



Revised Councillor and Staff Interaction Policy

	Name	Position	Signature	Date
Responsible Officer	Garry Stoll	Director Planning, Community & Development		
Authorised By	John Scarce	General Manager		

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Contents

Preface.....	3
Part 1 – Introduction.....	5
Part 2 – Application.....	5
Part 3 – Policy Objectives	6
Part 4 – Principles, Roles and Responsibilities	7
Part 5 – The Councillor Requests System.....	10
Part 6 – Access to Council Staff	12
Part 7 – Councillor Access to Council buildings	13
Part 8 – Appropriate and Inappropriate Interactions.....	14
Part 9 – Complaints	16
Part 10 - Policy Review.....	16
Schedule 1 – Authorised Staff Contacts for Councillors	17

Preface

Positive working relationships between Councillors and staff: a Council's key asset

Positive, professional working relationships between Councillors and staff are a key element of any Council's success. If relationships between Councillors and staff are functioning effectively, the Council is more likely to perform effectively. If these relationships break down, it can lead to dysfunction, create a potential corruption risk¹, and ultimately the Council's performance will suffer.

A good relationship between Councillors and staff is based, in large part, on both having a mutual understanding and respect for each other's roles and responsibilities. These are defined in the *Local Government Act 1993* (the LGA) and the *Model Code of Conduct for Local Councils in NSW* (the Model Code of Conduct).

In broad terms, a Councillor's role is a strategic one. As members of the governing body, Councillors are responsible not only for representing the community, but also for setting the strategic direction of the Council and keeping its performance under review. A comprehensive outline of the role of a Councillor is provided in Part 4 of this Policy.

The role of Council staff, under the leadership of the General Manager, is to carry out the day-to-day operations of the Council and to implement the decisions, plans, programs and policies adopted by the governing body.

Access to information: the key to the relationship

Councillors need access to information about the Council's strategic position and performance to perform their civic functions effectively. The General Manager and staff are responsible for providing Councillors with this information to facilitate the decision-making process.

Given Councillors' role in setting the Council's strategic direction and keeping its performance under review, Councillors are entitled to request information about a range of issues.

However, in requesting information, Councillors should not be seeking to interrogate the minutiae of the Council's operations or to direct or influence staff in the performance of their duties. Councillors should also recognise that a Council's resources are finite, and they need to be mindful of the impact of their requests.

Above all, interactions between Councillors and staff should be positive, respectful and professional.

Official capacity versus private capacity

It is also inevitable that Councillors and Council staff will engage with their Council in their private capacity. This can be for something as simple as borrowing a book from a Council library, to more complex matters, such as submitting a development application.

In these circumstances, it is vital that Councillors and Council staff do not seek to use, or appear to use, their position within Council to obtain a private benefit. To do so could be seen as an attempt to exert pressure on Councillors and/or Council staff with a view to obtaining preferential treatment. Such conduct has the potential to undermine both the integrity of a Council's decision-making processes, as well as the community's confidence in Council, and so must be avoided.

¹ As highlighted by the NSW Independent Commission Against Corruption's Operation Dasha
<https://www.icac.nsw.gov.au>

The development and intent of this policy

The Murrumbidgee Council Councillor and Staff Interaction Policy has been developed by the Office of Local Government (OLG) in consultation with Councils.

At its core, the policy has three main goals:

- to establish a framework by which Councillors can access the information they need to perform their civic functions,
- to promote positive and respectful interactions between Councillors and staff, and
- to advise where concerns can be directed if there is a breakdown in the relationship between Councillors and staff.

The Murrumbidgee Council Councillor and Staff Interaction Policy is structured as follows:

Part 1	Introduction
Part 2	Sets out the scope of the policy
Part 3	Describes the policy's objectives
Part 4	Sets out the respective roles and responsibilities of Councillors and staff and the principles that should guide their interactions
Part 5	Sets out the administrative framework for a Councillor requests system
Part 6	Identifies which staff Councillors can contact directly
Part 7	Addresses Councillors' entitlement to access Council buildings
Part 8	Describes appropriate and inappropriate interactions between Councillors and staff
Part 9	Provides advice about who complaints can be made to
Part 10	Policy Review
Schedule 1	List of staff whom Councillors can contact directly under Part 6 of the Policy

Enforcement

Clause 3.1(b) of the Murrumbidgee Council Code of Conduct provides that Council officials must not conduct themselves in a manner that is contrary to a Council's policies. A breach of the policy may also constitute a breach of Council's Code of Conduct.

Concerns or complaints about the administration of a Council's Councillor request system should be raised with the General Manager (or the Mayor in the case of a complaint about the General Manager). If the matter cannot be resolved locally, Councillors may raise their concerns with OLG.

Part 1 – Introduction

- 1.1 *The Councillor and Staff Interaction Policy* (the Policy) provides a framework for Councillors when exercising their civic functions by specifically addressing their ability to interact with, and receive advice from, authorised staff.
- 1.2 The Policy complements and should be read in conjunction with Murrumbidgee Council's *Code of Conduct* (the Code of Conduct).
- 1.3 The aim of the Policy is to facilitate a positive working relationship between Councillors, as the community's elected representatives, and staff, who are employed to administer the operations of the Council. The Policy provides direction on interactions between Councillors and staff to assist both parties in carrying out their day-to-day duties professionally, ethically and respectfully.
- 1.4 It is important to have an effective working relationship that recognises the important but differing contribution both parties bring to their complementary roles.

Part 2 – Application

- 2.1 This Policy applies to all Councillors and Council staff.
- 2.2 This Policy applies to all interactions between Councillors and staff, whether face-to-face, online (including social media and virtual meeting platforms), by phone, text message or in writing.
- 2.3 This Policy applies whenever interactions between Councillors and staff occur, including inside or outside of work hours, and at both Council and non-Council venues and events.
- 2.4 This Policy does not confer any delegated authority upon any person. All delegations to staff are made by the General Manager.
- 2.5 The Code of Conduct provides that Council officials must not conduct themselves in a manner that is contrary to the Council's policies. A breach of this Policy will be a breach of the Code of Conduct.

Part 3 – Policy Objectives

3.1 The objectives of the Policy are to:

- a) establish positive, effective and professional working relationships between Councillors and staff defined by mutual respect and courtesy
- b) enable Councillors and staff to work together appropriately and effectively to support each other in their respective roles
- c) ensure that Councillors receive advice in an orderly, courteous and appropriate manner to assist them in the performance of their civic duties
- d) ensure Councillors have adequate access to information to exercise their statutory roles
- e) provide direction on, and guide Councillor interactions with, staff for both obtaining information and in general situations
- f) maintain transparent decision making and good governance arrangements
- g) ensure the reputation of Council is enhanced by Councillors and staff interacting consistently, professionally and positively in their day-to-day duties
- h) provide a clear and consistent framework through which breaches of the Policy will be managed in accordance with the Code of Conduct.

Part 4 – Principles, Roles and Responsibilities

- 4.1 Several factors contribute to a good relationship between Councillors and staff. These include goodwill, understanding of roles, communication, protocols, and a good understanding of legislative requirements.
- 4.2 The Council's governing body and its administration (being staff within the organisation) must have a clear and sophisticated understanding of their different roles, and the fact that these operate within a hierarchy. The administration is accountable to the General Manager, who in turn, is accountable to the Council's governing body.
- 4.3 Section 232 of the *Local Government Act 1993* (the LGA) states that the role of a Councillor is as follows:
 - a) to be an active and contributing member of the governing body
 - b) to make considered and well-informed decisions as a member of the governing body
 - c) to participate in the development of the integrated planning and reporting framework
 - d) to represent the collective interests of residents, ratepayers and the local community
 - e) to facilitate communication between the local community and the governing body
 - f) to uphold and represent accurately the policies and decisions of the governing body
 - g) to make all reasonable efforts to acquire and maintain the skills necessary to perform the role of a Councillor.
- 4.4 The administration's role is to advise the governing body, implement Council's decisions and to oversee service delivery.
- 4.5 It is beneficial if the administration recognises the complex political environments in which elected members operate and acknowledge that they work within a system that is based on democratic governance. Councillors similarly need to understand that it is a highly complex task to prepare information and provide quality advice on the very wide range of issues that Council operations cover.
- 4.6 Council commits to the following principles to guide interactions between Councillors and staff:

<u>Principle</u>	<u>Achieved by</u>
Equitable and consistent	Ensuring appropriate, consistent and equitable access to information for all Councillors within established service levels
Considerate and respectful	Councillors and staff working supportively together in the interests of the whole community, based on mutual respect and consideration of their respective positions
Ethical, open and transparent	Ensuring that interactions between Councillors and staff are ethical, open, transparent, honest and display the highest standards of professional conduct
Fit for purpose	Ensuring that the provision of equipment and information to Councillors is done in a way that is suitable, practical and of an appropriate size, scale and cost for a client group of 9 people.
Accountable and measurable	Providing support to Councillors in the performance of their role in a way that can be measured, reviewed and improved based on qualitative and quantitative data

4.7 Councillors are members of the Council's governing body, which is responsible for directing and controlling the affairs of the Council in accordance with the LGA. Councillors need to accept that:

- a) responses to requests for information from Councillors may take time and consultation to prepare and be approved prior to responding
- b) staff are not accountable to them individually
- c) they must not direct staff except by giving appropriate direction to the General Manager by way of a Council or committee resolution, or by the Mayor exercising their functions under section 226 of the LGA
- d) they must not, in any public or private forum, direct or influence, or attempt to direct or influence, a member of staff in the exercise of their functions
- e) they must not contact a member of staff on Council-related business unless in accordance with this Policy
- f) they must not use their position to attempt to receive favourable treatment for themselves or others.

4.8 The General Manager is responsible for the efficient and effective day-to-day operation of the Council and for ensuring that the lawful decisions of the Council are implemented without undue delay.

Council staff need to understand:

- a) they are not accountable to individual Councillors and do not take direction from them. They are accountable to the General Manager, who is in turn accountable to the Council's governing body

- b) they should not provide advice to Councillors unless it has been approved by the General Manager or a staff member with a delegation to approve advice to Councillors
- c) they must carry out reasonable and lawful directions given by any person having the authority to give such directions in an efficient and effective manner
- d) they must ensure that participation in political activities outside the service of the Council does not interfere with the performance of their official duties
- e) they must provide full and timely information to Councillors sufficient to enable them to exercise their civic functions in accordance with this Policy.

Part 5 – The Councillor Requests System

- 5.1 Councillors have a right to request information provided it is relevant to Councillor's exercise of their civic functions. This right does not extend to matters about which a Councillor is merely curious.
- 5.2 Councillors do not have a right to request information about matters that they are prevented from participating in decision-making on because of a conflict of interest, unless the information is otherwise publicly available.
- 5.3 The General Manager may identify Council support staff under this Policy for the management of requests from Councillors.
- 5.4 Councillors can use the Councillor requests system to:
- a) request information or ask questions that relate to the strategic position, performance or operation of the Council
 - b) bring concerns that have been raised by members of the public to the attention of staff
 - c) request ICT or other support from the Council administration
 - d) request that a staff member be present at a meeting (other than a meeting of the Council) for the purpose of providing advice to the meeting.
- 5.5 Councillors must, to the best of their knowledge, be specific about what information they are requesting, and make their requests respectfully. Where a Councillor's request lacks specificity, the General Manager or staff member authorised to manage the matter is entitled to ask the Councillor to clarify their request and the reason(s) why they are seeking the information.
- 5.6 Staff must make every reasonable effort to assist Councillors with their requests and do so in a respectful manner.
- 5.7 The General Manager or the staff member authorised to manage a Councillor request will provide a response within one day. Where a response cannot be provided within that timeframe, the Councillor will be advised, and the information will be provided as soon as practicable.
- 5.8 Requests under clause 5.4 (d) must be made one day before the meeting. The General Manager, or members of staff that are listed at Schedule 1 of this Policy, are responsible for determining:
- a) whether a staff member can attend the meeting; and
 - b) which staff member will attend the meeting.
- Staff members who attend such meetings must be appropriately senior and be subject matter experts on the issues to be discussed at the meeting.
- 5.9 Councillors are required to treat all information provided by staff appropriately and to observe any confidentiality requirements.

- 5.10 Staff will inform Councillors of any confidentiality requirements for information they provide so Councillors can handle the information appropriately.
- 5.11 Where a Councillor is unsure of confidentiality requirements, they should contact the General Manager, or the staff member authorised to manage their request.
- 5.12 The General Manager may refuse access to information requested by a Councillor if:
- a) the information is not necessary for the performance of the Councillor's civic functions, or
 - b) if responding to the request would, in the General Manager's opinion, result in an unreasonable diversion of staff time and resources, or
 - c) the Councillor has previously declared a conflict of interest in the matter and removed themselves from decision-making on it, or
 - d) the General Manager is prevented by law from disclosing the information.
- 5.13 Where the General Manager refuses to provide information requested by a Councillor, they must act reasonably. The General Manager must advise a Councillor in writing of their reasons for refusing access to the information requested.
- 5.14 Where a Councillor's request for information is refused by the General Manager on the grounds referred to under clause 5.12 (a) or (b), the Councillor may instead request the information through a resolution of the Council by way of a notice of motion. This clause does not apply where the General Manager refuses a Councillor's request for information under clause 5.12 (c) or (d).
- 5.15 Nothing in clauses 5.12, 5.13, and 5.14 prevents a Councillor from requesting the information in accordance with the *Government Information (Public Access) Act 2009*.
- 5.16 Where a Councillor persistently makes requests for information which, in the General Manager's opinion, result in a significant and unreasonable diversion of staff time and resources the Council may, on the advice of the General Manager, resolve to limit the number of requests the Councillor may make.
- 5.17 Councillor requests are state records and must be managed in accordance with the *State Records Act 1998*.
- 5.18 A report will be provided to Council annually regarding the performance and efficiency of the Councillor requests system against established key performance indicators.

Part 6 – Access to Council Staff

- 6.1 Councillors may directly contact members of staff that are listed in Schedule 1 of this Policy. The General Manager may amend this list at any time and will advise Councillors promptly of any changes.
- 6.2 Councillors can contact staff listed in Schedule 1 about matters that relate to the staff member's area of responsibility.
- 6.3 Councillors should as far as practicable, only contact staff during normal business hours.
- 6.4 If Councillors would like to contact a member of staff not listed in Schedule 1, they must receive permission from the General Manager.
- 6.5 If a Councillor is unsure which authorised staff member can help with their enquiry, they can contact the General Manager who will provide advice about which authorised staff member to contact.
- 6.6 The General Manager or a member of the Council's executive leadership team may direct any staff member to contact Councillors to provide specific information or clarification relating to a specific matter.
- 6.7 A Councillor or member of staff must not take advantage of their official position to improperly influence other Councillors or members of staff in the performance of their civic or professional duties for the purposes of securing a private benefit for themselves or for another person. Such conduct should be immediately reported to the General Manager or Mayor in the first instance, or alternatively to the Office of Local Government, NSW Ombudsman, or the NSW Independent Commission Against Corruption.

Part 7 – Councillor Access to Council buildings

- 7.1 Councillors are entitled to have access to the Council Chamber, Committee Room, Mayor's Office (subject to availability), Councillors' rooms, and public areas of Council's buildings during normal business hours for meetings. Councillors needing access to these facilities at other times must obtain approval from the General Manager.
- 7.2 Councillors must not enter staff-only areas of Council buildings without the approval of the General Manager.

Part 8 – Appropriate and Inappropriate Interactions

- 8.1 Examples of appropriate interactions between Councillors and staff include, but are not limited to, the following:
- a) Councillors and Council staff are courteous and display a positive and professional attitude towards one another
 - b) Council staff ensure that information necessary for Councillors to exercise their civic functions is made equally available to all Councillors, in accordance with this Policy and any other relevant Council policies
 - c) Council staff record the advice they give to Councillors in the same way they would if it was provided to members of the public
 - d) Council staff, including Council's executive team members, document Councillor requests via the Councillor requests system
 - e) Council meetings and Councillor briefings are used to establish positive working relationships and help Councillors to gain an understanding of the complex issues related to their civic duties
 - f) Councillors and Council staff feel supported when seeking and providing clarification about Council related business
 - g) Councillors forward requests through the Councillor requests system and staff respond in accordance with the timeframes stipulated in this Policy
- 8.2 Examples of inappropriate interactions between Councillors and staff include, but are not limited to, the following:
- a) Councillors and Council staff conducting themselves in a manner which:
 - i) is contrary to their duties under the *Work Health and Safety Act 2011* and their responsibilities under any policies or procedures adopted by the Council to ensure workplace health and safety
 - ii) constitutes harassment and/or bullying within the meaning of the Code of Conduct, or is unlawfully discriminatory
 - b) Councillors approaching staff and staff organisations to discuss individual or operational staff matters (other than matters relating to broader workforce policy such as, but not limited to, organisational restructures or outsourcing decisions), grievances, workplace investigations and disciplinary matters
 - c) staff approaching Councillors to discuss individual or operational staff matters (other than matters relating to broader workforce policy such as, but not limited to, organisational restructures or outsourcing decisions), grievances, workplace investigations and disciplinary matters
 - d) subject to clause 5.12, staff refusing to give information that is available to other Councillors to a particular Councillor

- e) Councillors who have lodged an application with the Council, discussing the matter with staff in staff-only areas of the Council
 - f) Councillors being overbearing or threatening to staff
 - g) staff being overbearing or threatening to Councillors
 - h) Councillors making personal attacks on staff or engaging in conduct towards staff that would be contrary to the general conduct provisions in Part 3 of the Code of Conduct in public forums including social media
 - i) Councillors directing or pressuring staff in the performance of their work, or recommendations they should make
 - j) staff providing ad hoc advice to Councillors without recording or documenting the interaction as they would if the advice was provided to a member of the community
- 8.3 Where a Councillor engages in conduct that, in the opinion of the General Manager, puts the health, safety or welfare of staff at risk, the General Manager may restrict the Councillor's access to staff.
- 8.4 Any concerns relating to the conduct of staff under this Policy should be raised with the General Manager.

Part 9 – Complaints

- 9.1 Complaints about a breach of this policy should be made to the General Manager (if the complaint is about a Councillor or member of Council staff), or the Mayor (if the complaint is about the General Manager).
- 9.2 Clause 9.1 does not operate to prevent matters being reported to OLG, the NSW Ombudsman, the NSW Independent Commission Against Corruption or any other external agency.

Part 10 - Policy Review

- 10.1 This policy:
- To be reviewed within the first year of the new Council term;
 - may be reviewed and amended at any time at Council's discretion (or if legislative or State Government policy changes occur).

Schedule 1 – Authorised Staff Contacts for Councillors

1. Clause 6.1 of this Policy provides that Councillors may directly contact members of staff that are listed below. The General Manager may amend this list at any time.
2. Councillors can contact staff listed below about matters that relate to the staff member's area of responsibility.
3. Councillors should, as far as practicable, only contact staff during normal business hours.
4. If Councillors would like to contact a member of staff not listed below, they must receive permission from the General Manager or their delegate.
5. If a Councillor is unsure which authorised staff member can help with their enquiry, they can contact the General Manager who will provide advice about which authorised staff member to contact.
6. In some instances, the General Manager or a member of the Council's Executive Leadership team may direct a Council staff member to contact Councillors to provide specific information or clarification relating to a specific matter.

Authorised Staff Members Name	Position
Tom Dimec	Director of Infrastructure
Garry Stoll	Director Planning, Community & Development
Kaitlin Salzke	Chief Finance Officer
Julie Conn	Executive Assistant

Attachment 2 - Item 2
Enterprise Wide Risk Matrix

Electronic Version Only

A. Real Property		
Street address of each parcel of real property in which I had an interest at the return date/at any time since 30 June		Nature of interest
<div style="background-color: black; height: 1.2em; width: 100%;"></div> <div style="background-color: black; height: 1.2em; width: 100%;"></div> <div style="background-color: black; height: 1.2em; width: 100%;"></div>		Lessee Owner Owner
B. Sources of income		
1. Sources of income I reasonably expect to receive from an occupation in the period commencing on the first day after the return date and ending on the following 30 June. Sources of income I received from an occupation at any time since 30 June		
Description of occupation	Name and address of employer or description of office held (if applicable)	Name under which partnership conducted (if applicable)
General Manager	Murrumbidgee Council 35 Jerilderie Street JERILDERIE NSW	
2. Sources of income I reasonably expect to receive from a trust in the period commencing on the first day after the return date and ending on the following 30 June. Sources of income I received from a trust since 30 June		
Name and address of settlor		Name and address of trustee
NIL		
3 Sources of other income I reasonably expect to receive in the period commencing on the first day after the return date and ending on the following 30 June. Sources of other income I received at any time since 30 June <i>[Include description sufficient to identify the person from whom, or the circumstances in which, that income was received]</i>		

NIL			
C. Gifts			
Description of each gift I received at any time since 30 June		Name and address of donor	
NIL			
D. Contributions to travel			
Name and address of each person who made any financial or other contribution to any travel undertaken by me at any time since 30 June	Dates on which travel was undertaken	Name of States, Territories of the Commonwealth and overseas countries in which travel was undertaken	
NIL			
E. Interests and positions in corporations			
Name and address of each corporation in which I had an interest or held a position at the return date/at any time since 30 June	Nature of interest (if any)	Description of position (if any)	Description of principal objects (if any) of corporation (except in case of listed company)
NIL			
F. Were you a property developer or a close associate of a property developer on the return date? (Y/N)			
NO			
G. Positions in trade unions and professional or business associations			
Name of each trade union and each professional or business association in which I held any position (whether remunerated or not) at the return date/at any time since 30 June		Description of position	
NIL			
H. Debts			
Name and address of each person to whom I was liable to pay any debt at the return date/at any time since 30 June			
Adelaide Bank ANZ			
I. Dispositions of property			
1. Particulars of each disposition of real property by me (including the street address of the affected property) at any time since 30 June as a result of which I retained, either wholly or in part, the use and benefit of the property or the right to re-acquire the property at a later time			
NIL			

2. Particulars of each disposition of property to a person by any other person under arrangements made by me (including the street address of the affected property), being dispositions made at any time since 30 June, as a result of which I obtained, either wholly or in part, the use and benefit of the property
NIL
J. Discretionary disclosures
Jerilderie Independent Living Limited - Board Member

Rodney John Scarce

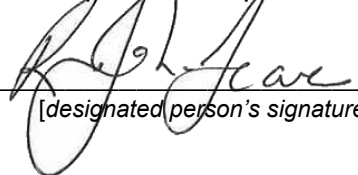
Page | 1

Disclosure of pecuniary interests and other matters

By RODNEY JOHN SCARCE

*as at 1 December 2022 OR
[return date]

*in respect of the period from _____


[designated person's signature]

1 December 2022

[date]

* means delete whichever is inapplicable.

A. Real Property		
Street address of each parcel of real property in which I had an interest at the return date/at any time since 30 June		Nature of interest
<div style="background-color: black; height: 15px; width: 100%;"></div> <div style="background-color: black; height: 15px; width: 100%;"></div> <div style="background-color: black; height: 15px; width: 100%;"></div> <div style="background-color: black; height: 15px; width: 100%;"></div>		Lessee Owner Owner Property of wife
B. Sources of income		
1. Sources of income I reasonably expect to receive from an occupation in the period commencing on the first day after the return date and ending on the following 30 June. Sources of income I received from an occupation at any time since 30 June		
Description of occupation	Name and address of employer or description of office held (if applicable)	Name under which partnership conducted (if applicable)
General Manager	Murrumbidgee Council 35 Jerilderie Street JERILDERIE NSW	
2. Sources of income I reasonably expect to receive from a trust in the period commencing on the first day after the return date and ending on the following 30 June. Sources of income I received from a trust since 30 June		
Name and address of settlor		Name and address of trustee
NIL		
3 Sources of other income I reasonably expect to receive in the period commencing on the first day after the return date and ending on the following 30 June. Sources of other income I received at any time since 30 June [Include description sufficient to identify the person from whom, or the circumstances in which, that income was received]		
NIL		

C. Gifts			
Description of each gift I received at any time since 30 June		Name and address of donor	
NIL			
D. Contributions to travel			
Name and address of each person who made any financial or other contribution to any travel undertaken by me at any time since 30 June	Dates on which travel was undertaken	Name of States, Territories of the Commonwealth and overseas countries in which travel was undertaken	
NIL			
E. Interests and positions in corporations			
Name and address of each corporation in which I had an interest or held a position at the return date/at any time since 30 June	Nature of interest (if any)	Description of position (if any)	Description of principal objects (if any) of corporation (except in case of listed company)
NIL			
F. Were you a property developer or a close associate of a property developer on the return date? (Y/N)			
NO			
G. Positions in trade unions and professional or business associations			
Name of each trade union and each professional or business association in which I held any position (whether remunerated or not) at the return date/at any time since 30 June		Description of position	
NIL			
H. Debts			
Name and address of each person to whom I was liable to pay any debt at the return date/at any time since 30 June			
Adelaide Bank ANZ			
I. Dispositions of property			
1. Particulars of each disposition of real property by me (including the street address of the affected property) at any time since 30 June as a result of which I retained, either wholly or in part, the use and benefit of the property or the right to re-acquire the property at a later time			
NIL			

2. Particulars of each disposition of property to a person by any other person under arrangements made by me (including the street address of the affected property), being dispositions made at any time since 30 June, as a result of which I obtained, either wholly or in part, the use and benefit of the property

NIL

J. Discretionary disclosures

Jerilderie Independent Living Limited - Board Member
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Revised Communication Devices, Internet and Intranet Policy

	Name	Position	Signature	Date
Responsible Officer	Sue Mitchell	Manager Corporate and Community Services		
Authorised By	John Scarce	General Manager		

Document Revision History	
Previous Policy 1	Communication Devices Policy
Date adopted by Council:	27 July, 2017
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Previous Policy 2	Internet, Intranet, Email and Computer Use Management Policy
Date adopted by Council:	24 April, 2018
Minute Number:	81/04/18
Revision Number:	1
Policies Incorporated and Renamed:	Communication Devices, Internet and Intranet Policy
Review Date:	November/December 2022
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Contents

1. Purpose	3
2. Scope	3
3. Requirements for Use	3
4. Remote Access	4
5. Personal Use	4
6. Inappropriate Use and Prohibited Conduct	5
7. User Access	6
8. Blocking Email or Internet Access	6
9. Use of Email	7
10. Email - Leave Arrangements	8
11. Email - Prevention of Virus Attacks	8
12. Email Disclaimer	8
13. Password Policy	9
14. Multi-Factor Authentication	9
15. Cyber Security Breach	10
16. Monitoring Use and Breaches of this Policy	10
Type of Surveillance in the Workplace	10
What will the Surveillance Records be used for	10
17. Staff Acknowledgement	11
18. Related Council Policies	11
19. Policy Review	11
Attachment 1	12

1. Purpose

The purpose of this policy is to document Council's requirements and expectations regarding the use of its communications devices. The policy aims to ensure Councillors and Council employees understand the way in which Council's communication devices should be used in the organisation. Council makes its communication systems available to employees to enable efficient sharing and exchange of information in the pursuit of Council's goals and objectives.

It also sets out the types of surveillance that will be carried out relating to the use of Council's computer network and systems.

2. Scope

This policy applies to all Councillors, Council employees, contractors, consultants, temporary and casual employees and any other authorised personnel offered access to Murrumbidgee Council communication devices and systems. Communication devices and systems include, but are not limited to:

- All computers (laptop and desktop)
- All iPads, tablets, data phones
- Council's email system
- All telephones (land-line and mobile)
- All copying devices
- All two-way radios
- Facsimile machines

It also applies to using these devices to access the intranet or internet.

3. Requirements for Use

Users must comply with the following rules when using Council's computer networks:

- Users must use their unique username/login code and password when accessing the computer network;
- Users should protect their username/login code and password information at all times and not divulge such information to any other person, unless it is to do so for legitimate business reasons;
- Users in possession of Council's electronic equipment must, at all times, handle the equipment in a responsible manner to ensure the equipment is kept secure;
- Users should ensure that, when not in use, or unattended, the computer device is locked or shut down;
- A disclaimer is automatically included in all Council's emails and must not be removed;
- If a user receives an email to which the user suspects contains a virus, the user should not open the email or attachment to the email and should immediately contact the Manager Corporate and Community Services or Council's ICT service providers;

- If a user receives an email in which the content, including an image, text material or software is in breach of this policy, the user should immediately delete the email and report the matter to the Manager Corporate and Community Services. The user must not further distribute the email; and
- All information created should be registered into Council's records management system in accordance with the Records Management Policy.

4. Remote Access

Council provides remote access to contractors and selected staff to facilitate flexible working arrangements and employees' productivity. There are two access methods available:

- *RDPlus*, which is a secure connection using a web browser to gain remote control of a dedicated computer within the office. This may be used by employees on their home computer, controlling the work computer.
- *OpenVPN*, which provides a secure tunnel from the persons' computer back to the office network, and is typically used by employees with laptops, or contractors.

5. Personal Use

Reasonable personal use of Council's communication devices is permissible; however, personal use is a privilege, which needs to be balanced in terms of operational needs; its use must be appropriate, lawful, efficient, proper and ethical. Council recognises that:

- Employees are also private citizens with individual personal needs and obligations
- Employees may need to make use of communication devices for personal purposes
- There is a reasonable limit to which employer communication devices may be used for personal purposes

Every employee has a responsibility to be productive and act appropriately during their work time, therefore, personal use:

- Should be infrequent and brief
- Must not disrupt Council communication systems
- Should not interfere with the employee's job responsibilities or detrimentally affect the job responsibilities of other employees
- Employees reasonably suspected of abusing personal use requirements will be asked to explain such use
- Councillors and staff who have been allocated communications devices are responsible for all access to websites, emails, downloads etc that occur on that device whilst at work, at home or elsewhere by themselves or by any other person

6. Inappropriate Use and Prohibited Conduct

The use of Council's communications devices to make or send fraudulent, offensive, sexually explicit, unlawful or abusive information, calls or messages is strictly prohibited.

Any employee identified as the initiator of fraudulent, unlawful or abusive calls or messages will be subject to disciplinary action and possible criminal prosecution.

Staff who receive any threatening, intimidating or harassing telephone calls or electronic messages should immediately report the incident to their Manager/Supervisor.

All employees should be aware that it is illegal to record telephone conversations unless authorised under relevant legislation to do so.

Users must not send, upload, download, use, retrieve or access any email or material on Council's computer network that:

- Is obscene, offensive or inappropriate. This includes text, images, sound or any other material, sent in an email or an email attachment through a (URL) link to a site, or in a text message or a text message attachment. This includes material of a sexual nature, indecent or pornographic material;
- May be defamatory or could adversely impact the image or reputation of Council eg a defamatory message or material that is insulting or lowers the reputation of a person or a group of people;
- Is illegal, unlawful or inappropriate;
- Affects the performance of, or causes damage to, Council's computer system in any way; or
- Gives the impression of, or is representing, giving opinions or making statements on Council's behalf with the express authority of Council. Users must also not transmit or send Council documents or emails or text messages (in any format), to any external parties or organisation unless expressly authorised to do so.

Users must not use Council's computer network for the following:

- To knowingly violate copyright or other intellectual property rights. Computer software that is protected by copyright is not to be copied from, or into, or by using, Council's computer facilities except as permitted by law or by the owners or the copyright;
- In a manner contrary to Council's Code of Conduct;
- To create any legal or contractual obligations on behalf of Council unless expressly authorised by Council;
- To disclose any confidential information of Council or any customer, rate payer, client or supplier of the Council, unless expressly authorised by Council;

- To install software or run unknown or unapproved programs on the computer network. Under no circumstances should users modify the software or hardware environments on the computer network unless authorised by the Manager Corporate and Community Services to do so;
- To gain unauthorised access (hacking) into any other computer within Council or outside Council, or attempt to deprive other users access or use of Council's computer network;
- To send or cause to be sent, chain or SPAM emails or text message in any format;
- To use Council computer facilities for personal gain, for example running a personal business; and
- Any form of harassment via the computer network

Users must not log into another user's computer network facilities without the correct authorisation

7. User Access

Council will provide access based on the following principles:

- Need to know – users or resources will be granted access to systems that are necessary to fulfill their roles and responsibilities.
- Least privilege – users or resources will be provided with the minimum privileges necessary to fulfill their roles and responsibilities.

8. Blocking Email or Internet Access

All staff access to the internet is routed through Council's firewall.

Council reserves the right to prevent (or cause to be prevented), the delivery of an email to or from a user, or access to a website (including social media), by a user, if the content or the email or website is not consistent with the policy or is considered:

- Obscene, offensive or inappropriate. This includes text, images, sound or other material sent either in an email message or in an attachment to a message or through a link to an internet website (URL) or in or attached to a text message;
- Will, or may, cause insult, offence, intimidation or humiliation;
- Defamatory or may incur liability, or adversely impacts on the image or reputation of the Council. A defamatory message or a message or material that is insulting or lowers the reputation of a person or a group of people;
- Illegal, unlawful or inappropriate;
- To have the potential, or affect the performance of, or cause damage to, or overloads Council's computer network, or internal or external communication in any way; and
- To give the impression of, or is representing, giving opinions or making statements on behalf of the Council without the express authority of Council.

Blocked sites that are required for business activities should be approved by a member of the executive team prior to being unblocked.

In the case that an email is prevented from being delivered to or from a user, the user will receive a prevented delivery notice. The notice will not be given if:

- The email was considered to be spam or contained potentially malicious software or;
- The content of the email (or any attachment) would, or might have, resulted in an unauthorised interference with, damage to, or operation of, any program run or data stored on any of Council's equipment; or
- The email (or any attachment) would be regarded by any reasonable person as being, in all circumstances, menacing, harassing or offensive.

Council is not required to give a prevented delivery notice of any email message sent by a user if the Council is not aware (and could not reasonable be expected to be aware), of the identity of the user who sent the email, or is not aware that the email was sent by the user.

9. Use of Email

Email (external/internal) forms part of the official business communications of Murrumbidgee Council (see Council's Records Management Policy).

As such, email is governed by the same legislative requirements (State Records Act 1998, Government Information (Public Access) Act 2009, Privacy & Personal Information Protection Act 1998,) as all other Council records.

All email is accessible through Council's email server. All business related emails must be registered in the electronic document management system and not stored in email accounts.

All emails, both external and internal, are archived by Council and are available for review. Such reviews will be authorised by the relevant manager or a member of senior management.

In addition to inappropriate usage restrictions for communication devices, email is not to be used for:

- Sending or distributing 'chain' letters, 'hoax' mail or for other mischievous purposes (SPAM).
- Unauthorised accessing of data or attempt to breach any security measures on the system, attempting to intercept any data transmissions without authorisation.
- Sending email messages of a defamatory nature. Email can be used as evidence in a court of law, Council and the sender can both be held liable for publishing defamatory material.

10. Email - Leave Arrangements

When employees are on leave, the 'Out of Office Assistant' is to be used to inform each sender:

- When the employee will be back from leave, and that
- Urgent matters should be emailed to Council's central email address: mail@murrumbidgee.nsw.gov.au

To use the 'Out of Office Assistant' simply do the following in Microsoft Outlook:

Click on 'File'

Click on 'Automatic Replies (Out of Office)'

Click on 'Send automatic replies' (include leave start and end dates)

Type in your message (for inside and outside my organisation)

Click on 'OK'

When the employee returns to work they are to ensure that the 'Out of Office Assistant' is turned off and all relevant matters have been, or will be dealt with.

11. Email - Prevention of Virus Attacks

Recipients of email messages that have a suspicious title are NOT to open the email message without prior consultation with the Manager Corporate and Community Services. Although virus protection software is installed, there is no guarantee that this will prevent all viruses from infiltrating the Council network.

Where documents are received as an attachment to an email message, these attachments, under all circumstances, must be scanned by anti-virus software to avoid the potential risk of infecting the Council network.

Software programs received as an attachment to an email message are not to be installed onto a PC or Council's network under any circumstances without the prior permission of the Manager Corporate and Community Services.

12. Email Disclaimer

The following should be included as a standard footer, on every external email sent from Council's system:

PLEASE NOTE: Unless stated otherwise, this email, together with any attachments, is intended for the named recipient(s) only and may contain privileged and confidential information. If received in error, you are asked to inform the sender as quickly as possible and delete this email and any copies of this from your computer system. If you are not the intended recipient of this email, you must not copy, distribute or take any action that relies on it and any form of disclosure, modification, distribution and/or publication of this email is prohibited. We have taken precautions to minimise the risk of transmitting software viruses, but you are advised to carry out your own virus checks on any part of this message including any attachments. We cannot accept liability for

any loss or damage caused by software viruses. The views expressed in this email are not necessarily those of the Murrumbidgee Council unless stated otherwise.

13. Password Policy

Council's password policy is managed and enforced by Veritech, Council's external ICT provider.

These include minimum length, age and complexity requirements and limitations on password re-use.

All staff are required to exercise caution when using passwords on cloud (or web) based services.

In addition to the internal password policies, the following rules are to be followed:

- Use different passwords on each cloud system accessed. This reduces the impact of a compromised system.
- Do not keep passwords written in unsecured locations. In preference to writing passwords down, use a password manager application.
- Do not sign into work services using single sign-on linked to social media accounts (e.g., Facebook).
- Use multi-factor authentication whenever it is available.
- Avoid websites with unsecured logins. Typically, websites should start with HTTPS:// and provide an indicator like a padlock near the address to be considered secure. If they just provide HTTP://, then don't provide any personal details or passwords.

Mobile devices don't typically have the layers of security protection of computer systems, so employees using mobile devices will need to exercise appropriate caution when accessing company or cloud resources. Any personal mobile device that contains Council information (such as emails) must have a locking function supported by PIN as a minimum, and preferably biometrics such as fingerprint or face recognition.

14. Multi-Factor Authentication

Multi-factor Authentication (MFA) or Two Factor Authentication is a security technique that requires a person to have something they know (usually a password or PIN) and something they have (generally a Time-based One Time Passcode (TOTP) or a security certificate).

Council's systems will require the use of MFA when connecting remotely.

When connecting to any third-party system, it is advisable that MFA is used to protect logins. When systems process sensitive information, MFA must be used.

15. Cyber Security Breach

If any person suspects a breach of security, they are to notify the Cyber Security Manager (the Chief Financial Officer) and Veritech (02 6964 5377) as a high priority incident.

Any suspected breach may result in a reportable event which will involve further investigations. Therefore, it is necessary that accurate records are kept. These records could include a timeline of events, decisions log, and relevant systems information, including screenshots.

16. Monitoring Use and Breaches of this Policy

Council may monitor, copy, access and disclose any information or files that are stored, processed or transmitted using Council's equipment and services. Such monitoring will be used for legitimate purposes only (such as legal discovery) and in accordance with any relevant privacy legislation and/or guidelines.

Reviews of email and phone usage may occur at the request of the relevant Director or Council's General Manager.

Individuals who breach this policy may be subject to disciplinary action pursuant to Council's Codes of Conduct and the NSW Local Government (State) Award, if applicable. Such disciplinary action may include termination of employment.

Type of Surveillance in the Workplace

Throughout the period of application of this policy, Council will carry out activity surveillance of any user at such times of Council's choosing and without further notice to any user.

Surveillance occurs in relation to:

- Storage volumes;
- Internet sites including time of access, duration of access and content downloaded;
- Downloaded volumes;
- Suspected malicious codes or viruses;
- Emails;
- Computer hard drives; and
- Mobile device content including, but not limited to, text message and records.

Council retains logs, backups and archives of computer activities which may be subject to audit. Such records are the property of Council, and Council is obligated to abide by State and Federal laws, and these records may be used in evidence to legal proceeding under those laws or within internal investigations into misconduct.

What will the Surveillance Records be used for

Council may use and disclose the surveillance records under the following circumstances:

- For the purpose related to the employment of any employee, the retention of any other user or related to Council business activities;
- Use or disclosure to a law environment agency in connection with an offence;
- Use or disclosure in connection with a legal proceeding;
- Use or disclosure where Council reasonably believes it to be necessary to avert an imminent threat of serious violence or to the injury to any person or substantial damage to property;
- Use or disclosure can occur under circumstances of assault, suspected assault, suspected harassment, stalking or bullying, theft or suspected theft of, or damage to, Council's property, including information, equipment or facilities;
- Councillors' surveillance records will be used when requested by regulatory bodies such as the Independent Commission Against Corruption.

17. Staff Acknowledgement

The People and Culture Officer must ensure that all new, and existing, staff receive a copy of this policy. The People and Culture Officer must ensure that staff sign the Murrumbidgee Council Communications Agreement (Attachment 1) after the staff member has read the policy document.

18. Related Council Policies

- Murrumbidgee Council Records Management Policy.
- Murrumbidgee Council Codes of Conduct.

19. Policy Review

This Policy:

- To be reviewed within the first year of the new Council term;
- May be reviewed and amended at any time at Council's discretion (or if legislative or State Government policy changes occur).

Attachment 1



COMMUNICATION DEVICES, INTERNET AND INTRANET AGREEMENT

NAME: _____

DEPARTMENT: _____

- I understand my responsibility as a user of Murrumbidgee Council's communication devices and systems.
- I have received, read, understand and will abide by the Murrumbidgee Council Communication Devices, Internet and Intranet Policy.
- I understand that any breach of the Communication Devices, Internet and Intranet Policy may result in disciplinary action under Council's Code of Conduct and may be dealt with pursuant to the NSW Local Government (State) Award.
- I also understand that if I commit any breach of this policy, my access privileges may be revoked.

User Signature: _____ Date: _____

Office of Local Government

Model Code of Conduct Complaints Statistics

Reporting Period: 1 September 2021 - 31 August 2022

Date Due: 31 December 2022

Survey return email address: codeofconduct@olg.nsw.gov.au

Council Name:	Murrumbidgee Council
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Contact Name:	Sue Mitchell
Contact Phone:	0269 605504
Contact Position:	Manager Corporate & Community Services
Contact Email:	suem@murrumbidgee.nsw.gov.au

All responses to be numeric.

Where there is a zero value, please enter 0.

Enquiries: Performance Team
Office of Local Government
Phone: (02) 4428 4100
Enquiry email: olg@olg.nsw.gov.au

Model Code of Conduct Complaints Statistics

Murrumbidgee Council

Number of Complaints

1	a	The total number of complaints received in the period about councillors and the General Manager (GM) under the code of conduct	0
	b	The total number of complaints finalised in the period about councillors and the GM under the code of conduct	0

Overview of Complaints and Cost

2	a	The number of complaints finalised at the outset by alternative means by the GM or Mayor	0
	b	The number of complaints referred to the Office of Local Government (OLG) under a special complaints management arrangement	0
	c	The number of code of conduct complaints referred to a conduct reviewer	0
	d	The number of code of conduct complaints finalised at preliminary assessment by conduct reviewer	0
	e	The number of code of conduct complaints referred back to GM or Mayor for resolution after preliminary assessment by conduct reviewer	0
	f	The number of finalised code of conduct complaints investigated by a conduct reviewer	0
	g	The number of finalised complaints investigated where there was found to be no breach	0
	h	The number of finalised complaints investigated where there was found to be a breach	0
	i	The number of complaints referred by the GM or Mayor to another agency or body such as the ICAC, the NSW Ombudsman, OLG or the Police	0
	j	The number of complaints being investigated that are not yet finalised	0
	k	The total cost of dealing with code of conduct complaints within the period made about councillors and the GM including staff costs	0

Preliminary Assessment Statistics

3 The number of complaints determined by the conduct reviewer at the preliminary assessment stage by each of the following actions:

- | | |
|---|--------------------------------|
| a To take no action (clause 6.13(a) of the 2020 Procedures) | <input type="text" value="0"/> |
| b To resolve the complaint by alternative and appropriate strategies (clause 6.13(b) of the 2020 Procedures) | <input type="text" value="0"/> |
| c To refer the matter back to the GM or the Mayor, for resolution by alternative and appropriate strategies (clause 6.13(c) of the 2020 Procedures) | <input type="text" value="0"/> |
| d To refer the matter to another agency or body such as the ICAC, the NSW Ombudsman, OLG or the Police (clause 6.13(d) of the 2020 Procedures) | <input type="text" value="0"/> |
| e To investigate the matter (clause 6.13(e) of the 2020 Procedures) | <input type="text" value="0"/> |

Investigation Statistics

4 The number of investigated complaints resulting in a determination that there was **no breach**, in which the following recommendations were made:

- | | |
|---|--------------------------------|
| a That the council revise its policies or procedures | <input type="text" value="0"/> |
| b That a person or persons undertake training or other education (clause 7.40 of the 2020 Procedures) | <input type="text" value="0"/> |

5 The number of investigated complaints resulting in a determination that there **was a breach** in which the following recommendations were made:

- | | |
|--|--------------------------------|
| a That the council revise any of its policies or procedures (clause 7.39 of the 2020 Procedures) | <input type="text" value="0"/> |
| b In the case of a breach by the GM, that action be taken under the GM's contract for the breach (clause 7.37(a) of the 2020 Procedures) | <input type="text" value="0"/> |
| c In the case of a breach by a councillor, that the councillor be formally censured for the breach under section 440G of the Local Government Act 1993 (clause 7.37(b) of the 2020 Procedures) | <input type="text" value="0"/> |
| d In the case of a breach by a councillor, that the councillor be formally censured for the breach under section 440G of the Local Government Act 1993 and that the matter be referred to OLG for further action (clause 7.37(c) of the 2020 Procedures) | <input type="text" value="0"/> |

6 Matter referred or resolved after commencement of an investigation (clause 7.20 of the 2020 Procedures)

Categories of misconduct

7 The number of investigated complaints resulting in a determination that there was a breach with respect to each of the following categories of conduct:

a General conduct (Part 3)

b Non-pecuniary conflict of interest (Part 5)

c Personal benefit (Part 6)

d Relationship between council officials (Part 7)

e Access to information and resources (Part 8)

Outcome of determinations

8 The number of investigated complaints resulting in a determination that there was a breach in which the council failed to adopt the conduct reviewers recommendation

9 The number of investigated complaints resulting in a determination that there was a breach in which the council's decision was overturned following a review by OLG



Australian Government
Department of Health

Transition Out Plan – Continuity of Service Delivery

The purpose of the transition out plan is to detail your organisation's plan to ensure continuity of service delivery to clients in the event of termination or expiry of a grant agreement, including if a grant recipient transitions out of providing services.

The transition out plan is intended to assist grant recipients to develop their strategic planning for a smooth transition of services to an alternative grant recipient should the existing grant recipient be unable or unwilling to continue to deliver services. It is imperative that the disruption of services for clients upon termination or expiry of the activity is minimised and continuity of care supported through the transition out plans. Grant recipients are required to support the transition of clients and services. Grant recipients can recommend an alternative service provider/s but are not expected to undertake an Expression of Interest process as the Australian Government Department of Health (the Department) makes decisions regarding funding.

The transition out plan should be regularly reviewed and updated to ensure a smooth transition of services to an alternative grant recipient.

<i>Grant Recipient Name</i>	Murrumbidgee Council
<i>Schedule ID</i>	4-75T1PYQ
<i>Address</i>	35 Jerilderie Street, JERILDERIE NSW 2716
<i>Phone/ fax no</i>	1300 676 243
<i>Contact Officer</i>	Sue Mitchell
<i>Email</i>	suem@murrumbidgee.nsw.gov.au
<i>Postal address</i>	PO Box 96, Jerilderie NSW 2716
<i>Region/s</i>	Riverina/Murray
<i>Proposed Transition Date</i>	30/06/2022

1. Service description

Describe the specific services delivered under the program, including the service type and a brief description of the service/s delivered (add or delete rows as needed). The comments section is to allow grant recipients to raise any specific issues that they think may be helpful in transitioning out. Examples have been included in the table below.

Activity ID	Service type	Description	Comments/specific issues
4-7Y7N7KA	Transport	Community Transport	No public transport in LGA, no taxi services, limited volunteers and long distances required to travel
4-7Y7N7NM	Flexible Respite		Currently hold group sessions in both Darlington Point and Coleambally
4-7Y7N7R9	Home Modifications		Covers both former Murrumbidgee Shire Council area and Griffith City Council Area
4-7Y7N7UW	Meals		Currently frozen meals from Narrandera Meals on Wheels

2. Timeframe and activities for transition and associated communications

The plan should specify a reasonable timeframe (generally three to six months) for completion of the transition out period. Transition out activities should commence well before the expiry or termination of the grant agreement to allow for transition of services to another grant recipient if necessary. A timetable that includes transition out milestones must be included below.

Please set out the steps that you propose to undertake in the table below including estimated timeframes and who will be responsible for each task. Please note: These steps will be considered and must be approved by the Department.

The information in this table should include the communication plan and timeframe for advising clients, their carers and other stakeholders of service changes. It is critical that this information is provided in a timely manner to ease any concerns for clients and their families.

Where relevant, activities/tasks to consider include, but are not limited to:

- Notification to the Department regarding request to terminate/novate. Include proposed novation/termination date.
- Proposed communications with other service providers, networks and other agencies to inform of changes as required.
- Proposed communications with existing staff, including any review of individual employment options.
- Review of business premises, infrastructure, goods and equipment, sub-contracting and other service delivery arrangements for transition of services.

- Handover arrangements to ensure service continuity for all existing clients during this period. Post transition administrative tasks to manage final closure of services, including ensuring outputs and funding data are included in relevant reports as per your Grant Agreement for the appropriate reporting period/s.

Weeks from transition	Activity	Person responsible	Action/communication	Comments/status
27	Notification to the Department regarding request to terminate CHSP service delivery on 30/6/2022	Sue Mitchell Manager Corporate and Community Services	Email sent to CHSP Extension and Funding Agreement Manager to notify Council's decision not to continue with CHSP service provision on 24/12/2021	
26	Notification to clients regarding Council's decision to transition out of CHSP service provision	John Scarce General Manager	Letter sent to clients advising of Council's decision on 2/1/2022	
24	Communication with existing staff regarding	John Scarce General Manager	Letter sent to staff regarding Council's decision on 19/1/2022	
20	Communication to Department regarding Transition Out Plan	Sue Mitchell Manager Corporate and Community Services	Transition out plan sent to Funding Manager and CSP Extension 17/02/2022	
4-0	Handover arrangements to ensure service continuity to all existing clients	Sue Mitchell Manager Corporate and Community Services/ Community Service Staff	Work with new service provide to ensure continuity of service	

3. Post transition forwarding arrangements

Please provide details of arrangements for forwarding enquiries from public/clients post transition/novation date (three-month commitment).

Enquiries to be sent to **Sue Mitchell, Manager Corporate and Community Services on (02) 69605504 or suem@murrumbidgee.nsw.gov.au**

4. Subcontracting arrangements

Please advise if your organisation is engaged in any subcontracting arrangements for the delivery of currently funded services relevant to this proposed withdrawal/novation.

- ☐ Yes (please provide details)
☐ No
☐ Other

Legal Name of Subcontractor	Contact Details	Description of subcontracting arrangements (including locations and service types)
Jeremy Woodhouse Builder	0428646643	Builder working on Home Modifications

At the time of transitioning out, the Department may request additional information regarding your subcontracting arrangements.

All subcontractors engaged must be notified that your organisation will no longer be delivering services against the Schedule. Service provision must not be affected by the impending transfer of services and all parties must be aware of their obligations.

If the incoming grant recipient agrees to contract with all or some subcontractors, details will need to be exchanged between your organisation and the new grant recipient.

5. Clients details

Provide the following information about current clients that are in receipt of the grant-funded services. Please add or delete rows as required.

Where appropriate, transitioning grant recipients are required to transfer client records to the incoming grant recipient (consistent with privacy requirements) once a transition date is known. This may involve a database transfer and/or hard copy files.

Clients should also have the option of being referred through My Aged Care. In this case, exiting grant recipients are expected to facilitate clients to contact My Aged Care.

Total number of clients that currently receive funded services	174 (only includes Home Modifications awaiting service)
--	---

EXAMPLE ONLY

Details of clients that will be affected				
Description of services	Number of clients	Subcontracted? <i>If yes, to whom?</i>	Service scheduling information	
<i>Transport</i>	77	No		
<i>Flexible Respite</i>	85	No		
<i>Meals</i>	8			
<i>Home Modifications</i>	60 (This is the number of clients that have been Serviced in total and is usually a one off service) Currently 4 clients awaiting on service and number Depends on the number of referrals received.		Yes – builder as above	

6. Assets

Where applicable and in accordance with the Grant Agreement, the details of all assets purchased with Commonwealth funding are to be recorded in an assets register.

Please attach an updated copy of your organisation's assets register and certify that it is up to date and correct.

Please provide details on how and when the transfer of assets to the agreed new service provider will occur. If your assets are to be sold and any relevant proceeds paid to the Commonwealth, please detail the arrangements for this.

All details must be included in the final report and where appropriate, funding is to be returned to the Commonwealth. The Department will provide further details on this process.

7. Intellectual property

Provide details in relation to arrangements for the delivery to the Commonwealth of any intellectual property. Intellectual property is defined in the Grant Agreement and arrangements must comply with conditions outlined in same.

Please list all material that is to be returned to the Commonwealth and provide information as to when and how that material will be returned to the Commonwealth.

Material	Description of material	Details of how material will be returned	Return date
N/A			

8. Additional information

Please include any additional information that you consider is relevant to the situation.



Family &
Community Services
Ageing, Disability & Home Care

Schedule 2

Funding Agreement
Term: 01/07/2009 - 30/06/2012

Service Provider Details

Murrumbidgee Shire Council	SP ID:	0298	FA ID:	13412
	ACN:	0	ABN:	61072078726
21 Carrington St	Administering Department:		Ageing, Disability and Home Care	
DARLINGTON POINT NSW 2706				

Descriptions of Asset

Bank Details:		CBA Coleambally NSW		062-754	28006166
DofA Id:	Asset Name:	DofA Start:	DofA End:	Region:	LPA:
27210-01-001	Murrumbidgee Shire Council Multi Service Outlet (#9281) Vehicle	01/07/2011	30/06/2012	Western	Riverina/Murray
DofA Status:	Approved				
No Additional Conditions.					

Assets

Asset Id:	Type:	Caveat Number:	Description:		
1-59236389	Vehicle		2011/12-2nd-NR-RMR-26 -Vehicle \$40,000		
Specific Details					
Purchase Value:	ADHC Contribution:	SP Contribution:	ADHC Equity:	Purchase Date:	Property Address:
\$0.00	\$0.00	\$0.00	%		

DofA Funding Variation

Asset Id:	Type:	Frequency:	One-Off:	Start Date:	End Date:	Description:
1-59236389	One-off	One-off	\$40,000.00	01/07/2011	30/06/2012	2011/12-2nd-NR-RMR-24 : Vehicle \$40,000
Sub Total:			\$40,000.00			

DofA Funding

Asset Id:	Type:	Frequency:	One-Off:	Start Date:	End Date:	Description:
Sub Total:			\$0.00			



Funding Agreement

(Terms and Conditions of Agreement)

**Funding Agreement to manage the transition to
individual centred services and funding arrangements in NSW**



**Family &
Community Services**
Ageing, Disability & Home Care

May 2012

- C. professional indemnity;
- (iv) your volunteers for personal injury risk arising during voluntary duties
- (v) your employees by maintaining all insurance required under the Workers Compensation Act 1987.
- (c) You must provide us with list of insurances that are referred to in this clause 14.2, proof of your insurance cover and a certificate of currency upon request.
- (d) Should any insurance policy included on the most recent list provided to us lapse or be cancelled, you will immediately notify us in writing of the new arrangements.

15. Assets

15.1 Funding for Assets

If Funding is provided for the purpose of purchasing or modifying Assets, such Funding and assets will be detailed in Schedule 2 and you must use that Funding only for that purpose.

15.2 Dealing with Assets

- (a) You must:
 - (i) use the Asset for or in connection with the Service;
 - (ii) keep the Asset in good condition and repair for a reasonable lifetime;
 - (iii) comply with our requirements in respect of the acquisition and disposal of the Asset;
 - (iv) pay all rates, taxes, charges, outgoings and assessments that may be payable in respect of the Asset, and you indemnify us against the payment of these costs;
- (b) Unless you have our prior written approval, you must not:
 - (i) lease or otherwise delegate responsibility for the use of the Asset to another person;
 - (ii) mortgage or otherwise use the Asset for loans or other financial arrangements; or
 - (iii) dispose of the Asset.

15.3 Asset Register

You must complete the Asset Register for each Significant Asset. You must ensure that:

- (a) all Significant Assets are recorded in the Asset Register; and
- (b) the Asset Register is kept current at all times.

15.4 Minister's equity

- (a) You acknowledge and agree that we have an equitable interest in Significant Assets. Such equitable interest will be equivalent to the proportion the Funding applied to the acquisition of the Significant Asset bears to the purchase cost of the Significant Asset. In this clause, Minister's Equity means the equitable interest in any Significant Asset calculated and depreciated in accordance with the NSW Office of Financial Management "Accounting Policy and Guidelines for Capitalisation of Expenditures on Property, Plant and Equipment".
- (b) If you sell or dispose of a Significant Asset before the Minister's Equity equals zero, you must, at our direction:
 - (i) treat the value of the Minister's Equity as Surplus Funds; or
 - (ii) pay us, or anyone nominated by us, the value of the Minister's Equity,within 20 Business Days of the sale or disposal.
- (c) Clause 15.4(b) does not apply if we have agreed other arrangements with you in writing.

16. Other matters

16.1 Notices

All communications (including notices, consents, approvals, requests and demands) under or in connection with this agreement:

- (a) must be in writing and mail, email, fax or through the web based communication portal nominated by us;
- (b) must be signed, sent or submitted by our representative or your representative, as appropriate;

EXECUTED AS AN AGREEMENT

EXECUTED BY MURRUMBIDGE SHIRE COUNCIL
(Service Provider Name)

in accordance with its constitution in the presence of:

CAROLYN UPSTON GENERAL MANAGER
(Name) (Position)

Carolyn Upston
(Signature)

SUE MITCHELL MANAGER FINANCE AND ADMINISTRATION
(Name) (Position)

Sue Mitchell
(Signature)

Signature block for second organisation providing Services (if required)

EXECUTED BY _____
(Service Provider Name)

in accordance with its constitution in the presence of:

(Name) (Position) (Signature)

(Name) (Position) (Signature)

Department's Use Only

SIGNED on 3 Sept 2012
(Day) (Month) (Year)

Signed by

Stephen Chamberlain
(Name)

[Signature]
(Signature)

Pursuant to the authority vested in him/her under an instrument of delegation executed by the Minister before me

Jaya Pudasingi
(Name)

[Signature]
(Signature)

SCHEDULE OF INVESTMENTS - 30 November 2022**External investments**

In accordance with Regulation 212 of the *Local Government (General) Regulation 2005*, details of Murrumbidgee Council's external investments are set out below.

Institution	Balance (\$)	Yield (p.a.)	Maturity	Term (months)	No.
Bendigo	1,500,000	0.45%	16/12/2022	7	40
IMB Ltd	1,012,053	3.00%	20/12/2022	6	24
St George	510,738	2.70%	3/01/2023	4	27
Suncorp - METWAY	1,576,297	3.30%	9/01/2023	6	34
Bendigo	1,500,000	3.50%	27/01/2023	3	33
Bendigo	502,048	3.40%	8/02/2023	4	26
IMB Ltd	753,973	3.35%	9/02/2023	5	42
Bendigo	3,000,000	3.30%	20/02/2023	6	45
Suncorp - METWAY	1,500,000	3.43%	21/02/2023	6	36
Westpac	1,204,072	3.31%	22/02/2023	6	25
Bendigo	1,500,000	3.40%	24/02/2023	4	44
Suncorp - METWAY	1,000,000	3.53%	27/02/2023	6	20
Bendigo	1,000,000	3.40%	2/03/2023	6	22
Bendigo	818,452	3.40%	2/03/2023	6	28
IMB Ltd	756,788	3.60%	3/03/2023	4	29
Westpac	1,200,000	3.99%	3/03/2023	6	32
NAB	504,169	2.80%	7/03/2023	6	23
Bendigo	1,200,000	3.20%	16/03/2023	7	21
St George	1,006,830	3.05%	18/03/2023	6	31
Westpac	1,005,504	3.78%	20/03/2023	5	43
Westpac	1,206,016	3.78%	21/03/2023	5	39
Bendigo	1,000,000	3.90%	27/03/2023	5	35
Westpac	1,200,000	4.00%	21/04/2023	6	30
Bendigo	3,000,000	3.45%	18/05/2023	9	37
	<u>29,456,938</u>				

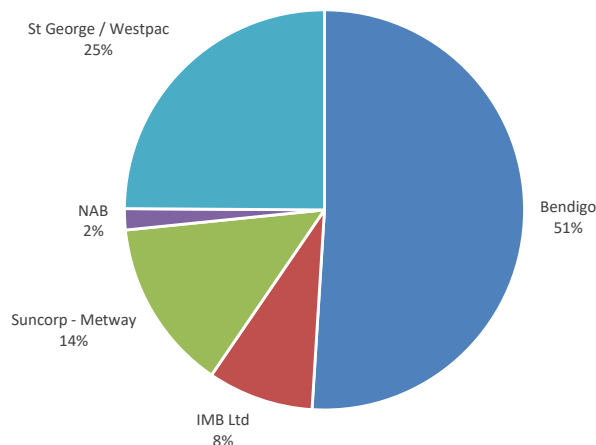
Maturity

All investments comply with the maximum duration set out for each rating category in the *Investment Policy*.

Month	\$ Funds Maturing
December 2022	\$ 2,512,053
January 2023	\$ 3,587,034
February 2023	\$ 9,460,092
March 2023	\$ 9,697,759
April 2023	\$ 1,200,000
May 2023	\$ 3,000,000
	<u>\$ 29,456,938</u>

Counterparties to Investments

Institution	Balance	S&P / Moody's / Fitch	Highest	Limit	% Invested	Compliant
Bendigo	15,020,500	BBB+ / A3 / A-	A	N/A	50.99%	N/A
IMB Ltd	2,522,813	- / Baa1 / BBB+	BBB	10%	8.56%	●
Suncorp - Metway	4,076,297	A+ / A1 / A	A	14%	13.84%	●
NAB	504,169	AA- / Aa3 / A+	AA	30%	1.71%	●
St George / Westpac	7,333,160	AA- / Aa3 / A+	AA	30%	24.89%	●
	<u>29,456,938</u>				<u>100%</u>	



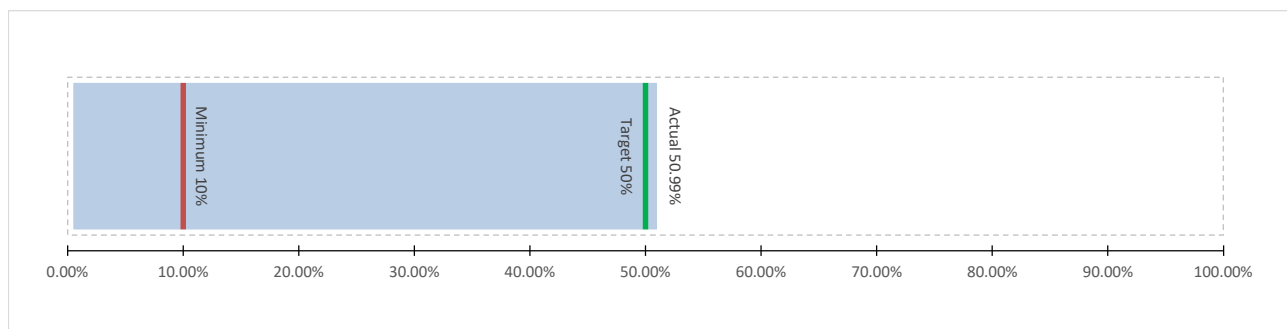
Investment with Coleambally Community Bank

50.99%



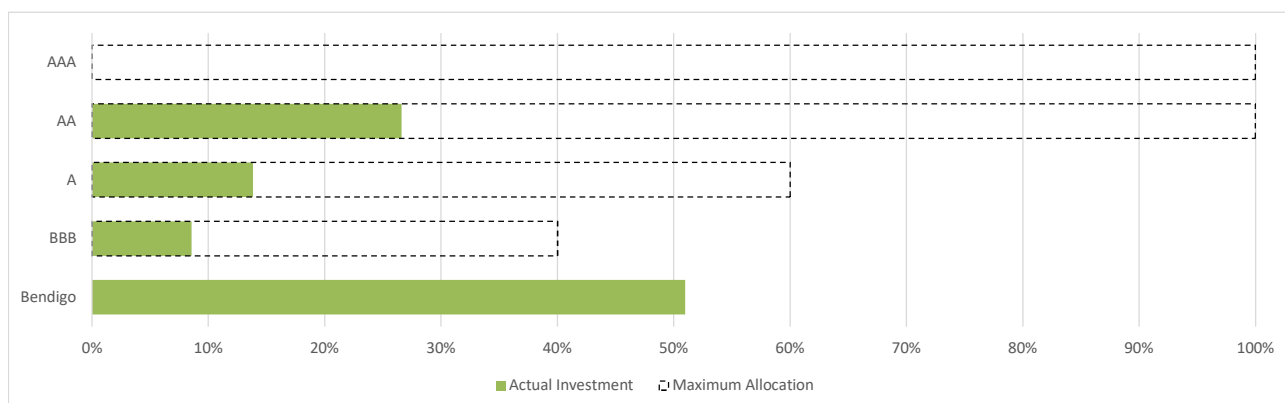
In recognition of the significant community role, support and activities undertaken within the Council area, Council aims to hold 50% of its investment portfolio with the Coleambally Community Bank.

If, when considering a new investment, an equivalently-rated or better-rated institution is offering an interest rate 0.40% p.a. (or more) higher than Coleambally Community Bank with a comparable term to maturity, Council may invest in that institution in preference to Coleambally Community Bank, irrespective of the target set out above. However, Council will hold a minimum of 10% of its portfolio with the Coleambally Community Bank at all times.



Overall Credit Quality Limits

Credit Rating	Maximum	Balance	% Invested	Compliant
AAA	100%	\$ -	0.00%	●
AA	100%	\$ 7,837,329	26.61%	●
A	60%	\$ 4,076,297	13.84%	●
BBB	40%	\$ 2,522,813	8.56%	●
Bendigo	N/A	\$ 15,020,500	50.99%	N/A
Total		\$ 29,456,938	100%	

**Monthly investment movements****Redemptions**

Institution - No.	Balance (\$)	Comments
	0.00	

New Investments

Institution - No.	Balance (\$)	Yield (p.a.)	Term (months)	Comments
	0.00			

Rollovers

Institution - No.	Balance (\$)	Yield (p.a.)	Term (months)	Comments
IMB	756,788	3.60%	4	
	756,788			

Investment performance

	Nov-22	FYTD
Total investment income, including accrued interest	\$68,824	\$257,899
Money-weighted rate of return (% p.a.) (to 28 Nov 2022 only)	2.87%	2.17%
Bloomberg AusBond Bank Bill Index	2.48%	2.10%
Overperformance/(underperformance)	0.38%	0.06%