



**RICHMOND SHIRE COUNCIL**  
**AGENDA**  
**FOR**

**ORDINARY MEETING**  
**TUESDAY 05 DECEMBER 2023**  
**COMMENCING AT 8:00AM**

<b>AGENDA AND TIMETABLE FOR ORDINARY MEETING</b>
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Commencement of Meeting  
Signing of Attendance Book  
Reading of Official Prayer  
Leave of Absence  
Confirmation of Minutes  
Declarations of Interest  
Business Arising from Previous Meetings

Item 1        Reports for Consideration – Works  
Item 2        Reports for Consideration – Office of the Chief Executive Officer  
Item 3        Reports for Consideration – Corporate Services  
Item 4        Reports for Consideration – Community Services  
Item 5        Reports for Consideration – Tourism and Marketing  
Item 6        General Business  
Item 7        Close of Meeting

Attachment "A" Unconfirmed Minutes from the General Meeting held Tuesday 21 November 2023.

**COMMENCEMENT OF MEETING**

**SIGNING OF ATTENDANCE BOOK**

**READING OF OFFICIAL PRAYER**

**LEAVE OF ABSENCE**

**CONFIRMATION OF MINUTES**

- Unconfirmed 21 November 2023 Minutes

**DECLARATIONS OF INTEREST**

**MATTERS ARISING FROM PREVIOUS MEETINGS**

UNCONFIRMED MINUTES OF THE ORDINARY MEETING  
OF THE RICHMOND SHIRE COUNCIL HELD IN THE BOARD ROOM, RICHMOND  
ON TUESDAY 21 NOVEMBER 2023



**RICHMOND SHIRE COUNCIL**  
**UNCONFIRMED MINUTES**

UNCONFIRMED MINUTES OF THE ORDINARY MEETING  
OF THE RICHMOND SHIRE COUNCIL HELD IN THE BOARD ROOM, RICHMOND  
ON TUESDAY 21 NOVEMBER 2023

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UNCONFIRMED MINUTES OF THE ORDINARY MEETING  
OF THE RICHMOND SHIRE COUNCIL HELD IN THE BOARD ROOM, RICHMOND  
ON TUESDAY 21 NOVEMBER 2023

**PRESENT**

Present when Mayor Wharton declared the meeting open at 11:49am were:

**COUNCILLORS:**

Cr Wharton, Cr Kuhl, Cr Buick, Cr Fox, Cr Johnston, Cr Kennedy

**STAFF:**

Chief Executive Officer – Peter Bennett, Director of Community Services and Development – Angela Henry, Director of Works – Syed Qadir and Minutes Secretary Tiana Grant

<b>PRAYER</b>
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Cr Johnston read the prayer.

<b>APOLOGIES</b>
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Director of Corporate Services – Peta Mitchell

<b>CONFIRMATION OF MINUTES</b>
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**Attendance**

Cr Wharton left the room at 11:50am

Cr Kuhl took the chair

***RESOLUTION 20231121.1***

*It was moved Cr Fox seconded Cr Johnston and carried that the Minutes of the General Meeting of the Richmond Shire Council held in the Board Room, Richmond on Tuesday, 10 October 2023 be adopted as presented.*

<b>DECLARATIONS OF INTEREST</b>
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Deputy Mayor Cr Kuhl called for Declarations of Interest in matters listed on the Agenda:

**Item 2.9 Expression of Interest 2324\_02 – Helicopter Services**

I, Councillor Fox inform the meeting that I have declared an interest in relation to item 2.9 Expression of Interest 2324\_02 – Helicopter Services, as a result that my business has submitted an expression of interest.

Due to the nature of the item, I will leave the meeting when this item is discussed.

**Item 2.10 Upgrade to Horse Paddock Fences**

I, Councillor Wharton inform the meeting that I have declared an interest in relation to item 2.10 Upgrade to Horse Paddock Fences, as a result that that I hire a horse paddock that is being discussed.

Due to the nature of the item, I will leave the meeting when this item is discussed.

**Item 4.4 Expression of Interest – Australia Day Host**

I, Councillor Wharton inform the meeting that I have declared an interest in relation to item 4.4 Expression of Interest – Australia Day Host, as a result that I am a Richmond Bush Sprints Committee Member.

UNCONFIRMED MINUTES OF THE ORDINARY MEETING  
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Due to the nature of the item, I will stay in the room when this item is discussed.

#### **Item 4.4 Expression of Interest – Australia Day Host**

I, Councillor Kuhl inform the meeting that I have declared an interest in relation to item 4.4 Expression of Interest – Australia Day Host, as a result that that I am a Richmond Bush Sprints Committee Member.

Due to the nature of the item, I will stay in the room when this item is discussed.

<b>BUSINESS ARISING</b>
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Nil

<b>1. REPORTS FOR CONSIDERATION – WORKS</b>
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#### **1.1 Systematic Inspection Program 2023**

##### **EXECUTIVE SUMMARY**

The Works Department are seeking Council's approval to extend the inspection program (systematic inspection program) under Section 134 of the *Local Government Act 2009*, with the purpose of monitoring compliance with the *Animal Management (Cats and Dogs) Act 2008* and Council's *Local Law No. 2 (Animal Management) 2012*.

##### **OFFICER'S RECOMMENDATION**

***That Council: approve a one-month extension concluding 21 December 2023 for the Systematic Inspection Program across the Townships of Richmond and Maxwelton.***

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##### **RESOLUTION 20231121.2**

*It was moved Cr Kennedy seconded Cr Johnston and carried that Council adopt the one-month extension concluding 21 December 2023 for the Systematic Inspection Program across the Townships of Richmond and Maxwelton.*

##### **REFERENCE DOCUMENT**

- Nil

##### **Attendance**

Cr Wharton re-entered the room at 11:52

Cr Wharton took back the chair

<b>2. REPORTS FOR CONSIDERATION – OFFICE OF THE CHIEF EXECUTIVE OFFICER</b>
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#### **2.1 Acceptable Requests Policy**

##### **EXECUTIVE SUMMARY**

The objective is to provide guidelines for the interaction between Councillors and employees and in particular requests from Councillors relating to the provision of information, advice, and assistance.

This Policy was due to be reviewed in September.

##### **OFFICER'S RECOMMENDATION**

***That Council: adopt the Acceptable Requests Policy as presented.***

**RESOLUTION 20231121.3**

*It was moved Cr Fox seconded Cr Buick and carried that Council adopt the Acceptable Requests Policy as presented.*

**REFERENCE DOCUMENT**

- Policy

<b>2. REPORTS FOR CONSIDERATION – OFFICE OF THE CHIEF EXECUTIVE OFFICER</b>
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**2.2 Standing Orders Policy**

**EXECUTIVE SUMMARY**

Council meetings are where the key decisions are made. Council sets its policies, adopts its corporate plans, approves, and adopts budgets, and make its local laws in meetings.

This policy is to be applied in accordance with the provisions of the *Local Government Act 2009* and the *Local Government Regulation 2012*.

The *Local Government Act 2009* prescribes that all councils must adopt the model meeting procedures (MMP) or incorporate them into the existing standing orders for meeting procedures.

**OFFICER'S RECOMMENDATION**

***That Council: adopt the Standing Orders Policy as presented.***

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**RESOLUTION 20231121.4**

*It was moved Cr Buick seconded Cr Johnston and carried that Council adopt the Standing Orders Policy as presented.*

**REFERENCE DOCUMENT**

- Policy

<b>2. REPORTS FOR CONSIDERATION – OFFICE OF THE CHIEF EXECUTIVE OFFICER</b>
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**2.3 Naming of the Skate Park**

**EXECUTIVE SUMMARY**

Council discussed the option at the October Council Meeting to name the Skate Park as a recreational area as it is currently not named.

A notice was put to the community for name suggestions which closed Monday, 06 November 2023.

**OFFICER'S RECOMMENDATION**

***That Council: discuss the submission received.***

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Council discussed the submissions received in items 2.3 and 2.5 to name the Skate Park. Council unanimously agreed on the name, "Richmond Recreation Park".



UNCONFIRMED MINUTES OF THE ORDINARY MEETING  
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**RESOLUTION 20231121.5**

*It was moved Cr Kennedy seconded Cr Fox and carried that Council name the Skate Park the "Richmond Recreation Park".*

**REFERENCE DOCUMENT**

- Nil

**2. REPORTS FOR CONSIDERATION – OFFICE OF THE CHIEF EXECUTIVE OFFICER**

**2.4 HACC Toyota Coaster 21-Seater Bus**

**EXECUTIVE SUMMARY**

A request to sell the HACC Toyota Coaster 21-seater bus to purchase a new Toyota Rav 4 to replace the HACC Captiva that is over 10 years old and is constantly breaking down and needs replacing.

**OFFICER'S RECOMMENDATION**

***That Council: approve the request to sell the HACC Toyota Coaster 21-seater bus to purchase a Toyota Rav 4.***

---

Council discussed the request to sell the HACC Toyota Coaster 21-seater bus and unanimously agreed to keep the bus for Councils Communities Department.

**Attendance**

Cr Wharton left the room at 12:05pm

Cr Kuhl took the chair

**RESOLUTION 20231121.6**

*It was moved Cr Buick seconded Cr Johnston and carried that Council's Chief Executive Officer and Director of Corporate Services investigate the budget to purchase a suitable vehicle for HACC with a matter of urgency.*

**REFERENCE DOCUMENT**

- Nil

**4. REPORTS FOR CONSIDERATION – COMMUNITY SERVICES**

**4.1 RADF – Application for 2023/2024**

**EXECUTIVE SUMMARY**

An application for the 2023/2024 RADF Funding has been received from the Noosa Film Academy.

**OFFICER'S RECOMMENDATION**

***That Council: accept the application from Noosa Film Academy for \$4,950.00.***

**RESOLUTION 20231121.7**

*It was moved Cr Kennedy seconded Cr Fox and carried that Council accept the application for \$4,950.00 from Noosa Film Academy.*

**REFERENCE DOCUMENT**

- Application

#### 4. REPORTS FOR CONSIDERATION – COMMUNITY SERVICES

##### 4.2 RADF – Application for 2023/2024

###### EXECUTIVE SUMMARY

An application for the 2023/2024 RADF Funding has been received from the Branches Performing Arts.

###### OFFICER'S RECOMMENDATION

*That Council: accept the application from Branches Performing Arts for \$12,457.30.*

---

Director of Community Services and Development advised that Branches Performing Arts application has changed to fortnightly meaning their request for funding has changed to \$7,131.60.

###### RESOLUTION 20231121.8

*It was moved Cr Kennedy seconded Cr Johnston and carried that Council accept the application for \$7,131.60 from Branches Performing Arts.*

###### Attendance

Cr Wharton re-entered the room at 12:13pm

###### REFERENCE DOCUMENT

- Application

#### 4. REPORTS FOR CONSIDERATION – COMMUNITY SERVICES

##### 4.3 Donations Request - Christmas

###### EXECUTIVE SUMMARY

Each year Richmond Shire Council fund the Fireworks for the Combined Services Lions Christmas Party and Christmas Light and Decorate Your Gate Competitions.

###### OFFICER'S RECOMMENDATION

*That Council: approve the following requests for funding allocation to come from donations.*

###### RESOLUTION 20231121.9

*It was moved Cr Fox seconded Cr Buick and carried that Council approve to fund the Fireworks for the Lions Christmas Party and have the following prizes for the categories of best house, best business, decorate your gate for the Christmas Light and Decorate Your Gate Competition. Each category will win:*

- *First prize: \$500.00 cash plus two nights in a two-bedroom unit at Mariners North*
- *Second Prize: \$250.00 cash*
- *Third Prize: \$100.00 cash*

Council unanimously agreed to hold the judging from 18-21 December 2023.

###### REFERENCE DOCUMENT

- Nil

**4. REPORTS FOR CONSIDERATION – COMMUNITY SERVICES**

**4.4 Expression of Interest – Australia Day Host**

**EXECUTIVE SUMMARY**

A submission to host Australia Day has been received from the Richmond Bush Sprints.

**OFFICER'S RECOMMENDATION**

*That Council: approve the submission received from Richmond Bush Sprints.*

---

**RESOLUTION 20231121.10**

*It was moved Cr Buick seconded Cr Johnston and carried that Council approve the Richmond Bush Sprints submission to host Australia Day 2024.*

**REFERENCE DOCUMENT**

- Nil

**4. REPORTS FOR CONSIDERATION – COMMUNITY SERVICES**

**4.5 Child Protection Policy**

**EXECUTIVE SUMMARY**

Our Out of School Hours Care (OSHC) Service is committed to providing a child safe environment where children's safety and wellbeing is supported and children feel respected, valued, and encouraged to reach their full potential.

The Child Protection Policy is due to be reviewed.

**OFFICER'S RECOMMENDATION**

*That Council: adopt the Child Protection Policy with changes.*

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**RESOLUTION 20231121.11**

*It was moved Cr Buick seconded Cr Fox and carried that Council adopt the Child Protection Policy as presented.*

**REFERENCE DOCUMENT**

- Policy

**4. REPORTS FOR CONSIDERATION – COMMUNITY SERVICES**

**4.6 Dental Health Policy**

**EXECUTIVE SUMMARY**

Good oral health is important for good general health and wellbeing for children. It allows children to eat, speak, socialise, and learn without pain or discomfort. Early Childhood Services and Out of School Hours Care Services are ideal settings for promoting the importance of good dental health to children and families.

The Dental Health Policy is due to be reviewed.

**OFFICER'S RECOMMENDATION**

***That Council: adopt the Dental Health Policy with changes.***

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**RESOLUTION 20231121.12**

*It was moved Cr Buick seconded Cr Fox and carried that Council adopt the Dental Health Policy as presented.*

**REFERENCE DOCUMENT**

- Policy

**4. REPORTS FOR CONSIDERATION – COMMUNITY SERVICES**

**4.7 Emergency and Evacuation Policy**

**Attendance**

Cr Wharton took back the chair

**EXECUTIVE SUMMARY**

Emergency and evacuation situations may arise for a variety of reasons, often suddenly and unexpectedly. It is vital that if an emergency situation arises, staff are confident to manage the situation effectively and efficiently, maintaining the safety and wellbeing of children, families, and visitors.

The Emergency and Evacuation Policy is due to be reviewed.

**OFFICER'S RECOMMENDATION**

***That Council: adopt the Emergency and Evacuation Policy with changes.***

---

**RESOLUTION 20231121.13**

*It was moved Cr Kennedy seconded Cr Kuhl and carried that Council adopt the Emergency and Evacuation Policy as presented.*

**REFERENCE DOCUMENT**

- Policy

**4. REPORTS FOR CONSIDERATION – COMMUNITY SERVICES**

**4.8 Furniture and Equipment Safety Policy**

**EXECUTIVE SUMMARY**

Under the Education and Care Services National Law and Regulations we have a responsibility to protect the health and safety of children enrolled at our Out of Schools Hours Care (OSHC) Service. Whilst risk management is included in our health and safety policies, we understand our responsibility in providing a safe environment for all children and the need to check all equipment and furniture regularly to minimise risks to all those entering the Service.

The Furniture and Equipment Safety Policy is due to be reviewed.

**OFFICER'S RECOMMENDATION**

***That Council: adopt the Furniture and Equipment Safety Policy with changes.***

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**RESOLUTION 20231121.14**

*It was moved Cr Kuhl seconded Cr Buick and carried that Council adopt the Furniture and Equipment Safety Policy as presented.*

**REFERENCE DOCUMENT**

- Policy

**4. REPORTS FOR CONSIDERATION – COMMUNITY SERVICES**

**4.9 Snake Awareness Policy**

**EXECUTIVE SUMMARY**

Education and Care services may be located in bush settings or visit bush settings as part of their educational program where it is known snakes may be active and present. Snakes are most prevalent during spring or summer but could be encountered at any time of the year- especially on sunny days.

The Snake Awareness Policy is due to be reviewed.

**OFFICER'S RECOMMENDATION**

*That Council: adopt the Snake Awareness Policy with changes.*

---

**RESOLUTION 20231121.15**

*It was moved Cr Fox seconded Cr Johnston and carried that Council adopt the Snake Awareness Policy as presented.*

**REFERENCE DOCUMENT**

- Policy

**4. REPORTS FOR CONSIDERATION – COMMUNITY SERVICES**

**4.10 Sun Safe Policy**

**EXECUTIVE SUMMARY**

Australia has one of the highest rates of skin cancer in the world with two in three Australians developing some form of skin cancer before the age of 70. Too much of the sun's UV radiation can cause sunburn, skin and eye damage and skin cancer. Infants and toddlers up to four years of age are particularly vulnerable to UV damage due to lower levels of melanin and a thinner stratum corneum (the outermost layer of skin). UV damage accumulated during childhood and adolescence is strongly associated with an increased risk of skin cancer later in life (Cancer Council Australia).

The Sun Safe Policy is due to be reviewed.

**OFFICER'S RECOMMENDATION**

*That Council: adopt the Sun Safe Policy with changes.*

---

**RESOLUTION 20231121.16**

*It was moved Cr Johnston seconded Cr Kennedy and carried that Council adopt the Sun Safe Policy as presented.*

**REFERENCE DOCUMENT**

- Policy

**4. REPORTS FOR CONSIDERATION – COMMUNITY SERVICES**

**4.11 Water Safety Policy**

**EXECUTIVE SUMMARY**

The safety and supervision of children is paramount when in or around water. This relates to water play, excursions near water, hot water, drinking water and hygiene practices with water in the Out of School Home Care Service environment. Children will be supervised at all times during water play experiences to help keep children safe in and around water and support children’s learning in a safe environment.

The Water Safety Policy is due to be reviewed.

**OFFICER’S RECOMMENDATION**

***That Council: adopt the Water Safety Policy with changes.***

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**RESOLUTION 20231121.17**

*It was moved Cr Buick seconded Cr Kuhl and carried that Council adopt the Water Safety Policy as presented.*

**REFERENCE DOCUMENT**

- Policy

**4. REPORTS FOR CONSIDERATION – COMMUNITY SERVICES**

**4.12 Animal and Pet Policy**

**EXECUTIVE SUMMARY**

Having a relationship with a pet and/or animal can help children develop a caring disposition and skills such as nurturing, responsibility, empathy and improved communication. Having a pet in an Out of School Hours Care (OSHC) environment enables children who are not otherwise exposed to animals learn these skills. The pet will become part of the daily educational program and lead to activities and learning about other animals. The safety of children, however, is always our first priority. Our OSHC Service will ensure that no animal poses a health or safety risk to children, staff or visitors of the service.

The Animal and Pet Policy is due to be reviewed.

**OFFICER’S RECOMMENDATION**

***That Council: adopt the Water Safety Policy with changes.***

---

**RESOLUTION 20231121.18**

*It was moved Cr Fox seconded Cr Kuhl and carried that Council adopt the Animal and Pet Policy as presented.*

**REFERENCE DOCUMENT**

- Policy

#### 4. REPORTS FOR CONSIDERATION – COMMUNITY SERVICES

##### 4.13 Bullying, Discrimination and Harassment Policy

###### EXECUTIVE SUMMARY

Our Out of School Hours Care (OSHC) Service is committed to creating a workplace with vision and meaningful direction, adhering to our code of conduct and practicing ethical behaviour to ensure a productive work environment free from bullying, discrimination, and/or harassment. Sexual harassment has no place in our Service.

The Bullying, Discrimination and Harassment Policy is due to be reviewed.

###### OFFICER'S RECOMMENDATION

*That Council: adopt the Bullying, Discrimination and Harassment Policy with changes.*

---

###### RESOLUTION 20231121.19

*It was moved Cr Kuhl seconded Cr Johnston and carried that Council adopt the Bullying, Discrimination and Harassment Policy as presented.*

###### REFERENCE DOCUMENT

- Policy

#### 4. REPORTS FOR CONSIDERATION – COMMUNITY SERVICES

##### 4.14 Dealing with Complaints Policy (Staff)

###### EXECUTIVE SUMMARY

Feedback from families, educators, staff, and the wider community is fundamental in creating an evolving Out of School Hours Care Service working towards the highest standard of care and education.

It is foreseeable that feedback will include divergent views, which may result in complaints. This Policy details our OSHC Service's procedures for receiving and managing informal and formal complaints from staff. Educators can lodge a grievance or complaint with management with the understanding that it will be managed conscientiously and confidentially.

The Dealing with Complaints Policy (Staff) is due to be reviewed.

###### OFFICER'S RECOMMENDATION

*That Council: adopt the Dealing with Complaints Policy (Staff) with changes.*

---

###### RESOLUTION 20231121.20

*It was moved Cr Buick seconded Cr Johnston and carried that Council adopt the Dealing with Complaints Policy (Staff) as presented.*

###### REFERENCE DOCUMENT

- Policy

#### 4. REPORTS FOR CONSIDERATION – COMMUNITY SERVICES

##### 4.15 Respect for Children Policy

###### EXECUTIVE SUMMARY

Within an Out of School Hours Care community, many different relationships are negotiated with and between children, educators, and families. The way in which these relationships are established and maintained, and the way in which they remain visible, impacts on how the early childhood community functions. Relationships directly affect how children form their own identity, whether they feel safe and supported, and ultimately, their sense of belonging.

The Respect for Children Policy is due to be reviewed.

###### OFFICER'S RECOMMENDATION

*That Council: adopt the Respect for Children Policy with changes.*

---

###### RESOLUTION 20231121.21

*It was moved Cr Fox seconded Cr Kuhl and carried that Council adopt the Respect for Children Policy as presented.*

###### REFERENCE DOCUMENT

- Policy

#### 4. REPORTS FOR CONSIDERATION – COMMUNITY SERVICES

##### 4.16 Enrolment Policy

###### EXECUTIVE SUMMARY

Out of School Hours Care (OSHC) Services provide high quality care for children before and after school, on pupil free days and during school holidays as Vacation Care programs. Enrolment and orientation can be both an exciting and an emotional time for children and families whether they attend only occasionally or on a regular basis. It is important to manage this time with sensitivity and support, building partnerships between families and the Out of School Hours Service. Such partnerships enable the Out of School Hours Care Service and families to work toward the common goal of promoting consistent quality outcomes for individual children and the Out of School Hours Service.

The Enrolment Policy is due to be reviewed.

###### OFFICER'S RECOMMENDATION

*That Council: adopt the Enrolment Policy with changes.*

---

###### RESOLUTION 20231121.22

*It was moved Cr Buick seconded Cr Johnston and carried that Council adopt the Enrolment Policy as presented.*

###### REFERENCE DOCUMENT

- Policy



#### 4. REPORTS FOR CONSIDERATION – COMMUNITY SERVICES

##### 4.17 Dealing with Complaints Policy

###### EXECUTIVE SUMMARY

Feedback from families, educators, staff and the wider community is fundamental in creating an evolving Out of School Hours (OSHC) Service working towards the highest standard of care and education.

It is foreseeable that feedback will include divergent views, which may result in complaints. This Policy details our OSHC Service's procedures for receiving and managing informal and formal complaints. Families, parents, visitors, students, and members of the community can lodge a grievance or complaint with management in the understanding that it will be managed conscientiously and confidentially.

The Dealing with Complaints Policy is due to be reviewed.

###### OFFICER'S RECOMMENDATION

*That Council: adopt the Dealing with Complaints with changes.*

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###### RESOLUTION 20231121.23

*It was moved Cr Johnston seconded Cr Fox and carried that Council adopt the Dealing with Complaints Policy as presented.*

###### REFERENCE DOCUMENT

- Policy

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#### Change of order of business to consider late items

#### 2. REPORTS FOR CONSIDERATION – OFFICE OF THE CHIEF EXECUTIVE OFFICER

##### 2.5 Naming of the Skate Park

###### EXECUTIVE SUMMARY

Council discussed the option at the October Council Meeting to name the Skate Park as a recreational area as it is currently not named.

A notice was put to the community for name suggestions which closed Monday, 06 November 2023.

###### OFFICER'S RECOMMENDATION

*That Council: discuss the submission received.*

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This item was discussed in item 2.3.

###### REFERENCE DOCUMENT

- Nil

### 3. REPORTS FOR CONSIDERATION – CORPORATE SERVICES

#### 3.1 Monthly Financial Statements

##### EXECUTIVE SUMMARY

In accordance with Section 204 of the *Local Government Regulation 2012* requires financial statements to be presented to Council at its ordinary meeting each month.

##### OFFICER'S RECOMMENDATION

***That Council: receive the monthly financial report presenting the progress made as at 31 October 2023 in relation to the 2023/24 budget and including the:***

- ***Statement of Financial Position***
- ***Statement of Comprehensive Income***
- ***Statement of Cash Flows***

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##### RESOLUTION 20231121.24

*It was moved Cr Buick seconded Cr Kuhl and carried that Council receive the monthly financial report presenting the progress made as at 31 October 2023 in relation to the 2023/24 budget and including the:*

- *Statement of Financial Position*
- *Statement of Comprehensive Income*
- *Statement of Cash Flows*

##### REFERENCE DOCUMENT

- Statement of Financial Position
- Statement of Comprehensive Income
- Statement of Cash Flows

### 3. REPORTS FOR CONSIDERATION – CORPORATE SERVICES

#### 3.2 2023 Closing Audit Report

##### EXECUTIVE SUMMARY

In accordance with Section 213 of the *Local Government Regulation 2012*, the Mayor is required to present the audit management report at the next ordinary meeting after being received. The intent of this section is to ensure management reports are made open and available to the public. The final report was received by Council 24 October 2023.

##### OFFICER'S RECOMMENDATION

***That Council: receive and note the 2023 Closing Audit Report in accordance with Section 213 of the Local Government Regulation 2012.***

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##### RESOLUTION 20231121.25

*It was moved Cr Fox seconded Cr Kuhl and carried that Council receive the 2023 Closing Audit Report in accordance with Section 213 of the Local Government Regulation 2012.*

##### REFERENCE DOCUMENT

- Closing Report

### 3. REPORTS FOR CONSIDERATION – CORPORATE SERVICES

#### 3.3 Adoption on the 2022-2023 Annual Report

##### EXECUTIVE SUMMARY

In accordance with Section 182 of the *Local Government Regulation 2012* requires that each local government prepare an annual report for each financial year. Council must adopt its annual report within 1 month after the day the auditor-general gives the auditor-general's audit report about Council's financial statements for the financial year.

Council must publish its annual report on its website within 2 weeks of adopting the annual report.

##### OFFICER'S RECOMMENDATION

***That Council: adopt the Annual Report for the 2022-2023 Financial Year in accordance with Section 182 of the Local Government Regulation 2012.***

---

##### RESOLUTION 20231121.26

*It was moved Cr Kuhl seconded Cr Buick and carried that Council adopt the Annual Report for the 2022-2023 Financial Year in accordance with Section 182 of the Local Government Regulation 2012 with minor changes to the Councillors portfolios.*

##### REFERENCE DOCUMENT

- Annual Report

### 3. REPORTS FOR CONSIDERATION – CORPORATE SERVICES

#### 3.4 Audit Committee Meeting (12 September 2023)

##### EXECUTIVE SUMMARY

An internal audit committee was held 12 September 2023 to discuss the following:

- Internal Audit Report – Legislative Requirements
- Internal Audit Report – Cyber risk and data security
- Position Paper – Asset Valuations 2022-2023
- Draft Financial Statements for year ending 30 June 2023

##### OFFICER'S RECOMMENDATION

***That Council: receive the Minutes of the Internal Audit Committee held on 12 September 2023 and that the recommendations contained within these minutes be adopted.***

---

##### RESOLUTION 20231121.27

*It was moved Cr Kuhl seconded Cr Johnston and carried that Council receive the Minutes of the Internal Audit Committee held on 12 September 2023 and that the recommendations contained within these minutes be adopted.*

##### REFERENCE DOCUMENT

- Minutes

### 3. REPORTS FOR CONSIDERATION – CORPORATE SERVICES

#### 3.5 Audit Committee Meeting (7 November 2023)

##### EXECUTIVE SUMMARY

An internal audit committee was held 7 November 2023 September to discuss the following:

- 2023 Closing Management Report
- 2022-2023 Annual Financial Statements

##### OFFICER'S RECOMMENDATION

*That Council: receive the Minutes of the Internal Audit Committee held on 7 November 2023 and that the recommendations contained within these minutes be adopted.*

---

##### RESOLUTION 20231121.28

*It was moved Cr Buick seconded Cr Kuhl and carried that Council receive the Minutes of the Internal Audit Committee held on 7 September 2023 and that the recommendations contained within these minutes be adopted.*

##### REFERENCE DOCUMENT

- Minutes

*Change of order of business to consider additional late items*

### 2. REPORTS FOR CONSIDERATION – OFFICE OF THE CHIEF EXECUTIVE OFFICER

#### 2.10 Upgrade to Horse Paddock Fences

##### Attendance

Cr Wharton declared an interest and left the room at 12:50pm

##### EXECUTIVE SUMMARY

A letter has been received from lessees of the Richmond horse paddocks regarding the remaining barbed wire in the fences.

##### OFFICER'S RECOMMENDATION

*That Council: discuss the letter received.*

---

##### RESOLUTION 20231121.29

*It was moved Cr Buick seconded Cr Fox and carried that Council remove all barbed wire from the Horse Paddocks and replace lines two and three with plain wire under line one with plain white wire as a matter of urgency. Wire sizing is to be 8 gauge.*

##### REFERENCE DOCUMENT

- Nil

##### Meeting Adjournment

##### RESOLUTION 20231121.30

*It was moved Cr Fox seconded Cr Kennedy and carried that Council adjourn the meeting for lunch at 12:55pm.*

UNCONFIRMED MINUTES OF THE ORDINARY MEETING  
OF THE RICHMOND SHIRE COUNCIL HELD IN THE BOARD ROOM, RICHMOND  
ON TUESDAY 21 NOVEMBER 2023

**RESOLUTION 20231121.31**

*It was moved Cr Kuhl seconded Cr Kennedy and carried that Council resume the meeting at 1:43pm.*

<b>CLOSED SESSION</b>
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<b>1. REPORTS FOR CONSIDERATION – WORKS</b>
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**1.2 Oban Road Costing**

**RESOLUTION 20231121.32**

*It was moved Cr Kuhl, seconded Cr Fox and carried that Council enter a closed session according to the Local Government Regulation 2012 275, (1) (c) the local government's budget;*

**RESOLUTION 20231121.33**

*It was moved Cr Kuhl, seconded Cr Kennedy and carried that Council exit a closed session according to the Local Government Regulation 2012 275, (1) (c) the local government's budget;*

**EXECUTIVE SUMMARY**

A quote has been provided to construct a new road to provide access to the landowner on the Oban Road. The costing does not include to make it a gazetted road and other related costs (surveying and administrative).

**OFFICER'S RECOMMENDATION**

***That Council: provide further instructions.***

---

**RESOLUTION 20231121.34**

*It was moved Cr Buick seconded Cr Kuhl and carried that Council approve the adjusted costings to create an access on the Oban-Frontage Road and construct when the budget and machinery allows.*

**REFERENCE DOCUMENT**

- Nil

<b>1. REPORTS FOR CONSIDERATION – WORKS</b>
---

**1.3 Richmond Township Line Marking**

**RESOLUTION 20231121.34**

*It was moved Cr Kuhl, seconded Cr Kennedy and carried that Council enter a closed session according to the Local Government Regulation 2012 275, (1) (c) the local government's budget;*

**RESOLUTION 20231121.35**

*It was moved Cr Kuhl, seconded Cr Buick and carried that Council exit a closed session according to the Local Government Regulation 2012 275, (1) (c) the local government's budget;*

**Attendance**

Cr Johnston left the room at 1:51pm

**EXECUTIVE SUMMARY**

A quote has been provided to line mark the township of Richmond by the end of 2023.

**OFFICER'S RECOMMENDATION**

***That Council: accept the quote provided.***

**RESOLUTION 20231121.36**

*It was moved Cr Fox seconded Cr Buick and carried that Council accept the quote received from Compass Line Marking.*

**REFERENCE DOCUMENT**

- Nil

<b>1. REPORTS FOR CONSIDERATION – WORKS</b>
---

**1.4 Refuse Tip Management (Internal) Estimated Yearly Costings**

**RESOLUTION 20231121.37**

*It was moved Cr Kuhl, seconded Cr Kennedy and carried that Council enter a closed session according to the Local Government Regulation 2012 275, (1) (c) the local government's budget;*

**Attendance**

Cr Kuhl left the room at 1:54pm

Cr Johnston re-entered the room at 1:54pm

Cr Kuhl re-entered the room at 1:57pm

**RESOLUTION 20231121.38**

*It was moved Cr Buick, seconded Cr Fox and carried that Council exit a closed session according to the Local Government Regulation 2012 275, (1) (c) the local government's budget;*

**EXECUTIVE SUMMARY**

Council have requested costings for the Refuse Tip to determine whether it would be beneficial for Council to internally run the Refuse Tip or leave as a contract.

**OFFICER'S RECOMMENDATION**

*That Council: read over costings and decide in Item 2.6 on the future of the Refuse Tip Contract.*

---

Noted.

**REFERENCE DOCUMENT**

- Nil

<b>2. REPORTS FOR CONSIDERATION – OFFICE OF THE CHIEF EXECUTIVE OFFICER</b>
---

**2.6 Richmond Refuse Tip Contract 2024-2026**

**RESOLUTION 20231121.39**

*It was moved Cr Kuhl, seconded Cr Fox and carried that Council enter a closed session according to the Local Government Regulation 2012 275, (1) (c) the local government's budget;*

**RESOLUTION 20231121.40**

*It was moved Cr Fox, seconded Cr Buick and carried that Council exit a closed session according to the Local Government Regulation 2012 275, (1) (c) the local government's budget;*

UNCONFIRMED MINUTES OF THE ORDINARY MEETING  
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ON TUESDAY 21 NOVEMBER 2023

**EXECUTIVE SUMMARY**

The Richmond Refuse Tip Contract expires 01 January 2024 with an option to renew for a further one year with the current Contractor.

Council requested the Director of Works to show costings between a Contractor and Council employee at the last Council Meeting to be able to show which would be beneficial for Council.

**OFFICER'S RECOMMENDATION**

***That Council: decide to either manage the Refuse Tip internally or through an external Contractor.***

---

Council unanimously agreed to create a sub-committee in March to discuss options for the future of the Richmond Refuse Tip.

**RESOLUTION 20231121.41**

*It was moved Cr Buick seconded Cr Kuhl and carried that Council accept to renew the Refuse Tip Contract for twelve months only.*

**REFERENCE DOCUMENT**

- Contract

**2. REPORTS FOR CONSIDERATION – OFFICE OF THE CHIEF EXECUTIVE OFFICER**

**2.7 Richmond Lakeview Caravan Park Contract 2024-2026**

**RESOLUTION 20231121.42**

*It was moved Cr Buick, seconded Cr Johnston and carried that Council enter a closed session according to the Local Government Regulation 2012 275, (1) (c) the local government's budget;*

**RESOLUTION 20231121.43**

*It was moved Cr Kennedy, seconded Cr Buick and carried that Council exit a closed session according to the Local Government Regulation 2012 275, (1) (c) the local government's budget;*

**EXECUTIVE SUMMARY**

The Richmond Lakeview Caravan Park Contract expires 01 February 2024 with an option to renew for a further two years with the current Contractor.

**OFFICER'S RECOMMENDATION**

***That Council: accept to renew the Lakeview Caravan Park Contract for a further two years with the current Contractor Kronosaurus Korner as presented.***

---

**RESOLUTION 20231121.44**

*It was moved Cr Buick, seconded Cr Kuhl and carried that Council accept to renew the Lakeview Caravan Park Contract for a further two years with the current Contractor Kronosaurus Korner as presented.*

**REFERENCE DOCUMENT**

- Contract

**2. REPORTS FOR CONSIDERATION – OFFICE OF THE CHIEF EXECUTIVE OFFICER**

**2.8 Richmond and Maxwellton Saleyards Contract 2024-2026**

**RESOLUTION 20231121.45**

*It was moved Cr Buick, seconded Cr Johnston and carried that Council enter a closed session according to the Local Government Regulation 2012 275, (1) (c) the local government's budget;*

**RESOLUTION 20231121.46**

*It was moved Cr Fox, seconded Cr Buick and carried that Council exit a closed session according to the Local Government Regulation 2012 275, (1) (c) the local government's budget;*

**EXECUTIVE SUMMARY**

The Richmond Saleyards Contract expires 31 December 2023 with an option to renew for a further two years with the current Contractor.

Richmond Shire Council have recently constructed new yards at Maxwellton and require the Richmond and Maxwellton Saleyards be under one Contract.

**OFFICER'S RECOMMENDATION**

***That Council: read the submissions received and choose a successful applicant for the new Richmond and Maxwellton Saleyards.***

---

**Attendance**

Cr Wharton left the meeting at 2:51pm

Cr Kuhl took the chair

Further discussion to be held with the current contractors regarding establishing a lease agreement in place of a management contract.

**REFERENCE DOCUMENT**

- Contract

**2. REPORTS FOR CONSIDERATION – OFFICE OF THE CHIEF EXECUTIVE OFFICER**

**2.9 Expression of Interest 2324\_02 – Helicopter Services**

**Attendance**

Cr Fox declared an interest and left the room at 3:00pm

**RESOLUTION 20231121. 48**

*It was moved Cr Johnston, seconded Cr Kennedy and carried that Council enter a closed session according to the Local Government Regulation 2012 275, (1) (c) the local government's budget;*

**RESOLUTION 20231121.49**

*It was moved Cr Buick, seconded Cr Johnston and carried that Council exit a closed session according to the Local Government Regulation 2012 275, (1) (c) the local government's budget;*

**EXECUTIVE SUMMARY**

Expressions of Interest are called for helicopter contractors for assistance for the 2024 Calendar Year, for resupply, in case of activation of Richmond Shire Council's Local Disaster Management Plan.



**OFFICER'S RECOMMENDATION**

***That Council: resolves to approve all submissions received.***

---

**RESOLUTION 20231121.50**

*It was moved Cr Buick, seconded Cr Johnston and carried that Council accept Fox Helicopter Services as a primary contractor and all other submissions as secondary contractors.*

**REFERENCE DOCUMENT**

- EOI Summary

**3. REPORTS FOR CONSIDERATION – CORPORATE SERVICES**

**3.4 A1058 Request to Write Off Interest on Rates Balance**

**Attendance**

Cr Fox re-entered the room at 3:02pm

**RESOLUTION 20231121.51**

*It was moved Cr Buick, seconded Cr Kennedy and carried that Council enter a closed session according to the Local Government Regulation 2012 275, (1) (d) rating concessions;*

**RESOLUTION 20231121.52**

*It was moved Cr Buick, seconded Cr Kennedy and carried that Council exit a closed session according to the Local Government Regulation 2012 275, (1) (d) rating concessions;*

**EXECUTIVE SUMMARY**

Outstanding rates letters were sent in October to landowners who are in arrears with their rate payments.

A request has been made to write off all interest charges to 30 November 2023 for A1058.

**OFFICER'S RECOMMENDATION**

***That Council: resolves to write off any interest charges to 30 November 2023. If payment not received by that date, then interest will commence again on the outstanding balance.***

---

**RESOLUTION 20231121.53**

*It was moved Cr Kennedy seconded Cr Buick and carried that Council resolves to write off any interest charges to 30 November 2023. Interest will commence again on outstanding balance if payment is not received by the above date.*

**REFERENCE DOCUMENT**

- Nil

**3. REPORTS FOR CONSIDERATION – CORPORATE SERVICES**

**3.5 A502 Request to Write Off Interest on Rates Balance**

**RESOLUTION 20231121.54**

*It was moved Cr Johnston, seconded Cr Buick and carried that Council enter a closed session according to the Local Government Regulation 2012 275, (1) (d) rating concessions;*

UNCONFIRMED MINUTES OF THE ORDINARY MEETING  
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**RESOLUTION 20231121.55**

*It was moved Cr Buick, seconded Cr Fox and carried that Council exit a closed session according to the Local Government Regulation 2012 275, (1) (d) rating concessions;*

**EXECUTIVE SUMMARY**

Outstanding rates letters were sent in October to landowners who are in arrears with their rate payments.

A request has been made to write off all interest charges to 30 November 2023 for A502.

**OFFICER'S RECOMMENDATION**

***That Council: resolves to write off the current interest balance to 30 November 2023. Interest charges will be restarting 1 December 2023.***

---

**RESOLUTION 20231121.56**

*It was moved Cr Buick seconded Cr Kennedy and carried that Council resolves to decline the request to write off any interest charges to 30 November 2023.*

**REFERENCE DOCUMENT**

- Email

<b>GENERAL BUSINESS</b>
-------------------------

Cr Johnston requested the hollow kerbing at the corner of 82 Goldring Street (Entriiken's Pioneer Motel) be covered in. Council discussed options and agreed to lay crusher dust.

Cr Johnston noted that the 2023 Local Buy campaign had commenced.

Cr Johnston requested sand be added to the corner of the kid's pool at the Richmond Swimming Pool as there is a lip from the concrete to the grass which is a tripping hazard.

Cr Johnston mentioned that she had members of the public concerned as Richmond only has two Queensland Fire and Emergency Services volunteers and if they are away there are none in the Richmond Shire. Council noted that that is a QFES issue not Council.

Cr Kennedy noted that the flood cameras were being installed and asked when they would be available to view on the Richmond Shire Council website. CEO Peter Bennett advised that he was waiting confirmation from the contractors doing the works.

<b>CLOSE OF MEETING</b>
-------------------------

**RESOLUTION 20231121.57**

*It was moved Cr Fox, seconded Cr Buick, and carried that the information reports be received and noted.*

**Meeting closure**

**RESOLUTION 20231121.58**

*It was moved Cr Johnston, seconded Cr Kennedy and carried that the meeting close at 3:23pm.*

UNCONFIRMED MINUTES OF THE ORDINARY MEETING  
OF THE RICHMOND SHIRE COUNCIL HELD IN THE BOARD ROOM, RICHMOND  
ON TUESDAY 21 NOVEMBER 2023

**Next Ordinary Meeting**

05 December 2023.

I hereby confirm that this is a true and correct record of the minutes of the Richmond Shire Council Ordinary Meeting Tuesday 21 November 2023.

\_\_\_\_\_  
**Mayor**

\_\_\_\_\_  
**Deputy Mayor**

**Item 2. Reports for Consideration – Office of the Chief Executive Officer**

**Item 2.1 Conversion to Freehold – GHPL 23/16239 – Lot 1 AN15 and Lot 5 AN24**

**EXECUTIVE SUMMARY**

An application for conversion to freehold has been received for Lot 1 AN15 and Lot 5 AN24. Richmond Shire Council are required to forward any reviews to the Department of Resources by 23 January 2024.

**OFFICER'S RECOMMENDATION**

***That Council: accept the request for Conversion to Freehold on Lot 1 AN15 and Lot 5 AN24.***

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**Budget & Resource Implications**

N/A

**Background**

**From:** Graeme Geisler <[Graeme.Geisler@resources.qld.gov.au](mailto:Graeme.Geisler@resources.qld.gov.au)>

**Sent:** Thursday, November 23, 2023 9:57 AM

**To:** Enquiries <[enquiries@richmond.qld.gov.au](mailto:enquiries@richmond.qld.gov.au)>

**Subject:** Views request - Conversion to Freehold - GHPL 23/16239 1AN15, 5AN24 - Richmond Shire Council - eLVAS 2023/002078

The department has received the above application. The proposed use of the land is grazing.

The attached extract from Queensland Globe shows the subject land and the surrounding locality.

When a property is converted to freehold the survey plan must show the correct boundaries as well as define roads on their correct alignment. Council may be aware of roads or other issues and its views should address these and give guidance as to any issues a licenced cadastral surveyor would need to address, were they engaged by the lessee to satisfy requirements of an approved conversion.

Please advise the department of your views or requirements including any local non-indigenous cultural heritage values that the department should consider when assessing this application.

Objections to the application, and any views or requirements that may affect the future use of the land should be received by close of business on **23 January 2024**. If you offer an objection to the application, a full explanation stating the reason for the objection should be forwarded to this Office.

If you wish to provide a response but are unable to do so before the due date, please contact the author before the due date to arrange a more suitable timeframe. An extension to this due date will only be granted in exceptional circumstances.

If a response is not received by the due date and no alternative arrangements have been made, it will be assumed you have no objections or requirements in relation to this matter.

This information has been provided to you in confidence for the purpose of seeking your views on this matter. It is not to be used for any other purpose, or distributed further to any person,

company, or organisation, without the express written permission of the department unless required.

All future correspondence relative to this matter is to be referred to the contact Officer at the address below or by email to [LASSLSteam1eng@resources.qld.gov.au](mailto:LASSLSteam1eng@resources.qld.gov.au) . Any hard copy correspondence received will be electronically scanned and filed. For this reason, it is recommended that any attached plans, sketches or maps be no larger than A3-sized.

Regards,



**Graeme Geisler**  
Land Officer  
**Land Services| Land & Surveying Services**  
Department of Resources

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**P:** (07) 4447 9150  
**E:** [graeme.geisler@resources.qld.gov.au](mailto:graeme.geisler@resources.qld.gov.au)  
**A:** 65 Brodie St, Hughenden QLD 4821 | PO Box 937 Cairns QLD 4870  
**W:** [www.resources.qld.gov.au](http://www.resources.qld.gov.au)

**Consultation (Internal/External)**

External: Department of Resources – Graeme Geisler

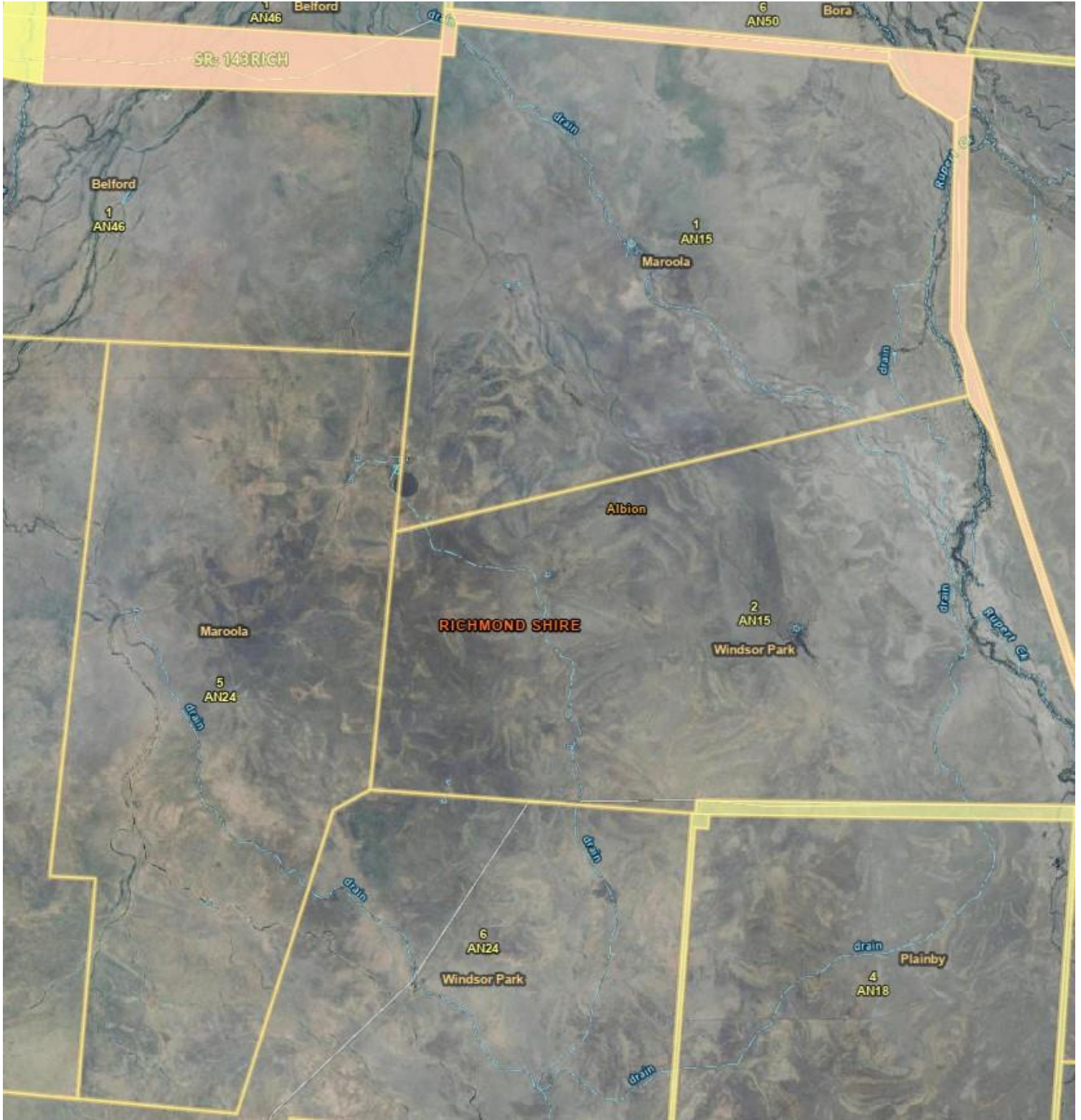
**Attachments**

Attachment B - Map

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Report prepared by **Tiana Grant (Executive Assistant)**

Richmond Shire Council  
Ordinary Meeting of Council 05 December 2023



**Item 2.2 Special Leave Natural Disaster Policy**

**EXECUTIVE SUMMARY**

To provide special leave to employees in the event of a natural disaster where they are unable to return home, or their property has been substantially affected.

This Policy is due to be reviewed.

**OFFICER'S RECOMMENDATION**

*That Council: adopt the Special Leave Natural Disaster Policy as presented.*

---

**Budget & Resource Implications**

N/A

**Background**

The Special Leave Natural Disaster Policy has had minor changes to wording and grammar.

**11. Implementation** has been updated to align with all Council Policies.

**Consultation (Internal/External)**

Internal: Director of Corporate Services – Peta Mitchell

**Attachments**

Attachment C - Policy

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Report prepared by **Tiana Grant (Executive Assistant)**



## RICHMOND SHIRE COUNCIL SPECIAL LEAVE NATURAL DISASTER POLICY

<b>POLICY NUMBER:</b>	<b>009</b>
<b>INFOPERT REF:</b>	<b>76294</b>
<b>TIME PERIOD OF REVIEW:</b>	<b>2 Year</b>
<b>DATE OF NEXT REVIEW:</b>	<b>December 2024</b>

---

### 1. OBJECTIVE

To provide special leave to employees in the event of a natural disaster where they are unable to return home, or their property has been substantially affected.

### 2. SCOPE

This policy applies to all permanent or fixed term full time and part time staff of Richmond Shire Council, subject to the terms of Council's industrial instruments.

### 3. BACKGROUND AND PRINCIPLES

To ensure that Richmond Shire Council employees are aware of their leave entitlements and work responsibilities resulting from a declared disaster situation such as flooding, cyclones or bush fires. The Policy provides for a period of additional paid leave to support Council employees who are unable to attend their usual place of employment Richmond Shire Council or are directly affected as a result of the declaration of a disaster situation within the Richmond Shire.

Richmond Shire Council supports staff that may be affected by emergencies caused by natural disasters such as floods, cyclones, bush fires or other natural occurrences which may affect the wellbeing and safety of themselves or their family. If staff are unable to attend their usual place of employment due to the declaration of a disaster situation, they should first and foremost report this to their immediate supervisor and if the situation is prolonged offer their assistance to the closest local government (where possible)

### 3. RESPONSIBILITIES OF EMPLOYEES

An employee whose circumstances are defined by this policy shall be allowed up to five (5) days paid special natural disaster leave per calendar year (non-cumulative), with access to a maximum of 3 days leave per declared disaster situation.

Special natural disaster leave is separate to all other paid leave entitlements and as such will not be deducted from annual leave, personal leave or any other paid leave entitlements available to eligible employees.

Employees currently on annual leave outside of the Shire may only use this entitlement once their scheduled leave has expired.

### 4. PROCEDURE

Special natural disaster leave is available to staff under the following conditions and/or circumstances upon the declaration of a disaster situation affecting the Richmond Shire or North West Region:

1. Where due to such disaster an employee is prevented from travelling from their place of residence to their usual place of employment on account that it would threaten the safety of the employee if they were to attempt to attend for work by either their usual, or some other reasonably available means of transport; and
2. It is not reasonable for the employee to attend for duty at another Council depot or office; and



3. They have advised, or as soon as reasonably practicable, have advised their supervisor of the circumstances; or
4. Where the employee has a genuine domestic necessity that requires them to either remain at or return to their home; to prepare, protect or remove belongings etc from a personal dwelling or place of residence that may reasonably be affected by the disaster; or to another residence or premises to protect the safety of the employees immediate family on account of such disaster; or
5. Where the employee must leave work early due to the likelihood that their normal mode of transport from work will likely be discontinued due to such disaster; or
6. To make or organise temporary repairs, or to clean up etc the employees personal dwelling that has been directly damaged as a result of such disaster; and

They have advised, or as soon as reasonably practicable, have advised their supervisor of the circumstances

## **5. EXCEPTIONAL CIRCUMSTANCES**

Council may consider additional paid special natural disaster leave beyond the scope of this policy under exceptional circumstances. Approval of such 'additional leave' is subject to the discretion and approval of the CEO and will be considered on a case by case basis.

## **6. VOLUNTARY EMERGENCY SERVICES**

Employees are entitled to unpaid emergency service leave if they are a member of, or have assisted a recognised emergency management entity, such as the State Emergency Service (SES) or Rural Fire Service. An employee who intends to take or is taking emergency service leave must advise Council as soon as possible in writing. Council may request evidence that shows the employee was engaged in voluntary emergency management activity.

## **7. DEFINITIONS**

Declaration of a disaster situation: shall have the same meaning in this policy as that referred to under section 64 of the Disaster Management Act 2003.

Immediate family: Includes the employee's spouse, child, ex-nuptial child, stepchild, adopted child, ex-foster child, parent, grandparent, grandchild or sibling of the employee or employee's spouse.

## **8. RELEVANT DOCUMENTATION**

- Leave Application Form

## **9. LEGISLATION**

- *Local Government Act 2009*
- *Disaster Management Act 2003*

## **10. IMPLEMENTATION**

This Policy will commence from the Policy reviewed date and will be made available to all corporate staff on Council's intranet site/network, and to all outdoor staff via their supervisor/coordinator. Council reserves the right to vary, replace or terminate this Policy from time to time. This Policy will typically be reviewed when a review has been deemed appropriate by organisational processes (e.g., audit recommendations), or when legislative requirements change.

## **11. APPROVAL**

Date of Adoption: 13 December 2011  
Policy Reviewed: General Council Meeting 13 September 2022  
Resolution Number: 20220913.17

Policy Authorised: Peter Bennett  
Chief Executive Officer

**Item 2.3 Workplace Bullying Policy**

**EXECUTIVE SUMMARY**

Richmond Shire Council (Council) is committed to providing a safe and healthy workplace free from bullying. The purpose of this policy is to state the responsibilities of Council employees and management for preventing and addressing incidents of workplace bullying.

This Policy is due to be reviewed.

**OFFICER'S RECOMMENDATION**

*That Council: adopt the Workplace Bullying Policy as presented.*

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**Budget & Resource Implications**

N/A

**Background**

The Workplace Bullying Policy has had minor changes to wording and grammar. The Workplace Health & Safety Policy has been removed as Council do not currently have a one.

**10. Implementation** has been updated to align with all Council Policies.

**Consultation (Internal/External)**

Internal: Director of Corporate Services – Peta Mitchell

**Attachments**

Attachment D - Policy

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Report prepared by **Tiana Grant (Executive Assistant)**



## RICHMOND SHIRE COUNCIL WORKPLACE BULLYING POLICY

<b>POLICY NUMBER:</b>	<b>014</b>
<b>INFOPERT REF:</b>	<b>65929</b>
<b>TIME PERIOD OF REVIEW:</b>	<b>2 Year</b>
<b>DATE OF NEXT REVIEW:</b>	<b>December 2023</b>

---

### 1. OBJECTIVE

Richmond Shire Council (Council) is committed to providing a safe and healthy workplace free from bullying. The purpose of this policy is to state the responsibilities of Council employees and management for preventing and addressing incidents of workplace bullying.

Council is committed to ensuring that workplace bullying does not occur, but in the event that it does, Council will treat reports seriously and respond promptly, impartially and confidentially.

### 2. SCOPE

This Policy applies to all employees, contractors and volunteers, who perform work for or on behalf of Richmond Shire Council. It applies to all employees in all their work-related interactions with each other, and with customers or contacts. Any reference to staff or employee is to be taken as a reference to a contractor or volunteer.

### 3. EXPECTED WORKPLACE BEHAVIOURS

Under Workplace Health and Safety laws, employees and others at our workplace must take reasonable care that they do not adversely affect the health and safety of others.

#### **Council expects that employees will: -**

- behave in a responsible and professional manner
- treat others in the workplace with courtesy and respect
- listen and respond appropriately to the views and concerns of others, and
- be fair and honest in their dealings with others.

#### **This policy applies to behaviours that occur:**

- in connection with work, even if it occurs outside normal working hours
- during work activities, for example when dealing with clients
- at work-related events, for example at conferences and work-related social functions, and
- on social media where workers interact with colleagues or clients and their actions may affect them either directly or indirectly.

### 4. WHAT IS WORKPLACE BULLYING?

Safe Work Australia's *Guide for Preventing and Responding to Workplace Bullying* defines workplace bullying as **repeated and unreasonable behaviour** directed towards a worker or a group of workers that **creates a risk to health and safety**.

**Repeated behaviour** refers to the persistent nature of the behaviour and can involve a range of behaviours over time.

**Unreasonable behaviour** means behaviour that a reasonable person, having considered the circumstances, would see as unreasonable including behaviour that is victimising, humiliating, intimidating or threatening.

Single incidents of unreasonable behaviour can also present a risk to health and safety and will not be tolerated.

Examples of behaviour that may be workplace bullying, whether intentional or unintentional include, but are not limited to:-

- abusive, insulting or offensive language or comments
- aggressive and intimidating conduct
- belittling or humiliating comments
- victimisation
- practical jokes or initiation
- unjustified criticism or complaints
- deliberately excluding someone from work-related activities
- withholding information that is vital for effective work performance
- setting unreasonable timelines or constantly changing deadlines
- setting tasks that are unreasonably below or beyond a person's skill level
- denying access to information, supervision, consultation or resources to the detriment of the worker
- spreading misinformation or malicious rumours, and
- changing work arrangements such as rosters and leave to deliberately inconvenience a particular worker or workers

Workplace bullying can be carried out in a variety of ways, including in person, through email, text messages and social media. It can be directed at a single employee or a group of employees and be carried out by one or more workers. It can occur:

- sideways between workers
- downwards from supervisors or directors to workers, or
- upwards from workers to supervisors or directors

## **5. WHAT IS NOT WORKPLACE BULLYING?**

A single incident of unreasonable behaviour is not workplace bullying, however it may have the potential to escalate and should not be ignored.

### **Reasonable Management Action**

Council may take reasonable management action to effectively direct and control the way work is carried out. These actions are not workplace bullying, if they are carried out in a lawful and reasonable way.

A manager exercising their legitimate authority at work may result in some discomfort for a worker. The question of whether management action is reasonable is determined by considering the actual management action rather than a worker's perception of it, and where management action involves a significant departure from established policies or procedures, whether the departure was reasonable in the circumstances.

Examples of reasonable management action include:-

- setting realistic and achievable performance goals, standards and deadlines
- fair and appropriate rostering and allocation of working hours

- transferring a worker to another area or role for operational reasons
- deciding not to select a worker for a promotion where a fair and transparent process is followed
- informing a worker about unsatisfactory work performance in an honest, fair and constructive way
- informing a worker about unreasonable behaviour in an objective and confidential way
- implementing organisational changes or restructuring, and
- taking disciplinary action, including suspension or terminating employment where appropriate or justified in the circumstances.

## **6. PREVENTION OF WORKPLACE BULLYING**

Council recognises that workplace bullying is best dealt with by taking steps to prevent it before it creates a risk to health and safety. Council will work to minimise the risk of workplace bullying by undertaking the following:

- developing a Workplace Bullying Policy and Grievance Policy.
- providing training and information to employees and managers to ensure each are aware of their roles in relation to preventing and responding to workplace bullying, and to ensure that they have the appropriate skills to do so.
- Regular consultation and discussion with employees, aimed at finding out if bullying is occurring or if there are factors likely to increase the risk of bullying, during Health and Safety Representative (HSR) meetings.
- Conducting exit interviews with employees who leave the organisation.
- Monitoring incident reports, workers compensation claims, patterns of absenteeism, sick leave, staff turnover and records of grievances to establish regular patterns or sudden unexplained changes.

## **7. RESPONDING TO WORKPLACE BULLYING**

Council will not tolerate workplace bullying under any circumstances.

In the first instance, only if the employee is comfortable, it may be appropriate for the employee to tell the offender that their behaviour is unacceptable, and that you would like it to stop. If an employee is not comfortable raising the matter directly with the offender, employees should follow the process outlined in Council's Grievance Policy.

If you witness unreasonable behaviour you should bring the matter to the attention of your Director as a matter of urgency.

Depending on the circumstances surrounding the complaint, it may be necessary for Council to conduct an investigation into the incidents and/or allegations. Investigations will be conducted by an appropriate officer.

Appropriate disciplinary action will be taken against a person who is found to have breached this policy.

Council advocates that at any time during this process employees can contact the Employee Assistance Program (EAP). Information regarding Council's EAP, including contact details can be found by contacting Councils payroll officers.

## **8. RELATED DOCUMENTS**

- Employee Code of Conduct
- Grievance Policy

## **9. LEGISLATION**

- *Workplace Health & Safety Act 2011*
- *Safe Work Australia Guide for Preventing and Responding to Workplace Bullying 2016*
- *Industrial Relations Act 2016 (QLD)*
- *Local Government Act 2009 (QLD)*

## **10. IMPLIMENTATION**

This Policy will commence from the Policy reviewed date and will be made available to all corporate staff on Council's intranet site/network, and to all outdoor staff via their supervisor/coordinator. Council reserves the right to vary, replace or terminate this Policy from time to time. This Policy will typically be reviewed when a review has been deemed appropriate by organisational processes (e.g., audit recommendations), or when legislative requirements change.

## **11. APPROVAL**

Date of Adoption: 20 May 2014  
Policy Reviewed: General Council Meeting 07 December 2021  
Resolution Number: 20211207.4

Policy Authorised: Peter Bennett  
Chief Executive Officer

**Item 2.4 Drug and Alcohol Policy**

**EXECUTIVE SUMMARY**

The purpose of this Policy is to state the responsibilities of Richmond Shire Council ("Council") employees and management for preventing and addressing drug and alcohol misuse in order to provide a healthy, safe and harmonious workplace. Council has zero tolerance for drug use and also expects its employees to present themselves to work with zero alcohol in their system.

This Policy is due to be reviewed.

**OFFICER'S RECOMMENDATION**

*That Council: adopt the Drug and Alcohol Policy as presented.*

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**Budget & Resource Implications**

N/A

**Background**

The Drug and Alcohol Policy has had wording added under 7. Testing Methods – Only suitably qualified testing staff are authorised to conduct testing and employees have a right to request to visualise the staff members' qualifications.

**18. Implementation** has been updated to align with all Council Policies.

**Consultation (Internal/External)**

External: Director of Community Services and Development – Angela Henry

**Attachments**

Attachment E - Policy

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Report prepared by **Tiana Grant (Executive Assistant)**





## RICHMOND SHIRE COUNCIL DRUG AND ALCOHOL POLICY

<b>POLICY NUMBER:</b>	<b>039</b>
<b>INFOXPRT REF:</b>	<b>89965</b>
<b>TIME PERIOD OF REVIEW:</b>	<b>1 Year</b>
<b>DATE OF NEXT REVIEW:</b>	<b>December 2024</b>

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### 1. OBJECTIVE

The purpose of this Policy is to state the responsibilities of Richmond Shire Council ("Council") employees and management for preventing and addressing drug and alcohol misuse in order to provide a healthy, safe and harmonious workplace. Council has zero tolerance for drug use and also expects its employees to present themselves to work with zero alcohol in their system.

### 2. SCOPE

This Policy applies to all employees, trainees, apprentices, volunteers and work experience students of Richmond Shire Council. It does not form part of any employee's contract of employment. This Policy also applies to other persons performing work at the direction of, in connection with, or on behalf of Council (e.g. contractors, subcontractors, agents, consultants).

### 3. ROLES AND RESPONSIBILITIES

#### 3.1 Employees

- Council expects its employees to have zero drugs or alcohol in their system and as such must not present themselves for work, or remain at work, if:
- they have consumed alcohol or have taken a drug that could affect their ability to work safely; or
- they have taken an alcohol test or a drug test that day and returned a non-negative test result; or
- their ability to work safely is compromised by alcoholic hangover or the effects of a drug.

Employees must:

- not consume any alcohol on Council property unless prior approval is given as outlined in Section 9;
- not store any alcohol on Council property unless prior approval is given as outlined in Section 10;
- comply with this Policy and its associated Procedure;
- advise their supervisor if they are taking either prescription or non-prescription medication which may impact their performance at work, particularly if the employee is expected to operate plant or drive vehicles (as outlined in Section 3 of the Procedure); and
- immediately speak to their supervisor if they have concerns about working with another employee whose ability to work safely appears to be compromised by the influence of drugs or alcohol (or, in the case of concerns about their supervisor, speak to the Manager/Coordinator). Council encourages and it is a legislative requirement for employees to speak up about safety hazards in the workplace. Therefore employees have an obligation to contact their supervisor if they witness or have evidence that an employee is putting their own or another person's safety at risk due to drug or alcohol use.
- Employees are also encouraged to access Council's Employee Assistance Program to assist them in coping with work-related and personal issues and concerns, which may include drug and alcohol misuse. Other available programs are also listed in Section

11. Employees are also encouraged to speak to their supervisor if they have concerns or questions about the use of drugs or alcohol and how this may affect them at work.

Employees who are on-call for after-hours incidents and emergencies must:

- not consume alcohol or drugs which could affect their ability to work safely whilst on-call; and
- make alternative arrangements with management if they are unable or unfit to attend a call-out (which will result in the employee losing their payment entitlement for that period).

### **3.1.1 Contractors, Subcontractors, Agents, Consultants**

As Per item 2, Scope Council expects the employees of contractors, subcontractors, agents, consultants to have zero drugs or alcohol in their system and as such must not present themselves for work, or remain at work, if:

- That they consumed alcohol or have taken a drug that could affect their ability to work safely; or
- They have taken an alcohol test or a drug test that day and returned a non-negative test result; or
- Their ability to work safely is compromised by alcoholic hangover or the effects of a drug.
- Comply with this Policy and its associated Procedure.
- Advise their supervisor if they are taking either prescription or non – prescription medication which may impact their performance at work, particularly if the employee is expected to operate plant or drive vehicles ( as outlined in Section 3 of the Procedure);
- Immediately speak to their supervisor if they have concerns about working with another contractor whose ability to work safely appears to be compromised by the influence of drugs or alcohol (or, in the case of concerns about their supervisor, speak to their Manager/ Coordinator). Council encourages and it is a legislative requirement for contractors to speak up about safety hazards in the workplace. Therefore employees have an obligation to contact their supervisor if the witness or have evidence that an employee is putting their own or another person's safety at risk due to drug or alcohol use.

### **3.2 Management**

- Management is responsible for:
- ensuring that all employees are made aware of this Policy and its associated Procedure, including making the Policy and Procedure and relevant information available to all staff on noticeboards, in work areas etc;
- ensuring prospective employees are made aware of this Policy and its associated Procedure through the recruitment and selection process;
- monitoring and managing the performance of persons working in their area of responsibility;
- ensuring that employees under their supervision or control do not put their own or another person's safety at risk due to the consumption of alcohol or drugs;
- encouraging employees to make use of Council's Employee Assistance Program to assist them in coping with work-related and personal issues and concerns, which may include drug and alcohol misuse; and
- undertaking investigations as appropriate and in a confidential manner, as outlined in the Procedure (including offering employees the option to have a support person present during meetings and inviting employees to put their case forward in relation to non-negative test results).

### **3.3 Workplace Health and Safety Officer**

The Workplace Health and Safety Officer is responsible for:

- delivering the employee induction that contains information on this Policy and its associated Procedure;
- assisting supervisors with incident investigations;
- providing advice to management, Health and Safety Representatives and employees regarding the misuse of alcohol or drugs; and
- compiling and tabling incident statistics to the Health and Safety Committee.

### **3.4 Human Resources Officer**

The Human Resources Officer is responsible for:

- arranging pre-employment drug and alcohol testing.

## **4. RISKS OF DRUGS, ALCOHOL AND MEDICATION**

Council recognises that if a person consumes alcohol or drugs or uses medication, they may be affected by poor physical coordination, poor judgement and decreased alertness, which increase the workplace health and safety risks for the affected person and others.

To control the risks associated with the use of alcohol and drugs in the workplace, Council will:

- ensure that employees and management are aware of and meet their responsibilities under this Policy;
- test for drug and alcohol use where:
  - an employee shows signs of being affected by a drug or alcohol. This will typically be upon a supervisor being suspicious that the employee is under the influence of drugs or alcohol, and following an interview with the employee (as per Section 7.5 and 7.6 of the Procedure);
  - following a workplace incident or near miss;
  - randomly as described in this Policy and its associated Procedure; and
  - as part of a rehabilitation program after an employee has returned a confirmed non-negative test result;
- act to prevent employees endangering the safety of themselves or others through the misuse of alcohol or drugs;
- ensure prospective new employees undergo an appropriate pre-employment medical assessment, which includes drug and alcohol testing (the medical and testing to occur prior to the induction and the employee commencing work);
- provide information to employees on responsible alcohol and drug use;
- make available and encourage employees to use Council's Employee Assistance Program to assist them in coping with work-related and personal issues and concerns, which may include drug and alcohol misuse;
- liaise with employees as appropriate to control the risks arising from the effects of lawful medication use;
- foster an attitude amongst employees that it is not acceptable to attend or remain at work whilst affected by alcohol or drugs; and
- ensure that details regarding an employee's drug or alcohol problems, associated treatment or rehabilitation, will be kept confidential subject to the provisions of the law.

As another control measure, Council may implement an in-house testing program by training nominated employees to perform testing as outlined above.

## **5. POLICY/PROCEDURE BREACHES**

### **5.1 Alcohol Breaches (0.00% alcohol reading only)**

If an employee is found to have breached this Policy or the associated Procedure, the following may occur:

- a written reprimand or warning;
- issue of leave without pay
- the employee may lose their performance bonus as per the disciplinary procedure and corrective code;
- demotion, including a reduction in remuneration. This may be a reduction in the classification level of the employee's employment and a corresponding change in the employee's duties, or a reduction in the employee's level of remuneration within the classification level of the employee's employment;
- dismissal for multiple breaches.

### **5.2 Drug Breaches**

- If an employee is found to have breached this Policy or the associated Procedure, the following will occur:
- the employee will be placed on paid time off until the official test results come back from the laboratory;
- if the test comes back at as a negative, the employee shall return to work as soon as practical;
- if the test comes back as a non-negative the employee will be dismissed.

## **6. LIABILITY**

Council does not accept liability for any damage to any machinery or vehicle, any injury to a person, or damage to any other property caused by an employee's performance of work and/or presence in the workplace while he/she is affected by drugs or alcohol. The employee is responsible for the consequences of their actions.

## **7. TESTING METHODS**

Testing methods shall be as follows:

- where there is a suspicion of alcohol use, a breath analysis test using an Australian Standards approved Alcolmeter or alternative in accordance with the testing methods; and/or
- where there is a suspicion of drug use, a saliva or urine test using an Australian Standards approved testing device or alternative in accordance with the testing methods.

Council has an in-house testing program with nominated testers. If a non-negative result is received from an employee during in-house testing, then that employee will be required to visit the medical centre immediately and provide a secondary sample for laboratory testing.

Only suitably qualified testing staff are authorised to conduct testing and employees have a right to request to visualise the staff members qualifications.

## **8. AIRPORT DRUG AND ALCOHOL MANAGEMENT PROGRAM**

All employees working in safety sensitive aviation activities (e.g. airside grass slashing, runway line painting, conducting runway inspections) must comply with the *Civil Aviation Safety Regulations 1998*.

The legislation allows Civil Aviation Safety Authority personnel to conduct random testing for drugs and alcohol on any person performing safety sensitive aviation activities at certified aerodromes.

The legislation also requires Council to have a *Drug and Alcohol Management Plan for Safety Sensitive Aviation Activities* (DAMP). The DAMP allows for drug and alcohol testing by Council based on suspicion or following a workplace incident.

Where an employee working in a safety sensitive aviation activity is found to be unfit for work due to drugs or alcohol, Council's DAMP must be followed.

## **9. SOCIAL FUNCTIONS**

The consumption of alcohol on Council property is prohibited unless approval is given as outlined below.

The Chief Executive Officer may approve consumption of alcohol on Council property after working hours. The person who approved the consumption of alcohol will take on responsibility to ensure the safety of those involved. An example of such an occurrence would be a Road crew having a quick beer at the Depot or at their campsite after work. The alcohol, for such an occasion, will almost always be paid for privately by the employees, unless the Chief Executive Officer has authorised the purchase at Council's expense, or the alcohol has been provided as a gift (which may be declarable under legislation) (e.g. for Main Roads project completion).

Only the Chief Executive Officer may approve the consumption of alcohol on Council property during working hours. This would typically be for special functions such as the Christmas party.

Unless notified by a relevant person as outlined above, employees must assume that the alcohol prohibition has not been waived and still applies.

Even if Council waives the prohibition on consumption of alcohol, the following applies at all functions in the workplace:

- employees who consume alcohol should do so in a responsible manner;
- employees must not become inebriated or drunk;
- employees must uphold an appropriate standard of behaviour at all times. Inebriation will not be accepted as an 'excuse' for misconduct;
- employees must not operate any plant or drive any vehicle if they have consumed any alcohol or drug (being any drug that could impair the ability to safely operate the vehicle). Employees who do not have a means of transport to get home should advise their supervisor in order to arrange transport.

## **10. STORAGE AND PROMOTION OF ALCOHOL**

The storage of alcohol (whether privately or publicly purchased) on Council property may be approved by the Chief Executive Officer. The alcohol is to be stored in a secure location away from general sight.

Promoting the consumption of alcohol or drugs by way of advertising in the workplace (e.g. posters, cardboard cut-outs) is not permitted. The advertising of local or regional events where the advertisement or event features reasonable alcohol consumption, is permitted (e.g. wine-tasting event).

## **11. ASSISTANCE PROGRAMS**

Council recognises that there may be employees who have alcohol or drug dependency issues. These employees are encouraged to seek assistance available through programs/organisations that provide preventative, counselling and treatment services, including:

1. **OnBundock Counselling and Consulting Services:** Council's Employee Assistance Program provider. Each Council employee is entitled to up to four (4) x 50-minute free

sessions of private counselling per calendar year. Telephone (07) 4722 9800 Email [reception@onbundock.com.au](mailto:reception@onbundock.com.au). Website: <http://www.onbundock.com.au>

2. **Alcoholics Anonymous Australia:** this service can be used anonymously. Telephone 1300 22 22 22. Website: <http://www.aa.org.au>
3. **Queensland Health Alcohol and Drug Information Service:** telephone 1800 177 833. 24 hours a day, seven days a week. Website: [Adis 24/7 Alcohol and Drug Support | ADIS \(health.qld.gov.au\)](http://www.health.qld.gov.au/ADIS)

[Alcohol, smoking and drugs | Health and wellbeing | Queensland Government \(www.qld.gov.au\)](http://www.health.qld.gov.au)

4. **Counselling Online:** telephone 1800 177 833. Counselling Online is available 24 hours a day, 7 days a week. This service can be used anonymously, or a person can register for ongoing assistance. Website: <http://www.counsellingonline.org.au/>
5. **Lifeline:** telephone 13 11 14. Website: <http://www.lifeline.org.au>. Providing information on substance abuse and addiction.

## 12. EDUCATION AND TRAINING

Employees will be advised of Council's drug and alcohol management program. This may occur through attending formal training sessions, receiving instruction from their supervisor during a team meeting, completing the induction process upon their commencement with Council, receiving newsletters, posters and pamphlets being placed around the workplace, and other such avenues.

## 13. CONFIDENTIALITY

Confidentiality of information must be maintained throughout the application of this Policy and its associated Procedure, subject to the provisions of the law. Confidential information and documentation will be restricted to the employee's Supervisor/Director, Workplace Health and Safety Officer, Human Resources and the Chief Executive Officer, as well as other internal or external persons/agencies involved in the testing program.

Saliva and urine specimens collected will only be used for the specific purpose of alcohol and drug analysis and will not be used for deoxyribonucleic acid (DNA) testing or general health testing.

## 14. DOCUMENTATION

Records of discussions between supervisors and employees regarding the suspicion of drug and alcohol misuse, testing and searches will be maintained by the supervisor.

The results of a drug and alcohol test, whether non-negative or negative, will be placed on the employee's personnel file, as will any correspondence regarding non-negative or negative drug test results, and correspondence arising from the discipline process.

## 15. DEFINITIONS

### **Breath Alcohol Concentration (BAC) Levels –**

Breath alcohol concentration (BAC) is the amount of alcohol in a person's body and is measured by the concentration of alcohol in the person's breath.

### *Employees on-call or responding to after-hours emergencies*

- Employees who are rostered according to Council's on-call arrangements are required to have a breath alcohol concentration of 0.00% for activities covered by Queensland legislative breath alcohol concentration levels.
- In cases where an employee is requested to respond to an after-hours call, the employee is required to immediately notify their supervisor if he/she is unable to meet the

expectations of this Drug and Alcohol Procedure, in which case the supervisor will make alternative arrangements.

**Drugs** - those drugs that are prohibited by the *Drugs Misuse Act 1986* and the *Drugs Misuse Regulation 1987*. Examples include amphetamine (ecstasy, speed), cannabis (marijuana), cocaine, opiates (morphine, heroin), methylamphetamine (ice, meth), and phencyclidine (PCP, Angel Dust).

**Employee** – for the purposes of this Policy, “employee” will refer to those persons covered by the Scope of this Policy.

**Employee Unfit for Duty** – a person who has their level of safety diminished due to a loss of their physical coordination, judgment or alertness which may be due to the effects of alcohol or drugs.

**Failed Test** – for the purpose of this Policy, a “failed test” is where a non-negative drug or alcohol test has been returned.

**Health Care Professional** – for the purpose of this Policy, “health care professional” refers to doctors (general practitioners and specialists), pharmacists, and other registered health care providers.

**High Risk Work** – for the purpose of this Procedure, “high risk work” will refer to any task/activity listed below and otherwise defined as high risk work by the *Work Health and Safety Regulation 2011*.

- The following tasks/activities are high risk work:
- a task/activity in which the employee is responsible for the health and safety of aged care clients;
- a task/activity in which the employee is responsible for the health and safety of children;
- any task/activity that involves, or is likely to involve:
  - operation of plant or a vehicle (including small plant such as mowers, whipper snippers, chainsaws);
  - working on, in or adjacent to a road, railway or other traffic corridor that is in use by traffic other than pedestrians;
  - working in an area at a workplace in which there is any movement of powered mobile plant;
  - working at heights;
  - working in or near a trench and/or confined space;
  - using a hazardous substance;
  - working with scaffolding, dogging, or rigging;
  - crane, hoist, and elevating work platform operation;
  - operation of a reach stacker;
  - pressure equipment operation;
  - the disturbance of asbestos;

- tilt-up or precast concrete;
- working with or near pressurised gas distribution mains or piping;
- working with or near chemical, fuel, or refrigerant lines;
- working on or near energised electrical installations or services;
- work carried out in an area in which there are artificial extremes of temperature;
- work carried out in or near water or other liquid that involves a risk of drowning;
- working in an area that may have a contaminated or flammable atmosphere.

Work has been categorised as “high risk” based either on legislative requirements, or on the likely exposure to risk of injury/illness at a workplace due to the nature of the work being undertaken, the environment the work is typically performed in (e.g., public access), and the materials and plant used to perform the work.

**Management** – for the purpose of this Policy, “management” refers to all supervisory staff.

**Medication** – legal prescription and non-prescription drugs including legal herbal products.

**Non-Negative Test Result** – in the case of a drug or alcohol test, a non-negative test result indicates the current or recent presence of drugs or alcohol in the person’s physiological system.

**Safety Sensitive Aviation Activities** – any actions taken by a person in an aerodrome testing area (including the person’s presence in the area) other than as a passenger (e.g. airside grass slashing, runway line painting, conducting runway inspections).

**Supervisor** – a person in control of a workplace (e.g. Supervisor, Foreman, Works Coordinator, Manager or Director).

**Workplace** – a place where work is carried out for a business or undertaking and includes any place where an employee goes, or is likely to be, while at work (i.e. vehicle, vessel, aircraft or other mobile structure, and any waters and any installation on land, on the bed of any waters or floating on any waters).

**Workplace Incident** – for the purpose of this Policy, a ‘workplace incident’ is a workplace health and safety incident or near miss that occurred in a Council workplace and/or involving Council employees performing work for Council, and the incident resulted in or could have resulted in damage to Council, private or public property, or injury/illness to a person.

## 16. ASSOCIATED POLICIES / FORMS

- Drug and Alcohol Procedure
- Employee Code of Conduct

## 17. REFERENCES

- *Transport Operations (Road Use Management) Act 1995*
- *Work Health and Safety Act 2011*
- *Drugs Misuse Act 1986*
- *Drugs Misuse Regulation 1987*



- *Civil Aviation Act 1988*
- *Civil Aviation Safety Regulations 1998*
- *Australian Standard AS 3547 (Breath alcohol testing devices for personal use)*
- *Australian Standard AS4760 (Procedure for collection and detection and quantitation of drugs in oral fluid)*
- *Australian Standard AS/NZS 4308 (Procedure for the collection, detection and quantitation of drugs of abuse in urine).*

## **18. IMPLEMENTATION**

This Policy will commence from the Policy reviewed date and will be made available to all corporate staff on Council's intranet site/network, and to all outdoor staff via their supervisor/coordinator. Council reserves the right to vary, replace or terminate this Policy from time to time. This Policy will typically be reviewed when a review has been deemed appropriate by organisational processes (e.g., audit recommendations), or when legislative requirements change.

## **19. APPROVAL**

Date of Adoption: 18 March 2020  
Policy Reviewed: General Council Meeting 20 June 2023  
Resolution Number: 20230620.28

Policy Authorised: Peter Bennett  
Chief Executive Officer

**Item 2.5 Staff Housing Policy**

**EXECUTIVE SUMMARY**

Richmond Shire Council has a mix of housing that is utilised to attract and retain employees required for the essential operation of Council. At times there will be vacant or surplus housing that may be available for rental to other employees or to members of the community on a month-to-month lease.

The objective is to continually improve and upgrade council staff accommodation in a bid to attract and retain key skilled employees and to ensure that Council's assets are managed in an open and transparent manner.

This Policy is due to be reviewed.

**OFFICER'S RECOMMENDATION**

*That Council: adopt the Staff Housing Policy as presented.*

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**Budget & Resource Implications**

N/A

**Background**

The Staff Housing Policy has had some updated information added as well as removing information that is outdated.

Removed: Where an employee is offered subsidised rental, the arrangement can only exist for a maximum of two (2) years from the commencement of the arrangement. After two (2) years, the rental rate will convert to the relevant commercial rate determined by the Chief Executive Officer, and the employee will be required to pay that rate. For employees who have already been renting Council accommodation at a subsidised rate prior to the review of this Policy on 18 February 2014, the two (2) year period will commence from 18 February 2014. The conversion to a commercial rental rate will not apply where the subsidised rental arrangement forms part of the remuneration package of a senior contract employee.

**6. Implementation** has been updated to align with all Council Policies.

**Consultation (Internal/External)**

External: Director of Community Services and Development – Angela Henry

**Attachments**

Attachment F - Policy

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Report prepared by **Tiana Grant (Executive Assistant)**



## RICHMOND SHIRE COUNCIL STAFF HOUSING POLICY

<b>POLICY NUMBER:</b>	<b>046</b>
<b>INFOPERT REF:</b>	<b>65769</b>
<b>TIME PERIOD OF REVIEW:</b>	<b>3 Year</b>
<b>DATE OF NEXT REVIEW:</b>	<b>December 2026</b>

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### 1. OBJECTIVE

Richmond Shire Council has a mix of housing that is utilised to attract and retain employees required for the essential operation of Council. At times there will be vacant or surplus housing that may be available for rental to other employees or to members of the community on a month-to-month lease.

The objective is to continually improve and upgrade council staff accommodation in a bid to attract and retain key skilled employees and to ensure that Council's assets are managed in an open and transparent manner.

### 2. DEFINITIONS

- Attract and Retain Employees – refers to senior and professional employees. It includes such positions as CEO, Director/s, Works Coordinators or Managers, Accountants, Paraprofessionals, and positions critical to the essential service provision of the council.
- CEO – Chief Executive Officer
- Dependent – persons of an employee's immediate family classified as a spouse or a de facto partner and or a dependent child under the age of eighteen (18) years.
- Full Time Resident – persons who reside on a full-time basis in the applicable location which is their full-time residence and do not occupy as residents outside of the applicable location.
- Furnished accommodation – a house or unit that includes all appropriate whitegoods, furniture, and basic kitchen equipment.
- Secondee – a person who works under a contract with Council and has been engaged by Council to work in Richmond.
- Single Status Employee – refers to any employee who has no dependents or who chooses to reside in a Council location at the commencement of their employment without their dependent(s).
- Spouse – means current married partner or de facto partner including a partner of the same sex as the employee.

### 3. POLICY PROVISIONS

- All housing allocations are approved by the CEO.
- The employee is responsible for all utility costs.
- Furnished accommodation is for short-term (<6 months) employee or contractor placements only.

## **Eligibility for Housing**

To be eligible for housing the employee must meet the following criteria:

1. Be a full-time employee and;
2. Be offered accommodation as part of their appointment when coming from another location to live in Richmond to meet the Council's essential services as approved by the CEO; or
3. At the CEO's discretion:
  - a. housing may be provided for non-essential employees if there is housing stock available;
  - b. housing may be provided to non-employees for short term rental if there is housing stock available;

Rental in accordance with a) or b) above will be subject to the following special conditions:

- c. The proposed tenant can provide suitable references;
- d. The proposed tenant agrees to sign a payroll deduction (where applicable);

Where possible, housing will be allocated according to family size and age mix. Any change of circumstance should be reported to the Property Manager.

## **Ineligibility**

The employee will not be eligible for housing if:

- The employee and/or spouse own, either directly or indirectly, a private dwelling within the Richmond Shire.
- The employee and/or spouse is eligible for community housing and private rental is available within the township.
- The proposed tenant cannot provide suitable references or has a bad credit rating.

## **Allocation Procedure**

Unless housing is provided as part of an employee's employment a council housing application form will be required to be completed. Due to limited resources Council cannot guarantee housing to all applicants.

The Chief Executive Officer will allocate all accommodation based on Council's needs, the employee's eligibility and personal circumstances and availability of accommodation at the time. Priority is given to those employees and their families who are relocating to Richmond to provide essential services on a full-time basis.

On receipt of the application form, the Property Manager will consider the application, apply the allocation policy, and make a recommendation regarding an offer for housing to the Chief Executive Officer.

The Property Manager will activate the approved tenancy according to the *Residential Tenancies & Rooming Accommodation Act (2008)*. Employees eligible for accommodation are required to enter into a general tenancy agreement (form 18A) for housing. The rights and obligations of the parties contained in the general tenancy agreement are in addition to the rights and obligations contained in this policy.

Should accommodation be unavailable for an employee who meets the criteria they will be placed on a waiting list.

## **Rent**

Employees provided with accommodation under this policy are required to pay rent in accordance with their contract of employment or Council's schedule of fees and charges as amended annually.

Employees are required to pay rent for accommodation through the payroll system. Senior Executive staff may apply for payment of rental via a salary sacrifice arrangement.

The amount of rent required to be paid is to be set by the Council and will reflect both the location, age of the property and market standards. The rent may be reviewed at any time by Council.

### **Council's Obligations**

- Council's role as landlord requires Council to:
- ensure that premises comply with health, safety, and housing standards;
- provide the premises in a clean and reasonable state, having regard to its age, character, and location;
- maintain the premises to an acceptable standard;
- Ensure that housing complies with the minimum Housing Standard as set out by the Residential Tenancies Authority.

### **Tenant's obligations**

- To comply with the requirements of the *Residential Tenancies and Rooming Accommodation Act 2008*;
- To pay rent on time;
- To keep the premises clean;
- To repair damages caused by the tenant or their guests;
- To be considerate of neighbors;
- On departing, to return keys, have the carpet professionally cleaned, and generally leave the property in good order;
- Report maintenance when required;
- Provide Richmond Shire Council with a forwarding address;
- Pay electricity and telephone accounts.

### **Home Maintenance**

Tenants should notify Council during business hours if unintentional damage or general breakdowns occur. Repairs may be at the tenant's expense if malicious or willful damage is proven.

### **Garden Maintenance**

It is the tenant's responsibility to maintain the grounds and garden. Tenants should keep lawns watered, comply with sprinkler restrictions, mow lawn areas regularly and remove weeds and debris as required.

### **Pest Management**

Council reserves the right to enter the property after due notice to undertake an annual pest control treatment of the rental property.

### **Inspections**

Council reserves the right to undertake an inspection of the property, after due notice, to ensure compliance with the lease and/or to arrange for works to be carried out.

## **Pets**

Council permits dogs and other pets to be housed outside in a secured yard in accordance with other policies. Tenants are not permitted to have dogs housed inside the dwelling.

**NOTE: No pets to be kept in Units.**

## **4. RELATED DOCUMENTS**

- Tenant Privacy Statement

## **5. LEGISLATION**

- *Residential Tenancies and Rooming Accommodation Act 2008*

The Act outlines the rights and responsibilities of tenants, lessors, property managers and caravan park managers involved in private residential renting in Queensland. It sets out what the parties to a tenancy agreement can and cannot do, how to address issues that may arise during a tenancy and explains what measures can be taken if one of the parties to a tenancy breaches the provisions of the law.

The Act also outlines the rights and responsibilities of residents, providers, and agents in employer-provided accommodation.

## **6. IMPLIMENTATION**

This Policy will commence from the Policy reviewed date and will be made available to all corporate staff on Council's intranet site/network, and to all outdoor staff via their supervisor/coordinator. Council reserves the right to vary, replace or terminate this Policy from time to time. This Policy will typically be reviewed when a review has been deemed appropriate by organisational processes (e.g., audit recommendations), or when legislative requirements change.

## **7. APPROVAL**

Date of Adoption: 18 February 2014  
Policy Reviewed: General Council Meeting 15 December 2020  
Resolution Number: 20201215.30

Policy Authorised: Peter Bennett  
Chief Executive Officer

**Item 2.6 Use of Councils Plant and Vehicle Policy**

**EXECUTIVE SUMMARY**

To give clear guidance to staff and contractors on the use and management of Council's Plant and Vehicle's. This policy does not apply to Richmond Shire Council staff that have been allocated a vehicle as part of their terms and conditions of employment under the Vehicle Policy – Key Personnel.

This Policy is due to be reviewed.

**OFFICER'S RECOMMENDATION**

*That Council: adopt the Use of Councils Plant and Vehicle Policy as presented.*

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**Budget & Resource Implications**

N/A

**Background**

The Use of Councils Plant and Vehicle Policy has had minor changes. A section for employees to sign has been removed as Council are implementing another Procedure for employees to read and sign Policies.

**7. Implementation** has been updated to align with all Council Policies.

**Consultation (Internal/External)**

Nil

**Attachments**

Attachment G - Policy

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Report prepared by **Tiana Grant (Executive Assistant)**



## RICHMOND SHIRE COUNCIL USE OF COUNCILS PLANT AND VEHICLE POLICY

<b>POLICY NUMBER:</b>	<b>072</b>
<b>INFOPERT REF:</b>	<b>91239</b>
<b>TIME PERIOD OF REVIEW:</b>	<b>1 Year</b>
<b>DATE OF NEXT REVIEW:</b>	<b>December 2023</b>

---

### 1. OBJECTIVE

To give clear guidance to staff and contractors on the use and management of Council's Plant and Vehicle's. This policy does not apply to Richmond Shire Council staff that have been allocated a vehicle as part of their terms and conditions of employment under the Vehicle Policy – Key Personnel.

The primary aim of this policy is to ensure the effective, efficient, and safe use of Council's plant, machinery, and motor vehicle fleet.

The policy is intended to ensure that the:

- a) operators have access to appropriate training and support; and
- b) fleet is appropriately managed and maintained.

### 2. SCOPE

This policy addresses a number of aspects of plant, machinery and motor vehicle usage including:

- a) Maintenance responsibilities
- b) Safe driving and operating
- c) Records relating to qualifications, tickets and licenses
- d) Accidents
- e) Fines and traffic infringements
- f) Damage repairs and insurance claims

### 3. POLICY

#### Context

This policy applies to the use of Council plant and vehicles for Council business only except where private use has been authorised by the CEO in accordance with clause 3.1.6.

#### Policy Statement

All users of Council plant and vehicles must be appropriately qualified and licensed and abide by the guidelines provided in this policy.

### 4. STANDARDS AND PROCEDURES

#### 4.1 Specified and Standard

##### 4.1.1 Plant and Vehicle Operators

Employees must have a current Queensland driver's license to operate any Council vehicle or plant whether on public roads or not.

Employees who operate vehicles or plant must also hold the necessary license or certificate of competency, usually a current Occupational Health and Safety License or Certificate of Competency. Evidence of appropriate training and instruction for the type of plant to be operated could include:



- a statement of attainment or other nationally recognised qualification
- training completed at an industry training school
- On-the-job training conducted by an experienced competent person.

NOTE: As per the Work Health and Safety Act 2011 (WHS Act) in Queensland on 1 January 2012, earthmoving or particular crane (EPC) occupational classes are no longer required to be licensed. Plant which falls under the EPC class is:

- backhoe
- front end loader
- excavator
- skid steer loader
- road roller
- grader
- scraper
- dozer
- bridge and gantry remote control crane.

#### **4.1.2 Responsibilities of Driver/Operator**

- Keep the vehicle or plant clean and tidy and treat it with respect.
- Lock the vehicle or plant when left unattended or parked. Keys must be stored in the camp office, nearest depot, or administration building. If garaged at a private residence the keys must not be left in the vehicle under any circumstance.
- Reverse Park all vehicles or plant whenever possible.
- Ensure that cargo, chemicals, and dangerous goods are carried in cargo areas in a safe manner. Do not overload a vehicle or plant.
- Perform regular routine maintenance including checking tyre pressures (including spares), tyre condition, oil levels and water levels. The manufacturer's handbook is the primary reference for the routine maintenance issues including recommended tyre pressures.
- Ensure there is always an inflated spare tyre in the vehicle and change or repair punctured tyres as soon as practicable. Do not drive on deflated tyres.
- Do not drive or operate vehicles or plant when tired.
- Avoid driving at night and at dusk and dawn because of the risk of colliding with kangaroos.
- Do not knowingly drive an un-roadworthy vehicle.
- Report all incidents and accidents as soon as possible.
- Complete Timesheets and Daily Checks Logbook.
- In accordance with Council's Smoking Policy, do not smoke inside any Council vehicle or plant.
- In accordance with Councils Drug and Alcohol Policy do not operate any Council vehicle or plant when under the influence of prescription drugs, illegal drugs, or alcohol.

#### **4.1.3 Records**

- The Operator/Driver will complete Timesheets (kms & fuel) and Daily Checks Logbook as required.
- The Workplace Safety Officer will ensure that all new employees provide copies of required qualifications/licenses. All copies of certificates and licenses will be stored on the employees personnel file in InfoXpert.
- The Workplace Safety Officer will maintain skills register.
- All supervisory staff must be familiar with the qualifications and licenses that their staff hold.

#### **4.1.4 Incidents and Accidents**

- An incident or accident is defined as any situation that results in damage to plant or vehicle

- or injury to person.
- In the case of an accident that involves another vehicle:
  - a) Full names, addresses, workplace details, telephone numbers, insurance and registration of all drivers, passengers, witnesses, and other motor vehicles are to be recorded.
  - b) No discussion about negligence or fault of any party is to be entered into.
  - c) Police must be notified if:
    - any driver fails, has failed or is refusing to provide details;
    - death or injury (requiring medical attention from a qualified ambulance office, nurse, or doctor) has occurred;
    - there is confirmed involvement of drugs and/or alcohol.
      - a) If police are unable to attend the scene, the employee should report to the nearest Police Station and make a written statement.
  - An ambulance must be called if any person is seriously injured.
  - Where the vehicle has to be towed ensure that the tow truck operator supplies all documentation confirming the tow and the details of where the vehicle will be taken.
  - The Workplace Safety Officer and the manager/supervisor of the employee should be advised as soon as possible after the incident or accident so that the necessary investigations and reporting arrangements can be made.
  - The employee must report all incidents and accidents, using Incident Report Form, to the Workplace Safety Officer as soon as possible.
  - The Workplace Safety Officer receives and reviews all incident forms and will continuously monitor the condition of plant to ensure that employees are meeting their requirements to report damage.
  - The Workshop Coordinator will report all damage to plant or vehicles to the Workplace Safety Officer.

#### **4.1.5 Fines and Traffic Infringements**

- Parking and other traffic fines associated with the use of Council vehicles are the responsibility of the employee using the vehicle at the time the infringement occurs.
- However, if the fine relates to un-roadworthy condition of the vehicle and the employee was unaware of the vehicle's condition, the employee will not be held liable.
- Any outstanding fines that are paid by Council will be invoiced to the employee.

#### **4.1.6 Use of Private Vehicle for Council Business**

Use of private vehicles for Council business must be approved in writing by the Chief Executive Officer.

#### **4.1.7 Use of Council Plant – Private Works**

Other than in the case of vehicles which are approved for private use under the Vehicle Policy – Key Personnel, no non-Council employees should be on or in Council plant, machinery or vehicles unless specifically authorised by the CEO.

In order to encourage private business operators, wherever possible Council will refrain from making plant available for private works when this is in competition with private operators.

#### **4.1.8 Use of Council Vehicle or Plant – Assistance in Non-Emergency Situations**

Council will if required will provide assistance under its normal private works arrangements if vehicles break down or become bogged or stuck whilst travelling on closed roads, against Councils advice or if negligent or illegal actions have resulted in their predicament and penalties/fines will apply.

## 5. DEFINITIONS

To assist in interpretation, the following definitions shall apply:

**Council** Means Richmond Shire Council  
**Accident or Incident** Where a situation results in damage to plant and/or injury to person.

## 6. RELEVANT DOCUMENTS

- Vehicle Policy
- Incident Report Form
- Daily checks logbook/Timesheet

## 7. IMPLEMENTATION

This Policy will commence from the Policy reviewed date and will be made available to all corporate staff on Council's intranet site/network, and to all outdoor staff via their supervisor/coordinator. Council reserves the right to vary, replace or terminate this Policy from time to time. This Policy will typically be reviewed when a review has been deemed appropriate by organisational processes (e.g., audit recommendations), or when legislative requirements change.

## 8. APPROVAL

Date of Adoption: 15 May 2018  
Policy Reviewed: General Council Meeting 15 May 2018  
Resolution Number:

Policy Authorised: Peter Bennett  
Chief Executive Officer

**Item 2.7 Complaints Management Policy**

**EXECUTIVE SUMMARY**

To formalise the Council process in relation to the receiving, actioning, and reporting of complaints.

This policy also sets out procedures for resolving administrative action complaints as required by section 268 of the Local Government Act 2009 and section 306 of the Local Government Regulation 2012.

This Policy is due to be reviewed.

**OFFICER'S RECOMMENDATION**

***That Council: adopt the Complaints Management Policy as presented.***

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**Budget & Resource Implications**

N/A

**Background**

The Complaints Management Policy has had one minor change. **13. Implementation** has been updated to align with all Council Policies.

**Consultation (Internal/External)**

Nil

**Attachments**

Attachment H - Policy

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Report prepared by **Tiana Grant (Executive Assistant)**



## RICHMOND SHIRE COUNCIL COMPLAINTS MANAGEMENT POLICY

<b>POLICY NUMBER:</b>	<b>076</b>
<b>INFOXPRT REF:</b>	<b>104109</b>
<b>TIME PERIOD OF REVIEW:</b>	<b>1 Year</b>
<b>DATE OF NEXT REVIEW:</b>	<b>December 2024</b>

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### 1. OBJECTIVE

To formalise the Council process in relation to the receiving, actioning, and reporting of complaints.

This policy also sets out procedures for resolving administrative action complaints as required by section 268 of the Local Government Act 2009 and section 306 of the Local Government Regulation 2012.

### 2. SCOPE

This policy applies to the community and all staff who wish to lodge an official complaint.

This policy applies to all administrative action complaints and the way they are handled.

An “administrative action complaint” has the meaning given to that term under the *Local Government Act 2009*.

Examples of an administrative action include:

- a decision or failure to make a decision, including a failure to provide reasons for the decision in writing;
- making a recommendation

An administrative action complaint includes complaints that are:

- fixed quickly;
- made verbally;
- made anonymously

An affected person is someone who appears to be directly affected by an administrative action of Council.

### 3. RECEIVING A COMPLAINT

When a complaint is first received a Service Request Form is to be completed and forwarded to the relevant officer. If the complainant feels they did not receive the expected outcome or do not agree with the outcome, they may make an official complaint in line with this policy.

Council will accept anonymous complaints, but Council Officers will advise the complainant that information such as the complainant’s name and contact details will assist Council to deal with their complaint effectively. If an anonymous complaint does not contain sufficient detail, Council may not be able to assess the complaint.

**Verbal complaints** – Verbal complaints can be received over the phone or in person. If possible, complaints should be resolved at this first point of contact. If the complaint has been resolved at the first point of contact, there is no need to record the complaint. If not, the Officer receiving the complaint should endeavour to:

- Obtain the complainant’s name and contact details
- Document basic details of their complaint (when, where, what and who it involved); and

- Identify the complainant's desired outcome
- The complainant must complete and sign the complaints form. If over the phone the employee may sign on their behalf with a note "over the phone".

**Written complaints** – If a complaint has been received via email, Council will endeavour to notify the complainant within 24 hours that the complaint has been received will endeavour to notify the complainant within 24 hours that the complaint has been received. A complaints form will be provided for them to complete and return to Council.

If the complaint has been received by letter, Council must attach it to the complaints form. This can be enough evidence for a signature by the complainant.

**Referral by External Agencies** – All correspondence received from external agencies such as Queensland Ombudsman, Department of State Development, Infrastructure and Planning or the Crime and Corruption Commission is to be reviewed by the Chief Executive Officer (CEO).

Once reviewed the CEO will forward the complaint onto relevant staff to action the complaint.

Council will ensure administrative action complaints are treated with sensitivity and take into account any special needs of the complainant.

Council may refuse to deal with a complaint if the complaint is considered to be frivolous or vexatious. If a complaint is identified as such it will be managed in accordance with this policy. For the purpose of this paragraph:

- A frivolous complaint** means a complaint that has no serious purpose or value. It may have little merit and be trivial; investigating would be out of proportion to the seriousness of the issue complained about.
- A vexatious complaint** means a complaint which is considered to be pursued without merit and intends to cause inconvenience, harassment, or expense to Council and/or employees.

#### **4. ASSESSMENT OF COMPLAINT**

The initial assessment is to be completed within three (3) business days from receipt of the complaint. The relevant Officer will coordinate the collection of sufficient information in regard to the complaint to allow an assessment of the matter to be made. This will occur in consultation with the Director of the relevant area unless there is a specific reason why such consultation cannot occur (such as when the complaint may involve those people). It may be possible to action the matter immediately.

Consideration should always be given to contacting the Complainant, preferably by telephone or written correspondence (as evidence), to seek further clarity about their complaint and their desired outcome.

Matters involving suspected corrupt conduct must be reported to the Crime and Corruption Commission (CCC) in accordance with the Crime and Corruption Act 2001.

Even if a complainant is not deemed to be an affected person, consideration should be given to factors that may still warrant the matter being treated as a complaint, such as the impact of the issue on the Community and/or Council.

#### **5. RECORDING A COMPLAINT**

Once a complaints form has been lodged, the Officer receiving the complaint will forward it onto the Records Officer.

The Records Officer will record the complaint in the Complaints Register and then forward it onto the relevant officer.

The relevant officer will document any information available and follow up on the complaint until concluded. It is essential that every action and decision made regarding the complaint is recorded in the complaints database.

When the complaint process has concluded, the information is forwarded onto the Records Department to add to the Records Management system.

## **6. RESPOND AND RESOLVE**

When a complaints form has been received, the relevant Officer will endeavour to notify the complainant by writing within three (3) business days of receipt of the complaints form.

The relevant Officer will endeavor to send a follow up letter or notice of completed complaint within ten (10) business days from the date the complaint was received by Council and any further information or clarity requested by the Officer in accordance with item 4 of this Policy.

If the complaint cannot be resolved within the ten-day period, Council will advise the complainant of an estimated timeframe in writing.

In certain situations, it may be clear that despite the dissatisfaction expressed by the complainant, the issue complained about is the result of a routine Council process and the complainant has not identified any departure from Council policies, procedures, or relevant legislation. For example, a person may complain about their rates being too high but in the absence of any indication that a mistake has been made, no further action is required, other than possibly an explanation as to how rates are calculated.

## **7. REVIEW PROCESS**

If the complainant is dissatisfied with the outcome of the complaint process or the process itself, they can request a review by the CEO or their delegate.

The complainant must request the review within fourteen (14) days of receipt of correspondence advising the outcome.

The decision to conduct a review, the resources to be applied and whether a review will be conducted internally or externally will be at the discretion of the CEO.

The Complainant should be advised of the outcome of the review in a similar format to Section 6.

A person may at any time refer their matter of concern to an external agency (for example, the Queensland Ombudsman or the Crime and Corruption Commission), including if they are dissatisfied with the outcome of any complaint process review.

## **8. RESPONSIBILITIES OF COUNCILLORS**

If a Councillor receives a complaint from a community member, the Councillor must advise the complainant to speak with either Council's Administration or with the CEO.

## **9. EXTERNAL REPORTING**

Council's annual report will contain information about Councils administrative action complaints as required by section 187 of the Local Government Regulation 2012.

## **10. HUMAN RIGHTS**

Where Council receives a complaint that is a human rights complaint within the meaning of the Human Rights Act 2019, Council will apply the Human Rights Act 2019 to its assessment of that complaint.

## **11. RELEVANT DOCUMENTS**

- Complaints Form located in H Drive – Forms
- Richmond Shire Council Website

## **12. LEGISLATION**

- *Human Rights Act 2019*
- *Local Government Act 2009*
- *Local Government Regulation 2012*

## **13. IMPLEMENTATION**

This Policy will commence from the Policy reviewed date and will be made available to all corporate staff on Council's intranet site/network, and to all outdoor staff via their supervisor/coordinator. Council reserves the right to vary, replace or terminate this Policy from time to time. This Policy will typically be reviewed when a review has been deemed appropriate by organisational processes (e.g., audit recommendations), or when legislative requirements change.

## **14. APPROVAL**

Date of Adoption: 21 July 2020  
Policy Reviewed: General Council Meeting 17 January 2023  
Resolution Number: 20230117.9

Policy Authorised: Peter Bennett  
Chief Executive Officer



**Item 2.8 Complaints about the Chief Executive Officer Policy**

**EXECUTIVE SUMMARY**

The objective of this policy is to set out how Council will deal with a complaint that involves or may involve corrupt conduct of the Chief Executive Officer and to comply with the requirements of Section 48A of the *Crime and Corruption Act 2001*. (CCC Act 2001)

This Policy is due to be reviewed.

**OFFICER'S RECOMMENDATION**

*That Council: adopt the Complaints about the Chief Executive Officer Policy as presented.*

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**Budget & Resource Implications**

N/A

**Background**

No changes made.

**Consultation (Internal/External)**

Nil

**Attachments**

Attachment I - Policy

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Report prepared by **Tiana Grant (Executive Assistant)**



**RICHMOND SHIRE COUNCIL  
COMPLAINTS ABOUT THE CHIEF EXECUTIVE OFFICER  
POLICY**

**POLICY NUMBER:** 077  
**INFOXPRT REF:** 104547  
**TIME PERIOD OF REVIEW:** 2 Year  
**DATE OF NEXT REVIEW:** December 2024

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### **1. OBJECTIVE**

The objective of this policy is to set out how Council will deal with a complaint that involves or may involve corrupt conduct of the Chief Executive Officer and to comply with the requirements of Section 48A of the *Crime and Corruption Act 2001*. (CCC Act 2001)

### **2. SCOPE**

This policy applies if there are grounds to suspect that a Complaint may involve corrupt conduct of the CEO of Council.

To all persons who hold an appointment in or are employees of Richmond Shire Council.

### **3. NOMINATED PERSON**

Having regard to Section 48A (2) and (3) of the CC Act, this policy nominates the Director of Corporate Services as the Nominated Person to notify the Crime & Corruption Commission of a Complaint and to deal with the Complaint under the CC Act.

The CC Act applies if a reference about notifying or dealing with the Complaint to CEO is a reference to the Nominated Person.

### **4. COMPLAINTS ABOUT THE CEO**

If the Complaint involves an allegation of Corrupt Conduct of the CEO of Council, the Complaint must be reported to:

- a) the Nominated Person; or
- b) a person to whom there is an obligation to report under the CC Act (this does not include an obligation imposed by Sections 37, 38 and 39 (1) of the CC Act.

If the Nominated Person reasonably suspects the complaint may involve corrupt conduct of the CEO, they are to:

- a) notify the CCC of the complaint; and
- b) deal with the complaint, subject to the CCC's monitoring role,

When —

- (i) directions issued under Section 40 of the CC Act apply to the complaint, if any, or
- (ii) pursuant to Section 46 of the CC Act, the CCC refers the complaint to the Nominated Person to deal with.

If the CEO reasonably suspects that their actions may involve corrupt conduct on their part, the CEO must:

- a) report their actions to the Nominated Person as soon as practicable and may also notify the CCC, and
- b) take no further action to deal with the complaint unless requested to do so by the Nominated Person in consultation with Council.

If directions issued under Section 40 of the CC Act apply to the complaint:

- (i) the Nominated Person is to deal with the complaint, and
- (ii) the CEO is to take no further action to deal with the complaint unless requested to do so by the Nominated Person in consultation with Council.

## **5. RESOURCING THE NOMINATED PERSON**

If pursuant to Section 40 or 46 of the CC Act, the Nominated Person has responsibility to deal with the complaint:

- a) Council will ensure that sufficient resources are available to the Nominated Person to enable them to deal with the complaint appropriately, and
- b) The Nominated Person is to ensure that consultations, if any, for the purpose of securing resources sufficient to deal with the complaint appropriately are confidential and are not disclosed, other than to the CCC, without authorisation under a law of the Commonwealth or the State.
- c) The Nominated Person must, at all times, use their best endeavours to act independently, impartially, and fairly having regard to the:
  - (i) purposes of the CC Act;
  - (ii) the importance of promoting public confidence in the way suspected corrupt conduct in Council is dealt with; and
  - (iii) Council's statutory, policy and procedural framework.

The Nominated Person:

- a) is delegated the same authority, functions, and powers as the CEO to direct and control staff of Council as if the Nominated Person is the CEO of Council for the purpose of dealing with the complaint only;
- b) is delegated the same authority, functions, and powers as the CEO to enter into contracts on behalf of Council for the purpose of dealing with the complaint;
- c) do not have any authority, function or power that cannot — under the law of the Commonwealth or the State — be delegated by either Council or the CEO, to the Nominated Person.

## **6. LIAISING WITH THE CCC**

The CEO is to keep the CCC, and the Nominated Person informed of any proposed changes to this policy.

## **7. CONSULTATION WITH THE CCC**

The CEO will consult with the CCC when preparing any policy about how Council will deal with a complaint that involves or may involve corrupt conduct of the CEO.

## 8. DEFINITIONS

To assist with interpreting the policy the following definitions are relevant: -

**CCC** means Crime and Corruption Commission.

**CC Act** means *Crime and Corruption Act 2001*.

**CEO** means the Chief Executive Officer of the Richmond Shire Council.

**Complaint** includes information or matter – refer to the definition in Section 48A (4) of the CC Act.

**Corrupt Conduct** see Section 15 of the CC Act.

**Corruption** see Schedule 2 (Dictionary) of the CC Act.

**Council** means Richmond Shire Council.

**Deal with** see Schedule 2 (Dictionary) of the CC Act.

**Nominated Person** see Item 5 of this policy.

## 9. LEGISLATION

Unless otherwise stated, all statutory references are to the *Crime and Corruption Act 2001*.

## 10. IMPLIMENTATION

This Policy will commence from the Policy reviewed date and will be made available to all corporate staff on Council's intranet site/network, and to all outdoor staff via their supervisor/coordinator. Council reserves the right to vary, replace or terminate this Policy from time to time. This Policy will typically be reviewed when a review has been deemed appropriate by organisational processes (e.g., audit recommendations), or when legislative requirements change.

## 11. APPROVAL

Date of Adoption: 18 August 2020  
Policy Reviewed: General Council Meeting 17 January 2023  
Resolution Number: 20230117.10

Policy Authorised: Peter Bennett  
Chief Executive Officer

**Item 3 Reports for Consideration – Corporate Services**

**Item 3.1 Monthly Financial Statements**

**EXECUTIVE SUMMARY**

In accordance with Section 204 of the *Local Government Regulation 2012* requires financial statements to be presented to Council at its ordinary meeting each month.

**OFFICER'S RECOMMENDATION**

**That Council: receive the monthly financial report presenting the progress made as at 30 November 2023 in relation to the 2023/24 budget and including the:**

- **Statement of Financial Position**
- **Statement of Comprehensive Income**
- **Statement of Cash Flows**

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**Budget & Resource Implications**

N/A

**Background**

The purpose of this report is to provide a monthly update on Council's overall financial position.

**Consultation (Internal/External)**

Nil

**Attachments**

Attachment J –

- Statement of Financial Position
- Statement of Comprehensive Income
- Statement of Cash Flows

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Report prepared by **Peta Mitchell (Director of Corporate Services)**

**Richmond Shire Council**  
**Statement of Comprehensive Income**  
**as at 30 November 2023**

	<b>2024</b> <b>Actuals</b> \$	<b>2024</b> <b>Budget</b> \$	<b>2023</b> <b>Actuals</b> \$	<b>Budget</b> <b>Variance</b> %
<b>Income</b>				
<b>Revenue</b>				
<b>Recurrent revenue</b>				
Rates, levies and charges	1,158,333	2,049,395	519,163	56.52%
Fees and charges	707,940	1,070,250	454,935	66.15%
Sales revenue	4,684,744	11,678,651	3,669,650	40.11%
Grants, subsidies, contributions and donations	407,180	8,859,300	1,365,316	4.60%
	<u>6,958,197</u>	<u>23,657,596</u>	<u>6,009,063</u>	<u>29.41%</u>
<b>Capital revenue</b>				
Grants, subsidies, contributions and donations	6,934,375	19,979,690	3,858,432	34.71%
<b>Total capital revenue</b>	<u>6,934,375</u>	<u>19,979,690</u>	<u>3,858,432</u>	<u>34.71%</u>
Rental income	74,144	172,800	73,539	42.91%
Interest received	134,310	175,000	82,135	76.75%
Other income	96,931	361,271	148,033	26.83%
	<u>305,385</u>	<u>709,071</u>	<u>303,707</u>	<u>43.07%</u>
<b>Total income</b>	<u>14,197,956</u>	<u>44,346,357</u>	<u>10,171,203</u>	<u>32.02%</u>
<b>Expenses</b>				
<b>Recurrent expenses</b>				
Employee benefits	(2,460,537)	(8,705,297)	(2,426,060)	28.26%
Materials and services	(4,922,416)	(10,710,064)	(5,109,367)	45.96%
Finance costs	(22,056)	(651,100)	(28,826)	3.39%
Depreciation and amortisation				
Property, Plant and Equipment	(2,668,718)	(5,190,100)	(2,139,715)	51.42%
	<u>(10,073,728)</u>	<u>(25,256,561)</u>	<u>(9,703,968)</u>	<u>39.89%</u>
<b>Capital expenses</b>				
Loss on disposal of non-current assets	619,001	619,000	37,018	
Write off of flood damaged roads			-	
	<u>619,001</u>	<u>619,000</u>	<u>37,018</u>	<u>100.00%</u>
<b>Total expenses</b>	<u>(9,454,727)</u>	<u>(24,637,561)</u>	<u>(9,666,950)</u>	<u>38.38%</u>
<b>Net result</b>	<u>4,743,230</u>	<u>19,708,796</u>	<u>504,253</u>	<u>24.07%</u>
<b>Other comprehensive income</b>				
<b>Items that will not be reclassified to net result</b>				
Increase in asset revaluation surplus			-	0.00%
<b>Total other comprehensive income for the year</b>	<u>-</u>	<u>-</u>	<u>-</u>	<u>0.00%</u>
<b>Total comprehensive income for the year</b>	<u>4,743,230</u>	<u>19,708,796</u>	<u>504,253</u>	<u>24.07%</u>

**Richmond Shire Council**  
**Statement of Financial Position**  
**as at 30 November 2023**

	<b>2024 Actuals</b>	<b>2024 Budget</b>	<b>2023 Actuals</b>	<b>Budget Variance</b>
	\$	\$	\$	%
<b>Current assets</b>				
Cash and cash equivalents	11,414,694	11,864,346	8,784,569	96.21%
Trade and other receivables	2,336,673	1,624,500	262,085	143.84%
Inventories	388,919	450,000	346,011	86.43%
Land for Resale	126,000	126,000	126,000	100.00%
Contract assets	2,972,885	1,500,000	1,192,593	198.19%
Other assets	170,051	155,000	48,837	109.71%
<b>Total current assets</b>	<b>17,409,222</b>	<b>15,719,846</b>	<b>10,760,096</b>	<b>110.75%</b>
<b>Non-current assets</b>				
Property, plant and equipment	238,387,163	272,752,146	227,742,536	87.40%
Intangible assets	0	-	-	0.00%
Capital Work in Progress	10,666,848	-	9,733,671	0.00%
<b>Total non-current assets</b>	<b>249,054,011</b>	<b>272,752,146</b>	<b>237,476,208</b>	<b>91.31%</b>
<b>Total assets</b>	<b>266,463,232</b>	<b>288,471,992</b>	<b>248,236,304</b>	<b>92.37%</b>
<b>Current liabilities</b>				
Trade and other payables	669,225	1,161,000	1,129,205	57.64%
Contract liabilities	561,488	1,750,000	3,395,298	32.09%
Borrowings	436,986	636,000	425,100	68.71%
Provisions	1,377,668	1,520,000	1,387,556	90.64%
<b>Total current liabilities</b>	<b>3,045,365</b>	<b>5,067,000</b>	<b>6,337,159</b>	<b>60.10%</b>
<b>Non-current liabilities</b>				
Provisions	243,270	305,000	237,602	79.76%
Borrowings	1,676,680	1,640,313	2,253,608	102.22%
<b>Total non-current liabilities</b>	<b>1,919,950</b>	<b>1,945,313</b>	<b>2,491,210</b>	<b>98.70%</b>
<b>Total liabilities</b>	<b>4,965,316</b>	<b>7,012,313</b>	<b>8,828,369</b>	<b>70.81%</b>
<b>Net community assets</b>	<b>261,497,916</b>	<b>281,459,679</b>	<b>239,407,935</b>	<b>92.91%</b>
<b>Community equity</b>				
Asset revaluation surplus	133,921,894	142,551,479	126,221,696	93.95%
Operating surplus	4,743,230	19,708,796	504,253	24.07%
Retained surplus	122,832,793	119,199,404	112,681,986	103.05%
<b>Total community equity</b>	<b>261,497,916</b>	<b>281,459,679</b>	<b>239,407,935</b>	<b>92.91%</b>

**Richmond Shire Council  
Statement of Cash Flows  
as at 30 November 2023**

	<b>2024 Actuals</b>	<b>2024 Budget</b>	<b>2023 Actuals</b>	<b>Budget Variance</b>
	\$	\$	\$	%
<b>Cash flows from operating activities</b>				
Receipts from customers	7,391,213	15,159,567	4,791,781	48.76%
Payments to suppliers and employees	(8,547,044)	(20,953,606)	(6,435,390)	40.79%
	(1,155,831)	(5,794,039)	(1,643,609)	19.95%
Interest received	134,310	175,000	82,135	76.75%
Rental income	74,144	172,800	73,539	42.91%
Grants, subsidies, contributions and donations - non-capital	407,180	8,859,300	1,365,316	4.60%
Finance/Borrowing costs	(22,056)	(651,100)	(28,826)	3.39%
<b>Net cash inflow (outflow) from operating activities</b>	<b>(562,253)</b>	<b>2,761,961</b>	<b>(151,445)</b>	<b>-20.36%</b>
<b>Cash flows from investing activities</b>				
Payments for property, plant and equipment	(5,117,578)	(20,059,340)	(5,983,360)	25.51%
Net movement in loans and advances	-	-	-	0.00%
Proceeds from sale of property plant and equipment	619,001	619,000	-	100.00%
Grants, subsidies, contributions and donations - capital	6,934,375	19,979,690	3,858,432	34.71%
<b>Net cash inflow (outflow) from investing activities</b>	<b>2,435,797</b>	<b>539,350</b>	<b>(2,124,928)</b>	<b>451.62%</b>
<b>Cash flows from financing activities</b>				
Proceeds from borrowings	-	-	-	0.00%
Repayment of borrowings	(142,648)	(636,965)	(138,524)	22.39%
<b>Net cash (outflow) from financing activities</b>	<b>(142,648)</b>	<b>(636,965)</b>	<b>(138,524)</b>	<b>22.39%</b>
<b>Net increase in cash and cash equivalent held</b>	<b>1,730,896</b>	<b>2,664,346</b>	<b>(2,414,897)</b>	<b>64.97%</b>
<b>Cash and cash equivalents at the beginning of the financial year</b>	<b>9,683,797</b>	<b>9,200,000</b>	<b>11,199,466</b>	<b>105.26%</b>
<b>Cash and cash equivalents at end of the financial year</b>	<b>11,414,694</b>	<b>11,864,346</b>	<b>8,784,569</b>	<b>96.21%</b>



**Item 4. Reports for Consideration – Community Services**

**Item 4.1 Celebrations Policy**

**EXECUTIVE SUMMARY**

Rituals and traditions strengthen our partnership with children, families, and community, bringing a sense of belonging to our Out of School Hours Service (OSHC). We believe that celebrations and cultural traditions need to be handled sensitively. The value in educating children, families and educators is fundamental to our inclusive program. Both the planning and preparation, and the events themselves, can be a satisfying and pleasurable experience. In school age care, relationships are crucial to a sense of belonging.

This Policy is due to be reviewed.

**OFFICER'S RECOMMENDATION**

*That Council: adopt the Celebrations Policy as presented.*

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**Budget & Resource Implications**

N/A

**Background**

The changes made in the Policy are coloured for Councils information.

**Consultation (Internal/External)**

Nil

**Attachments**

Attachment K – Policy

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Report prepared by **Teena Chappell (Outside School Hours Care Coordinator)**

# CELEBRATIONS POLICY

Rituals and traditions strengthen our partnership with children, families and community, bringing a sense of belonging to our Out of School Hours Service (OSHC). We believe that celebrations and cultural traditions need to be handled sensitively. The value in educating children, families and educators is fundamental to our inclusive program. Both the planning and preparation, and the events themselves, can be a satisfying and pleasurable experience. In school age care, relationships are crucial to a sense of belonging.

*'From before birth children are connected to family, communities, culture and place. Their earliest learning, development and learning takes place through these relationships, particularly with families, who are children and young people's first and most influential educators. ... As children transition to school, their social worlds expand to include a wider range of relationships particularly with other children and young people of multiple age groups.'* (MTO, 2023, p. 6).

## NATIONAL QUALITY STANDARD (NQS)

QUALITY AREA 1: EDUCATIONAL PROGRAM AND PRACTICE		
1.1.1	Approved learning framework	Curriculum decision-making contributes to each child's learning and development outcomes in relation to their identity, connection with community, wellbeing and confidence as learners and effectiveness as communicators.
QUALITY AREA 2: CHILDREN'S HEALTH AND SAFETY		
2.1	Health	Each child's health and physical activity is supported and promoted.
2.1.3	Healthy Lifestyles	Healthy eating and physical activity are promoted and appropriate for each child.
QUALITY AREA 6: COLLABORATIVE PARTNERSHIPS		
6.1.2	Parent views are respected	The expertise, culture, values and beliefs of families are respected, and families share in decision-making about their child's learning and wellbeing.

EDUCATION AND CARE SERVICES NATIONAL REGULATIONS	
77	Health, hygiene and safe food practices
78	Food and beverages
90	Medical conditions policy

155	Interactions with children
162	Health information to be kept in enrolment record
170	Policies and procedures to be followed
171	Policies and procedures to be kept available

**RELATED POLICIES**

Anaphylaxis Management Policy Dental Health Policy Diabetes Management Policy Enrolment Policy	Family Communication Policy Multicultural Policy Nutrition Food Safety Policy Professional Development Policy <b>Student, Volunteer and Visitor’s Policy</b>
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**PURPOSE**

Incorporating celebrations into children’s services appropriately, can be used to strengthen the partnership with children and families, creating a feeling of belonging and developing a sense of community amongst families, educators and children.

Celebrations provide an opportunity for children to develop respect for diverse values and beliefs as they learn about practices, which are different to their own. To ensure we are providing an inclusive program and environment, it is imperative to recognise the array of celebrations, both religious and worldly, that take place throughout the year in our community and to have an understanding of, and respect for, cultural diversity in our Service.

**SCOPE**

This policy applies to children, families, staff, **the approved provider, nominated supervisor,** educators, students, **volunteers and visitors** of the OSHC Service.

**IMPLEMENTATION**

Under the *Education and Care Services National Regulations*, an approved provider must ensure policies and procedures are in place to provide a child safe environment. When providing opportunities for children to celebrate special occasions incorporating food or beverages, consideration must be made to ensure children with medical conditions that can be impacted by food are clearly identified and risk minimisation plans are in place and educators and staff implement these plans.

**THE APPROVED PROVIDER/NOMINATED SUPERVISOR/MANAGEMENT WILL ENSURE:**

- educators, staff, students, visitors and volunteers have knowledge of and adhere to this policy
- families are aware of this *Celebrations Policy*
- they value rituals and routines and prioritise nurturing relationships through culturally safe and responsive interactions (MYOP, 2023, p.14).
- they recognise the diversity of children and young people and value children and young people's unique and diverse capacities and capabilities and affirm different ways of knowing, being and doing (MTOF, 2023, p.15).
- cultural responsiveness is evident in everyday practice as educators respect multiple cultural ways of knowing, doing and being as they celebrate the benefits of diversity
- cultural celebrations that are significant to our families and relevant to our broader community are implemented within the OSHC service
- religious celebrations such as Christmas and Easter are recognised within the Service and reflected in our programs
- families are aware of the *Celebration Policy* during their orientation process and kept updated throughout the year via centre correspondence
- sensitivity to issues such as family composition is respected (e.g.: Mother's & Father's Day)
- families' beliefs about celebrating birthdays are respected within the Service
- healthy options for birthday celebrations are discussed with families which may include fruit platter, fruit salad, watermelon balls or muffins in preference to a cake
- families discuss cake options with the nominated supervisor prior to celebrations
- parents provide ingredients of any cakes brought to the service (if store bought, the 'use by' date and ingredients must be clearly labelled)
- educators are aware and make alternate arrangements if families would prefer that their child does NOT participate in such celebrations
  - if this is the case, we will respect the rights and feelings of this child and will provide an alternative experience for them to participate in so that they do not feel that they are being left out
- the Service has an '*Events Calendar*' that is used to support such events throughout the year. We ask that families add their celebration to the calendar, so Educators can prepare the program.
- families are encouraged to be involved in the preparation and/or the celebration in the Service
- educators remain current with the professional knowledge and skills that support planning for and engaging in culturally inclusive practice

- they liaise **and collaborate** with our local Aboriginal educational consultative group to provide advice on relevant cultural celebrations and correct protocols to be followed (e.g. NADI OC Week, Sorry Day, National Reconciliation Week)
- advance planning is adhered to if food or drink is provided for children at the Service. Additionally, all parents must be advised prior to the celebration. This allows for any feedback / concerns from parents which can then be considered as part of the normal planning involved in such activities.
- safety issues are taken into account prior to the implementation of celebratory experiences **and risk assessments completed to identify, manage and minimise the risk of harm to children**
- **all requirements** in our *Nutritional Food Safety Policy* **are adhered to** when planning for celebrations
- Professional Development is considered as a tool to assist to expand educator's knowledge of cultural awareness and cultural celebrations

### EDUCATORS WILL:

- seek written approval from the Nominated Supervisor prior to any celebrations where food is provided to children
- identify any children with medical conditions that may be impacted by particular foods and if required complete risk minimisations plans/risk assessments to ensure children's safety
- **ensure food handling training has been completed (as required)**
- ensure the use of candles is carried out with the children's safety in mind and fully supervised. A full risk assessment will be submitted to the Nominated Supervisor prior to such celebrations.
- ensure each child is provided with a separate cupcake (with a candle, if they wish) for the child celebrating their birthday
- be aware of cultural tokenism and stereotyping
- encourage and support family members to be involved in sharing their customs and celebrations with our Service
- **ensure** sensitivity to issues such as family composition is respected (e.g.: Mother's & Father's Day)
- ensure children **and young people** have the agency to make choices about the celebrations they would like to participate in, engaging and **collaborating with families to give advice on traditions, ceremonies, lore and culture**
- ensure that children **and young people** have the resources and time necessary to be able to celebrate effectively
- ensure that families who do not wish to be involved in celebrations have an option to not participate
- balance family values about receiving gifts and products from their children and educator's values about avoiding product-based activities by developing creative and meaningful gifts for families

- notify the community about the celebration e.g., requesting consent for taking photos to display on the Service notice board or displaying children’s artwork and drawings about the celebration
- provide opportunities for children and young people to participate in ‘open-ended’ celebration activities
- celebrate traditions and customs relevant to children and community
- ensure that the same amount of time and energy is dedicated to ALL celebrations
- invite educators and families to share their own personal experiences of celebrations
- ensure resources such as storybooks, images, and music are reflective of contemporary celebrations to which children and young people can relate
- be respectful of all religions and cultural backgrounds
- participate in professional development to raise cultural awareness around cultural celebrations.

### CONTINUOUS IMPROVEMENT/REFLECTION

Our *Celebrations Policy* will be reviewed on an annual basis in consultation with children, families, staff, educators and management.

### SOURCES

Australian Children’s Education & Care Quality Authority. (2014).  
 Australia Children’s Education & Care Quality Authority. (2023). *Guide to the National Quality Framework*.  
 Australian Government Department of Education. *My Time, Our Place- Framework for School Age Care in Australia.V2.0, 2022*  
 Early Childhood Australia Code of Ethics. (2016).  
 Education and Care Services National Law Act 2010. (Amended 2023).  
 Education and Care Services National Regulations. (Amended 2023).  
 National Health and Medical Research Council. (2013). *5<sup>th</sup> Staying healthy: Preventing infectious diseases in early childhood education and care services*.  
 Revised National Quality Standard. (2018).  
 Western Australian Education and Care Services National Regulations

### REVIEW

POLICY REVIEWED BY	Tina Chappell	Coordinator	November 2023
POLICY REVIEWED	NOVEMBER 2023	NEXT REVIEW DATE	NOVEMBER 2024
VERSION NUMBER	V10.11.23		
MODIFICATIONS	<ul style="list-style-type: none"> <li>• policy maintenance</li> <li>• updated reference to MTOP, V2.0, 2023</li> <li>• hyperlinks checked and repaired as required</li> </ul>		

	<ul style="list-style-type: none"> <li>additional information added re: food safety requirements</li> </ul>	
POLICY REVIEWED	PREVIOUS MODIFICATIONS	NEXT REVIEW DATE
NOVEMBER 2022	<ul style="list-style-type: none"> <li>policy maintenance - no major changes to policy</li> <li>hyperlinks checked and repaired as required</li> <li>minor formatting edits within text</li> <li>continuous improvement/reflection section added</li> <li>link to Western Australian Education and Care Services National Regulations added in 'Sources'</li> </ul>	NOVEMBER 2023
NOVEMBER 2021	<ul style="list-style-type: none"> <li>Addition of related Education and Care National Regulations</li> <li>additional related policies</li> <li>reference to risk minimisation plans for medical conditions</li> <li>sources checked for currency</li> </ul>	NOVEMBER 2022
NOVEMBER 2020	<ul style="list-style-type: none"> <li>liaising with local Aboriginal educational consultants added</li> <li>healthy options for birthday cakes included</li> <li>sources checked for currency</li> </ul>	NOVEMBER 2021
NOVEMBER 2019	<ul style="list-style-type: none"> <li>Sources/references edited</li> <li>related policies added</li> </ul>	NOVEMBER 2020
NOVEMBER 2018	<ul style="list-style-type: none"> <li>Grammar, punctuation and spelling edited.</li> <li>Wording 'corrected' and sentences reworded.</li> <li>Sources/references alphabetised.</li> </ul>	NOVEMBER 2019
NOVEMBER 2017	Updated the National Quality Standard references to comply with revised standard Policy is reflective of My Time Our Place	NOVEMBER 2018

**Item 4.2 Child Safe Environment Policy**

**EXECUTIVE SUMMARY**

The United Nations Convention on the Rights of the Child (UNCR) outline that children and young people have a right to be safe and cared for, no matter where they are or who they are with. Children have the right to be protected from violence, abuse or neglect. When working with children and young people, it is important to understand children's rights and needs.

This Policy is due to be reviewed.

**OFFICER'S RECOMMENDATION**

*That Council: adopt the Child Safe Environment Policy as presented.*

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**Budget & Resource Implications**

N/A

**Background**

The changes made in the Policy are coloured for Councils information.

**Consultation (Internal/External)**

Nil

**Attachments**

Attachment L – Policy

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Report prepared by **Teena Chappell (Outside School Hours Care Coordinator)**



# CHILD SAFE ENVIRONMENT POLICY (exc. SA & VIC)

The United Nations Convention on the Rights of the Child (UNCRC) outline that children and young people have a right to be safe and cared for, no matter where they are or who they are with. Children have the right to be protected from violence, abuse or neglect. When working with children and young people, it is important to understand children's rights and needs.

We are advocates for children and have a strong commitment to child safety and establishing and maintaining a child safe environment. Children's safety and wellbeing are paramount at our Out of School Hours Care (OSHC) Service. Our OSHC Service embeds the National Principles for Child Safe Organisations and promotes a culture of safety and wellbeing to minimise the risk of child abuse or harm to children whilst promoting children's sense of security and belonging. [NQF October 2023]

## NATIONAL QUALITY STANDARD (NQS)

QUALITY AREA 2: CHILDREN'S HEALTH AND SAFETY		
2.2	Safety	Each child is protected.
2.2.1	Supervision	At all times, reasonable precautions and adequate supervision ensure children are protected from harm and hazard.
2.2.2	Incident and emergency management	Plans to effectively manage incidents and emergencies are developed in consultation with relevant authorities, practiced and implemented.
2.2.3	Child Protection	Management, educators and staff are aware of their roles and responsibilities to identify and respond to every child at risk of abuse or neglect.
QUALITY AREA 5: RELATIONSHIPS WITH CHILDREN		
5.1.1	Positive educator to child interactions	Responsive and meaningful interactions build trusting relationships which engage and support each child to feel secure, confident and included.

EDUCATION AND CARE SERVICES NATIONAL LAW AND REGULATIONS	
S162 (A)	Persons in day-to-day charge and nominated supervisors to have child protection training
S165	Offence to inadequately supervise children
S166	Offence to use inappropriate discipline
S167	Offence relating to protection of children from harm and hazards
82	Tobacco, drug and alcohol-free environment
83	Staff members and family day care educators not to be affected by alcohol or drugs

84	Awareness of child protection law
99	Children leaving the education and care service premises
102(A-D)	Transportation of children (risk assessments and authorisations)
103	Premises, furniture and equipment to be safe, clean and in good repair
104	Fencing
105	Furniture, materials and equipment
106	Laundry and hygiene facilities
109	Toilet and hygiene facilities
115	Premises designed to facilitate supervision
122	Educators must be working directly with children to be included in ratios
123	Educator to child ratios- centre based services
136	First aid qualifications
145	Staff record
149	Volunteers and students
155	Interactions with children
162	Health information to be kept in enrolment record
165	Record of visitors
166	Children not to be alone with visitors
167	Record of service’s compliance
168 (2)(h)	Education and care services must have policies- Providing a child safe environment
170	Policies and procedures to be followed
171	Policies and procedures to be kept available

**RELATED POLICIES**

Adventurous Play Policy Behaviour Guidance: Bullying Policy Child Protection Policy Code of Conduct Policy Cyber Safety Policy Dealing with Complaints Policy Delivery of Children to, and Collection from Education and Care Service Premise Policy Emergency and Evacuation Policy	Physical Environment Policy Privacy and Confidentiality Policy Probation Induction and Orientation Policy Recruitment Policy Safe Arrival of Children Policy Safe Storage of Hazardous Chemicals Policy Safe Transportation of Children Policy Rest Policy Staffing Arrangements Policy
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Excursion/Incursion Policy	Student, Volunteer and Visitor’s Policy
Furniture and Equipment Safety Policy	Sun Safe Policy
Injury, Incident, Trauma and Illness Policy	Supervision Policy
Interactions with Children, Families and Staff Policy	Technology Policy
Managing an Unidentified Dog Policy	Tobacco Drug Alcohol Free Policy
Medical Conditions Policy	Water Safety Policy
Nutrition and Food Safety Policy	Work Health and Safety Policy
Photograph Policy	

**PURPOSE**

Our Out of School Hours Care Service (OSHC) has a legal and ethical responsibility to provide a safe and friendly environment where all children are respected, valued and encouraged to reach their full potential. Children’s safety and wellbeing is paramount, and we aim to take all practical steps to protect children and young people from harm, ensuring a healthy and safe environment. Our OSHC Service provides children and staff with an environment free from the use of tobacco, alcohol and illicit drugs.

**SCOPE**

This policy applies to children, families, staff, students, volunteers, educators, approved provider, nominated supervisor, management and visitors of the OSHC Service.

**IMPLEMENTATION**

Under the Education and Care Services National Regulations the approved provider must ensure that policies and procedures are in place for providing a child safe environment and take reasonable steps to ensure those policies and procedures are followed. (Regulation 168, Regulation 170). The National Law requires management to ensure all children being educated and cared for are adequately supervised and every reasonable precaution is taken to protect children from harm and any hazard likely to cause injury. Our focus is to build a child safe environment which is reflected in our Service policies and procedures and understood and practiced by all children and young people, educators, staff, volunteers and students.

*‘Child safety is everyone’s responsibility.’ (A guide to the Child Safe Standards. p.26. 2020)*

**KEY TERMS- DEFINITIONS**

Code of Conduct	Together with a code of ethics, the code of conduct helps guide interactions between management, educators and staff, as well as informing the service decision-making processes relating to professional standards
Disclosure	The process where a child or young person conveys or attempts to convey that they are being or have been abused.
Information sharing	Refers to sharing or exchanging information, including personal information about or related to, abuse in organisational contexts. The terms refer to sharing information between (or within) organisations, as well as sharing information with professionals who provide key services for children.
Mandatory reporter	A person who is required to report known and suspected cases of child abuse and neglect to a nominated government department or agency.
Mandatory reporting	The legislative requirement for selected classes of people to report suspected cases of child abuse and neglect.
National Principles for Child Safe Organisations	Reflect ten child safe standards recommended by the Royal Commission into Institutional Responses to Child Sexual Abuse and are the vehicle for giving recommendations relating to the standards.
Reportable conduct	Certain organisations or entities have legal obligations under Reportable Conduct Schemes to notify and investigate certain allegations of abuse involving a child, when the allegation is against someone they employ, engage or contract in circumstances outlined in the legislation.
Rights of the Child	Human rights belonging to all children, as specified in the United Nations Convention of the Rights of the Child.
Wellbeing	Sound wellbeing results from the satisfaction of basic needs. It includes happiness and satisfaction, effective social functioning and the dispositions of optimism, openness, curiosity, and resilience.
Working with Children / working with vulnerable people check (WWCC/WWVP)	A notice, certificate or other document granted to, or with respect to a person under a working with children law. The person has been assessed as suitable to work with children; there has been no information that if the person worked

with children the person would pose a risk to the children; or the person is not prohibited from attempting to obtain, undertake or remain in child-related employment.

#### Definitions sourced from

ACECQA. (2023). Policy and procedure guidelines. *Providing a Child Safe Environment*.

NSW Department of Education (2021). [Guide to the Child Safe Standards for early childhood education and care and outside schools hours care services](#)

### COMMITMENT TO THE SAFETY OF CHILDREN AND YOUNG PEOPLE (National Principles 1-10)

Our OSHC Service is committed to being a child safe organisation and embeds the National Principles for Child Safe Organisations, placing the protection of children as a priority of our responsibilities and obligations. The Child Safe Standards recommended by the Royal Commission provide guidance for our Service to ensure our policies and procedures, strategies and attitudes, ensure children's safety is paramount and that we continue to improve our child safe culture and practices.

Our OSHC Service has a zero tolerance to child abuse, and we are committed to the safety, participation and empowerment of all children and young people. We ensure all staff, educators, volunteers and students have undertaken current child protection training and understand their obligations as mandatory reporters. We promote diversity and tolerance and aim to form equitable and positive relationships with children. We ensure children and young people participate in decisions affecting them and listen and respect their suggestions and ideas. We respond to any concerns, disclosures, allegations or suspicions of harm by reporting to the relevant authorities.

We are committed to diversity and welcome all children and young people regardless of their abilities, sex, gender or social economic or cultural background.

Our Service will not tolerate bullying or harassment and our *Behaviour Guidance - Bullying Policy* and procedure outlines the preventative strategies and supervision implemented by our Service to deal with bullying and help protect children. Our priority is to ensure the safety and wellbeing of children and young people and encourage positive relationships.

[Primary policies – Behaviour Guidance - Bullying; Code of Conduct; Interactions with Children, Families and Staff]

### COMMUNICATION (National Principles 2 and 3)

We aim to build and maintain positive and respectful relationships with children, families, staff and educators of our OSHC Service and prioritise a child safe environment. We communicate regularly and clearly with all stakeholders and ensure our policies and procedures are available to staff, educators, employees, students, volunteers, families and children and young people. (Reg. 170). Our policy folder is available at the service located in the foyer. We welcome and encourage all stakeholders to share feedback and evaluation of our policies and procedures through surveys, feedback or discussions with management.

[Primary policies –Child Protection; Code of Conduct; Interactions with Children, Families and Staff]

### PARTICIPATION OF FAMILIES, CHILDREN AND YOUNG PEOPLE (National Principle 2)

Our OSHC Service ensures families are always welcome and feel comfortable asking questions on how we prioritise child safety. We provide a range of opportunities for consultation and collaboration about decisions about their child's safety whilst at our Service including:

- policy and procedure review
- child protection
- allegations/grievance procedures
- sun safety
- written authorisations- parenting orders
- code of conduct
- inclusivity and supporting children and young people with diverse needs.

We promote a respectful, child safe culture where children and young people's concerns are always responded to, and children feel empowered to participate in decisions and provide feedback to educators and staff. Our OSHC Service provides opportunities for conversations with children and young people about their rights and encourages children and young people speak up if they are feeling unsafe or worried. We provide multiple channels for children and young people to lodge complaints, tailoring these options to their communication preferences based on their feedback. We work individually with children and young people about the type of support they may require to participate in the complaints procedure.

[Primary policies –Dealing with Complaints; Interactions with Children Families and Staff]

### CODE OF CONDUCT (National Principles 4 and 6)

Management, educators, staff, volunteers and students will adhere to our Service's *Code of Conduct Policy*. Our *Code of Conduct Policy* clearly outlines expectations regarding behaviour and describes the principles, values, and ethical guidelines that guide our staff and stakeholders in their interactions and

activities. All educators and staff members are made fully aware that following breaches of the Code of Conduct and role responsibilities may result in disciplinary action which may lead to termination of employment. Individuals can report any concerns they may have about inappropriate actions of any educator, staff, student or volunteer that involves children or young people to management, ensuring a prompt and thorough response to maintain a safe and secure environment for all.

We will:

- promote a culture of child safety and wellbeing in all aspects of our Service's operations
- adhere to our *Child Safe Environment Policy*, *Child Protection Policy* at all times
- ensure all staff, educators, volunteers and students have undertaken current child protection legislation training
- provide adequate and effective supervision of children at all times
- ensure the safe use of online environments
- take reasonable action to protect children and young people for risk of harm
- ensure the service premise is free from the use of tobacco, illicit drugs and alcohol
- be responsible for their own, and others health and safety
- be a positive role model to children and young people
- respect children and young people's privacy and dignity at all times
- listen and respond appropriately to the views and concerns of children and young people
- report any allegations of child abuse to the approved provider or to relevant authorities
- notify the approved provider and/or the regulatory authority within 24 hours of any serious incident or complaint as per the National Regulations
- encourage children and young people to 'have a say' on issues that are important to them.

Staff, educators, students and volunteers must:

- not discriminate against any child, because of age, gender, cultural background, race, ethnicity or disability
- not put children or a young person at risk of abuse- refusing food/play, making threats, exposing children to inappropriate language or material (movies, internet, photos)
- not develop any 'special' relationships with children or young people that could be seen as favouritism such as the offering of gifts or special treatment
- not be under the influence of drugs or alcohol while working; bring alcohol or drugs onto the premises
- not smoke or vape in or on surrounding areas of the Service.

[Primary policies – Code of Conduct; Privacy and Confidentiality; Probation Induction and Orientation-Technology; Tobacco, Drug and Alcohol-Free Policy]

### RECRUITMENT (National Principle 5)

Our OSHC Service maintains a rigorous and consistent recruitment, screening and selection process to ensure the best staff members and educators are employed based on skills, qualifications, experience and suitability for the position available. All staff and educators participate in robust interviews and have reference checks completed to ensure the applicant's suitability to the role, previous experiences and their commitment to child safe values and practices. All staff and educators are provided with a comprehensive induction process which outlines our Code of Conduct, identifying and responding to child abuse, grievance processes, and work health and safety. New employees (including the nominated supervisor and staff members), students and volunteers are to familiarise themselves with the Child Protection Policy to understand the Child Protection Law and their obligations and mandatory reporting duties to ensure the safety and well-being of children at the service.

[Primary policies- Probation Induction and Orientation Policy; Recruitment]

### WORKING WITH CHILDREN CHECK- POLICE CHECKS

Working in conjunction with the Child Protection Act and National Regulations, the safety, welfare and wellbeing of children is paramount within our Out of School Hours Service and community. A Working with Children Check (WWCC) is a requirement for people who work in child-related work. It involves a national criminal history check and a review of findings of workplace misconduct.

Management is responsible for the periodic review and maintenance of up to date records of employees' Working with Children Check, including the Working with Children Check number and the date on which each clearance expires. Once an employee provides their WWCC clearance, management will verify the clearance to ensure that it is valid and current. The WWCC will be placed in the individual's file and continue to be updated as required. Management will verify all student and volunteer WWCCs prior to placement. Any visitor who has direct contact with children will be required to provide a WWCC for verification prior to coming into contact with children (*best practice*).

The approved provider will keep a record for each day a student or volunteer participates in the service including date and hours of participation.

[Primary policy – Child Protection, Recruitment, Staffing Arrangements, Student, Volunteer and Visitor]

### CHILD PROTECTION- REPORTABLE CONDUCT SCHEME (National Principle 6)



Children and young people always have a right to be safe and protected. To comply with legislation and ensure a child safe environment, all educators, staff, volunteers and students are advised of current child protection law and understand any obligations under the law. Supervision is effective to ensure they understand that *child safety is everyone's responsibility*.

All management (with direct contact of children or young person), educators and staff are mandatory reporters and have a legal obligation to make reports if they suspect on reasonable grounds, a child is at risk of significant harm. Neglecting these obligations could potentially be deemed a criminal offence. All staff are provided with up-to-date training about child protection law and their obligations under this law and to ensure they are confident in following the reporting guidelines within [Queensland](#) and adhere to our *Child Protection Policy*. (Reg 84). Management will ensure training and development are provided for all educators, staff, and volunteers in child protection on an [annual](#) basis.

Through continual education and training, educators and staff are equipped with the knowledge, skills and awareness to keep children safe. Training gives educators and staff confidence to identify, respond and report child abuse.

Coordinators or responsible persons in day-to-day charge must complete a course in child protection approved by the Regulatory Authority on an annual basis. All staff must refresh their knowledge about mandatory reporting each year.

To protect children and young people and ensure their safety, welfare and wellbeing, management is responsive to report allegations or convictions of harm or risk of harm to a child or young person and child related misconduct by any staff member, educator, volunteer or contractor to the relevant organisation or Department for Child Protection.

Our OSHC Service is committed to providing support to children, young people, families, educators or staff who have made a report regarding child protection, with a focus on upholding strict confidentiality throughout the process. Our primary concern is the well-being and safety of the child or young person, and we will work closely with relevant authorities, professionals, and support networks to ensure that the child or young person's best interests are met throughout the process. Our dedicated support system will assist educators and staff in navigating this challenging process while safeguarding their privacy and professional well-being.

**[Primary policy – Child Protection]**

### Child protection- Allegations Against Employees

To protect children and ensure their safety, welfare and wellbeing, management is responsive to report allegations or convictions of child abuse and child related misconduct by any staff member or volunteer or contractor to the [Office of the Children’s Guardian \(OCG\) \(NSW\)](#) as part of the *Reportable Conduct Scheme*.

Our OSHC Service will ensure an appropriate level of confidentiality of information relating to the reportable allegations as per the [Children’s Guardian Act 2019 Queensland](#). We take our legislative responsibilities as part of the Reportable Conduct Scheme seriously and will respond to any reportable allegation or conviction against employees or volunteers that may arise.

### REPORTING AND RESPONDING TO GENERAL COMPLAINTS (National Principle 6)

Feedback from children, families, educators, staff and the wider community is fundamental in creating an evolving Childcare Service working towards the highest standard of care and education. We ensure educators, staff, volunteers and students are well informed about the different ways children may express concerns, distress and disclose harm as well as the process for responding to disclosures from children- including a complaint that alleges a child is exhibiting sexual behaviours that may be harmful to the child or another child. (ACECQA 2023)

We aim to investigate all complaints and grievances with a high standard of equity and fairness. Our Service believes in procedural fairness and natural justice that govern the strategies and practices, which include:

- The right to be heard fairly
- The right to an unbiased decision made by an objective decision maker
- The right to have the decision based on relevant evidence.

[Primary policy – Dealing with Complaints]

### PHYSICAL ENVIRONMENT- SUPERVISION AND SAFETY CHECKLISTS (National Principles 5 and 6)

Children’s safety is embedded in our day-to-day practices. We ensure effective and adequate supervision is provided to children and young people at all times, whilst ensuring educator to child ratios are met at all times. Educators will employ ‘active supervision’ strategies within the service environment and when participating in excursions or transporting children and young people. Consideration will be made for the different ages and abilities of children and the activities that may require different levels of supervision.

To ensure compliance with regulations, we will only include educators in the educator to child ratio who are working directly with the children and ensure a current roster and a sign on/sign off record are available to verify this. Staff rosters and routines ensure adequate supervision of children is always provided.

Through conducting risk assessments, we assess and manage risks in the physical environment collaborating with children to develop behaviour guidelines for play including adventurous play to ensure their safety. Educators have a sound understanding of their duty of care and responsibilities in ensuring a child safe environment.

Educators conduct regular safety checks to maintain basic standards of safety within our OSHC Service venues. We believe that child safety is a shared responsibility at all levels within our OSHC Service. Children and young people are encouraged to speak up about their safety and the safety of their friends by telling an educator if they feel unsafe in a particular situation or environment.

Educators will complete the following daily checklists to assist and record inspections of the physical environment where foreseeable risks may be evident and cause harm or injury to a child:

- indoor safety checklist
- outdoor safety checklist, fence/gate checks

Any findings that require attention will be either dealt with immediately or submitted into the maintenance book depending on priority. The Approved Provider/ Nominated Supervisors and Principals of primary schools must be notified of any areas that need immediate attention within the Service venue. [Primary policies – Code of Conduct, Supervision, Health and Safety, Staffing Arrangement, Supervision]

### RISK ASSESSMENT & RISK ASSESSMENT TOOL (National Principle 8)

It is a legislative requirement that management, staff and educators implement a risk management system where they identify and manage hazards and risks within the workplace to ensure a child safe environment. Strategies are in place to make sure child safety (through the National Principles for Child Safe Organisations) and Education and Care National Regulations are embedded across our Service. The key principles of risk management include:

1. Identifying all hazards or potential hazards in the service/residence/venue
2. Assess the risk of harm or potential harm for each hazard
3. Control or manage the risk – Risk Rating Matrix

4. Monitor and improve safety – Risk Assessment Action Plan
5. Evaluate and Review

It is the responsibility of Coordinators or Responsible persons in day-to-day charge to complete a risk assessment where children's safety may be jeopardised and when organising an excursion/incursion.

Children's safety must be incorporated into everyday practice within the OSHC Service.

Common hazards which may require a risk assessment include:

- cross-infection and infectious disease
- administration of medication
- anaphylaxis procedures and management
- building and equipment (including storage)
- inadequate space for conducting activities and experiences
- hazardous chemicals
- electrical appliances
- food preparation and storage
- environmental influences such as shade, noise etc
- sun safety
- children's behaviours
- water safety
- fire equipment
- pets and/or animals
- inadequate supervision of children
- children's activities and experiences
- Work Health and Safety such as manual handling
- non-compliance risk
- hot drinks
- transportation of children (regular outing and regular transportation)
- excursions
- potential emergencies
- natural disasters
- safe arrival of children
- organisation culture (child-safe culture)
- physical contact
- training
- online activities

- electrical devices (photographs/videos)
- privacy and confidentiality

To maintain a child safe environment, all staff and educators will adhere to our OSHC Service policies and procedures and conduct the following checklist and audits:

- risk assessment,
- maintenance record,
- excursion risk assessment

[Primary policies – Administration of First Aid; Behaviour Guidance; Child Protection; Code of Conduct; Emergency and Evacuation; Incident, Injury, Trauma and Illness; Safe Arrival of Children; Safe Transportation of Children; Sun Safety; Medical Conditions]

## EMERGENCY AND EVACUATION PROCEDURES

Management will ensure that copies of the emergency and evacuation floor plan is displayed in prominent positions near each exit of the service premises, including indoor and outdoor learning areas.

All staff and educators are familiar with emergency evacuation procedures and regulatory requirements. Rehearsals for emergency and evacuation procedures, including lock downs, are conducted at least once every 3 months. Records will be kept for all rehearsals.

[Primary policy- Emergency Evacuation Policy]

## ARRIVAL AND DEPARTURE AUTHORISATION

Our OSHC Service prioritises children’s safety at all times. Staff and educators will only release children to an authorised person as named on the child’s enrolment form. Management will request families provide current court orders, and parenting plans to ensure our records are up to date.

National Regulations require our OSHC Service to keep a record of children and visitor’s arrival and departures, with the signatures of the person responsible for verifying the accuracy of the record and the identity of the person collecting the child or young person.

Educators will work in collaboration with our *Delivery of children to and Collection from Education and Care Premises Policy*, *Safe Arrival of Children Policy* and *Student, Volunteer and Visitors Policy* to ensure children and young people feel safe and secure at all times.

To ensure children’s safety, educators have a clear understanding of their legal obligation to check identification when a person is collecting a child from their residence or venue. To maintain compliance,

parents and educators will complete an **collection form** if they authorise a person who is not on their emergency contact form to pick up their child.

[Primary policies - Delivery of children to and Collection from Education and Care Premises; Safe Arrival of Children's; Student, Volunteer and Visitors]

### ONLINE SAFETY (National Principle 8)

Our OSHC Service is committed to create and maintain a safe online environment with support and collaboration with children, young people, educators, staff, families and community. Management ensures anti-virus and internet security systems are installed to block access to unsuitable web sites, newsgroups and chat rooms.

Our OSHC Service ensures backups of important and confidential data is made regularly and either stored securely offline, or online. Software and devices are updated regularly to avoid any breach of confidential information.

Written authorisation is requested as part of the enrolment process for children to use computers/tablets; have their photo taken and published as part of promotional marketing or on the app program used by the service. The identity of a child is not published on any platform. Personal mobile phones are not used to take photos or video of children at the Service.

Only educational software programs and apps that have appropriate content and have been examined prior to allowing their use are used in the Service. Children are always supervised using any technology. [Primary policies – Cyber Safety; Technology; Privacy and Confidentiality, Code of Conduct]

### STORAGE OF HAZARDOUS SUBSTANCES

We reduce the risk of harm to children and educators by using eco-friendly products. Our OSHC Service will endeavour to provide a safe environment where necessary chemical and hazardous equipment are safely stored away from children and handled appropriately.

OSHC management, staff and educators will keep a register of hazardous chemicals used within the service, including Safety Data Sheets (SDS).

To maintain a safe environment for children, the following audits and checklists are conducted:

- **Safe Storage of Hazardous Chemicals audit**

- Poison audit
- Medication storage audit

[Primary policies – Safe Storage of Hazardous Chemicals, Administration of Medication]

## EQUIPMENT, FURNITURE & MAINTENANCE RECORD

There are several factors that can contribute to a hazard, such as a deprived program, insufficient supervision and dilapidated equipment. To ensure a child safe environment free from hazards, our OSHC Service has implemented practices and continue to monitor Service policies and procedures that uphold Australian Safety Standards.

The venue of our OSHC Service, and all equipment and furniture used within the service are audited to ensure all aspects are safe, clean and in good repair. We understand that hazards are specific to developmental stages of children. Educators are aware that toys and equipment need to be checked to ensure they are safe and developmentally appropriate for school aged children from Kindergarten to Year 6. Regular checks occur within the OSHC Service to ensure that all toys, furniture and equipment are in good condition and working order. These checks include:

- Maintenance Record,
- toy cleaning register

[Primary policy – Furniture and Equipment Safety Policy]

## CONTINUOUS REVIEW (National Principle 9)

To ensure we maintain a culture of continuous improvement, we will ensure our child safe practices are regularly reviewed, evaluated and improved. We aim to ensure all educators, staff, students and volunteers understand and effectively implement our policies and procedures to provide a child safe environment at our OSHC Service.

We will regularly review and monitor the effectiveness of our Child Safe policies and procedures and invite children, staff members, families and communities to contribute to their development.

Any updates or revisions will be communicated to all stakeholders. Our *Child Safe Environment Policy* will be reviewed on an annual basis.

## CHILD SAFE STANDARDS LEGISLATION/RESOURCES

**QUEENSLAND**

The Department of Education released the Aware. Protective. Safe. Strategy and Child Safe environment map in 2020. The Child Safe environment map outlines the measures in place to strengthen the department’s commitment to keeping children and young people safe from sexual abuse in Queensland schools and early childhood services.

[Working with Children \(Risk Management and Screening\) Act 2000](#)

[Working with Children \(Risk Management and Screening\) Regulation 2020.](#)

[Child and youth risk management strategy toolkit](#)

[Child safe environment map](#)

**CHILDCARE CENTRE DESKTOP - RELATED RESOURCES**

Child Safe Environment Commitment Statement Child and Youth Risk Management Strategy Template (QLD)	Child Safe Environment Procedure Child Safe Standards Checklist NSW Child Safe Risk Assessment NSW
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**SOURCES**

Australian Children’s Education & Care Quality Authority. (2014).  
 ACECQA. (2023). Policy and procedure guidelines. [Providing a Child Safe Environment.](#)  
 ACECQA. (2023). [Embedding the National Child Safe Principles.](#)  
 Australia Children’s Education & Care Quality Authority. (2023). [Guide to the National Quality Framework.](#)  
 Australian Government Department of Education. [My Time, Our Place- Framework for School Age Care in Australia.V2.0, 2022](#)  
 Australian Human Rights Commission (2020). *Child Safe Organisations.* <https://childsafesafe.humanrights.gov.au/>  
 Child Protection (Working with Children) Act 2012  
 Children’s Health and Safety – An analysis of Quality Area 2 of the National Quality Standard  
 Department of Education NSW Providing a child safe environment  
 Education and Care Services National Law Act 2010. (Amended 2023).  
[Education and Care Services National Regulations.](#) (Amended 2023).  
 NSW Department of Education (2021). [Guide to the Child Safe Standards for early childhood education and care and outside schools hours care services](#)  
 NSW Government Office of the Children’s Guardian *A guide to the Child Safe Standards.* (2020).  
 Revised National Quality Standard. (2018).  
[United Nations Convention of Rights of the Child, \(1989\). \(UNCRC\)](#)  
[Western Australian Education and Care Services National Regulations](#)  
 Work Health and Safety Act, (2011).

**REVIEW**

POLICY REVIEWED BY	Tina Chappell	Coordinator	November 2023
POLICY REVIEWED	NOVEMBER 2023	NEXT REVIEW DATE	NOVEMBER 2024



VERSION NUMBER	V7.11.23	
MODIFICATIONS	<ul style="list-style-type: none"> <li>• annual policy maintenance</li> <li>• deleted Child Safe Standard definition to National Principles of Child Safe Organisations</li> <li>• updated definition of Code of Conduct (ACEQCA)</li> <li>• updated content to reflect NQF review and legislation changes re: embedding the National child safe principles; child protection law, code of conduct</li> <li>• additional related policies added</li> <li>• sources updated as required</li> </ul>	
POLICY REVIEWED	PREVIOUS MODIFICATIONS	NEXT REVIEW DATE
NOVEMBER 2022 MARCH 2023	<p>March</p> <ul style="list-style-type: none"> <li>• additional information added re: Child Safe Standards for each state/territory</li> <li>• links to MTOP V2.02 added in sources</li> </ul> <p>November</p> <ul style="list-style-type: none"> <li>• Policy updated to include Child Safe Standard Principles</li> <li>• Policy sections rearranged to align with Child Safe Policy template suggestions from NSW (OCG)</li> <li>• Additional related policies added</li> <li>• Removal of SA specific legislation/requirements</li> <li>• Key Terms/Definitions added</li> <li>• link Western Australian Education and Care Services National Regulations added in 'Sources'</li> </ul>	NOVEMBER 2023
NOVEMBER 2021	<ul style="list-style-type: none"> <li>• Additional law/regulations added- ACECQA Guidelines to Policy and Procedure document (June 2021)</li> <li>• additional information re: supervision and rosters</li> <li>• sources checked for currency</li> </ul>	NOVEMBER 2022
NOVEMBER 2020	<ul style="list-style-type: none"> <li>• Rewrite of policy to include National Principles for Child Safe Organisations</li> <li>• Relevant sections added to reflect Child Safe Standards and refer to guiding policies</li> <li>• additional sources added</li> </ul>	NOVEMBER 2021
NOVEMBER 2019	New policy created for Out of School Hours Care Services	NOVEMBER 2020

**Disclaimer**

*Childcare Centre Desktop does not guarantee that the examples provided within this policy are sufficient for early childhood services' compliance with the Child Safe Standards within each state/territory. Please check your own state/territory for implementation of Child Safe Standards.*

**Item 4.3 Open Door Policy**

**EXECUTIVE SUMMARY**

We value and pride ourselves on our partnership with families. We believe families are children's first teachers and therefore we embrace parent, guardian and family involvement within our Out of School Hours Care (OSHC) Service. Participation by parents, guardians and other family members conveys a positive impression to children and allows them to feel supported and promotes a sense of belonging. Children feel supported and a sense of belonging and well-being is promoted.

This Policy is due to be reviewed.

**OFFICER'S RECOMMENDATION**

***That Council: adopt the Open Door Policy as presented.***

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**Budget & Resource Implications**

N/A

**Background**

The changes made in the Policy are coloured for Councils information.

**Consultation (Internal/External)**

Nil

**Attachments**

Attachment M – Policy

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Report prepared by **Teena Chappell (Outside School Hours Care Coordinator)**

# OPEN DOOR POLICY

We value and pride ourselves on our partnership with families. We believe families are children’s first teachers and therefore we embrace parent, guardian and family involvement within our Out of School Hours Care (OSHC) Service. Participation by parents, guardians and other family members conveys a positive impression to children and allows them to feel supported and promotes a sense of belonging. Children feel supported and a sense of belonging and well-being is promoted.

We believe in offering an open-door policy welcoming family to visit the Service when it is convenient for them.

## NATIONAL QUALITY STANDARD (NQS)

QUALITY AREA 6: COLLABORATIVE PARTNERSHIPS		
6.1	Supportive relationships with families	Respectful relationships with families are developed and maintained and families are supported in their parenting role.
6.1.1	Engagement with the service	Families are supported from enrolment to be involved in their service and contribute to service decisions.
6.1.2	Parent views are respected	The expertise, culture, values and beliefs of families are respected and families share in decision-making about their child’s learning and wellbeing.
6.1.3	Families are supported	Current information is available to families about the service and relevant community services and resources to support parenting and family wellbeing.
6.2	Collaborative partnerships	Collaborative partnerships enhance children’s inclusion, learning and wellbeing.
6.2.3	Community and engagement	The service builds relationships and engages with its community.

EDUCATION AND CARE SERVICES NATIONAL REGULATIONS	
84	Awareness of child protection law
155	Interaction with children
157	Access for parents
161	Authorisations to be kept in enrolment record

181	Confidentiality of records kept by approved provider
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**RELATED POLICIES**

Child Safe Environment Policy Code of Conduct Dealing with Complaints Policy	Enrolment Policy Family Communication Policy Interactions with Children, Family and Staff Policy Orientation of Families Policy
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**PURPOSE**

To ensure the best care for children and families, we believe it is important to provide families with the opportunity to visit our facilities and participate in our program at a time that is convenient for them. We acknowledge that families provide a wealth of valuable information and understanding about their child and we foster strong, respectful partnerships between our staff and educators and families. We encourage families to join in on our learning activities and celebrate events and special days with us.

**SCOPE**

This policy applies to children, families, staff, management, the approved provider, nominated supervisors, students, volunteers and visitors of the OSHC Service.

**IMPLEMENTATION**

We operate with an open-door policy, where families are welcome to visit our Service anytime during operating hours. There are many opportunities for family involvement, and we communicate these through regular newsletters, our communication board, and our digital app Kindy Hub. We recognise that time is valuable to all families, which is why we accommodate many forms of participation and contribution. Our OSHC Service is committed to creating and maintaining a child safe environment and embeds the Child Safe Standards.

*“Children and young people thrive when families, approved providers, educators and teachers in schools, other professionals and the wider community work together in partnerships to support children and young people’s wellbeing, learning and development.”*

(My Time, Our Place Framework for School Age Care In Australia, (MTOF), V2.0, 2023, p. 9).

**THE APPROVED PROVIDER/MANAGEMENT AND EDUCATORS WILL ENSURE:**

- educators, staff, students and volunteers have knowledge of and adhere to this policy

- families are aware of this *Open Door Policy*
- families are always welcome to spend time in the OSHC Service and share special moments with their children [provided there are no recommendations from the Public Health Unit or other Government authority suggesting families and visitors do not enter ECEC services]
- families and visitors to our Service are required to abide by our *Family Conduct Guidelines* -Code of Conduct
- families are aware of our *Open Door Policy* and are welcome to join in learning activities and celebrate events and special days held at the Service
- families are provided with information about special days and events they may want to participate in. For example:
  - Disco
  - Easter Hat Parade
  - Mother's Day
  - Father's Day
  - Open Day
  - Grandparents Day
  - Christmas Celebrations
  - Excursions
  - Cultural visits
  - Book Week/ Story Time
  - Cooking Experiences
  - Parent lead learning experiences
- a variety of activities within the Service are organised at different times of day and week to include as many parents as possible
- to prioritise children's safety and provide a child safe environment
- that reasonable steps are taken to ensure any parent, family member or visitor that may pose a risk to the safety of the children and staff of the Service are not permitted entry.

### FAMILIES CAN:

- visit the service at all times the OSHC Service is educating and caring for children. This may include visiting their child who is already enrolled, or as an enquiry prior to enrolment- subject to any Public Health Orders or Government recommendations for families or visitors not entering ECEC (e.g., during an outbreak of an infectious disease)

- participate in our program by sharing their skills with the children. This may include playing an instrument, telling a story, sharing cultural traditions, cooking experiences, workshops etc.
- make an appointment with management to discuss their child. This may include discussing the child’s evaluations, raise concerns, setting new goals, providing feedback to the service.
- donate recyclable material that can be used within our OSHC program
- discuss any changes that have occurred in the child’s life, for example, changes in family circumstances, moving to a new house, death of a family member or friend etc., in order for educators to best support all children through difficult times
- attend any events and celebrations that are organised throughout the year at our OSHC Service
- share feedback, ideas and thoughts about the Service including policies and procedures
- remain informed about what is happening within the OSHC Service through discussions, newsletters, social media etc.
- assist our OSHC Service provide a child safe environment by notifying management of any change to current court orders or parenting orders.

**CONTINUOUS IMPROVEMENT/REFLECTION**

Our *Open Door Policy* will be reviewed on an annual basis in consultation with children, families, staff, educators and management.

**CHILDCARE CENTRE DESKTOP- RELATED RESOURCES**

[\*Family Conduct Guidelines\*](#)

**SOURCES**

Australian Children’s Education & Care Quality Authority. (2014)  
 Australia Children’s Education & Care Quality Authority. (2023). [\*Guide to the National Quality Framework\*](#).  
 Australian Government Department of Education. [\*My Time, Our Place- Framework for School Age Care in Australia.V2.0, 2022\*](#)  
 Early Childhood Australia Code of Ethics. (2016).  
[\*Education and Care Services National Law Act 2010. \(Amended 2023\).\*](#)  
[\*Education and Care Services National Regulations.\*](#) (Amended 2023).  
 Revised National Quality Standards. (2018).  
[\*Western Australian Education and Care Services National Regulations\*](#)

**REVIEW**

POLICY REVIEWED BY	Tina Chappell	Coordinator	November 2023
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POLICY REVIEWED	NOVEMBER 2023	NEXT REVIEW DATE	NOVEMBER 2024
VERSION NUMBER	v7.11.23		
MODIFICATIONS	<ul style="list-style-type: none"> <li>• annual policy maintenance</li> <li>• updated content to reflect MTOP 2.0, 2023</li> <li>• hyperlinks checked and repaired as required</li> </ul>		
POLICY REVIEWED	PREVIOUS MODIFICATIONS	NEXT REVIEW DATE	
NOVEMBER 2022	<ul style="list-style-type: none"> <li>• annual policy maintenance</li> <li>• hyperlinks checked and repaired as required</li> <li>• continuous improvement/reflection section added</li> <li>• link to Western Australian Education and Care Services National Regulations added in 'Sources'</li> </ul>	NOVEMBER 2023	
NOVEMBER 2021	<ul style="list-style-type: none"> <li>• inclusion of Public Health Orders/Gov't recommendations that may prevent families/visitors from entering ECEC service during pandemic</li> <li>• National Regulations added</li> <li>• Reference to implementing Child Safe Standards added</li> <li>• Sources checked for currency</li> </ul>	NOVEMBER 2022	
NOVEMBER 2020	<ul style="list-style-type: none"> <li>• Minor editing to policy</li> <li>• sources checked and updated</li> </ul>	NOVEMBER 2021	
NOVEMBER 2019	Additional information added to points minor editing to sources	NOVEMBER 2020	
NOVEMBER 2018	Grammar, punctuation and spelling edited. Wording 'corrected' and sentences reworded. Additional information added to points. Sources/references alphabetised.	NOVEMBER 2019	
NOVEMBER 2017	Updated the references to comply with the revised National Quality Standard	NOVEMBER 2018	



**Item 4.4 Orientation of Families Policy**

**EXECUTIVE SUMMARY**

Out of School Hours Care (OSHC) Services provide high quality care for children before and after school, on pupil free days and during school holidays as Vacation Care programs. Enrolment and orientation to the OSHC Service is an exciting and sometimes, an emotional time for children and families whether they attend only occasionally or on a regular basis. It is important to manage this time with sensitivity and support, building partnerships between families and the OSHC Service. Such partnerships enable the OSHC Service and families to work toward the common goal of promoting consistent quality outcomes for individual children and the Service.

This Policy is due to be reviewed.

**OFFICER'S RECOMMENDATION**

***That Council: adopt the Orientation of Families Policy as presented.***

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**Budget & Resource Implications**

N/A

**Background**

The changes made in the Policy are coloured for Councils information.

**Consultation (Internal/External)**

Nil

**Attachments**

Attachment N – Policy

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Report prepared by **Teena Chappell (Outside School Hours Care Coordinator)**

# ORIENTATION OF FAMILIES

Out of School Hours Care (OSHC) Services provide high quality care for children before and after school, on pupil free days and during school holidays as Vacation Care programs. Enrolment and orientation to the OSHC Service is an exciting and sometimes, an emotional time for children and families whether they attend only occasionally or on a regular basis. It is important to manage this time with sensitivity and support, building partnerships between families and the OSHC Service. Such partnerships enable the OSHC Service and families to work toward the common goal of promoting consistent quality outcomes for individual children and the Service.

## NATIONAL QUALITY STANDARD (NQS)

QUALITY AREA 6: COLLABORATIVE PARTNERSHIPS		
6.1	Supportive relationships with families	Respectful relationships with families are developed and maintained and families are supported in their parenting role.
6.1.1	Engagement with the service	Families are supported from enrolment to be involved in their service and contribute to service decisions.
6.1.2	Parent views are respected	The expertise, culture, values and beliefs of families are respected and families share in decision-making about their child's learning and wellbeing.
6.1.3	Families are supported	Current information is available to families about the service and relevant community services and resources to support parenting and family wellbeing.
6.2	Collaborative partnerships	Collaborative partnerships enhance children's inclusion, learning and wellbeing.
6.2.3	Community and engagement	The service builds relationships and engages with its community.

EDUCATION AND CARE SERVICES NATIONAL REGULATIONS	
160	Child enrolment records to be kept by approved provider and family day care educator
161	Authorisations to be kept in enrolment record
162	Health information to be kept in enrolment record
177	Prescribed enrolment and other documents to be kept by approved provider
181	Confidentiality of records kept by approved provider

183	Storage of records and other documents
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**RELATED POLICIES**

Administration of Medication Policy Anaphylaxis Management Policy Asthma Management Policy Child Safe Environment Policy Code of Conduct Policy Delivery of Children to, and Collection from EEC Service Premises Policy	Enrolment Policy Family Communication Policy Incident, Injury, Trauma and Illness Policy Open Door Policy Payment of Fees Policy Privacy and Confidentiality Policy Sick Children Policy
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**PURPOSE**

We aim to ensure children and families are provided with an orientation procedure that allows the family to transition into the Out of School Hours Care Service positively and well-informed, meeting the children and families’ individual needs. We strive to establish respectful and supportive relationships between families and the Service to promote positive outcomes for children whilst adhering to legislative requirements.

**SCOPE**

This policy applies to children, families, educators, staff, management, approved provider and nominated supervisor of the OSHC Service.

**IMPLEMENTATION**

Orientation is an important process for children, families and educators to gain vital information about the individual child’s needs, interests and strengths. To enable children to feel safe and secure, and to set the foundations for a trusting partnership, we feel that it is necessary for the family to attend an orientation visit. This visit, or visits, assist the child to adjust to a new setting and helps to make the transition from home to the Service and from school to the Service a smooth and positive experience.

During orientation, educators will discuss the following in order to gain a better understanding in supporting the family:

- the cultural and/or linguistic background for families from non-English speaking backgrounds (external support may be required)
- the family’s needs in relation to work or other commitments
- days and sessions Out of School Hours Care is required

- any additional needs of the child and/or their family
- any court orders, parenting orders that are applicable to the child
- service philosophy and curriculum
- the child's interests
- family goals and expectations
- any allergies or dietary needs for the child
- emergency or health care plans for the child, if relevant
- the Service's before and after school care routines.

### THE APPROVED PROVIDER/**NOMINATED SUPERVISOR**/MANAGEMENT WILL ENSURE:

- educators, staff, students and volunteers have knowledge of and adhere to this policy
- families are aware of this *Orientation of Families Policy*
- the orientation process is well organised, flexible, and informative
- the child and family visit the OSHC Service and familiarise themselves with the environment. The child may participate in the activities and experiences if they feel comfortable.
- the family and child/children are introduced to the educators at the Service
- to create a welcoming environment and interact positively with the child and family
- the child and family are respected at all times, acknowledging the individuality of each parenting style
- families are provided with detailed and up to date information about the service and its operations (Family Handbook)
- families are encouraged to phone, email, or visit the Service as often as they like when their child has commenced care
- families are reassured that if the child is distressed over a long period of time the educators will contact them
- support agencies are contacted for children with additional needs
- families know how to provide feedback
- families are informed that critical information from their child's enrolment form is communicated with educators- (emergency contacts, authorised nominees, court orders, immunisation status, medical and health conditions where relevant)

### EDUCATORS WILL:

- greet children and families upon arrival
- create a welcoming and inviting environment

- discuss with families the best transition process for their child
- encourage families to stay as long as they need to in order to reassure their child
- encourage families to say good-bye to the child when dropping off
- phone families if the child remains distressed
- seek information about the child and family throughout the orientation process

#### DURING THE ORIENTATION OF THE SERVICE, FAMILIES WILL BE:

- provided with the OSHC Service enrolment form to be completed (assistance to complete this form is available if required)
- provided with an outline of the OSHC Service policies, which will include, but not limited to: Payment of Fees, Sun Safety, Incident, Injury, Trauma and Illness, Safe Transportation and Medical Conditions Policy
- advised of the procedure for arrival and departure of children to and from after school care, including additional procedures for the safe delivery and collection of Prep room and additional needs children
- provided with information about Child Care Subsidy (CCS) and [myGov website](#)
- provided with a Family Handbook
- asked to provide their child's immunisation history statement when enrolling their child- Australian Childhood Immunisation Register
- shown the signing in/out process
- provided with information about the software app our Service uses for CCS, communication with parents.
- informed about policies regarding children bringing in toys from home
- informed about wearing sun safe/ school hats and application of sunscreen
- introduced to the child's educators
- taken on a tour around the Service
- shown where children's bags and belongings will be kept each day/session
- informed about meals (afternoon tea) and drinks provided by the Service
- required to discuss medical management plans and allergies (if applicable)
- advised about the daily report/journal and how parents can view this [on Kindy Hub](#)
- introduced to the before and after school care routines and Service program. This includes the planning cycle.
- informed about communication methods including meetings, interviews, newsletters, emails etc.
- invited to set family goals for their child

- asked to confirm their preferred method of communication.

### EVALUATION AND FOLLOW UP

Once the child has attended the Service for a few days, educators will ensure they:

- speak directly with the family to ask how their child and the family has settled into the before and/or after school care routine
- welcome any questions or concerns the family may have
- provide information to the family of how their child has settled in these early days (interests, friends, games they enjoy playing, craft activities etc.)
- request families to offer suggestions of how the OSHC Service could improve the orientation process (provide families with an Orientation Survey to complete).

### CONTINUOUS IMPROVEMENT/REFLECTION

Our *Orientation of Families Policy* will be reviewed on an annual basis in consultation with children, families, staff, educators and management.

### SOURCES

Australia Children’s Education & Care Quality Authority. (2014).

Australia Children’s Education & Care Quality Authority. (2023). *Guide to the National Quality Framework.*

Australian Government Department of Education. *My Time, Our Place- Framework for School Age Care in Australia.V2.0, 2022*

Revised National Quality Standard (2018).

The Australian parenting website Raising children

<https://raisingchildren.net.au/preschoolers/play-learning/preschool/starting-preschool>

[Western Australian Education and Care Services National Regulations](#)

### REVIEW

POLICY REVIEWED BY	Tina Chappell	Coordinator	November 2023
POLICY REVIEWED	NOVEMBER 2023	NEXT REVIEW DATE	NOVEMBER 2024
VERSION NUMBER	V3.11.23		
MODIFICATIONS	<ul style="list-style-type: none"> <li>• annual policy maintenance</li> <li>• updated sources as required</li> </ul>		
POLICY REVIEWED	PREVIOUS MODIFICATIONS	NEXT REVIEW DATE	
NOVEMBER 2022	<ul style="list-style-type: none"> <li>• annual policy maintenance</li> <li>• minor formatting edits within text</li> </ul>	NOVEMBER 2023	

	<ul style="list-style-type: none"> <li>• continuous improvement/reflection section added</li> <li>• link to Western Australian Education and Care Services National Regulations added in 'Sources'</li> <li>• removed Orientation Survey from Appendix</li> </ul>	
FEBRUARY 2022	<ul style="list-style-type: none"> <li>• New policy created for OSHC services</li> </ul>	NOVEMBER 2022

**Item 4.5 Termination of Enrolment Policy**

**EXECUTIVE SUMMARY**

Our Out of School Hours Care (OSHC) Service is dedicated to developing a respectful and effective partnership between the family and Service. This partnership supports children's inclusion, access, engagement and participation in the Service. Management implements systems to manage risks whilst promoting the health, safety and wellbeing of all children and all staff associated with our Service.

This Policy is due to be reviewed.

**OFFICER'S RECOMMENDATION**

*That Council: adopt the Termination of Enrolment Policy as presented.*

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**Budget & Resource Implications**

N/A

**Background**

The changes made in the Policy are coloured for Councils information.

**Consultation (Internal/External)**

Nil

**Attachments**

Attachment O – Policy

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Report prepared by **Teena Chappell (Outside School Hours Care Coordinator)**



# TERMINATION OF ENROLMENT POLICY

Our Out of School Hours Care (OSHC) Service is dedicated to developing a respectful and effective partnership between the family and Service. This partnership supports children's inclusion, access, engagement and participation in the Service. Management implements systems to manage risks whilst promoting the health, safety and wellbeing of all children and all staff associated with our Service.

There may be some circumstances where this is compromised due to non-compliance of our policies and management may be required to terminate a child's enrolment. The OSHC Service will adhere to policies and procedures to ensure a fair, ethical, and appropriate decision is made.

## NATIONAL QUALITY STANDARD (NQS)

QUALITY AREA 2: CHILDREN'S HEALTH AND SAFETY		
2.2	Safety	Each child is respected
2.2.1	Supervision	At all times, reasonable precautions and adequate supervision ensure children are protected from harm and hazard.
2.2.2	Incident and emergency management	Plans to effectively manage incidents and emergencies are developed in consultation with relevant authorities, practiced and implemented.
2.2.3	Child Protection	Management, educators and staff are aware of their roles and responsibilities to identify and respond to every child at risk of abuse or neglect.
QUALITY AREA 6: COLLABORATIVE PARTNERSHIPS WITH FAMILIES AND COMMUNITIES		
6.1	Supportive relationships with families	Respectful relationship with families are developed and maintained and families are supported in their parenting role.
6.2	Collaborative partnerships	Collaborative partnerships enhance children's inclusion, learning and wellbeing.
QUALITY AREA 7: GOVERNANCE AND LEADERSHIP		
7.1	Governance	Governance supports the operation of a quality service.

EDUCATION AND CARE SERVICES NATIONAL REGULATIONS	
155	Interaction with children
168	Education and care service must have policies and procedures
177	Prescribed enrolment and other documents to be kept by approved provider

181	Prescribed enrolment documents to be kept by the Approved Provider
183	Storage of records and other documents

## RELATED POLICIES

Anti-Bias and Inclusion Policy Additional Needs Policy Behaviour Guidance Policy Code of Conduct Policy Health and Safety Policy	Enrolment Policy Payment of Fees Policy Withdrawal of a Child Policy Work, Health and Safety Policy
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## PURPOSE

*'All children have the right to experience quality education and care in an environment that provides for their physical and psychological wellbeing and provides support for each child's growing competence, confidence and independence.'* Quality Area 2, ACECQA.

We have the legal duty to ensure the health, safety and wellbeing of children, educators, families, coordinators and volunteers at our OSHC Service. To promote respectful and effective partnerships with families, we ensure that each child and family participate in a comprehensive induction including detailing our terms of enrolment, as per our legal agreement, which advises families on the Services' right to terminate a child's enrolment if a service policy has been breached.

## SCOPE

This policy applies to children, families, staff, management, the approved provider, nominated supervisor and visitors of the Service.

## IMPLEMENTATION

### THE APPROVED PROVIDER, NOMINATED SUPERVISORS WILL:

- ensure educators, staff, students and volunteers have knowledge of and adhere to this policy
- ensure families are aware of this *Termination of Enrolment Policy*
- work in partnership with families to promote inclusion of all children within the OSHC Service
- use positive language and a range of communication strategies with children and families to ensure positive relationships
- discuss concerns or issues of non-compliance with management before communicating with families

- document all communication and meetings (informal and formal) with families and outside professional support
- access external professional support to ensure child's inclusion in the OSHC Service's program
- document proposed strategies and practices suggested to resolve any issue
- develop individual educational plans for children as required (refer to Behaviour Guidance Policy; Additional Needs Policy, Anti bias and Inclusion Policy)
- remind families of our *Code of Conduct Policy* and *Family Conduct Guidelines*
- document evidence of non-compliance, events, behaviour, grievances and observations.
- ensure minutes are collected and signed by all parties present at meetings to ensure a true and accurate record of the meeting
- notify the Regulatory Authority within 24 hours if a complaint alleges the safety, health or wellbeing of a child is being compromised.

## BEHAVIOUR GUIDANCE

There are times when children's behaviour requires guidance, which will always be undertaken according to the Service's policies and procedures. Every effort will be made to deal with the behaviour using positive guidance and working closely with families to implement a plan in order to help rectify any unacceptable behaviour. If the child's behaviour continues to be disruptive and harmful and the safety of other children and staff is compromised, we reserve the right to ask you to withdraw your child from the OSHC Service.

## OUT OF SCHOOL HOURS POLICIES AND PROCEDURES

Our OSHC Service has a range of policies and procedures to ensure the safety, welfare, and wellbeing of children, educators, families and visitors. We reserve the right to terminate a child enrolment if at any time a Service policy has been breached.

This may include:

- failure to comply with the enrolment contract
- disparaging or hurtful behaviour of a child that continues even with parent collaboration in stopping the behaviour
- non-payment of childcare or late fees and/or recurring late payment of fees
- continuing to pick up the child past the required licensed time following multiple warnings
- inability to meet the child's needs without family support and commitment to ensure their child receives the best possible support within our Service

- deliberate impertinence towards the approved provider or educators/educator assistants- (Code of Conduct)
- consistent child-rearing style differences between the parent and provider
- false information given by a parent either verbally or in writing
- bullying and/or harassing OSHC educators, children or families enrolled at the Service

### TERMINATION NOTIFICATION

The approved provider or nominated supervisor will advise families in writing that their child’s enrolment will be terminated following all attempts to rectify any non-compliance.

**Two weeks’** notice will be provided to families, unless the safety and wellbeing of other children, educators or other families are at risk. In this case, an immediate termination of enrolment may apply.

Any outstanding fees will be provided to families and remain due to be paid upon termination of enrolment. The initial Bond payment made on enrolment will not be refunded until any outstanding fees are paid.

### TERMINATION ADVISED BY THE FAMILY

Families are advised upon enrolment of the withdrawal of enrolment conditions. Families are required to provide **two (2) weeks** written notice of termination of enrolment. Families will abide by the conditions set within the *Withdrawal of a Child Policy*.

### CONTINUOUS IMPROVEMENT/REFLECTION

Our *Termination of Enrolment Policy* will be reviewed on an annual basis in consultation with children, families, staff, educators and management.

### CHILDCARE CENTRE DESKTOP - RELATED RESOURCES

Family Exit Survey Family Conduct Guidelines	Termination of Enrolment Procedure Termination of Enrolment Letter Termination of Enrolment Form
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### SOURCES

Australian Children’s Education & Care Quality Authority. (2014).  
[Australia Children’s Education & Care Quality Authority. \(2023\). \*Guide to the National Quality Framework\*.](#)  
 Early Childhood Australia Code of Ethics. (2016).  
[Education and Care Services National Regulations. \(Amended 2023\).](#)  
 Education and Care Services National Law Act 2010. (Amended 2023).  
 NSW Government. Anti-Discrimination Act 1977. No 48.  
<https://www.legislation.nsw.gov.au/#/view/act/1977/48/full>

Revised National Quality Standard. (2018).

Work Health and Safety Act 2011 <https://www.legislation.gov.au/Details/C2017C00305>

[Western Australian Education and Care Services National Regulations](#) Australian Children’s Education & Care Quality Authority. (2014).

## REVIEW

POLICY REVIEWED BY	Tina Chappell	Coordinator	November 2023
POLICY REVIEWED	NOVEMBER 2023	NEXT REVIEW DATE	NOVEMBER 2024
VERSION NUMBER	V6.11.23		
MODIFICATIONS	<ul style="list-style-type: none"> <li>annual policy review- no major changes</li> <li>sources checked for currency and updated as required</li> </ul>		
POLICY REVIEWED	PREVIOUS MODIFICATIONS	NEXT REVIEW DATE	
NOVEMBER 2022	<ul style="list-style-type: none"> <li>policy maintenance - no major changes to policy</li> <li>continuous improvement/reflection section added</li> <li>Childcare Centre Desktop Related Resources section added</li> <li>link to Western Australian Education and Care Services National Regulations added in ‘Sources’</li> </ul>	NOVEMBER 2023	
NOVEMBER 2021	<ul style="list-style-type: none"> <li>additional sections added: termination advised by family</li> <li>sources checked for currency</li> </ul>	NOVEMBER 2022	
NOVEMBER 2020	<ul style="list-style-type: none"> <li>national regulations added</li> <li>policy reviewed/ sources checked</li> </ul>	NOVEMBER 2021	
NOVEMBER 2019	New policy drafted for Out of School Hours Care Services	NOVEMBER 2020	

**Item 4.6 Governance Policy**

**EXECUTIVE SUMMARY**

The Governance Policy provides the overall direction, effectiveness, supervision and accountability of a Service. The approved provider and management are responsible for guiding the direction of the service, ensuring that its goals and objectives are met in line with the philosophy, and all legal and regulatory requirements governing the operation of the service.

This Policy is due to be reviewed.

**OFFICER'S RECOMMENDATION**

*That Council: adopt the Governance Policy as presented.*

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**Budget & Resource Implications**

N/A

**Background**

The changes made in the Policy are coloured for Councils information.

**Consultation (Internal/External)**

Nil

**Attachments**

Attachment P – Policy

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Report prepared by **Teena Chappell (Outside School Hours Care Coordinator)**

# GOVERNANCE POLICY

The Governance Policy provides the overall direction, effectiveness, supervision and accountability of a Service. **The approved provider and** management are responsible for guiding the direction of the service, ensuring that its goals and objectives are met in line with the philosophy, and all legal and regulatory requirements governing the operation of the service.

## NATIONAL QUALITY STANDARD (NQS)

QUALITY AREA 7: GOVERNANCE AND LEADERSHIP		
7.1	Governance	Governance supports the operation of a quality service.
7.1.2	Management Systems	Systems are in place to manage risk and enable the effective management and operation of a quality service.
7.1.3	Roles and Responsibilities	Roles and responsibilities are clearly defined and understood and support effective decision-making and operation of the service.
7.2	Leadership	Effective leadership builds and promotes a positive organisational culture and professional learning community.
7.2.1	Continuous improvement	There is an effective self-assessment and quality improvement process in place.
7.2.2	Educational leadership	The educational leader is supported and leads the development and implementation of the educational program and assessment and planning cycle.
7.2.3	Development of professionals	Educators, co-ordinations and staff members performance is regularly evaluated, and individual plans are in place to support learning and development.

EDUCATION AND CARE SERVICES NATIONAL LAW AND REGULATIONS	
Sec. 13	Matters to be taken into account in assessing whether fit and proper person
Sec. 14	Regulatory Authority may seek further information
Sec. 21	Reassessment of fitness and propriety
Sec. 51	Conditions on service approval
Sec. 162	Offence to operate education and care service unless responsible person is present
<b>Sec. 165</b>	<b>Offence to inadequately supervise children</b>

Sec.172	Offence to fail to display prescribed information
Sec. 173	Offence to fail to notify certain circumstances to Regulatory Authority
Sec. 174	Offence to fail to notify certain information to Regulatory Authority
Sec. 175	Offence relating to requirement to keep enrolment and other documents
Sec.188	Offence to engage person to whom prohibition notice applies
29	Condition on service approval-insurance
31	Condition on service approval-quality improvement plan
55	Quality improvement plan
56	Review and revision of quality improvement plans
73	Educational program
74	Record of child assessments or evaluations for delivery of educational program
84	Awareness of child protection law
85	Incident, injury, trauma and illness policies and procedures
136 (3)	First Aid qualifications
117B	Minimum requirements for person in day-to-day charge
157	Access for parents
158	Children's attendance record to kept by approved provider
161	Authorisations to be kept in enrolment record
162	Health information to be kept in enrolment record
167	Record of service's compliance
168	Education and care services must have policies and procedures
170	Policies and procedures to be followed
171	Policies and procedures to be kept available
172	Notification of change to policies and procedures
173	Prescribed information to be displayed
175	Prescribed information to be notified to the Regulatory Authority
176	Time to notify certain information to Regulatory Authority
177	Prescribed enrolment and other documents to be kept by approved provider
180	Evidence of prescribed insurance
181	Confidentiality of records kept by approved provider
181-184	Confidentiality and storage of records



185	Law and regulations to be available
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**RELATED LEGISLATION**

Family Assistance Law – Incorporating all related legislation as identified within the Child Care Provider Handbook  
<https://www.education.gov.au/early-childhood/resources/child-care-provider-handbook>

**RELATED POLICIES**

Acceptance and Refusal Authorisation Policy Administration of First Aid Policy CCS Governance Policy Code of Conduct Policy Child Protection Policy Child Safe Environment Policy Dealing with Infectious Diseases Policy Dealing with Complaints Policy Delivery of Children to, and collection from EEC Service Policy Emergency and Evacuation Policy Enrolment Policy Interactions with Children, Staff and Families Policy	Medical Conditions Policy Nutrition Food Safety Policy Payment of Fees Policy Privacy and Confidentiality Policy Probation and Induction Orientation Policy Record Keeping and Retention Policy Safe Arrival of Children Policy Safe Transportation Policy Sleep and Rest Policy Staffing Arrangements Policy Student and Volunteer Policy Sun Safety Policy Water Safety Policy
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**PURPOSE**

Our Out of School Hours Care (OSHC) Service aims to ensure all legal and financial requirements are implemented and recognised through appropriate governance practices, providing quality education and care, meeting the principles, practices and elements of the approved national framework *My Time, Our Place: Framework for School Age Care in Australia* and the National Quality Standard.

**SCOPE**

This policy applies to children, families, staff, management, approved provider, nominated supervisor, students, volunteers and visitors of the OSHC Service.

**IMPLEMENTATION**

Under the Education and Care Services National Regulations, the approved provider must ensure that policies and procedures are in place in relation to the governance and management of the service (regulation 168) and that they take reasonable steps to ensure those policies and procedures are followed (regulation 170). ACECQA 2021

Governance is the process that directs and controls our Service, ensuring accountability and supporting decision making. The Approved Provider and Nominated Supervisor of the Service accept the legal responsibilities associated with establishing, administering, and maintaining the Service. Management may include Persons with management or control of the service (PMC) as defined by ACECQA. Persons with management or control may *participate in executive or financial decision-making or have authority or responsibility for, or significant influence over, the planning, direction or control of the activities or the delivery of the education and care service* (ACECQA 2023). Our Service has the following established positions:

Approved Provider	Angela Henry
Nominated Supervisor	Tina Chappell
Persons with Management or Control	Peter Bennett
Educational Leader	Lorna Matthews
Responsible Persons	Tina Chappell, Lorna Matthews

#### THE APPROVED PROVIDER IS LEGALLY RESPONSIBLE FOR:

- ensuring compliance with the Education and Care Services National Law and Education and Care Services National Regulations
- ensuring compliance by all employees and educators with the Education and Care Services National Law and Education and Care Services National Regulations
- ensuring educators, staff, students and volunteers have knowledge of and adhere to this policy
- ensuring families are aware of this *Governance Policy*
- ensuring all notifications are made to the Department, in writing, within the specified timeframes as outlines with the NQF and FAL
- complying with Family Assistance Law
- appointing a suitably qualified Nominated Supervisor, Educational Leader and Director/coordinator for the Service
- supporting the Nominated Supervisor and management in their role, providing adequate resources to ensure effective administration of the Service
- notifying the regulatory authority of any changes to the Nominated Supervisor at least 7 days prior to the appointment (or as soon as possible, but no more than 14 days after commencement)
- notifying the regulatory authority within 14 days of any changes to Persons with management or control

- notifying the regulatory authority of any change to the ages of children being educated and cared for by the service; and any change to the nature of education and care offered by the service (reg 175 (2)(a))
- displaying the prescribed information as listed in Regulation 173 including the current rating levels for each quality area stated in the National Quality Standard
- ensuring background checks, including criminal history and Working with Children Checks/ Clearance, are completed for all staff and educators.
- determining whether or not a person working in the service is a 'fit and proper person' (as per National Quality Framework and Family Assistance Law requirements)
- provide information to the regulatory authority upon request in relation to being a 'fit and proper person'
- implementing a probation and induction orientation program to ensure employees are aware of their roles and responsibilities, understanding of the values and organisational culture of the Service, policies and procedures, child protection law and other legislation
- developing a clear and agreed philosophy, which guides business decisions and the work of management and staff
- acting honestly and with due diligence
- ensuring that families of enrolled children have access to enter the premises (regulation 157)
- ensuring there is a sound foundation of policies and procedures that complies with all legislative and regulatory requirements, and that enables the daily operation of the Service to be in line with the Service's philosophy and goals
- maintaining up to date and current policies and procedures for compliance by all educators
- ensuring the health, safety and wellbeing of children and taking every reasonable precaution to protect children from harm or hazard
- ensuring policies and procedures are followed in the event that a child is injured, becomes ill or suffers a trauma (Reg.85)
- confirming incident, injury, illness or trauma records are stored in a kept in a safe and secure place until the child is 25 years of age. In the event of a death of child while being cared for by the service or may have occurred as a result of an incident, the records must be kept until seven years after the death
- being an employer, including all legal and ethical responsibilities that this entails
- appointing staff and monitoring their performance
- ensuring educator qualification requirements are current
- ensuring all educators and staff have a clear understanding of the hierarchy of management

- providing clear and direct written and verbal feedback and instruction that is suitable and appropriate to the task
- ensuring the Service remains financially viable and can meet its debts and other obligations as they fall due
- ensuring the Service holds a current insurance policy for public liability with a minimum cover of \$10,000,000 [or public liability provided by the Government of a State or Territory in respect for an education and care service]
- managing control and accountability systems
- reviewing the Service's budget and monitoring financial performance and management to ensure the Service is solvent at all times and has sound financial strength
- approving annual financial statements and providing required reports to government bodies and maintaining appropriate delegations and internal controls
- complying with funding agreements where appropriate
- reviewing the work process regularly
- completing a Quality Improvement Plan (QIP) for the Service and updating it at least annually
- ensuring the QIP is updated upon request by the regulatory authority and submitted to the regulatory authority upon request (Reg. 31, 56)
- developing coherent aims and goals that reflect the interests, values and beliefs of all stakeholders of the Service
- establishing clearly defined roles and responsibilities for the members of the Management Committee and staff, individually and as a collective, and clearly articulating the relationship between all stakeholders
- evaluating and improving the performance of the Management Committee
- ensuring the educational program is based on an approved learning framework (MTO) and contributes to each child's sense of identity and wellbeing
- complying with all other **Queensland** and Australian governments' legislation that impacts upon the management and operations of a Service
- ensuring all notification and reporting requirements are met regarding the National Quality Framework and other legislation
- ensuring a copy of the Education and Care Services National Regulations and National Law is available at all times at the service for use by educators, staff, families and visitors (Reg. 185)
- ensuring that requirements relating to the physical environment, space, equipment and facilities are met

- notifying the regulatory authority if transportation is provided by the service for the first time or if transportation ceases to be provided by the service (reg 175)
- notifying families at least 14 days before changes to policy or procedures that:
  - affect the fees charged or the way they are collected
  - significantly impact the service's education and care of children, or
  - significantly impact the family's ability to utilise the service.

### THE NOMINATED SUPERVISOR IS RESPONSIBLE FOR:

- adhering to the Education and Care Services National Law and National Regulations
- developing ethical standards and a code of conduct which guide actions and decisions in a way that is consistent and reflective of the Service's expectations
- undertaking periodical planning and risk assessments and having appropriate risk management strategies in place to manage risks faced by the Service
- ensuring that actions taken, and decisions made are clear and consistent and will help build confidence in all stakeholders
- the day-to-day management of the Service
- ensuring all notification and reporting requirements are met regarding the National Quality Framework and other legislation
- the effectiveness of the Service's well-defined partnership between the Management Committee and the Nominated Supervisor. The partnership requires clear understanding of roles and responsibilities, and regular and open communication
- producing outcomes together with educators and staff. Educators must agree on their responsibilities and work according to current policies and procedures
- providing educators with training, resources and support
- identifying and reporting if something significant occurs (for example: Work Health and Safety; Fraud Prevention; Complaint handling)
- identifying work required for completion and delegate to the appropriate educator/staff
- ensuring educators and staff do not delegate responsibilities for which they are accountable for or have been delegated to them by Management
- delegate all tasks in writing with a clear due date
- ensuring educators are adhering to service policies and procedures.

### SERVICE PHILOSOPHY

- The development and review of the philosophy and policies will be a continuous process on an annual basis or when required.
- The philosophy and associated statement of purpose will reinforce all other documentation and the practices of the Service. The philosophy will reflect the principles of the approved national framework *My Time, Our Place: Framework for School Age Care in Australia*.
- There will be a collaborative and consultative process to support the development and maintenance of the philosophy that will include children, parents and educators.
- All documents will be dated and include nominated review dates.

## CODE OF CONDUCT

The standards of behaviour outlined in our *Code of Conduct Policy* provide guidance for all staff and educators to make personal and ethical decisions related to confidentiality, recruitment, duty of care, record keeping, professional relationships and appropriate use of resources within the service.

## CONFIDENTIALITY

All members of the Management Committee along with the Nominated Supervisor, Responsible Person, educators, and staff who gain access to confidential information, whether in the course of their work or otherwise, shall not disclose information to anyone unless the disclosure of such information is required by law and will respect the confidentiality of all documents and meetings that occur. Child Information Sharing may be mandated to promote children's wellbeing and safety under state/territory legislation.

This also includes:

- using information acquired for their personal or financial benefit, or for the benefit of any other person
- permitting any unauthorised person to inspect or have access to any confidential documents or other information
- any information received or transmitted via mobile telephone (including text/SMS) or any other electronic device (e.g., email) shall be treated with the same confidentiality as any other written form of communication and must be stored confidentially.

## ETHICAL DECISION-MAKING

Our OSHC Service will make decisions which are consistent with our policies and procedures and that work in conjunction with the Education and Care Services National Law and National Regulations, our approved learning framework (MTOP), and the ethical standards within the ECA Code of Ethics.

## REVIEW AND EVALUATION OF THE SERVICE

- Ongoing review and evaluation will support the continuing development of the Service. We will ensure that the evaluation involves all stakeholders.
- The development of a Quality Improvement Plan (QIP) will form part of the reflection procedure. Reflection on what works within the Service and what needs additional development will be included in the QIP.

## MAINTENANCE OF RECORDS

- The OSHC Service will adhere to record keeping requirements outlined in the National Regulations (177).
- The OSHC Service will adhere to the storage of confidential records outlined in the National Regulations (181-184)
- The OSHC Service has a responsibility to keep sufficient records about staff, families, and children in order to operate dependably and lawfully
- The Service will safeguard the interests of all children, their families, and the staff, using procedures to ensure appropriate privacy and confidentiality practices are upheld
- The approved provider assists in determining the process, storage location, and timeline for storage of records, using the National Regulations as a minimum standard
- The OSHC Service's orientation and induction processes will include the provision of significant information to managers, educators, children, and families to comply with National Regulations and Standards.
- The Approved Provider will ensure that the record retention procedure meets the requirements of the following government departments:
  - Australian Tax Office (ATO)
  - Family Assistance Office (FAO)
  - Family Assistance Law
  - National Law and Regulations

## CONTINUOUS IMPROVEMENT/REFLECTION

Our *Governance Policy* will be reviewed on an annual basis in consultation with children, families, staff, educators and management.

### CHILDCARE CENTRE DESKTOP - RELATED RESOURCES

Notification and reporting guide

### SOURCE

Australian Children’s Education & Care Quality Authority. (2014).  
 ACECQA. (2023). Policy and procedure guidelines. [Governance and Management Guidelines](#).  
 Australian Government. Department of Education. *Child Care Provider Handbook*. (2023)  
<https://www.education.gov.au/early-childhood/resources/child-care-provider-handbook>  
 Early Childhood Australia Code of Ethics. (2016).  
 Education and Care Services National Law Act 2010. (Amended 2023).  
[Education and Care Services National Regulations](#). (2011) (Amended 2023).  
 Guide to the National Quality Framework. (2017). (Amended 2023).  
 Revised National Quality Standards. (2018)  
[Western Australian Education and Care Services National Regulations](#)  
*Work Health and Safety Act 2011 (Cth)*

### REVIEW

POLICY REVIEWED BY	Tina Chappell	Coordinator	November 2023
POLICY REVIEWED	JUNE/NOVEMBER 2023	NEXT REVIEW DATE	NOVEMBER 2024
VERSION NUMBER	V7.11.23		
MODIFICATIONS	<p>NOVEMBER</p> <ul style="list-style-type: none"> <li>annual policy review</li> <li>New regulation added re: notification to Reg. Authority</li> <li>Child Care Centre Desktop resources added</li> </ul> <p>JUNE</p> <ul style="list-style-type: none"> <li>policy reviewed to included clearer definitions of Persons with Management or control</li> <li>added Family Assistance Law legislation</li> </ul>		
POLICY REVIEWED	PREVIOUS MODIFICATIONS	NEXT REVIEW DATE	
NOVEMBER 2022	<ul style="list-style-type: none"> <li>Annual policy maintenance</li> <li>Additional information added regarding Regulation 31/56/185</li> <li>minor formatting edits within text</li> <li>hyperlinks checked and repaired as required</li> </ul>	NOVEMBER 2023	



	<ul style="list-style-type: none"> <li>• continuous improvement/reflection section added</li> <li>• link to Western Australian Education and Care Services National Regulations added in 'Sources'</li> </ul>	
NOVEMBER 2021	<ul style="list-style-type: none"> <li>• Additional law/regulations added- ACECQA Guidelines to Policy and Procedure document (August 2021)</li> <li>• Related policies added</li> <li>• Further roles/responsibilities for Approved Provider included</li> <li>• Sources checked for currency</li> </ul>	NOVEMBER 2022
NOVEMBER 2020	<ul style="list-style-type: none"> <li>• fit and proper person checks added</li> <li>• record keeping information added</li> <li>• sources checked for currency</li> </ul>	NOVEMBER 2021
NOVEMBER 2019	New policy draft	NOVEMBER 2020

**Item 4.7 Withdrawal of a Child Policy**

**EXECUTIVE SUMMARY**

To enable our Out of School Hours Care (OSHC) Service fill positions and maintain utilisation, families are required to provide notice when withdrawing their child from After School Care provided by our Service.

This Policy is due to be reviewed.

**OFFICER'S RECOMMENDATION**

*That Council: adopt the Withdrawal of a Child Policy as presented.*

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**Budget & Resource Implications**

N/A

**Background**

The changes made in the Policy are coloured for Councils information.

**Consultation (Internal/External)**

Nil

**Attachments**

Attachment Q – Policy

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Report prepared by **Teena Chappell (Outside School Hours Care Coordinator)**

# WITHDRAWAL OF A CHILD POLICY

To enable our Out of School Hours Care (OSHC) Service fill positions and maintain utilisation, families are required to provide notice when withdrawing their child from After School Care provided by our Service.

## NATIONAL QUALITY STANDARD (NQS)

QUALITY AREA 7: GOVERNANCE and LEADERSHIP		
7.1	Governance	Governance supports the operations of a quality service
7.1.1	Service philosophy and purposes	A statement of philosophy guides all aspects of the service's operations.
7.1.2	Management Systems	Systems are in place to manage risk and enable the effective management and operation of a quality service.
7.1.3	Roles and Responsibilities	Roles and responsibilities are clearly defined and understood and support effective decision making and operation of the service.

EDUCATION AND CARE SERVICES NATIONAL REGULATIONS	
160	Child enrolment records to be kept by approved provider and family day care educator
168	Education and care services must have policies and procedures
177	Prescribed enrolment and other documents to be kept by approved provider
181	Confidentiality of records kept by approved provider
183	Storage of records and other documents

## RELATED LEGISLATION

Child Care Subsidy Secretary's Rules 2017	Family Law Act 1975
A New Tax System (Family Assistance) Act 1999	Child Care Subsidy Minister's Rules 2017
Family Assistance Law – Incorporating all related legislation as identified within the Child Care Provider Handbook <a href="https://www.education.gov.au/early-childhood/resources/child-care-provider-handbook">https://www.education.gov.au/early-childhood/resources/child-care-provider-handbook</a>	

## RELATED POLICIES

Acceptance and Refusal Policy Children in the Workplace Policy Enrolment Policy	Governance Policy Orientation of Families Policy Termination of Enrolment Policy
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## PURPOSE

We aim to ensure families gain a clear understanding of the Out of School Hours Service's requirements when withdrawing their child from a session of care.

## SCOPE

This policy applies to children, families, staff, the approved provider, nominated supervisor, management and visitors of the OSHC Service.

## IMPLEMENTATION

Families are to be made aware during the enrolment and orientation process about the Service requirements should they wish to withdraw their child from a permanent placement in our Out of School Hours Care Service.

## WITHDRAWAL FROM CARE

- Families are required to provide management with **two weeks written notice** when withdrawing their child from the OSHC Service
- The letter must state:
  - the date they are writing the withdrawal notice and
  - the child's last day of attendance
- Written withdrawal notification can be emailed or handed to Management [provide email address]
- This letter will be placed into the child's file and archived once they have left the OSHC Service.
- All records related to a child's enrolment must be kept securely until the end of 3 years after the last day of the child's attendance.
- Management will add an end date into the software program to ensure compliance with the Family Assistance Office and Centrelink.
- Fees will be charged up to the end of the **two weeks** from the date at which notice was received in writing, whether or not the child has attended the OSHC during those two weeks
- A final account is to be processed by administration and noted on the withdrawal form. The final account is to be issued immediately to the family advising of the balance (payment is due or no payment due as applicable).
- A copy of the final account and withdrawal form is to be kept in child's file.

- Families must ensure the account is paid prior to final attendance.
- Annual administration fees (if applicable) are non-refundable
- If payment has not been received the debt recovery process is to start immediately.
- If the child does not attend during their **two weeks of notice**, Child Care Subsidy (CCS) will not be paid after their last day of attendance (including if the child does not attend on their last day) and full fees will be applicable (This is a policy of the Family Assistance Office in relation to Child Care Subsidy).
- If at any time during the child's enrolment it is felt that it is necessary to discuss the viability of the placement due to a concern regarding the duty of care to the child or other children in our care, the Service will immediately contact the Parent/Authorised Person/s to discuss all options. This may include the termination of the child's position (*See Termination of Enrolment Policy*).
- Casual sessions can be cancelled provided a minimum of 48 hours' notice is provided.
- Vacation Care Cancellations- This policy does not apply to Vacation Care bookings.

### CONTINUING ENROLMENT IN THE NEW YEAR

- Prior to the end of each year, families will be provided with a letter to confirm their child's continuing enrolment for the New Year.
- Failure to return this letter may result in their child not being considered for a future position.
- Families who require changes to their hours of care for school age children must indicate new times, days etc on the re-enrolment form.
- Families eligible for CCS are responsible for ensuring that all information requested by Centrelink is provided to them in order to ensure no interruption to CCS payments.

### EDUCATORS WITH CHILDREN AT THE OSHC SERVICE

Educators are welcome to enrol their child at the OSHC Service. However, if an educator is terminated from their position for any reason, the OSHC service reserves the right to terminate the child's position due to conflict of interest. (*See Children in the Workplace Policy*).

### WITHDRAWAL PRIOR TO COMMENCEMENT OF CARE

If a family has accepted the offer of a permanent placement and then decides to withdraw from the Service before the agreed commencement date, the annual administration fee remains non-refundable.

### 14 WEEK RULE

An enrolment will end for Child Care Subsidy purposes, if a child does not attend a session of care at our Service for 14 continuous weeks. This is a rule set by CCS and the Department of Education. For further information see the CCS Handbook.

### UPDATING AND ENDING ARRANGEMENTS AND ENROLMENT

Enrolment notices must be updated in the following circumstances:

- The family disagrees with details of an enrolment and the service agrees an update is required
- The care arrangement between the service and family changes
- The service notices information on the enrolment is incorrect
- The enrolment ends

Our Service will update the enrolment notice with our CCS Software (or PEP) with 7 days of any of the events above occurring.

### CONTINUOUS IMPROVEMENT/REFLECTION

Our *Withdrawal of a Child Policy* will be reviewed on an annual basis in consultation with children, families, staff, educators and management.

### CHILDCARE CENTRE DESKTOP - RELATED RESOURCES

Notification of Changes to Enrolment Form Family Exit Survey	Termination of Enrolment Form
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### SOURCES

Australia Children’s Education & Care Quality Authority. (2023). [Guide to the National Quality Framework](#).  
 Australian Government Department of Education (2023) Child Care Provider handbook  
<https://www.education.gov.au/child-care-package/child-care-provider-handbook>  
 Australian Government Services Australia Child Care Subsidy  
<https://www.servicesaustralia.gov.au/individuals/services/centrelink/child-care-subsidy>  
 Early Childhood Australia Code of Ethics. (2016).  
[Education and Care Services National Regulations](#). (Amended 2023).  
[Western Australian Education and Care Services National Regulations](#)

### REVIEW

POLICY REVIEWED BY	Tina Chappell	Coordinator	November 2023
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POLICY REVIEWED	NOVEMBER 2023	NEXT REVIEW DATE	NOVEMBER 2024
VERSION NUMBER	V5.11.23		
MODIFICATIONS	<ul style="list-style-type: none"> <li>policy maintenance - no major changes to policy</li> <li>added information re: 14 week rule and updating/ending arrangements and enrolment</li> <li>additional CCD Related Resources added</li> <li>sources updated</li> </ul>		
POLICY REVIEWED	PREVIOUS MODIFICATIONS	NEXT REVIEW DATE	
NOVEMBER 2022	<ul style="list-style-type: none"> <li>policy maintenance - no major changes to policy</li> <li>hyperlinks checked and repaired as required</li> <li>minor formatting edits within text</li> <li>continuous improvement/reflection section added</li> <li>link to Western Australian Education and Care Services National Regulations added in 'Sources'</li> </ul>	NOVEMBER 2023	
NOVEMBER 2021	<ul style="list-style-type: none"> <li>Updated reference to Department of Education, Skills and Employment and Family Law in policy</li> <li>Updated sources/links to DESE</li> <li>minor edits</li> </ul>	NOVEMBER 2022	
NOVEMBER 2020	<ul style="list-style-type: none"> <li>addition of Family Law legislation</li> <li>minor additions to policy re: 14-week rule</li> <li>policy reviewed and sources checked for currency</li> </ul>	NOVEMBER 2021	
NOVEMBER 2019	New policy created for Out of School Hours Care Services	NOVEMBER 2020	

**Item 6. General Business**

DATE OF NEXT MEETING

**16 January 2024**

**CONCLUSION**

Peter Bennett  
**Chief Executive Officer**