

WARRUMBUNGLE SHIRE COUNCIL

**MINUTES OF THE ORDINARY MEETING OF THE WARRUMBUNGLE SHIRE COUNCIL
HELD AT THE COUNCIL CHAMBERS, COOLAH ON THURSDAY, 16 JULY 2009
COMMENCING AT 1.07PM**

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PRESENT: Cr Peter Shinton (Chairman), Cr Campbell, Cr Coe, Cr Dissanayake, Cr Lewis, Cr Powell, Cr Schmidt, Cr Sullivan, Cr Todd, General Manager, Director Corporate Services, Director Technical Services and Director Community Services

In attendance: S Morris (minutes).

APOLOGIES: Tony Meppem (Acting Director Environmental Services)

01 RESOLVED that the apologies of Tony Meppem be accepted.

**Todd/Schmidt
The motion was carried**

CONFIRMATION OF MINUTES OF THE ORDINARY MEETING OF WARRUMBUNGLE SHIRE COUNCIL HELD ON 18 JUNE 2009

02 RESOLVED that the minutes of the ordinary meeting of the Warrumbungle Shire Council held on 18 June 2009 be endorsed.

**Coe/Schmidt
The motion was carried**

BUSINESS ARISING

Chamber Extension

A copy of Discussion Plan 4e was presented at the meeting. This plan was prepared as a single storey building utilising the full block to allow maximum floor space that does not include a library or cultural/arts centre with foundations capable of allowing a further storey to be added to the building in the future.

03 RESOLVED that Council endorse Discussion Plan 4e for the purpose of obtaining costings for the construction of the building **AND FURTHER** that a report be submitted to the August meeting outlining all options and costings.

**Sullivan/Powell
The motion was carried**

ADOPTION OF THE RECOMMENDATIONS OF THE WARRUMBUNGLE SHIRE COUNCIL OCCUPATIONAL HEALTH & SAFETY ADVISORY COMMITTEE MEETING HELD ON 4 JUNE 2009

04 RESOLVED that the minutes of the Warrumbungle Shire Council Occupational Health & Safety Advisory Committee meeting held on 4 June 2009 be adopted.

**Schmidt/Dissanayake
The motion was carried**

MINUTES OF THE SPECIAL MEETING OF THE CONSULTATIVE ADVISORY COMMITTEE HELD ON 4 JUNE 2009 FOR NOTATION

05 RESOLVED that the minutes of the special meeting of the Consultative Advisory Committee held on 4 June 2009 be noted.

**Schmidt/Sullivan
The motion was carried**

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GENERAL MANAGER'S REPORT

1.1 NOTICE OF MOTION

06 A motion was moved by Councillor Todd seconded by Councillor Dissanayake that Council activate the Medical Advisory Council Committee for the benefit of all the towns in the Warrumbungle Shire.

The motion LAPSED following discussion regarding the expectations of the motion and possible outcomes available to the Committee.

1.2 POLICIES

07 RESOLVED that Council endorse its current policies as listed below that are currently included in the Policy Folder subject to Strategic Policy 1.7 and Strategic Policy 1.9 being amended and merged to form a new Strategic 1.7 Internally Restricted Assets Policy as set out below:

Strategic 1.1 - Payment of Expenses and Provision of Facilities to Elected Members Policy

Strategic 1.2 - Temporary Grazing Permits Policy

Strategic 1.3 - Donations Policy

Strategic 1.4 - Local Approvals Policy – Use of Public Footpaths for the Placement of Articles or Items

Strategic 1.5 - Relocated Dwelling Approvals – Special Requirements

Strategic 1.6 - Kerb and Gutter and Layback Crossing

Strategic 1.7 - Internally Restricted Assets Policy

Strategic 1.8 - Council Chambers – Usage

Strategic 1.9 - Street Stalls and Street Raffles

Strategic 1.10 - Residential Property Policy

Strategic 1.11 - Media Policy - Staff

Strategic 1.12 - Media Policy - Councillors

Strategic 1.13 - Public Cemetery Policy

Strategic 1.14 - Regulatory Services Policy

Strategic 1.15 - Public Pools Policy

Strategic 1.16 - Disposal of Council Assets Policy

Strategic 1.17 - Property Addressing Policy

Strategic 1.18 - Investments Policy

Strategic 1.19 - Policy incorporated in Strategic 1.7

Strategic 1.20 - Burial Policy

Strategic 1.21 - Rating Policy

Strategic 1.22 - Land and Buildings Policy

Strategic 1.23 - Flying of the Australian and Aboriginal Flags Policy

Operational 2.1 - Debt Recovery Policy

Operational 2.2 - Excess Water – Kidney Dialysis Machine

Operational 2.3 - Gathering of Information Policy

Operational 2.4 - Private Works

Operational 2.5 - Internet and Email Policy

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Operational 2.6 - Mobile Phone Usage Policy
Operational 2.7 - Bank Signatories Policy

AUSPICE 3.1 - Connect 5 Policy Manual
AUSPICE 3.2 - Connect 5 OHS Policy Manual
AUSPICE 3.3 - Castlereagh Family Day Care Policy Handbook
AUSPICE 3.4 - Warrumbungle Community Care (Multi Service Outlet) Policies and
Procedures Manual
AUSPICE 3.5 - Warrumbungle Community Care Code of Ethics

Staff 4.1 - Warrumbungle Shire Council Risk Management Program - Staff Immunisation
Staff 4.2 - Staff Leave Policy
Staff 4.3 - Warrumbungle Shire Council First Aid Plan
Staff 4.4 - Workplace Bullying Policy
Staff 4.5 - Harassment Policy
Staff 4.6 - Needlestick Policy
Staff 4.7 - Drug and Alcohol Policy
Staff 4.8 - Equal Employment Opportunity Policy
Staff 4.9 - Disciplinary Policy
Staff 4.10 - Accident Investigation Policy
Staff 4.11 - Occupational Health and Safety Policy
Staff 4.12 - Children & Young Person's Protection Policy
Staff 4.13 - Smoke Free Workplace Policy
Staff 4.14 - Corporate Uniform Policy (Salaried staff)
Staff 4.15 - Injury Management/Return to Work Policy
Staff 4.16 - Asbestos Policy
Staff 4.17 - Personal Safety Equipment and Sun Protection Policy
Staff 4.18 - Grievance Procedure
Staff 4.19 - Armed Hold-up Procedure
Staff 4.20 - Medical Emergency
Staff 4.21 - Warrumbungle Shire Competency Based Salary System Foundation Rules
Staff 4.22 - Equal Employment Opportunity Management Plan
Staff 4.23 - Staff Travel and Sustenance Expenses Policy
Staff 4.24 - Funeral Attendance Policy
Staff 4.25 - Interview Expenses Policy
Staff 4.26 - Local Residency for Employees Policy
Staff 4.27 - Relocation Expenses Policy
Staff 4.28 - Work Experience Policy
Staff 4.29 - Recruitment, Selection and Appointment Policy
Staff 4.30 - Corporate Uniform Policy (Salaried Staff)
Staff 4.31 - Warrumbungle Shire Council - Civil Emergency Leave Policy
Staff 4.32 - Drug and Alcohol Policy

Management Procedures 5.1 - Code of Conduct
Management Procedures 5.2 - Interaction Policy between Councillors and Staff
Management Procedures 5.3 - Code of Meeting Practice

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Management Procedures 5.4 - Fraud and Corruption Policy

Management Procedures 5.5 - Internal Reporting Policy Protected Disclosures Act 1994

Strategic 1.7 (amended)

Internally Restricted Assets Policy

Purpose

i Type of expenses provided for in internally restricted assets, shall be replacement of plant, office equipment, employees leave entitlements and any other matter Council may determine by resolution.

ii Amount of Annual Provision

a) Plant -

The amounts required to meet the programmed replacement of plant under Council's Long Term Replacement Programme be transferred to the restricted assets for that purpose.

b) Office Equipment -

The amount required to meet the anticipated cost of replacing the major items of equipment at the end of their useful life.

c) Employees Leave Entitlements -

The amount required to maintain an adequate level of reserves to meet charges as made.

d) Quarry Rehabilitation -

The amount received from Gravel Royalty Payments to meet the cost of rehabilitating gravel pits during and after operational life cycle.

Constraints

Any funds removed from a restricted asset for another purpose, must be advertised for twenty eight (28) days to allow community comment.

Sullivan/Coe
The motion was carried

1.3 ORGANISATIONAL STRUCTURE

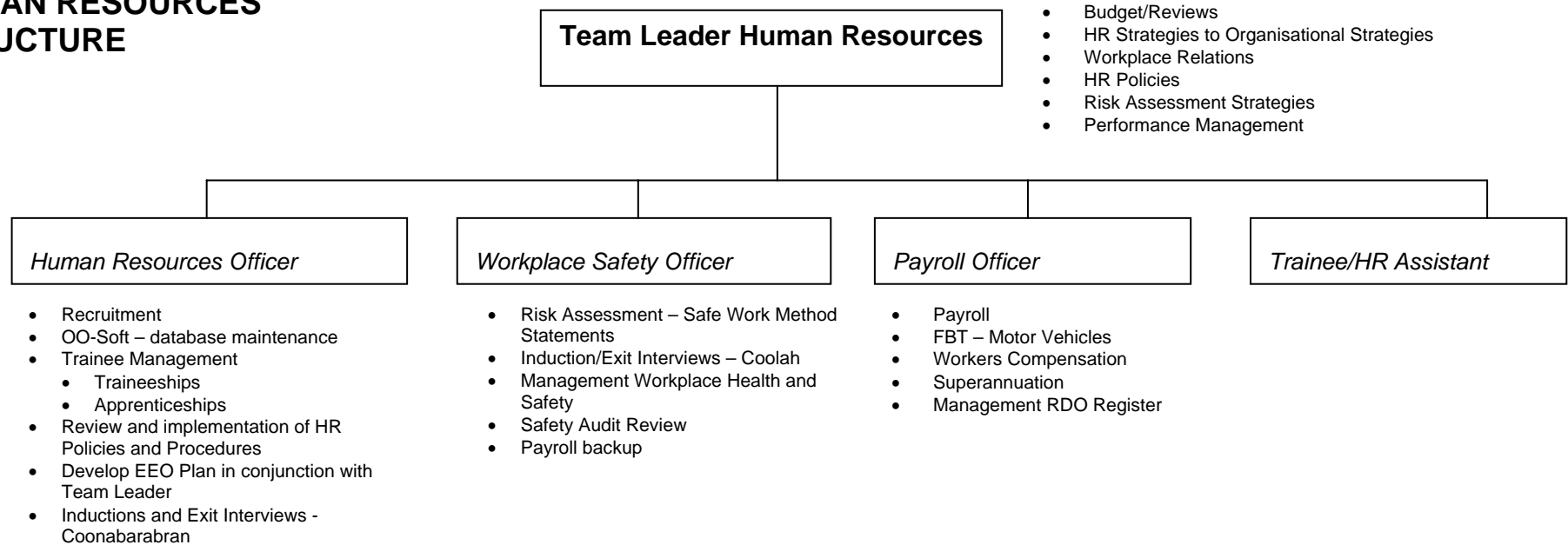
08 RESOLVED that Council endorse the following amended Human Resources structure:

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HUMAN RESOURCES STRUCTURE



Sullivan/ Schmidt
The motion was carried

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1.4 FOUNDATION RULES SALARY SYSTEM - POLICY

09 RESOLVED that Council adopt the following amended Foundation Rules Salary System - Policy.

Warrumbungle Shire Competency Based Salary System Foundation Rules

INTRODUCTION

As a result of Council's commitment to achieving the highest levels of service to the community, through the work outcomes of its staff, Council strongly supports an equitable and structured Salary System that offers all employees encouragement to develop their skills and knowledge; and that rewards those employees accordingly.

The development and implementation of a Salary System for Warrumbungle Shire Council has been in accordance with the requirements of the Local Government (State) Award 2007, Clause 7 (SALARY SYSTEM) which states:

- (i) "A salary system determines how employees are paid. An employee shall be paid the salary system rate of pay that recognises the skills the employee is required to apply on the job.
- (ii) The salary system shall have a structure that complements the entry level rates of pay and skill descriptors in the award by identifying grades. Each grade shall contain a number of salary points/steps for progression that are over and above the entry level rates of pay.
- (iii) Positions shall be assigned a salary grade(s) within the structure. A position may extend across more than one grade in council's salary system or level as prescribed by Clause 5 Skills Descriptors of this award.
- (iv) Progression through the salary system shall be based upon the acquisition and use of skills. Where skills based progression is not reasonably available within the salary range for the position, employees shall have access to progression based on the achievement of performance objectives relating to the position. Such performance objectives shall be set in consultation with the employee(s).
- (v) Subject to subclause (iv), skills for progression relevant to the position shall be assigned to each salary point/ step within the grade or set at the annual assessment, provided that such criteria shall provide opportunity for progression through the salary system for the position.
- (vi) Employees shall be assessed for progression through the salary range for their position at least annually or when they are required to use skills that would entitle them to progress in the salary system.
- (vii) At the time of assessment, council shall advise the employee of the skills and/ or the performance objectives required for the employee to progress to the next salary point/ step and shall review the employee's training needs.
- (viii) The salary system shall include a process by which employees can appeal against their assessment.
- (ix) Employees shall have access to information regarding the grade, salary range and progression steps of the position".

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STATEMENT OF INTENT

The Salary System has been designed to take into account the concerns and needs of the three major stakeholders in Council:

- Community - value for money, through increased productivity
- Employees - recognition and reward for the acquisition and application of skills
- Management - flexibility to maximise effectiveness and efficiency

The Salary System aims to:

- be fair and equitable, providing equal opportunity to all employees
- provide quality and timely services to the customers of the Council
- provide flexibility for Management to maximise workforce productivity
- provide employees with opportunities to gain new skills and knowledge
- be simple in design and easy to administer
- be understood by all staff
- be competitive enough to attract and retain employees, while being within Council's capacity to pay
- be supported by relevant training plans, designed to develop skills needed by Council and, at the same time, provide career opportunities for staff
- be consistent with the spirit and requirements of the Award

The progressional rules detailed within this document have been established to guide the operation of Council's Salary System. Where Management or Staff identifies significant issues in relation to the operation of the Salary System, the matter shall be referred to the Consultative Committee.

The Consultative Committee is formed in accordance with the requirements of the Local Government (State) Award 2007. The Consultative Committee provides the opportunity for all staff to have input and feedback on issues affecting the workplace through their elected representatives. The Consultative Committee is an advisory body; it does not have power to make decisions but operates by making recommendations by consensus (see Consultative Committee Constitution for details).

It is the responsibility of Management to implement Council's Salary System. The Consultative Committee does not have the power of veto over Management's decisions; however it may refer matters to the Award Implementation Committee, if resolution at the local level is unsuccessful.

KEY ELEMENTS OF THE SALARY SYSTEM

Job Analysis

Job analysis is the process of obtaining valid information about jobs. This information identifies the purpose of the job and covers the actual work content of the job: the skills, knowledge and abilities required to perform the job effectively. From this information a Position Description can be developed.

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Position Description

In our organisation we use Position Descriptions (sometimes called Job Descriptions). These documents include:

- a brief statement about the purpose of the job;
- a description of the job (tasks, duties and responsibilities);
- the specifications for the job (knowledge, skills and abilities) required by the jobholder;
- the relationship of the jobholder to others (who the jobholder reports to and others who report to the jobholder) and
- specific qualifications (formal education, experience required, any certificates or licences required).

The Position Description will also state the terms and conditions of employment (hours, pay, and award provisions)

All positions within the Salary System will have a fully detailed position description, which aligns with the entry level requirements for the position as determined in the Salary Structure, and provide for future desirable knowledge/skills/abilities that will be contained within the competency criteria.

At the conclusion of the annual assessment process, both the supervisor and the employee will review the Position Description. This is an important task, as jobs rarely remain static and the competencies required to do the job may also change. Some skills may become redundant and new skills may be required – this is increasingly so with the rapid changes in technology.

Any major changes to a position, which could affect the value of that position within the Salary System, need to be referred to MANEX and thereafter, the Consultative Committee for consideration, and to the General Manager for final approval.

Explanatory Note:

MANEX stands for Council's Management and Executive group. This group consists of the General Manager and all Directors.

Job Evaluation

Once a Position Description has been developed, the job is evaluated using the Form 19 Job Evaluation. This involves the completion of a questionnaire, which measures the job in terms of the Skill Descriptors in the Local Government Award, and specifies a grade for the position, within Council's Salary Structure, relative to other jobs in Council. These gradings must be agreed and approved by the General Manager, as do any changes made to existing grades.

Positions will only be re-evaluated in the following circumstances:

- if the position is newly created
- if a significant change has occurred in the duties and responsibilities of the position, which is confirmed by the responsible Manager/Director

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- if the Employee believes a significant change has occurred in the duties and responsibilities of the position, and this is confirmed by the responsible Manager/Director

Skill Descriptors

The Skill Descriptors cover the following:

- Authority and Accountability
- Judgement and Problem Solving
- Specialist Knowledge and Skills
- Management Skills
- Interpersonal Skills
- Qualifications and Experience.

The job evaluation process is only concerned with the job - it does **not** evaluate the employee doing the job; and it does not take into consideration issues such as market forces or the physical or emotional aspects of the job. A job is allotted a Grade, Band and Level, depending on the outcome of the questionnaire and in accordance with Council's Salary Structure.

The Salary Structure

Our Salary Structure has 21 grades as shown below. The grades are grouped according to the Bands and Levels identified in the Local Government Award, and are linked to the Skill Descriptors in the Award (see Table 1).

Award Classification (Bands and Levels)	Grade
Operational Band 1/Level 2	Grade 1 Grade 2 Grade 3
Operational Band 1/Level 3	Grade 4 Grade 5 Grade 6
Operational Band 1/Level 4 Administrative/Technical/Trades Band 2/Level 1	Grade 7 Grade 8 Grade 9
Administrative/Technical/Trades Band 2/Level 2 Professional Specialist Band 3/Level 1	Grade 10 Grade 11 Grade 12
Administrative/Technical/Trades Band 2/Level 3 Professional Specialist Band 3/Level 2	Grade 13 Grade 14 Grade 15
Professional Specialist Band 3/Level 3	Grade 16 Grade 17 Grade 18
Professional Specialist Band 3/Level 4 Executive Band 4/Level 1	Grade 19 Grade 20 Grade 21

Table 1

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Our Salary Structure also has Skill Steps. There are 3 Skill Steps in our Salary Structure - each is of 4.5% increments, with a total range of 13.5% from Entry Level to Skill Step 3. The Salary Structure matrix is attached (see Appendix 1). The dollar values change with each Award increase handed down by the Industrial Relations Commission.

Progression through the Salary Structure

Employees progress through the Salary Structure, from Entry to Skill Step 3, by attaining and applying the skills, knowledge and abilities (competencies) required for the job and by attaining qualifications identified in the Skill Steps. To maintain consistency across the organisation, Council will be using the Local Government National Competencies as a guide. Where these do not adequately cover a specific task, we will draw on competencies from other organisations, or develop our own. Each job has a list of competencies, which have been grouped into each Skill Step.

Below is an outline of the levels of competencies which might be expected to be found in a typical job:

Entry Level: The competencies required at this level would be those necessary to undertake the essential requirements of the position, as set out in the Position Description, these would directly reflect the rigours and standards established by the Form 19 questionnaire. There will be

- 6-8 entry criteria as well as 4 core competencies for Grades 1-3,
- 10-14 entry criteria as well as 5 core competencies Grades 4-12
- 10 – 14 entry criteria as well as 9 core competencies Grades 13-21

Step 1: The competencies at this level would be those necessary to undertake all essential requirements of the position with an emphasis on the acquisition and application of Council specific knowledge, operating procedures and policies. There will be

- 4-6 criteria – Grades 1 – 3
- 10-15 criteria – Grades 4 – 12
- 10-15 criteria – Grades 13 - 21

Step 2: This level would embrace some competencies applied in other jobs within the functional area of the position. The jobholder would be able to demonstrate a greater versatility or multi skilling. For administrative and professional areas, the jobholder may demonstrate solid working or expert knowledge of other specialised areas within the profession. There will be

- 4-6 criteria – Grades 1 – 3
- 8-12 criteria – Grades 4 – 12
- 8-12 criteria – Grades 13 - 21

Step 3: The employee at this level would be seen as highly skilled in their specific job tasks and responsibilities, with a basic knowledge and skill level of a position of similar character, but of a higher grade.

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- 3-5 criteria – Grades 1 – 3
- 6-9 criteria – Grades 4 – 12
- 6-9 criteria – Grades 13 - 21

Core Entry Competencies Grades 1 - 3

- BSBCMN315a – Work effectively with diversity
- CU07021 – Follow defined OHS policies and procedures
- CU03007 – Provide effective service to customers
- CU09026 – Undertake workplace learning

Core Entry Competencies Grades 4 - 12

1. BSBCMN315a - Work effectively with diversity
2. CU07021 – Follow defined OHS policies and procedures
3. CU03007 – Provide effective service to customers
4. CU09026 – Undertake workplace learning

Core Entry Competencies Grades 13 - 21

1. BSBCMN315a - Work effectively with diversity
2. CU07021 – Follow defined OHS policies and procedures
3. CU03007 – Provide effective service to customers
4. Workplace Learning– CU09026 – Undertake workplace learning
5. Work effectively in Local Government Context –CU09025
6. Prepare a Budget – LGACOM503a -
7. Deal with Conflict – EC77027
8. Manage OH&S in the Workplace – PRSIR39a
9. Provide leadership and motivate staff – FNBCNV12a

Progression Rules for All Staff to Director Level

To progress in Skill Steps within their Grade, an employee will be required to score 100% of the *Elements* for each *Unit*. These *Criteria* will include criteria from the Common Units out of the Local Government Standards but will also include job specific criteria such as Specialist competencies and qualifications in addition to those identified in the Form 19 Questionnaire, and deemed critical for the performance of the position at each Step. (Qualifications could include driver's licences, WorkCover tickets, Trade qualifications, TAFE Certificates etc.)

Annual Assessments

Employees have the opportunity to progress through these Skills Steps by acquiring and applying the competencies identified for each Skill Step. Each year all employees undertake a competency assessment. Annual assessments will be conducted in August of each year. The 1st August will be the effective date for all annual assessments.

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The assessment will be conducted jointly by the employee and their immediate supervisor. A third party may attend as an observer, at the request of the employee. The employee shall be given a copy of their assessment document at least one week prior to their assessment.

If an employee is deemed not yet competent to meet the requirements for progression, a training plan will be developed to assist them in acquiring the skills and knowledge required. Support will be provided to assist employees in applying the skills and knowledge to a competent level.

An employee will be provided with their assessment document as soon as possible after the commencement of their assessment period to allow them to know against what competencies and measures they will be assessed. A further copy will be made available to the employee, if required, at least two weeks before the assessment is undertaken to allow the employee sufficient time to prepare for the assessment. In the intervening period, new competencies may be introduced by agreement of both parties.

The results of the assessment process will be referred to the Divisional Director for his/her approval. The General Manager will sign off on the assessment recommendation made by the Director.

Any salary increases, which result from the annual review, will be effective from the agreed assessment date. If an employee is not assessed during the agreed time, due to Council's tardiness, the employee will be entitled to back payments to the first pay period after the date on which the assessments should have been undertaken.

Management will agree an assessment date and staff will be notified in writing.

Assessor Training

Any staff member who is required to conduct staff assessments shall be provided training in the appropriate techniques of competency and performance assessment. (eg Workplace Assessor Training).

New Employees and Current Employees Changing Jobs

New employees, or current employees taking up new positions, will be placed at Entry Level for the appropriate Grade, until they are able to demonstrate they meet the requirements for progression, or a period of six months has elapsed, at which time an assessment will be undertaken as a matter of course. An employee may request an assessment at any time, if they believe they are able to demonstrate they possess the competencies required to progress and that Council requires those competencies to be applied. Repeated requests for review, which are clearly unsupported by evidence of relevant knowledge/skill acquisition, will not be considered.

Current Employees in Current Jobs

An employee may request an assessment at any time, if they believe they are able to demonstrate they possess the competencies required to progress and that Council requires

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those competencies to be applied. Repeated requests for review, which are clearly unsupported by evidence of relevant knowledge/skill acquisition, will not be considered. It is possible for employees to progress more than one step at a time, so long as they are able to demonstrate the appropriate 'fit' for each step. This will be determined through a competency assessment.

NOTE: All *requests* for assessment shall be put in writing and delivered to the main office to be registered as being received. Request forms may be obtained from the Payroll Officer. Should a staff member be successful gaining a higher step following their request, they shall be back paid to the date shown on the request.

Higher Duties

Employees will only undertake higher duties by instruction from their supervisor, and for a pre-determined period. Whilst undertaking higher duties, the employee will be paid in accordance with Clause 9 (USE OF SKILLS) of the Local Government (State) Award 2004:

- (i) An employee, required to relieve in a position which is at a higher level within the salary system, shall be paid for that relief. The rate to be paid shall be determined by considering the skills/experience applied by the employee relieving in the position but shall be at least the minimum rate for the position in accordance with the salary system except where the higher level skills have been taken into account within the salary of the relieving employee.
- (ii) Payment for use of skills relieving in a higher paid position shall be made for the time actually spent relieving in the higher position and is not payable when the relieving employee is absent on paid leave or an award holiday. An employee on annual leave may be entitled to a higher rate of pay in accordance with the provisions of Clause 19 Part C(v) of this Award.
- (iii) An award employee who is required to relieve in a senior staff position, so designated under the Local Government Act, 1993, shall be paid an appropriate rate of pay commensurate with the duties and responsibilities of the relief work undertaken."

Apprentices/Trainees – Rules For Progression

Trainee Employees

- The employee is placed on the appropriate level in Band 1 /Level 1 according to either their age or educational qualifications, whichever provides for the highest rate of pay.
- Progression along the scale is not automatic, but is subject to successful completion of appropriate training modules and satisfactory service. These criteria will be established by the Director, with reference to the requirements of the course of study and on-the-job training.
The Director will seek approval, of the criteria, by the General Manager.

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- In general, Council requires trainees to undertake the equivalent of half the full-time study load, in accordance with the relevant university guidelines for the particular course of study. It may be the trainee does not commence study with the commencement of employment, for a number of reasons, however it is expected formal training should begin within six months of engagement. If a delay in commencing studies occurs, through no fault of the trainee, so long as they have completed twelve months of satisfactory service, they will progress to the next salary step.
 - The trainee might also be required to maintain a drivers licence as part of the terms of employment.

Apprentices

- Apprentices are indentured after a period of six months 'trial' employment.
- Apprenticeships are normally time-based (usually four years). As there is no apprentice wage set under the Local Government Award, apprentices are employed under the Trainee rates set down in Band 1 / Level 1. This means the rules, which apply to trainees, also apply to apprentices. Progression up the salary scale is subject to successful completion of appropriate training modules and satisfactory service. In the case of apprentices, course modules are set for the period of the apprenticeship. Where there is a choice of Electives, the apprentice will be required to choose only those modules approved by the Director and General Manager.

Training Plans

Individual training plans will be developed for knowledge/skills/abilities gaps, identified during the assessment process, and throughout the year by observation on the job. Individual training plans will be established within 2 months of an employee's assessment being undertaken, subject to available resources.

The priority for training is determined by statutory requirements, operational constraints and budget allocations.

Council currently provides employee training in the following priority order:

- Safety and Induction training
- Training required to ensure Council meets its legislative responsibilities
- Training which is necessary to enables the employee to carry out their work to the level required by Council
- Training which allows progression
- Training which may be regarded as career training (that is, it is not necessarily related to the job)

Employees shall have access to their individual training plans.

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Council Agreements

The Salary System does not preclude the opportunity for Council Agreements to be negotiated to meet the special needs of either the employee or the Council.

Council Agreements seek to vary the Award by agreement, as provided in Clause 36 (COUNCIL AGREEMENTS) of the Local Government (State) Award 2004.

Selection and Recruitment

Advertising of staff positions will be in accordance with Section 348 of the Local Government Act and Council's Recruitment & Selection Policy and appointments will be based on merit.

Current employees of Council will be actively encouraged to apply for positions within Council.

A letter of appointment detailing the Grade, skill step, rate of pay and any other benefits or allowances will be provided to successful applicants. All external applicants, who are offered a position, will be required to undergo a medical examination, including a full hearing test. Appointment will be subject to a satisfactory medical.

All new employees shall undertake an induction process, and be given copies of their position description and the competency criteria for their positions.

Labour Market Premium

A labour market premium may be applied to a position at the General Manager's discretion and based on objective evidence that such a need exists, to enable Council to attract and retain appropriately qualified and experienced people.

The General Manager, in determining the Labour Market Premium, may take into account:

- internal equity to ensure internal relativities,
- that the decision is fair, equitable and defensible
- prevailing labour market conditions for the position
- the additional skills the employee may bring to the position.

Where a Labour Market Premium (LMP) is applied, it will be added to the Entry Level rate for the Grade and will apply to each of the Skill Steps within that Grade. The employee's classification would be, for example, Engineer, Grade 16 LMP3% which would indicate that all rates of pay at Grade 16 within the Structure would be increased by 3% for this employee only.

Other Benefits and Allowance

Benefits provided under Council's Human Resources policies do not form part of the Salary System.

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Appeals Process

As a first step, an employee, who disagrees with their assessment, should approach their supervisor to discuss their concerns. In the event that the employee and supervisor are unable to resolve the concern, the supervisor and/or the employee may refer the matter to the responsible Manager/Director. An employee is entitled to have a third party support person (this may be a union representative or co-worker) "sit in" on any discussions held throughout the process.

If a resolution is not reached, the employee may have access to the grievance and dispute procedure under Clause 30 (GRIEVANCE AND DISPUTE PROCEDURES) of the Local Government Award.

Publications/Education

All employees shall have access to a copy of:

- The salary structure
- Their position description
- Their assessment criteria
- Their training plans
- The Local Government (State) Award 2007

Employees will be provided with ongoing education and understanding of the Salary System.

Administration and Review of Salary System

The General Manager, MANEX and the Consultative Committee will review the Salary System at least annually to ensure ongoing Award compliance and market competitiveness.

The ongoing administration of the System is the responsibility of the General Manager through delegation to his/her appointed officer. It is essential that the System's integrity be maintained by applying these rules to all decisions relating to the Salary System.

ADDENDUM

Approved by:
(General Manager)

Date:.....

Schmidt/Dissanayake
The motion was carried

1.5 TRAINING AND DEVELOPMENT POLICY

10 RESOLVED that Council adopt the following Training and Development Policy:

WARRUMBUNGL SHIRE COUNCIL TRAINING AND DEVELOPMENT POLICY

POLICY STATEMENT

This policy recognizes Council's commitment to ensure a more highly skilled and flexible workforce through the education, training, skills maintenance, development and

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enhancement of staff. Council supports a program to develop the human resources, represented by Council's employees, required to meet Council's current and future needs.

The aims of this policy are to:

- Develop in employees the standard of skill, knowledge and experience essential to the effective and efficient delivery of service relevant to an employee's respective discipline and position.
- Develop opportunities for career paths within council and improve productivity and effectiveness in the achievement of Councils' objectives.
- Encourage employees in their self-development and provide assistance to achieve and maintain a high level of competence in their respective discipline and position.
- Provide support and assistance to employees attending recognized and approved training courses and workshops including in-house programs.
- Provide support and assistance to employees who undertake, in their own time, approved professional development courses that relate to their duties and compliment their existing skills and knowledge to the benefit of the organization.

DEVELOPMENT OF A LEARNING AND DEVELOPMENT PLAN

Manager and Supervisor Responsibilities

Managers/Supervisors should conduct the employee's review annually. Following this review they should identify any skills or competencies that are required to fulfill the position and determine any training required to satisfy their competency requirements. Managers are responsible for creating a structured learning and development plan for each employee annually or once an employee's probationary period is achieved. This training plan will then be forwarded to the Human Resource Department to investigate training facilitators and obtain training schedule.

The Human Resource Department will forward all departmental training plans to their respective Directors for their approval and prioritising. All training offered to staff will be dependant on budgetary restraints

Employee Responsibility

Employees should:

- Participate in the creation of their learning and development plan
- Attend core training programs, however an employee's entitlement to other forms of training will depend on the individual's learning and development plan
- Apply their new skills and knowledge in the workplace
- Participate in the review process of their learning and development plan
- Ensure all Workcover and non Workcover tickets are kept valid and notify either supervisor or HR of impending expiry dates

Warrumbungle Shire Council will reimburse expenses according to the adopted Warrumbungle Shire Council Reimbursement Policy. Should a training activity be undertaken outside the Shire and the venue more than two hours traveling the employee

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will have the option to arrange accommodation. Should a staff member be directed to attend a course overtime will be paid in accordance with the award.

PROFESSIONAL DEVELOPMENT LEARNING

Professional Development Learning is activities that go beyond the skills/knowledge outlined in a position description. They are learning activities that will assist the employee in developing their career and will add value to Council services. These activities may be covered by the Study Assistance Scheme.

STUDY ASSISTANCE SCHEME

Employees wishing to be considered for approval for the Study Assistance Scheme must meet the following minimum criteria prior to their application being submitted.

- Employees must have passed their probationary period and be confirmed permanent employees of Warrumbungle Shire Council.
- Evidence is shown that there is mutual benefit for both the employee and the organization to undertake this course of study.
- Undertaking the study will not be disruptive to Warrumbungle Shire Council.
- Be willing to sign a contract agreeing to remain at Warrumbungle Shire Council following the completion of the course for a period equal to the length of that course. i.e. A staff member is assisted for a three year tertiary course - the staff member would agree to remain at Warrumbungle Shire Council for three years after completing that course. Where the course is being undertaken part time the full time length of the course will be the period of service required.
- For high cost courses (in excess of \$5,000 per annum and duration of four years or less) the employee will undertake an additional period of service of 2 years. This is in addition to the full time length of course as set out above.

Eligible expenses for study assistance are:

- HECS fees
- Course and registration fees such as enrolment fees and general service charges
- Prescribed textbooks
- Accommodation and meal expenses associated with mandatory residential school attendance via the most economical means.

Council will not provide a vehicle to attend residential school but out of pocket fuel costs will be reimbursed (receipts must be provided).

All courses commenced will be budgeted from year to year dependant on the length of the course. Traveling outside normal working hours will not be paid as overtime.

All fees are to be paid by staff in the first instance with reimbursement made at the end of every semester. Reimbursement may be declined where evidence of satisfactory completion has not occurred. All reimbursement claims must include original receipts.

In cases where due to financial hardship it is evidenced that fees are unable to be paid up-front by the employee, approval should be sought from the General Manager to waive the

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requirements to payment of fees up-front by the employee. Council will pay a maximum amount of **\$500** up front if approved by the General Manager.

If an employee is required to withdraw from a subject or course, fees covered by this policy that are not refunded by the Educational institution will be the responsibility of the employee.

REPAYMENT ON TERMINATION OF EMPLOYMENT

Approved applicants who voluntarily withdraw from a course and not covered by the above paragraph, terminate their employment or have their employment terminated, will not be eligible for reimbursement of any outstanding costs and would be required to repay the following amounts

- After 25% or less of agreed length of service following completion of course – reimburse 100% of course fees and associated costs
- 26%-50% of agreed length of service following completion of course –reimburse 75% of course fees and associated costs
- 51%-75% of agreed length of service following completion of course –reimburse 50% of course fees and associated costs
- 76% to 99% of agreed length of service following completion of course – reimburse 25% of course fees and associated costs
- Once completion of 100% no debt is incurred

In case of termination repayment will be taken out of any termination pay. If the termination pay is not sufficient to cover the debt, the employee will be invoiced the amount owed on termination. This debt will be a legitimate debt and recoverable as such.

SUBMISSION OF RESULTS

All employees undertaking courses of Council paid study must submit copies of their annual or semester examination results, either in conjunction with their claim for reimbursement of fees, or separately to the General Manager if not entitled to or not claiming reimbursement.

The General Manager shall have authority to suspend or withdraw sponsorship of any staff member in the event of unsatisfactory progress in a course of study. “Unsatisfactory progress” shall mean repeated subject failures and/or failing to meet the requirements of the Education Institution for the continuation of the course.

ACCOMMODATION AND MEAL EXPENSES

All associated accommodation and meal expenses will be in accordance with the adopted “Reimbursement of Expenses” Policy.

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DRAFT ADDENDUM TO TRAINING AND DEVELOPMENT POLICY TRAINING & DEVELOPMENT- PAYMENT FOR TRAVELLING OUT OF HOURS

PAYMENT OF OVERTIME/TRAVELLING

Staff attending any training course which is more than two hours away from their starting point, and is travelled outside their normal work hours, shall be paid a travel allowance for the distance travelled as per the Award. This will be a cost against the applicable department's training budget.

As at 01/11/08

3-10km 3.96 per day
11-20km 6.26 per day
21-33km 9.07 per day
34-50km 11.91 per day
Each additional 10kms 3.17 per day

OR ALTERNATIVELY

The director may choose to pay time-in-lieu for staff travelling distances of 2-4 hours and for time greater than four hours the employee have a day a day off. This will be a cost against the applicable department's training budget.

PAYMENT OF WORKCOVER TICKETS

PAYMENT OF WORKCOVER TICKETS

Workcover tickets will only be paid for by Council if there is a requirement for the ticket in their competency document. Consideration would also be given to Workcover tickets which Council deems to be of value to Council.

Should an employee's Workcover Licence include tickets not appropriate to Council's requirements the employee should pay the licence and then request reimbursement for the tickets Council has agreed to pay. Should this procedure present a financial hardship to any staff, Council will arrange payment for the appropriate amount; the employee must make a request within a reasonable time to allow payment to be made through the finance department.

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PROFESSIONAL DEVELOPMENT LEARNING CONTRACT

COURSE:.....

LENGTH OF COURSE:.....

Iconfirm that I have read and understood Council's Training and Development Policy and in particular the Study Assistance Scheme and agree that I will remain at Warrumbungle Shire Council, following the completion of this course, for a period ofyears/months

I acknowledge that should I withdraw from a subject or course, fees covered by this policy that are not refunded by the Educational institution will be my responsibility.

Should I resign or have my employment terminated before the agreed time frame I agree to repay the following amounts:

- After 25% or less of agreed length of service following completion of course – I shall reimburse 100% of all course fees and associated costs owing
- 26%-50% of agreed length of service following completion of course – I shall reimburse 75% of all course fees and associated costs owing
- 51%-75% of agreed length of service following completion of course – I shall reimburse 50% of all course fees and associated costs owing
- 76% to 100% agreed length of service following completion of course – I shall reimburse 25% of all course fees and associated costs owing

Repayment will be taken out of my termination pay should my termination pay not be sufficient to cover the debt, I agree that Warrumbungle Shire Council invoice the amount owed on termination and paid before termination.

Signature of employee

Date

GENERAL MANAGER

Date

Campbell/Lewis
The motion was carried

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1.6 ORGANISATION REVIEW

11 RESOLVED that Council authorise the Mayor and General Manager to engage the Shires Association to undertake an organisation review and determine the brief after consultation with Councillors. Further that an additional supplementary vote of \$30,000 be provided towards this review and that this be shown in the budget for Organisational Structure.

Sullivan/Schmidt
The motion was carried

1.7 NOTICE OF MOTION – INDUSTRIAL AND RESIDENTIAL LAND

12 A Motion was moved by Councillor Lewis seconded by Councillor Campbell that Council avail itself of the current funding offer under the Local Infrastructure Grant Project of the NSW Government (Interest Free Loan) and commence development of residential and commercial land in Coonabarabran and further that land be acquired in Dunedoo and developed as an industrial area.

The motion was put and carried.

1.8 SENIOR STAFF – ANNUAL REPORTING

13 RESOLVED that Council accept the report on Senior Staff as presented.

Schmidt/Campbell
The motion was carried

1.9 ABORIGINAL FLAG

14 RESOLVED that Council retain Resolution 426 of 18 June 2009 and that Council further consider the request by the Coonabarabran Local Aboriginal Land Council that the Aboriginal flag be flown on a permanent basis above the WSC Coonabarabran office when the new building has been finalised.

Sullivan/Coe
The motion was carried

1.10 DUNEDOO SES CONTROLLER

15 RESOLVED that Council agree to the reappointment of Mr Lloyd Graham as the Dunedoo SES Controller for a further two years.

Coe/Lewis
The motion was carried

1.11 OROC EXECUTIVE OFFICER

16 RESOLVED that Council endorse the engagement of an Executive Officer by OROC and that a supplementary adjusting vote of \$11,500 be taken from the Organisation Review budget and applied to the OROC support allocation.

Schmidt/Dissanayake
The motion was carried

1.12 CODE OF CONDUCT REVIEW COMMITTEE

17 RESOLVED that Council endorse the following review panel as its members of the Warrumbungle Shire Council Conduct Review Committee.

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Mr Robert McCutcheon TRANGE	Mr Tony Wass WARREN
Mr Paul Crennan BATHURST	Mr Kevin Keady COONAMBLE
Mr David Lister NYNGAN	Mr Don Olney/Nick Wilson DUBBO
Mr Geoffrey Langford COBAR	Mr John McCaffrey COONABARABRAN

Coe/Powell
The motion was carried

1.13 POLICY – INJURY MANAGEMENT/RETURN TO WORK PROGRAM
18 RESOLVED that Council endorse the following Injury Management / Return to Work Program

Injury Management / Return to Work Program

1. INTRODUCTION

In accordance with Council's commitment to preventing injury and illness through the provision of a safe and healthy working environment, this program has been developed and is to be followed by those who are employed by Warrumbungle Shire Council.

2. DEFINITION

Return to Work Program is the restoration of the injured employee to their fullest possible physical, psychological, social, vocational and economic capacity. A graduated return to work program, developed through consultation and agreement with worker representatives and consistent with medical advice will be followed.

3. PROGRAM

This program applies to all employees of council who work for Warrumbungle Shire Council.

The Return to Work Program is based on the following commitments that are supported by all levels of this organisation.

3.1 Warrumbungle Shire is committed to the prevention of work-related injuries or illness through the provision of a safe and healthy working environment and recognises the benefits of a risk management process for the prevention of workplace injury or illness. This is supported by:

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- The formation of a workplace occupational health and safety committee, with relevant training carried out for committee members.
- The cause(s) of injuries or illnesses, which occur at the workplace will be investigated and where appropriate corrected in consultation with the Occupational Health and Safety Committee (refer Accident Investigation Form)
- Notification of incidents and accidents will be reported to the Safety Officer/Return to Work Coordinator immediately. All forms required, including Accident Investigation Form, StateCover Incident and Injury Register, StateCover Claim Form, Witness Statement (if applicable) and StateCover Release Form will be completed and presented to the Safety Officer/Return to Work Coordinator within 48 hours.
- First Aid will be carried out by a trained First Aid Officer and ambulance called if necessary.

3.2 Warrumbungle Shire is committed to the commencement of the return to work process as soon after the injury or illness, where medical judgement permits.

- Rehabilitation needs will be assessed for any employee with a work-related injury or illness, as soon as possible after notification of the incident.
- Development of any Return to Work Plan will be formalised in a written document following consultation with the injured employee, treating doctor and their representatives.
- A confidential file will be established and maintained throughout the duration of an injured employee's Return to Work Program.
- Warrumbungle Shire Council will ensure that the return-to-work process is commenced as soon as possible after an injury and in a manner consistent with the workers medical fitness for work.
- Warrumbungle Shire is committed to ensuring that early return-to-work by an injured worker is a normal practice and expectation.
- Where appropriate, Warrumbungle Shire Council will provide the opportunity for the injured employee to return to the work environment through a graduated return to pre-injury duties, consistent with medical recommendations.
- Council will promote, as a normal practice, rehabilitation involving a short as possible period of absence from work as is medically recommended.
- Council will strive to ensure that the working environment is conducive to workplace-based rehabilitation.

3.3 Where practicable, Warrumbungle Shire Council is committed to the provision of suitable duties, as an integral part of the rehabilitation process for an injured or ill worker.

- To the extent possible, the return to work will be to the same or similar duties. Where resumption to similar duties is physically impossible,

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retraining and redeployment into different duties will be pursued. The hierarchy of return-to-work goals will be followed as below:

- Same duties/same employer
- Different duties/same employer
- Same duties/different employer
- Different duties/different employer
- An offer of suitable duties will be consistent with the advice of the treating doctor and/or recommendations of a rehabilitation provider. They will be made in writing to the worker, through a formalised return to work plan.
- Changes to the duties or employment of the worker will be initiated only after consultation with all relevant parties.
- Identifying suitable duties for an injured employee that are timely and safe is considered a priority within the Return to Work Program. Suitable duties are defined by WorkCover NSW as work tasks that the injured worker is able to perform safely but are not necessarily the worker's pre-injury duties and may involve a change in the hours normally worked.

3.4 Warrumbungle Shire Council is committed to consultation with its employees and, where applicable, consultation with any industrial union of employees on any aspect of the Occupational Rehabilitation process.

- The Return To Work Coordinator will initiate consultation with the employee throughout all stages of the return to work process.
- Warrumbungle Shire Council will consult with the appropriate union throughout the rehabilitation process if requested by the employee.

3.5 Warrumbungle Shire Council is committed to the principle that participation in the Return to Work Program will not, of itself, prejudice an injured or ill worker.

- The job security of the injured employee will not be jeopardised, and the injured employee will not be disadvantaged for promotional opportunities through participation in the return to work process.
- The *Workplace Injury Management and Worker's Compensation Act 1998* and the *Worker's Compensation Act 1987* provides that unreasonable refusal by a worker of an offer of suitable employment or necessary rehabilitation training may compromise the payment of Worker's Compensation benefits.

4. AIM

- To ensure, where possible, restoration of the injured employee to their fullest possible physical, psychological, social, vocational and economic capacity.
- In consultation with the injured employee, treating doctor and any representatives, formulate a written Return to Work Program.
- To ensure the Health, Safety and Welfare of Council employees
- To ensure compliance with the Occupational Health & Safety Act 2000

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- To ensure compliance with Workplace Injury Management and Worker's Compensation Act 1998
- To ensure compliance with Worker's Compensation Act 1987

5. RESPONSIBILITIES

The following personnel play key roles in the return to work process. Their ability to work together for the benefit of the injured employee will determine the success of the Return To Work Program. The specific roles of the key personnel together with the Return to Work Program procedures are described below.

5.1 The Injured Employee

The injured employee is the focus of all actions related to the return to work process. Where an injury or illness is sustained at work or travelling their normal route to or from home or work, the employee has the following obligations:

- To notify their employer of any injury immediately (or as soon as practicable). In most cases this will entail notifying your immediate supervisor of an injury and completing both the Warrumbungle Shire Council Accident/incident Investigation Form, StateCover Incident and Injury Register, StateCover Claim Form, Witness Statement (if applicable) and StateCover Release Form;
- To inform the Return To Work Coordinator of initial doctors appointment to allow the Coordinator, with the injured workers permission, to attend the appointment.
- To provide accurate information about the claim and obtain a NSW WorkCover NSW Medical Certificate to support any absences from work related to the injury. Failure to obtain a certificate will result in the absence being deducted from sick leave entitlements;
- To co-operate in the development of an injury management plan and comply with the injury management plan, by attending all meetings, medical appointments or other activities directly related to the return to work program;
- To nominate a treating doctor, who will be responsible for the medical management of the injury or illness. The employee must also authorise the nominated treating doctor to provide relevant information for the purposes of effective rehabilitation;
- To make all reasonable efforts to return to work as soon as possible after the injury where practicable.

5.2 Management

Is to ensure that all processes are followed in accordance with the Injury Management and Return To Work Policy and procedures.

5.3 Supervisor

The Supervisor plays a key role in ensuring that the needs of the employee are met without jeopardising the needs of the other workers.

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- Once an injury is reported the supervisor will ensure that the injured person receives appropriate first aid and/or medical treatment as soon as possible and will start an investigation process to prevent a recurrence.
- The supervisor will notify the Return to Work Co-ordinator / Safety Officer of any injury as soon as possible after the incident but no later than 24 hours after the incident.
- The Supervisor must participate, co-operate and comply with the establishment and maintenance of the injury management plan. They must also attempt to provide suitable duties if they are reasonably practicable.

5.4 The Return To Work Co-ordinator

The Return To Work Co-ordinator is an identified and trained staff member who assists in returning injured employee's back to work. The Return To Work Co-ordinator is the link between all parties involved, to ensure that the needs of the employee and the organisation are met within the parameters of the Return To Work Program as set out in the relative legislation. The Return To Work Co-ordinator can be contacted during business hours:

Contact Details:	Frances Perry
	Workplace Safety Officer
	Phone: 02 6378 5000
	Fax: 02 6377 1486

Or if unavailable please contact Maree Thompson on 02 6849 2000.

- The designated Return To Work Co-ordinator will assess all workers compensation claims for rehabilitation needs. If appropriate the Return To Work Co-ordinator will assist in developing and complying with an injury management plan for the injured worker.
- When an injured employee is, according to medical judgement, capable of returning to work, the Return To Work Co-ordinator will develop an individual Return To Work Plan offering suitable duties after consultation with management, injured employee and treating doctor.
- Periodically during the return to work process, the Return To Work Co-ordinator will assess the employee's progress and provide progress reports to all key personnel. Meetings of these personnel may be required from time to time, so as to ensure the program continues to meet its objectives and is not impinging unnecessarily on any party.
- Upon notification of injury the Return to Work Coordinator will where practicable, make the initial doctors appointment and, with the injured workers approval, accompany the injured worker at this appointment. If approval is not granted the Return To Work Coordinator may make another appointment to discuss the case with the Nominated Treating Doctor.

5.5 The Treating Doctor

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The nominated treating doctor of the injured employee, will recommend any necessary treatment, complete NSW Workers Compensation Medical Certificates, review the injured employee's condition regularly, assist Councils Insurer develop an Injury Management Plan and liaise with the Return To Work Co-ordinator about suitable duties and time frames for returning to pre-injury duties.

5.6 The Insurer

StateCover provides workers compensation insurance for Warrumbungle Shire Council. The role of StateCover's Case Manager in the rehabilitation of an injured employee is to make all decisions relating to a claim for workers compensation. The Case Manager is responsible for integrating claim, medical, rehabilitation, retraining and legal considerations to develop a strategy for resolving the claim to the benefit of both the worker and the employer. In addition StateCover will advise both the worker and employer of their rights and obligations under the Workers Compensation Act. Statecover will also prepare an Injury Management Plan in consultation with the employer, worker and where appropriate the nominated treating doctor within 3 working days of being notified of a significant injury. Any Injury Management Plan will be reviewed at points designated as 4, 8 and 12 weeks and thereafter every 6 weeks

**Contact Details: StateCover
 02 8270 6000**

5.7 The Rehabilitation Provider

The following accredited rehabilitation provider is available to assist when required in the rehabilitation of those employees who suffer a workplace injury or illness.

**Contact Details: CRS Australia
 Wingewarra Street
 Dubbo
 Phone: 02 6841 2500**

6 DISPUTE RESOLUTION

Any disputes over occupational rehabilitation will be addressed as follows:

- If disagreements about the return to work program or suitable duties arise, a meeting between the Supervisor, Return To Work Co-ordinator and other relevant parties, which may include a Manager and the union, will be called.
- If discussion fails to resolve the matter, StateCover, an accredited rehabilitation provider, the treating doctor or an injury management consultant will meet for further discussions.
- All rights of the worker under relevant industrial awards will be observed throughout an individual's return to work program.

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7 PRIVACY

All injury management information concerning an injured worker is confidential. Staff with access to such information is to be made aware that it is confidential and should not be discussed with or shown to or read by anyone who is not directly involved in the worker's return to work.

7.1 Access to the return to work file

- The return to work co-ordinator will maintain a case file on all workers who require assistance to return to work. The case file is a record of the case management of an individual injured worker. Employers should ensure that access to an injured worker's return to work file by people in the organisation is restricted to those with a legitimate need to know. Access should be confined to relevant documents on the case file and limited to:
 - those who have direct responsibility in co-ordinating, monitoring or providing return to work services to the injured worker, and,
 - those involved in providing clerical and administrative support in relation to these persons.

Examples of people with a legitimate need to know may therefore include the:

- Return to Work Co-ordinator
 - Worker's immediate supervisor
 - Supervisor of the area in which suitable duties have been identified
 - Occupational physician/workplace medical officer
 - Occupational health nurse
- Council will ensure that access to selected documents on the case file by people who need to know is limited to information that is relevant to their area of responsibility for the worker. Eg, the worker's immediate supervisor may need information relating to the worker's Return To Work Plan but would not need to view the whole file.
 - Council will give the employee access to the return to work file and a copy of any injury management information on request unless there is an exception as outlined in the *Privacy Act 1988*.
 - These exceptions include, for example, that the information relates to existing or anticipated legal proceedings between Council and the individual; that providing access would reveal the intentions of the organisation in relation to negotiations with the individual and that it would prejudice an investigation of possible unlawful activity.
 - National Privacy Principal 6.5 in the *Privacy Act 1988* provides that if a person establishes that the personal information is not accurate then the organisation must take reasonable steps to correct the information.

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- If Council receives a request form the worker for a health report, the author of the report should be contacted before it is released.

7.2 Obtaining or releasing injury management information

- The Workcover Medical Certificate includes a section for the worker to sign, giving consent to the nominated treating doctor, the employer, the insurer, other treating practitioners, rehabilitation providers and Workcover NSW to exchange information for the purpose of managing the workers injury and compensation claim.
- The employer is a party to this consent and can release information to the relevant parties as specified on the medical certificate.
- In the context of the workplace, it is appropriate for the employer to review and discuss the relevance and nature of information to be exchanged with the injured worker. This facilitates communication and ensures a clear understanding by all parties.
- To ensure the informed consent of the injured worker and that all parties involved in the return to work are included, consent will be obtained by having the employee sign an 'Information Consent Form'.
- The employees consent may be withdrawn at any time, however, they should be advised that if consent is withdrawn return to work may not proceed and it may affect the employees entitlements to Workers Compensation Benefits.
- Information may only be released concerning an individuals injury for research purposes with the prior written permission of both the employee and Workcover NSW.

7.3 Management of records

- Council will protect return to work files, including electronically stored information, form unauthorised access, interference, misuse, loss and theft. Files shall be kept in lockable filing cabinets, password protected computer systems, and secure arrangements made for the transfer of files.
- Workers Compensation and return to work files shall be kept separate from other personnel records.

7.4 Storage of closed records

The confidentiality of information in files where return to work is completed and the case/claim is closed, shall also be protected. Such files shall be stored in the Archives section of Council's records management system and kept for a minimum period of seven years as stated in the *State Records Act*.

7.5 Transmission of Information

Where information is transmitted electronically (eg fax) care will be taken to protect the confidentiality of the information. For example, prior to faxing information, telephone the recipient to arrange for its collection immediately.

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8 MONITOR AND REVIEW

The Policy and related procedures shall be reviewed at least every two years by the Return to Work Co-ordinator in consultation with the Occupational Health & Safety Committee. If any changes occur to work practices or legislation then a review shall take place.

9 RELATED DOCUMENTS

- OHS Act and Regulation
- Workers Compensation Act 1987
- Workplace Injury Management and Workers Compensation Act 1998
- Injury Management Flowchart

**Lewis/Todd
The motion was carried**

1.14 POLICY – SIGNS AS REMOTE SUPERVISION

19 RESOLVED that Council adopt to following Signs as Remote Supervision Policy:

SIGNS AS REMOTE SUPERVISION POLICY

1. INTRODUCTION

Warrumbungle Shire Council has recognised that damaged or missing signs are an inconvenience to the public and represent a potential for public liability claims. In the interests of public safety Council recognises its responsibility in providing appropriate signage at its Swimming Pools, Parks and Reserves.

2. DEFINITION

This policy has been prepared to ensure that council has clear and concise directions, as to the location, content and frequency of signs and to minimise public liability exposure emanating from the provision of services to the community. Signs are often the cheapest and most direct method that Council can employ for supervision of a remote location and attempting to ensure the health and safety of its community members.

3. POLICY

- Council will adopt the Statewide “Signs as Remote Supervision Best Practice Manual” as the process for the assessment, selection and placement of signs at swimming pools, parks and reserves. Such signage shall be used to direct, advise or warn the public of inherent dangers in the environment in which they are operating.
- Council may refer to other documents for style and layout of its signs.
- A regular inspection program of Council’s remote supervision signage shall be included in risk inspections conducted by Council staff.

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- Signs currently not meeting the current best practice and/or Australian Standards, shall be replaced, as funds permit, in priority order based on hazards and public usage of the respective areas and the rating formula detailed in the manual.
 - The appropriate Council Director shall seek an annual budget allocation from Council to be used for the replacement of old signs and installation of new signs where areas of high risk are identified as per the manual.

4. AIM

Areas of public liability exposure at Council facilities inadequately signposted will, when Council becomes aware of a potential risk, be assessed with a view to eliminating, reducing or accepting the risks using signs as remote supervision.

5. RESPONSIBILITIES

Council will be responsible for the installation and maintenance of Remote Supervision Signage.

Council's Pool Staff and Parks and Garden Staff, with the assistance of Council's Safety Officer, will be responsible for the inspection of, and recording of repairs required of those signs, on Council's spreadsheet of Council owned or controlled Signs as Remote Supervision.

Pool Staff and Parks and Gardens Staff will record any repairs needed and report them to their supervisor.

6. MONITOR AND REVIEW

This policy and related procedures shall be reviewed annually by the Safety Officer in consultation with Management. If any changes occur to work practices or legislation then a review of the Policy and Procedures shall take place.

7. RELATED DOCUMENTS

- Statewide Signs as Remote Supervision Best Practice Manual version 3
- Spreadsheet of Council owned or controlled Parks, Reserves and Swimming Pools
- Aquatic and Recreational Signage Style Guide Edition 2

8. AMENDMENTS

**Schmidt/Sullivan
The motion was carried**

2.19pm

DIRECTOR OF CORPORATE SERVICES

2.1 DUE BY THE BANK TO THE FOLLOWING FUNDS AS AT 30 JUNE 2009

Received.

2.2 INVESTMENTS HELD AS AT 30 JUNE 2009

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Received.

2.3 RECONCILIATION OF GENERAL FUND BANK ACCOUNT – 30/6/90

Received.

2.4 RATES AND CHARGES COLLECTION REPORT UP TO and INCLUDING JUNE 2009

Received.

DIRECTOR OF ENVIRONMENTAL SERVICES

4.1 COMPULSORY ACQUISITION OF RESERVE NO. 86029 FOR PUBLIC RECREATION – CUNNINGHAM STREET, COOLAH

20 RESOLVED that Council transfer the land known as Lot 131 DP728787 in Coolah to Feliks Slacek in return for consideration of \$24,166.70 and that authority be granted to the Mayor and General Manager for the fixing of Council's seal to all relevant documents relating to the sale and transfer of the land

Powell/Dissanayake
The motion was carried

4.2 DEFINITION OF A "FAMILY" FOR SEASON TICKETS IN THE 2009/2010 SWIMMING SEASON

21 RESOLVED:

1. That the Family Season Ticket be defined by the members of a family listed on the family Medicare card, and that a photocopy of the Medicare card be provided at the time of application for a Family Season Ticket.
2. That single-parent families, or working families where only one parent is to be nominated, be allowed to nominate an additional primary carer not appearing on the family Medicare card as part of the Family Season Ticket. An accompanying Statutory Declaration must be provided with the Family Season Ticket application form nominating the person as a primary carer in addition to a statement by the primary carer accepting their role and responsibilities.

Sullivan/Campbell
The motion was carried

4.3 DEVELOPMENT APPLICATION FOR DETERMINATION – 126/0809 DIESEL STOP SERVICE STATION AND ASSOCIATED SIGNAGE

Following request from Developer, this matter was withdrawn from consideration at this meeting.

4.4 WARRUMBUNGL SHIRE COUNCIL APPLICATIONS RECEIVED FOR THE MONTH OF JUNE 2009

Received.

DIRECTOR OF COMMUNITY SERVICES

5.1 LEASE AGREEMENT 64 BINNIA STREET COOLAH

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22 RESOLVED that Council approve the General Manager signing the 2 year Lease Agreement for 64 Binnia Street Coolah for the purpose of the Warrumbungle Community Care Coolah office space.

**Powell/Dissanayake
The motion was carried**

5.2 NSW COMMUNITY BUILDING PARTNERSHIP FUND

23 RESOLVED that Council nominate the No.1 Oval Grandstand project for consideration under the NSW Government's \$35 million Community Building Partnership funding.

**Sullivan/Schmidt
The motion was carried**

5.3 RESTRUCTURE OF CONNECT 5, CASTLEREAGH FAMILY DAY CARE (FDC) AND OUT OF SCHOOL HOURS (OOSH)/VACATION CARE CHILDREN'S SERVICES

24 RECOMMENDATION

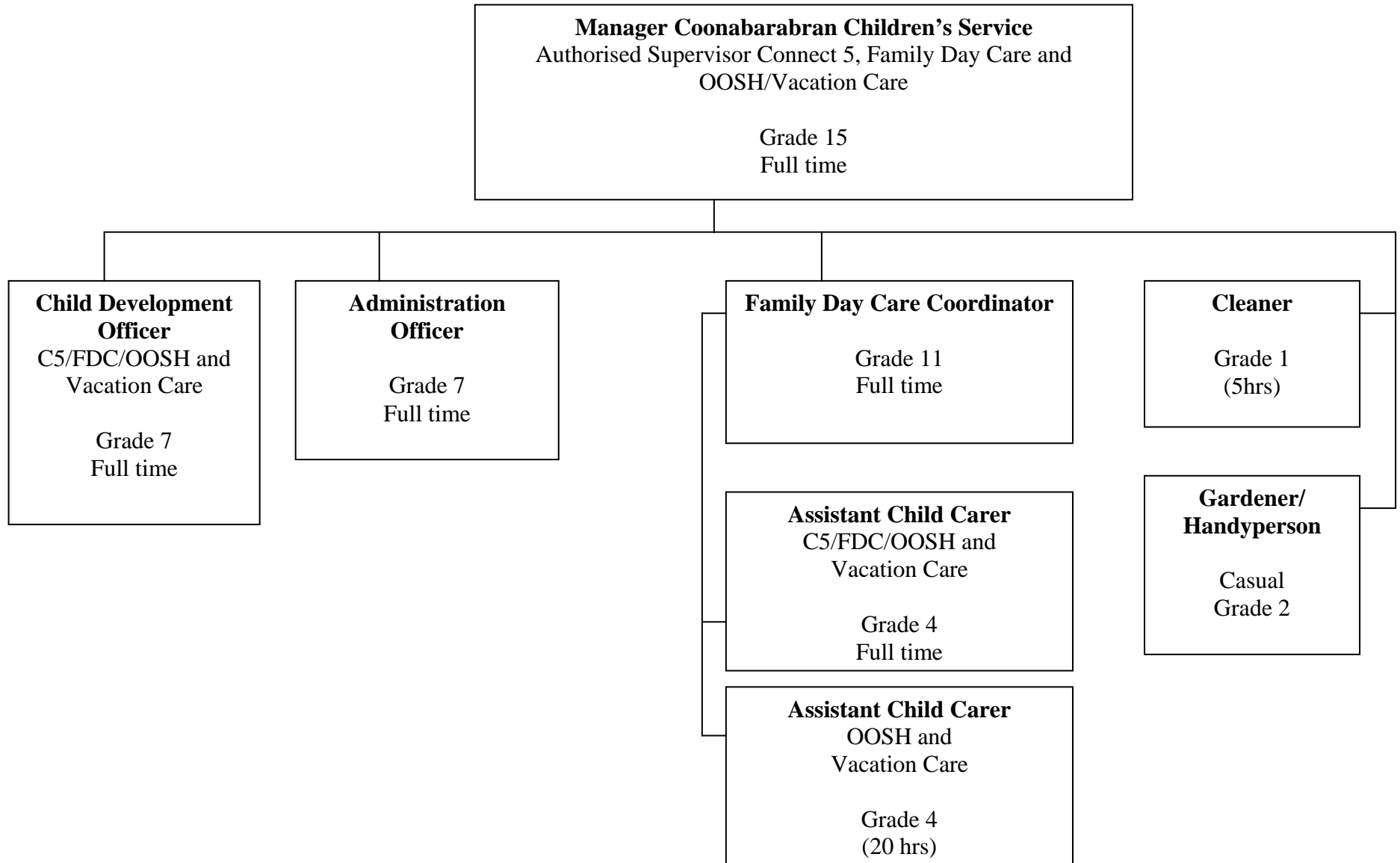
That Council accepts the following Coonabarabran Children's Services structure to combine Connect 5, Castlereagh Family Day Care, Out of School Hours and Vacation Care services; delivered from 14 Robertson Street Coonabarabran subject to endorsement from the Quality Control Group, Consultative Committee and final approval from the General Manager.

**Campbell/Schmidt
The motion was carried**

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5.4 STATE EMERGENCY SERVICES (SES) FUNDING 2009-2010

25 RESOLVED that Council accept Emergency Management NSW invoice and facilitate payment of 2009-2010 first quarterly account **FURTHER** pursue the matter of this inequity of this calculation which is not related to the number of SES units with the NSW Minister for Emergency Services

Lewis/Campbell
The motion was carried

2.55pm

Confidential Items

26 RESOLVED

- (a) that Council go into closed committee to consider matters of a commercial basis, road closure, hardship of a ratepayer and personnel matters
- (b) that pursuant to section 10A(1)-(3) of the Local Government Act 1993, the media and public be excluded from the meeting on the basis that the business to be considered is classified confidential under the provisions of Section 10A(2)(a), (b), (c) and (g) as outlined above
- (c) that the correspondence and reports relevant to the subject business be withheld from access to the media and public as required by section 11(2) of the Local Government Act 1993.

Todd/Sullivan
The motion was carried

2.55PM

Council closed its meeting to the public.

3.16PM

27 RESOLVED Council moved out of closed Council and into open council.

Todd/Sullivan
The motion was carried

The following resolutions of Council while the meeting was closed to the public, were reported to the meeting by the General Manager:

1C ESSEX STREET DEPOT

28 RESOLVED that Council not agree to lease the Essex Street block to Mr Stewart and **FURTHER**, that Councillors meet on the block to consider the future use of the land

Sullivan/Schmidt
The motion was carried

2C CLOSURE OF PUBLIC ROAD THROUGH LOT 23 DP 805612 MORRISSEY'S RD COONABARABRAN

29 RESOLVED:

1. That Council advise the current owners of Lot 23 DP 805612 Morrissey's Rd Coonabarabran that it has no intention of developing a road on the road reserve that dissects the centre of their lot to the north of the formed road

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known as Morrissey's Road which appears to be the section of land upon which their dwelling is situated.

2. That Council investigate the closing and realignment of the road reserve in the vicinity and within lot 23 DP 805612 Morrissey's Road Coonabarabran and hold negotiations with effected land holders regarding the closer and that a report on those negotiations be provided at a future meeting of Council.

**Sullivan/Todd
The motion was carried**

**3C REQUEST TO WAIVE INTEREST OF \$296.61 – ASSESSMENT NO.
10044-2**

30 RESOLVED that Council waive interest amounting to \$296.61 against Assessment No. 10044-2.

**Dissanayake/Schmidt
The motion was carried**

4C CENTRELINK SERVICES COONABARABRAN

31 RESOLVED that Council retain Centrelink Services in Coonabarabran for 2009/2010 budget period and that a review of the services be prepared for consideration as part of the 2010/2011 budget deliberations.

**Sullivan/Schmidt
The motion was carried**

There being no further business the meeting concluded at 3.18pm.

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CHAIRMAN