



Dowerin Bushfire Brigade Policy Manual July 2023



PREMABLE

FOREWORD

The three bushfire brigades (below) are owned and operated by the Shire of Dowerin. Operational and capital costs are funded by the DFES, using monies raised by the ESL.

The Shire of Dowerin oversees the Dowerin Bushfire Brigade, Minnivale Bushfire Brigade and Ucarty Farmer Response Brigade.

Our primary role is to provide fire prevention, preparedness, response & recovery service (PPRR) to the areas in the Shire of Dowerin that lie inside of the gazetted Fire District. Whilst our primary responsibility is to the residents of the Shire of Dowerin, in times of emergency we are available to assist with incidents in other Local Government areas, DBCA reserves and inside all ESL Category areas as requested. Mutual aid agreements ensure that assistance is available in all areas when required.

MISSION STATEMENT

“To provide fire prevention, preparedness, response & recovery service to the Dowerin District.”

CHANGING POLICIES

Only Council may amend or rescind a policy. Policies may be amended or rescinded at any time, but each policy must be reviewed at least once every three years.

ACRONYM LIST

CBFCO	Chief Bushfire Control Officer
AGM	Annual General Meeting
LGTO	Local Government Training Officer
DFES	Department of Fire and Emergency Services
PPE	Personal Protection Equipment
SOD	Shire of Dowerin
SODBFB	Shire of Dowerin Bushfire Brigade
CEO	Chief Executive Officer
DBCA	Department of Biodiversity, Conservation and Attractions
EEO	Equal Employment Opportunity
BAC	Blood Alcohol Content

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POLICY NUMBER	8.1
POLICY SUBJECT	8.1 Roles of Brigade Officers
DATE ADOPTED	XXX
RESPONSIBLE OFFICER	Chief Executive Officer
REVIEWED	

Objective

The purpose of this policy is to establish the roles of persons appointed as officers of Volunteer Bush Fire Brigades of the Shire of Dowerin.

Policy Statement

Through the application of this Policy, officers of Volunteer Bush Fire Brigades of the Shire of Dowerin, shall have a clear understanding of the extent of their authority and how their role will contribute to the strong management and operations of the brigades.

Roles and Responsibilities

Chief Bush Fire Control Officer (CBFCO)

A CBFCO is a delegated representative of the local government responsible for the administration of provisions within the Act. The position is required to perform active operational duties in relation to both fire defence and fire prevention strategies within the local community.

A member of the Brigade may be nominated for this position at the Brigade Annual General Meeting (AGM).

Chief Bush Fire Control Officers are nominated by the brigade to the Bush Fire Advisory Committee. The nomination is considered by BFAC and the CBFCO and if appropriate it is forwarded to the local government for its consideration and ratification.

Duties and responsibilities of the CBFCO include:

- authorise permits for hazard reduction burns within the local government in accordance with the Act,
- identify and conduct risk assessments of fire hazards within the local government,
- perform duties prescribed by the Act and authorised by the local government,
- may take overall control of fire suppression activities or operational incidents where the local government is the Controlling Agency,
- maintain a personal incident diary to include a record of events and decisions during an incident,
- conduct brigade briefings and post incident analysis of any incident involving firefighting or management issues,
- provide advice and guidance and assist in Brigade management to effect improvements to fire management in the area,
- carry out normal brigade activities,
- ensure conduct of members is in accordance with the Code of Conduct.

In the absence of the CBFCO, the Deputy Chief Bush Fire Control Officer of the brigade has authority to exercise the powers of the Act delegated to the CBFCO.

Captain

The Captain of the brigade shall be responsible for the leadership and management of brigade operations in liaison with the Chief Bush Fire Control Officer (CBFCO). Nominating Captains must have served a minimum of 2 years as a Lieutenant prior to appointment.

As a role model and mentor for members, the Captain should always act with integrity and consider each member equally. All decisions should be in the interest of the Brigade and its members. The position reports to the CBFCO on brigade related matters.

Duties and responsibilities of the Captain include:

- a. Demonstrate positive leadership and mentor members,
- b. If the Captain is the senior officer at an incident:
 - i. command, control and confidently manage activities at emergency incidents to ensure incident control systems and management principles are implemented and maintained during all emergency incidents if required,
 - ii. maintain some form of personal incident diary with a record of events and decisions that occur at an incident,
 - iii. conduct Brigade briefings and post incident analysis of any incident involving firefighting, incident support or management issues,
 - iv. ensure members deployed for operational duties have the competencies to complete the task or duty assigned and hold currency in training to carry out the functions required, in accordance with training recommendations,
 - v. to undertake responsibility for the proper management and maintenance of Brigade property and equipment to the best of their ability,
 - vi. ensure conduct of members is in accordance with the Code of Conduct, and
 - vii. report any injuries of personnel or damage to fire fighting vehicles or equipment immediately to the CBFCO.
- c. preside over all brigade meetings,
- d. ensure meeting procedure and protocol is maintained,
- e. promote the aims and objectives of the brigade where possible,
- f. advise the brigade on administrative matters,
- g. report brigade matters to the CBFCO,
- h. promote open fair discussion during debate in relation to brigade matters, and
- i. ensure minutes of meetings are signed and dated.

In the absence of the Captain, the next senior officer of the brigade has authority to exercise the powers of the Act delegated to the Captain.

Lieutenant

The Lieutenant of a brigade is responsible for the operational management of members during brigade activities. The position is required to provide operational support to the Captain in managing the brigade. The position reports to the Captain on all matters relevant to the functioning of the Brigade and/or personnel they are supervising. Lieutenants must have served a minimum of four (4) years of active service prior to appointment.

The Brigade should appoint a minimum of one (1) Lieutenant. Additional Lieutenants may be appointed according to the needs of the Brigade. If operational circumstances require the number of Lieutenants for a brigade to be more than four (4), as decided by the Brigade Executive Committee, a request is to be submitted in writing or email to the CBFCO for endorsement.

The brigade must rank all Lieutenants numerically according to seniority including length of service and relevant skills.

Duties and responsibilities of a Lieutenant include:

- a. provide support to the Captain and assist with the operational management of the brigade,
- b. in the absence of the Captain administer all powers and responsibilities of the Act,
- c. command and manage members during emergencies and other brigade related incidents and activities,
- d. maintain a personal incident diary with a record of events that occur during all incidents if assuming the role of the most Senior Officer,
- e. in the absence of a more Senior Officer, conduct brigade briefings and post incident analysis of any incident involving firefighting or management issues,
- f. encourage positive interaction and teamwork between members,
- g. ensure Bush Fire Operating Procedures are adhered to at brigade activities,
- h. to endeavour to ensure active members engaged in brigade activities are allocated tasks relevant to their competencies,
- i. work cohesively with the Brigade Training Officer to conduct training activities for active members,
- j. to ensure the behaviour of members is in accordance with the Code of Conduct

Brigade Equipment Officer

The role of the Brigade Equipment Officer is to manage brigade property, fleet vehicles, general equipment, and stock levels of personal protective equipment. The position is not required to perform active operational duties but may be able to demonstrate a degree of knowledge of brigade equipment. The position may be inclusive to an operational position held within the brigade.

The equipment officer shall perform the following functions:

- a. Manage brigade equipment and maintain a register of all assets,
- b. Coordinate and record maintenance of brigade equipment,
- c. Report all damage of brigade equipment or property to the CBFCO,
- d. Manage brigade requests for replacement items and equipment,
- e. Compile documentation of replacement items and submit to the CBFCO.

Brigade Training Officer

The Brigade Training Officer is responsible for the management and co-ordination of brigade training in conjunction with the Local Government Training Officer, including the documentation of these activities. The position is not required to perform active operational duties and is inclusive to an operational position held within the Shire of Dowerin. The Officer is expected to maintain a sound knowledge of the Competencies required by members.

Duties and Responsibilities of the Brigade Training Officer may include:

- a. Ensure brigade members maintain necessary skill levels equivalent to the competency standards required by the local government and as recommended by DFES,
- b. Endeavour to ensure regular training sessions are conducted within the brigade to maintain currency of qualifications and skills,
- c. Maintain accurate records of training undertaken by members and ensure that qualification and training updates are forwarded to the Local Government Training Coordinator as required,
- d. Provide mentoring for members who express an interest in training to encourage future facilitators,
- e. Liaise the CBFCO on training operations.

Secretary

The Secretary is to record and manage administrative matters of the brigade. The position is not required to perform active operational duties and may be inclusive to an additional position held within the brigade.

The position reports to the Captain on administration matters relevant to the brigade. This position may be held in conjunction with the Treasurer position.

The Secretary shall perform the following functions:

- a. Ensure members receive notification of brigade meetings in accordance with Council Policy: *Brigade Meetings*,
- b. Where deemed appropriate, prepare an agenda for brigade meetings, and distribute to members prior to meetings,
- c. Ensure minutes of brigade meetings are recorded and distributed to all members prior to next meeting,
- d. Document and record all brigade correspondence,
- e. Ensure brigade information is disseminated to all listed members,
- f. Make available circulars and other information to members,
- g. Work cohesively with local government management and administration staff on matters relevant to brigade administration.
- h. Maintain a register of Brigade Members

Treasurer

The role of the Treasurer is to manage and report on all financial matters relevant to the brigade. The position is not required to perform active operational duties and may be inclusive to an operational position held within the brigade.

The position reports to the Captain on financial matters relevant to the brigade.

This position may be held in conjunction with the Secretary position.

The Treasurer shall perform the following functions:

- a. Manage financial affairs including budgets of the brigade,
- b. Maintain brigade financial records and provide detailed reports of income and expenditure at all meetings,
- c. Work cohesively with the Shire of Dowerin on matters pertinent to brigade financial matters, including providing annual copies of financial statements, or as requested by the Shire.

Related Documentation

Related Legislation/Local Law/Policy/Procedure

Bush Fire Brigades Local Law

Bush Fires Act 1954

Local Government Act 1995

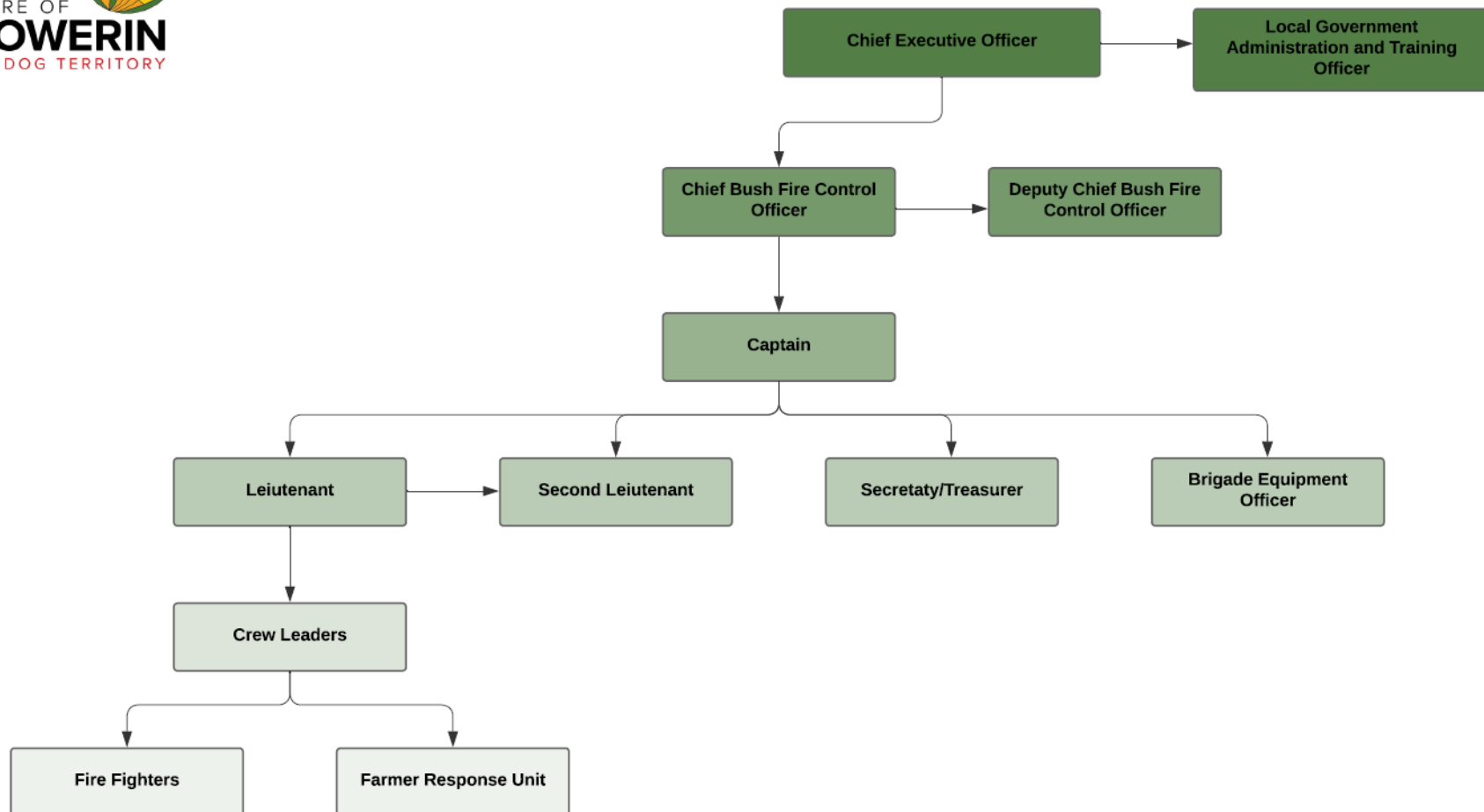
Related Delegation

Nil

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Last Review Date	
Next Review Date	This policy will be reviewed as required.



Dowerin Bushfire Brigade Organisation Chart



POLICY NUMBER	8.2
POLICY SUBJECT	8.2 Brigade Meetings
DATE ADOPTED	XXX
RESPONSIBLE OFFICER	Chief Executive Officer
REVIEWED	

Objective

To ensure Brigade Members are aware in advance of when Meetings will take place.

Policy

In accordance with Regulation 3.6 of the *Bush Fire Brigades Local Law*, the Bushfire Brigade is to hold its Annual General Meeting (AGM) during the month of March each year. The Brigade Captain is to present the dates for the following AGM during that meeting.

In accordance with Regulation 5.1 of the *Bush Fire Brigades Local Law*, Ordinary Meetings may be called at any time by the Secretary by giving at least 7 days' notice to all Brigade members, and to the Chief Bush Fire Control Officer, for the purpose of:

- a) Organising and checking equipment.
 - b) Requisitioning new or replacement equipment.
 - c) Organising field excursions, training sessions, hazard reduction programs, and the preparation of fire breaks.
 - d) Establishing new procedures in respect of any of the normal brigade activities.
 - e) Dealing with any general business.
-

Roles and Responsibilities

Members

Members have the responsibility of ensuring they understand and comply with the requirements of this policy.

Chief Executive Officer

The Chief Executive Officer has a responsibility to ensure this policy is implemented.

Executive & Governance Officer

The Executive & Governance Officer has a responsibility to ensure this policy is reviewed and presented to for consideration.

Related Documentation

Related Legislation/Local Law/Policy/Procedure

Nil

Related Delegation

Nil

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POLICY NUMBER	8.3
POLICY SUBJECT	8.3 Firefighter Induction
DATE ADOPTED	XXX
RESPONSIBLE OFFICER	Chief Executive Officer
REVIEWED	

Objective

To ensure all Firefighters are provided with the appropriate orientation to enable them to fulfil their duties.

Policy

To provide Firefighters with an introduction and information to assist them with their roles of being elected representatives, the following documents will be provided to them, preferably before attending their first brigade meeting:

1. Local Laws,
2. Details of membership,
3. Bushfire Brigade Policy Manual,
4. Bushfire Brigade Procedure Manual,
5. Contact Information Form.
6. DFES Volunteer Hub walkthrough

These documents will be available in hard copy, and the DFES Volunteer Hub walkthrough will be given online.

The Captain will conduct a general induction with the new members providing information on the details and administration of being a volunteer firefighter.

Roles and Responsibilities

Members

Members have the responsibility of ensuring they understand and comply with the requirements of this policy.

Chief Executive Officer

The Chief Executive Officer has a responsibility to ensure this policy is implemented.

Executive & Governance Officer

The Executive & Governance Officer has a responsibility to ensure this policy is reviewed and presented to for consideration.

Related Documentation

Related Legislation/Local Law/Policy/Procedure

Local Government Act 1995

Local Government (Administration) Regulations 1996

Local Government (Rules of Conduct) Regulations 2007

Code of Conduct

Related Delegation

Nil

Document Control	
Policy Number	8.3
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Last Review Date	
Next Review Date	This policy will be reviewed as required.

POLICY NUMBER
POLICY SUBJECT
DATE ADOPTED
RESPONSIBLE OFFICER
REVIEWED

8.4
8.4 Personal Protective Equipment
XXX
Chief Executive Officer

Objective

To assist Firefighters in wearing appropriate Personal Protective Equipment.

Policy

Prior to training all Recruit Firefighters and new Members will be issued their own Personal Protective Equipment (PPE). All Firefighters will be issued with:

- Kit Bag
- Safety Helmet (and visor),
- Level 1 Firefighters Jacket,
- Level 1 Gloves,
- Level 1 Firefighters Trousers,
- Firefighters Boots, and
- Respirator and Filters.

PPE is only to be worn by a Firefighter when they are in attendance to an incident.

Roles and Responsibilities

Members

Members have the responsibility of ensuring they understand and comply with the requirements of this policy.

Chief Executive Officer

The Chief Executive Officer has a responsibility to ensure this policy is implemented.

Executive & Governance Officer

The Executive & Governance Officer has a responsibility to ensure this policy is reviewed and presented to for consideration.

Related Documentation

Related Legislation/Local Law/Policy/Procedure

Nil

Related Delegation

Nil

Document Control	
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Next Review Date	This policy will be reviewed as required.

POLICY NUMBER	8.5
POLICY SUBJECT	8.5 Use of Brigade Sheds
DATE ADOPTED	XXX
RESPONSIBLE OFFICER	Chief Executive Officer
REVIEWED	

Objective

To provide direction on the use of Fire Brigade sheds by members.

Policy

The use of the Brigade sheds is limited to Brigade Meetings, and meetings where Brigade Officer or members representation is present in accordance with the following guidelines:

1. The meeting is related to Brigade business, or associated with Brigade involvement, or at the discretion of the Chief Bush Fire Control Officer.
2. The meeting is not a private function, nor used for political or electoral purposes.
3. The Brigade shed area is a smoke free zone including veranda areas directly adjacent to open doorways.

All building maintenance will be performed by the Shire of Dowerin, with general cleanliness being a responsibility of the relevant Brigade members. The Shire of Dowerin will perform a biannual building inspection, with at least 7 days' notice given to the Brigade Captain.

Roles and Responsibilities

Brigade Officers & Members

Members have the responsibility of ensuring they understand and comply with the requirements of this policy.

Chief Executive Officer

The Chief Executive Officer has a responsibility to ensure this policy is implemented.

Executive & Governance Officer

The Executive & Governance Officer has a responsibility to ensure this policy is reviewed and presented to for consideration.

Related Documentation

Related Legislation/Local Law/Policy/Procedure

Nil

Related Delegation

Nil

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Next Review Date	This policy will be reviewed as required.

POLICY NUMBER	8.6
POLICY SUBJECT	8.6 Vehicle Use for Operational Activities
DATE ADOPTED	XXX
RESPONSIBLE OFFICER	Chief Executive Officer
REVIEWED	

Objective

This operating policy is to provide Members of the Shire of Dowerin Bush Fire Brigade with guidance and direction around the safe and effective use of fire appliances.

The requirement of this policy applies to all Shire of Dowerin Bush Fire Brigade members and is subject to provisions outlined in this procedure.

Policy

Licence Requirements

Licence According To Class

Licencing requirements according to class as outlined in schedule 1 of Road Traffic (Authorisation to Drive) Regulations 2014.

- C** A motor vehicle, other than a motorcycle or motor carrier, that:
 - has a GVM of 4.5 t or less, and
 - that is equipped to seat not more than 12 adults including the driver.
- LR** A motor vehicle, other than a motorcycle or motor carrier, that:
 - has a GVM of 4.5 t or less and that is equipped to seat more than 12.
 - adults including the driver: or
 - has a GVM of more than 4.5 t but not more than 8 t.
- MR** A motor vehicle, other than a motorcycle or motor carrier, that:
 - has 2 axles and a GVM of more than 8t.
- HR** A motor vehicle, other than a motorcycle or motor carrier, that:
 - has at least 3 axles and a GVM of more than 8t.

It is a requirement that all members are to produce their Drivers Licences, once a year, at the Brigade's Annual General Meeting, to the requesting Officer, or at any other time at the Chief Bush Fire Control Officers request.

Novice (Learner) Driver

The learner driver must be accompanied by an instructor as defined under the Road Traffic (Authorisation to Drive) Regulations 2014, who has held an authorised driver's licence for a minimum of 4 years, the instructor must always supervise the learner both in and out of the vehicle.

The learner driver:

- Must not exceed a speed limit of 100km/hr, and
- Must display two L plates on the vehicle, one of which is visible from the front of the vehicle, and one which is visible from the back of the vehicle.

The Learner driver is not permitted to drive to or at the fire ground, and at no time is the learner driver permitted to drive Emergency Road conditions.

Novice (Provisional) Driver

As defined in section 10 of the Road Traffic (Authorisation to Drive) Regulations 2014, the novice driver (Type 1A) may only drive between the hours of 2400 and 0500 if it is for the purpose of travelling to or from employment and by the shortest practicable route for achieving that purpose. This means only when travelling between the station and home.

The provisional driver may not under any circumstance drive a Shire of Dowerin Vehicle under Emergency road conditions.

Extraordinary Licence

Members who hold an Extraordinary Licence are not permitted to drive a Shire of Dowerin vehicle under Emergency road or Normal road conditions and must always adhere to the conditions of their licence.

Requirements per Road Conditions

Qualification Requirements For Emergency Road Conditions

All members of the Shire of Dowerin Bush Fire Brigades must hold the following to be able to drive a fire appliance under operational conditions:

- Current Western Australian drivers licence stating the relevant class,
- Have undertaken an accredited driving under operational conditions unit of competency, PUAVEH001B Drive vehicles under operational conditions or DFES On Road Course,
- Has been a volunteer Fire Fighter within the Shire of Dowerin Fire Service for a minimum of 2 years, and
- Has been approved by the brigade captain and endorsed by the Chief Bush Fire Control Officer.

Any driver whose licence has been disqualified must advise their Brigade Captain immediately and are not authorised to drive a Shire of Dowerin vehicle.

Qualification Requirements For Normal Road Conditions

All members of the Shire of Dowerin Bush Fire Brigade must hold the following to be able to drive a fire appliance under Normal road conditions.

- Current Western Australian drivers licence stating the relevant class, and
- Has been approved by the Brigade Captain.

Any driver whose licence has been disqualified must advise their brigade captain immediately and are not authorised to drive a Shire of Dowerin vehicle.

Driving Emergency Road Conditions

Any member who has met the qualification requirements as outlined in this document may proceed under Emergency road conditions providing the member is:

- On official duty responding to a fire or fire alarm,
- On official duty responding to an emergency or rescue operation where it is reasonable to assume that human life is likely to be in danger,
- The driver is taking all reasonable care,
- The vehicle is displaying a blue or red flashing light and/or sounding an alarm (As per section 61 B of the Road Traffic Act 1974), and
- The vehicle is an Emergency Vehicle as defined under the Road Traffic (Vehicle) Regulations 2014.

The driver must, when instructed by a Fire Control Officer, DFES Officer, COMCEN, or the Incident Controller, proceed under Normal road conditions, and are subject to all laws and regulations as detailed under the Road Traffic Code 2000.

Members may be authorised by a Fire Control Officer at their discretion from time to time under certain circumstances for a specific incident to respond to an incident under operational conditions, should the Fire Control Officer believe it is required. Under no circumstances is any other member authorised to upgrade a driver to operational conditions.

Seat Belts

Members must always wear a seat belt when traveling in a vehicle belonging to the Shire of Dowerin, except for when engaged in Fire Fighting activities as per section 284.1(b) of the *Road Traffic Code 2000*.

Drugs And Alcohol

A driver or any other member must not operate a Shire of Dowerin vehicle with a blood alcohol content greater than 0.00% or any prescribed illicit drugs in the persons systems, as described in section 64AC of the Road Traffic 1974.

Disciplinary Process And Penalties

Every member who drives a motor vehicle without due care and attention and fails in their duties as described in the aforementioned sections of this document, commits an offence and is subject to disciplinary process which includes any or all the following:

- Suspension from all driving privileges for a set period,
- Suspension of membership for a set period, and/or
- Termination of membership.

Any member found to be in breach of these rules will be subject to the disciplinary process as provided here within. The Chief Bush Fire Control Officer or their nominated representative (Deputy Chief Bush Fire Control Officer, Captain) may at his discretion prohibit a member from proceeding under operational conditions for a period to be determined at the time, if they feel the member has breached any of the conditions of this document or if they believe the member has acted in an unsafe manner at any time whilst driving a Shire of Dowerin Vehicle, the Chief will notify the member in writing the terms of their suspension from driving.

Roles and Responsibilities

Members

Members have the responsibility of ensuring they understand and comply with the requirements of this policy.

Chief Executive Officer

The Chief Executive Officer has a responsibility to ensure this policy is implemented.

Executive & Governance Officer

The Executive & Governance Officer has a responsibility to ensure this policy is reviewed and presented to Council for consideration.

Related Legislation/Local Law/Policy/Procedures

Bushfires Act 1954

Department of Transport Western Australia

Road Traffic Act 1974

Road Traffic Code 2000

Road Traffic (Authorisation to Drive) Act 2008

Road Traffic (Vehicle) Act 2012

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Last Review Date	
Next Review Date	This policy will be reviewed as required.

POLICY NUMBER	8.7
POLICY SUBJECT	8.7 Shire Owned Equipment at Bushfires
DATE ADOPTED	XXX
RESPONSIBLE OFFICER	Chief Executive Officer
REVIEWED	

Objective

Council is fully supportive of our volunteer brigades' efforts to protect the Shire from a dangerous fire situation. To that end, Council-owned plant and equipment, and operators are available to assist in the containment of a fire.

Policy

The Chief Bush Fire Control Officer (CBFCO) or person in control of the fire, is to determine if the equipment is required.

The CBFCO or person in control of the fire is to contact the Chief Executive Officer to request the Shire equipment to attend the fire.

If the Chief Executive Officer is unavailable, authority for the use of plant and equipment will be delegated to the Asset & Works Coordinator.

Requests for Shire equipment are to be for assistance in the containment and control of bushfires.

Requests from landowners to assist in "mopping up" procedures will be charged at private works rates.

If land tenure is Department of Biodiversity, Conservation and Attractions /Unallocated Crown Land/Unmanaged Reserves contact the relevant agency to enable the Shire to claim payment for equipment use.

Document Control	
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Last Review Date	
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POLICY NUMBER
POLICY SUBJECT
DATE ADOPTED
RESPONSIBLE OFFICER
REVIEWED

8.8
8.8 Police Statements
XXX
Chief Executive Officer

Objective

To provide direction for the provision of statements to the police regarding incidents.

Scope

Personnel attending incidents may occasionally be required to submit a statement to Police for internal police enquiries and/or presentation to a Coroner's Inquest.

Policy

POLICE STATEMENTS

Statements are not to be submitted, presented, or made either verbally or in writing directly to any police officer regarding any incident attended.

Upon receiving a request for a witness statement, the witness (Shire employee or volunteer) is to contact the Chief Executive Officer.

The Chief Executive Officer will provide the witness with internal advice and support and will solicit external legal advice if considered necessary.

The Chief Executive Officer will assist the witness through the statement development and delivery process.

Roles and Responsibilities

Brigade Officers & Members

Members have the responsibility of ensuring they understand and comply with the requirements of this policy.

Chief Executive Officer

The Chief Executive Officer has a responsibility to ensure this policy is implemented.

Executive & Governance Officer

The Executive & Governance Officer has a responsibility to ensure this policy is reviewed and presented to for consideration.

Related Documentation

Related Legislation/Local Law/Policy/Procedure

Nil

Related Delegation

Nil

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Creation Date	18 July 2023
Last Review Date	
Next Review Date	This policy will be reviewed as required.

POLICY NUMBER	- 7.20
POLICY SUBJECT	- 7.20 Management of Bushfire Volunteers
DATE ADOPTED	- 21 December 2021
RESPONSIBLE OFFICER	- Chief Executive Officer
REVIEWED	-

Objective

This policy is designed to give guidance in managing the Shire's valuable bushfire volunteers in relation to their competency in fighting fires and expectations and requirements when attending a bush fire.

The State Government's new Work Health and Safety Act 2020 commences in January 2022 and will impact on the Shire's bushfire volunteers through the new Industrial Manslaughter provisions.

The new regulations require the Shire to adopt a more structured approach to managing its registered bushfire volunteers. The legislation states that all registered bushfire volunteers are deemed to be employees of the Shire of Dowerin to whom the Shire has a duty of care with respect to safety, training, performance and compliance.

As volunteers come under the Shire umbrella, liability wise, as well as any employer who has an employee attending a fire, volunteers are covered through the Shire's insurance scheme.

The Shire of Dowerin is adopting a protocol that recognises and addresses the issue of training. *Recognition of Prior Learning*, that is experience in fire situations, will be recognised and registered as a competency level. Inexperienced volunteers will need to have a recorded basic introduction to fire safety and procedure training or have been issued a Shire *Competency Certificate*.

The Shire of Dowerin deems the Chief Bushfire Control Officer, Bushfire Advisory Committee Chairperson and Shire Chief Executive Officer as being qualified to assess the volunteer's recognition of prior learning and to approve and sign the **Competency Certificate**.

Other requirements for volunteers who attend a bushfire include:

- Following orders of a Fire Control Officer (FCO)
- Wearing appropriate fire-fighting PPE
- Understanding and using the correct communication methods
- Notifying when arriving and leaving the fire grounds
- Ensuring firefighting plant and equipment is operational

Roles and Responsibilities

The Chief Executive Officer is responsible for ensuring this policy is implemented.

Related Documentation

RPL Assessment Form/ Certificate of Competency

Related Legislation/Local Law/Policy/Procedure

Bushfire Act 1954

Work Health and Safety Act 2020

Related Delegation

Nil

POLICY NUMBER	- 7.6
POLICY SUBJECT	- 7.6 Disciplinary Policy
DATE ADOPTED	- 20 August 2019 (CMRef 0034)
RESPONSIBLE OFFICER	- Manager Corporate & Community Services
REVIEWED	- 9 June 2022

Policy Statement

The Shire of Dowerin (Local Government) is committed to ensuring its employees conduct themselves in an appropriate and professional manner and perform their duties in accordance with Local Government policies, procedures and guidelines (Policies).

The Local Government may from time to time consider that issues of employee behaviour, misconduct or less than satisfactory performance require disciplinary action. All disciplinary action will be applied in a consistent, fair and objective manner as set out in this policy, and in appropriate circumstances employees may be given an opportunity and assistance to improve.

Application

This policy applies to all employees who work at the Shire of Dowerin including contractors, volunteers and any person performing work for or with the Shire of Dowerin in any capacity.

Authority to take Disciplinary Action

Disciplinary action, with the exception of termination of employment, will only be taken when authorised by the employee's Manager. The Manager may only approve disciplinary action after consultation with the Chief Executive Officer.

A decision to terminate an employee's employment with the Local Government must be authorised by the Chief Executive Officer.

When the Disciplinary Policy Applies

Some examples of when this policy may be invoked include breaches of the Shire of Dowerin policies and procedures including, but not limited to:

1. breaches of the Code of Conduct such as failing to disclose a conflict of interest, or accepting a prohibited gift; or
2. poor performance such as frequently attending for work late or producing a poor quality of work; or
3. inappropriate behaviour such as theft, violating the Discrimination, Harassment and Bullying Policy, or wilfully disobeying a lawful instruction.

General Disciplinary Principles

The following principles will apply to any disciplinary action taken:

1. **Nature of allegation and investigation:** Before formal disciplinary action is taken against an employee, the nature of the allegations made against an employee will be put to the employee and an investigation may follow, in accordance with the *Grievances, Investigations & Resolution Policy and Procedure*;
2. **Right to a support person:** Where an employee is required to attend a formal meeting regarding a disciplinary matter or procedure, the employee may be accompanied by a support person where practicable. The role of a support person is not to advocate on behalf of anyone, but to simply provide emotional or other support;
3. **Confidential:** All parties must keep matters related to a disciplinary process confidential; and
4. **Fair and impartial:** The Shire of Dowerin strives to keep the disciplinary process fair and impartial, meaning that all parties involved will have an opportunity to put their case forward and be given an opportunity to respond.

Serious Misconduct

Serious misconduct pursuant to the *Fair Work Regulations 2009* includes, but is not limited to:

1. Wilful or deliberate behaviour by an employee that is inconsistent with the continuation of the contract of employment;
2. Conduct that causes serious and imminent risk to the health or safety of a person; or the reputation, viability or profitability of the Shire of Dowerin's organisation;
3. The employee, in the course of the employee's employment, engaging in:
 - a. theft; or
 - b. fraud; or
 - c. assault;
4. The employee being intoxicated at work; or
5. The employee refusing to carry out a lawful and reasonable instruction that is consistent with the employee's contract of employment.

If an employee engages in serious misconduct, disciplinary action that may be taken includes, but is not limited to, summary dismissal (termination of employment without notice).

Other Disciplinary Action

With the exception of serious misconduct, where an employee has engaged in misconduct in breach of the Shire of Dowerin's Policies, procedures, code of conduct, employment contract and/or legislation, the employee could be disciplined as follows:

1. **Verbal warning** –Management has the discretion to issue the employee with a verbal warning. The verbal warning should be noted in a file note and placed on the employee's personnel file;
2. **Written warning** –Management has the discretion to issue the employee with a written warning. The employee must be given a copy of the written warning and it must be placed on the employee's personnel file.; and
3. **Termination of employment with notice** – In cases other than summary dismissal, an employee's employment may be terminated with notice or payment in lieu of notice provided the Shire of Dowerin has a valid reason for terminating the employee's employment and the employee has an opportunity to respond to the reasons for termination.

Whenever an employee is required to attend a meeting regarding a disciplinary issue, the employee may have a support person present where practicable. The type of disciplinary

action taken against an employee is at the Shire of Dowerin's discretion and the type of disciplinary action will depend on the seriousness and frequency of any misconduct or performance issue.

Principles to be Applied

Where disciplinary action is taken, the principles of procedural fairness must prevail. These principles are expanded on in the Shire of Dowerin's Grievances, Investigations, and Resolutions Policy and Procedure.

Investigation Procedures for Alleged Misconduct

Investigations into alleged misconduct should follow the processes detailed in the Shire of Dowerin's Grievances, Investigations, and Resolutions Policy and Procedure.

Reporting Obligations

If an officer or employee of the Shire of Dowerin has reporting obligations pursuant to the *Corruption and Crime Commission Act 2003 (WA)* and suspects on reasonable grounds that a matter arises which concerns or may concern misconduct, the Corruption and Crime Commission must be notified of that matter as soon as reasonably practicable.

Pursuant to the Corruption, Crime and Misconduct Act 2003 (WA) it is the responsibility of the Principal Officer acting in their official capacity to notify where they suspect on reasonable grounds, a matter that concerns or may concern either serious or minor misconduct. Minor misconduct is reported to the Public Sector Commission. Please note that what constitutes 'minor' or 'serious misconduct' for the purpose of the CCM Act differs from the industrial definition of 'misconduct' and 'serious misconduct'.

Employees must also be aware of and adhere to any obligations pursuant to the *Public Interest Disclosure Act 2003 (WA)*.

Variation to this Policy

This policy may be cancelled or varied from time to time. All the organisation's employees will be notified of any variation to this policy by the normal correspondence method.

Related Corporate Documents

Grievances, Investigations, and Resolutions Policy
Grievances, Investigations, and Resolutions Procedure
Code of Conduct for Employees

Document Control	
Policy Number	7.6
Policy Version	2
Policy Owners	Manager Corporate & Community Services
Creation Date	20 August 2019 (CMRef 0034)
Last Review Date	9 June 2022
Next Review Due	This policy will be reviewed annually or more often where circumstances require.

POLICY NUMBER	- 7.7
POLICY SUBJECT	- 7.7 Discrimination, Bullying and Harassment Policy
DATE ADOPTED	- 20 August 2019 (CMRef 0034)
RESPONSIBLE OFFICER	- Manager Corporate & Community Services
REVIEWED	- 9 June 2022

Policy Statement

The Shire of Dowerin and its employees are committed to providing a working environment where every employee is treated equally, fairly and without prejudice. For the purposes of this policy the term “employee/s” will extend to cover contractors, volunteers and any person performing work for or with the Shire of Dowerin in any capacity.

Unlawful Discrimination

An employee is directly discriminated against if they are treated less favourably than another person in the same or similar circumstance because of any one of the grounds of discrimination outlined below. Indirect discrimination can occur where a practice or requirement is imposed upon all employees; but where a high proportion of employees with a protected ground cannot comply with, or are affected by, that practice or requirement.

The Shire of Dowerin acknowledges its responsibilities and obligations pursuant to State and Federal equal opportunity and anti-discrimination laws.

The following is a non-exhaustive list of the grounds of discrimination for which it is unlawful to discriminate against an individual:

1. Age;
2. Family responsibility or status;
3. Race, colour or ethnic origin;
4. Sex including gender identity, sexual orientation and intersex status;
5. Physical or mental disability;
6. Marital status;
7. Political or religious conviction;
8. Pregnancy;
9. Criminal record;
10. Breastfeeding;
11. Gender history;
12. Impairment;
13. National extraction or social origin; and
14. Trade union activity

Sexual Harassment

The *Equal Opportunity Act 1984 (WA)* and the *Sex Discrimination Act 1984 (Cth)* provides that it is unlawful to engage in sexual harassment. Sexual harassment can be defined as any unwelcome conduct of a sexual nature, such as an unwelcome sexual advance or an unwelcome request for sexual favours, in circumstances in which a reasonable person would anticipate that the person harassed would be offended, humiliated or intimidated.

Some examples of sexual harassment include, but are not limited to:

1. Physical contact (touching, rubbing, patting, embracing, brushing up against etc.);
2. Gestures of a sexual nature;

3. Leering or staring;
4. Offensive telephone calls, emails, text messages or notes;
5. Sexual suggestive jokes or comments;
6. sexually explicit posts on social networking sites
7. Tales of sexual exploits;
8. Repeated requests for a date;
9. Unwelcome comments or questions about a person's sex life, appearance or dress; and
10. Displaying sexually graphic material (poster, calendars, cartoons, graffiti, messages, emails).

Just because someone does not object to inappropriate behaviour in the workplace at the time, it does not mean that they are consenting to the behaviour.

Bullying

Bullying is defined as repeated and unreasonable behaviour directed towards an employee or a group of employees that creates a risk to health and safety. Unreasonable behaviour amounts to behaviour that a reasonable person in the circumstances would see as unreasonable including behaviour that is victimising, humiliating, intimidating or threatening.

Bullying is also unlawful under the *Occupational Safety and Health Act 1984 (WA)* and the *Occupational Safety and Health Regulations 1996 (WA)*.

Some examples of bullying include, but are not limited to:

1. Loud, abusive or offensive language or comments;
2. Yelling and screaming;
3. Unjustified criticism and insults;
4. Unjustified threats of dismissal or other disciplinary action;
5. Acts of sabotaging another's work by withholding information which is required to fulfil tasks;
6. Spreading malicious rumours or misinformation;
7. Inappropriate comments about an employee's appearance, lifestyle of family;
8. Deliberately excluding an employee from workplace meetings or activities;
9. Hiding documents or equipment or withholding vital information required for effective work performance;
10. Constantly changing targets or work guidelines;
11. Overloading an employee with work and impossible deadlines;
12. Setting tasks that are unreasonably below or beyond an employee's level of skill;
13. Threats of assault or violence or actual violence;
14. Teasing and practical jokes; and
15. Isolating or ignoring an employee on a constant basis.

Where an employee makes a threat of violence or assaults another employee the police should be called.

Ways in which Bullying can Occur

There are a variety of ways bullying behaviour can occur in the workplace such as verbally, through email or text message or via social media. Bullying can be directed at an individual employee or a group of employees and can be carried out by one or more employees. Bullying can occur between employees, downwards from managers to employees or upwards from employees to supervisors or managers

Reasonable Management Action

The Shire of Dowerin has a right to take reasonable management action to direct the way in which work is conducted and to give employees lawful and reasonable directions to complete work in a certain manner. Reasonable management action is not workplace bullying.

Some examples of reasonable management action include, but are not limited to:

1. The establishment and regular use of performance management systems;
2. The setting of reasonable performance targets and deadlines;
3. Providing employees with constructive feedback or counselling to assist workers to improve their work performance or the standard of their behaviour;
4. Issuing a lawful and reasonable direction to an employee to complete a work task;
5. Preparing and amending a roster for employees;
6. Transferring an employee to a different work location for operational reasons;
7. Implementing organisational change;
8. Informing an employee about inappropriate behaviour in a confidential manner; and
9. Taking disciplinary action against an employee.

Other Behaviours not Considered to be Bullying

Where two or more employees have a difference of opinion and disagree on an issue, this is not usually considered to be workplace bullying. However, where conflict escalates and is repeated it may meet the definition of workplace bullying.

Additionally, bullying does not occur where bullying behaviour is a one off occurrence and if that behaviour does not create a risk to health or safety.

What to do if you think you are being Discriminated Against, Sexually Harassed or Bullied

Refer to the Grievance Policy and Grievance Procedure for steps to take if you think you are being discriminated against, sexually harassed or bullied, or if you suspect another employee is experiencing any of those things.

Roles & Responsibilities

To ensure the intent of this policy is realised various roles within the Shire of Dowerin must assume certain responsibilities.

The Employer

The Shire of Dowerin will endeavour to:

1. provide all workplace participants with a workplace free from discrimination, sexual harassment and bullying;
2. provide and maintain safe systems of work;
3. provide a fair and effective procedure to investigate and resolve complaints of sexual harassment, discrimination and bullying;
4. treat all employees fairly; and
5. take suitable disciplinary action against any employee who is found to have sexually harassed, discriminated, bullied or victimised another employee.

All the Organisation's Employees

Employees, contractors and volunteers are required to:

1. report any incidents of sexual harassment, discrimination or bullying they may see happening around them to an appropriate manager or supervisor;
2. follow all policies and procedures of the Shire of Dowerin;
3. ensure they do not victimise any person making a complaint of sexual harassment, discrimination or bullying; and
4. treat all employees fairly and with respect.

Employees should be aware that discrimination, bullying and sexual harassment may expose them individually to legal action.

Consequences of Breaching This Policy

Any breach of this policy may result in disciplinary action up to and including termination of employment.

Variation to this Policy

This policy may be cancelled or varied from time to time. The Local Government's employees will be notified of any variation to this policy by the normal correspondence method.

Related Corporate Documents

Grievances, Investigations and Resolution Policy and Procedure

Disciplinary Policy and Procedure

Code of Conduct for Employees

EEO Management Plan

Related External Documents

Equal Opportunity Act 1984 (WA)

Racial Discrimination Act 1975

Disability Services Act 1993

Age Discrimination Act 2004

Australian Human Rights Commission Act 1986

Sex Discrimination Act 1984

WALGA Employee Relations Services

Document Control	
Policy Number	7.7
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Next Review Due	This policy will be reviewed bi-annually or more often where circumstances require.

POLICY NUMBER	- 7.10
POLICY SUBJECT	- 7.10 Drug and Alcohol Policy
DATE ADOPTED	- November 2020
RESPONSIBLE OFFICER	- Manager Corporate & Community Services
REVIEWED	- 9 June 2022

Objective

The Shire of Dowerin (Local Government) is committed to providing a safe and healthy workplace for all employees, contractors, sub-contractors and volunteers. As a part of this commitment the Shire will not tolerate the misuse of alcohol and/or other drugs in the workplace.

The purpose of this policy is to ensure the following:

- That all employees, contractors, sub-contractors and volunteers are fit for work and not under the influence of alcohol and/or other drugs while at work.
 - That the safety and wellbeing of staff and the public are not placed at risk by the actions of an employee under the influence of drugs and/or alcohol.
 - That the illegal and/or criminal activity of possession or dealing in drugs does not occur at the workplace.
-

Policy Statement

The Shire of Dowerin's Commitment

The Shire of Dowerin and its employees must take all reasonable care not to endanger the safety of themselves or others (including customers) in the workplace. Alcohol and/or other drug usage becomes a work health safety issue if a worker's ability to exercise judgment, coordination, motor control, concentration and alertness at the workplace is impaired.

This policy applies to all employees, contractors, visitors and volunteers engaged or appointed by the Local Government while on the Local Government's premises or while engaged in Local Government related activities.

The Individual's Responsibility

Under the *Work Health and Safety Act 2020* workers must take reasonable care of their own safety and health and not endanger the safety and health of others at the workplace. The consumption of alcohol and/or drugs while at the workplace is unacceptable, except in relation to any authorised and responsible use of alcohol at workplace social functions. The workplace extends to Shire owned vehicles and plant. At any time as a worker of the Shire whilst undertaking their respective duties, employees are required to present themselves for work and remain, while at work, capable of performing their work duties safely. An employee who is under the influence or impaired by alcohol and/or drugs at the workplace, may face disciplinary action up to and including termination of employment.

Reporting Requirements

Employees must report to their employer any situation where they genuinely believe that an employee may be affected by alcohol and/or other drugs.

Drug Use on the Premises

Employees who buy, take, or sell drugs on Local Government premises, may be found to have engaged in serious misconduct. Such behaviour may result in disciplinary action up to and including dismissal.

Employees who have been prescribed medication/drugs by a medical practitioner that could interfere with their ability to safely carry out their role must inform their Manager or Chief Executive Officer and disclose any side effects that these prescribed medication/drugs may cause.

Consumption of Alcohol on the Premises

Except in situations where the Local Government holds a function on the premises and alcohol is provided, employees must not consume alcohol in the workplace.

Managers' Responsibilities – Consumption of Alcohol at Work Sponsored Functions

Managers are required to:

- encourage employees to make alternative arrangements for transport to and from work prior to the function;
- ensure that the following is made available: water, soft drinks, low alcohol drink options, tea and/or coffee and food;
- assist the employee with safe transport home, including contacting a family member or arranging transport, if the manager believes a person may be over the BAC 0.05 limit; and
- appoint a delegate to oversee the remainder of the function if the manager must leave early.

Counselling and Rehabilitation

All personnel will be offered the opportunity to seek appropriate counselling and rehabilitation services where the need arises. The Council intends in appropriate circumstances to help employees with problems associated with the abuse of drugs and alcohol and to encourage their rehabilitation.

However, no part of this Policy or any related procedures is intended to affect the Shire's right to manage its workplace and discipline its employees or to offer employment or continued employment, nor to make the Shire liable for the costs associated with counselling and rehabilitation.

If an employee feels they require assistance with a substance abuse or dependence related issue they may bring this to the attention of their Safety Representative, Supervisor or CEO. No disciplinary action will result from such a request, even if it is obvious that the Policy must have been previously breached, provided that the request is made well in advance of and not as a result of a drug and alcohol test.

Counselling and Rehabilitation, if required, can be arranged on a strictly confidential basis. This may be arranged through other agencies as listed below:

Service Provider	Metro No.	Toll Free
Occupational Services (WA)	9225 4522	1800 198 191
Alcohol and Drug Information Service (24hrs)	9442 5000	1800 198 024
Alcoholics Anonymous (24 hrs)	9325 3566	
Narcotics Anonymous	9227 8361	
Parents Alcohol and Drug Information Service	9442 5050	1800 653 203

Identification of Impairment & Testing

If the Local Government has reasonable grounds to believe that an employee is affected by drugs and/or alcohol it will take steps to address the issue.

Reasonable grounds may include, but are not limited to, where an employee's coordination appears affected, has red or bloodshot eyes or dilated pupils, smells of alcohol, acts contrary to their normal behaviour, or otherwise appears to be affected by drugs and/or alcohol.

If the Local Government suspects that an employee is under the influence of drugs and/or alcohol it may pursue any or all of the following actions:

- direct an employee to attend a medical practitioner and submit to a medical assessment to determine whether the employee is fit to safely perform their duties;
- require that an employee undergo drug and alcohol testing administered by a suitably qualified person appointed by the Local Government; and/or
- direct an employee to go home.

A medical assessment may include a drug and/or alcohol test. Testing shall be conducted in accordance with the Australian Standard AS/NZS 4308:2008 – Procedures for specimen collection and the detection and quantitation of drugs of abuse in urine.

In circumstances where an employee indicates the consumption of prescription or pharmacy drugs, the Local Government may request further information from the medical practitioner conducting the assessment about the effects and proper usage of the prescription or pharmacy drugs being taken. The Local Government may direct the employee to go home following the medical assessment until it can be established that they are fit to undertake their duties.

If an employee refuses to attend a medical examination or refuses to submit to an alcohol or drug test, the employee will be immediately directed to go home. Refusal to attend a medical assessment or refusal to go home constitutes a breach of this policy and may result in disciplinary action being taken against the employee, up to and including the termination of employment.

The following steps are to be taken where an employee, who has submitted to a medical assessment, returns a positive test result for alcohol and/or drugs:

- the employee tested and the supervisor (or respective employer) will be informed of the result, and
- a disciplinary discussion will take place in accordance with the disciplinary policies and procedures of the Local Government.

Testing Methods

Employees and other persons in the workplace are required to undertake alcohol and drug testing when, where and as required. This will include:

- Random testing
- Extraordinary testing
- Incident testing
- Fitness for Work testing
- Pre-Employment testing

All initial drug testing undertaken will comprise of a saliva test. Confirmatory test may comprise of either a urine or saliva test.

Urine testing will be conducted in accordance with Australian/New Zealand Standard AS/NZS 4308:2008. Saliva testing will be conducted in accordance with Australian Standard 4760-2019.

Alcohol testing will be conducted in accordance with current random breath testing procedures in Western Australia (Australian Standard AS 3547:2019).

All drug testing shall be conducted at a Shire approved testing facility for urine testing or by authorised and trained persons at the workplace for oral testing. Authorised and trained persons will conduct all alcohol testing at the workplace.

Where an employee or other person in the workplace returns a positive screening test result a confirmatory test will be conducted.

A person who returns a positive screening test will not be permitted to remain in or return

to the workplace pending the receipt by the employer of the confirmatory test result. Where a person is so required to leave the Shire's premises or property the Shire will ensure that it is in a safe and responsible manner.

If an employee refuses to attend a medical examination or refuses to submit to an alcohol or drug test, the employee will be immediately directed to go home. Refusal to attend a medical assessment or refusal to go home constitutes a breach of this policy and may result in disciplinary action being taken against the employee, up to and including the termination of employment.

A positive confirmatory test result will be dealt with in accordance with the "Action in Relation to Test Results" provisions as contained in this Policy.

A person who returns a negative confirmatory test result will be permitted to return to the workplace.

Random Testing

All employees and other persons in the workplace may be required to provide a sample for testing as a result of a random selection process. The Shire reserves the right to amend and adjust the random selection process from time to time as appropriate.

Extraordinary Testing

An employee once found to have obtained a positive result in either drug or alcohol testing shall be required to undergo further urine testing at the rate of three extraordinary tests over six months not including normal selection for random testing.

The Shire's Chief Executive Officer shall determine when extraordinary testing is to take place.

Incident Testing

Employees involved in significant incidents will be tested immediately following an incident. Significant incidents may include, but are not limited to:

- Vehicle and plant accidents
- Injuries treated by a medical practitioner
- Property/ vehicle/ plant/ equipment damage
- Reportable near misses

Persons involved in such incidents will be tested for alcohol and/or drugs as per the procedures under this policy. They will not be permitted to commence work until a negative test result is returned and they are considered to be fit for work.

A person who is required to provide a post-incident sample will be on full pay until the testing process is completed at which time they will either return to work or be dealt with in accordance with the "Action in Relation to Test Results" provisions as contained in this Policy.

Fitness for Work Testing

Any employee who has reason to believe that another employee, a contractor's employee, or a visitor is under the influence of drugs or alcohol must report their suspicions to their supervisor/manager. If the supervisor/manager agrees that there is cause for suspicion, they must arrange for the person to be removed from the workplace and undertake to provide a urine or breathalyser test in consultation with the CEO. The employee reporting the suspicion will also be tested.

The person will not be permitted to commence work until a negative test result is returned and they are considered to be fit for work. The persons who are required to provide the sample will be on full pay until the testing process is completed at which time they will either return to work or be dealt with in accordance with the "Action in Relation to Test Results" provisions as contained in this Policy.

Employees have the opportunity to voluntarily self-test "without prejudice" at least 10 minutes prior to the commencement of work if they are in doubt of their fitness for work. An employee who removes themselves from the workplace prior to any incident or disciplinary action will do so either on annual or unpaid leave. Repeated events will be treated as a performance matter.

Pre-Employment Testing

All prospective employees shall be required to provide a urine sample that will be analysed for traces of prohibited or restricted drugs in accordance with Australian Standard 4308 as a pre-requisite for employment with the Shire.

The prospective employee will be requested to declare to the person administering the test whether they are taking any medication, including prescription and/or non-prescription over the counter drugs.

Refusal to Undertake a Test

Refusal by an employee to submit to or cooperate fully with the administration of a drug and alcohol test will be deemed to be the same as a First Positive result and the employee will be sent home on either earned annual leave or unpaid leave at the employee's choice.

The employee will be given a verbal warning. This will be performed in accordance with the relevant Shire procedure which requires a record to be kept including the full details of the misconduct, time and date of warning, and names of witnesses.

The employee will present themselves at an authorised testing centre within 24 hours of the first refusal and undergo a test. If the employee continues to refuse to take a test, it will be treated as a 'second positive' result and the employee will be sent home on either earned annual leave or unpaid leave at the employee's choice. The employee will be given a final written warning assuming there are no mitigating circumstances.

The employee will present themselves for another test within 24 hours of the second refusal and undergo a test. If the employee continues to refuse to take a test, it will be treated as a 'third positive' result. Formal disciplinary procedures will be invoked to ascertain if any mitigating circumstances exist and to allow the employee to state their case. Unless there are convincing arguments to the contrary, the individual may be dismissed without notice.

Provision of an Invalid Sample or Inability to Provide a Sample

An employee or other person in the workplace who provides an invalid sample for testing will be required to provide a valid sample for testing within 24 hours at an authorised testing centre and to comply with the instructions of the authorised testing centre to ensure the provision of a valid sample. In the absence of a medical explanation acceptable to the employer for the provision of an invalid sample, the provision of a second consecutive invalid sample will be treated as a Positive result for the purposes of this Policy.

Where an employee or other person in the workplace asserts that they are unable to provide a sample for testing, in the absence of an explanation acceptable to the employer and when given a reasonable timeframe, the person will be deemed to have returned a positive confirmatory test result for the purposes of this Policy.

Requirement to Declare Use of Drugs Prior to Testing

As part of the drug testing process where Staff are on certain medication or prescriptions they are to provide a photocopy of same in a sealed envelope which is placed in the employees file and only opened if a positive reading is registered.

Where a positive test result is returned indicating the presence of a class of drugs consistent with the declared prescription and/or over the counter drugs no further action will be taken pending receipt of the confirmatory test results and provided the person is fit for work. If the confirmatory test result is consistent with the proper and/or prescribed use of the declared prescription and/or non-prescription over the counter drugs it will not be considered a Positive result for the purposes of this Policy and no further action will be taken, provided that the person is fit for work.

Where the confirmatory test result is not consistent with the proper and/or prescribed use of the declared prescription and/or non-prescription over the counter drugs or where the use of prescription and/or non-prescription over the counter drugs has not been declared it will be considered a Positive result for the purposes of this Policy.

Testing Levels

Alcohol

Range zero to less than 0.02%

Where an individual, after the 20 minute break, records a BAC greater than zero and up to and including 0.02% they will be stood down and provided with safe transport off site. Time off is to be taken as annual/unpaid leave.

For the first offence of a positive recording between zero and 0.02% the employee will be given a verbal warning by their supervisor.

Any subsequent positive test will result in formal disciplinary action being taken and a letter of warning issued.

Range 0.02% to 0.10%

Where an individual, after the 20 minute break, records a BAC greater than 0.02% and up to and including 0.10% they will be stood down and provided with safe transport off site. Time off is to be taken as annual/unpaid leave.

A formal written warning will be issued.

Range greater than 0.10%

A positive result greater than 0.10% will be stood down for 24 hours immediately with a view to termination of their employment at the discretion of the Chief Executive Officer.

Other Drugs

The screening test cut-off levels for urine tests are:

Class of Drug	Cut-off Level
Methyl amphetamine and Amphetamine	300 ug/l
Cannabis metabolites	50 ug/l
Cocaine metabolites	300 ug/l
Benzodiazepines	200 ug/l
Opiates	300 ug/l

The screening test cut-off levels for oral tests are:

Class of Drug	Cut-off Level
Methyl amphetamine and Amphetamine	50 ng/ml
Cannabis metabolites	25 ng/ml
Cocaine metabolites	50 ng/ml
Opiates	50 ng/ml

The confirmatory test cut-off levels are:

Class of Drug	Cut-off Level
Opiates*	300
Codeine	300
Amphetamine	300
Methyl amphetamine	300
Methylene dioxy methylamphetamine	300
Phentermine	500
Ephedrine	500
Pseudoephedrine	500
11-nor- Δ^9 -tetrahydrocannabinol-9-carboxylic acid	15
Benzoyllecgonine	150
Ecgonine methyl ester	150
Oxazepam	200
Temazepam	200
Diazepam	200
Nordiazepam	200
7-amino-clonazepam	200
7-amino-flunitrazepam	200
7-amino-nitrazepam	200

Action in Relation to Test Results

First Positive

If an employee or other person in the workplace returns a positive confirmatory test result for the first time for other drugs then the following will apply:

1. They will be provided with a copy of the laboratory drug and alcohol test results.
2. The employee will be sent home on either annual leave or unpaid leave at the employee's choice and given a verbal warning. This will be performed in accordance with the Shire's relevant disciplinary procedure which requires a record to be kept including the full details of the misconduct, time and date of warning, and names of witnesses.
3. The employee shall enter into discussions with their manager and the CEO regarding the positive result. The employee may request a representative to be present in a purely observatory capacity.
4. The Shire will recommend to the employee that they seek medical and/or counselling help.

In the event of the positive result being for drugs other than cannabis, the employee will present themselves within 48 hours at an authorised testing centre and undergo a further test. If the test is positive, it will be treated as a Second Positive.

Only if the test is negative will the employee be able to resume their normal duties. In the event of the positive result being for cannabis, the employee shall undertake weekly drug testing at an authorised testing centre. The employee will not be permitted to commence work until a negative result is achieved. This may continue for a maximum period of up to six weeks.

The cost of testing to provide a negative result shall be at the employee's own expense.

The employer will consider failure to undertake weekly drug testing, as required, and to return a test result that indicates a decline in the level of the drug which was found to be at or above the cut-off level prescribed in this Policy, or to return a test result which indicates the presence of any other drug at or above the cut-off level prescribed in this Policy, as evidence of the employee's intention not to return to work and may terminate the contract of employment accordingly.

In the case of any other person in the workplace they will be removed from Shire premises and will not be permitted to perform work for or with the Shire or to enter Shire premises until a negative result is achieved. The cost of testing to provide a negative result shall be at the person's own cost and shall be conducted by an authorised testing centre approved by the Shire.

On return to work the employee or other person in the workplace will be subject to extraordinary testing in addition to the usual testing programme. Further contravention of this Policy will result in disciplinary action up to and including termination of employment.

Disputed results will be dealt with in accordance with Australian Standard 4308 and at the employee's own cost. The referee sample will be made available for testing by an authorised testing centre and all records of the original test made available for re-examination. Due to possible degradation of sample over time, re-testing need only detect the presence of the drug or metabolite using mass spectrometry.

Second Positive

If an employee or other person in the workplace records a positive confirmatory test result for the second time for alcohol or drugs then the following will apply:

1. They will be provided with a copy of the laboratory drug and alcohol test results.
2. The employee will be sent home on either annual leave or unpaid leave at the employee's choice and given a final written warning.
3. The employee shall present themselves as soon as possible to a panel consisting of:
 - Direct Manager
 - Chief Executive Officer, and
 - Health and Safety Representative (employee's choice)

The objective of the panel is to discuss;

1. Source of problem
2. Explain the repercussions of a Third Positive test
3. Reinforce the Fit to Work Policy
4. Organise counselling and/or medical help

The employee shall undertake counselling and provide some proof or display an undertaking as to a change in lifestyle. The Counsellor shall decide when such proof or display is sufficient and when enforced counselling is over. Failure to complete enforced counselling or to provide sufficient proof of a change in lifestyle will result in disciplinary action up to and including termination of employment.

In the event of the positive result being for alcohol and drugs other than cannabis, the employee will present themselves within 48 hours at an authorised testing centre and undergo a further urine or breath test. If the test is positive, it will be treated as a Third Positive.

Only if the test is negative will the employee be able to resume their normal duties. In the event of the positive result being for cannabis, the employee shall undertake weekly drug testing at an authorised testing centre. The employee will not be permitted to commence work until a negative result is achieved. This may continue for a maximum period of up to six weeks.

The cost of testing to provide a negative result shall be at the employee's own expense.

The employer will consider failure to undertake weekly drug testing, as required, and to return a test result that indicates a decline in the level of the drug which was found to be at or above the cut-off level prescribed in this Policy, or to return a test result which indicates the presence of any other drug at or above the cut-off level prescribed in this Policy, as evidence of the employee's intention not to return to work and may terminate the contract of employment accordingly.

In the case of any other person in the workplace they will be removed from Shire premises and will not be permitted to perform work for or with the Shire or to enter Shire premises until a negative result is achieved. The cost of testing to provide a negative result shall be at the person's own cost and shall be conducted by an authorised testing centre approved by the Shire.

On return to work the employee or other person in the workplace will be subject to extraordinary testing in addition to the usual testing programme. Further contravention of this Policy will result in disciplinary action up to and including termination of employment.

Disputed results will be dealt with in accordance with Australian Standard 4308 and at the employee's own cost. The referee sample will be made available for testing by an authorised testing centre and all records of the original test made available for re-examination. Due to possible degradation of sample over time, re-testing need only detect the presence of the drug or metabolite using mass spectrometry.

Third Positive

The employee will be immediately suspended from work without pay pending an investigation of the incident or occurrence. Formal disciplinary procedures will be invoked to ascertain if any mitigating circumstances exist and to allow the employee to state their case.

Unless there are convincing arguments to the contrary, the individual may be dismissed without notice. Where a person in the workplace other than an employee returns a positive confirmatory test result for the third time, the Shire of Dowerin may refuse to permit the person to perform work for or on behalf of the Council or to perform work on the premises or property of the Shire.

Disciplinary Record

Where an employee has not breached this Policy for a period of not less than 24 months the individual will be regarded as successfully rehabilitated and any future incident or occurrence will be treated as a First Positive.

Variation to this policy

This policy may be cancelled or varied from time to time. The Local Government's employees will be notified of any variation to this policy by the usual correspondence method.

Roles and Responsibilities

The Chief Executive Officer is responsible for ensuring the successful implementation and operation of the Drug and Alcohol Policy. This will ensure that all employees understand and support the Policy and adequate resources are provided for appropriate education, training, counselling, and other requirements of the Policy.

Managers and Supervisors are accountable for ensuring that all individuals are aware of and comply with the provisions of this Policy and that the Policy is applied fairly and consistently to everybody in their areas of responsibility. This includes the provision of training, education, and other support programmes and periodic review of the implementation, application, and effectiveness of the Policy.

Managers and Supervisors also have responsibility for determining the fitness for work of individuals under their control and for taking prompt and appropriate action to address declining safety or work performance as a result of alcohol or other drug misuse. Failure to apply and enforce the Policy in a timely and effective manner will be treated as a performance matter.

All Managers and Supervisors will be appropriately trained to ensure their competency in handling these matters

APPENDIX 4

Related Corporate Documents

Code of Conduct for Employees

Grievances, Investigations and Resolution Policy

Grievance Procedures

Disciplinary Policy

Disciplinary Procedure

Related Legislation/Local Law/Policy/Procedure

Work Health and Safety Act 2020

Australian/New Zealand Standard AS/NZS 4308:2008

Australian Standard 4760:2019.

Australian Standard AS 3547:2019

Related Delegation

Nil

Document Control	
Policy Number	7.10
Policy Version	2
Policy Owners	Manager Corporate & Community Services
Creation Date	November 2020
Last Review Date	9 June 2022
Next Review Due	This policy will be reviewed annually or more often where circumstances require.

POLICY NUMBER	- 7.5
POLICY SUBJECT	- 7.5 Grievances, Investigations and Resolution Policy
DATE ADOPTED	- 20 August 2019 (CMRef 0034)
RESPONSIBLE OFFICER	- Manager Corporate & Community Services
REVIEWED	- 9 June 2022

Policy Statement

All employees have a right to express any genuine grievances or complaints via an impartial internal process. All employees involved in a grievance process are expected to participate in good faith. For the purposes of this policy, the term “employee/s” will extend to cover contractors, volunteers and any person performing work for or with the Shire of Dowerin in any capacity. This policy does not apply to complaints about the Chief Executive Officer (CEO).

Roles

Complainant: An employee who raises a complaint about a matter regarding the workplace.

Respondent: An employee who is alleged to have acted in a manner which caused the Complainant to raise a complaint.

Support Person: A Complainant and/or a Respondent may choose to bring a Support Person with them to a meeting, where practicable. The role of a Support Person is not to advocate on behalf of anyone, but to simply provide emotional support.

Witness: A person (including an employee) who is requested by the Shire of Dowerin to assist the process by providing relevant information regarding the complaint.

What to do if you have a Complaint?

If an employee (Complainant) is the victim of behaviour of another employee (Respondent) which is inconsistent with the Shire of Dowerin’s Code of Conduct, policies, procedures or guidelines (Policies), the Complainant should, where reasonable or practicable, first approach the Respondent for an informal discussion. If the nature of the complaint is deemed to be sufficiently serious, the complainant should contact their Manager or the Chief Executive Officer directly.

If the inappropriate behaviour continues, the Complainant is encouraged to make a formal complaint to their Manager. If the Manager is the Respondent in the matter or if the employee feels uncomfortable approaching their Manager, the Complainant should approach the Chief Executive Officer.

The employee who receives the complaint must contact the Chief Executive Officer and decide upon the most appropriate way to take the matter forward, whether it is an informal discussion with the Complainant and/or the Respondent, or the commencement of a formal investigation of the complaint.

If the complainant believes they are the subject of behaviour that is inconsistent with the Local Government’s Code of Conduct, policies and procedures, the complainant may raise a complaint by following the process in the Grievance Procedure.

If a complaint is about the CEO

If the complaint is about the CEO, the Grievance Policy and Procedure does not apply. A complaint about the CEO must be raised directly with the President

Key Principles in the Complaint Resolution Process

The following principles are necessary for the fair investigation and resolution of a

complaint:

1. **Confidential** – Only the employees directly investigating or addressing the complaint will have access to the information about the complaint. The Shire of Dowerin may inform or appoint a third party to investigate or advise on the investigation. All parties involved in dealing with a complaint are required to keep the matter confidential. Information will only be placed on an employee's personal file if they are disciplined as a result of the complaint.
This requirement does not preclude a complainant, respondent, witness or Local Government from seeking legal, financial or other professional advice.
2. **Impartial (fair/unbiased)** – Both parties will have an opportunity to put their case forward. No assumptions are made and no action will be taken until available and relevant information has been collected and considered by either an impartial employee of the Local Government or an externally appointed investigator;
3. **Sensitive** – The employees who assist in responding to complaints should be specifically trained or equipped to treat all complaints sensitively and ensure the process is free of coercion or intimidation;
4. **Timely** – The Shire of Dowerin aims to deal with all complaints as quickly as possible and in accordance with any legislative requirements;
5. **Documented** – All complaints and investigations must be documented. In formal grievance processes, records must be kept of all documents collected and/or drafted as part of that process. For more informal processes, a file note or note in a diary may be sufficient;
6. **Natural Justice** – The principles of natural justice provide that:
 - a. a Respondent against whom allegations are made as part of a grievance process has the right to respond to the allegations before any determination is made;
 - b. a Respondent against whom an allegation is made has the right to be told (where possible and appropriate) who made the allegation;
 - c. anyone involved in the investigation should be unbiased and declare any conflict of interest;
 - d. decisions must be based on objective considerations and substantiated facts; and
 - e. the Complainant and the Respondent have the right to have a support person present at any meetings where practicable.
7. **Procedural Fairness** – The principles of procedural fairness provide that:
 - a. the Respondent is advised of the details (as precisely and specifically as possible) of any allegations when reasonably practicable;
 - b. the Respondent is entitled to receive verbal or written communication from the Shire of Dowerin of the potential consequences of given forms of conduct, as applicable to the situation;
 - c. the Respondent is given an opportunity to respond to any allegations made against them by a Complainant;
 - d. any mitigating circumstances presented to the Shire of Dowerin through the grievance process are investigated and considered;
 - e. the Respondent has the right to have an appropriate support person present during any inquiry or investigation process where practicable or necessary;
 - f. any witnesses who can reasonably be expected to help with any inquiry or investigation process should be interviewed; and
 - g. all interviews of witnesses are conducted separately and confidentially.

Outcome of Making a Complaint

If a complaint is substantiated, there are a number of possible outcomes. If the complaint involves a performance issue, the manager of the Respondent may commence a formal or informal performance management process with the Respondent or elect to discipline the Respondent in accordance with the Disciplinary Policy.

If the complaint involves a breach of a Policy or any other behaviour that is inconsistent with the employment relationship, the manager of the Respondent, in consultation with the Chief Executive Officer, may elect to discipline the Respondent in accordance with the Disciplinary Policy.

If a complaint against a respondent is substantiated, there are a number of possible outcomes as detailed in the Grievance Procedure.

Vexatious or Malicious Complaints

Where a Complainant has deliberately made a vexatious or malicious complaint that Complainant may be subject to disciplinary action, including but not limited to, termination of employment.

Victimisation of complainant, respondent or witness

A complainant, respondent or witness should not be victimised for making a complaint, being the subject of a complaint or providing information about a complaint. Anyone responsible for victimising a complainant, respondent or witness may be subject to disciplinary action, including but not limited to termination of employment.

Reporting obligations

The Local Government must comply with its obligations to report minor or serious misconduct to either the Public Sector Commission or Corruption and Crime Commission in accordance with the Corruption, Crime and Misconduct Act 2003 (WA).

Employees must also be aware of and adhere to any obligations pursuant to the Public Interest Disclosure Act 2003 (WA).

Variation to This Policy

This policy may be cancelled or varied from time to time. All the Shire of Dowerin's employees will be notified of any variation to this policy by the normal correspondence method.

Related Corporate Documents

Grievances, Investigations and Resolution Procedure

Discrimination, Harassment & Bullying Policy

Code of Conduct for Employees

EEO Management Plan

Document Control	
Policy Number	7.5
Policy Version	2
Policy Owners	Manager Corporate & Community Services
Creation Date	20 August 2019 (CMRef 0034)
Last Review Date	9 June 2022
Next Review Due	This policy will be reviewed bi-annually or more often where circumstances require.

POLICY NUMBER	- 1.12
POLICY SUBJECT	- 1.12 Communications & Use of Social Media
DATE ADOPTED	- 17 December 2019 (CMRef 0111)
RESPONSIBLE OFFICER	- Executive & Governance Officer
REVIEWED	- 20 December 2022 (CMRef 0712)

Objective

To establish protocols for the Shire of Dowerin's official communications with our community to ensure the Shire is professionally and accurately represented and to maximise a positive public perception of the Shire.

Policy

This policy applies to:

1. Communications initiated or responded to by the Shire with our community; and
2. Councillors when making comment in either an official or personal capacity.

Official Communications

The purposes of the Shire's official communications include:

1. Sharing information required by law to be publicly available;
2. Sharing information that is of interest and benefit to the community;
3. Promoting Shire events and services;
4. Promoting public notices and community consultation / engagement opportunities.
5. Answering questions and responding to requests for information relevant to the role of the Shire; and
6. Receiving and responding to community feedback, ideas, comments, compliments and complaints.

The Shire's official communications will be consistent with relevant legislation, policies, standards and the positions adopted by Council. Our communications will always be respectful and professional.

The Shire will use a combination of different communication modes to suit the type of information to be communicated and the requirements of the community or specific audience, including:

1. The Shire's website;
2. Advertising and promotional materials;
3. Media releases prepared for the Shire President to promote specific Shire positions;
4. Social media; and
5. Community newsletters, letter drops and other modes of communications undertaken by the Shire's Administration at the discretion of the Chief Executive Officer.

Speaking on behalf of the Shire

The Shire President is the official spokesperson for the Shire and may represent the Shire in official communications, including speeches, comment, print, electronic and social media. *[s.2.8(1)(d) of the Local Government Act 1995]*

Where the Shire President is unavailable, the Deputy Shire President may act as the spokesperson. *[s.2.9 and s.5.34 of the Local Government Act 1995]*

The Chief Executive Officer may speak on behalf of the Shire, where authorised to do so by the Shire President. *[s.5.41(f) of the Local Government Act 1995]*

The provisions of the *Local Government Act 1995* essentially direct that only the Shire President, or the Chief Executive Officer if authorised, may speak on behalf of the local government. It is respectful and courteous to the office of Shire President to refrain from commenting publicly, particularly on recent decisions or contemporary issues, until such time as the Shire President has had opportunity to speak on behalf of the Shire.

Communications by Councillors, whether undertaken in an authorised official capacity or as a personal communication, must not:

1. Bring the Shire into disrepute;
2. Compromise the person's effectiveness in their role with the Shire;
3. Imply the Shire's endorsement of personal views;
4. Imply the Councillor is speaking on behalf of the Shire, unless authorised to do so; or
5. Disclose, without authorisation, confidential information.

Social media accounts or unsecured website forums must not be used to transact meetings which relate to the official business of the Shire.

Councillor communications must comply with the Code of Conduct and the *Local Government (Rules of Conduct) Regulations 2007*.

Responding to Media Enquiries

All enquiries from the media for an official Shire comment, whether made to an individual Councillor, must be directed to the Chief Executive Officer or a person authorised by the Chief Executive Officer. Information will be coordinated to support the Shire President or Chief Executive Officer (where authorised) to make an official response on behalf of the Shire.

Councillors may make comments to the media in a personal capacity.

Website

The Shire will maintain an official website, as our community's on-line resource to access the Shire's official communications.

Social Media

The Shire uses social media to facilitate interactive information sharing and to provide responsive feedback to our community. Social media will not however, be used by the Shire to communicate or respond to matters that are complex or relate to a person's or entity's private affairs.

The Shire maintains the following Social Media accounts:

1. Social media sharing networks including Facebook and Instagram; and
2. Apps such as Snap Send Solve.

The Shire may also post and contribute to social media hosted by others to ensure that the Shire's strategic objectives are appropriately represented and promoted.

The Shire actively seeks ideas, questions and feedback from our community however we expect participants to behave in a respectful manner. The Shire will moderate its social

media accounts to address, and where necessary delete, content deemed to be:

1. Offensive, abusive, defamatory, objectionable, inaccurate, false or misleading;
2. Promotional, soliciting or commercial in nature;
3. Unlawful or incites others to break the law;
4. Information which may compromise individual or community safety or security;
5. Repetitive material copied and pasted or duplicated;
6. Content that promotes or opposes any person campaigning for election to Council, appointment to official office, or any ballot;
7. Content that violates intellectual property rights or the legal ownership of interests or another party; and
8. Any other inappropriate content or comments at the discretion of the Shire.

Where a third party contributor to the Shire's social media account is identified as posting content which is deleted in accordance with the above, the Shire may, at its complete discretion, block that contributor for a specific period of time or permanently.

Use of Social Media in Emergency Management and Response

The Shire will use its SMS service (primarily used for harvest ban notifications) to distribute emergency management and response information to the community, particularly in relation to fires.

Where applicable and available, the Shire will also use its Facebook page to update the community on longer term emergency management, response and recovery operations.

Record Keeping and Freedom of Information

Official communications undertaken on behalf of the Shire, including on the Shire's social media accounts and third party social media accounts must be created and retained as local government records in accordance with the Shire's Record Keeping Plan and the *State Records Act 2000*. These records are also subject to the *Freedom of Information Act 1992*.

Councillor communications that relate to their role as a Councillor are subject to the requirements of the Shire's Record Keeping Plan and the *State Records Act 2000*. Councillors are responsible for transferring these records to the Shire's Administration. Councillor records are also subject to the *Freedom of Information Act 1992*.

Personal Communications

Personal communications and statements made privately in conversation, written, recorded, emailed, texted or posted in personal social media have the potential to be made public, whether intended or not.

On the basis that personal or private communications may be shared or become public at some point in the future, Councillors should ensure that their personal or private communications do not breach the requirements of this policy, the Code of Conduct and the *Local Government (Rules of Conduct) Regulations 2007*.

Councillor Statements on Shire Matters

A Councillor may choose to make a personal statement publicly on a matter related to the business of the Shire.

Any public statement made by a Councillor, whether made in a personal capacity or in their local government representative capacity, must:

1. Clearly state that the comment or content is a personal view only, which does not necessarily represent the views of the Shire;
2. Be made with reasonable care and diligence;
3. Be lawful, including avoiding contravention of copyright, defamation, discrimination or harassment laws;
4. Be factually correct;
5. Avoid damage to the reputation of the Shire;
6. Not reflect adversely on a decision of Council;
7. Not reflect adversely on the character or actions of another Councillor or employee; and
8. Maintain a respectful and positive tone and not use offensive or objectionable expressions in reference to any Councillor, employee or community member.

A Councillor who is approached by the media for a personal statement may request the assistance of the Chief Executive Officer.

Comments which become public and which breach this policy, the Code of Conduct or the *Local Government (Rules of Conduct) Regulations 2007*, may constitute a minor breach of the *Local Government Act 1995* and may be referred for investigation.

Roles and Responsibilities

Councillors

Councillors have the responsibility of ensuring they understand and comply with the requirements of this policy.

Chief Executive Officer

The Chief Executive Officer has responsibility to ensure this policy is implemented.

Executive & Governance Officer

The Executive & Governance Officer has responsibility to ensure this policy is reviewed and presented to Council for consideration.

Related Legislation/Local Law/Policy/Procedure

Local Government Act 1995

Local Government (Rules of Conduct) Regulations 2007

Local Government (Administration) Regulations

Freedom of Information Act 1992

State Records Act 2000

Code of Conduct

Related Delegation

Nil

Document Control	
Policy Number	1.12
Policy Version	2
Policy Owners	Executive & Governance Officer
Creation Date	17 December 2019 (CMRef 0111)
Last Review Date	20 December 2022 (CMRef 0712)
Next Review Due	This policy will be reviewed annually or more often where circumstances require.

POLICY NUMBER	- 7.9
POLICY SUBJECT	- 7.9 Work Health Safety Policy
DATE ADOPTED	- 30 September 2016
RESPONSIBLE OFFICER	- Rebecca McCall
REVIEWED	- 20 December 2022 (CMRef 0713)

Objective

The Shire of Dowerin (the Shire) is committed to achieving zero harm to all stakeholders whether internal or external, when engaged in any capacity with the Shire.

Policy

The Shire is committed to providing a safe working environment for all internal and external stakeholders that may be impacted by any of its activities.

The Shire will endeavour to improve health and safety in the workplace with the philosophy that all injuries and accidents are preventable and that a healthy and safe working environment is conducive to job satisfaction whilst achieving the objectives of the Shire.

Safety and Health Objectives

Commitment, co-operation and effective teamwork is fundamental to achieving the following key safety and health objectives:

The Shire will:

- Provide and maintain a healthy and safe work environment through the proactive identification of work related hazards and elimination of these where possible, or reduction of associated risk level through the application of the hierarchy of risk controls where hazards cannot be completely eliminated;
- Strive to achieve high standards and continuous improvement in work health and safety performance by utilising best practice procedures and taking into account current levels of technical knowledge and development;
- Provide all Personal Protective Equipment to its staff;
- Provide a workplace that ensures safe work practices and systems are of the highest standard;
- Ensure that all workers and other persons within the workplace are fully informed of potential hazards and associated risk control measures, including through a process of training, instruction, information sharing and supervision as applicable; Involve employees in health and safety matters and consult with them in ways to reduce workplace hazards and prevent injuries;
- Protect the public, the environment, equipment and materials from injury, accidental loss or damage;
- Conform to statutory requirements as a minimum standard; and
- Take all practicable steps to occupationally rehabilitate employees after injury or illness in the workplace.

Responsibilities

The Shire understands and accepts responsibilities imposed under Work Health and Safety (WHS) legislation and is committed to providing healthy and safe working conditions.

Safety and health are both an individual and a collective responsibility of all employees, in particular;

Chief Executive Officer

The Chief Executive Officer is the responsible officer for all Work Health Safety practices within the organisation.

Managers and Supervisors

Managers and supervisors are responsible for implementing the Work Health Safety Policy and ensure that appropriate planning, development, implementation and monitoring of Work Health Safety Procedures is kept up to date and adhered to on a daily basis.

Employees

Employees are required to follow all safe working practices and use provided personal protective equipment at all times to minimise risks. Employees are to take responsibility in ensuring that both their own safety, along with the safety of others, is a priority consideration when undertaking work for the Shire. It is a requirement that all employees immediately, or as soon as practicable, report all accidents and hazardous situations that arises in the course of their work and file a completed Incident Report.

Related Documentation

Health, Safety and Environmental Management Plan

Related Legislation/Local Law/Policy/Procedure

Work Health and Safety Act 2020

Work Health and Safety (General) Regulations 2022

Australian Standard AS 4801 – Occupational Health and Safety Management Systems

Related Delegation

Nil

CEO Endorsement

Signed:	 Rebecca McCall, Chief Executive Officer	Dated: 21 December 2022
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Document Control	
Policy Number	7.9
Policy Version	6
Policy Owners	Executive & Governance Officer
Creation Date	30 September 2016
Last Review Date	March 2017 (CMRef 2762) 26 March 2019 February 2021 (CMRef 0370) September 2021 (CMRef 0491) 20 December 2022 (CMRef 0713)
Next Review Due	This policy will be reviewed annually or more often where circumstances require.