shire's population is declining as people move to seek job opportunities elsewhere or retire in cities where services are available for the elderly. Although Bourke Shire has two primary and one secondary schools, education and training opportunities are limited with many high school students leaving the area to attend boarding schools in major cities.

Now that the drought has ended, Bourke has the opportunity to reinvent itself and focus on emerging opportunities such as tourism and human service industries.

## **PART II      MAKING AND IMPLEMENTING DECISIONS**

This part of the review focussed on examining how effective the Council's decision-making is, and the key structures, systems and processes involved in administering its strategic and day-to-day operations.

### **3      GOVERNANCE**

#### **3.1      SCOPE**

Each council is a statutory corporation (see Chapter 9, *Local Government Act 1993*). The councillors are the governing body of the corporation and they have the responsibility for directing and controlling the affairs of the council in accordance with the Act.

All functions of a council come from statute, from the *Local Government Act 1993* and other legislation. Governance in this context refers to all the means by which a council is organised (politically and administratively) to make and enact decisions to carry out its functions.

Strong, effective governance is critical to:

- enhancing organisational performance
- minimising and managing risks
- increasing the confidence of the community and the local government sector in the organisation
- ensuring that a council is meeting its statutory and ethical obligations
- assisting in the prevention and detection of dishonest or unethical behaviour.

#### **3.2      OVERVIEW**

The key governance areas of the self-assessment checklist completed by Bourke Shire Council were examined by the review team, and an overall assessment for each area is included in Table 1, below. Most of the Council's policies, procedures and systems are of the required standard to successfully meet its statutory obligations and guide the Council's operations. These are discussed in more detail later. Overall, Bourke Shire Council's governance framework was considered to be sound.



**Table 1: Governance Assessment**

Area of assessment	Assessment of the Council's performance
Ethics and values	✓
Code of Conduct	✓
Gifts and benefits	✓
Disclosure of pecuniary interests	⚠
Business ethics	✓
Risk management	✓
Fraud control	⚠
Business continuity	✓
Internal audit	✓
Legislative compliance	⚠
Legal services	✓
Procurement, disposal and tendering	⚠
Privacy management	✓
Records management	✓
Access to information by the public	⚠
Policy register	⚠
Executive Management meetings	✓
Internal communication	✓
Delegations	✓
Council meetings	✓
Council committees (s355 and others)	✓
Councillor induction and ongoing training	✓
Expenses and facilities policy	⚠
Councillor/staff interaction	✓

Access to information by councillors	✓
Customer service/complaints handling	✓
Protected disclosures and internal reporting	✓
Information technology	▲

Table key:  Better practice  Requires further development  Satisfactory

Internal audit

Bourke Shire Council does not have an independent internal audit committee. Having an Internal Audit function is important for the following reasons:

- it supports good internal governance
- it improves the effectiveness of risk management, control and governance processes
- it helps to instil public confidence in a council’s ability to operate effectively.

The Council has acknowledged the importance of the internal audit function as outlined in the Division’s September 2010 internal audit guidelines. The Council should consider how the functions of an Audit Committee may assist the Council to meet some of the challenges it faces. Acknowledging the remoteness of the location and the difficulties and expense of attracting suitably qualified and experienced independent persons, the Council may wish to consider the benefits of establishing an internal audit committee.

Internal communication

The Council does not have an intranet to publish its policies and procedures for staff, but instead uses a shared drive that all staff can access. Given the size of the Council, this is an effective way of managing its information technology resources. Most internal communication is handled by email, notices or face-to-face.

The Council appreciates that its ‘outdoor’ employees also need to be able to access information. As such, the Council has taken steps to provide better access for its ‘outdoor’ employees by providing computers and information at depots, regular staff notices on bulletin boards, and a newsletter is distributed with pay slips to keep staff informed.

### Delegations

Delegations are a key component of a council's governance system, establishing the legal framework for effective decisions and financial responsibility. The Council's delegations register was reviewed, and it was noted that general delegations were listed and are recorded for those staff with delegated authority. However, with the appointment of a new General Manager and the settling in of the new Council, it may be timely for the Council to reconsider its delegations. Clear written delegations of authority with defined limits are essential for good governance.

### Council meetings

The decision-making processes of both the elected body and the executive management team of Bourke Shire Council appear sound. The review team members observed the Council's combined November and December end-of-year meeting on 26 November 2012 which was well run and orderly. The Chair kept the meeting to the agenda. Amendments to motions were properly handled and councillors appear to respect the Chair and each other.

Questions to staff were generally through the Chair. However, there were some direct questions posed to the General Manager. The General Manager also participated in the meeting by proposing that the Council move a meeting to another date and went as far as wording the motion for the Chair. While this was of assistance to the Council, it is not for the General Manager to participate in the meeting in this fashion, and care should be taken to advise the Chair of such issues and have the councillors determine the motion and action.

### Councillor/staff interaction

Councillor and staff interaction was described as positive and productive by all staff and councillors. However, one councillor expressed the view that his access to information could be improved.

The Council does not have a councillor/staff interaction policy - it relies on the code of conduct. While it is not written, Council staff and councillors are aware of the restrictions that apply and maintain appropriate boundaries. While this may be suitable at this time,

it would be in the Councils interest to document and clarify these practices for future staff and councillors.

Access to information by councillors

The Council has no current documented protocol for the handling of councillor requests. Councillors deal with the General Manager and senior staff in addressing questions or concerns. The Council should examine the methods for recording and satisfying councillor requests to ensure that councillor requests are answered and that all councillors are privy to the issues and concerns from the community.

### **3.3 SIGNIFICANT OBSERVATIONS**

***Requires further development***

Disclosure of pecuniary interests

Councillors and designated persons are required to accurately complete and lodge 'Disclosure of Interest' returns (section 449 of the Local Government Act). Failing to do so has the potential to undermine the community's confidence in the integrity of local government and the decision-making process.

The review team reviewed 'Disclosure of Interest' returns for councillors and the Council's General Manager. The Council has three contracted staff - the General Manager, the Manager Corporate Services and the Manager Tourism and Development. The Council's other managers are permanent employees. The Council needs to determine which of these staff are senior staff for the purposes of disclosure of interest, and have the appropriate disclosures recorded in compliance with the *Local Government Act 1993*.

The Division has issued various circulars and a self-help guide to assist Council officials to comply with their obligations relating to disclosure of interests and to ensure that accurate information is recorded.

**Recommendation 1**

*The Council's Senior Staff should complete and lodge section 449 disclosure of interest returns.*

The review team also noted that the Council has the processes and documentation to allow both councillors and staff to disclose any conflict of interests. However, the observation of a Council meeting, and a review of the Council's meeting minutes more generally, revealed that the Council does not have an agenda item to prompt such disclosures at its meetings.

**Recommendation 2**

*The Council should include the disclosure of pecuniary interests as an agenda item for each Council meeting.*

Fraud control

Fraud is defined as "dishonestly obtaining a benefit by deception or other means and includes both tangible and intangible benefits" (Commonwealth Fraud Control Guidelines).

The Council does not have a policy or strategy to control fraud and prevent corruption. Such a policy and strategy should be linked to the Council's Risk Management Plan. A draft policy was prepared in 2007, but has not been adopted.

The Council has not undertaken a systematic fraud risk assessment. The Australian Auditing Standard 210 (AIS210) requires all external auditors to obtain a written representation from management that the organisation has systems to deal with fraud risks.

**Recommendation 3**

*The Council should develop and implement a Fraud Control Policy as soon as possible. The Policy should be linked to the Council's Risk Management Plan, ensure fraud risk assessments of the core areas of organisational risk are undertaken and that these are managed in a manner which limits exposure to fraudulent and corrupt activities.*

### Legislative compliance

With the breadth of legislation and regulation applicable to councils, as well as regular updates and amendments, it is important for councils to monitor and respond to these requirements. Staff should also be made aware of their legislative and regulatory responsibilities, especially those with enforcement duties.

The Council does not have a formal system or process in place to monitor changes and ensure that its legislative and regulatory obligations are met. Each area is responsible for monitoring changes in legislation affecting its area of operations.

### **Recommendation 4**

*The Council should develop a Legislative and Regulatory Compliance framework.*

### Procurement, disposal and tendering

In accordance with section 55 of the Local Government Act, the Council reported that it has documented policies and procedures for purchasing and tendering only. Procurement, disposal and tendering are activities which potentially pose high risk to councils. All councils should regularly review and analyse the potential risk exposure within their procurement and disposal practices.

As part of the Division of Local Government's aim to encourage and support better practice, it has produced Tendering Guidelines for NSW Local Government. The Guidelines aim to assist councils in applying clear policies, consistent procedures and effective risk management strategies in accordance with the *Local Government Act 1993*, the Regulation and other relevant legislation.

The Council does not have documented policy and procedure for the disposal of assets nor for monitoring the performance of contractors.

### **Recommendation 5**

*The Council should review and document its procurement, tendering and disposal policies and practices to ensure they are in accordance with the Local Government Act 1993, the Local Government (General) Regulation 2005 and other relevant legislation.*

#### Access to information by the public

On 1 July 2010 the *Government Information (Public Access) Act 2009* (GIPA) replaced the *Freedom of Information Act 1989* and the document access and publication requirements of section 12 of the *Local Government Act 1993*.

The GIPA legislation introduces a new ‘right to information’ system that is focused on making government information more readily available. This means that information will generally be released unless there is an overriding public interest against disclosure.

The Council’s Publication Guide adopted on 27 August 2012 has been developed in accordance with Section 20 of the GIPA Act and is available on the Council’s website. The purpose of the Guide is to optimise public access to Bourke Shire Council documents.

The Council appears to have put effort into complying with the GIPA Act. A number of policies, codes and documents are available on-line. However, the list is by no means exhaustive and further policies should be available. The Office of the Information Commissioner NSW has a compliance checklist available on its website. The checklist is a self-assessment tool which can be used to determine an agency’s compliance with the GIPA Act.

### **Recommendation 6**

*The Council should consolidate its policy registers/lists and ensure all documents listed are available on its website in accordance with Government Information (Public Access) Act 2009.*

### Policy register

A council's policies are an important mechanism for setting, monitoring and reviewing the council's systems and processes. It is considered good practice for councils to review and, as appropriate, amend or replace the organisation's policy suite following ordinary local government elections. This ensures that policies clearly delineate the responsibility of the elected body for the strategic aspect of policies and of the various sections of council responsible for the operational aspect of policies.

All of a council's policies should contain a standard method of document control, listing such things as an adoption date with a reference to the Council minutes, a 'last reviewed' date, and the area of the council responsible for the policy. Policies should also contain cross-references to related policy documents to actively promote an overall consideration of the system of governance of the council.

Bourke Shire Council should undertake an organisation-wide analysis to determine policy, planning and procedural gaps. For example, the Council may benefit from developing a Records Management Plan and an Information and Communication Technology Strategic Plan that supports the Council's Resourcing Strategy.

### **Recommendation 7**

*That Council review its policy suite and finalise and adopt its draft policies and plans.*

The Council's policies should provide assurance to the community that the Council is properly managed and accountable for its activities. The Council also communicates its standards and principles through the publication of its policies. Bourke Shire Council does not have many of its policies readily accessible to the community.

### **Recommendation 8**

*That the Council provide its policy documents to the community by publishing them on its website.*



Giving effect to the policy statements are the supporting procedures used by staff. In most cases these documents are distinctly operational in nature. The review team noted that many of the Council's work practices were not corporately documented. This poses a risk to the Council's operations in the event that knowledge holders leave the organisation. Procedures should be documented, endorsed by management and subject to regular review.

### ***Recommendation 9***

*That the Council document its procedures across its functional areas.*

#### *Expenses and facilities policy*

Councillor expenses and facilities policies should allow for councillors to receive adequate and reasonable expenses and facilities to enable them to carry out their civic duties as elected representatives of their local communities.

The preparation and review of these policies on an annual basis by the Councils is a mandatory requirement to ensure accountability and transparency in the reasonable and appropriate provision of expenses and facilities to mayors and councillors in NSW.

The Division has conducted a review of Bourke Shire Council's expenses and facilities policy and has a number of concerns:

- It appears that the Council has not submitted its councillor expenses and facilities policy to the Division after it has been reviewed and adopted, as is required.
- It is not clear whether the Council gave public notice when it developed the councillor expenses and facilities policy, or how long the consultation process was.
- There is no dispute resolution process in the policy.
- The Council's policy has a 'no private benefit' provision, but does not have a mechanism for the reimbursement of private benefits.
- There is a lack of clarity around the limits for expenses - what is and isn't included in the prescribed amounts. Is the \$1,000.00 limit for all activities including training, conferences and the like?
- The policy provides for the reimbursement of 'reasonable legal expenses for councillors' but this is not defined. Also for legal expenses, the policy does not provide that reimbursement will only be made when the decision is substantially

favourable to the councillor. The Council should also provide limits for legal expenses and outline the proper approval process for reimbursement of legal expenses.

- The Policy provides for 'free and unrestricted use of vehicle' for the mayor for business purposes only. No private use is allowed, but the 'private use' is not clearly defined. There should be a mechanism to check whether there was private use or not, and for reimbursement to the Council for any private use of the vehicle.
- Councillors cannot claim for participating in election fundraising activities. No statement to this effect is included.
- There should be an approval process for all expenses along similar lines to the process for the conferences.

### ***Recommendation 10***

*That the Council review its expenses and facilities policy using the Division's Guidelines.*

### **Information technology**

The Council does not have an information technology strategy that incorporates plans of action for information technology, information management and information systems. It is good business practice to adopt an information technology strategy to meet the business needs, standards and strategic directions of the Council, as well as to consider potential risks and their management.

The Council's staff report that the current information technology systems and hardware are approaching the end of their useful lives. Many users reported that the systems were no longer meeting their needs effectively and the system is becoming more difficult with age.

The Council should use the development of an information technology strategy to prioritise the integration of its information and communications technology platforms to ensure maximum staff productivity and reduce organisational risk.

**Recommendation 11**

*That the Council prepare an information technology strategy that considers asset management issues.*

**The Council's response**

The Council acknowledges the benefits of having a comprehensive suite of clear and concise policies. The Council has undertaken a considerable amount of work to strengthen the area of governance including the preparation and availability of policies.

**Recommendation 1**

This has been completed as detailed in the Action Plan.

**Recommendation 2**

This has been completed as detailed in the Action Plan.

**Recommendation 3**

The requirement for a Fraud Control policy is noted and development has commenced as detailed in the Action Plan.

**Recommendation 4**

This requirement is noted and will be commenced shortly. Given the broad nature of the development, a period of twelve months has been allowed as detailed in the Action Plan.

**Recommendation 5**

Review has commenced with Tendering Guidelines being completed, procurement being reviewed and work will commence on the disposal policy shortly as detailed in the Action Plan.

**Recommendation 6**

Work will progressively take place to ensure that all required documents are included on the website.

**Recommendation 7**

This has commenced and will be an ongoing process.

**Recommendation 8**

This has commenced and will be an ongoing process.

**Recommendation 9**

As detailed in the Action plan, the Council is currently collating all existing procedures and will progressively work towards developing procedures where a shortfall is identified.

**Recommendation 10**

The policy has been reviewed and the new policy will be presented to the Council in September as detailed in the Action Plan.

**Recommendation 11**

A draft has been prepared and will be reviewed to ensure it adequately considers all asset management issues.

## **PART III PLANNING AND DELIVERING A SUSTAINABLE FUTURE**

This part of the review focussed on the Council's implementation of the Integrated Planning and Reporting framework, and how it has involved its communities and other stakeholders in developing long-term strategic plans. The review assessed the clarity of the Council's strategic direction, whether its plans reflect a shared and realistic vision, and its overall approach to strategic planning. Monitoring and reporting progress to promote continuous improvement was also a consideration in regard to the assessment of the Council's performance in this area.

### **4 STRATEGIC PLANNING AND DELIVERY**

#### **4.1 SCOPE**

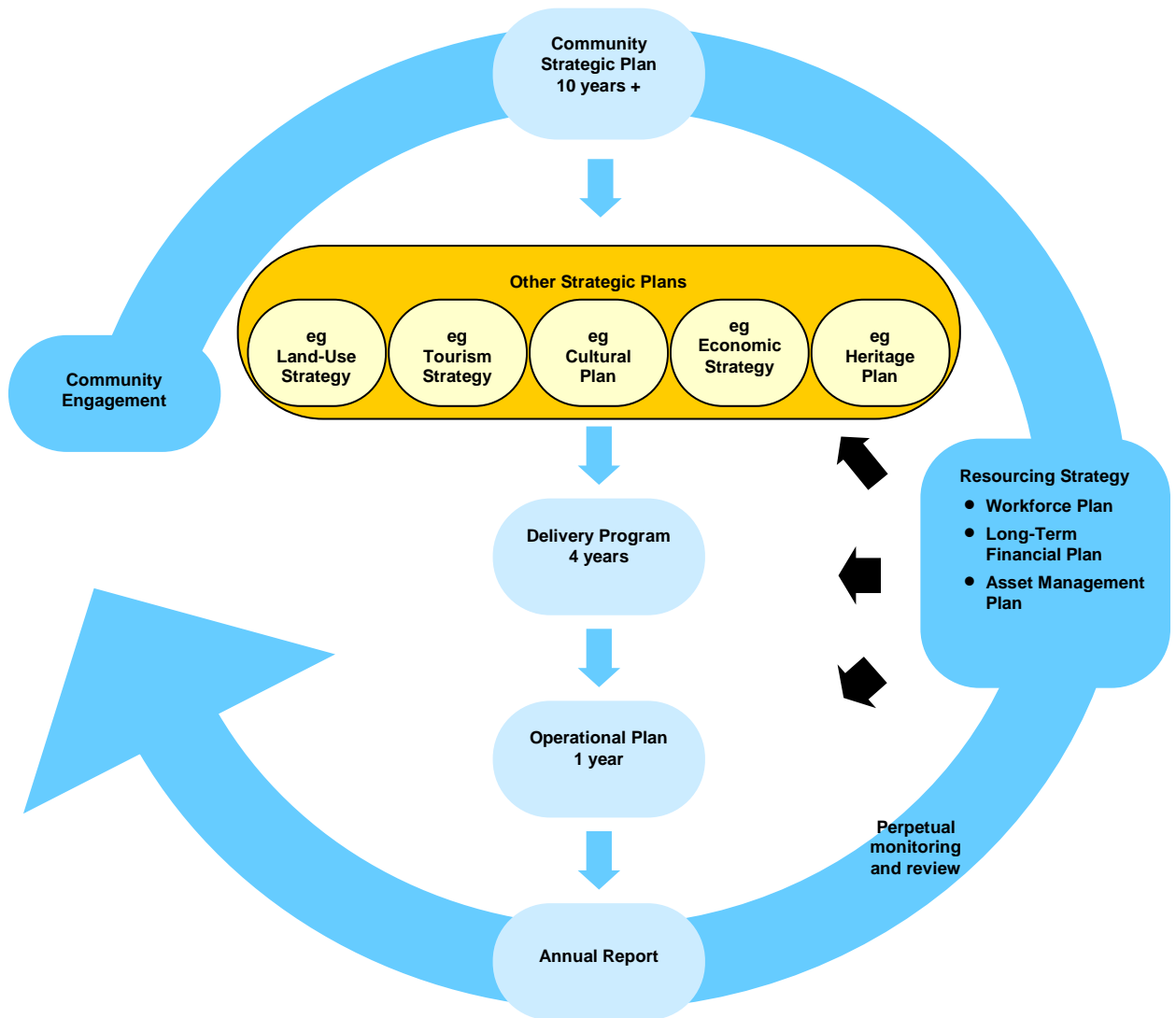
The Integrated Planning and Reporting framework for NSW local government was introduced to improve local councils' long-term community planning and asset management, as well as to streamline reporting to the community.

The framework aims to improve the sustainability of local communities by encouraging councils, residents and State agencies to work together on long-term plans and strategies. The Community Strategic Plan is supported by a four-year Delivery Program, annual Operational Plan and a Resourcing Strategy that includes long-term financial planning, asset management planning and workforce management planning.

In order to ensure priority services and infrastructure can be delivered efficiently and effectively, councils are encouraged to integrate all strategic planning into this framework. For example, strategic land-use and economic development plans also contribute to maximising the capacity of communities, industries and local economies.

The Integrated Planning and Reporting framework is set out in Diagram 1, below:

**Diagram 1: The Integrated Planning and Reporting Framework**



This part of the review focussed on examining key structures, systems and processes involved in delivering the stated outcomes of the Community Strategic Plan. In particular, it considered the Delivery Program and Operational Plan in light of resources available under the Resourcing Strategy, which includes:

- long term financial planning
- asset management planning
- workforce management planning.




## 4.2 OVERVIEW

Bourke Shire Council elected to be a Group 3 council for the purpose of implementing the Integrated Planning and Reporting framework, which meant implementing its first suite of plans under the framework from 1 July 2012. It was evident to the review team that the Council has embraced the Integrated Planning and Reporting framework. This was evidenced by the review team observing councillors referring directly to the Community Strategic Plan when determining a matter before the Council.

Bourke Shire Council participated in the development of an integrated web-based program to track the progress of the Community Strategic Plan, and in particular the Delivery Program and Operational Plan. The software now in use allows the Council's staff to update progress on actions and strategies from the plans, and produces reports which can then inform councillors and the community of progress. The software also allows managers to plan upcoming works on any item. The software allows councils to report across all aspects of their business with integrated Key Performance Indicators, Key Results Areas, as well as Monthly, Quarterly and Annual Reporting.

**Table 2: Strategic Planning and Delivery Assessment**

Area of assessment	Assessment of the Council's performance
Community engagement	✓
Community Strategic Plan	✓
Delivery Program	✓
Operational Plan	✓
Resourcing Strategy <ul style="list-style-type: none"> <li>o Workforce Management Strategy</li> <li>o Long-Term Financial Plan</li> <li>o Asset Management Plan</li> </ul>	⚠
Reporting	✓

Table key:  Better practice  Requires further development  Satisfactory

### Community Engagement

The Council appears to have engaged well with the community in the development of the Community Strategic Plan, and utilises a variety of mechanisms to communicate information to the community in an ongoing way. The Council has developed a Community Engagement Strategy which has clear objectives and principles of engagement. The Strategy identifies key stakeholder groups, and describes the methods of engagement to be utilised.

The Council conducted a number of village forums and community focus groups, including for young people, the elderly, sports groups, farmers, and business owners/operators. Given the vastness of the local government area, this is a significant engagement program. As with much of what the Council does, Aboriginal people were key to this engagement. The Council also included a web-based survey and letter box drops.

### Community Strategic Plan

The Community Strategic Plan is the highest level plan that a council will prepare. Bourke Shire's Community Strategic Plan reads, in places, more like a corporate document than one with a community focus. It appears that the Council has combined the previous management plan template with community feedback to produce its Community Strategic Plan. The purpose of the Plan should be to identify the community's main priorities and aspirations for the future, and to plan strategies for achieving these goals.

The community priorities identified through the community engagement process, and how these informed the development of the Plan could be made clearer by providing more information about the outcomes of the engagement process and a narrative around the priorities and challenges as voiced by the community.

While the Plan identifies clear strategies, outcome-based performance indicators have not been applied. The Council needs to include performance measures to enable it to have further discussions with its community to demonstrate its progress in achieving the community's aspirations.



While there are clear links between the Community Strategic Plan and the combined Delivery Program and Operational Plan, the Resourcing Strategy components do not integrate well to these plans. Also, the relationship of Bourke Shire's Plans to the State Plan and other external plans and strategies is not addressed. The Council should consider these plans and include commentary in its up-coming review of the Community Strategic Plan.

#### Delivery Program and Operational Plan

The Delivery Program is a statement of commitment to the community from each newly elected council. The Program translates the community's strategic goals into actions. The Operational Plan supports the Delivery Program and each council is required to develop a Plan each year that articulates the detailed actions to be undertaken to achieve the Delivery Program. In 2012, Bourke Shire Council prepared its Delivery Program and Operational Plan as a single document.

The Council has produced a sound combined Delivery Program and Operational Plan that clearly integrates with the Community Strategic Plan. The Operational Plan section could be strengthened by clearly identifying the specific activities to be undertaken in the financial year, with key performance indicators to show how progress will be measured for the year.

Providing additional budget information in the Operational Plan, and four-year estimates in the Delivery Program will strengthen the links to the Long-Term Financial Plan and show how activities will be financially resourced. Additional links to the workforce strategy and the asset management plans will also enhance to coherency of this document.

#### Resourcing Strategy

This section discusses the Council's Resourcing Strategy within the context of its overall financial, asset and workforce management. The Council is responsible for developing a ten-year Resourcing Strategy to achieve the objectives and priorities established by the Community Strategic Plan. The Strategy must include provision for long-term financial planning, workforce management planning and asset management planning. The

Resourcing Strategy documents should make clear how they enable the Council to achieve the objectives identified in the Community Strategic Plan and Delivery Program.

## 1. Long-Term Financial Planning

Each council must prepare a Long-Term Financial Plan (covering a minimum of ten years). The Plan is an important part of the Council's strategic planning process. This is the point where long-term community aspirations and priorities are tested against financial realities. It should be clear to the community how the Long-Term Financial Plan will enable the achievement of the objectives of the Community Strategic Plan.

Bourke Shire Council's Long-Term Financial Plan is currently missing some key information and does not meet legislative requirements. The inclusion of sensitivity analysis, additional scenarios, assumptions and risks with commentary about the impacts of each for achieving the community's vision is required. The Long-Term Financial Plan should be 'community-friendly', and contain narrative explaining the Council's financial position with methods for monitoring the Council's financial performance over time.

## 2. Asset Management Planning

Each council must prepare an Asset Management Strategy which includes an overarching Asset Management Policy adopted by the Council, and a suite of Asset Management Plans for each class of assets. The Asset Management Strategy sets the broad framework for undertaking asset management in a structured and coordinated way. The Policy determines the principles upon which all asset management activities are undertaken, including the preparation of more detailed asset management plans for each class.

Bourke Shire Council's Asset Management Strategy is easy to follow and includes specific actions required to improve the Council's asset management capability and projected resource requirements. Stronger links to the Community Strategic Plan are required to demonstrate how the Council's Asset Management Strategy will enable the achievement of the community's aspirations. A connection should also be made to the Long-Term Financial Plan to make clear how the Asset Management Strategy will be funded.

### 3. Workforce Management Planning

Workforce planning will help to ensure that the community's strategic goals – as expressed in the Community Strategic Plan – will be met. The development of an effective workforce strategy ensures that a council has the right people, with the right skills to achieve the commitments of the Delivery Program, as well as considering current and future workforce issues which will impact upon the Council's capacity to meet its goals into the future. The Workforce Management Strategy should also be linked to the Long-Term Financial Plan, to make clear how workforce strategies will be funded over time.

Bourke Shire Council's Workforce Management Plan is comprehensive and easy to understand. The Plan appropriately identifies current and future workforce issues, and provides strategies to address these issues.

#### Reporting

There are a number of reporting requirements under the Integrated Planning and Reporting framework. Councils must report against the Delivery Program at least six monthly, prepare an Annual Report within five months of the end of the financial year, and prepare an end-of-term report at the end of each council term. The purpose of these reports is to encourage councils to keep their communities informed and be accountable for the decisions they make on behalf of the community.

Bourke Shire Council produces a quarterly report generated from its Integrated Planning and Reporting management system. This system enables staff to provide information for the councillors and the community on the progress of initiatives in the quarterly report. The system's user-friendly template data-entry screens clearly set out the level of detail required to be reported by officers. This ensures consistent and robust reporting against the Council's deliverables.

The Council advised that a financial software module will be integrated with the system in the near future. This means that managers will be able to track the progress of a project, including cost-to-budget performance. It is considered that this will further strengthen the planning and reporting capacity of the Council in the long-term.

### 4.3 SIGNIFICANT OBSERVATIONS

#### *Requires further development*

##### Resourcing Strategy

The Long-Term Financial Plan requires additional work in order to meet the requirements of the legislation. The inclusion of a sensitivity analysis, additional scenarios, assumptions and identification of risks, with commentary about the impacts of each on the Council's financial sustainability and its capacity to achieve the community's vision, is required.

Long-term financial plans are inherently uncertain. They contain a wide range of assumptions, including assumptions about interest rates and the potential effect of inflation on revenues and expenditures. Many of the planning assumptions will come from the Community Strategic Planning process, and others will be derived from general financial planning practices. Assumptions from the Community Strategic Plan might include population forecasts, anticipated levels of local economic growth or major planned expenditure such as capital works. Other assumptions that should be included in the financial planning process include Federal, State and regional economic forecasts, inflation forecasts and interest rate movements.

Some of these assumptions will have a relatively limited impact if they are forecast incorrectly. Others can have a major impact on future financial sustainability. It is important that:

- all the assumptions in the Long-Term Financial Plan are documented. This should be contained in a Planning Assumptions Statement that is included within the Plan.
- those matters which will have moderate to significant impacts are identified.
- the Plan is tested by varying the parameters of moderate to significant assumptions (eg, changing interest and inflation rates, changing the population growth rate, reducing or eliminating grants and subsidies, increasing taxation rates).

It is important to continue testing the assumptions through a risk-assessment process through consideration of questions such as:

- How accurate are the project estimates?

- How certain is the revenue stream?
- What could impact on expenditures and revenues?
- Are ratepayers' funds at risk?

Long-Term Financial Planning should also include financial modelling of different scenarios eg, planned/optimistic/conservative. This will provide the Council with an idea of how much flexibility is in the Plan and how much latitude it has with various projects and scenarios, and is important when discussing the financial implications of the Community Strategic Plan with the community.

***Recommendation 12***

*That the Council ensures its Long-Term Financial Plan meets all legislative requirements.*

**Reporting**

It is a legislative requirement that the Council must provide its Annual Report to the Information Commissioner. The Council has indicated that it has not done so, and so should ensure that it complies with this regulatory obligation in future.

***Recommendation 13***

*That the Council provides its annual report to the Office of the Information Commissioner.*

## *The Council's response*

The Council notes the comments regarding the need to strengthen the integration of all plans and this will occur as the plans are further refined.

The need to include key performance indicators in the Delivery Program and Operational Plan has been noted.

Council also notes the benefits of the alignment of the Councils plans to both the State and Regional Plans.

### **Recommendation 12**

The Long Term Financial Plan has been reviewed to meet all legislative requirements as detailed in the Action Plan.

### **Recommendation 13**

The Annual Report for 2011/2012 has now been forwarded to the Information Commissioner as detailed in the Action Plan.

Council staff undertook the preparation of the 2011/2012 Annual Report in accordance with the provisions of both the *Local Government Act 1993* and the *Local Government (General ) Regulation 2005*. As the requirement to send the report to the Information Commissioner is not detailed in either, the requirement was overlooked.

## 5 FINANCIAL AND ASSET MANAGEMENT

### 5.1 SCOPE

Under its charter, the Council has a responsibility to raise funds for the purposes of carrying out its functions. This can be achieved by the fair imposition of rates, charges and fees, borrowings and grants. The Council is also the custodian and trustee of public assets and must effectively account for and manage these assets.

Councils in NSW are required to provide services, facilities and infrastructure through the effective and efficient use of resources.

### 5.2 OVERVIEW

The Council’s ongoing financial sustainability, in particular ongoing budget deficits, is of concern as the Council is heavily reliant on continued grant funding. However, over the past few years the Council has demonstrated the capacity to improve its financial position and should continue this focus.

The Council has continued to develop its asset management plans and work programs. The Council appears to be performing well in this area.

**Table 3: Financial and Asset Management Assessment**









Area of assessment	Assessment of the Council’s performance
Financial management and planning	
Asset management and planning	
Land assets	
Council businesses	
Insurance	

Table key:  Better practice  Requires further development  Satisfactory

**Table 4: The Council's financial results for the last four financial years**

<b>Consolidated results</b>	<b>2010/11</b>	<b>2009/10</b>	<b>2008/09</b>	<b>2007/08</b>
<b>Income Statement (Fin Performance)</b>	<b>\$'000</b>	<b>\$'000</b>	<b>\$'000</b>	<b>\$'000</b>
Rates & Annual Charges	3,285	3,205	3,062	2,925
User Charges & Fees	5,944	6,778	5,522	4,100
Interest and Investment revenue	455	346	270	404
Other Revenues	1,015	840	628	574
Grants & Contributions for Op. purposes	8,927	8,259	6,923	9,278
Grants & Contributions for Cap Purposes	1,068	1,657	1,596	1,139
Net gain from the Asset Disposal	0	0	179	3
<b>Total income from continuing operations</b>	<b>20,694</b>	<b>21,085</b>	<b>18,180</b>	<b>18,423</b>
Employee Costs & on-costs	7,049	6,145	6,269	6,046
Borrowing Costs	256	247	234	265
Materials & Contracts	7,490	8,243	6,227	6,382
Depreciations & Amortisation	5,720	5,019	3,706	3,760
Other Expenses	1,443	1,276	1,194	1,141
Share of interests in joint ventures & assoc.	0	0	0	0
Net loss from disposal of assets	10	397	0	0
<b>Total expenses from continuing operations</b>	<b>21,968</b>	<b>21,327</b>	<b>17,630</b>	<b>17,594</b>
<b>Operating result from cont. operations</b>	<b>-1,274</b>	<b>-242</b>	<b>550</b>	<b>829</b>
<b>Net Operating result for the year <u>before</u> Grants and Contributions</b>	<b>-2,342</b>	<b>-1,899</b>	<b>-1,046</b>	<b>-310</b>

### Financial Management and Planning

#### 1. Financial indicators

The Promoting Better Practice review considers a number of financial indicators when examining a council's financial position and sustainability.

The indicator of Unrestricted Current Ratio (UCR) is a measure of a council's ability to meet its financial obligations, such as paying for goods and services supplied. A ratio between 1.5:1 and 2:1 is considered satisfactory and shows that a council has sufficient liquid assets on hand to meet its short-term liabilities. The Council had a UCR (as at 30 June 2012) of 2.19:1 (1.86:1 in 2010/11).



The Debt Service Ratio (DSR) is an indicator that assesses the degree to which revenue from continuing operations is committed to the repayment of debt. It is generally higher for councils in growth areas where loans have been required to fund infrastructure such as roads, water and sewerage works. The Division of Local Governments accepted benchmark for the DSR is <10%. The Bourke Shire Council's DSR as at 30 June 2012 was 5.89 (6.31 in 2010/11).

The Rates and Annual Charges Coverage Ratio compares a council's total income to that of its rate revenue. The Council's ratio of 15.87% (15.2% in 2010/11) shows that the Council has a high reliance on other revenue to meet its commitments (egg Grants and Contributions - 48.30%).

Rates and Annual Charges Outstanding Ratio (RACO) reflects the amount of rates unpaid as at the end of a period (usually 30 June each year) compared to the total charged for the year. The benchmark for rural/regional councils is 10% or less. The Council's RACO as at 30 June 2012 was 8.20% (10.16% in 2010/11). Whilst the RACO ratio is still a little high, the Council has been steadily reducing the ratio over the last four years. For example, the RACO in 2008/09 was 17.56%.

The Infrastructure Renewal Ratio (IRR) assesses the rate at which these assets are being renewed against the rate at which they are depreciated. A ratio of 1:1 indicates that the renewal of assets equals the amount of depreciation, amortisation and impairment. The Bourke Shire Council's IRR as at 30 June 2012 was 54.1% (53.45% for 2010/11), which is below the benchmark of 100%. The Council's IRR average over the last five years is 57.31%. The Council needs to address this situation as a matter of urgency.

## 2. Other financial matters

Approximately 48.30% of the Council's revenue base for 2011/12 was made up of grants and contributions. It is of some concern that the Council is heavily reliant upon vulnerable revenue streams.

### Asset Management and Planning

The Council has met the asset management planning requirements of the Integrated Planning and Reporting framework. The Asset Management Strategy and related Asset Management Plans have been completed. These provide the framework in which the Council can manage its significant asset portfolio. Of particular note is the Council's ten-year rolling road maintenance, resealing, bridge maintenance and capital upgrade program.



The Council has asset management plans for each class of assets (including: land, buildings, roads, and water and sewage). The asset management plans show that the Council is well aware of the condition of its asset base, although during interviews with staff, there was debate about the validity of some of the

condition assessments. These conversations indicated that the Council's staff are thinking strategically about the Council's assets. It is interesting to note that the Council has few remaining timber bridges and has planned to have replaced them all within the next ten years.

The review team noted that the Council must engage with the community to determine acceptable levels of service for each asset class and include this information in its asset



management plans. This will provide links from the Community Strategic Plan to asset management and the other components of the Resourcing Strategy.

#### Land assets

The Council is aware of its land assets and has appropriate plans of management in

place for them. The Council has a number of vacant land assets in its possession that, while classified as rateable, do not produce any income for the Council. The Council is in the process of attempting to sell these holdings as part of its asset rationalisation processes.

### **5.3 SIGNIFICANT OBSERVATIONS**

#### ***Requires further development***

##### ***Financial Management and Planning***

The Council does not have an adopted pensioner rates and charges reduction policy as required under section 582 of the *Local Government Act 1993*, or a hardship policy.

#### ***Recommendation 14***

*The Council should finalise and adopt its draft Pensioner Rebate and Hardship policy.*

#### ***The Council's response***

The comments by the team are noted. The Council has also recently received its report from TCorp and will consider the comments from the PBP review team in conjunction with that report.

#### **RECOMMENDATION 14**

The Hardship Policy has been adopted and the Pensioner Rates and Charges reduction policy will go to the June Meeting as detailed in the Action Plan.

## **6 WORKFORCE MANAGEMENT**

### **6.1 SCOPE**

Councils have a number of legislative responsibilities in relation to their role as an employer. As part of a council's Resourcing Strategy, it must develop a four-year Workforce Management Strategy that provides the human resources required for achieving the activities of the Delivery Program.

An effective Workforce Management Strategy is essential to ensure that the Council is able to address the human resource requirements associated with achieving the aspirations, goals and service standards expressed in its Community Strategic Plan and the Delivery Program.

By identifying current workforce capabilities, considering what will be needed in the future, and planning systematically the Council can limit the risks associated with unanticipated events and ensure it is appropriately resourced to handle the workforce changes and challenges in the coming years.

In short, workforce planning aims to have the right people in the right places with the right skills and motivation doing the right jobs at the right time so that the Council can deliver appropriate services effectively and efficiently.

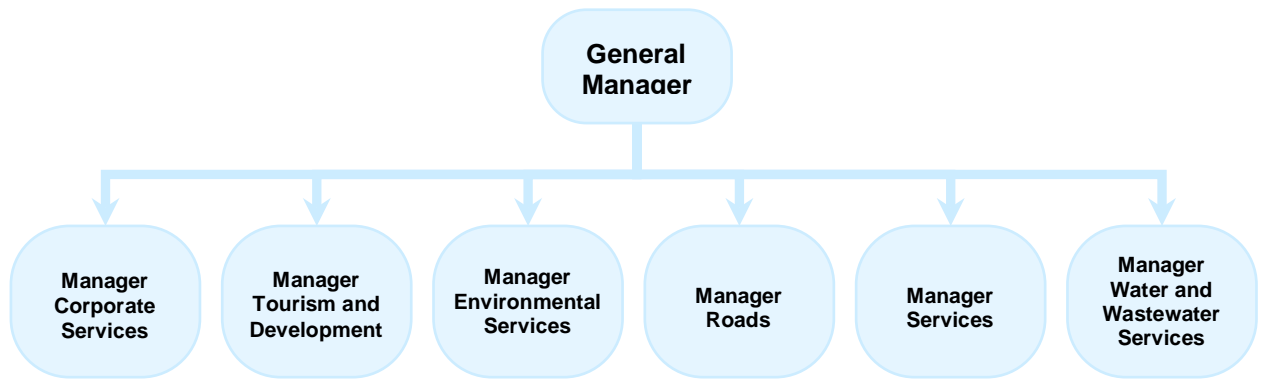
### **6.2 OVERVIEW**

#### Organisation Overview

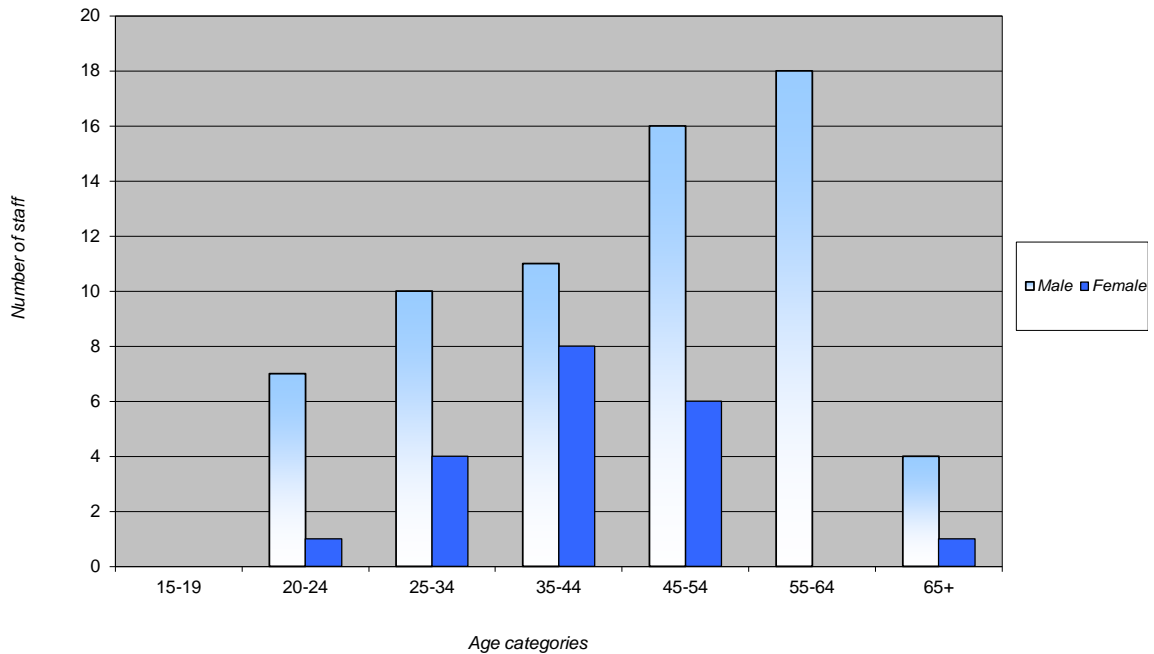
The Council's organisational structure is currently under review. The Council currently has in place a flat structure with few staff. Present staff members possess a high level of corporate and local knowledge that is pivotal to the successful operations of the Council.

The Council employs 88 full-time equivalent staff with approximately 85% of staff being full-time employees.

**Diagram 2: The Council’s Senior Management Organisational Structure**






**Diagram 3: Workforce Profile**



**Table 5: Workforce Management Assessment**

Area of assessment	Assessment of the Council’s performance
Workforce Management Strategy and planning	⚠️ succession planning
Employee surveys	✔️
Employment contracts	✔️
Consultative Committee	✔️

Recruitment and selection	✓
Job descriptions and evaluation	✓
Employee remuneration	✓
Enterprise bargaining	✓
Equal Employment Opportunity	⚠
Staff induction	✓
Staff development	⚠
Grievance management	✓
Work Health and Safety	✓
Secondary employment	✓
Exit of staff	✓

Table key:  Better practice  Requires further development  Satisfactory

Workforce Management Strategy and planning

1. Staff Development and Training

Bourke Shire Council has developed an excel spreadsheet which utilises data from a database that has been updated to enable Managers to plan, cost and keep a record of the training that has been completed by staff, and the training that is upcoming. The spreadsheet is then able to give an indication across the whole organisation of what the total training requirements are.

The spreadsheet has been developed and is being populated with data at present. It is anticipated that the Community Strategic Plan software developed in conjunction with Local Government Solutions will supersede this product. The training plan is highlighted in the human resourcing document that has also been developed in conjunction with the Delivery Program and Operational Plan.

2. Organisational Structure

It is apparent that the structure of the organisation does not reflect the status of some employment relationships that exist in the Council. As discussed earlier, there are two

management staff on contract, and the organisational structure equates these managers with the other managers who are permanent employees. The on-paper structure of the Council and the actual employment relationships appear not to be aligned.

Councils are required to consider their organisational structure soon after the election of each new council. Given the recent election, it is timely for the Council to carefully consider the overall structure of the organisation, and for the general manager to examine organisational requirements. For example, the Council could benefit from the employment of a suitably qualified and experienced corporate accountant. The Council currently operates a very lean structure in response to the financial and environmental challenges it faces. As a major local employer, the Council needs to be mindful of its social responsibilities when considering issues of employment.

#### Employment contracts

The General Manager, the Manager Corporate Services and the Manager Tourism and Development are the only staff currently employed on an employment contract. The use of employment contracts is an indicator that a staff member is a member of the senior staff of the Council, and the Council needs to consider what staff are designated 'senior staff' for the purposes of the *Local Government Act 1993*. It is noted that currently only the General Manager is a designated position for the purposes of the *Local Government Act 1993*.

#### Consultative Committee

Consultative Committees are the primary means for ongoing consultation with staff over matters crucial to their working lives, enabling open and honest discussion about the development and implementation of policies and procedures, and the day-to-day running of an organisation.

The Council has an ongoing staff Consultative Committee which includes representation from management, staff and unions. The Council reports that the Committee meets on a bi-monthly basis to discuss strategic and operational workplace issues.

The Council may consider reviewing the Consultative Committee charter, with a view to including a formal reporting process from the committee's Chair to the Executive Management team.

#### Job descriptions and evaluation

Job descriptions form an integral part of the management framework for the Council. They provide basic guidance to staff and are the minimum benchmark for assessing staff performance. The Council does have job descriptions for each of its positions and uses them to guide performance.

While the Council includes the basic Work Health and Safety responsibilities in all position descriptions, some positions, such as managers, have greater responsibilities and these requirements should be reflected in the position's description. It is considered good practice to include the position-based responsibilities articulated in the Council's Work Health and Safety system in the appropriate job description's documentation.

#### Work Health and Safety

The work health and safety legislation requires both employers and employees to work to strict safety requirements. The Council is required to develop written safe work procedures.

The Council has prepared a Work Health and Safety Policy which was adopted in January 2012. The Council has a dedicated Work Health and Safety Officer tasked with ensuring the Council's systems and processes are in place and maintained. He is also tasked with educating the workforce about work health and safety issues. The Council appears to have a strong commitment to work health and safety. This commitment is demonstrated through the establishment and monitoring of practices and incidents to ensure that the Council's staff work in and create a safe working environment where risk is minimised.

#### Exit of staff

The Council currently does not offer to conduct an exit interview to resigning or retiring staff. An exit interview may provide valuable information about the Council's operations,



systems, processes and performance to enable continuous improvement through the recording and assessment of outcomes of the exit interview.

There are a number of ways in which an exit interview can be conducted, including the use of independent persons to promote a level of comfort and encourage open and honest feedback. The Council may also choose to offer an exit survey as an alternative to an interview for the purposes of gathering feedback. The Council may wish to include exit interviews or an alternative option as part of its workforce management system.

### **6.3 SIGNIFICANT OBSERVATIONS**

#### ***Requires further development***

##### **Succession planning**

The Council does not have a formal succession plan for key positions/personnel as part of its Workforce Management Strategy. Succession planning involves managing recruitment and professional development processes to ensure that the workforce can be sustained to effectively achieve the Council's objectives. The Council's future operations would be best supported through the development of a targeted succession plan for key positions and personnel.

Succession planning in rural locations is vital for business continuity as vacancies in key positions, particularly for extended periods, can have a detrimental impact on a council's ability to deliver services to the community. The pool of potential applicants is generally small, and attracting suitably qualified professionals can at times be difficult. While staff have considered succession issues, the Council should undertake a more formal process to recognise and plan for business continuity and the retention of corporate knowledge.

#### ***Recommendation 15***

*The Council should incorporate succession planning into its Workforce Management Strategy as a matter of priority.*

### Equal Employment Opportunity

The Council is required to have an Equal Employment Opportunity management plan to comply with the provisions of the *Local Government Act 1993*. The Council's Equal Employment Opportunity plan is dated 2004, making it significantly out of date and requiring review. The Council should consider the guidance of the legislation and be mindful of its particular circumstances in the reconsideration of this plan. The Council should also ensure that it reports on achievements against its Equal Employment Opportunity actions in its annual reports.

#### **Recommendation 16**

*That the Council review and adopt an Equal Employment Opportunity Management Plan as required by the Local Government Act 1993.*

### Staff development

Performance management systems help align individual work programs with corporate outcomes, align and reinforce individual behaviours with those valued by the organisations, and provide an opportunity for an individual performance 'health check' that helps the management team to focus the actions of the staff.

In discussions with managers, it was apparent that the Council does discuss overall performance with staff. However, the Council does not possess a policy or procedure that requires managers to assess and evaluate the performance of staff. A framework to guide performance appraisal would promote equity by setting the standard and ensuring that staff are aware of the system for monitoring performance and dealing with poor performance.

#### **Recommendation 17**

*That the Council to develop and implement a formal performance management system.*

## *The Council's response*

The Council notes the suggestion for the chair of the Consultative Committee to provide a report to MANEX, and this will be raised at the next meeting of the Consultative Committee.

The Council is currently reviewing its organisation structure and the comments made by the team will be considered in this process.

The Council has not undertaken formal exit interviews and it is agreed that this would be of benefit.

### **Recommendation 15**

The Council agrees and this will be included in the next review of the Workforce Plan, as detailed in the Action Plan.

### **Recommendation 16**

Council agrees and will update the Equal Opportunity Management Plan, as detailed in the Action Plan.

### **Recommendation 17**

Council has a formal performance Management System for the General Manager, and will develop a suitable system for the staff and also include the performance of contractors engaged by Council.

## **PART IV SERVICES TO THE COMMUNITY**

This part of the review focussed on the Council's functions in relation to a range of services and community activities within the local government area.

### **7 COMMUNITY AND SOCIAL SERVICE PROVISION**

#### **7.1 SCOPE**

A council's charter requires that a council:

- provides services after due consultation
- engage its stakeholders in the development, improvement and coordination of local government (for example, councillors, members of the public, users of facilities and services, and council staff)
- actively promotes the principles of multiculturalism
- plans, promotes and provides for the needs of children
- keeps the local community and State government informed about its activities.




This section of the report examines the Council's social planning and the services it provides to cater to the needs of social justice groups within its community.

#### **7.2 OVERVIEW**

As previously noted, Bourke Shire has a small population that is getting smaller. The population is also clustered over 41,000 square kilometres and the Council is not well-equipped to provide community and social services. Some of these services are provided by a number of State and other agencies with which the Council collaborates.

**Table 6: Community and Social Services Assessment**

Area of assessment	Assessment of the Council's performance
Social and community planning	✓
Ageing population	✓
Community participation and engagement	✓
Communication policy	✓
Reporting to the community	✓
Cultural planning	✓
Tourism	✓
Economic development	✓

Table key:  Better practice  Requires further development  Satisfactory

The Council supports community and social services mainly through the provision of premises from which many State and other agencies operate. Examples are the provision of the child care centre, the Police and Community Youth Club, and doctor/dentist accommodation. That said, the Council and staff actively support community and social services, either directly as is the case for meals on wheels, or indirectly in that there is a strong sense of community in Bourke Shire.

Ageing population

While the Council doesn't have a specific ageing strategy, it does address ageing issues as part of its Community Strategic Plan. The Council could better document how it will consider ageing population issues in the design of its assets and delivery of services as part of its Delivery Program and Operational Plan. The Council may wish to consider reviewing the Local Government and Shires Associations' resources for ageing population planning.

### Communication policy

A communications policy establishes the proper accountabilities for the release of information and media contact within the Council. It provides guidance to the media and community about how the Council will manage the release of information and formal notifications from the Council such as the dissemination of river water information. A communications policy is considered good practice as it provides certainty to the community and other stakeholders about the Council's operations and access to information.

### Cultural planning

The Council supports a variety of cultural activities such as the annual show/fair. The Council has a facility where community members can seek financial support for proposed cultural events. However, due to resource constraints, the Council does not undertake or host cultural events. The majority of cultural events are driven by the community.

### Tourism

The Council should ensure that its Tourism Plan integrates with regional tourism planning and identifies opportunities and financial obligations for the Council into the future which are appropriately considered by its Resourcing Strategy. The Council has three main tourist attractions in Bourke.



*Back o' Bourke Exhibition Centre*

The Back o' Bourke Exhibition Centre is an interactive exhibition that brings to life the stories of the past and reveals the real 'outback' to those who visit, through stories about the Inland Sea, CEW Bean, the Wool story, Riverboats, the life of Henry Lawson 'Outback', and stories of women of the west.



The Paddle Vessel (PV) Jandra is a replica river boat that offers cruises on the Darling River seven days per week during the winter visitor season. It doubles as a function centre and links in with the region's river boat history.

*Paddle Vessel Jandra*

Located at the Wharf area is a fully restored 1923 vintage Crossley oil fuelled stationary engine. This engine type was used in many applications such as electricity generation, water pumping and factory machine operation. The engine was fully restored to working condition by Don Burns and Bourke Shire Council in 2002.

### *Economic development*

At its heart, economic development is about building healthy economies in order to have healthy communities. Bourke promotes itself as having good schools, medical facilities and organised sports, with employment in tourism, customer service, waitressing, cooking, and tourist guides and operators. Professional opportunities include teachers, nurses, business and retail management, agronomy, National Parks guides and rangers, a paddle boat captain, electricity linemen and team leaders, police officers and Government agency staff. Semi-skilled positions include farm workers, tractor drivers, mine workers, and seasonal fruit picking.

The Council currently does not have an economic development plan in place. Economic development planning will assist the Council to focus on and plan for the long-term economic development challenges, and should link to regional strategies and the State plan. The Council appears to have included its economic development activities in its Delivery Program and Operational Plan. This would be strengthened with a stronger economic development focus in the Community Strategic Plan.

## *The Council's response*

The Council takes a role in a number of community events and activities, and quite often this role is exercised by the provision of 'in kind' support and guidance by staff.

The Council plays an active role in tourism on a regional basis and is mindful of the benefits and opportunities that are derived from that involvement. The Council is mindful of the benefits to the local economy of an increase in tourism focus.

While not having a formal economic development plan in place, Bourke Shire Council is aware of the benefits of linking the plan, when developed, to both regional strategies and the State Plan.

The Council is an active participant in all regional activities and initiatives relating to economic development.

Council notes the suggestion of a stronger economic focus being included in the Community Strategic Plan.



## 8 LAND-USE PLANNING

### 8.1 SCOPE

Councils must undertake strategic planning functions specifically relating to land use as required by the *Environmental Planning and Assessment Act 1979*. Through zoning and development controls, land-use planning outlines how the land in a local government area can be used and developed. This is important to protect environment and heritage areas, control growth and to support the objectives of the Community Strategic Plan.

### 8.2 OVERVIEW

A small environmental team of three manages a diverse portfolio including development applications, land-use planning, building certifications, sub-divisions, environmental monitoring, swimming pool safety and compliance, food inspections, illegal dumping, water sampling, companion animals, waste facility, waste collection, weeds and the cemetery operations. Overall, the Council is delivering land-use planning and development services in a timely and effective manner.

**Table 7: Land-use Planning Assessment**





Area of assessment	Assessment of the Council's performance
Strategic land-use instruments	
Development applications process	
Contribution plans and planning agreements	
BASIX	

Table key:  Better practice  Requires further development  Satisfactory

#### Strategic land-use instruments

The Council has completed the development of a new template Local Environmental Plan and Development Control Plan. The Council received concurrence on its Local Environmental Plan and Development Control Plan from the Minister for Planning in February 2012, and these plans have since been publicly exhibited and adopted by the Council.

### Development applications process

It was apparent to the review team that Bourke Shire Council is committed to working with applicants to ensure the best possible outcome for each development application that is submitted for assessment and approval. The Council receives a small number of applications annually which enables the Council representative to meet with all prospective applicants as a pre-assessment service to collect all of the necessary information and discuss the options available.

NSW Department of Planning statistics indicate that the Council is performing well in determining development applications within 28 days. The State average determination time is 68 days. It is noted that 98% of all Development Applications are determined by staff under delegation. Any development application that cannot be determined under delegation and meets the Council's referral criteria is referred to a Joint Regional Planning Panel.

Bourke Shire Council uses the Western Region Joint Regional Planning Panel. Bourke Shire Council had one development matter referred to the Joint Regional Planning Panel in the past 12 months: the Satellite Earth Station Facility for the National Broadband Network at North Bourke.

### *The Council's response*

The comments of the review team are noted, and in particular the outcomes being achieved by a relatively small team.

The Council's new Local Environmental Plan was gazetted in January 2013.

## **9 REGULATORY FUNCTIONS**

### **9.1 SCOPE**




Councils must undertake a variety of regulatory activities as required under legislation. The regulatory responsibilities of councils are included, for example, in the *Environmental Planning and Assessment Act 1979*, the *Companion Animals Act 1998*, the *Graffiti Control Act 2008* and the *Swimming Pools Act 1998*. The efficiency and probity of the Council's regulatory functions is important for effectively managing the Council's responsibilities and for preserving public trust in the Council and its staff. Regulation is important to support a wide range of social, economic and environmental goals as identified in the Community Strategic Plan.

### **9.2 OVERVIEW**

The Council's compliance and enforcement functions are carried out by the Environmental Services Unit, the same unit which has responsibility for the land-use planning functions of the Council, described in section 8, above. As with all of the Council's operations, the unit manager has a very 'hands-on' role in the Council's operations and plays a significant part in all regulatory functions. The three staff deal with a broad array of compliance situations, utilising collaborative problem-solving to address most issues. This Unit of the Council has a good standard of policy and practice, however could benefit from documenting more of its processes.

**Table 8: Regulatory Functions Assessment**

Area of assessment	Assessment of the Council's performance
Graffiti	✓
Enforcement	⚠
Environmental Management	✓
Water Safety	✓
Companion Animals	✓
'Backyard' Swimming Pools	✓
Impounding	✓

Table key:  Better practice  Requires further development  Satisfactory

### Environmental management

Councils are responsible for managing and inspecting on-site systems for sewage management in their areas. The Council's on-site sewerage management strategy was last adopted in 2006. The Council may wish to consider updating this strategy in line with changes in this area.

### Companion animals

NSW councils are required to manage provisions of the *Companion Animals Act 1993* and take enforcement action when necessary.

The rate of lifetime registration of cats (46%) and rate of lifetime registration for dogs (57%) is comparable to the State average of 43% (cats) and 61% (dogs). However, more work could be done in this area to promote responsible pet ownership in the local community and to enforce the identification and registration provisions of the *Companion Animals Act 1998*. (Data collected by the Division suggests that 98% of cats in NSW that are lifetime-registered are also desexed. Therefore, the more cats that are lifetime registered, the more likely they will be desexed. Some councils maintain registration rates of over 80%).

The Council is involved in “discounted desexing” days as part of the Community Animal Welfare Scheme (CAWS) program. The CAWS seek to address the issue of unwanted companion animal overpopulation and its impacts on animal welfare. The program aims to reduce the numbers of animals being euthanased in rural pounds and shelters, and decrease human health and safety issues associated with large numbers of roaming stray dogs. Resources are collaborated from the RSPCA, the Australian Veterinary Association, local councils, local veterinarians, government departments and schools.

The Council’s Dog Attack Report indicates that the Council is reporting dog attack incidents in accordance with legislative requirements, and also appears to investigate incidents. However, it is noted that there are six outstanding incidents (60%) with a status of ‘commenced’ or ‘under investigation’ dating back to 2009. The Council is reminded to review and finalise dog attack incidents on the Companion Animals Register in a timely manner.

#### Water safety (Swimming pools)

Under the *Swimming Pools Act 1992*, councils have a responsibility to take appropriate steps to ensure they are notified of the existence of all swimming pools within their local government area. This Act also requires councils to promote awareness within their area of the requirements of the Act in relation to swimming pools. Due to resource constraints and challenges of distances to the villages, the Council has resorted to conducting Google Maps searches to identify pools within the local government area.

The Council is active in promoting pool safety. Council provides swimming pool safety material free to the public from the Council office. The Environmental Services manager articulated the Council’s commitment to promoting water safety and ‘backyard’ swimming pool safety particularly. In this case, having the development application and the pool safety and compliance functions in the one unit provides operational synergies for the Council.

### 9.3 SIGNIFICANT OBSERVATIONS

#### ***Requires further development***

##### **Enforcement**

Bourke Shire Council does not have an overarching compliance, enforcement and prosecution policy. Such a policy should articulate the Council's intent and purpose in conducting compliance and enforcement activities, outline the factors for consideration, and the basic processes to ensure procedural fairness and community understanding of the Council's system. Such a policy would provide community assurance that the Council is operating fairly and equitably. Internally the policy provides guidance and standards to managers and staff.

#### **Recommendation 18**

*The Council should develop and publish a compliance, enforcement and prosecutions policy.*

#### ***The Council's response***

The Council noted the need to document all processes and procedures, and this is also covered in recommendation 9, and will be undertaken over the next twelve months.

The comments in relation to the review of the on-site sewerage management strategy are noted, and the strategy will be reviewed and updated as necessary.

The need to ensure documentation in relation to dog attacks is finalised is also noted.

#### **Recommendation 18**

Council has detailed in the action plan that it will develop and publish a compliance enforcement and prosecutions policy by December 2013.

**PART V RECOMMENDATIONS AND ACTIONS**

**10 RISK RATINGS**

The recommendations made in this report are listed in the Action Plan in the following section. The review team have given each recommendation a notional priority ranking using the risk matrix below. The Council is encouraged to use the matrix to confirm or change the risk ranking provided in the action plan.

		CONSEQUENCE		
		Significant <i>Significant risk to the operations of the council and if not addressed could cause public outrage, non-compliance with the council's statutory responsibilities, severe disruption to the council's operations and the council's ability to meet its goals.</i>	Moderate <i>Moderate risk to the operations of the council and if not addressed could cause adverse publicity, some disruption to the council's operations and the council's ability to meet its goals.</i>	Minor <i>Minimal risk to the operations of the council, little disruption to the council's operations and will not limit the council's ability to meet its goals.</i>
		PRIORITY RANKING		
LIKELIHOOD	Almost certain	High	High	Medium
	Possible	Medium	Medium	Low
	Rare	Medium	Low	Low

**Risk factors to be considered could include:**

- Risk to reputation
- Compliance with statutory requirements
- Fraud/corruption
- Financial risk
- Legal liability
- Workforce Health and Safety.

## 11 ACTION PLAN

The Action Plan is to be completed and adopted by the Council to guide the implementation and monitoring of the recommendations in this report. The reviewers have allocated notional priority rankings using the risk rating analysis on the previous page. The Council is encouraged to review and revise these, if necessary.

RECOMMENDATION		PRIORITY	ACTION PROPOSED	TIMEFRAME	RESPONSIBILITY	PROGRESS REPORT
1.	<i>The Council's Senior Staff should complete and lodge section 449 disclosure of interests returns.</i>	<i>Med</i>	<i>Ensure that all Councillors, General Manager and Senior Management have completed Disclosure of Interest returns in accordance with the provisions of The Local Government</i>	<i>Completed</i>	<i>GM</i>	<i>Councillors, General Manager and Senior Staff have all completed Disclosure of Interest returns. Any new staff and/or Councillors will complete the declarations.</i>



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RECOMMENDATION	PRIORITY	ACTION PROPOSED	TIMEFRAME	RESPONSIBILITY	PROGRESS REPORT
<p>2.</p> <p><i>The Council should include the disclosure of pecuniary interests as an agenda item for each Council meeting.</i></p>	<p><i>Med</i></p>	<p><i>The disclosure of pecuniary interests to be included as an agenda item on both Council and Committee Meeting Agendas. A copy of the declaration form is also to be made available with each agenda.</i></p>	<p><i>Completed</i></p>	<p><i>GM</i></p>	<p><i>The disclosure of pecuniary interests has been included as an agenda item since the January 2013 Council meeting, Forms are sent out with each business paper as an additional reminder.</i></p>
<p>3.</p> <p><i>The Council should develop and implement a Fraud Control Policy as soon as possible. The Policy should be linked to the Council's Risk Management Plan, ensure fraud risk assessments of the core areas of organisational risk are undertaken and that these are managed in a manner which limits exposure to fraudulent and corrupt activities.</i></p>	<p><i>Med</i></p>	<p><i>Policy to be developed</i></p>	<p><i>Dec 2013</i></p>	<p><i>GM and MANEX (MANEX also form the Risk Team)</i></p>	<p><i>Development of policy has commenced and requirements identified. Consultation also taking place with Regional Risk Group and Insurers.</i></p>

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RECOMMENDATION		PRIORITY	ACTION PROPOSED	TIMEFRAME	RESPONSIBILITY	PROGRESS REPORT
4.	<i>The Council should develop a Legislative and Regulatory Compliance framework.</i>	<i>Med</i>	<i>Referred to Council's Risk Team for completion. The broad nature of the development of a Legislative and Regulatory Compliance Framework will require a whole of Management Team Approach</i>	<i>March 2014</i>	<i>GM and Risk Team</i>	<i>MANEX Team are aware of the requirement and will finalise the framework over the next twelve months.</i>
5.	<i>The Council should review and document its procurement, tendering and disposal policies and practices to ensure they are in accordance with the Local Government Act 1993, the Local Government (General) Regulation 2005, and other relevant legislation.</i>	<i>Med</i>	<i>Council will review the policies to ensure that they are in accordance with relevant Legislation and updated as required. A disposal Policy will be developed.</i>	<i>Sept 2013</i>	<i>GM</i>	<i>Review of policy has commenced. Tendering Guidelines developed. Procurement being reviewed. Disposal Policy still to be developed</i>
6.	<i>The Council should consolidate its policy registers/lists and ensure all documents listed are available on its website in accordance with Government Information (Public Access) Act 2009.</i>	<i>Med</i>	<i>Progressively update the website until the placement of all policies is finalised.</i>	<i>Dec 2013</i>	<i>GM</i>	<i>Policies being placed on website once completed Note: A number of policy documents are currently on the website.</i>

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RECOMMENDATION		PRIORITY	ACTION PROPOSED	TIMEFRAME	RESPONSIBILITY	PROGRESS REPORT
7.	<i>The Council review its policy suite, and finalise and adopt its draft policies and plans.</i>	<i>Med</i>	<i>A review of all policies will be undertaken and reviewed as necessary The policies currently in draft format to be presented to Council</i>	<i>December 2013 and Ongoing</i>	<i>GM</i>	<i>Council acknowledges at the time of the review there are a number of policies in draft format and many of these have been reviewed and put to Council for adoption and implementation. The policy register will be subject to ongoing reviews and any shortfalls identified will be addressed.</i>
8.	<i>The Council provide its policy documents to the community by publishing them on its website.</i>	<i>Med</i>	<i>Progressively update the website with policies as they are developed and/or updated</i>	<i>Dec 2013 Ongoing</i>	<i>GM</i>	<i>Policies are being placed on website once reviewed and/or completed and subsequently adopted by Council.</i>
9.	<i>The Council document its procedures across its functional areas.</i>	<i>Med</i>	<i>Council to ensure that it has in place, documented procedures across all functional areas.</i>	<i>June 2014</i>	<i>MANEX</i>	<i>Council is currently collating all adopted procedures and will updating those existing procedures and will then work towards developing procedures to address any identified shortfall.</i>

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RECOMMENDATION		PRIORITY	ACTION PROPOSED	TIMEFRAME	RESPONSIBILITY	PROGRESS REPORT
10.	<i>The Council review its expenses and facilities policy using the Division's Guidelines.</i>	<i>Med</i>	<i>Policy to be reviewed in line with the DLG guidelines and the requirements of sections 252 &amp; 253 of the Local Government Act.</i>	<i>Sept 2013</i>	<i>GM</i>	<i>Policy has been reviewed in line with the DLG guidelines and the requirements of Sections 252 &amp; 253 of the Local Government Act. Draft has been prepared. The amended policy will be presented to Council in September 2013 for adoption and subsequent advertising and notification etc.</i>
11.	<i>The Council prepare an information technology strategy that considers asset management issues.</i>	<i>Med</i>	<i>The draft Information Technology Strategy will be reviewed to ensure it adequately considers all asset management issues.</i>	<i>Dec2013</i>	<i>MCS</i>	<i>Draft completed, Review of asset management requirements to be carried out and incorporated as necessary.</i>
12.	<i>The Council ensures its Long-Term Financial Plan meets all legislative requirements.</i>	<i>Med</i>	<i>The LTFP to be reviewed to ensure legislative compliance</i>	<i>Completed</i>	<i>MCS</i>	<i>Completed</i> <i>The LTFP was reviewed and should now be fully compliant with all legislative requirements.</i> <i>The review LTFP was completed in March 2013.</i> <i>The revised LTFP was forwarded to TCorp and utilised in their assessment of Council.</i>

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RECOMMENDATION	PRIORITY	ACTION PROPOSED	TIMEFRAME	RESPONSIBILITY	PROGRESS REPORT
<p>13.</p> <p><i>The Council provides its annual report to the Office of the Information Commissioner.</i></p>	<p><i>Med</i></p>	<p><i>A copy of the 2011/2012 Annual Report to be sent to the Information Commissioner and the requirement be added to the those detailed in both on the LG. Act and Regulation</i></p>	<p><i>Completed</i></p>	<p><i>MCS</i></p>	<p><i>Council has sent the Annual Report for Government Information to the Information Commission in accordance with section 125(1) of the Government Information (Public Access) Act 2009.</i></p>
<p>14.</p> <p><i>The Council should finalise and adopt its draft Pensioner Rebate and Hardship policy.</i></p>	<p><i>Med</i></p>	<p><i>Hardship Policy and the Pensioner Rates and Charges reduction Policy will be finalised and presented to Council for adoption.</i></p>	<p><i>June 2013</i></p>	<p><i>MCS</i></p>	<p><i>Council adopted the Hardship Policy on 21/01/13.</i></p> <p><i>The pensioner Rates and Charges reduction Policy is currently in Draft form and will be presented to the May or June Council meeting</i></p>
<p>15.</p> <p><i>The Council should incorporate succession planning into its Workforce Management Strategy as a matter of priority.</i></p>	<p><i>Med</i></p>	<p><i>To be reviewed in line with the Workforce Management Strategy. Each Manager to be asked to identify areas of particular concern and/ or urgency.</i></p>	<p><i>June 2014</i></p>	<p><i>GM</i></p>	<p><i>Managers aware of the recommendations and reviewing the individual requirements of their Departments</i></p>

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RECOMMENDATION		PRIORITY	ACTION PROPOSED	TIMEFRAME	RESPONSIBILITY	PROGRESS REPORT
16.	<i>The Council review and adopt an Equal Employment Opportunity Management Plan as required by the Local Government Act 1993.</i>	<i>Med</i>	<i>Council will review and adopt the EEO Management Plan</i>	<i>Dec 2013</i>	<i>GM</i>	<i>Currently in draft and expected to be finalised in the 4<sup>th</sup> quarter.</i>
17.	<i>The Council develop and implement a formal performance management system.</i>	<i>Med</i>	<i>Council will develop an appropriate performance management system for utilisation across the organisation.</i>	<i>June 2014</i>	<i>GM</i>	<i>Performance management is included in some areas and is to be reviewed and included across the whole of council.  As detailed in the PPB Report should also include contactors.</i>
18.	<i>The Council should develop and publish a compliance, enforcement and prosecutions policy.</i>	<i>Med</i>	<i>Council to develop and adopt an Enforcement and Prosecutions Policy</i>	<i>Dec 2013</i>	<i>MEVS</i>	<i>To be developed</i>

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