Shire of Derby / West Kimberley

AGENDA

Ordinary Council Meeting

Thursday, 8 December 2022

I hereby give notice that an Ordinary Meeting of Council will be held on:

Date: **Thursday, 8 December 2022**

Time: **5:30pm**

Location: **Council Chambers**
Clarendon Street
Derby

Amanda Dexter **Chief Executive Officer**

Our Guiding Values

We are **PROUD** of who we are and where we live.

We will create a **POSITIVE LEGACY** for our children and children's children.

We will go about our business with **INTEGRITY, TRANSPARENCY and AUTHENTICITY.**

We value and **RESPECT** what our community has to say and will strive to make things happen.

We are **PROUD** of and value the **KNOWLEDGE** of our diverse and strong people and cultures.

We value our **RELATIONSHIPS** and will work with others to achieve common goals and gain maximum impact.

We are **PROUD** of and **COMMITTED** to the responsible preservation of our unique natural environment and making sure our built environment reflects our current and future needs.

We are open for and encourage business, industry and all aspects of **COMMUNITY DEVELOPMENT**, particularly our thriving arts and cultural scene.

Disclaimer

No responsibility whatsoever is implied or accepted by the Shire of Derby/West Kimberley (Shire) for any act, omission or statement or intimation occurring during Council or Committee meetings.

The Shire disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during Council or Committee meetings. Any person or legal entity who acts or fails to act in reliance upon any statement, act or omission made in a Council or Committee meeting does so at that person's or legal entity's own risk.

In particular and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a licence, any statement or intimation of approval made by any Elected Member or officer of the Shire during the course of any meeting is not intended to be and Is not taken as notice of approval from the Shire.

The Shire warns that anyone who has any application lodged with the Shire must obtain and should only rely on written confirmation of the outcome of the application and any conditions attaching to the decision made by the Shire in respect of the application.

Notes for Members of the Public

PUBLIC QUESTION TIME

The Shire of Derby/West Kimberley extends a warm welcome to you in attending any Shire meeting. The Shire is committed to involving the public in its decision making processes whenever possible. The ability to ask questions during 'Public Question Time' is of critical importance in pursuing this public participation objective. The Shire sets aside a period of 'Public Question Time' to enable a member of the public to put questions. Questions should only relate to the business of the Shire and should not be a statement or personal opinion. Upon receipt of a question from a member of the public, the Presiding Member may either answer the question or direct it to an officer to answer, or it will be taken on notice.

Any comments made by a member of the public become a matter of public record as they are minuted by Council. Members of the public are advised that they are deemed to be held personally responsible and legally liable for any comments made by them that might be construed as defamatory or otherwise considered offensive by any other party.

MEETING FORMALITIES

Local government Council meetings are governed by legislation and regulations. During the meeting, no member of the public may interrupt the meetings proceedings or enter into conversation. Members of the public shall ensure that their mobile telephone or audible pager is not switched on or used during any Shire meeting.

Members of the public are hereby advised that the use of any electronic, visual or audio recording device or instrument to record proceedings of the meeting is not permitted without the permission of the Presiding Member.

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Notes for Elected Members

NATURE OF COUNCIL'S ROLE IN DECISION MAKING

Advocacy:	When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
Executive/Strategic:	The substantial direction setting and oversight role of the Council such as adopting plans and reports, accepting tenders, directing operations, grants, and setting and amending budgets.
Legislative:	Includes adopting local laws, town planning schemes and policies.
Administrative:	When Council administers legislation and applies the legislative regime to factual situations and circumstances that affect the rights of people. Examples include town planning applications, building licences and other decisions that may be appealable to the State Administrative Tribunal.
Review:	When Council reviews a decision made by Officers.
Information:	Includes items provided to Council for information purposed only that do not require a decision of Council (that is for 'noting').

ALTERNATIVE MOTIONS

Councillors wishing to make alternative motions to officer recommendations are requested to provide notice of such motions in written form to the Chief Executive Officer prior to the Council meeting.

DECLARATIONS OF INTERESTS

Elected Members should fill in Disclosure of Interest forms for items in which they have a financial, proximity or impartiality interest and forward these to the Presiding Member before the meeting commences. Section 5.60A of the *Local Government Act 1995 states*;

> *"a person has a financial interest in a matter if it is reasonable to expect that the matter will, if dealt with by the local government, or an employee or committee of the local government or member of the council of the local government, in a particular way, result in a financial gain, loss, benefit or detriment for the person."*

Section 5.60B states;

> *"a person has a proximity interest in a matter if the matter concerns –*
>
> *(a) a proposed change to a planning scheme affecting land that adjoins the person's land; or*
>
> *(b) a proposed change to the zoning or use of land that adjoins the person's land; or*
>
> *(c) a proposed development (as defined in section 5.63(5)) of land that adjoins the person's land."*

Regulation 34C (Impartiality) states;

"interest means an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest and includes an interest arising from kinship, friendship or membership of an association."

MEETING DATES

At its Ordinary Meeting of Council on 28 October 2021, Council adopted the following meeting dates for 2022;

Thursday	9 December 2021	5.30 pm	Council Chambers, Derby
January			Council in Recess
Thursday	24 February 2022	5.30 pm	Council Chambers, Derby
Thursday	31 March 2022	5.30 pm	Fitzroy Crossing
Thursday	28 April 2022	5.30 pm	Council Chambers, Derby
Thursday	26 May 2022	5.30 pm	Council Chambers, Derby
Thursday	30 June 2022	1:00pm	Remote Aboriginal Community (Location to be advised)
Thursday	28 July 2022	5.30 pm	Council Chambers, Derby
Thursday	25 August 2022	5.30 pm	Fitzroy Crossing
Thursday	29 September 2022	5.30 pm	Council Chambers, Derby
Thursday	27 October 2022	5.30 pm	Council Chambers, Derby
Thursday	24 November 2022	5.30 pm	Fitzroy Crossing
Thursday	8 December 2022	5.30 pm	Council Chambers, Derby

Council's Compliance and Strategic Review Committee and the Commercial Committee meet when required. Details of these meetings are advised as appropriate.

APPLICATION FOR LEAVE OF ABSENCE

In accordance with Section 2.25 of the *Local Government Act 1995*, an application for leave requires a Council resolution granting leave requested. Council may grant approval for Leave of Absence for an Elected Member for ordinary Council meetings for up to but not more than six consecutive meetings. The approval of the Minister is required for leave of absence greater than six ordinary Council meetings.

This approval must be by Council resolution and differs from the situation where an Elected Member records their apologies for the meeting. A failure to observe the requirements of the Act that relates to absence from meetings can lead to an Elected Member being disqualified should they be absent without leave for three consecutive meetings.

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1 DECLARATION OF OPENING, ANNOUNCEMENT OF VISITORS

2 ATTENDANCE VIA TELEPHONE/INSTANTANEOUS COMMUNICATIONS

In accordance with regulation 14A of the Local Government (Administration) Regulations 1996 Council must approve (by Absolute Majority) the attendance of a person, not physically present at a meeting of Council, by audio contact. The person must be in a 'suitable place' as approved (by absolute majority) by Council. A 'suitable place' means a place that is located in a townsite or other residential area and 150km or further from the place at which the meeting is to be held.

3 DISCLOSURE OF INTERESTS

Section 5.65 and 5.70 of the *Local Government Act 1995* requires an Elected Member or officer who has an interest in any matter to be discussed at a Committee/Council Meeting that will be attended by the Elected Member or officer must disclose the nature of the interest in a written notice given to the Chief Executive Officer before the meeting; or at the meeting before the matter is discussed.

An Elected Member who makes a disclosure under section 5.65 or 5.70 must not preside at the part of the meeting relating to the matter; or participate in; or be present during, any discussion or decision making procedure relating to the matter, unless allowed by the Committee/Council. If Committee/Council allow an Elected Member to speak, the extent of the interest must also be stated.

3.1 Declaration of Financial Interests

3.2 Declaration of Proximity Interests

3.3 Declaration of Impartiality Interests

4 APPLICATIONS FOR LEAVE OF ABSENCE

5 RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

6 PUBLIC TIME

6.1 Public Question Time

6.2 Public Statements

7 PETITIONS, DEPUTATIONS, PRESENTATIONS AND SUBMISSIONS

8 ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION

9 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

RECOMMENDATION

That the Minutes of the Ordinary Meeting of the Shire of Derby/West Kimberley held at the

Fitzroy Crossing, on 24 November 2022 be CONFIRMED.

10 RECOMMENDATIONS AND REPORTS OF COMMITTEES

Nil

REPORTS

11 EXECUTIVE SERVICES

Nil

12 CORPORATE SERVICES

12.1 WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION BEST PRACTICE GOVERNANCE REVIEW

File Number: **4209**

Author: **Jamie Bone, Senior Governance Officer**

Responsible Officer: **Amanda Dexter, Chief Executive Officer**

Authority/Discretion: **Administrative**

SUMMARY

The Western Australian Local Government Association (WALGA) is in the process of undertaking a Best Practice Governance Review (BPGR) to ensure its governance model is contemporary, agile and maximises engagement with their members.

A significant amount of work has been completed by WALGA, and subsequently summarised in the 'BPGR Background Paper' (Attachment 1), all of which has been undertaken by the Projects Steering Committee.

As a result of the work undertaken, five governance model options have been designed and consequently outlined in a consultation paper which has been distributed by WALGA and attached to this report, titled 'BPGR Consultation Paper – Model Options'.

WALGA has requested the five governance model options are reviewed, considered and assessed by its members, after which they are to provide feedback in the form of a Council decision, on the governance model options presented.

This report recommends that WALGA Governance Model Option Number 5 (vis. current model/no change) will be the most suitable option, providing the best overall suitability for the Shire of Derby West Kimberley through their ongoing relationship with WALGA.

DISCLOSURE OF ANY INTEREST

Nil

BACKGROUND

The Western Australian Local Government Association (WALGA) developed its Corporate Strategy 2020-25, and in doing so identified a key strategic priority, being to undertake a Best Practice Governance Review (BPGR). The objective of the review is to ensure WALGA's governance and engagement models are contemporary, agile, and maximise engagement with members. Other drivers for the review included:

- Misalignment between key governance documents; Constitution, Corporate Governance Charter, State Council Code of Conduct, and Standing Orders – stemming from varying amendments;
- State Council's 3 September 2021 resolution requesting amendment to the Constitution to "deal with matters related to State Councillors' Candidature for state and Federal elections";
- Proposed legislative reforms to remove WALGA from being constituted under the Local Government Act 1995 (WA); and

- Constitutional requirements for WALGA to become a registered organisation under Industrial Relations Act 1979 (WA), which would enable WALGA to make applications in its own right to the Western Australian Industrial Relations Commission.

In March 2022, State Council commissioned the BPGR and established a Steering Committee to guide the review.

The BPGR Steering Committee had its first meeting on 5 May 2022. There was wide-ranging discussion on WALGA's current governance model, the need to engage broadly with the membership, and opportunities for change.

Through the course of the project undertaken by the BPGR Steering Committee to develop the governance model options for presentation to their membership, the following actions were undertaken:

- **Jurisdictional Analysis** – BPGR Steering Committee conducted assessments against WALGAs equivalent jurisdictional associations, creating an understanding of their governance arrangements in comparison to WALGA. WALGA's assessment of the associations focused on providing insights into the size of their boards, method of election of President, and method of election of Board Members.
- **Comparator Organisations** – BPGR Steering Committee compared WALGA's governance arrangements to five comparator organisations. This comparison provided key insights into the size, election process and recent governance changes of the five chosen comparator organisations.
- **Governance Model Principles** – BPGR Steering Committee developed governance model principles, which provide a structure for understanding how the current governance model of WALGA, and any future governance model will align to these principles.

The work undertaken by the BPGR Steering Committee has led to the development of five governance model options for consideration by Council. The five options are identified in the 'BPGR Consultation Paper – Model Options' (attached), where an officer assessment is provided for Council's information.

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

GOAL	OUR PRIORITIES	WE WILL
1. Leadership and Governance	1.1 Collaboration and partnership	1.1.3 Maximise regional opportunities that benefit our community

RISK MANAGEMENT CONSIDERATIONS

RISK	LIKELIHOOD	CONSEQUENCE	RISK ANALYSIS	MITIGATION
Reputation: Council fail to provide a response to WALGA as requested	Unlikely	Minor	Low	Council feedback to be provided through this reporting process and subsequent resolution
Organisation's Operations: Council fail to provide a response to WALGA, therefore not having a footprint in the decision making process of selecting WALGA's new governance model, and which may then have impact across a number of operational matters for the Shire in the future.	Unlikely	Minor	Low	Council feedback to be provided through this reporting process and subsequent resolution

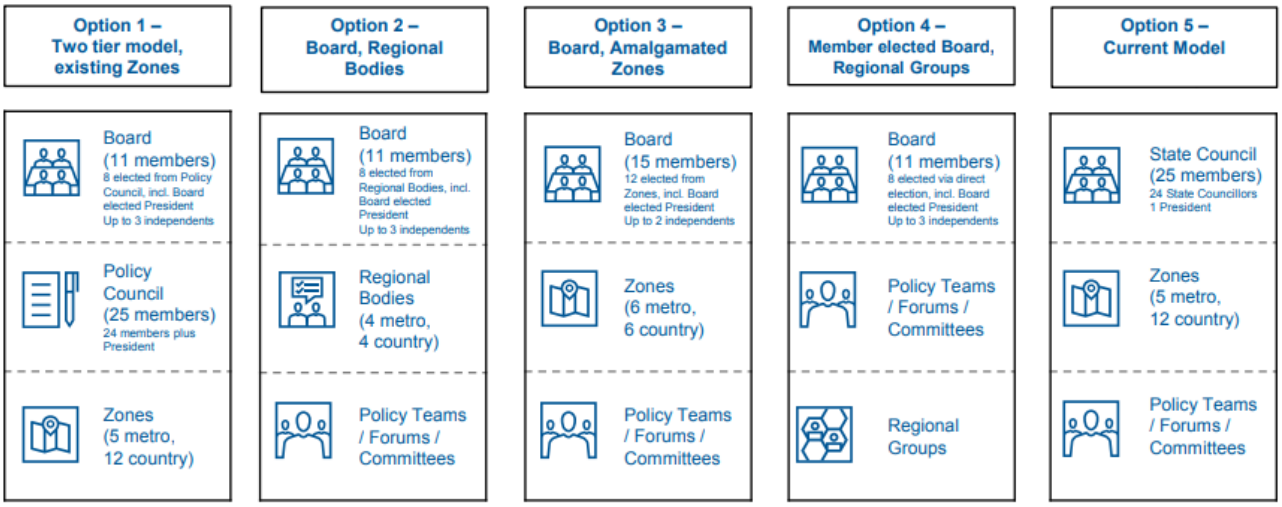
CONSULTATION

No further consultation outside of Council feedback is required and/or requested by WALGA for consideration.

COMMENT

WALGA's BPGR Steering Committee has produced five governance model options for consideration by the Councils of its member local governments, requesting feedback in the form of a council decision.

The five options are detailed in the attached 'BPGR Consultation Paper – Model Options', and can be summarised as follows:



An officer assessment has been undertaken, taking into consideration how each of the five options may impact the Shire of Derby/West Kimberley. The below table outlines the results of that assessment:

Be

Option	*Assessment*			
	Best Capacity for WALGA to understand the unique nature of SDWK and Kimberley?	**Best capacity to represent and prosecute issues relevant to SDWK?**	**Best capacity for SDWK/Kimberley to directly engage with WALGA(at a Strategic/Board Level)**	**Best overall value based on a state-wide view of how WALGA could best operate.**
Option 1 - Two tier model, existing Zones		Less direct regional representation	Less capacity to influence the Board	
Option 2 - Borad, Regional Bodies	Less direct regional representation	Much less direct regional representation	Much less capacity to gain Board membership	
Option 3 - Board, Amalgamated Zones		Less direct regional representation	Less capacity to gain board membership	
Option 4 - Member elected Board, Regional Groups	Much less direct regional representation	Much less direct regional representation	Much less capacity to gain board membership	
Option 5 - Current Model				

Table
Preferred
Less Preferred
Not Preferred

It is the officer's opinion that no single one of the governance model options provide the best overall capability. Taking into primary consideration what is the best outcome for the Shire of Derby/West Kimberley, it is thought that the current governance model WALGA have in place (vis. Option 5) is the superior option. With this in mind, it should be noted this current governance model is unwieldy and inefficient at its Board level. It is also dated, and therefor should be considered for review when you look at that model from a WALGA and a whole of state perspective.

Whilst Council should not hesitate to remain with the current option if it believes this will be the best fit for the Shire of Derby/West Kimberley, similarly, it might conclude that a change, if only to "try something different", should not be discounted entirely either.

Should Council consider an option away from the current governance model in place, it is the opinion of the officers that Option 1 is worth considering. This is based on the following:

- it retains the zones that are already in place, so that direct input and the opportunity to meet with regional peers is maintained;
- it introduces a *Policy Council* that provides a research capacity and advocacy for input into the Board; and
- it brings in a smaller more workable Board that includes independent members.

Regardless, Council are encouraged to review the material supplied by WALGA (attached), and select any option which will provide the best overall value in their opinion for the Shire of Derby/West Kimberley and its community.

VOTING REQUIREMENT

Simple majority

ATTACHMENTS

1. **WALGA Best Practice Governance Review - Background Paper**
2. **WALGA Best Practice Governance Review Consultation Paper - Model Options**

RECOMMENDATION

That Council advise the Western Australian Local Government Association that its preference for the new WALGA Governance Model is Option 5 (Current system), as it believes the existing structure provides the best representation model for the Kimberley.

Best Practice Governance Review

Background Paper

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NALGA

Best Practice Governance Review

1. Background, Approach and Timeline

Background and Approach

Background and approach that led to the development of the governance principles for the Best Practice Governance Review.

Background

The Western Australian Local Government Association (WALGA) developed it's Corporate Strategy 2020-25, and in doing so identified a key strategic priority, to undertake a Best Practice Governance Review. The objective of the review is to ensure WALGA's governance and engagement models are contemporary, agile, and maximise engagement with members. Other drivers for the review included:

- Misalignment between key governance documents; Constitution, Corporate Governance Charter, State Council Code of Conduct, and Standing Orders – stemming from varying amendments.
- State Council's 3 September 2021 resolution requesting amendment to the Constitution to "*deal with matters related to State Councillors' Candidature for State and Federal elections*".
- Proposed legislative reforms to remove WALGA from being constituted under the *Local Government Act 1995* (WA).
- Constitutional requirements for WALGA to become a registered organisation under the *Industrial Relations Act 1979* (WA), which would enable WALGA to make applications in its own right to the Western Australian Industrial Relations Commission

In March 2022 State Council commissioned the Best Practice Governance Review (BPGR) and established a Steering Committee to guide the Review.

The BPGR Steering Committee had its first meeting on 5 May 2022. There was wide-ranging discussion on WALGA's current governance model, the need to engage broadly with the membership, and opportunities for change. At the meeting, five comparator organisations were identified to be used in a governance model comparative analysis. Steering Committee meetings 2 to 5 had a focus on the development of governance model principles.

This document

This document presents the key insights from the jurisdictional and comparator organisation analysis that supported the development of the governance principles. The final section presents the endorsed governance principles.

Jurisdictional Analysis – This section compares WALGA to equivalent jurisdictional associations (e.g. LGASA). This provides key insights into the size and election processes of WALGA compared to equivalent associations.

Comparator Organisations – This section compares WALGA's governance arrangements to five comparator organisations that were agreed a the BGPR Steering Committee meeting 1. This provides key insights into the size, election processes and recent governance changes of these five comparator organisations.

Governance Model Principles – The governance model principles were developed through BPGR Steering Committee meetings 2 to 5. This provides a structure for understanding how the current governance model of WALGA and any future governance model aligns to these principles.

The following slide outlines the timeline of key events and meetings that formed part of the BPGR.

WALGA

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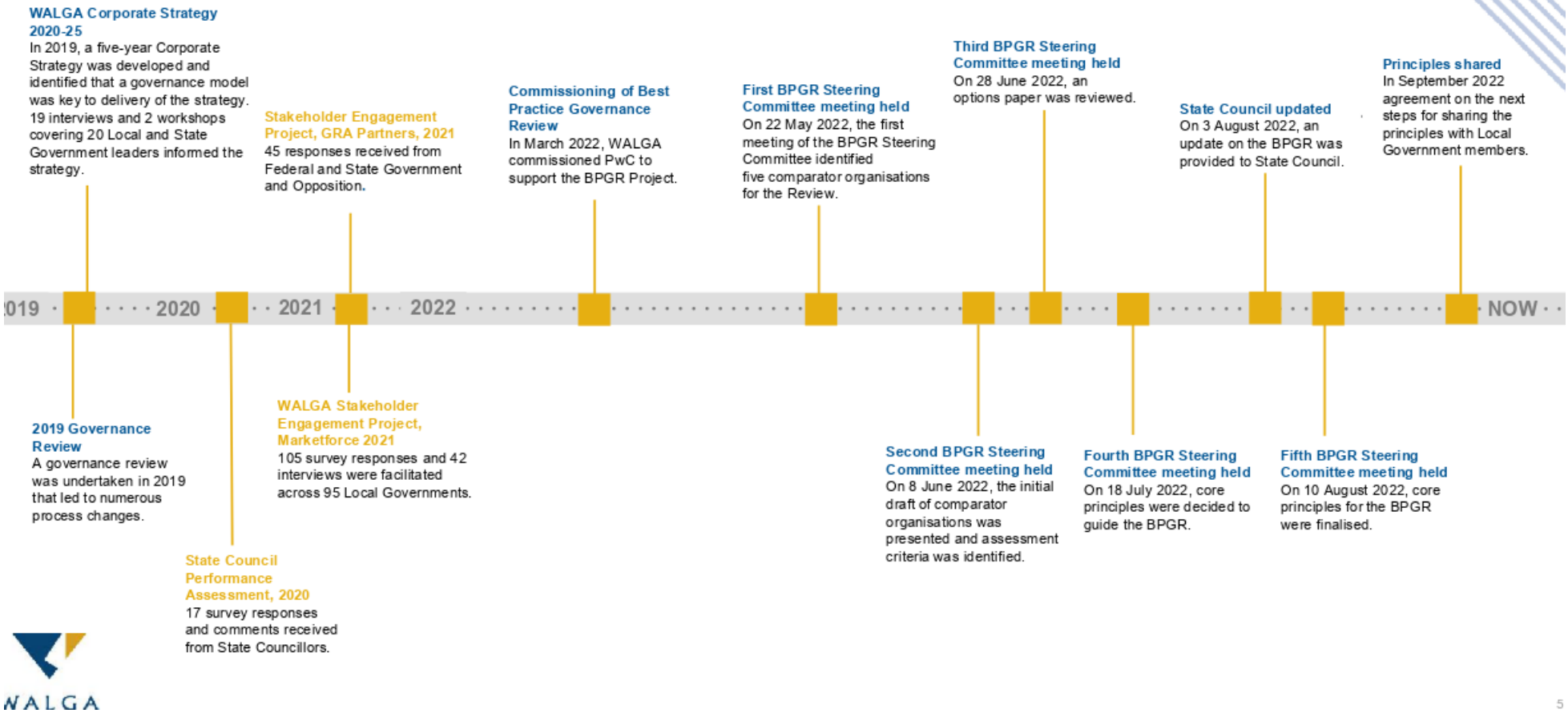
Timeline

Timeline of key events with a focus on the BPGR Steering Committee meetings throughout May to August 2022



Best Practice Governance Review

2. Jurisdictional Analysis

Analysis: Jurisdictional equivalents to WALGA

Jurisdictional equivalents of WALGA have been analysed according to their size and election methods.

Background

Prior to the BPGR Project commencing in March 2022, work was undertaken to understand governance arrangements in other jurisdictions. The focus of this work was on associations from other Australian states, as well as New Zealand.

The full list of associations are:

- Local Government NSW (LGNSW)
- Municipal Association Victoria (MAV)
- Local Government Association of Tasmania (LGAT)
- Local Government Association of South Australia (LGASA)
- Local Government Association of Queensland (LGAQ)
- Local Government Association of Northern Territory (LGANT)
- Local Government Association of New Zealand (LGNZ)

The assessment of these associations focused on providing insights into the following domains:

- **Size of Board:** How many board members are there in comparison to the 25 WALGA board members?
- **Method of Election of President:** How is the President elected to the board?
- **Method of Election of Board Members:** How are board members elected?

Key Insights

Key insights following the comparison of WALGA to equivalent associations are outlined below:

- **Size of Board** – while WALGA's board (State Council) contains the largest number of representatives, it can be seen that boards of Local Government Associations tend to be relatively large. The average board size (using Queensland's policy executive, not board) is 15.4.
- **Method of Election of President** – WALGA is an outlier: all other Presidents are elected directly by the membership. Perhaps this is a reflection of the prevalence of Council elected Mayors and Presidents in WA.
- **Method of Election of Board Members** – The majority of associations use regional groupings (equivalent to our Zones) to elect board members. The New Zealand hybrid model of electing representatives from geographic zones and sector groups (metro, provincial, rural, regional) is of interest.

The following slide presents this information for each of the seven associations.

WALGA

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Summary: Jurisdictional equivalents to WALGA

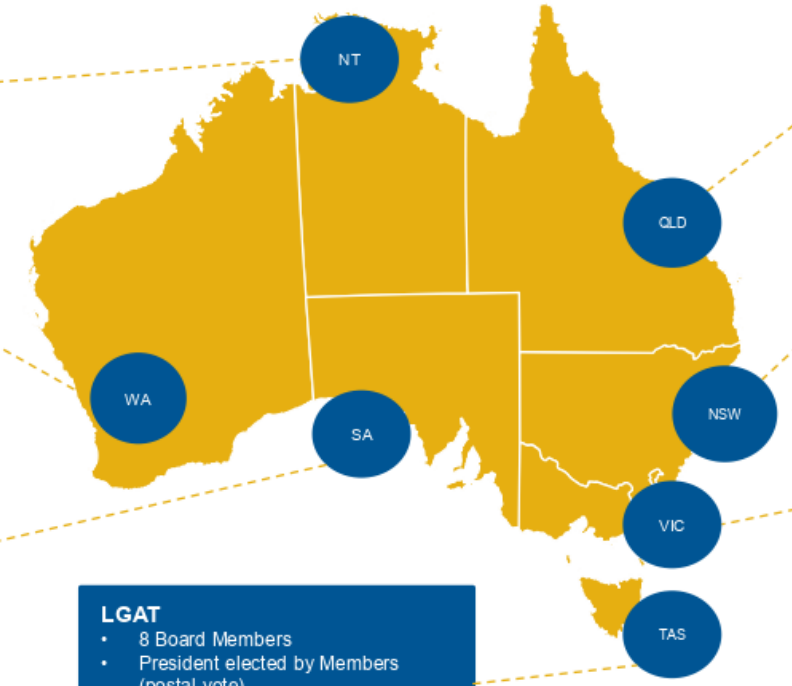
Summary of jurisdictional analysis of WALGA equivalents in relation to their Board membership, election methods and number of Local Governments.

LGANT
- 9 Board Members
- President elected by Members (AGM)
- Board Members elected by Members
- 22 Local Governments

WALGA
- 25 Board Members
- President elected by the Board
- Board Members elected by Zones
- 139 Local Governments

LGASA
- 10 Board Members
- President elected by Members (postal vote)
- Board Members elected by Regional Organisations
- 74 Local Governments

LGAT
- 8 Board Members
- President elected by Members (postal vote)
- Board Members elected by Zone equivalent
- 29 Local Governments



LGAQ
- 4 Board Members / 16 Policy Executive
- President elected by Members (AGM)
- Board Members elected by and from Policy Executive
- Policy Executive elected by Zone equivalent
- 78 Local Governments

LGNSW
- 19 Board Members
- President elected by Members (AGM)
- Board Members elected by Members
- 128 Local Governments

MAV
- 13 Board Members
- President elected by Members (AGM)
- Board Members elected by Zone equivalent
- 89 Local Governments

LGNZ
- 18 Board Members
- President elected by Members (AGM)
- Board Members elected by Zones and Sector Groups
- 78 Local Governments

WALGA

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Best Practice Governance Review

3. Comparator Organisations

Comparator organisations

Comparison of WALGA's governance model to the governance models of five comparator organisations.

Background

The BPGR Steering Committee had its first meeting on the 5 May 2022. There was wide-ranging discussion on WALGA's current governance model, the need to engage broadly with the membership, and opportunities for change.

At the meeting, five comparator organisations were identified to be used in a governance model comparative analysis. The organisations were selected on the basis of their similarity to WALGA as WA member-based peak industry organisations.

The selected organisations were: Australian Medical Association (AMA) WA, Chamber of Commerce and Industry (CCI) WA, Chamber of Minerals and Energy (CME), Australian Hotels Association (AHA) WA and Pharmacy Guild (PG) WA Branch.

Process

WALGA supplied a range of background documents to assist in undertaking the initial desktop comparison. This included the Constitution, Corporate Governance Charter, Corporate Strategy 2020-2025, Standing Orders, Elected Member Prospectus, Flow Chart – WALGA Zone and State Council Process, Final Report – State Councils and Zone Structure and Process Working Group.

The documentation used for the comparator organisations were typically the:

- Constitution – which serves as the instrument for establishment of the association;
- Annual reports – which contains information about an association's performance over a 12-month period; and
- Organisational website – which may outline the structure and current composition of the board, council and the leadership team of the organisations.

Interviews were successfully arranged with three of the five organisations. They were AMA WA, CCI WA and CME WA. The document analysis and interviews provided insights into the size, election methods and recent changes within these organisations.

Key insights

Key insights through the comparison of WALGA to the five comparator organisations are outlined below:

- **Size of Board** – WALGA's board (State Council) was larger than all other comparator organisation's boards.
- **Election methods** – election methods varied across the comparator organisations but many involved election through the membership.
- **Change** – three of the five organisations had recently undergone changes or reviews of their governance structures. There were a range of drivers for this change including: to increase the decision making ability of the board; to use specific working groups to focus on specific topics of interest and to increase representativeness of specific groups (e.g. Aboriginal and Torres Strait Islanders).

The following slide presents summary information on the size and election methods of the five comparator organisations. This is then followed by more detailed background into each organisation, their governance structure and any outcomes from conversations with these organisations.

WALGA

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Summary: Governance structure analysis

WALGA's governance structure was analysed in comparison to five comparator organisations

Organisational Comparisons	Number of Board Members	President Elected by	Board Members elected by
WA Local Government Association (WALGA)	25	The Board	Zones
Australian Medical Association (AMA)	9	AMA WA Members	Members of the Association
Chamber of Commerce and Industry WA (CCIWA)	7 to 10	The Board	• Up to 12 elected by Members • Up to 8 appointed by the Board • Up to 8 appointed by the Council
Chamber of Minerals and Energy (CME)	6 to 11	Ordinary Members	Executive Councillors
Australian Hotels Association (AHA) WA	17	The Branch Committee of Management	The Branch Committee of Management
Pharmacy Guild (PG) – WA branch	16 to 22	The Branch	Financial Members from the same region as the Branch

Note: The Council, Branch, or Board chosen from the organisations above were chosen for how appropriate their structure is as a comparison to the WALGA State Council.

WALGA

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Organisational Analysis: Australian Medical Association (AMA) WA

With over 5,000 members, the AMA (WA) is the largest independent professional organisation for medical practitioners and medical students in the State. Total revenue and other income for AMA nationally in 2020 was reported as $21,928,000.

Organisational Information

The AMA (WA) Board was created in 2017 and is comprised of the President, Immediate Past President, two Vice Presidents and five members of Council who are elected to sit on the Board (9 in total).

The AMA (WA) Council consists of four office bearers (President, Immediate Past President, two Vice Presidents). Additionally, there are the Specialty Group Representatives (e.g. General practice, surgery); Practice Group Representatives (e.g. rural doctors, public hospital doctors); Ordinary Council Members; and, Co-opted Council Members. Majority of the representatives and members represent their specialty (e.g. anesthetics) or group of representative (e.g. medical student society).

The AMA Federal Council meets quarterly and is the AMA's main policy-making body. It is a forum to identify and debate emerging issues of relevance to the membership. The Federal Council's primary role is to: Form the policy of the AMA; Propose changes to existing policy; and Elect representatives to roles and committees. There is one State and one Area nominee from WA on the Federal Council.

The Leadership team consists of seven staff. CEO, CFO, COO, General Manager Training and Recruitment, Operations Manager, General Manager Financial Services and an HR manager.

Governance Structure*

The Board comprises of approximately 9 members.

The Board focuses on governance, managing the Association's conduct and business, and ensuring conformity with the constitution.

The Board may increase or decrease the number of Advisory Council members as needed. However, it currently has 4 members.

The General Council focuses on advocacy, policy making, and representation of the association.

The Board and Council is also supported by Specialty Group Representatives, Practice Group Representatives, Ordinary Council Members, and Co-Opted Council Members.

Outcomes of Organisation Discussion

- **Governance Review:** The 2020 annual report mentions that an organisation-wide review was undertaken with the transformation in the process of being implemented until March 2020 (COVID).
- **Representation:** It is more important to restrict the number of Board members than Councillors. Board members are involved in making policy and governance decisions, requiring a greater decision-making capability; Councillors are more involved in stakeholder engagement and solving specific issues through working groups, therefore Council size has less impact to efficiency and effectiveness of the model.
- **Engagement:** The president is the spokesperson when it comes to policy issues. Councillors represent the views of Specialty Groups, Practice Groups, and the medical profession as a whole.
- **Feedback on the current model:** Board members have previously taken the role because they are passionate, but do not necessarily have the right expertise, resulting in poor governance. Board members who have leadership and governance experience have proven to be effective in the updated model. The Board would benefit from an independent audit partner and increased diversity in specialty, a simplified purpose of the Board and Council Advisory, and a reduced number of meetings each year.

**The AMA WA Constitution does not specify the number of Board or Council members. Member numbers are indicative and have been taken from the current Board & Council.*

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Organisational Analysis: Chamber of Commerce and Industry (CCI) WA

CCIWA is a not-for-profit member organisation providing information, professional services and support for businesses in Western Australia, with over 2,000 WA members. Total revenue and other income for 2021 was reported as $34,270,130.

Organisational Information

The CCIWA operates as a company limited by guarantee. This came into effect on 11 January 2019. The change in status means that CCIWA is now incorporated under the *Corporations Act 2001* (Cth) rather than the State legislation covering incorporated associations.

Based on the constitution, the number of board members can be between 9-12 (including President & Vice President). The current board has only 6 members including the President and Vice President.

There is a General Council. The constitution states that Councillors can be up to certain numbers depending on who they were elected by. The resulting effect is a council that does not have consistent numbers of members and does not need to fill all positions. This is unlike WALGA's governance model where representatives are elected by zones.

The Board is responsible for the sound governance of the organisation, whereas the General Council provides input to the organisations policy; provides advice to the Board; acts as a point of interface; elects and appoints Council Elected Directors; and passes resolutions relating to specific handling of assets and raising and borrowing funds.

Governance Structure

The Board comprises of 9 – 12 members.

The Board focuses on strategic priorities, financial performance and compliance issues.

The General Council consists of up to 28 Councillors.

The General Council focuses on developing and being spokespersons on public policy frameworks and positions.

The governance structure is supported by bespoke working groups, formed from Councillors as relevant for specific strategic and policy issues.

Outcomes of Organisation Discussion

- **Governance Review:** CCIWA conducted a review of their 2018 Constitution, resulting in changes contained in the 2021 Constitution, including: The governance model was revised to increase the decision-making capability of the board; The structure of the General Council was determined to be too generic causing low Councillor attendance. After the review, Councillors were split into bespoke working groups for specific policy issues for the upcoming 12-month period. This resulted in higher councillor attendance, than the previous governance model.
- **Representation:** In the new revision of the constitution, two new types of Councillors were included to increase representation for their respective groups. Future Leader Councillors, from members of University business schools; and First Nations Business Councillors, elected from First Nations Members.
- **Feedback on the current model:** In the current governance model, when a board member leaves, a temporary team member is appointed since board members can only be elected in general meetings.

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Organisational Analysis: The Chamber of Minerals and Energy (CME) WA

CME WA is the peak resources sector representative body in Western Australia whose member companies generate 95% of all mineral and energy production and employ 80% of the sector's workforce in the State.

Organisational Information

The Corporate Governance Charter (Charter) provides guidance on the respective roles, responsibilities and authorities of members of the Executive Council (Executive Councillors) and members of the Advisory Board (Advisory Board Members) in setting the direction, management and control.

The number of Vice Presidents is determined by the Executive Council, the constitution contains no limit on the number of Vice Presidents and so the number of Vice Presidents is excluded from the diagram to the right.

Executive Councillors are elected by Ordinary Members, and there can be no less than 10.

The Role of the Advisory Board is to act as a traditional board providing strategic oversight on behalf of the Chamber. Key interface with the Executive Management Team on organisational matters, including strategy, operating accounts, governance and risk.

Governance Structure

Advisory Board comprises of 5-10 members.	The Advisory Board provides strategic oversight and acts as the key interface with the Executive Management team on strategy, operating accounts, governance and risk.
Executive Council (10+ members).	The Executive Council most senior interface to guide and prioritise the agenda of the Chamber and its respective committees and holds final decision-making authority re: annual financial reports/statements.

The governance structure is supported by committees including bespoke working groups, appointed by Executive Council as relevant for specific strategic and policy issues.

Outcomes of Organisation Discussion

- **Governance Review:** CME recently engaged in a governance review. In April 2020, CME put in place a governance charter. This codified processed and structures, clarified lines of accountability and included a director's code of conduct.
- **Representation:** Members who express an interest, get a seat at the table for the Executive Council. There are approximately 60 ordinary members with 16-20 regularly attending council meetings. This group is intended to provide a litmus check that the broader membership needs are being met.
- **Engagement:** Although the board is strongly engaged in the work and responsibilities it holds, there is the varying engagement of the executive council – this is broadly because due to the large array of issues it covers – the organisation would love to see stronger engagement in this area.
- **Feedback on the current model:** Based on the age of the organisation, the current pyramid structure works. This is successful largely due to the governance charter which provides clarity in role and structure for the organisation.

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Organisational Analysis: Australian Hotels Association (WA)

The Australian Hotels Association (AHA) represents more than 5,000 members across Australia serviced by a network of branches based in every state and territory, plus a Canberra-based National Office. Total revenue and other income for AMA nationally in 2020 was reported as $2,257,963.

Organisational Information

AHA was founded in 1892 and now represents more than 80% of the Western Australian hotel and hospitality industry.

The organisation has a branch in each state and territory, including a division in each branch known as the National Accommodation Hotels Division. The organisation and each of its branches have their own set of rules by which they are governed. However, ultimate authority is deferred to the National Board of the organisation.

All issues and opportunities are addressed by The Branch Committee of Management (The Branch). Consisting of six ordinary members, elected by members of the branch, and the president from each of the Territorial and Non-Territorial Divisions of the Branch. This includes a President, Senior Vice President, Vice President, Treasurer, Accommodation President and Country Representative. The President, Senior Vice President (SVP) and Vice President (VP) are elected by The Branch.

AHA developed a subsidiary known as 'Tourism Accommodation Australia (TAA)'. TAA publicly represents and lobbies specifically for accommodation hotels separately from the AHA's general hospitality members. However, membership to both AHA and TAA is granted to accommodation properties. There are 11 Divisional Presidents – 7 represent different Areas/Regions and 4 represent different membership groups.

Governance Structure*

Branch Committee of Management has 6 Ordinary members & the president of each Territory/Non-Territory Division (11).

Focuses on staff remuneration/conditions, branch transactions, disbursements, funds and resolves delegated Commonwealth industrial disputes.

There is no council or other governing entity to provide support to the Branch Committee of Management.

Relevance to WALGA BPGR

AHA was contacted to schedule an interview; however, there was no response following multiple requests. The following insights have been made by research on their publicly available governance information and documentation.

- **Composition:** Similar to WALGA's State Council, the AHA Governance structure only has one governing entity, The Branch Committee of Management. The number of branch members (17) is smaller than WALGA (25).
- **Responsibilities:** The AHA Branch Committee of Management is responsible for financial activities; however, the Rules document does not mention that they are responsible for activities that other comparator organisations governing entities are, such as policy creation or ensuring compliance.
- **Lack of compliance with constitution:** The Rules of the AHA WA Branch document acts as the Association's constitution. However, there are many conflicts between the governance structure in the Branch Rules document, and the governance structure depicted on AHA WA's website. For example, in the document the supreme governing body of the Branch is the Branch Committee of Management, whereas on the website it is the Executive Management team. Additionally, there is no mention of a board in the Rules document, but there is a Board of Management on the website.

**The governance structure has been taken from the Rules of the AHA WA Branch document instead of the current governance structure depicted on the website, due to conflicting information.*

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Organisational Analysis: Pharmacy Guild (WA Branch Focus)

Pharmacy Guild supports over 5,800 pharmacies across Australia. It is broken up into Territory Branches with more than 600 pharmacies as members in WA (est. 2017).

Organisational Information

The Pharmacy Guild's WA Branch's Annual Report can only be viewed by Members of the Organisation.

The Branch consists of the Branch Executive, and the Branch Committee. Where the Branch Executive consists of the Branch President, Branch Vice President(s) and the National Councillor(s). Additionally, in the Branch Executive, the position of Branch President and Vice President can also be held by a National Councillor, resulting in different numbers of Branch Executives between states.

The National council has the power to determine and direct policy, settle disputes, control the national fund, appoint an auditor and other activities relating to being the supreme governing entity.

The constitution does not specify who exactly elects the Branch President, or the Branch Vice Presidents, only that they are elected from the Branch. Whereas Branch Committee Members are elected by financial members in that region.

The Branch and the National Council shall appoint their own auditor. Resulting in potential conflicts of interest, as hypothetically the Branch and the National Council can appoint an auditor who audits in their favour.

Governance Structure*

Branch Executive consists of 2 – 6 Executive Members.

All powers and functions of the Branch Committee between meetings of the Branch Committee.

Branch Committee consists of 7 - 14 committee members (excluding the Branch executive).

Control the Branch fund, decide the agenda for and attend special meetings.

There is only one governing entity in WA for Pharmacy Guild, however the WA Branch consists of National Councillors, from the National Council which is the supreme governing body for the Pharmacy Guild. However, the Branch Committee can create subcommittees to carry out particular functions.

Relevance to WALGA BPGR

Pharmacy Guild WA was contacted to schedule an interview; however, they responded that they do not have time to discuss their governance model. The following insights have been made by research on their publicly available governance information and documentation.

- **Representation:** The interests of members are represented by the Branch Committee Members who are elected by the financial members of the same regions. Additionally, the interests of the National Council are represented in Branches by the National Councillors appointed in each Branch.
- **Composition:** The governance structure of the Branches of the Pharmacy Guild is adaptable to the needs of the Branch. Since the Branch Committee members can decide the number of Committee members needed in their branch, they can do so based on the needs of the Branch at any point in time, making the composition and size of the Branch adaptable to emerging needs. Also, the creation of additional branches and amalgamations of current branches is up to the decision of the National Council, enabling the National Council to alter the composition of the governance model nation-wide as needed. Branches can also create subcommittees as needed.

Since the number of members in governance entities is mentioned in the Constitution, the numbers have been estimated based on the current membership as per the Guild's website.

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Best Practice Governance Review

4. Governance Principles

Development of Governance Principles

BPGR Steering Committee (SC) meetings and how they lead to the development of the proposed governance principles.

BPGR Steering Committee meetings

The BPGR Steering Committee (SC) was established by State Council to guide the review. SC Meetings 2 through to 5 acted as key inputs into the development of the Governance Model principles. The focus of SC Meetings two through to five led to the development of the governance principles.

SC Meeting 2 - On 8 June 2022, the initial draft of the comparator organisations and their governance structures was presented. The SC identified four assessment criteria for the purposes of assessing potential governance models. The assessment criteria were: (1) representation, (2) efficiency, (3) contemporary, and (4) sustainable. An Options Paper was then developed, using the assessment criteria against two governance model options.

SC Meeting 3 - On 28 June 2022, a discussion of the DRAFT Options Paper took place. The SC decided that a workshop was required to take a step back and develop the core governance principles (rather than assessment criteria) that needed to underpin any future governance model for WALGA.

SC Meeting 4 - On 18 July 2022, the SC discussed the principles and identified four principles that should guide WALGA's governance. They were Representative, Responsive, Results Oriented and Renewal. Renewal was the principle that some SC members deemed as optional and is not included as a separate principle. Some elements of renewal are incorporated into the other three principles.

SC Meeting 5 - On 10 August 2022, the SC discussed and finalised the proposed principles. Discussion focused on the principle components and their likely governance implications. Several activities also occurred around this SC meeting. This include an update to State Council at the Information Forum on 3 August 2022, finalisation of principles on 17 August 2022 to inform AGM Item and finalisation of Agenda Item for 2022 AGM, including approval by State Council.

Key outcomes

The SC agreed on the proposed governance model principles, their component parts and the implications of these principles. Specifically:

- **Principle definition** – the definition of each of the three principles.
- **Principle component** – the key component parts of each principle.
- **Principle component description** – a description of each principle component.
- **Governance implications** – the governance implications of each of the principle components.

The following slide presents the principles, their components and a description and their governance implications.

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Endorsed Governance Principles

The principles for assessing WALGA's governance model options and governance implications

Principle	Principle component	Component description	Governance implications
Representative WALGA unites and represents the entire local government sector in WA and understands the diverse nature and needs of members, regional communities and economies.	Composition	The composition of WALGA's governance model represents Local Government members from metropolitan and country councils.	The governing body will maintain equal country and metropolitan local government representation.
	Size	An appropriate number of members/representatives oversees WALGA's governance.	Potential reduction in the size of the overarching governing body.
	Diversity	WALGA's governance reflects the diversity and experience of its Local Government members.	Potential for the introduction of a mechanism to ensure the governance model comprises an appropriate diversity of skills and experience.
	Election Process	Considers the processes by which WALGA's governance positions are elected and appointed.	Consideration of alternative election and appointment arrangements, with the President to be elected by and from the governing body.
Responsive WALGA is an agile association which acts quickly to respond to the needs of Local Government members and stakeholders.	Timely Decision Making	WALGA's governance supports timely decision making.	WALGA's governance model facilitates responsive decision making.
	Engaged Decision Making	WALGA's Local Government members are engaged in decision making processes.	WALGA's governance model facilitates clear and accessible processes for Local Government members to influence policy and advocacy with consideration to alternatives to the existing zone structure.
	Agility	Considers the flexibility of WALGA's governance to adapt to changing circumstances.	WALGA's governance model is agile and future proofed for external changes.
Results Oriented WALGA dedicates resources and efforts to secure the best outcomes for Local Government members and supports the delivery of high-quality projects, programs and services.	Focus	Considers the clarity and separation of responsibilities and accountabilities of WALGA's governance.	Governance bodies have clearly defined responsibilities and accountabilities, with the capacity to prioritise and focus on strategic issues.
	Value Added Decision Making	Facilitates opportunities for value to be added to decision making.	Adoption of best practice board processes, and introduction of governance structures that are empowered to inform decisions.
	Continuous Improvement	Considers regular review processes for components of the governance model, their purpose and achieved outcomes.	WALGA's governance is regularly reviewed every 3 to 5 years to ensure the best outcomes are achieved for Local Government members.

Thank you

For more information, visit our website or contact Tim Lane, Manager Association and Corporate Governance, at tlane@walga.asn.au or 9213 2029.

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Best Practice Governance Review

Consultation Paper – Model Options

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Best Practice Governance Review

1. Introduction

Introduction

Background

The Western Australian Local Government Association (WALGA) developed it's Corporate Strategy 2020-25, and in doing so identified a key strategic priority, to undertake a Best Practice Governance Review. The objective of the review is to ensure WALGA's governance and engagement models are contemporary, agile, and maximise engagement with members.

Other drivers for the review included: misalignment between key governance documents; constitution amendments for State Councillors' Candidature for State and Federal elections; and legislative reforms for the *Local Government Act 1995*, and for the *Industrial Relations Act 1979*.

In March 2022, State Council commissioned the Best Practice Governance Review (BPGR) and established a Steering Committee to guide the Review.

The BPGR Steering Committee had five meetings between 5 May 2022 and 10 August 2022. There was wide-ranging discussion on WALGA's current governance model, the need to engage broadly with the membership, and opportunities for change. Key outputs from the BPGR Steering Committee meetings included:

- Agreement on five comparator organisations – Australian Medical Association (AMA) WA, Chamber of Commerce and Industry (CCI) WA, Chamber of Minerals and Energy (CME), Australian Hotels Association (AHA) WA and the Pharmacy Guild (PG).
- Review of governance models of Local Government Associations in other Australian States and Territories, and New Zealand.
- Drafting of governance principles that will underpin future governance models.
- Finalisation of governance principles and principle components across the domains of: **Representative, Responsive and Results Oriented**.

These activities are outlined in more detail in the Background Paper.

This document

This document outlines:

Principles: The governance model principles and principle components across the domains of: Representative, Responsive and Results Oriented. The principles were endorsed at the WALGA AGM on 3 October 2022.

Governance model options: Presents four potential governance model options and the structure and roles associated with each option. The four options are:

- **Option 1:** Two tier model, existing zones
- **Option 2:** Board, regional bodies
- **Option 3:** Board, amalgamated zones
- **Option 4:** Member elected board, regional groups
- **Option 5:** Current model

Alignment to principles: Each of these options are then assessed as to whether they align with the principles and their components. The assessment considers the option and whether it meets, partially meets or does not meet the principle component. Alongside this assessment are some discussion points. An example of this relates to diversity.

Diversity is a component of the governance model being representative. Diversity here may include consideration of whether the governance model comprises an appropriate diversity of skills and experience. It also provides opportunity to consider whether the governance model provides opportunity for members of diverse backgrounds e.g. people of Aboriginal and Torres Strait Islander descent, people with Culturally and Linguistically Diverse backgrounds.

Within all the model options, direct relationship with WALGA and regional / subregional collaboration would continue to be encouraged.

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Best Practice Governance Review

2. Governance Principles

Governance Principles

The following Governance Principles were endorsed by members at the 2022 AGM

Principle		Principle component	Component description	Governance implications
Representative	WALGA unites and represents the entire local government sector in WA and understands the diverse nature and needs of members, regional communities and economies.	Composition	The composition of WALGA's governance model represents Local Government members from metropolitan and country councils.	The governing body will maintain equal country and metropolitan local government representation.
		Size	An appropriate number of members/representatives oversees WALGA's governance.	Potential reduction in the size of the overarching governing body.
		Diversity	WALGA's governance reflects the diversity and experience of its Local Government members.	Potential for the introduction of a mechanism to ensure the governance model comprises an appropriate diversity of skills and experience.
		Election Process	Considers the processes by which WALGA's governance positions are elected and appointed.	Consideration of alternative election and appointment arrangements, with the President to be elected by and from the governing body.
Responsive	WALGA is an agile association which acts quickly to respond to the needs of Local Government members and stakeholders.	Timely Decision Making	WALGA's governance supports timely decision making.	WALGA's governance model facilitates responsive decision making.
		Engaged Decision Making	WALGA's Local Government members are engaged in decision making processes.	WALGA's governance model facilitates clear and accessible processes for Local Government members to influence policy and advocacy with consideration to alternatives to the existing zone structure.
		Agility	Considers the flexibility of WALGA's governance to adapt to changing circumstances.	WALGA's governance model is agile and future proofed for external changes.
Results Oriented	WALGA dedicates resources and efforts to secure the best outcomes for Local Government members and supports the delivery of high-quality projects, programs and services.	Focus	Considers the clarity and separation of responsibilities and accountabilities of WALGA's governance.	Governance bodies have clearly defined responsibilities and accountabilities, with the capacity to prioritise and focus on strategic issues.
		Value Added Decision Making	Facilitates opportunities for value to be added to decision making.	Adoption of best practice board processes, and introduction of governance structures that are empowered to inform decisions.
		Continuous Improvement	Considers regular review processes for components of the governance model, their purpose and achieved outcomes.	WALGA's governance is regularly reviewed every 3 to 5 years to ensure the best outcomes are achieved for Local Government members.

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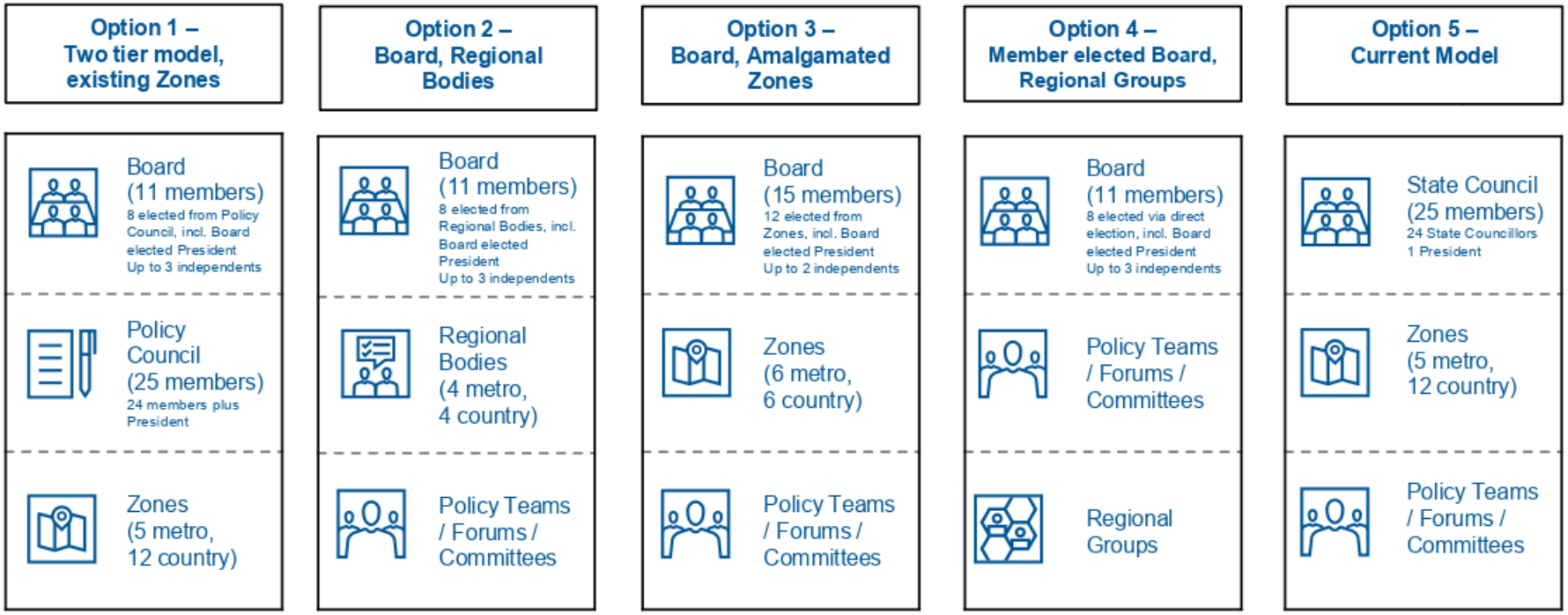
3. Options and Current Model

Options and Current Model

Five options, including the Current Model, with details of each of their key governance bodies



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Option 1 – Two Tier Model, Existing Zones

A description of the governance body structure and role for Option 1

Governance Body	Structure	Role
Board	11 members: 8 representative members elected from and by the Policy Council (4 Metro, 4 Country). The Board then elect the President from the representative members. The Board will appoint up to 3 independent, skills or constituency directors.	Meet 6 times per year. Responsible for governance of WALGA including strategy, financial oversight, policy development and endorsement, advocacy priorities, employment of CEO, etc.
Policy Council	24 members plus President. Members elected by and from the Zones (12 from 5 Metro Zones, 12 from 12 Country Zones).	Meet at least 2 times per year to contribute to policy positions and advocacy for input into Board, and to liaise with Zones on policy and advocacy. The Policy Council can form Policy Teams, Policy Forums and Committees, which would have responsibility for specific functions, such as policy development.
Zones	5 Metro, 12 Country.	Meet at least 2 times per year to raise policy issues, elect representatives to the Policy Council, and undertake regional advocacy and projects as directed by the Zone.

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Option 2 – Board, Regional Bodies

A description of the governance body structure and role for Option 2

Governance Body	Structure	Role
Board	11 members: 8 representative members elected from and by the Regional Bodies (4 Metro, 4 Country). The Board then elect the President from the representative members. The Board will appoint up to 3 independent, skills or constituency directors.	Meet 6 times per year responsible for governance of WALGA including strategy, financial oversight, policy development, advocacy priorities, employment of CEO, etc.
Regional Bodies	Metro: North, South, East and Central. Country: Mining & Pastoral, Agricultural, Peel/ South West/Great Southern, Regional Capitals. *Note: Local Governments can nominate their preferred regional body, with membership of the regional bodies to be determined by the board.*	Meet at least 2 times per year to contribute to policy development and advocacy, and to elect Board members (1 from each of the Metro Regional Bodies and 1 from each of the Country Regional Bodies).
Policy Teams / Forums / Committees	Membership drawn from the Board and Regional Bodies with some independent members.	Responsible for specific functions – such as policy development – as determined by the Board.

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Option 3 – Board, Amalgamated Zones

A description of the governance body structure and role for Option 3

Governance Body	Structure	Role
Board	15 members: 12 elected from the Zones (6 from Metro/Peel, 6 from Country). President to be elected by the Board. The Board will appoint up to 2 independent, skills or constituency directors.	Meet 6 times per year. Responsible for the governance of WALGA including strategy, financial oversight, policy development and endorsement, advocacy priorities, employment of CEO, etc.
Zones	Metro/Peel: • Central Metropolitan • East Metropolitan • North Metropolitan • South Metropolitan • South East Metropolitan • Peel Country*: • Wheatbelt South • Wheatbelt North • Mid West / Murchison / Gascoyne • Pilbara / Kimberley • South West / Great Southern • Goldfields / Esperance **indicative, re-drawing required*	Meet at least 2 times per year to contribute to policy development and advocacy, and to elect Board members.
Policy Teams / Forums / Committees	Membership drawn from Board with some independent members.	Responsible for specific functions – such as policy development – as determined by the Board.

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Option 4 – Member Elected Board, Regional Groups

A description of the governance body structure and role for Option 4

Governance Body	Structure	Role
Board	11 members: 8 representative members elected via direct election, with each member Local Government to vote (4 elected by and from Metropolitan Local Governments, 4 elected by and from Country Local Governments). President elected by the Board from among the representative members. The Board will appoint up to 3 independent, skills or constituency directors.	Meet 6 times per year and responsible for governance of WALGA including strategy, financial oversight, policy development and endorsement, advocacy priorities, employment of CEO, etc.
Policy Teams / Forums / Committees	Membership drawn from Board with some independent members.	Meet at least 2 times per year. Responsible for specific functions – such as contributing to policy development – as determined by the Board.
Regional Groups	Determined by members to suit needs. E.g. Regional Capitals, GAPP, VROCs, CEO Group, existing Zones.	Feed into policy development processes and undertake advocacy and projects as determined by the groups.

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Option 5 – Current Model

A description of the governance body structure and roles for the Current Model

Governance Body	Structure	Role
State Council	24 members plus the President. Members elected by and from the Zones (12 from 5 Metropolitan Zones, 12 from 12 Country Zones).	Responsible for the governance of WALGA including strategy, financial oversight, policy development and endorsement, advocacy, employment of CEO, etc.
Zones	5 Metro, 12 Country.	Consider the State Council Agenda, elect State Councillors, and undertake regional advocacy / projects as directed by the Zone.
Policy Teams / Forums / Committees	Membership drawn from State Council with some independent members.	Responsible for specific functions – such as contributing to policy development, financial oversight etc. – as determined by State Council.

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4. Alignment to Principles

Option 1 – Two Tier Model, Existing Zones

Option 1 and its alignment to the principles

Option 1 – Two tier model, existing Zones

Board
(11 members)
8 elected from Policy Council, incl. Board elected President
Up to 3 independents

Policy Council
(25 members)
24 members plus President

Zones
(5 metro, 12 country)

	Principle & component	Principle alignment (Meets, partial, does not meet)	Discussion points
Representative	Composition	Meets	• Board will have equal metropolitan and country membership
Representative	Size	Meets	• Board is smaller
Representative	Diversity	Meets	• Consideration of appointment processes for independent members
Representative	Election Process	Meets	• Board to be elected from Policy Council
Responsive	Timely Decision Making	Meets	• Meeting frequency aligned to governing body roles
Responsive	Engaged Decision Making	Meets	• Board meetings are not dependent on other governing body meetings
Responsive	Agility	Partial	• Board is future-proofed from external changes • Zone structures still underpin Council
Results Oriented	Focus	Partial	• Prioritisation and focus may be a challenge
Results Oriented	Value Added Decision Making	Meets	• Best practice board approaches will be adopted
Results Oriented	Continuous Improvement	Meets	• Board would be responsible for ongoing reviews of governance body roles in consultation with members

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Option 2 – Board, Regional Bodies

Option 2 and its alignment to the principles

Option 2 – Board, Regional Bodies

Board (11 members)
8 elected from Regional Bodies, incl. Board elected President
Up to 3 independents

Regional Bodies (4 metro, 4 country)

Policy Teams / Forums / Committees

	Principle & component	Principle alignment (Meets, partial, does not meet)	Discussion points
Representative	Composition	Meets	• Board will have equal metropolitan and country membership • How to establish regional body membership is a consideration
Representative	Size	Partial	• Board is smaller • Number of regional bodies is a consideration
Representative	Diversity	Meets	• Consideration of appointment processes for independent members
Representative	Election Process	Meets	• Board election from regional bodies
Responsive	Timely Decision Making	Meets	• Meeting frequency aligned to governing body roles
Responsive	Engaged Decision Making	Meets	• Board meetings are not dependent on regional body meetings
Responsive	Agility	Meets	• Board and regional bodies are future proofed from external changes
Results Oriented	Focus	Partial	• There may be challenges defining accountabilities and responsibilities of regional bodies
Results Oriented	Value Added Decision Making	Meets	• Best practice board approaches will be adopted
Results Oriented	Continuous Improvement	Meets	• Board will be responsible for ongoing reviews of governing body roles in consultation with members

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Option 3 – Board, Amalgamated Zones

Option 3 and its alignment to the principles

Option 3 – Board, Amalgamated Zones

Board
(15 members)
12 elected from Zones, incl. Board elected President
Up to 2 independents

Zones
(6 metro, 6 country)

Policy Teams / Forums / Committees

	Principle & component	Principle alignment (Meets, partial, does not meet)	Discussion points
Representative	Composition	Partial	• Board will have equal metropolitan and country membership • There may be composition challenges for amalgamated zones
Representative	Size	Partial	• Board is smaller • Amalgamation of zones to 12 in total
Representative	Diversity	Meets	• Consideration of appointment processes for independent members
Representative	Election Process	Meets	• Board election from zones
Responsive	Timely Decision Making	Meets	• Meeting frequency aligned to governing body roles
Responsive	Engaged Decision Making	Meets	• Board meetings are aligned to zone meetings
Responsive	Agility	Meets	• Board is future proofed from external changes
Results Oriented	Focus	Partial	• Prioritisation and focus may be a challenge
Results Oriented	Value Added Decision Making	Meets	• Best practice board approaches will be adopted
Results Oriented	Continuous Improvement	Meets	• The Board would be responsible for ongoing reviews of governance body roles in consultation with members

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Option 4 – Member Elected Board, Regional Groups

Option 4 and its alignment to the principles

Option 4 – Member elected Board, Regional Groups

Board (11 members)
8 elected via direct election, incl. Board elected President
Up to 3 independents

Policy Teams / Forums / Committees

Regional Groups

	Principle & component	Principle alignment (Meets, partial, does not meet)	Discussion points
Representative	Composition	Partial	• Board will have equal metropolitan and country membership • Membership of regional groups dynamic and ad hoc
Representative	Size	Partial	• Board is smaller
Representative	Diversity	Meets	• Consideration of appointment processes for independent members
Representative	Election Process	Meets	• Board election from a general meeting
Responsive	Timely Decision Making	Meets	• Meeting frequency aligned to governing body roles
Responsive	Engaged Decision Making	Meets	• Board meetings are not dependent on policy teams / regional group meetings
Responsive	Agility	Meets	• Board is future-proofed from external changes
Results Oriented	Focus	Partial	• Policy teams / Regional Group meetings to influence priorities
Results Oriented	Value Added Decision Making	Meets	• Best practice board approaches will be adopted
Results Oriented	Continuous Improvement	Meets	• Board would be responsible for ongoing reviews of governing body roles in consultation with members

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Option 5 – Current Model

Current model and its alignment to the principles

Option 5 – Current Model

State Council (25 members)
24 State Councillors
1 President

Zones (5 metro, 12 country)

Policy Teams / Forums / Committees

	Principle & component	Principle alignment (Meets, partial, does not meet)	Discussion points
Representative	Composition	Meets	• State Council has equal metropolitan and country membership
Representative	Size	Partial	• State Council will retain 25 members
Representative	Diversity	Partial	• No control of diversity of State Council
Representative	Election Process	Meets	• State Council election from zones
Responsive	Timely Decision Making	Partial	• Meeting frequency aligned to governing body roles
Responsive	Engaged Decision Making	Meets	• State Council meetings are aligned to zone meetings
Responsive	Agility	Partial	• State Council is not future proofed from external changes
Results Oriented	Focus	Partial	• Prioritisation and focus may remain a challenge
Results Oriented	Value Added Decision Making	Partial	• Best practice board approaches will not be adopted
Results Oriented	Continuous Improvement	Meets	• State Council would continue to be responsible for ongoing reviews of governance body roles in consultation with members

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Best Practice Governance Review

5. Consultation Process and Next Steps

WALGA Best Practice Governance Review

Consultation Process and Next Steps

Consultation Process

Council Position

Member Local Governments are asked to consider this paper and the governance model options put forward and provide a Council endorsed position to WALGA.

It is suggested that Councils endorse a preferred model (which could be the Current Model) and provide a ranking in terms of an order of preference.

Submissions to WALGA are sought by **23 December 2022**.

Supplementary Market Research

An independent market research company has been engaged to ascertain insights from Elected Members and Chief Executive Officers about WALGA's governance model. Qualitative interviews and a quantitative survey will be undertaken to supplement Council positions.

Workshops and Forums

Requests for presentations on the work undertaken by the Steering Committee and the model options, as well as facilitation of workshops and discussions will be accommodated where practicable.

Next Steps

Timetable

- Consultation and engagement with Members on this paper and governance model options will be undertaken from October 2022 until 23 December 2022.
- The Steering Committee will consider the outcomes of the consultation process during January 2023.
- A Final Report with a recommended direction will be the subject of a State Council Agenda item for the March 2023 State Council meeting.

WALGA

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Thank you

For more information, visit our website or contact Tim Lane, Manager Association and Corporate Governance, at tlane@walga.asn.au or 9213 2029.

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13 TECHNICAL SERVICES

Nil

14 DEVELOPMENT SERVICES

Nil

15 COMMUNITY AND RECREATION SERVICES

15.1 CHILD SAFE ORGANISATIONS ACTION PLAN

File Number: **CS/050/5**

Author: **Paris Millar, Team Leader Community Development Derby**

Responsible Officer: **Christie Mildenhall, Acting Director of Community Services**

Authority/Discretion: **Executive**

SUMMARY

For Council to note to Child Safe Organisations (self-assessment) audit undertaken and to endorse an action plan to address gaps and risk within the organisation.

DISCLOSURE OF ANY INTEREST

Nil for author or authoriser.

BACKGROUND

In 2013 the Australian Government established a Royal Commission into Institutional Responses to Child Sexual Abuse (the Royal Commission). The Royal Commission was in response to community concern about widespread reports of Australian organisations failing to protect children and young people from sexual abuse.

The Royal Commission made 409 recommendations in response to their findings. The recommendations highlighted the importance of child safety through measures involving children and young people, parents and carers, families, and communities and emphasised that organisations working with children must be able to provide safe environments where the rights, needs and interests of children are met.

The recommendations of the report included;

- Implementation of child safe standards;
- Development of an independent oversight body to monitor and enforce the standards and to promote child safety across organisations;
- Development of the National Office for Child Safety, within the Department of Prime Minister and Cabinet, to ensure national consistency.

In the final report the Royal Commission identified ten (10) standards for making organisations 'child safe'. Child safe organisations are defined as "those which create a cultures, adopt strategies and take actions to prevent harm to children, including child sexual abuse". The principles identified are;

1. Child safety and wellbeing is embedded in organisational leadership, governance and culture.
2. Children and young people are informed about their rights, participate in decisions affecting them and are taken seriously.
3. Families and communities are informed and involved in promoting child safety and wellbeing.
4. Equity is upheld and diverse needs respected in policy and practice.

5. People working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice.
6. Processes to respond to complaints and concerns are child focused.
7. Staff and volunteers are equipped with the knowledge, skills and awareness to keep children and young people safe through ongoing education and training.
8. Physical and online environments promote safety and wellbeing while minimising the opportunity for children and young people to be harmed.
9. Implementation of the national child safe principles is regularly reviewed and improved.
10. Policies and procedures document how the organisation is safe for children and young people.

In February 2019 the child safe principles identified by the Royal Commission were endorsed by the Council of Australian Governments (COAG) and are now referred to as the National Principles for Child Safe Organisations (the National Principles).

The Royal Commission stated that that all organisations should strive to be child safe, but it recommended that the following services should be required to implement the National Principles;

- accommodation and residential services for children;
- activities or services under the auspices of a religious denomination;
- childcare or childminding services;
- child protection services;
- activities or services where clubs and associations have a significant involvement by children;
- coaching or tuition services for children;
- commercial services for children;
- services for children with a disability;
- education services for children;
- health services for children;
- justice and detention services for children; and
- transport services for children.

In Western Australia the Department of Communities (DoC) and Department of Premier and Cabinet (DPC), in partnership with the Commissioner for Children and Young People (CCYP) are leading the implementation of the National Principles. Other Government Agencies, such as the Department of Local Government, Sport and Cultural Industries (DLGSCI) and the Ombudsman are involved in specific projects relating to the implementation.

Implementation of the National Principles is voluntary in Western Australia at the moment, however it is expected that this will become mandatory in the near future. Some of the Shire's Youth Services funding bodies have also asked for assurances the Shire is implementing the principles.

STATUTORY ENVIRONMENT

Western Australia currently has a voluntary approach to the implementation of the National Principles, whilst options for legally requiring implementation are developed. As such there is currently no legislation requiring the Shire of adopt the National Principles, however it is anticipated that there will be in the near future.

Some actions within the action plan are in direct response to specific pieces of legislation, including but not limited to;

- *Child and Community Services Amendment Act 2022 (WA).*
- *Parliamentary Commissioner Amendment (Reportable Conduct) Act 2022 (WA).*
- *Working with Children (Criminal Record Checking) Act 2004 (WA).*

The *Convention on the Rights of the Child* is an international human rights agreement to which Australia is a signatory. This convention underpins the National Principles.

POLICY IMPLICATIONS

The following Shire policies should be considered in relation to this report;

- ES3 – Fraud, Misconduct Control and Resilience Policy
- PC1 – Risk and Opportunity Management Policy
- PC2 – Occupational Safety and Health Policy

Some policies, such as the above, may require amendment in due course to ensure best practice and legislative compliance. The action plan also recommends the creation of a child safe organisation policy.

FINANCIAL IMPLICATIONS

The actions identified in the action plan are largely administrative and are therefore expected to be accommodated within the Shire's operational budget. The focus on child safety to the extent required by the adoption of this plan may impinge officers' to focus on other areas of work.

The State Government has indicated that some financial assistance may be made available to regional local governments as it has been acknowledged that they have reduced capacity to undertake the work and training required to effectively implement various child related initiatives. This will be investigated in due course.

STRATEGIC IMPLICATIONS

GOAL	OUR PRIORITIES	WE WILL
2. Community	2.1 Safe Communities	2.1.1 Encourage community safety to be a whole-of-community responsibility
2. Community	2.1 Safe Communities	2.1.3 Provide activities, programs, places and spaces that engage young people

RISK MANAGEMENT CONSIDERATIONS

RISK	LIKELIHOOD	CONSEQUENCE	RISK	MITIGATION

			ANALYSIS	
Organisation's Operations: Non-performance of functions may impact the organisations ability to provide a safe environment for children.	Unlikely	Moderate	Medium	Administrative Controls – implement the action plan.
Legal & Compliance: Failure to comply with legal obligations and policies may result in breach of legislation and various penalties for the organisation and individual staff.	Unlikely	Moderate	Medium	Administrative Controls – implement the action plan.
People Health & Safety: Failure to implement child safety initiatives may lead to an unsafe workplace for young people.	Rare	Major	Low	Administrative Controls - implement the action plan.
Reputation: Failure to have a child safe organisation may result in reputational damage for the Shire.	Likely	Minor	Medium	Administrative Controls – implement the action plan.
Financial: Failure to comply with legislation may result in the issuing of financial penalties to the Shire or individual staff members.	Rare	Major	Medium	Administrative Controls - implement the action plan.

CONSULTATION

The consultation process for the development of the plan included;

- One-on-one consultations with representatives from teams across the organisation;
- Participation in the Child Safety Community of Practice (local government officers network group facilitated by WALGA with a focus on child safety initiatives);
- Participation in webinars by relevant Government agencies;
- Desktop research by staff.

The Director Community Services was also involved in the co-design of the 'Child Safe Policy for Local Government' which will inform one of the recommended actions.

COMMENT

To support organisations implement the National Principles a number of resources have been developed by DoC, DPC and CCYP. One of these tools, the *National Principles for Child Safe Organisations WA: Self-assessment and review tool* (the audit), was designed to assist organisations rate their actions, culture and behaviours in relation establishing and sustaining a child safe and friendly organisation. The audit provides a mechanism for organisations to assess and document practices already in place, and then identify steps for improvement.

The community development team, in consultation with other relevant officers, completed the audit tool during 2022. The audit is provided as attachment one (1).

The audit has identified a number of opportunities for improvement. Whilst many actions are undertaken informally or because existing staff have knowledge in what to do there is a lack of documented processes to inform staff how to respond in a particular situation. The need for a greater focus on child safety during the recruitment and on-boarding of staff and volunteers was noted, along with having resources and training readily available to support staff in their work. Complaint handling processes, particularly in relation those involving children will require review to ensure they are compliant with mandatory reporting requirements. Program planning and risk management were also identified as opportunities for improvement, as was procedures around the use and storage of children's images.

To assist the organisation become 'child safe' a Child Safe Organisation Action Plan has been developed (provided as attachment two). This condenses the findings of the audit into a streamlined document with clear actions, responsibilities and timeframes.

The action plan is primarily focused on ensuring the Shire and its services, events, programs are child safe and internal procedures consider child safeguarding mechanisms. By focussing on the Shire's internal procedures in the first instance and ensuring these mechanisms are functioning efficiently officers will be better able to identify areas and opportunities that actually require future improvement. However, in recognizing the Shire's role as a leader within our community and responsibility to support our community it also includes some limited actions which will support build community capacity in this space as they too commence their journeys to become child safe organisations.

The child safeguarding environment is rapidly changing due to the roll out of the recommendations of the Royal Commission, with policy and legislative changes regularly occurring as well as new resources being constantly developed. As a result the plan was developed to cover a 12 month period, with a recommended action to develop a new plan prior to the completion of that 12 month period. This will also allow officers to accommodate future changes, as well as assess the Shire's position once the procedural changes are made.

One key recommendation in the action plan is the establishment of an internal working group who will be responsible for overseeing the implementation of the plan. Facilitated by the community development team, this cross-organisational group will meet on a regular basis to monitor the progress of the action plan, as well as consider changes and updates in relation to child safeguarding. By having representatives from a range of teams involved it will help imbed a child safe culture across the organisation. It will also provide an accountability framework to ensure continuous improvement.

Although the National Principles have not yet become a legislative requirement, implementing the proposed Action Plan will have the organisation well placed should this be introduced in the coming years.

VOTING REQUIREMENT

Simple majority

ATTACHMENTS

1. **National Principles for Child Safe Organisations WA: Self Assessment and review tool**
2. **Child Safe Organsations Action Plan**

RECOMMENDATION

That Council:

1. **Notes the findings of the *National Principles for Child Safe Organisations WA: Self-assessment and review tool* provided as Attachment 1; and**
2. **Adopts the Shire of Derby / West Kimberley Child Safe Organisation Action Plan (Attachment 2) as a mechanism to work towards addressing gaps and risks within the organisation.**

Commissioner for Children and Young People
Western Australia

National Principles for Child Safe Organisations WA:
Self-assessment and review tool

Revised November 2019

Disclaimer

This tool is designed to assist a broad range of organisations in their efforts to become more child safe. Each organisation will need to consider the information in the tool and develop strategies and practices suited to its own specific needs, consistent with its duty of care.

This tool is provided in a Microsoft Word format so organisations can easily adapt to suit their own implementation and review purposes.

Recognising Aboriginal and Torres Strait Islander People

The Commissioner for Children and Young People WA acknowledges the unique contribution of Aboriginal people's culture and heritage to Western Australian society. For the purposes of this publication, the term 'Aboriginal' encompasses Western Australia's diverse language groups and also recognises those of Torres Strait Islander descent. The use of the term 'Aboriginal' in this way is not intended to imply equivalence between Aboriginal and Torres Strait Islander cultures, though similarities exist.

Suggested citation

Commissioner for Children and Young People WA 2019, *National Principles for Child Safe Organisations WA: Self-assessment and review tool*, Commissioner for Children and Young People WA, Perth.

Alternative formats

On request, large print or alternative formats can be obtained from:

Commissioner for Children and Young People WA
Ground Floor, 1 Alvan Street, Subiaco WA 6008
Telephone: (08) 6213 2297
Country freecall: 1800 072 444
Email: info@ccyp.wa.gov.au
Web: ccyp.wa.gov.au

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Introduction

The Commissioner for Children and Young People WA first released the *Child Safe Organisations WA Guidelines* and *Self-assessment and review tool* in April 2016.

The National Principles for Child Safe Organisations were developed by the Australian Human Rights Commission and agreed to by the Council of Australian Governments in February 2019, including the Premier of Western Australia. They provide a nationally consistent approach to embedding child safe cultures within organisations that engage with children and young people.

This self-assessment and review tool has been revised to make it clear for organisations in WA how it aligns to and reflects the ten National Principles and the key action areas within each principle.

Leaders of organisations, including board and committee members, chief executives, directors and managers, are responsible for creating and maintaining an organisational culture where the safety of children and young people is a priority.

An ongoing cycle of assessment, action and review will assist leaders to reflect on their effectiveness in implementing the child safe principles and to strive for excellence.

This self-assessment and review tool is designed to be used by organisations to:

- assess current organisational culture, behaviours and practices
- reflect on what the organisation is doing well
- identify action areas requiring development
- review progress over time
- highlight positive changes
- acknowledge challenges or barriers
- outline what still needs to be done.

This tool is to be used with the *National Principles for Child Safe Organisations WA: Guidelines* (2019) which provides additional information and examples of child safe practices. The guidelines and other Child Safe Organisations resources are available on the Commissioner's website at ccyp.wa.gov.au

How to use the self-assessment and review tool

This tool focuses on the key actions, culture and behaviours that are essential to establish and sustain a child safe and friendly organisation.

It is recommended the following steps are taken:

1. Consider and determine

- Who will complete the assessment/review? More than one person is best.
- Who will be involved in providing information on the practices?
- Which leaders will consider the findings and approve the actions and timeframes?

2. Assess and document

Rate how the organisation performs on implementing the principles and key actions using the following five-point scale:

1. Just beginning self-assessment and planning
2. Some progress, implementation of some aspects evident
3. Most but not all aspects of the action area are evident
4. All aspects of the action area are evident
5. All aspects of the action area are evident and regularly reviewed.

In rating the key action areas, consider the following:

- To what extent is the principle implemented?
- What can be seen and heard? The examples within each action area are a guide only, detail what your organisation has in place or plans to introduce.
- What do people say about the examples you provide (children and young people, parents, carers, staff and volunteers)?
- What is evidenced in the organisation's documents?

3. Identify and action

- Document the evidence (or what is in place) that supports the ratings.
- Articulate the next steps for improvement.
- Identify who will do the work.
- Set timeframes for achievement.
- Have the self-assessment and/or review ratings, actions and timeframes approved by leaders.

4. Monitor and review

- Use the review dates in the tool.
- Check on improvements identified in previous assessments and if actions were completed.
- Highlight positive changes.
- Learn from feedback, complaints and errors.
- Appraise all principles each time to ensure all are evident and working together.

Leadership, governance and culture

National Principle 1: Child safety and wellbeing is embedded in organisational leadership, governance and culture

Agency: Shire of Derby / West Kimberley Work unit: Community Services	Completed by: Christie Mildenhall Date of review: 19/05/2022 Date of next review:

Key action areas	Rating 1 to 5	Evidence that supports rating	Next steps for improvement	By whom	By when
1.1 The organisation makes a public commitment to child safety. **Examples** • In public documents. • On websites. • On posters/flyers across locations. • In induction/welcome packs. • On key internal documents/intranet.	2	• Acknowledgement in SCP values "We will create a positive legacy for our children and children's children. • SCP Strategies; **2.1.1** Safe communities – Encourage community safety to be a whole of community responsibility. **2.1.3** Safe Communities – Provide activities, programs, places and spaces that engage young people.	Development of a 'Child Safe Policy'.	Community Development	
			Inclusion of Child Safety information in the induction package, particularly for roles where staff will interface with young people.	People & Culture with support of Community Development	
			Creation of a Child Safety Information page on Sharepoint (providing information internally, as well as to assist support external organisations).	Community Development	

			Initiatives are undertaken to inform the community about child safety (eg: workshops with community organisations, participation in acknowledgement days).	Community Development	
1.2 A child safe culture is championed and modelled at all levels of the organisation from the top down and the bottom up. **Examples** • Leaders model child safe attitudes and behaviours. • Leaders provide opportunities for staff and volunteers to ask questions and to seek further advice. • Inclusion of child safety messages in newsletters and speeches. • Regular agenda item in meetings and other communication. • Monitoring the use of policies and processes in practice.	1		Regular agenda item at team meetings where staff are engaging with young people.	AEHU / CD / Youth Services / Library Services / Aquatics and Recreation Services.	
			Child safety messaging and information included in staff newsletters and at the All Staff Meetings.	Communications / Office of the CEO	
			Policies and procedures relating to child safeguarding are reviewed on an annual basis for programs targeting children and young people.	AEHU / CD / Youth Services / Library Services / Aquatics and Recreation Services.	
1.3 Governance arrangements facilitate implementation of the child safety and wellbeing policy at all levels. **Examples**	1		Policies and procedures for programs which seek to protect young people and developed and reviewed.	Community Development	Annual review (or more frequently if required)

• A clear accountability framework is promoted to staff, volunteers, families, children and young people. • Everyone understands their own roles and responsibilities for child safety. • There are named people to discuss practices and concerns with. • Policies and procedures refer to additional information, support and contacts.			Creation of a Child Safety Information page on Sharepoint. Information to include information, support organisations / people and contact details.	Community Development	
			Inclusion of Child Safety Information in the induction package, particular in role where staff will interface with young people.	People & Culture with support of Community Development	
1.4 A Code of Conduct provides guidelines for staff and volunteers on expected behavioural standards and responsibilities. **Examples** • Children, young people and their families are aware of the Code of Conduct and who to speak to if they are concerned someone is breaking the rules. • Children and young people are involved in developing team, group or class rules that outline respectful behaviours between children and young people.	2	All staff sign a Code of Conduct upon commencement with the Shire. Code of Conduct requires staff to treat all members of the community with respect, courtesy and professionalism, as well as providing guidelines around personal behaviour.	Develop a Code of Conduct for Shire volunteers, with inclusion of acknowledgement of the National Principles of Child Safe Organisations.	Community Development	
			Develop a Code of Conduct equivalent for participants in the Shire Youth Programs. Development process to involve the input of young people.	Community Development	

			Information provided in Shire managed facilities which young people attend outlining who they can speak to if they feel someone is breaking the rules / code of conduct.	Community Development	
1.5 Risk management strategies focus on preventing, identifying and mitigating risks to children and young people. **Examples** • They are written into strategic/planning documents. • Work is planned to minimise situations where children may be harmed. • The increased level or risk associated with some activities is accounted for. • Time/funding is allocated to training/professional development.	2	Parental supervision is required is required at some programs / services for children and young people; • All library programs require parents to remain on site. • Children under 11 must be supervised by an adult at the Pool (with the exception of School Holiday Programs).	Risk assessments, including an assessment of risks associated with children and young people, are undertaken when planning programs, services or initiatives, and risk mitigation strategies are identified.	All staff	
			Ensure the corporate training calendar which is available on Sharepoint includes Child Safeguarding related training and staff are actively encouraged to participate in the training.		

1.6 Staff and volunteers understand their obligations on information sharing and recordkeeping. **Examples** • Recordkeeping processes meet legislated or contractual obligations. • Children and young people and their families are told what records are kept about them, for how long, and how they can access them. • Children and young people have a right to read their records and to comment on them or seek changes to them.		Staff are required to ensure records are captured in the corporate record Keeping System. Records officer ensures records are retained and maintained in compliance with Record Act, including the retention of records relating to children and young people. Media release forms are obtained where images of young people are taken and to be used. Program enrolment forms include information about the collection and use of images.	Ongoing record keeping training for staff to ensure understanding of and compliance with the Act.		
			Program documents, such as enrolment forms, contain information about record keeping practices.		
			Develop a policy outlining the use of images of children by the Shire.		

Empowering children to participate

National Principle 2: Children and young people are informed about their rights, participate in decisions affecting them and are taken seriously

Agency: Shire of Derby / West Kimberley Work unit: Community Services	Completed by: Date of review: Date of next review:

Key action areas	Rating 1 to 5	Evidence that supports rating	Next steps for improvement	By whom	By when
2.1 Children and young people are informed about all of their rights, including to safety, information and participation. **Examples** • Talking to children and young people about – their right to feel safe – the steps the organisation takes to help keep them safe – the rules of the organisation – who to talk to/how to speak up if something is worrying them – what to do if someone they know is being hurt. • Ask their opinions through discussions, activities and surveys on how things could be better, what they like/don't like and what makes them feel safe/unsafe in the organisation. • Children design/write child-friendly versions of policies and procedures.	2	Young people regularly provide feedback on programs and activities, largely through informal conversations.	Consider development of on-boarding process specific for young people working within the Shire. (eg: work placements students, employees and trainees.)	People and Culture	
			Engage young people to identify program improvements and information resources provided by the Shire		
			Develop visible signage on display at programs for children and young people outlining child safety.		
			Appoint an officer responsible for the pastoral care of trainees.		

2.2 The importance of friendships is recognised and support from peers is encouraged, to help children and young people feel safe and be less isolated. **Examples** • When a child joins the organisation, assess their needs (including cultural and other diversity) and help them build relationships. • Facilitate connections between children through buddy systems. • Individual support plans are in place.	3	Programs and activities are often run involving buddies or group work.			
		New participants are introduced existing participants, and a buddy allocated whilst they are becoming familiar with the environment.			
		Staff check in with new participants to gauge how they are settling in.	Develop a peer support system to support young people in the workplace, specifically for new employees.	People and Culture	
2.3 Where relevant to the setting or context, children may be offered access to sexual abuse prevention programs and to relevant related information in an age appropriate way. **Examples** • Protective behaviours education • Education regarding online safety • Child-friendly versions of rules/codes of conduct for staff and for children and young people • Child-friendly information about complaint processes	1		Identify relevant resources available that may be offered to children, young people and staff and make available through to staff through Sharepoint.	Community Development	
			Identify and provide training opportunities to improve staff and volunteer knowledge in preventing sexual abuse, including training to assist them feel confident in supporting children and young people	People and Culture	

2.4 Staff and volunteers are attuned to signs of harm and facilitate child-friendly ways for children to express their views, participate in decision-making and raise their concerns. **Examples** • Staff and volunteers understand the developmental needs of children and young people. • Barriers are identified and the specific needs of different groups of children and young people are responded to. • Proactive checking-in with children.	1		Identify and promote relevant training opportunities that enhance staff and volunteers knowledge and skills in child development through the corporate training calendar.	People and Culture	

Involving family and community

National Principle 3: Families and communities are informed and involved in promoting child safety and wellbeing

Agency: Shire of Derby / West Kimberley Work unit: Community Services	Completed by: Date of review: Date of next review:

Key action areas	Rating 1 to 5	Evidence that supports rating	Next steps for improvement	By whom	By when
3.1 Families participate in decisions affecting their child. **Examples** • Discuss with parents how they would like to be involved in the organisation. • Staff and volunteers are responsive to the needs of families, including cultural safety. • Parents and carers are encouraged and supported to talk to their children about safety and wellbeing.	2	Service referrals are made in discussion with relevant family members / guardians. Youth Services "re-entry" meetings are conducted with relevant parents/guardian	Parent / guardian involvement in the recruitment of young people to positions with the Shire (eg: terms of employment are discussed with the employee in the presence of a parent or guardian.	People and Culture	
3.2 The organisation engages and openly communicates with families and the community about its child safe approach and relevant information is accessible. **Examples** • Provide timely information in a form and language that is accessible, including information about the organisation's child safe and friendly policies and complaints processes. • There are opportunities for parents, carers and community members to participate in activities in the organisation (eg P&C committee, volunteers, elders, cultural advisers).	2	Parental involvement is encouraged in all programs and activities, particularly those involving children.	Child Safe policies, guidelines and resources to be made more available to the public. This should include via website and at points of customer services.	Community Development and Administration	
			Work with local groups and organisations to deliver localised child safety workshops for community (child and young people, and parents and carers.	Community Development, and Youth Services	
			Promote resources to local sporting agencies, clubs	Aquatics and Recreation / Community Development	

• Open door policy for parents/carers to visit the organisation. • 'Drop in' sessions.			and associations, outlining specific information for child safety within sport and recreation		
3.3 Families and communities have a say in the development and review of the organisation's policies and practices. **Examples** • Actively invite feedback or opinions through informal discussions, forums, meetings and surveys. • Supporting several parents/carers to speak with others and report back to the organisation on how things could be better, how the organisation could work in more culturally appropriate ways, what they like/don't like. • Barriers that may prevent parent, carer and/or community participation have been identified and addressed. • Establish connections with external agencies or community leaders who can support the organisation to build culturally respectful practices.	2	Community consultation implemented throughout the course of developing the Community Strategic Plan 2021-2023	Seek feedback and consultation from local early years network and youth network groups, regarding Child Safe Policies and practises	Community Development	
3.4 Families, carers and the community are informed about the organisation's operations and governance. **Examples** • Policies and information are provided in accessible language and formats and inform families of the support available to them and complaints processes. • Organisations seek guidance from families, elders, and experienced people about the needs of children and young people with disabilities, complex needs or from culturally diverse backgrounds.	3	Aboriginal Environmental Health Team have frequent communications/consultations with families within communities Library Services staff engage with parents for feedback and ideas for children related services	Child Safe policies, guidelines and resources to be made more available to the public. This should include via website and at points of customer services.	Community Development and Administration	

Equity upheld and diverse needs respected

National Principle 4: Equity is upheld and diverse needs respected in policy and practice

Agency: Shire of Derby / West Kimberley Work unit: Community Services	Completed by: Date of review: Date of next review:

Key action areas	Rating 1 to 5	Evidence that supports rating	Next steps for improvement	By whom	By when
4.1 The organisation, including staff and volunteers, understands children and young people's diverse circumstances, and provides support and responds to those who are vulnerable. **Examples** • The organisation's environment reflects the lives and identities of the children within the organisation through artwork; positive images, photos and role models; maps of Aboriginal cultural boundaries; and information about different countries. • Respect for diversity and cultural differences is embedded in all policies and practices and affirms that children and young people's cultural identity or religious beliefs are fundamental to their wellbeing. • Ensuring practices are in place that promote the inclusion and safety of children and young people with disability. • All children and families, including those from diverse backgrounds, are supported to give feedback and input into review processes.	3	Aboriginal Environmental Health Unit staff participate in clinic referrals for children, which involves focus discussions with parents/guardians	Child clinical referral procedure to be developed/implemented into the workplace.	Aboriginal Environmental Health Unit	
		Library services are inclusive of all cultures. Local libraries are stocked with a variety of localised content.			
		Across the Shire, programs caters for children of all ages	Review programs and services involving children to ensure that aspects align with the Disability Access and Inclusion Plan	Community Development	

4.2 Children and young people have access to information, support and complaints processes in ways that are culturally safe, accessible and easy to understand. **Examples** • Strategies for promoting the participation of vulnerable children and young people are implemented. • Resources, activities and information reflect diversity across all categories.	2	All customer complaints are recorded and dealt with appropriately.	Review the current information sheet for Customer Complaints Process. Discuss and consider developing a simplified version for child of different age groups.	Customer Service	
			As part of the induction process, staff are to be exposed to and have an understanding of the customer complaints process.	People and Culture	
		Aboriginal Environmental Health Unit staff utilise and develop resources appropriate for their audience, aimed for all ages to understand.			
4.3 The organisation pays particular attention to the needs of Aboriginal and Torres Strait Islander children, children with disability, children from culturally and linguistically diverse backgrounds, those who are unable to live at home, and lesbian, gay, bisexual, transgender and intersex children and young people. **Examples** • Guidance is sought from experienced others in regards to the needs of children and young people with	2	Aboriginal Environmental Health Unit staff frequently support and engage with children of Aboriginal and Torres Strait Islander backgrounds within remote communities.	Discuss and consider capacity to appoint an internal Cultural Liaison Officer to work closely with Human Resources.	People and Culture	
		Library services provide programs and services that reflect the population of the community. For example, our Better Beginnings grant funding for resources.			

disabilities, complex needs or from culturally diverse backgrounds. • Actively promotes and supports the diversity of family structures and relationships. • Accounts for the increased level or risk associated with particular vulnerabilities of some children. • All children and young people have fair access to the relationships, skills, knowledge and resources they need to be safe, in equal measure with their peers.		Promote regular opportunities to undertake Cultural Awareness training for staff and volunteers			

Managing staff and volunteers

National Principle 5: People working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice

Agency: Shire of Derby / West Kimberley Work unit: Community Services	Completed by: Date of review: Date of next review:

Key action areas	Rating 1 to 5	Evidence that supports rating	Next steps for improvement	By whom	By when
5.1 Recruitment, including advertising, referee checks and staff and volunteer pre-employment screening emphasise child safety and wellbeing. Examples • Multi-person interview panel. • Transparent short-listing process. • Standardised reference checks. • Staff and volunteers are from diverse cultures, abilities and identities.	3	Recruiting process includes standard reference checks.			
		Diverse range of cultural, abilities and identities. Staff complete the Equal Employment Opportunity survey.	Equal Employment Opportunity Survey to be introduced as part of the induction process.	People and Culture	
5.2 Relevant staff and volunteers have current working with children checks or equivalent backgrounds. Examples • Identity checks. • Qualification verification. • Working with Children Check. • National Police Check.	1	Identity Checks, Working With Children Checks and National Police Clearance all part of the recruitment process	Create a Management Guideline outlining the positions identified within the organisation that require Working With Children Check screening as a condition of their employment. This is to also include all volunteer positons	People and Culture	

			Gather and manage employee records (Working with Children Checks, Police Clearance etc)	People and Culture	Immediately
		Fitzroy Customer Service Officer/s currently working with children in a Library setting.	Fitzroy Crossing Customer Service Officer to obtain current Working With Children's Check	People and Culture / Customer Service	Immediately
			Environmental Health Officer to obtain current Working With Children's Checks	People and Culture / Environmental Health	Immediately
			Aboriginal Environmental Health Unit staff to obtain current Working With Children's Checks Aboriginal Environmental Health Unit staff to obtain National Police Clearance Checks	People and Culture / Aboriginal Environmental Health Unit	Immediately
5.3 All staff and volunteers receive an appropriate induction and are aware of their responsibilities to children and young people, including recordkeeping, information sharing and reporting obligations. **Examples**	1		Develop and implement a formal reporting process for children and young people at risk, information to be made accessible through SharePoint page	People and Culture	

• Induction processes include training on child safe policies and day-to-day child safe practices in the workplace. • There is specific content related to respect for and meeting the needs of children, regardless of their individual characteristics, cultural backgrounds and abilities.			Review current induction process to include specific roles and responsibilities of working with children and young people	People and Culture	
5.4 Ongoing supervision and people management is focused on child safety and wellbeing. **Examples** • Regular training, professional development and/or information sessions. • Discussion of child safe practices and checks for understanding of policies and procedures. • Relevant aspects incorporated within performance plans. • Circulation of information about policies and procedures. • Active communication of internal and/or external supports. • Staff mentoring. • Clear disciplinary and grievance procedures, which are linked to codes of conduct and feedback/complaint mechanisms.	2	People and culture providing governance support to staff regarding child safety protocols.	Develop a Child Safety SharePoint page with resources, information and policies.	People and Culture	
			Implement staff training/PD for all staff, especially those working with children and young people	People and Culture	
			Review current grievance procedure	Governance, and People and Culture	

Child friendly complaint process and reporting

National Principle 6: Processes to respond to complaints and concerns are child focused

Agency: Shire of Derby / West Kimberley Work unit: Community Services	Completed by: Date of review: Date of next review:

Key action areas	Rating 1 to 5	Evidence that supports rating	Next steps for improvement	By whom	By when
6.1 The organisation has an accessible, child focused complaint handling policy which clearly outlines the roles and responsibilities of leadership, staff and volunteers, approaches to dealing with different types of complaints, breaches of relevant policies or the Code of Conduct and obligations to act and report. **Examples** • Multiple pathways for staff, volunteers, children, young people and parents/carers to provide feedback,	2	Customer Service Charter (Complaints Process) it made available through website and points of customer service.	Develop a simplified version of the complaints process to make it easier and more accessible for children	Customer Service	

raise concerns or complaints. Specifically, incorporating feedback into activities, anonymous dropbox or online system, regular invitations to talk or checking-in with people. • Designated staff role for promoting child safety (more than one). • Staff and volunteers discuss and invite complaints and feedback. • Information is accessible, age-appropriate and in meaningful formats and is mindful of diverse characteristics, cultural backgrounds and abilities. • Visible posters/flyers/flowcharts. • Information on the website.			Review of the Code of Conduct and incorporating items specific to Child Safety	People and Culture	
6.2 Effective complaint handling processes are understood by children and young people, families, staff and volunteers, and are culturally safe. **Examples** • Barriers that may prevent staff, volunteers, families, children and young people from providing feedback, raising concerns or making a formal complaint are identified and addressed. • The cultural appropriateness of processes has been considered. • There are ways for people with communication difficulties to raise concerns. • Complaints from an advocate or someone speaking on behalf of children are accepted.	2	Advocate complaints accepted by customer service.	Development of a customer complaints flow chart policy appealing to younger customer cohort.	Customer Service	
		SDWK Grievance Policy effective throughout the workplace.			

6.3 Complaints are taken seriously and responded to promptly and thoroughly. **Examples** • Processes include approaches to dealing with situations in which a child may cause harm to another child. • There are several pathways to escalate concerns. • Complainants are kept informed of the progress and outcome. • Feedback and complaints lead to improvement in service planning and/or delivery.	2	Customer Service Charter includes a functional Customer Complaints Process. Complaints is delegated to correct authoriser.	Update procedure to include milestones and staff directives.	Customer Service	
6.4 The organisation has policies and procedures in place that address reporting of complaints and concerns to relevant authorities, whether or not the law requires reporting, and co-operates with law enforcement. **Examples** • The complaints process prioritises the safety and wellbeing of children and young people. • The complaints process includes a recordkeeping system that is linked to decision making, reporting requirements and disciplinary processes.	2	Currently do not have a "Complaints" record type in Synergy.	Create a record type to Synergy specific for customer complaints.	Customer Service	
6.5 Reporting, privacy and employment law obligations are met. **Examples** • Complaints processes and disciplinary proceedings are clear and facilitate	4	Privacy is dealt with at front end, all staff sign a privacy and confidentially agreement as part of the recruitment process.	Introduce a privacy clause to the customer service charter.	Customer Service	

procedural fairness and natural justice for all parties involved in the complaint. • Translation services and bicultural staff with knowledge of child abuse issues are used when needed to facilitate reporting and complaint handling.		Privacy polices stand for customer and employee confidentiality	Review privacy and confidentiality polices, and make easily accessible to customer and employees	People and Culture	

Education and development

National Principle 7: Staff and volunteers are equipped with the knowledge, skills and awareness to keep children and young people safe through ongoing education and training

Agency: Shire of Derby / West Kimberley Work unit: Community Services	Completed by: Date of review: Date of next review:

Key action areas	Rating 1 to 5	Evidence that supports rating	Next steps for improvement	By whom	By when
7.1 Staff and volunteers are trained and supported to effectively implement the organisation's child safety and wellbeing policy. Examples • Training addresses the needs of the whole organisation, including leaders and governing bodies, to ensure they have the knowledge and information required to understand their responsibilities. • Training and resources provided to staff/volunteers are accessible, evidence-based and reviewed regularly. Where necessary/applicable, external experts support or provide training. • Resources, or information about resources, are prominently displayed in staff areas or on an intranet. • Resources are from organisations that have expertise in the safety of children and young people. • Ongoing professional development/training is provided to support ongoing responsiveness to, and application of, child safe and friendly practices in the workplace.	1		Develop a Child Safety page on SharePoint consistent of a wide variety of child safety related resources.	Community Development	
			All volunteers to sign Code of Conduct as part of induction process.	People and Culture	
7.2 Staff and volunteers receive training and information to recognise indicators of child harm, including harm caused by other children and young people. Examples	1	Community Develop staff working with the Derby Suicide Awareness Network.	Staff to complete protective behaviours and/or trauma related training	People and Culture, and Youth Services, Aquatics and Recreation, and Aboriginal Environmental Health unit	

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• Training and information on the dynamics of child abuse. • How to identify and respond to behaviour by others that is considered risky or harmful to children.			Information regarding child harm to be introduced as part of the induction process	People and Culture	
7.3 Staff and volunteers receive training and information to respond effectively to issues of child safety and wellbeing and support colleagues who disclose harm. **Examples** • The process of disclosure and responding to children and young people. • Policies, procedures and reporting within the organisation, and legal reporting obligations. • Where to access further support internally and/or externally, including what do to if concerns are not acted on appropriately.	1	EAP Mental Health	Develop a SharePoint page to include support networks for child safe	People and Culture	
			Information regarding child safety and wellbeing to be introduced as part of the induction process	People and Culture	

7.4 Staff and volunteers receive training and information on how to build culturally safe environments for children and young people. **Examples** • Supporting the participation of all children and young people, families and communities. • Training is culturally responsive to the needs of Aboriginal, migrant, refugee and multi-faith communities and to the needs of people with disability; for example, by being delivered jointly by bilingual and/or bicultural workers. • Information on education opportunities for children, young people and parents and carers about child abuse, protective behaviours and online safety is provided in accessible formats.	1		Information and resources regarding building cultural safety	Community Development	
		Staff encouraged to attend the Cultural Awareness Training held locally	Discuss and consider appointing a Cultural Liaison Officer within the workplace	People and Culture	
			Organise to deliver localised child safety workshops for staff and volunteers to be implement through the workplace	People and Culture, and Community Development	

Safe environments – physical and online

National Principle 8: Physical and online environments promote safety and wellbeing while minimising the opportunity for children and young people to be harmed

Agency: Shire of Derby / West Kimberley Work unit: Community Services	Completed by: Date of review: Date of next review:

Key action areas	Rating 1 to 5	Evidence that supports rating	Next steps for improvement	By whom	By when
8.1 Staff and volunteers identify and mitigate risks in the online and physical environments without compromising a child's right to privacy, access to information, social connections and learning opportunities. **Examples** • Particular attention is given to safety and diverse needs of children in closed or segregated environments, such as out-of-home care, boarding schools, youth detention, specialist education facilities and disability support settings. • Guidelines are in place to reduce risk during activities such as toileting, showering and changing clothes between an adult and children and young people, and also the risk of inappropriate or harmful contact between children.	3	Aboriginal Environmental Health Unit staff provide advice on practice, but don't facilitate. Library Services staff advise parents are required to accompany young children to bathrooms			

8.2 The online environment is used in accordance with the organisation's Code of Conduct and child safety and wellbeing policy and practices. **Examples** • Guidelines are in place about the taking and storage of photos of children. • Guidelines are in place for staff and volunteers about communication with children via personal phones, emails and social media. • Guidelines and education about cybersafety and online security for children and young people is provided, or links to education resources are provided.	4	ESafe Library programs available for use to patrons. This can be access via our website, patrons can use Library Computers/internet	Library Services to incorporate internet usage policy into terms ad conditions for Library usage for patrons	Library Services and FX Customer Service	
		Internet usage policy signed by all staff as part of induction process.			
		Restrictions on access apply for particular sites.			
			Develop Cyber Safety messaging and resources made available to children young people.	Youth Services	
8.3 Risk management plans consider risks posed by organisational settings, activities and the physical environment. **Examples** • Strategies are adapted for the different settings in which the organisation works and the particular needs of the children and young people. • Visibility has been considered and activities planned accordingly, or other practices are strengthened. • Access to the organisation is actively monitored. • Off-site activities are planned to take into account the physical environment. • Procedures and guidelines for managing toilet breaks, changing clothes and personal care are in place.	4	Events Management Plan includes detailed risk assessment of entire event, including venue and activities	Detailed risk assessment planning to be conducted for all programs and services involving children and young people	All staff	
		Aquatics and Recreation have procedures in place for activities and programs, such as use of inflatable course.			

8.4 Organisations that contract facilities and services from third parties have procurement policies that ensure the safety of children and young people. **Examples** • Contracts specify implementation of child safe principles. • Contracted agencies have child focused complaints systems and report to the funding organisation on complaints received.	1		Child Safe Policy to be made applicable to all contracting services providers within the organisation.	Executive Services	

Continuous improvement

National Principle 9: Implementation of the National Principles for Child Safe Organisations WA is regularly reviewed and improved

Agency: Shire of Derby/West Kimberley Work unit: Community Services	Completed by: Date of review: Date of next review:

Key action areas	Rating 1 to 5	Evidence that supports rating	Next steps for improvement	By whom	By when
9.1 The organisation regularly reviews, evaluates and improves child safe practices. **Examples** • Reviews check for enactment of policies and procedures and are informed by a range of information/data sources from the organisation. • There is regular proactive discussion/input about practice as part of general meetings and informed by general feedback, input from staff, volunteers, children, young people, carers and parents. • The organisation is attentive and responsive to new challenges, such as changes of children in the organisation or to the diverse needs of children and families. • If serving children who are at risk, more vulnerable or hard to reach, the organisation gives attention to the evolving evidence base in relation to the safety of all children, being mindful of their individual characteristics, cultural backgrounds and abilities.	2	Community Development and Library and Heritage Staff involved with the Derby Early Years Network			
			Develop an internal Child Safety working group – discuss complaints and safety issues regarding children	Community Development	

9.2 Complaints, concerns and safety incidents are analysed to identify causes and systemic failures so as to inform continuous improvement. **Examples** • A thorough review is undertaken at the earliest opportunity when a complaint has occurred and is finalised to identify the cause of the problem, systemic issues and failures, organisational risks and areas for improvement or changes required. • The organisation fosters open and positive relationships with other organisations to share lessons learnt, experiences and practices. • An external expert conducts an independent review of complaint handling.	2	SDWK Workplace Health and Safety Committee, meeting quarterly.	Child Safety Working Group to establish complaints, concerns and incidents as a standard/regular agenda item.	Community Development	
			Continuous improvements for analysing Safety incidents involving children and young people.	People and Culture	
		Aboriginal Environmental Health unit staff conducting informal debriefs after returning from site/field.			
9.3 The organisation reports on the findings of relevant reviews to staff and volunteers, community and families and children and young people. **Examples** • Self-assessment and review of all child safe organisation principles and strategies are undertaken regularly and leaders in the organisation are aware of the outcomes, any areas requiring attention and the completion of necessary tasks. • Policies and procedures are dated, and new versions/changes are brought to the attention of staff, volunteers, parents, carers, children and young people and supported by relevant information and/or training as required.	1	Aboriginal Environmental Health Unit Staff reporting when necessary	Develop a Child Safe organisation Action Plan.		

Child safe and friendly policies

National Principle 10: Policies and procedures document how the organisation is safe for children and young people

Agency: Shire of Derby/West Kimberley Work unit: Community Services		Completed by: Date of review: Date of next review:			
Key action areas	**Rating 1 to 5**	**Evidence that supports rating**	**Next steps for improvement**	**By whom**	**By when**
10.1 Policies and procedures address all National Child Safe Principles. **Examples** • A coherent framework of policies and procedures outlines the organisation's commitment to child safety and the proactive steps taken to address this. • There is a code of conduct, a risk management strategy, and feedback and complaints procedures. • Clear procedures for staff and volunteer management (including recruitment, education and development), ongoing supervision and disciplinary procedures.	2	Youth Procedure Manual currently being developed	Introduction of a child safety subsection to the Youth procedure Manual. This should include referrals for young people at risk, and information addressing the National Principles	Youth Services	
			Code of Conduct to be reviewed for compliance with the National Principles. Amendments to be made if necessary	People and Culture	
10.2 Policies and procedures are documented and easy to understand. **Examples** • Staff are trained in the policies and they are discussed in supervision, meetings and reviews. • Policies and procedures are clear, easy to understand and accessible to all stakeholders, including staff, volunteers, families, children and young people. This	2		Child Safe objective to be introduced as part of staff Annual Performance Review	People and Culture	
			Child Safe policies to be made easily access via website and/or other platforms of advertising	Media, and people and Culture	

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may mean there are separate versions for each stakeholder group. • Policies and procedures make clear reference to additional considerations or specific strategies for Aboriginal and Torres Strait Islander children, children with disability, children from culturally and linguistically diverse backgrounds, those who are unable to live at home, and lesbian, gay, bisexual, transgender and intersex children and young people, to ensure their safety and participation. These strategies are implemented, and outcomes monitored.					
10.3 Best practice models and stakeholder consultation informs the development of policies and procedures. **Examples** • Everyone in the organisation, including staff, volunteers, children and young people and families can describe what the organisation has in place to keep children and young people safe or what to do in particular circumstances, such as how to make a complaint. • A variety of methods are used to involve stakeholders in development of policies and practices (eg surveys, informal discussions, focused meetings).	3	Library Services and Community Development apart of the Derby Early Years Network Library Services engages children with the Better Beginnings project through the State Library			
10.4 Leaders champion and model compliance with policies and procedures. **Examples** • Leaders put the best interests of children first at all times. • Leaders support anyone to safely disclose their concerns and are responsive. • Leaders are open to suggestions and complaints.	3	Library Services have a high priority for early years engagement through programs and services Library staff encourage suggestions, either verbal or written via the "suggestions box"			

10.5 Staff and volunteers understand and implement policies and procedures. **Examples** • Child safe practices within the organisation are consistent across the board and compliant with policies and procedures, including culturally safe work practices. • Surveys of executive, staff and volunteers demonstrate high levels of understanding of policies, procedures and practices of the organisation.	1		Developing policies that will apply to all staff, volunteers and contractors within the shire, outline behaviours and expectations within the workplace.	People and Culture	

Completed by _____ Date: _____

Approved / Noted by _____ Date: _____

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Background

In 2013 the Australian Government established a Royal Commission into Institutional Responses to Child Sexual Abuse (the Royal Commission). The Royal Commission was in response to community concern about widespread reports of Australian organisations failing to protect children and young people from sexual abuse.

Following a five (5) year enquiry the Royal Commission handed down its final report in 2017. The report included 409 recommendations. These recommendations emphasized that children and young people, parents, carers, families and communities should feel confident that organisations working with children are providing safe environments where the rights, needs and interests of the child are met.

The National Principles of Child Safe Organisations

Recommendation 6.5 of the Royal Commission focused on the creation of what is now known as the National Principles of Child Safe Organisations (National Principles). The principles provide a national approach to the ensuring child safety. The ten (10) identified principles are underpinned by the Convention on the Rights of a Child and aim to provide a nationally consistent approach to creating organisational cultures that foster child safety and wellbeing.

The National Principles are:

1. Child safety and wellbeing is embedded in organisational leadership, governance and culture.
2. Children and young people are informed about their rights, participate in decisions affecting them and are taken seriously.
3. Families and communities are informed and involved in promoting child safety and wellbeing.
4. Equity is upheld and diverse needs respected in policy and practice.
5. People working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice.
6. Processes to respond to complaints and concerns are child focused.
7. Staff and volunteers are equipped with the knowledge, skills and awareness to keep children and young people safe through ongoing education and training.
8. Physical and online environments promote safety and wellbeing while minimising the opportunity for children and young people to be harmed.
9. Implementation of the national child safe principles is regularly reviewed and improved.
10. Policies and procedures document how the organisation is safe for children and young people.

Western Australia currently has a voluntary approach to the implementation of the National Principles, however it is expected that this will become mandatory in the near future.

Progress so far

The Shire of Derby / West Kimberley has made some progress towards introducing child safeguarding strategies in the operational practices, however a recent audit identified a number of improvements that need to be considered or actioned.

Initiatives so far include;

- Participation in the National Redress Scheme for people who have experienced institutional child sexual abuse.
- Provided feedback to the discussion paper on the implementation of child safety officers in local government.
- Participation in the Co-design working group for a Child Safe Policy for Local Government.

- Participation in the Child Safety Community of Practice (local government officers network group facilitated by WALGA with a focus on child safety guarding);
- Desktop research and attendance to child safe-guarding webinars.
- Completion of the *National Principles for Child Safe Organisations WA: Self-assessment and review tool* (the audit).
- Development of this Child Safe Organisation Action Plan.

Action Plan

This action plan has developed to provide the Shire clear direction on actions to be undertaken to improve the child safety for those engaging with the organisation. Based on the ten National Principles the plan identifies short term, immediate actions to be undertaken. The plan covers the 2023 calendar year, with an action to develop a new plan at the end of the year.

The action plan is primarily focused on ensuring the Shire and its services, events and programs are child safe and internal procedures incorporate child safeguarding practices. However in recognizing the Shire's role as a leader within our community and responsibility to support our community it also includes some actions which will support build community capacity in this space as they too commence their journeys to become child safe organisations.

The recommended actions are largely informed by the audit recently undertaken, legislative requirements and desktop research of best practice. As various Government Departments implement the recommendations of the Royal Commission there may be need to add additional actions to the plan.

Accountability Framework

Within the action plan responsible teams are identified, along with timeframes and mechanisms for the on-going monitoring of the success of actions. This includes the development of a reporting tool which will be completed on a regular basis to monitor and report on progress.

To ensure accountability for the implementation of this action plan it is recommended that a cross-organisation internal working party is developed. This group, facilitated by Community Development, will consist of representatives from different teams and positions across the organisation who will work together to ensure the delivery of the actions. It is important for representatives from across the organisation are involved as it will;

- Facilitate the awareness of child safeguarding across the organisation.
- Encourage an organisational culture of child safeguarding.
- Ensure all teams have the opportunity to provide feedback on initiatives / actions / procedures that may impact them.
- Allows for a coordinated approach to implementing the actions, reducing the risk of multiple teams undertaking the same action independently.

Resourcing the Plan

Currently no financial resources have been allocated to the implementation of actions in the plan. In the initial stages the majority of initiatives are procedure based and are not expected to require resourcing. Any costs arising will be assessed on case by case basis as they arise, with the possibility of resourcing from operational budget.

It is expected the biggest impose will be human resourcing. The project will be facilitated by the Community Development team with one of the Team Leaders Community Development being appointed as the project lead and expected to spend significant time of the project.

It has been noted that some resourcing assistance may become available for regional local governments from the State Government. This, and other external funding opportunities, will be explored as the need or opportunity arises.

Principle 1:

Child safety and wellbeing is embedded in organisational leadership, governance and culture.

Key action areas identified in the National Principles;

1.1 The organisation makes a public commitment to child safety.
1.2 The child safe culture is championed and modelled at all levels of the organisation from the top down and the bottom up.
1.3 Governance arrangements facilitate implementation of the child safety and wellbeing policy at all levels.
1.4 A Code of Conduct provides guidelines for staff and volunteers on expected behavioural standards and responsibilities.
1.5 Risk management strategies focus on preventing, identifying and mitigating risks to children and young people.
1.6 Staff and volunteers understand their obligations on information sharing and record keeping.

To enable this the Shire will;

Action No.	Key Action Area	Action	Lead Team	Secondary Team	Timeframe
1.	1.1	Develop a Child Safe policy statement or charter to demonstrate the Shire's commitment to child safeguarding internally.	Community Development	Governance	June 2023
2.	1.1	Consider adopting the Child Safety Awareness Policy for local governments which focusses on community focused messaging.	Community Development	Governance	June 2023
3.	1.2	Child Safety messaging and information included in staff newsletter and at staff meetings where appropriate.	Communications	Executive Services	Ongoing
4.	1.4	Review the Shire's code of conduct for staff and elected members to ensure expected behavioural standards and responsibilities reflect child safeguarding and the National Principles.	Governance	Executive Services	
5.	1.4	Create a Code of Conduct for volunteers which outlines expected behavioural standards and responsibilities, including in relation to child safeguarding and the National Principles.	Community Development	Governance	April 2023
6.	1.4	Develop a Code of Conduct equivalent for participant in the Shire youth programs.	Youth Services	People and Culture	June 2023
7.	1.5, 8.1	Update project plan / event management documents to ensure child safeguarding is considered as part of the risk management assessment.	Community Development	All	March 2023
8.	1.6	Program enrolment forms are updated to ensure families and children are aware of the records that are kept about them, for how	Community Development	Governance	April 2023

		long and how they can access them.	Directorate		
9.	1.6	On-going records keeping training for staff to ensure understanding of and compliance with the *State Records Act 2000*.	Governance	All	Ongoing

Principle 2:

Children and young people are informed about their rights, participate in decisions affecting them and are taken seriously.

Key action areas identified in the National Principles;

2.1 Children and young people are informed about all of their rights, including to safety, information and participation.
2.2 The importance of friendships is recognised and support from peers is encouraged, to help children and young people feel safe and be less isolated.
2.3 Where relevant to the setting or context, children may be offered access to sexual abuse prevention programs and to relevant related information in an age appropriate way.
2.4 Staff and volunteers are attuned to signs of harm and facilitate child0friendly ways for children to express their views, participate in decision-making and raise their concerns.

To enable this the Shire will;

Action No.	Key Action Area	Action	Lead Team	Secondary Team	Timeframe
1.	2.1	Conduct consultations involving children and young people to identify program and service improvements, particularly in relation to what they like and do not like and what makes them feel safe and unsafe.	Community Development Directorate	All	Ongoing
2.	2.1	Develop visible messaging to display at programs and Shire managed facilities for children and young people outlining their rights.	Community Development Directorate	All	April 2023
3.	2.1	Identify Shire policies / procedures which are most likely to be accessed and utilised by children and create a child-friendly version of them.	Governance	All	December 2023
4.	2.1	Ensure on-boarding processes for young people are simple and easily to follow, whilst clearly explaining information on their rights in	People and Culture	All	

		the workplace.			
5.	2.2	Investigate a support system to for young people in the workplace, possibly incorporating a 'pastoral care' officer, buddy or peer support system.	People and Culture	-	May 2023
6.	2.3	Understand the availability of sexual abuse prevention programs available (eg: protective behaviours and online safety) and consider implementation in programs if deemed appropriate.	Community Development	People and Culture	June 2023
7.	2.4	Regularly engage and check-in with young people during programs to allow them to express their views, participate in decision making and raise concerns.	Community Development	Aboriginal Environment Health Unit	Ongoing

Principle 3:

Families and communities are informed and involved in promoting child safety and wellbeing.

Key action areas identified in the National Principles;

3.1 Families participate in decisions affecting their child.
3.2 The organisation engages and openly communicates with families and the community about its child safe approach and relevant information is accessible.
3.3 Families and communities have a say in the development and review of the organisation's policies and practices.
3.4 Families, carers and the community are informed about the organisation's operations and governance.

To enable this the Shire will;

Action No.	Key Action Area	Action	Lead Team	Secondary Team	Timeframe
1.	3.1, 3.3	Encourage families to provide feedback on programs, services and procedures their children participate in.	Community Development Directorate	All	Ongoing
2.	3.1, 3.4	Encourage parent/guardian involvement in recruitment of young people to positions of the Shire (e.g. discuss terms of employment).	People and Culture	All	Ongoing
3.	3.2, 3.4	Child Safe policies, guidelines and resources to be made available to the public. This is to include via the website and at points of customer service.	Community Development	Communications	June 2023

4.	3.2	Work with local groups and organisations to deliver localised child safety workshops for community (child and young people, and parents and carers.	Community Development	Youth Services	May 2023
5.	3.3	Seek feedback from and consult with local networks regarding child safeguarding practices.	Community Development	All	March 2023

Principle 4:

Equity is upheld and diverse needs respected in policy and practice.

Key action areas identified in the National Principles;

4.1 The organisation, including staff and volunteers, understands children and young people's diverse circumstances, and provide support and responds to those who are vulnerable.
4.2 Children and young people have access to information, support and complaints processes in ways that are culturally safe, accessible and easy to understand.
4.3 The organisation pays particular attention to the needs of Aboriginal and Torres Strait Islander children, children with disability, children from culturally and linguistically diverse backgrounds, those who are unable to live at home, and lesbian, gay, bisexual, transgender and intersex children and young people.

To enable this the Shire will;

Action No.	Key Action Area	Action	Lead Team	Secondary Team	Timeframe
1.	4.1	Ensure practices are in place to support the inclusion and safety of children and young people with disability.	All		Ongoing
2.	4.1	Review programs and services to assess disability access requirements for children	Community Development	All	August 2023
3.	4.2	Customer complaints process to be acknowledged as part of all induction processes.	People and Culture	All	June 2023
4.	4.2	Ensure young people accessing services are aware of how to access complaints processes.	Community Development	Customer Services	Ongoing
5.	4.2, 43.	Consider capacity to appoint an internal Cultural Liaison Officer to support the organisation in delivering culturally appropriate processes and practices.	People and Culture		June 2023

6.	4.3	Develop a Child Clinical referral procedure to ensure the most appropriate assistance is available to children and young people.	Aboriginal Environmental Health Unit	Community Development	May 2023

Principle 5:

People working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice.

Key action areas identified in the National Principles;

5.1 Recruitment, including advertising, referee checks and staff and volunteer pre-employment screening, emphasise child safety and wellbeing.
5.2 Relevant staff and volunteers have current working with children checks or equivalent background checks.
5.3 All staff and volunteers receive and appropriate inductions and are aware of their responsibilities to children and young people, including record keeping, information sharing and reporting obligations.
5.4 Ongoing supervision and people management is focussed on child safety and wellbeing.

To enable this the Shire will;

Action No.	Key Action Area	Action	Lead Team	Secondary Team	Timeframe
1.	5.1	Review the recruitment process to ensure it emphasizes child safety.	People and Culture	All	
2.	5.1, 5.2	Create a Management Guideline outlining the positions identified within the organisation that require Working with Children Check screening as a condition of their employment.	People and Culture		March 2023
3.	5.2	Conduct an audit to ensure all staff and volunteers requiring a working with children check have a current check on file.	People and Culture	All	
4.	5.2	Develop a process for ensuring the currency of staff and volunteer working with children checks.	People and Culture		
5.	5.2	Ensure all staff commencing employment with the Shire provide a current police clearance which is saved on file.	People and Culture	All	
6.	5.3	Review current induction process to include specific roles and responsibilities of working with children and young people.	People and Culture	Community Development	June 2023
7.	5.4	Implement staff training/professional development around child safety.	People and Culture	All	June 2023
8.	5.4	Develop a Child Safety information page on SharePoint.	Community		February 2023

	Resources, information and tools to be made available for all staff	Development

Principle 6:

Processes to respond to complaints and concerns are child focussed.

Key action areas identified in the National Principles;

6.1 The organisation has an accessible, child focussed complaint handling policy which clearly outlines the roles and responsibilities of leadership, staff and volunteers, approaches to dealing with different types of complaints, breaches of relevant policies or the Code of Conduct and obligations to act and report.
6.2 Effective complaint handling processes are understood by children and young people, families, staff and volunteers and are culturally safe.
6.3 Complaints are taken seriously, and responded to promptly and thoroughly.
6.4 The organisation has policies and procedures in place that address reporting of all complaints and concerns to relevant authorities, whether or not the law requires reporting, and co-operates with law enforcement.
6.5 Reporting, privacy and employment law obligations are met.

To enable this the Shire will;

Action No.	Key Action Area	Action	Lead Team	Secondary Team	Timeframe
1.	6.1, 6.3, 6.4, 6.5	Develop a complaint investigation process which complies with Reportable Conduct legislation.	Governance	Community Development	January 2023
2.	6.2	Review the Shire's internal grievance policy	People and Culture	Governance	May 2023
3.	6.2	Develop a simplified, child-friendly version of the SDWK complaints process.	Customer Service		March 2023
4.	6.2, 6.3, 6.4, 6.5	Review the Customer Service Charter and Complaints Policy to ensure accessibility of the process to children and young people, whilst also ensuring reporting, privacy and employment law obligations are met.	Customer Services	Governance	May 2023

Principle 7:

Staff and volunteers are equipped with knowledge, skills and awareness to keep children and young people safe through ongoing education and training.

Key action areas identified in the National Principles;

7.1 Staff and volunteers are trained and supported to effectively implement the organisation's child safety and wellbeing policy.
7.2 Staff and volunteers receive training and information to recognise indicators of child harm, including harm caused by other children and young people.
7.3 Staff and volunteers receive training and information to respond effectively to issues of child safety and wellbeing and support colleagues who disclose harm.
7.4 Staff and volunteers receive training and information on how to build culturally safe environments for children and young people.

To enable this the Shire will;

Action No.	Key Action Area	Action	Lead Team	Secondary Team	Timeframe
1.	7.1	Develop a Sharepoint page focusing on child safeguarding information.			
2.	7.1, 7.2, 7.3, 7.4	Corporate training calendar to include Child Safeguarding and development training. Staff are to be actively encouraged to participate.	People and Culture		March 2023
3.	7.2	Relevant staff and volunteers to complete protective behaviours and/or trauma related training	People and Culture	All	September 2023
4.	7.2, 7.3, 7.4	Promote resources to local sporting agencies, clubs and associations, outlining specific information for child safety within sport and recreation	Aquatics and Recreation	Community Development	Ongoing

Principle 8:

Physical and online environments promote safety and wellbeing while minimising the opportunity for children and young people to be harmed.

Key action areas identified in the National Principles;

8.1 Staff and volunteers identify and mitigate risks in the online and physical environments without compromising a child's right to privacy, access to information, social connections and learning opportunities.
8.2 The online environment is used in accordance with the organisation's Code of Conduct and child safety and wellbeing policy and procedures.
8.3 Risk management plans consider risks posed by organisational settings, activities, and the physical environment.
8.4 Organisations that contract facilities and services from third parties have procurement policies that ensure the safety of children and young people.

To enable this the Shire will;

Action No.	Key Action Area	Action	Lead Team	Secondary Team	Timeframe
1.	8.1, 8.3	Develop a detailed risk assessment plan to be used when planning programs and services which involve children and young people.	Community Development	All	June 2023
2.	8.1	Develop photographic image use policy which outlines the use of images of children and young people.	Media and Communications	Community Development	March 2023
3.	8.1, 8.2	Review library policies, procedures and practices to maintain e-Smart Library status (Alannah & Madeline Foundation)	Library Services		February 2023
4.	8.2	Develop terms and conditions for computer and internet usage at the library and youth centre that considers online safety.	Library Services	Youth Services	February 2023
5.	8.2	Develop Cyber Safety messaging and resources and make available to children and young people	Library Services	Youth Services	June 2023
6.	8.4	Organisations receiving grant funding from the Shire to confirm they will consider child safeguarding mechanisms in their project delivery.	Community Development		February 2023

Principle 9:

Implementation of the national child safe principles is regularly reviewed and improved.

Key action areas identified in the National Principles;

9.1 The organisation regularly reviews, evaluates and improves child safe practices.
9.2 Complaints, concerns and safety incidents are analysed to identify causes and systemic failures so as to inform continuous improvement.
9.3 The organisation reports on the findings of relevant reviews to staff and volunteers, community and families and children and young people.

To enable this the Shire will;

Action No.	Key Action Area	Action	Lead Team	Secondary Team	Timeframe
1.	9.1, 9.3	Establish an internal working group, consisting of representatives from various levels and teams within the organisation, to guide the implementation of this Action Plan.	Community Development	All	February 2023
2.	9.1, 9.2	Child Safety Working Group to establish complaints, concerns and incidents as a regular agenda item for meeting and review for continuous improvement opportunities	Community Development	Child Safety Working Group	Monthly
3.	9.1	Provide the audit committee with a progress report on the implementation of the action plan every six months.	Community Development	-	Every six months from the date of adoption of the plan
4.	9.1	Develop a new Action Plan for the 2024 calendar year and beyond	Community Development	Child Safety Working Group	December 2023

Principle 10:

Policies and procedures document how the organisation is safe for children and young people.

Key action areas identified in the National Principles;

10.1 Policies and procedures address all national child safe principles.
10.2 Policies and procedures are documented and easy to understand.

10.3 Best practice models and stakeholder consultation informs the development of policies and procedures.
10.4 Leaders champion and model compliance with policies and procedures.
10.5 Staff and volunteers understand and implement policies and procedures.

To enable this the Shire will;

Action No.	Key Action Area	Action	Lead Team	Secondary Team	Timeframe
1.	10.1	As policies are reviewed ensure compliance with the National Child Safe Principles.	Governance	All	Ongoing
2.	10.2, 10.5	Transfer procedures to the Promaps system to encourage consistency across the organisations	Governance	All	Ongoing
3.	10.2, 10.3, 10.5	Complete the Youth Services procedures manual, which includes information around child safeguarding.	Youth Services		February 2023

16 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

17 NEW BUSINESS OF AN URGENT NATURE

18 MATTERS FOR WHICH THE MEETING MAY BE CLOSED (CONFIDENTIAL MATTERS)

RECOMMENDATION

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 5.23(2) of the Local Government Act 1995:

18.1 Awarding of Tender 6-2022 Kerbside Collection of Waste and Management of Landfill sites

This matter is considered to be confidential under Section 5.23(2) - c of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting.

18.2 CEO REMUNERATION REVIEW 2022/23

This matter is considered to be confidential under Section 5.23(2) - a of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with a matter affecting an employee or employees.

19 CLOSURE

19.1 Date of Next Meeting

The next ordinary meeting of Council will be held Thursday, 23 February 2023 in the Council Chambers, Clarendon Street, Derby.

19.2 Closure of Meeting