



MINUTES

POLICY REVIEW PANEL

held on 15 December 2016 at 10.00am in Civic Room 2, Melton Civic Centre

Present: Cr Ramsey, Mayor
Cr Carli
Cr Hardy
Ms C Denyer, Manager Legal & Governance
Ms T Spiteri, Governance Coordinator

Chairperson: Cr Ramsey, Mayor

1. **Welcome**

2. **Apologies**

Cr Majdlik

3. **Declaration of interests and/or conflict of interests**

Nil

4. **Confirmation of the previous minutes**

Recommendation

Cr Ramsey/Cr Hardy

That the minutes of the Policy Review Panel held on 18 August 2016, adopted by Council 12 September 2016 be accepted with an amendment to dot point 4. to show that Cr Majdlik moved the minutes.

5. **Business Arising**

Nil

6. **General Business**

6.1 Crossover Policy (new)

Presented Matt Hutchinson, Design & Traffic Coordinator.

The Crossover Policy outlines Council's position in relation to crossovers and provides certainty around statutory powers for Council officers in approving and enforcing crossover requirements.

The Policy was developed from existing Guidelines and removes many 'grey' areas to provide more clarity for residents with regards to crossover approval processes, variations, minimum clearances, construction and illegal crossovers and rectification protocols.

Recommendation:

Cr Hardy/Cr Carli

That Council adopts the *Crossover Policy* as attached to these minutes.



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6.2 Four Year Old Kindergarten Central Enrolment Policy (review)

Presented by Kristie Lawson, Early Childhood Coordinator.

The review and amendments to the Four Year Old Kindergarten Central Enrolment Policy has been completed to include:

- Commonwealth Health Care Card, Pensioner Concession Card, Veteran's Affairs Card holders as a Priority One in the Priority of Access Criteria as required by the Kindergarten Funding Guide 2016
- Amendments to the non-residents criterion, now being 'families who reside outside of the municipality
- An amendment to the date of review of non-resident applications, from January the year of kindergarten to November the year prior.
- A new section outlining the reservation of two places at each Kindergarten for high priority children until 30 October of each year.

The policy complies with the Kindergarten Funding Guide 2016 as set by the Department of Education and Training (DET) for Kindergarten Central Enrolment for the delivery of four year old Kindergarten programs.

The Panel requested that officers include priority access for families with multiple children to attend their preferred Kindergarten for all children, and to redistribute the policy for review before presentation to Council.

Recommendation:

Cr Carli/Hardy

That Council adopt the *Four Year Old Kindergarten Central Enrolment Policy* as attached to these minutes including a minor amendment to have regard for multiple children from the one family.

6.3 Fraud and Corruption Control Policy and Procedure (review)

Presented by Anthony Hinds, Manager Risk & Performance

The Fraud and Corruption Control Policy and Procedure has been amended in accordance with the recommendations of an Internal Audit review conducted by 'Crowe Howarth'.

Amendments were made to the draft documents to:

- update legislative references
- expand and refine definitions and reporting processes
- fraud prevention and detection
- risk processes and training obligations.

Amendments and inclusions to the draft documents are aligned to the relevant Australian Standards.

Recommendation:

Cr Hardy/Cr Carli

That Council adopts the *Fraud and Corruption Control Policy* and the *Fraud and Corruption Control Procedure* as attached to these minutes.



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6.4 Confidentiality Policy (review)

Presented by Christine Denyer, Manager Legal & Governance

The Confidentiality Policy has been updated in accordance with an Internal Audit review of Governance undertaken early in 2016.

The most significant amendment to the policy is the inclusion that a breach of confidentiality by Councillors is now an offence. Other amendments have been made for clarity of information related to the *Local Government Act 1989*, definitions and to reflect the current organisational structure.

The policy has been endorsed by the Chief Executive and the Audit team and is presented to the Policy Review Panel for authorisation.

Recommendation:

Cr Carli/Cr Hardy

That Council adopts the *Confidentiality Policy* as attached to these minutes.

6.5 Governance Charter (new)

Presented by Christine Denyer, Manager Legal & Governance

The Internal Audit review of Governance earlier this year recommended that a Council wide overarching 'Corporate Governance Framework' be developed.

The draft Governance Charter was developed in consultation with the CEO and Executive and provides:

- clear information on decision making processes
- advice on the authorising environment of Council
- guidelines for Councillors, Executive and Managers in relation to roles and responsibilities
- a reference point for disputes, and clarifies the relationship between the law and internal rules/policies/documents.

The Governance Charter will be made available on Council's website as a reference for staff and the general public.

Recommendation:

Cr Hardy/Cr Carli

That Council adopts the Governance Charter as attached to these minutes.

7. Other Business


None.

8. Next Meeting

2017 Meeting schedule to be established and distributed.

9. Close of Business

The meeting closed at 11.23am.

	Crossover Policy
Version No.	Draft 0.4, 9 August 2016
Endorsement	General Manager Planning & Development 29 November 2016 Policy Review Panel 15 December 2016
Authorisation	Council [insert date]
Review date	December 2019
Responsible officer	Manager Engineering Services
Policy owner	Design & Traffic Coordinator

1. Purpose

To provide a basis upon which Council will consider applications for the construction or variation of vehicle crossovers and to define what is an illegal Crossover and the process for correcting illegal works.

These procedures have been prepared to assist Council Staff in applying consistent standards.

Council will seek to provide a workable outcome for the resident whilst still ensuring all standards and minimum clearances are adhered to. Road safety is the most critical consideration in approving crossovers. Council will seek to ensure crossovers do not compromise road safety for the resident using the crossover and other road users.

2. Scope

This Policy applies to all crossover applications and illegal crossovers.

3. Definitions

Word/Term	Definition
Crossover	Is the portion of your driveway that extends from the property boundary over the nature strip to the road including the kerb/layback. The crossover (excluding the footpath section) is the property owner's asset and is to be maintained by them.
Vehicle Crossing	Opening or artificial surface which allows or facilitates access from a Road to land which abuts the road.
Illegal Crossover	A crossover that has not been constructed to Council Standards or has been constructed without Council approval.
Crossover Variation	An application process where residents can apply to construct a new crossover for their property or modify an existing crossover.
Consent for works in the road reserve.	A consent required under the Road Management Act to conduct the works.

4. Legislative Power

Council have the power to approve or require the construction of vehicle crossings under *the Local Government Act 1989 (schedule 10, clause 12)* and according to Melton City Council General Local Law 2015, Clause 25.

5. Policy

5.1 Crossover Variation Approval

A new crossover or the modification of a crossover requires written approval from Council. The crossover approval and construction process is documented in the crossover variation flowchart attachment A.

There are two exceptions where a crossover variation approval is not required but consent to work within the road reserve is still required.

1. Where the property owner or occupier is constructing the first original standard crossover in the location shown on the approved engineering road and drainage plan.
2. Where a planning permit, is issued that shows the location of the new crossovers. These crossovers are checked to ensure they conform to Council standards through the planning permit process.

5.2 Planning Requirements

Under *the Road Management Act 2004* a planning permit may also be required to construct a vehicle crossing on State or arterial roads. Planning permit approval may also be required when the proposed crossover and associated works require a planning permit due to zoning or overlay regulations or other more particular provisions in the Scheme e.g., a two-lot subdivision where a new crossover is to be constructed or land next to a Road Zone or Heritage Overlay. For more information search "do I need a planning permit" on Council's website.

Some developments have a Housing Design Guideline endorsed under the planning scheme. The housing design guideline sets out the requirements for the construction of the dwellings and will likely include conditions on the crossovers such as width. All crossover approvals must comply with all conditions of the Housing Design Guideline.

It is the property owners responsibility to ensure they meet all of the planning obligations.

5.3 Design (geometry and material)

Crossovers must be designed in accordance with Council Standard Drawings. The crossover should also be generally consistent with neighbourhood character and match the material and colour of existing crossovers. Where an existing footpath is present or likely to be constructed in the future crossovers must be plain concrete or matching the existing footpath.

5.3.1. Minimum permissible pervious area

In accordance with the Melton Planning Scheme Clause 55.03-9 the width of accesways should not exceed:

- 33 per cent of the street frontage, or
- If the width of the street frontage is less than 20 metres, 40 percent of the street frontage.

5.3.2. Minimum clearances

Minimum clearances as indicated below should be maintained from any assets/obstructions otherwise consent is required from the asset owner/responsible authority. Relocating utility services to enable the desired location of the crossover to be achieved is possible in some cases and must be organised by the property owner with the relevant authority at the property owner's cost. Minimum clearances are measured from the edge of the crossover to the closest edge of the asset perpendicular to the kerb.

5.3.3. Minimum Clearances (Table 1.0)

Between two crossovers on the one property	6.0m at the kerb
Drainage Pits	0.75m Less than 0.75m install fibreglass pit lid as per MSC 408 Pit enclosed within crossover – modify pit & lid as per MSC 404
Signs	1.0m
Utility Service Assets	1.0m else consent from asset owner/responsible authority required i.e. Telstra, Powercor/Jemena, Western Water/City West Water etc
Street Lights	1.0m
Intersections	6.0m from tangent point (See diagram attachment B)
Pram Crossings	2.0m
Electricity Pole	1.0m
Water tap ins	Seek water authority approval
Trees	2.5m (Dependant on size of tree) See Council's tree planting and removal policy for further detail
Back of kerb Legal Point of Discharge	1.0m
Fire Hydrant	1.0m

Crossover variation approvals that impact on indented car parks is contingent on whether the indented car park adjacent to the crossover can be varied in accordance to council standards drawings whilst maintaining the same clearances listed above. The applicant has to organise construction works for modifying the indented car park and pay all costs incurred.

5.4 Crossover Construction

Crossovers must be constructed in accordance with Council's engineering design standards and specifications available on Council's website.

A Consent for works in the road reserve is required prior to commencing any works. To obtain consent, the designated contractor must supply a certificate of currency of their public liability insurance (minimum \$10,000,000 cover) and the crossover letter of approval.

Information on how to obtain consent can be found on Council's website.

Once form work and reinforcements are in place and prior to concrete being poured, the crossover must be inspected by the designated construction supervisor. When an application includes relocating crossovers saw cutting of existing crossover must be observed during inspection. If no issues arise at inspections, crossover construction can be completed. The contractor must ensure any damaged naturestrip is reinstated to Council's satisfaction. This may include topsoil and seeding if required.

Any costs associated with the crossover variation shall be borne by the property owner.

5.5 5.5 Illegal Crossovers

If a crossover is constructed without abiding by this policy the crossover could be deemed as an illegal crossover.

The following also are not Council approved:

- Crossovers not constructed with the materials specified in Councils Standard Drawings such as crushed rock and sand.
- Non formalised crossovers with vehicles driving over nature strips to access the property.

Illegal Crossovers are a breach of Councils Local Law 25. Council can enforce this law and have illegal crossovers removed or modified at the property owners expense.

Illegal crossovers that are causing damage to Councils property or potentially creating road safety issues must be rectified by the property owner to protect Councils "duty of care" responsibilities.

It's Councils protocol to contact the property owner with the illegal crossover granting them 90 days to rectify the crossover by applying to Council via Councils Variation to Crossover process. If the property owner still has not rectified the illegal crossover Council grants a further 30 days and informs the resident that if the illegal crossover is not constructed to Council Standards Council will arrange construction and will bill the property owner for the works including 16.5% administration fees. These charges will be charged against the property.

5.6 Dispute Resolution

If a property owner is not satisfied with the response of Council in relation to a variation of crossover or illegal crossover a written dispute can be submitted to Council.

The notice must be submitted to the Engineering Services Manager and will be responded to within 10 working days. The panel will consist of the Manager of Engineering Services, The Manger of Planning Service and the General Manager of Planning and development.

The decision of the Dispute Resolution Panel is final.

6. Responsibility /Accountability

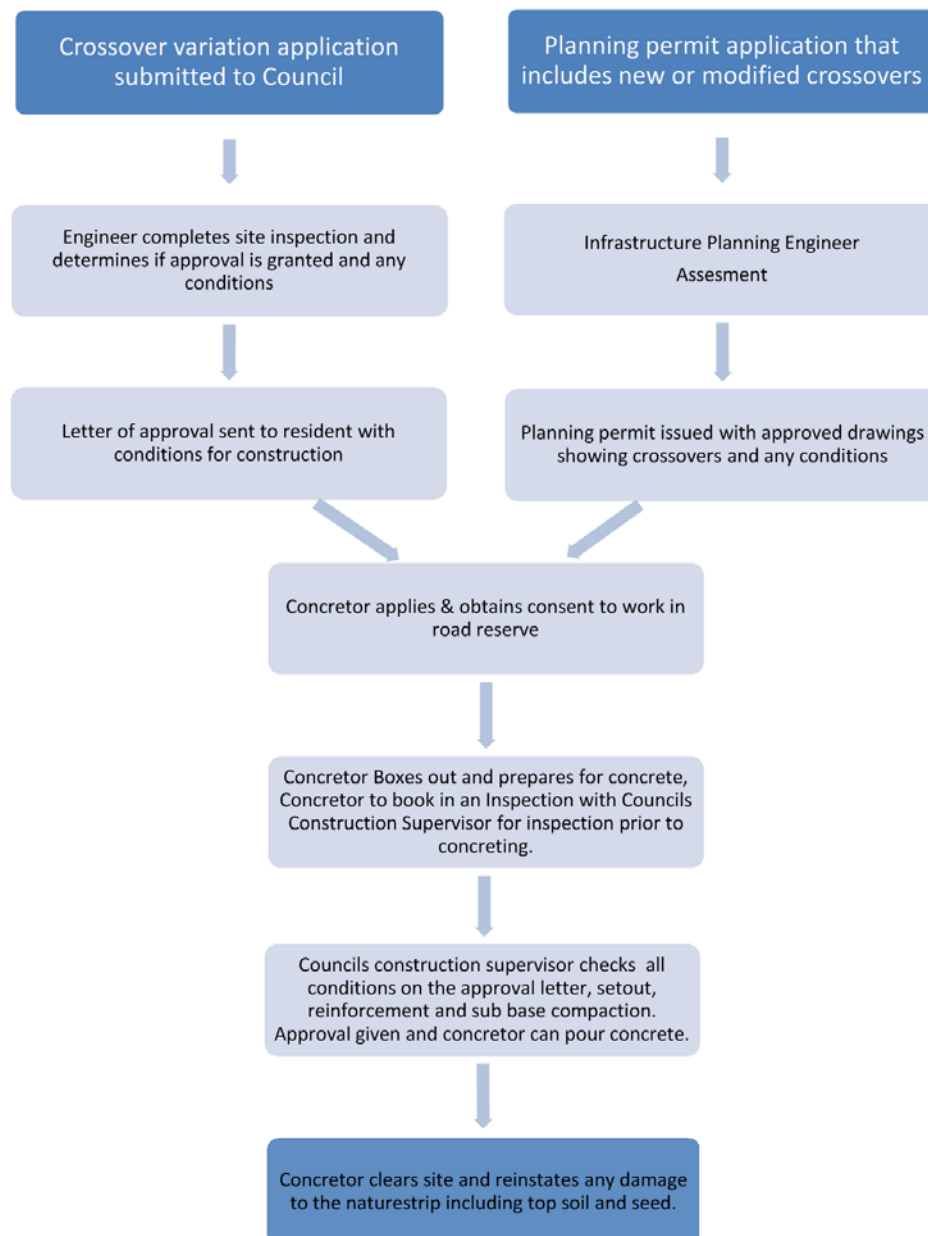
6.1 Graduate Engineer	<ul style="list-style-type: none"> • Responsible for assessing crossover variation applications
6.2 Development Engineer	<ul style="list-style-type: none"> • Responsible for assessing crossovers on planning permit applications
6.3 Design & Traffic Coordinator	<ul style="list-style-type: none"> • Responsible for resolving technical issues and providing guidance to the graduate and development engineer
6.4 Manager Engineering Services	<ul style="list-style-type: none"> • Responsible for chairing the dispute resolution panel.


7. References and links to legislation and other documents

Name	Location
Variation to Crossover Application Form	Melton City Council Website
Melton Planning Scheme	Melton City Council Website
Local Government Act 1989	http://www.austlii.edu.au/
Council Standard Drawings	Melton City Council Website
Road Management Strategy 2011	Melton City Council Website
Council Local Law 2015	Melton City Council Website
Australian Standard 2890	http://www.standards.org.au

8. Appendices

Appendix A – Crossover approval process flow chart



	Four Year Old Kindergarten Central Enrolment Policy
Version No.	3.0 15 November 2016
Endorsement	Executive 17 November 2016 Policy Review Panel 15 December 2016
Authorisation	Council [insert date]
Review Date	30 November 2017
Responsible Officer	Manager Families and Children
Policy Owner	Early Childhood Coordinator

1. Purpose

This policy outlines the process and priorities used when applying for a four year old kindergarten place through Melton City Council's Kindergarten Central Enrolment Service (KCES).

2. Scope

This policy applies to parents/guardians wishing to access a four year old kindergarten place, Kindergarten Providers, Council officers and agencies involved in the placement of children into four year old kindergarten as part of Council's KCES.

Note: The Melton City Council KCES does not include funded kindergarten programs provided in Long Day Care centres.

3. Definitions

Word/Term	Definition
Allocation Priorities	The priorities referred to when allocating places into a four year old Kindergarten program within the Council KCES Kindergartens.
Applicant	A child whose parent/guardian has lodged a completed application for four year old kindergarten.
Application Fee	A non-refundable fee payable when lodging an application for four year old kindergarten that contributes to the cost of Council administering the KCES.
Deferrals – Four Year Old	Children of Melton residents who attended kindergarten in Term 1, but withdrew their place and deferred to the following year with DET approval. Children, who have deferred from a four year old kindergarten place and are considered by DET not to have accessed a year of funded kindergarten, are therefore eligible for kindergarten funding in the following year.
DET	Department of Education and Training.
Eligible Child	A child who is eligible to apply for a place in a KCES Melton City Council kindergarten.
Early Start Kindergarten	Early Start Kindergarten provides free or low cost kindergarten to eligible three year old children who identify as Aboriginal or Torres Strait Islander or are known to Child Protection or Child FIRST.

Word/Term	Definition
Funded Kindergarten Place	The Government fee subsidy enables eligible children to attend a funded kindergarten program (sessional Kindergarten or Long Day Care) at a minimal cost the year prior to commencing school.
KCES	Kindergarten Central Enrolment Service.
Non-Resident	Families who live outside the Melton municipality.
The Kindergarten Guide	The Kindergarten Guide is developed by DET and is updated annually to provide guidance to Kindergarten Providers on operations including the eligibility criteria for funding.
Kindergarten Provider	The service who operates the Kindergarten program in a Council owned kindergarten facility.

4. Policy Statement

Melton City Council is committed to:

- equal access for all children based on the priorities set out in this policy
- compliance with the *Education and Care Services National Regulations 2011* and the *Education and Care Services National Law Act 2010*
- compliance with DET funding requirements relating to the enrolment of children in State Government Funded Kindergarten Services
- maintaining confidentiality in relation to the details on the application for four year old Kindergarten application forms.

5. Eligibility Criteria

In accordance with the Victorian Government Kindergarten Guide 2016, the following children are eligible for one year of funded Kindergarten:

- Children who are four years of age or older by 30 April in the year they are to attend Kindergarten.
- Children turning six years of age in their year of Kindergarten who have been granted an exemption from school entry age requirements by their regional office of DET.
- Children who are younger than the eligible age, and are not eligible for Early Start Kindergarten, but whose parents/guardians have submitted a written request to their regional DET office, and have been approved for their child to attend Kindergarten.

Note: DET approval for early eligibility for Kindergarten does not guarantee access to Primary School the following year.

- Children who attended Term 1 of four year old Kindergarten in the previous year, but deferred from the program with DET approval.
- Children who are eligible for Early Start Kindergarten.

6. Allocation Priorities

In line with the Victorian Government Kindergarten Guide 2016 and the City of Melton Kindergarten Central Enrolment Policy, children of Melton City Council residents are eligible for priority of access if they meet the following:

- vulnerability
- children at risk
- child and or parent with a life threatening or debilitating illness or disease

- Aboriginal and/or Torres Strait Islander decent
- eligibility for Early Start Kindergarten
- eligibility for a second year of funded Kindergarten
- a parent or child with a diagnosed mental illness
- Court Orders that limit choices for Kindergarten.

6.1. Melton City Council Priority of Access:

Priority	Priority of Access Criterion	Requirements for Eligibility
Priority One (all criteria of equal priority)	Children of Melton residents who are at risk of abuse or neglect or children in out-of-home care.	Referral by any service working with the family that assess the child as vulnerable, such as: <ul style="list-style-type: none"> • Child Protection/Child First • Maternal & Child Health Nurse • Out of Home Care Provider • Family Services.
	Children of Melton residents who are of Aboriginal/Torres Strait Islander descent.	Family identifies the child as Aboriginal/Torres Strait Islander.
	Children of Melton residents eligible for Aboriginal Early Start Kindergarten.	A child who meets all of the following criteria: <ul style="list-style-type: none"> • the child is three years old by 30 April in the year in which they are enrolled to attend the funded kindergarten program • the child has been identified as being Aboriginal and/or Torres Strait Islander. Advice of eligibility may be verbal (from a parent or carer) or written from a professional such as a Koorie Engagement Support Officer (KESO).
	Children of Melton residents eligible for Early Start Kindergarten known to Child Protection or Child FIRST.	A child who meets all of the following criteria: <ul style="list-style-type: none"> • the child is three years old by 30 April in the year in which they are enrolled to attend the funded kindergarten program, and • the child is known to Child Protection. A child known to Child Protection means: <ul style="list-style-type: none"> • a child who has a current, or a history of, involvement with Child Protection, including those in out-of-home care, or • a child who has been referred by Child Protection to Child FIRST. A child's eligibility can be advised by: <ul style="list-style-type: none"> • a parent or carer who self-identify their child is currently supported by Child Protection or Child FIRST services or has been supported in the past, or

Priority	Priority of Access Criterion	Requirements for Eligibility
		<ul style="list-style-type: none"> • a Child Protection or Child FIRST professional. Advice about eligibility may be verbal (from a parent or carer) or written from a Child Protection or Child FIRST professional.
	Children of Melton residents with additional needs, defined as: <ul style="list-style-type: none"> • children who have an identified specific disability or developmental delay • children who require additional assistance in order to fully participate in the Kindergarten program • children of Melton residents currently waiting on an assessment or a diagnosis (not yet been diagnosed with a specific disability or developmental delay). 	Referred by services, such as: <ul style="list-style-type: none"> • Early Childhood Intervention Service • Pre-School Field Officer • Maternal and Child Health Nurse • Child Disability Health Care Card • General Practitioner.
	Children of Melton residents who are eligible for a second year of funded Kindergarten.	Children of Melton residents who DET have approved for a second year of funded Kindergarten.
	Children of Melton residents who have Asylum Seeker and/or Refugee Status.	Appropriate visa that identifies the child and/or parents as a refugee or asylum seeker or referral letter from case worker.
	Children of Melton residents where the parent or child has a life threatening or debilitating illness or disease.	Copy of a signed letter from a General Practitioner.
	Children of Melton residents where a parent has a disability.	One of the following: <ul style="list-style-type: none"> • Copy of a signed letter from a General Practitioner. • Copy of a signed letter from a disability support agency.
	Children of Melton residents where a parent or child has a diagnosed mental illness.	One of the following: <ul style="list-style-type: none"> • Copy of a signed letter from a case worker/manager from a mental health or other relevant agency or mental health practitioner stating that the child or parent has a mental illness. • Copy of a signed letter from a General Practitioner, stating that the child or parent has a mental illness.
	Children of Melton residents where Court Orders limit choices for Kindergarten.	Copy of related Court Order.

Priority	Priority of Access Criterion	Requirements for Eligibility
	Children of Melton residents where a parent has a drug and/or alcohol dependency.	Copy of a signed letter from a case worker/manager from a drug and alcohol or family support agency, stating that the child's family has a drug and/or alcohol dependency.
	Children of Melton residents where there is a risk of family violence	Copy of a signed letter from a case worker/manager from a family support agency stating that the child is at risk due to family violence.
	Children of Melton residents where there is a risk of homelessness	Copy of a signed letter from a case worker/manager from a family support agency stating that the child is homeless or at risk of becoming homeless.
	Children of Melton residents experiencing a situation resulting in vulnerability.	Copy of a signed letter from a case worker/manager from a family support agency or other.
	Previous year Deferrals: Children of Melton residents who attended Kindergarten in Term 1 but withdrew.	Teacher/educator required to submit a referral outlining the child would benefit from deferring to the following year. Children who do not attend the kindergarten program will not be entitled to a Deferral.
	Kindergarten Fee Subsidy applies to families who meet the following criteria: The child of Melton resident who individually holds, or has a parent or guardian who holds one of the following	<ul style="list-style-type: none"> • Commonwealth Health Care Card • Commonwealth Pensioner Concession Card • Department of Veterans' Affairs Gold Card or White Card • Refugee Visa (subclass 200) • In-Country Special Humanitarian Visa (subclass 201) • Global Special Humanitarian Visa (subclass 202) • Temporary Humanitarian Concern Visa (subclass 786) • Protection Visa (subclass 866) • Emergency Rescue Visa (subclass 203) • Woman at Risk Visa (subclass 204) • Bridging Visas A-E or ImmiCard
	Residents of Melton City Council who have previously had a child attend the Kindergarten of preference in the last two years.	A child's eligibility can be advised by: <ul style="list-style-type: none"> • Completing the details required on the Application Form. • The application will be verified by reviewing the status through past records.
Priority Two	Residents of the Melton City Council.	Places will be allocated through a computer generated allocation system.

Priority	Priority of Access Criterion	Requirements for Eligibility
Priority Three	Families who reside outside of the Melton City Council municipality	Refer to 6.2 Families who reside outside the municipality

Note: Children will be prioritised under Priority Number 1, according to the number of criteria met. In a situation where the same number of criteria is met, places will be allocated in order of the date the enrolment was received.

6.2. Families who reside outside the municipality

- Kindergarten applications from families who reside outside the municipality are required to be assessed by the Community Services General Manager.
- Applications from residents residing outside the municipality will not be assessed until November of the year of application and will be determined on the Kindergarten vacancies at that time.
- Families are considered Non-Resident if they move out of the municipality prior to the commencement of the Kindergarten year.

6.3. Second Year of Kindergarten

- The Kindergarten Guide 2016 indicates that the Early Childhood teacher, in consultation with the parents/guardians, will assess children who are eligible for a second year of funded Kindergarten.
- As per The Kindergarten Guide 2016 a child is eligible to receive a second year of funded Kindergarten if:
 - the child is observed by the Early Childhood teacher as having delays in at least two outcome areas of learning and development detailed in the Victorian Early Years Learning and Development Framework
 - there is evidence to suggest that the child will achieve better outcomes if they attend a second year of funded Kindergarten to strengthen the learning and development of skills in these areas and better facilitate transition to school the following year
 - the child qualifies for the Early Start Kindergarten program. Early Start Kindergarten provides free or low cost Kindergarten to eligible three year old children where programs are offered by a qualified teacher. Eligible children are Aboriginal and/or Torres Strait Islander or have had contact with Child Protection or been referred to Child FIRST
- Parents/guardians of children identified as eligible to enrol in a second year of Kindergarten must ensure their child's kindergarten teacher notifies council in writing prior to first round allocations.
- Notifications received after first round allocations will be considered in second round.

Note: First choice of Kindergarten cannot be guaranteed after first round allocation

- Families ineligible for second year funding who choose for their child to attend as a full fee paying client cannot be guaranteed a place and will be assessed in line with a Non-Resident application.

6.4. Deferrals

- In accordance with The Kindergarten Guide 2016 and its successor agreements, an enrolment may be deferred within Term 1, provided the registration has not been recorded by the Kindergarten teacher on the DET Kindergarten Information Management System.
- Families wishing to defer their enrolment should speak with Kindergarten staff as soon as possible to discuss their child's readiness for Kindergarten.

- Families, in consultation with the Kindergarten teacher, are required to complete a Deferral form whereby their enrolment will be re-offered the following year.

Note: Children wishing to defer who do not attend the Kindergarten program will not be entitled to a Deferral. The child will need to be re-enrolled following the standard enrolment process.

7. Applications

7.1. Application Forms

- Application forms must be completed and accompanied by the application administration fee (non-refundable) with supporting documentation as outlined in the Kindergarten information booklet.
- Incomplete applications submitted will not be processed until the full application and required documentation is received.
- A fee waiver due to financial hardship may be applied. To discuss this, please contact the Early Childhood Coordinator.

7.2. Closing Dates

- The closing date for the first round allocation of places will be listed on the application form.
- Application forms may be submitted for the remainder of the year, but will not be included in the first round of allocations.

7.3. Changing Preferences

- A change of preference must be lodged in writing to the Kindergarten Enrolment Officer. Once received, this change of preference will be treated as a new application and processed in the next allocation round.
- A change of preference fee of \$25 will be charged to families who request a change to their original allocated offer.

7.4. Allocation of Places

Places will be allocated to eligible children, including those who are on the waiting list, in accordance with the preference listed on the application form and in line with the KCES Allocation Priorities of this policy.

7.5. Reserving Places

Two places per Kindergarten will be reserved for high priority children. DET defines High Priority children to be:

- Children at risk of abuse or neglect, including children in Out-of-Home Care, Aboriginal and/or Torres Strait Islander children, or Asylum seeker and refugee children
- Children eligible for the Kindergarten Fee Subsidy
- Children with additional needs, defined as children who:
 - require additional assistance in order to fully participate in the kindergarten program
 - require a combination of services which are individually planned
 - have an identified specific disability or developmental delay

These places will be reserved until 30 October. Any remaining reserved places not filled by 30 October will be made available to waiting list families and subsequent allocation rounds.

7.6. Managing Waiting Lists

Children on waiting lists will be allocated places once vacancies arise at individual Kindergartens. Places are allocated in order of the computer generated waiting list and in line with the KCES Allocation Priorities of this policy.

7.7. Offers

- A letter of offer for a Kindergarten place will be sent to families by the Kindergarten Enrolment Officer after the close of first round allocations.
- If an Applicant's first preference for a Kindergarten is not available they will be offered their nominated second or third preference Kindergarten.
- If vacancies are not available at a preferred Kindergarten, Applicants will be placed on a waiting list in accordance with KCES Allocation Priorities.
- Second round offers will be made approximately four weeks after the first round of offers.
- Offers after this time are made weekly.

7.8. Acceptances of Place

- Following the offer of a place by the Kindergarten Enrolment Officer, the parent/guardian must return the completed acceptance form to the Kindergarten Enrolment Officer by the date listed on the letter. Families who do not return the acceptance form by the date listed will forfeit their place.
- Once an Applicant has confirmed the acceptance of a place, they are unable to remain on a waiting list for another Kindergarten.
- Parents/guardians who do not wish to accept the offer of a place, or withdraw their enrolment will be requested to notify the Kindergarten Enrolment Officer in writing.
- Parents/guardians who do not receive an offer to a Kindergarten of their choice will be notified in writing that they are on a waiting list, and provided with information on available places at other Kindergartens.

8. Kindergartens Located on a School Sites

Enrolling your child into a Melton City Council Kindergarten on a school site does not confirm your child's entry into the school the following year.

For further information in relation to school zoning boundaries and school enrolment processes, contact your local primary school.

9. Privacy

Access to completed application forms will be restricted to the Kindergarten Enrolment Officer, and other relevant Council Officers, in accordance with Council's Information Privacy Policy.

10. Responsibility and Accountability


10.1	Kindergarten Enrolment Officer <ul style="list-style-type: none"> • Responsible for the administrative tasks associated with the allocation of Kindergarten placements in line with the KSEC allocation priority criteria.
10.2	Kindergarten Providers <ul style="list-style-type: none"> • Responsible for providing families with session times, orientation sessions and fee information in relation to the day to day operation of the Kindergarten program. • Responsible for employing Kindergarten staff.
10.3	Parents & Guardians <ul style="list-style-type: none"> • Responsible for providing all required documentation for the Kindergarten application form by the date indicated in the Kindergarten information booklet

11. References, Sources, Links to Legislation and Other Documents

Name	Location
<i>Education and Care Services National Regulations 2011</i>	www.legislation.vic.gov.au
<i>Education and Care Services National Law Act 2010</i>	www.legislation.vic.gov.au
<i>Disability Discrimination Act 1992 (Commonwealth)</i>	www.comlaw.gov.au
<i>Equal Opportunity Act 2010 (Victoria)</i>	www.legislation.vic.gov.au
<i>Human Rights and Equal Opportunity Commission Act 1986 (Commonwealth)</i>	www.comlaw.gov.au
<i>Sex Discrimination Act 1984 (Commonwealth)</i>	www.comlaw.gov.au
<i>Sex and Age Discrimination Amendment Act 2011</i>	www.comlaw.gov.au
<i>Information Privacy Act 2000</i>	www.legislation.vic.gov.au
<i>Child Wellbeing and Safety Act 2005</i>	www.legislation.vic.gov.au
<i>Children, Youth and Families Act 2005</i>	www.legislation.vic.gov.au
<i>Victorian Charter of Human Rights and Responsibilities Act 2006</i>	www.legislation.vic.gov.au
Victorian Kindergarten policy, procedures and funding criteria.	http://www.education.vic.gov.au/childhood/providers/funding/Pages/kinderfundingcriteria.aspx

12. Attachments – Refer to Four Year Old Kindergarten Enrolment Procedure

- 12.1. Attachment 1 – Kindergarten Application Form
- 12.2. Attachment 2 – Request for Second Year of Kindergarten Form
- 12.3. Attachment 3 – Acceptance Form

	Fraud and Corruption Control Policy
Version No.	Draft 2.3 24 November 2016
Endorsement	General Manager Corporate Services 4 October 2016 Policy Review Panel date 15 December 2016
Authorisation	Council date [insert date]
Review date	December 2019
Responsible officer	Risk & Performance Manager
Policy owner	Risk & Performance Manager

1. Purpose

Describes how Melton City Council (Council) responds to the threat of, and to actual occurrences of, fraudulent and/or corrupt behaviour.

2. Scope

This policy applies across all of Council.

Persons wishing to report fraudulent or corrupt behaviour, or suspected behaviour, should refer firstly to the Protected Disclosure Procedure, then to this policy and associated procedure.

3. Definitions

Word/Term	Definition
Fraud	Dishonest activity causing actual or potential financial loss to Council including theft of moneys or property and where deception is used at the time, immediately before or immediately following the activity. Includes deliberate falsification, concealment, destruction or use of falsified documentation used or intended for use for a normal business process, or the improper use of information or position for personal financial benefit. Includes the theft of property belonging to Council by a person/s internal to Council where deception is not used. Fraud is a crime at law.
Corruption	Dishonest activity in which a councillor, employee, volunteer or contractor of Council acts contrary to the interests of Council and abuses his or her position of trust, in order to achieve some personal gain or advantage for him or herself or for another person or entity.

4. Policy

Fraudulent and corrupt behaviour, as well as often being illegal, has significant potential to cause harm to Council: damage to Council's reputation; damage to staff morale; and significant financial losses.

Council will not tolerate fraudulent or corrupt behaviour by any person.

Council is committed to preventing, detecting and responding to fraud and corruption.

4.1 Codes of conduct

Council has an Employee Code of Conduct and a Councillor Code of Conduct which help establish the expectations of Council, and provide benchmarks for appropriate personal behaviours of employees, volunteers and contractors, as well as councillors.

4.2 Policies and procedures

In addition, Council has various policies and procedures that describe risk controls and/or appropriate behaviours where fraud or corruption may be a risk e.g. Gifts and Benefits Procedure, the Purchasing Procedures Manual and Conflict of Interest Guides. Council requires councillors, employees, volunteers and contractors to conform to relevant policies and procedures. Many of these are driven by and/or reflect the requirements contained in the *Local Government Act 1989*.

4.3 Fraud and corruption control procedure

Council develops, implements and reviews a Fraud and Corruption Control Procedure and allocates appropriate resources accordingly. Elements of the procedure include but are not limited to: internal audit; risk assessment; internal controls; fraud and corruption awareness; employment screening; supplier and customer vetting; detection; reporting; investigation; and civil action for recovery of losses. The procedure is general in nature and is kept on the policy intranet.

4.4 Fraud and corruption risk assessments

Council conducts fraud and corruption risk assessments at a service unit level to identify where Council may be exposed to these risks, and how effective existing controls are against those risks. Service units with higher levels of risk are risk-assessed more frequently.

4.5 Fraud and corruption control plan

Council develops, implements and reviews detailed and time-based actions to manage fraud and corruption risks; these may originate in fraud and corruption risk assessments or the Fraud and Corruption Control Procedure. The plan is sensitive in nature and is kept in the Risk & Performance service unit. Council requires councillors and employees to conform to these actions.

4.6 Internal audit

Council maintains an internal audit program, coordinated by Council personnel and conducted by an external company, which regularly examines areas of Council activities in order to detect fraudulent or corrupt behaviour.

4.7 Fraud and Corruption Control Officer

Council appoints a Fraud and Corruption Control Officer (Council's Risk & Performance Manager) with responsibility to manage Council's exposure to these risks.

4.8 Notification

Fraudulent or corrupt behaviour may constitute improper conduct as per the Protected Disclosure Procedure, which is the responsibility of Legal & Governance.

Council requires councillors, employees, volunteers and contractors who become aware of fraudulent or corrupt behaviour, or suspected behaviour, to ensure that the relevant parties as described in the Protected Disclosure Procedure are notified of the behaviour or suspected behaviour as soon as practicable.

4.9 Response

Council responds to allegations of fraud and/or corruption by assessing if the allegations should be referred to the Independent Broad-based Anti-corruption Commission. This applies to serious misconduct, as per the Protected Disclosure Procedure. Where they are not, responsibility for response may return to the Fraud and Corruption Control Officer.


Council responds with actions including but not limited to the following: investigating the allegations; determining as much as practicable the facts of the alleged behaviours; applying as appropriate Council's disciplinary procedures, including termination of employment where applicable; where appropriate escalating the matter to the relevant authorities (e.g. Victoria Police); and where appropriate commencing civil action to recover losses.

5. Responsibility/Accountability

5.1	Executive <ul style="list-style-type: none"> Maintain and demonstrate high levels of awareness of, and commitment to, fraud and corruption risks and risk controls Approve the Fraud and Corruption Control Procedure Endorse the Fraud and Corruption Control Plan Ensure appropriate resources are provided to implement the procedure and plan Appoint the Fraud and Corruption Control Officer Role model appropriate behaviours in regards to fraud and corruption Make determinations in regards to Council's responses to proven allegations of fraud and/or corruption
5.2	Audit Committee <ul style="list-style-type: none"> Oversee the internal audit program Monitor fraud and corruption risk control measures Approve the Fraud and Corruption Control Plan
5.3	Councillors <ul style="list-style-type: none"> Conform to Council's policies and procedures regarding fraud and corruption control, including but not limited to the Councillor Code of Conduct
5.4	General Manager Corporate Services <ul style="list-style-type: none"> Oversee Council's fraud and corruption control program
5.5	Manager, coordinators and other supervisory staff <ul style="list-style-type: none"> Ensure employees, volunteers and contractors are aware of this policy Participate in internal audit, fraud and corruption risk assessment activities, awareness raising activities and other relevant elements of the Fraud and Corruption Control Plan Conform to relevant fraud and corruption risk control measures Role model appropriate behaviours in regards to fraud and corruption
5.6	People & Culture Manager <ul style="list-style-type: none"> Advise Executive in regards to appropriate actions(s) regarding staff arising from investigations into alleged fraud and/or corruption
5.7	Legal & Governance Manager <ul style="list-style-type: none"> Act as Council's Protected Disclosure Coordinator Coordinate internal audit program
5.8	Fraud and Corruption Control Officer (Risk & Performance Manager) <ul style="list-style-type: none"> Develop, implement and review Fraud and Corruption Control Procedure and Plan Coordinate the conduct of investigations
5.9	All employees, volunteers and contractors <ul style="list-style-type: none"> Participate in fraud and corruption risk assessment activities, awareness raising activities and other relevant elements of the Fraud and Corruption Control Procedure and Plan Ensure the Protected Disclosure Coordinator is notified of fraudulent or corrupt behaviour, or suspected behaviour, as soon as practicable Conform to Council's policies and procedures regarding fraud and corruption control, including but not limited to the Employee Code of Conduct.

6. References and links to legislation and other documents

Name	Location
AS8001 – 2008:Fraud and Corruption Control	Risk & Performance
Fraud and Corruption Control Procedure	Policy intranet
Fraud and Corruption Control Plan	Risk & Performance
Employee Code of Conduct	Policy intranet
Councillor Code of Conduct	Policy intranet
Policies and procedures eg. Gifts and Benefits Procedure; Purchasing Manual	Policy intranet
Protected Disclosure Procedure	Policy intranet

	<h2>Fraud and Corruption Control Procedure</h2>
Linked policy document	<i>This procedure details actions and processes pursuant to the Fraud and Corruption Control Policy.</i>
Version No.	Draft 3.2 24 November 2016
Endorsement	General Manager Corporate Services 4 October 2016 Policy Review Panel date 15 December 2016
Authorisation	Council date [insert date]
Expiry date	December 2019
Responsible officer	Risk & Performance Manager
Procedure owner	Risk & Performance Manager

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1. Purpose

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2. Scope

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Fraud	Dishonest activity causing actual or potential financial loss to Council including theft of moneys or property and where deception is used at the time, immediately before, or immediately following the activity. Includes deliberate falsification, concealment, destruction or use of falsified documentation used or intended for use for a normal business process, or the improper use of information or position for personal financial benefit. Includes the theft of property belonging to Council by a person/s internal to Council where deception is not used. Fraud is a crime at law.
Corruption	Dishonest activity in which a councillor, employee, volunteer or contractor of Council acts contrary to the interests of Council and abuses his or her position of trust, in order to achieve some personal gain or advantage for him or herself or for another person or entity.
ECM	Council's Enterprise Content Management system
Entrusted person	Any individual that is, or is targeted to be, employed within Council that is, or will be, entrusted with resources and/or assets
Fraud and Corruption Control Officer	Council's Risk & Performance Manager
IBAC	Independent Broad-based Anti-corruption Commission
Protected Disclosure Coordinator	Council's Legal & Governance Manager
Responsible Officer	(As per the Corporate Policy Management Policy) the manager with operational responsibility for the services area generating a policy or procedure.

4. Procedure

For information on reporting fraudulent or corrupt behaviour, or suspected behaviour, refer to the Protected Disclosure Procedure, and section 4.6.3 in this procedure.

Throughout this procedure, the Fraud and Corruption Control Officer may delegate tasks as appropriate in consultation with the General Manager Corporate Services.

4.1 Structure of this document

Examples of fraud and corruption are given first to provide context for the reader. The next section outlines how Council will plan and resource fraud and corruption control efforts. Broadly speaking these efforts are comprised of fraud and corruption prevention, detection and response. Internal audit contains of all those elements, and is described next. Then specific prevention, detection and response activities are outlined, with a section on each.

4.2 Examples of fraud and corruption

4.2.1 Fraud - general

- Theft of funds, assets, plant, equipment or information
- Unauthorised use of Council equipment or materials for personal benefit
- Causing a loss or avoiding creating a liability by deception
- False invoicing (involving a staff member creating a fictitious invoice claiming payment for goods or services not delivered or exaggerating the value of goods delivered or services provided)
- Accounts receivable fraud (misappropriation or misdirection of remittances received from a debtor)
- Credit card fraud involving the unauthorized use of a credit card or credit card number issued to another person, including use of purchasing card to buy goods or services for personal use
- Providing false or misleading information
- Making false or misleading financial reports
- Release or use of misleading or inaccurate information for the purposes of deceiving or misleading, or to hide wrongdoing
- Misuse of position in order to gain some form of financial advantage
- Theft of intellectual property or other confidential information
- Bribery or kick backs.

4.2.2 Payroll/timesheet fraud

- Time in lieu claimed but not worked
- Overtime claimed but not worked
- Not recording leave taken on timesheet
- Forgery of manager's signature
- Fraudulent medical certificates.

4.2.3 Unauthorised use of Council assets

- Unauthorised private use of vehicles
- Taking supplies for private use
- Taking equipment for private use.

4.2.4 False claims for reimbursement

- Claiming for non work related costs
- Claiming for costs not actually incurred.

4.2.5 Recruitment fraud

- Fake qualifications
- Fictitious former employers
- Fake references.

4.2.6 Examples of corruption

Corruption includes Councillors, employees, volunteers and contractors:

- Being targeted by external parties seeking to gain an improper benefit
- Targeting external parties or other internal parties in seeking to gain an improper benefit.
- Payment or receipt of secret commissions (bribes), which may be paid in money or in some other form of value to the receiver (e.g. building projects completed at an employee's private residence)
- Release of confidential information for other than a proper business purpose in exchange for some form of non-financial benefit or advantage accruing to the employee releasing the information
- Solicitation of donations for an improper political purpose
- Senior personnel acting in their own self-interest rather than the interests of Council (e.g. failing to declare a conflict of interest in a decision)
- Serious nepotism and cronyism where the appointee is inadequately qualified to perform the role to which he or she has been appointed
- Manipulation of the procurement process by favouring one tenderer over others or selectively providing information to some tenderers. This may involve allowing tenderers to resubmit a 'non-complying' tender after being provided with the details of other bids
- Gifts or entertainment intended to achieve a specific or generic commercial outcome in the short or long-term – in breach of Council's Gifts and Benefits procedure.

4.3 Planning and Resourcing

4.3.1 Fraud and Corruption Control Plan

The Fraud and Corruption Control Policy and Procedure describe Council's intent and general methodology with regards to fraud and corruption control. They are made available to all councillors, employees, volunteers and contractors through the policy intranet. They contain general information on activities, responsibilities and timelines but do not relate to a specific period in time.

The Fraud and Corruption Control Plan relates to a specific period in time. It outlines Council's intended actions in implementing and monitoring its fraud and corruption prevention, detection and response initiatives. It describes Council's current fraud and corruption risk context, and its current fraud and corruption risks (as identified in a risk assessment). It contains detailed and specific information on fraud and corruption control activities, responsibilities and timelines in response to those risks. It is not available on the policy intranet due to its sensitive nature, but is held by Risk & Performance on behalf of the Audit Committee and the Executive.

The Fraud and Corruption Control Plan should include but not be limited to:

- A statement on Council's current fraud and corruption risk context
 - External factors such as the regulatory environment, the economic environment, relevant emerging technologies, and threats to the organisation
 - Internal factors such as the political environment, historical incidents and trends, key business drivers, and the organisation's people, systems and structures; this may include a list of risks that are considered politically sensitive and thus have a heightened potential to impact the organisation
 - The scope, boundaries and parameters of Council's fraud and corruption risk management activities, including how Council currently weighs up risk and reward in regards to those activities and determines what is practicable

- Relevant information on how Council conducted its most recent risk assessment(s), such as who conducted them, who participated, the method and the dates
- Relevant recent reports of fraudulent or corrupt behaviour and outcomes of investigations into those reports
- The outcomes of the most recent fraud and corruption risk assessment(s) (see 4.5.5)
 - A tabulation of all fraud and corruption risks identified, with risk ratings and control effectiveness ratings. The table should enable a clear overview of the highest risk service units, and the types of fraud or corruption that pose the greatest risks
 - More detailed information on the types of risk where Council's exposure is the highest and/or where controls are the weakest
 - Action items to address relevant exposures or weaknesses, with responsibilities and dates for completion assigned
- Other activities for the period covered by the Fraud and Corruption Control Plan that arise from the Fraud and Corruption Control Procedure, e.g. training calendar, risk assessment schedule, or monitoring activities such as surveys. These should have responsibilities and dates for completion assigned.

The Fraud and Corruption Control Officer should develop the Fraud and Corruption Control Plan (the plan), and review it every two years, with the Executive being responsible to provide the information contained in the context statement. The plan should be developed and reviewed in consultation with those who are to be responsible for action items and activities. The plan, at development and review, should be endorsed by the Executive and approved by the Audit Committee.

The Fraud and Corruption Control Officer should coordinate the implementation of the plan. Those who are identified as responsible in the plan should complete the action items and activities by the dates assigned. The General Manager Corporate Services, supported administratively by the Fraud and Corruption Control Officer, should ensure that this takes place. The Fraud and Corruption Control Officer is responsible to monitor the progress of the action items and activities and report six-monthly to the Audit Committee.

4.3.2 Resourcing

The Executive should appoint the Fraud and Corruption Control Officer (the officer) and ensure that the officer has the appropriate skills, experience and/or training to undertake the role. They should also ensure that the officer has the appropriate resources to develop, implement, monitor and review the fraud and corruption prevention, detection and response activities for which the officer is responsible.

The General Manager Corporate Services has overall responsibility for overseeing the fraud and corruption control program.

4.4 Internal audit

Internal audit supports fraud prevention by ensuring employees conform to internal controls, and by deterring potential perpetrators with the increased prospect of being caught. It has a key role in detection of fraud, and provides necessary inputs into Council's responses to fraud.

The Legal & Governance Manager, in consultation with the General Manager Corporate Services, should ensure that internal audit schedules or plans adequately address Council's fraud risk exposures and adequately test Council's fraud risk controls. They may use the most recent fraud risk assessment(s) to support the development of those schedules or plans.

The Legal & Governance Manager should ensure that internal audit activity is planned and conducted in accordance with fraud detection, deterrence and response provisions of the International Professional Practices Framework of the Institute of Internal Auditors.

4.5 Prevention

4.5.1 An ethical culture

An organisational culture with a high ethical standard sets conformance with policies and procedures as the norm, encourages employee reporting of suspect behaviour, and by contrast makes fraudulent or corrupt behaviour more obvious.

4.5.1.1 Induction

Clear behavioural expectations, and clear consequences for fraudulent or corrupt behaviour, should be communicated at commencement with Council.

The People & Culture Coordinator should ensure that new employees receive information at induction on:

- Council's expectations about ethical behaviour
- How the organisation prevents, detects and responds to fraud and corruption
- Employee roles and responsibilities in identifying and reporting fraudulent or corrupt behaviour, or suspected behaviour.

The Governance Coordinator should do likewise for councillors, and coordinators responsible for the induction of volunteers or contractors should do likewise for those volunteers or contractors.

This is in addition to any role-specific information on fraud and corruption control measures e.g. policies, procedures or local work instructions on, for example, segregation of duties or online procurement processes.

4.5.1.2 Example setting

Role modelling and setting of behavioural expectations by leaders is critical in reinforcing a sound ethical culture where fraud and corruption are not accepted.

Accordingly, councillors, the Executive, managers, coordinators and other supervisory staff should:

- Conform to Council's policies and procedures as they relate to fraud and corruption, including but not limited to the relevant Code of Conduct, Gifts and Benefits Procedure, Purchasing Manual, Conflicts of Interest Guide, Confidentiality Policy and the Corporate Purchasing Card Procedure
 - The Executive, managers, coordinators and other supervisory staff should ensure that employees, volunteers and contractors who report to them do likewise
- Maintain an awareness regarding fraud and corruption risks (with a greater awareness required of councillors, the Executive and managers), by means including but not limited to attending training programs implemented by Council.

4.5.1.3 Monitoring and reporting

Regular monitoring and reporting of Council's ethical performance helps support and maintain a sound culture and reinforce appropriate behaviours.

To enable this, the Fraud and Corruption Control Officer should develop, implement and triennially review fraud and corruption control performance measures and targets. They may include: numbers of adverse internal audit findings; attendance at awareness training; or qualitative feedback from staff surveys or exit interviews. The organisation's performance against the targets

should be reported annually to the Audit Committee, and qualitative statements included in the annual Council Report.

4.5.1.4 Other actions to support an ethical culture

If and when Council's ethical performance does not meet its targets, whether evidenced through monitoring or otherwise, the Fraud and Corruption Control Officer should ensure the development and delivery of targeted awareness training. This is in addition to any scheduled fraud and corruption awareness training, unless the two may be practicably combined; in that case the training should highlight the areas of underperformance.

All councillors, employees, volunteers and contractors should annually confirm in writing (which may include an electronic sign-off in ECM) that they have, over the previous twelve months, conformed to the relevant Code of Conduct and fraud and corruption policies and procedures, and that they will so conform over the ensuing twelve months. The Fraud and Corruption Control Officer should ensure processes are in place to enable this.

4.5.2 Communication and awareness

Regular ongoing messaging about fraud and corruption helps keep councillors, employees, volunteers and contractors aware of the issues and updated on emerging risks.

The Executive, supported administratively by the Fraud and Corruption Control Officer, should regularly communicate to the organisation:

- Council's expectations about ethical behaviour
- How the organisation prevents, detects and responds to fraud and corruption
- Employee roles and responsibilities in identifying and reporting fraudulent or corrupt behaviour, or suspected behaviour.

This may be through regular channels such as weekly or quarterly staff updates, or one-off messages such as All Staff emails.

The Fraud and Corruption Control Officer should ensure that regular awareness training is delivered to all employees, tailored to suit the audience, regarding the following:

- Council's expectations about ethical behaviour
- How the organisation prevents, detects and responds to fraud and corruption
- Examples of fraudulent or corrupt behaviour
- Employee roles and responsibilities in identifying and reporting fraudulent or corrupt behaviour, or suspected behaviour
- Encouragement about the important role of peer awareness and vigilance in detecting fraud
- Specific instructions on how to report
- (For more senior audiences) new types of technology that may be used to commit fraud, or to minimise fraud.

4.5.3 Line management accountability

Council's performance management system and processes are powerful behavioural drivers, and help focus employees' attention on issues of critical concern to Council.

The People & Culture Coordinator should ensure that fraud and corruption performance measures are included in the relevant performance plans as per the Performance Development Procedure.

4.5.4 Internal controls

Council develops, implements, maintains and reviews electronic systems, and policies, procedures and local work instructions, to minimise fraud and corruption, including but not limited to the list below.

The Responsible Officers identified in those policies, procedures and local work instructions should ensure that internal controls identified are proportional to the risks of fraud and corruption, and that internal controls are well documented, regularly reviewed and updated, and understood by those who have roles and responsibilities in them.

These documents are located on the policy intranet:

Acting in Higher Positions Procedures	Internally Managed Events Policy
Advocacy Policy	Investment of Council Funds Policy
Asset Disposal Policy	Liquor Licence Policy
Cash Handling Policy	Mayor and Councillors Purchase Card Procedure
Code of Conduct (Councillors and employees)	Mobile Food Van Policy
Community Engagement Policy and Guidelines	Motor Vehicle Policy
Community Facilities Access Policy	Naming of Council Community Facilities and Open Space Policy
Community Grants Program Policy	Negotiating with Developers in Growth Areas Policy
Community Service Organisation Support Funding Policy and Guidelines	Online Engagement Policy
Confidentiality Policy	Photography and Images Policy
Conflict of Interest Guides	Privacy Policy
Corporate Purchasing Card Procedure	Procurement Policy
Development Contributions Policy	Project Approval Policy
Election Period Policy	Project Management Policy
Environmental Enhancement Policy	Protected Disclosure Procedure
Externally Managed Events Policy	Provision of Loans and or Guarantees to Community Groups Policy
Financial Assistance (Rates Charges) Policy	Public Internet Policy
Gift and Merchandise Policy and Procedure	Purchase of Outgoing Mayoral Gifts Policy
Grant Seeking Procedure	Purchasing Procedure Manual
Highway Advertising Signage Policy for Residential Subdivisions	Resource Support and Expenses of Councillors and Special Committee Members Policy
Hospitality and Entertainment Policy	Responsible Gambling Policy
Illness and Injury Management Policy	Secondment Policy and Procedure

These documents are located in individual service units:

Business Processes Manual (under development) (Planning Services)	Internal Review Process [Infringements] (under development) (Compliance)
Finance Procedures Manual (Finance)	Payroll Procedures Manual (People and Culture)
Fleet Management and Fleet Replacement Procedures (Legal Services)	Superannuation Procedures Manual (People and Culture)

4.5.4.1 Identifying gaps

Opportunities for fraud and corruption may arise from time to time where internal controls are not present, appropriate or adequate. These may be identified through a fraud and corruption risk assessment (see 4.5.5), or by a councillor, employee, volunteer or contractor in the course of their day to day work.

Councillors, employees, volunteers and contractors that identify gaps in internal controls should ensure that the Fraud and Corruption Control Officer is notified either directly, or through a supervisor, as soon as practicable. The Fraud and Corruption Control Officer should raise the issue with the relevant Responsible Officer as soon as practicable. Where there is disagreement or lack of clarity about who is the relevant Responsible Officer, the General Manager Corporate Services should allocate one.

The relevant Responsible Officer should ensure that internal controls are developed and implemented, proportional to the risks of fraud and corruption, and that internal controls are well documented, regularly reviewed and updated, and understood by those who have roles and responsibilities in them.

4.5.5 Fraud and corruption risk assessment

The Fraud and Corruption Control Officer, in conjunction with the relevant manager of the service unit or team, should ensure that fraud and corruption risk assessments (risk assessments) are conducted regularly and to a satisfactory standard.

The service units and/or teams that usually have higher risks of fraud and/or corruption (not just at Council but in all organisations) should have a risk assessment conducted more frequently. This includes but is not limited to Finance, Payroll, Procurement, Information Services, Planning and Compliance. A service unit or team should not have a risk assessment conducted more frequently than annually or less frequently than triennially. The Fraud and Corruption Control Officer is responsible to develop and communicate the risk assessment schedule and include it in the Fraud and Corruption Control Plan.

The employees participating in a risk assessment should include a selection of line management and operational staff for the area, but at least the manager and two other people. This is to prevent individuals, or pairs in collusion, from adversely influencing the risk assessment to avoid detection.

Where employees are not experienced in risk assessments, a suitably experienced and qualified external consultant should be appointed by the Fraud and Corruption Control Officer to support the employees in conducting the risk assessment.

Where the employees are experienced, the Fraud and Corruption Control Officer may develop a template or questionnaire to support the comprehensive identification of risks, instead of using a consultant. A service unit or team should only conduct two risk assessments in a row without an external consultant present; the third should include a consultant, to ensure all risks are identified.

The Fraud and Corruption Control Officer may provide relevant information to participants regarding previous fraud and corruption investigations, case studies from other organisation, or emerging threats.

4.5.4.2 Risk assessment process

The risk assessment process should include but not be limited to the following actions, and should be conducted in as much detail as practicable:

- Inform the participants about the context in which the risk assessment is to be conducted, by reviewing the current risk context statement as developed by the Executive and documented in the Fraud and Corruption Control Plan
- Review current business processes, ideally with the owners and operators of those processes present
- Identify and record fraud and corruption risks and their sources
- Identify and record existing controls, and rate them for their effectiveness (effective, partially effective or ineffective)
- Rate the risks for consequence and likelihood, as per the descriptors and risk matrix in the Enterprise Risk Management Framework, and record those ratings
- Identify and record risk treatments, depending on the risk rating, and in accordance with the Enterprise Risk Management Framework
- Identify and record the persons responsible to implement the risk treatments and the dates for the completion of the treatments
- Register the risk assessment in ECM and ensure that the Fraud and Corruption Control Officer is advised as soon as practicable.

The Fraud and Corruption Control Officer, in consultation with the General Manager Corporate Services, should review the information in risk assessments. In consultation with the relevant manager, they should decide what should happen with the identified risk treatments: inclusion in the Fraud and Corruption Control Plan; allocation as Tasks in ECM; or that no action need be taken. If no action need be taken then a Note should be added to the risk assessment in ECM as to why.

The Fraud and Corruption Control Officer is responsible to monitor the risk treatments included in the Fraud and Corruption Control Plan (see 4.3.1). The relevant immediate supervisor is responsible to monitor the risk treatments allocated as Tasks in ECM.

4.5.6 Employment screening

The objective of employment screening is to reduce the risk of a potential security breach and to obtain a higher level of assurance as to the integrity, identity and credentials of Council staff, and in particular, entrusted persons. Attention should be paid to not only new employees, but also to employees being promoted to, or acting in, more senior positions or to positions considered by Council to be higher risk in terms of potential exposure to fraud and corruption.

To achieve these aims, the People & Culture Manager should ensure that relevant procedures (including but not limited to the Recruitment and Selection Procedure, the Acting in a Higher Position Procedure, and the Secondment Policy and Procedure) stipulate that Council should verify, with the consent of the individual, the identity, integrity and credentials of entrusted persons, when it should do so, and who is responsible.

4.5.7 Supplier Vetting

External parties can be sources of fraud and corruption; for instance a contracted party may seek to manipulate the procurement process or pay secret commissions.

The Procurement Coordinator should ensure that procurement procedures include enquiries as to the bona fides of new suppliers.

The Accounting Services Coordinator should ensure that finance procedures include the periodic confirmation of the bona fides of existing suppliers. This should include the requirement to advise the General Manager Corporate Services as soon as practicable of any irregularities. This is so that he/she may make recommendations regarding continuing to deal with that party.

4.6 Detection

4.6.1. Detection systems

Fraud and corruption can occur despite Council having numerous controls in place. The internal auditors and the Audit Committee are engaged to systematically detect fraudulent or corrupt behaviour.

To that end, the Legal & Governance Manager should ensure that the internal auditors undertake detection activities, including but not limited to:

- Diagnostic analyses of transactions
- Analytical [Computer Assisted Audit Techniques – (CAATs)] and other procedures to find unusual items and perform detailed analyses of high-risk accounts and transactions to identify potential fraud and corruption. For example, testing payroll for phantom employees where an employee adds ghost employees to the payroll and receives the payment
- The use of CAATs, including data mining, to review the entire data population to detect particular types of fraud.

The General Manager Corporate Services should ensure that the Executive and the Audit Committee conduct regular analyses of management accounting reports, and report accordingly to Council.

4.6.2. External audit

External audit can detect material misstatements in Council's financial statements due to fraud or error.

Council's external auditors meet with the Audit Committee:

- Prior to conducting audits, where they present the audit methodology
- After conducting the audit, where they present a closing report.

The Accounting Services Coordinator is responsible to ensure their attendance at the Audit Committee.

The General Manager Corporate Services should ensure that the external auditors are briefed about Council's expectations on external audit to detect fraud, and appropriately supported by Council personnel to enable this.

4.6.3. Reporting by Council personnel

Council takes fraud and corruption very seriously and does not accept fraudulent or corrupt behaviour. It encourages all personnel to maintain awareness and vigilance in regards to fraud and corruption. It views peer reporting as a valuable source of identifying fraudulent and/or corrupt behaviour. It responds to allegations of fraud and corruption in a confidential manner and on a 'need to know' basis. It investigates in a timely and thorough manner. It responds to proven misconduct in a proportionate way, following Council's disciplinary processes. It reports alleged criminal conduct to Victoria Police as appropriate, and serious improper conduct to the IBAC as required by law. Where appropriate it seeks to recover money or goods of which it has been defrauded by taking legal action.

Peer reporting of suspicious behaviour can be difficult. Colleagues may be troubled by what they suspect, and just want it to stop, without others losing their jobs. Council's responses

aim to support the person(s) who report(s) and deal justly and proportionately with the person(s) committing the behaviour.

4.6.3.1 How to report fraudulent or corrupt behaviour, or suspected behaviour

Councillors, employees, volunteers and contractors who become aware of fraudulent or corrupt behaviour, or suspected behaviour, should ensure that a report (a disclosure) is made as per the Protected Disclosure Procedure. Persons wishing to make a disclosure are encouraged to make their disclosure to the Protected Disclosure Coordinator (the Legal & Governance Manager) or the Chief Executive Officer; see the Protected Disclosure Procedure for details. Persons wishing to make a disclosure about a councillor must make it directly to the IBAC.

The CEO in consultation with the Protected Disclosure Coordinator will assess if the disclosure should be referred to the IBAC. This will be in serious cases of improper conduct; see the Protected Disclosure Procedure for details.

Where Council considers that the disclosure does not need to be referred to the IBAC, refer 4.7.

4.6.4. Reporting by external parties

From time to time employees of external parties such as suppliers may become aware, or suspicious, that Council personnel are engaging in fraudulent or corrupt behaviour. Encouraging and enabling reporting of this behaviour is an important part of a fraud and corruption control program.

The Procurement Coordinator should ensure that procurement procedures include: making new suppliers aware of Council's fraud and corruption control program; encouraging them to report fraudulent or corrupt behaviour, or suspected behaviour; and providing them with the contact details of Council's Protected Disclosure Coordinator.

The Accounting Services Coordinator should ensure that finance procedures include doing likewise with existing suppliers and other relevant external parties on a regular basis.

4.7 Response

Council responds to detected or suspected fraud or corruption by investigating first, and determining a course of action second, depending on the outcomes of the investigation.

4.7.1. Investigation

All reported fraudulent or corrupt behaviour, or suspected behaviour, should be investigated appropriately either by Council, an external investigator or Victoria Police.

Upon receipt of a report of fraudulent or corrupt behaviour, or suspected behaviour, the Fraud and Corruption Control Officer, in consultation with the General Manager Corporate Services and the People & Culture Manager, should as soon as practicable ensure that an investigation is conducted into the alleged misconduct. (If any of those people are the subject of the allegation(s) then the Legal & Governance Manager should take their place.)

4.7.1.1 External investigation

The General Manager Corporate Services, in consultation with the Legal & Governance Manager, may decide that the investigation should be conducted by an external legal firm or the matter referred directly to Victoria Police.

Investigations conducted by external legal firms should be coordinated by the Legal & Governance Manager as per the Legal Services Procedure.

The Legal & Governance Manager, in consultation with the General Manager Corporate Services, should consider the report from the external investigation and make recommendations to the Chief Executive as to the most appropriate course of action as soon as practicable.

Referral direct to Victoria Police should be coordinated by the General Manager Corporate Services.

Where neither of those things applies, the investigation may be conducted internally.

4.7.1.2 Internal investigation

The investigation should be conducted as quickly as practicable, including but not limited to the following steps:

- Develop the terms of reference, identifying:
 - Who should conduct the investigation (the Fraud and Corruption Control Officer, another Council officer, or an external consultant)
 - Who should be interviewed
 - What records should be examined
 - Who should be kept informed, on a 'need to know' basis
- Conduct the investigation
 - Collect witness statements
 - Examine records
 - Conduct the interviews, on an innocent until proven guilty basis; persons against whom allegations are made should be made aware of the nature of the allegations and given an opportunity to respond within a reasonable timeframe; they should be allowed a support person in the interviews, but that person may not represent them or provide comment
 - All parties to maintain confidentiality and propriety at all times
- Compile a report
 - Conclusions as to the likely truth or otherwise of the allegations
 - Comment on the breadth and seriousness of the misconduct
- Register the report in ECM using a highly restricted security classification.

The General Manager Corporate Services and the People & Culture Manager should consider the report and make recommendations to the Chief Executive as to the most appropriate course of action as soon as practicable.

4.7.2. Responses to investigation outcomes

The Chief Executive, upon receipt of recommendations from the external or internal investigation, should decide on the most appropriate course of action, and act or delegate actions accordingly, as soon as practicable.

Council's responses to investigations may include disciplinary action, reporting to Victoria Police, and/or civil action to recover losses.

4.7.2.1 Disciplinary action

The People & Culture Manager should coordinate disciplinary action in accordance with Council's Disciplinary Policy and Procedure.

4.7.2.2 Reporting to Victoria Police

The General Manager Corporate Services, in consultation with the Legal & Governance Manager, should coordinate the reporting of the investigation outcome to Victoria Police.

4.7.2.3 Civil action to recover losses

The Legal & Governance Manager should coordinate any civil action taken by Council to recover losses incurred as a result of the fraud or corruption.

4.7.2.4 Review of insurance cover

The Legal & Governance Manager should ensure that Council has appropriate insurance cover with regards to loss arising from internal fraudulent conduct, and externally instigated fraud and corruption. This cover may be reviewed after investigations.

4.7.2.5 Review of internal controls

Upon conclusion of investigations, the Fraud and Corruption Control Officer should ensure that a review is conducted of the internal controls related to the fraudulent or corrupt behaviour, with the relevant Responsible Officer, as soon as practicable. Where there is disagreement or lack of clarity about who is the relevant Responsible Officer, the General Manager Corporate Services should allocate one.

Where internal controls may be practicably improved, the relevant Responsible Officer should ensure as soon as practicable that those improvements are developed, documented and implemented, and understood by those who have roles and responsibilities in them.

4.7.2.6 Fraud and corruption register

The Fraud and Corruption Control Officer should maintain a record of reports of fraudulent and corrupt behaviour, or suspected behaviour, and investigation outcomes. This is to inform future Fraud and Corruption Control Plans.

5. Responsibility /Accountability

5.1	Councillors <ul style="list-style-type: none"> • Conform to Council's policies and procedures regarding fraud and corruption control, including but not limited to the Councillor Code of Conduct
5.2	Audit Committee <ul style="list-style-type: none"> • Provide governance oversight of Council's Fraud and Corruption Control program • Review management accounting reports as part of Council's fraud and corruption detection system
5.3	Chief Executive <ul style="list-style-type: none"> • Decide on appropriate course(s) of action arising from investigations and act where required
5.4	Executive <ul style="list-style-type: none"> • Appoint Fraud and Corruption Control Officer • Conform to fraud and corruption control policies and procedures • Ensure others that report to them do likewise • Maintain awareness of fraud and corruption risks • Provide regular communication to the organisation about fraud and corruption • Provide information for the risk context statement in the Fraud and Corruption Control Plan
5.5	General Manager Corporate Services <ul style="list-style-type: none"> • Oversee Council's fraud and corruption control program • Allocate risk control responsibilities to Responsible Officers where required • Consider investigation reports and make recommendations for the Chief Executive

	<ul style="list-style-type: none"> Report serious fraud and corruption to Victoria Police
5.6	Legal & Governance Manager <ul style="list-style-type: none"> Ensure internal audit programs adequately address fraud and corruption risk Ensure procurement procedures adequately address fraud and corruption risk Coordinate external investigations and make recommendations for the Chief Executive Coordinate civil action to recover losses Ensure Council maintains appropriate insurance cover
5.7	People & Culture Manager <ul style="list-style-type: none"> Ensure employment procedures adequately address fraud and corruption risk Consider investigation reports and make recommendations for the Chief Executive Coordinate disciplinary action for misconduct where required
5.8	Fraud and Corruption Control Officer (Risk & Performance Manager) <ul style="list-style-type: none"> Develop, coordinate implementation of, and review the Fraud and Corruption Control Policy, Procedure and Plan Report to the Audit Committee Support the Executive administratively Coordinate fraud and corruption risk assessments Ensure investigations are undertaken
5.9	Managers (Responsible Officers) <ul style="list-style-type: none"> Ensure procedures and local work instructions regarding activities for which they have operational responsibility adequately address fraud and corruption risk
5.10	Accounting Services Coordinator <ul style="list-style-type: none"> Ensure finance procedures adequately address fraud and corruption risk
5.11	People & Culture Coordinator <ul style="list-style-type: none"> Ensure induction and performance management procedures adequately address fraud and corruption risk
5.12	Procurement Coordinator <ul style="list-style-type: none"> Ensure procurement procedures adequately address fraud and corruption risk
5.13	All councillors, employees, volunteers and contractors <ul style="list-style-type: none"> Participate in and conform to fraud and corruption risk actions and activities as per the Fraud and Corruption Control Procedure and Plan Ensure the Fraud and Corruption Control Officer is notified of fraudulent or corrupt behaviour, or suspected behaviour, as soon as practicable Conform to Council's policies and procedures regarding fraud and corruption control, including but not limited to the Employee Code of Conduct.

6. References and links to legislation and other documents

Name	Location
AS8001 – 2008	https://infostore.saiglobal.com/store/
Audit Committee Terms of Reference	Legal Services
<i>Crimes Act 1958 (Vic)</i>	www.legislation.vic.gov.au
Corporate Policy Management Policy	Policy intranet
Disciplinary Policy and Procedure	Policy intranet
Enterprise Risk Management Framework	Policy intranet
Induction Framework	Policy intranet
Legal Services Procedure	Policy intranet
Performance Development Procedure	Policy intranet
International Professional Practices Framework of the Institute of Internal Auditors	https://na.theiia.org/standards-guidance/Pages/Standards-and-Guidance-IPPF.aspx
Protected Disclosure Procedure	Policy intranet
Recruitment and Selection Procedure	Policy intranet
Fleet Management and Fleet Replacement Procedures	Legal Services
Payroll Procedures Manual	People and Culture
Superannuation Procedures Manual	People and Culture
Finance Procedures Manual	Finance

	Confidentiality Policy
Version No.	V3 12 September 2016
Endorsement	Executive 8 September 2016 Policy Review Panel 15 December 2016
Authorisation	Council [insert date]
Review date	8 September 2018
Responsible officer	Manager Legal & Governance
Policy owner	Manager Legal & Governance

1. Purpose

To provide guidance for councillors and officers on dealing with the use of information that may be deemed confidential to the Council.

2. Scope

This policy applies across all of Council.

The objectives of this policy are to:

- a) Recognise that section 77 of the Act deems that the disclosure of information by a Councillor, former Councillor or member of a special committee knows or should reasonably know is confidential is an offence which carries a penalty;
- b) Recognise that Councillors and Council officers will be in receipt of confidential information that is not always part of a formal Council Meeting;
- c) Acknowledge the need for Councillors and Council officers to be informed, and to inform and consult with constituents, about the business before the Council; and
- d) Acknowledge that the requirement to keep matters confidential intersects with decisions made pursuant to section 89 of the Act as to which matters may or should be considered 'In Camera.'

This policy does not override:

- a) An individual Councillor's and/or Council officer's statutory obligation(s) in respect of the use of information or the necessity of disclosing any direct or indirect pecuniary interest in a matter under consideration by Council or otherwise; or
- b) The Council's or Councillor's or Council Officer's obligations under law to disclose or publish information required by law to be disclosed or published (such as may be required by a subpoena).

3. Definitions

Word/Term	Definition
The Act	Refers to the <i>Local Government Act 1989</i>
The Council	Refers to Melton City Council
Information	Includes but is not limited to original or copies of letters, reports, documents, facsimiles, attachments, tapes, electronic media and all other forms of information.
Special committee	has the meaning given to it by the Act.

4. Policy

The policy is to provide guidance for Councillors and Council officers on dealing with the use of information that may be deemed confidential to the Council.

4.1 Information deemed confidential

- a) Section 77 of the Act deems that a person who is or has been a Councillor or member of a special committee must not disclose information which a 'person knows, or should reasonably know' Council wishes to keep confidential.
- b) Without in any way affecting the application of the Act, this policy deems that at a minimum, a person should reasonably know that:
 - i. An agenda item which is marked 'Confidential' is intended to be confidential;
 - ii. If a meeting of Council or special committee resolves that an item is to be confidential, it is intended to be confidential;
 - iii. If the Mayor, as Chairperson of a Council meeting or any special committee, or the Chief Executive Officer asks that a matter be treated as confidential and no attendee present indicates an intention not to respect that request, the matter is intended to be confidential. In the event that an attendee does indicate to the contrary, Council will formally resolve, by majority, as to whether the issue shall remain confidential;
 - iv. If the Council or special committee exercises its power under section 89(2) of the Act to close its meeting to members of the public, matters discussed during that closed meeting or the closed portion of the meeting are intended to be confidential unless there is a resolution to the contrary;
 - v. Information which is expressed to be given to Councillors and Council officers in confidence is intended to be confidential;
 - vi. Information which is not expressly declared to be confidential but which contains information about the personal affairs of any party or is information which could result in any action being taken against Council for defamation is intended to be confidential;
 - vii. Legal advice given to Council is presumed to be confidential unless or until Council or the Chief Executive Officer declares it not to be confidential;
 - viii. Any document marked 'confidential' is intended to be and should be treated as confidential.
- c) Without in any way affecting the application of the Act, this policy deems that the requirements (but not the penalty) of section 77 of the Act shall, for all intents and purposes, and for the application of this policy, extend to staff.

This policy deems that if a person has any doubt as to whether Council intends to keep information confidential, it is preferable to act on the assumption that Council does so intend until the doubt is resolved at a subsequent meeting of Council.

4.2 Confidential Information derived from outside the Council

Examples include but are not limited to:

- Commercial in confidence information provided by contractors or tenderers, joint venture partners and wholly owned subsidiaries of Council;
- Confidential information from Government departments or Ministers;
- Financial and legal opinion/analysis where the disclosure of that information may prejudice the Council's position or that of a third party; and
- Information presented to Councillors at meetings outside of formal Council meetings.

This confidential information shall not be disclosed to any third party without the Council's or the CEO's consent.

It should not be incorporated in the agenda of any Council meeting (except by reference) unless in the agenda of a closed ('In-Camera') meeting of Council or at the CEO's direction otherwise.


It is a matter for Council (or a special committee) as to whether or not to resolve to close a meeting to the public if the meeting is discussing any of the matters set out in section 89(2) of the Act.

5. Responsibility /Accountability

5.1	Manager Legal and Governance (Privacy Officer) <ul style="list-style-type: none"> • To provide advice on privacy issues to the organisation.
5.2	All Council Officers and Councillors <ul style="list-style-type: none"> • Council Officers and Councillors are responsible for compliance with the requirements of this policy. Non compliance may result in penalties and/or criminal charges.

6. References and links to legislation and other documents

Name	Location
<i>Local Government Act 1989</i>	www.legislation.vic.gov.au
<i>Privacy and Data Protection Act 2014</i>	www.legislation.vic.gov.au
Code of Conduct - Councillor	Policy and Procedures Intranet www.melton.vic.gov.au
Code of Conduct - Employee	Policy and Procedures Intranet www.melton.vic.gov.au

	Governance Charter
Version No.	Draft 0.2 6 October 2016
Endorsement	Chief Executive Officer 3 October 2016 Executive 6 October 2016 Audit Committee 7 December 2016
Authorisation	Policy Review Panel 15 December 2016 Council [insert date]
Review date	By 30 June 2017
Responsible Officer	Governance Coordinator
Policy owner	Manager Legal and Governance

1. Purpose

This Governance Charter sets out Council's approach to governance.

It is an overarching framework that articulates the various roles, responsibilities and authorities of the Council and the administration in developing the vision for the future of our community and the management of Council operations and performance.

2. Scope

This Policy applies across all of Council and includes Councillors.

3. Definitions

Word/Term	Definition
Executive	means the Chief Executive Officer and the General Managers from each directorate acting as a group (including where a person is Acting as the Chief Executive Officer or Acting as any one or more of the General Managers)
Act	means the <i>Local Government Act 1989</i>

Charter Context

'Governance' in this context refers to the *process* for making and implementing decisions.

Good governance is integral to the operations and performance of every organisation.

Good governance allows for and promotes transparency and accountability at all levels.

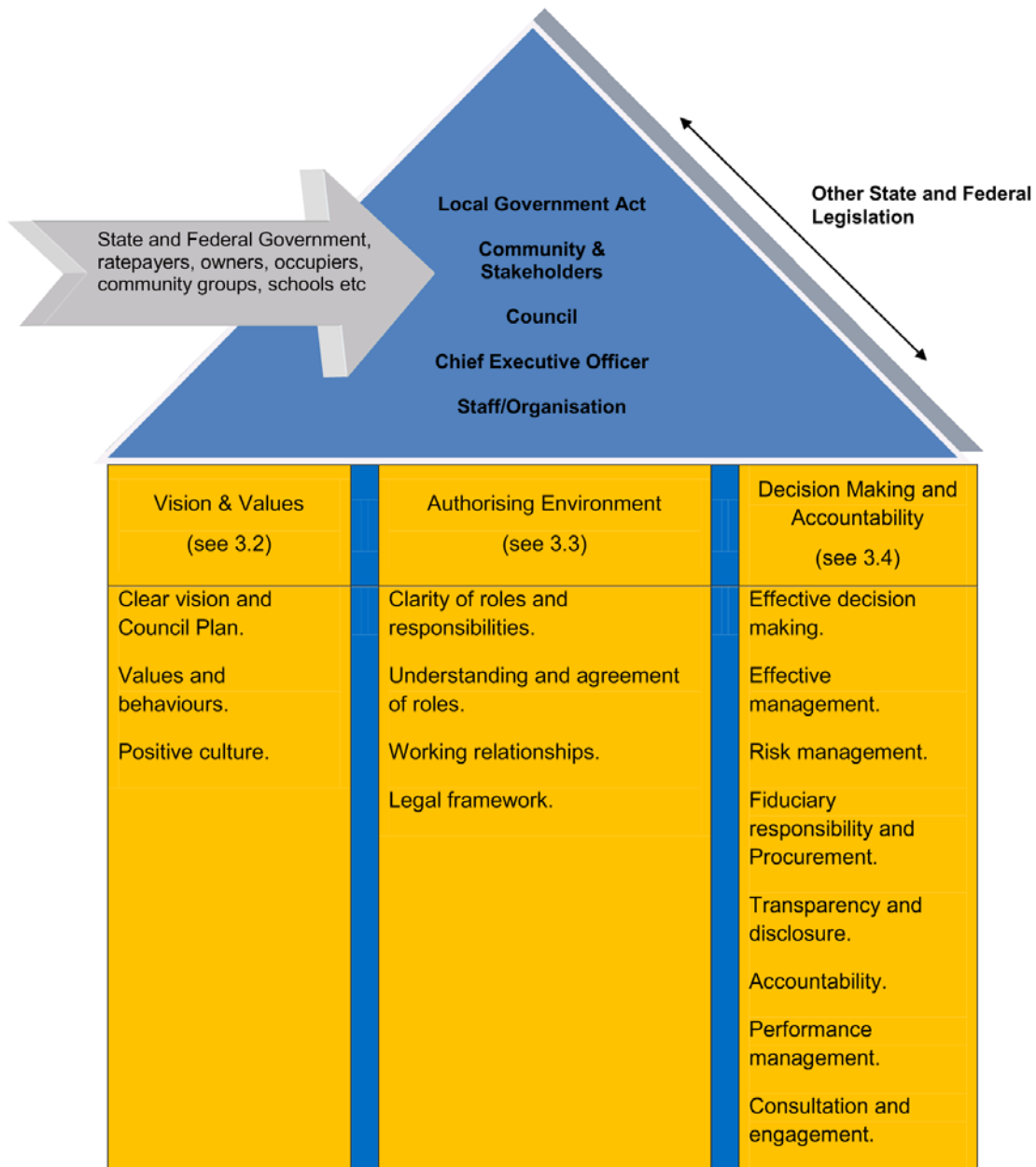
Good governance aims to ensure that an organisation can deliver in both compliance and performance.

Good governance follows the rule of law.

Good governance is everyone's responsibility.

This Charter is a demonstration of Council's commitment to good governance. Specifically, the Charter is aimed at:

- assisting Councillors in partnership with the Chief Executive Officer, Executive and Managers in delivering good governance on behalf of the community;
- providing clear guidelines for Councillors, Executive and Managers in relation to their roles and responsibilities, and what is expected of them in relation to performance;
- providing clear advice on the authorising environment of Council;
- providing clear information on the decision making process of Council and the administration;
- acting as a point of reference for disputes;
- acting as an induction tool for new Councillors and staff; and
- providing clarification around the relationship between the law and any internal rules/policies/documents.



The Governance Charter is divided into three key pillars:

- Pillar 1** Vision and Values (see 3.2),
- Pillar 2** Authorising Environment (see 3.3), and
- Pillar 3** Decision Making and Accountability (see 3.4).

Each pillar has a number of contributing elements. Over the following pages each element is explained, including how they are put into practice at the City of Melton.

3.2 Pillar 1: Vision and Values

3.2.1 Clear Vision and Council Plan

In order to excel you need to have a clear vision of what you want to achieve and a plan which helps you to achieve the vision.

At the beginning of each term of office the Councillors develop a vision for the municipality. With nine Councillors representing three wards, the development of a clear vision for the organisation helps to create a shared sense of purpose. The vision articulates what Council wants the City of Melton to become in the future. It is a high level, aspirational goal that shapes everything Council does over the next four years.

The vision for the City of Melton is:

'A Proud Community Growing Together'.

The vision is supported by the development of a four year Council Plan. The Council Plan 2013-2017 was developed by the Councillors with support and advice from the Executive.

The Council Plan identifies four strategic themes and within these themes, a strategic outcome: These are as follows:

1. *Managing our Growth* – A clear vision to connect and develop a sustainable City.
2. *A Well Governed and Leading Organisation* – Operating with innovation, transparency, accountability and sustainability.
3. *Diverse, Confident and Inclusive Communities* – A culturally rich, active, safe and connected City.
4. *Community Health and Wellbeing* – A City of people leading healthy and happy lives.

A number of strategies are then developed to support the Key Directions. Each service, policy and activity developed or delivered by the organisation aligns with one of the Council Plan key directions and helps Council to achieve the goals set out in the Council Plan.

Section 125(1) of the *Local Government Act 1989* ("the Act") requires Council to develop and approve a Council Plan within six months of taking office, or by 30 June the following year, whichever is later. The Act also requires Council to review the Council Plan at least annually. The annual review is an opportune time for Councillors to ensure that the Council Plan still enables them to meet the changing needs of the community and that it continues to support the achievement of their vision for the future.

3.2.2 Values and Behaviours

The City of Melton Vision identifies Council's vision for the future of the municipality and the Council Plan provides the key directions and the strategies to achieve the Vision.

The City of Melton values and behaviours reflect the leadership priorities that contribute to a well-functioning and community driven organisation. They shape the culture of the organisation and represent how Council will act in seeking to fulfil its vision for the future.

The City of Melton has identified the following five fundamental values, known as the 'CRAFT values':

1. **Continuous Improvement**
 - We encourage and support innovation and creativity.
 - We commit to driving continuous improvement.
 - We constantly review what we do.
 - We embrace and respond to change as it occurs.
 - We strive to deliver the best possible outcomes.
2. **Recognition**
 - We recognise and encourage the contributions of others.
 - We actively support and promote our colleagues.
 - We acknowledge and reward employees exceeding performance expectations.
 - We give credit where credit is due.
 - We celebrate success.
3. **Accountability**
 - We work in an open and transparent manner and follow through on commitments.
 - We take responsibility for our personal decisions and actions.
 - We adhere to policies and procedures
 - We make the best use of our time and resources.
 - We all take responsibility for the way we treat each other.
4. **Fairness**
 - We show respect when speaking to and about others.
 - We build trusting and productive relationships.
 - We deal with others fairly and consistently.
 - We actively listen and respond appropriately.
 - We respect all people and celebrate our diversity.

5. Teamwork

- We help each other to achieve organisational goals.
- We involve team members in solving problems and decision making.
- We encourage everyone's contribution to the team.
- We communicate clearly, openly and respectfully.
- We provide positive, constructive and timely feedback.

These values and behaviours drive our operations, performance, and conduct and the way we work as an organisation. They are also the way we want our community to perceive us professionally operating as an organisation.

3.2.3 Positive Culture

The City of Melton strives to cultivate a positive culture with an open and collaborative environment.

This includes:

Good communication – an open environment where people are encouraged to ask questions and seek information.

Assuming a positive intention – encouraging goodwill between individuals with a shared understanding that each person is trying to act in the best interests of the organisation and the community.

Support and training – a thorough induction process, opportunities for formal education and investment in skills and professional development through attendance at workshops and conferences.

A positive culture promotes honesty and encourages debate on important issues which can help the organisation to achieve better outcomes for the community.

Organisations with a positive culture are also more likely to retain high quality employees who can help drive the activities to assist Council in achieving its vision and the pursuit of excellence in governance.

3.3 Pillar 2: Authorising Environment

3.3.1 Clarity of roles and responsibilities

Clearly articulating the division of responsibilities between the Councillors and management helps manage expectations and avoid misunderstandings about the respective roles and accountabilities.

The key roles at the City of Melton are outlined below.

Role of Council

The Council of the City of Melton comprises nine Councillors who are democratically elected by the community in accordance with the Act.

The primary role of the Council is to provide leadership for the good governance of the City of Melton (s3D(1)).

This includes:

- acting as a representative government by taking into account the diverse needs of the local community in decision-making;
- providing leadership by establishing strategic objectives and monitoring their achievement;
- maintaining the viability of the council by ensuring that resources are managed in a responsible and accountable manner;
- advocating the interests of the local community to other communities and governments;
- acting as a responsible partner in government by taking into account the needs of other communities;
- fostering community cohesion and encouraging active participation in civic life; and
- overall, making all decisions impartially and in the best interests of the whole community.

Council has a statutory responsibility to represent all people that live, participate in and invest within the municipality.

The elected Council appoint and review the performance of the Chief Executive Officer of the organisation, determine Council policies and set the strategic direction of the organisation.

Role of a Councillor

A Councillor's role is set out in section 65 of the Act. It is to participate in the decision-making of the Council, represent the local community in that decision-making and contribute to the strategic direction of the Council through the development and review of key strategic documents of the Council, including the Council Plan.

In performing the role of a Councillor, a Councillor must—

- consider the diversity of interests and needs of the local community; and
- observe principles of good governance and act with integrity; and
- provide civic leadership in relation to the exercise of the various functions and responsibilities of the Council under this Act and other Acts; and
- participate in the responsible allocation of the resources of Council through the annual budget; and
- facilitate effective communication between the Council and the community.

Role of the Mayor

The Mayor is the elected leader of the Council and is the key formal representative of Council.

The Mayor, or a Councillor acting in the position, takes precedence at all municipal meetings and must take the chair at all meetings of the Council at which he/she is present.

The Mayor, or Councillor acting in the position, has a key role to facilitate good relationships between Councillors, and between Councillors and the Chief Executive Officer and Executive Management Group. In addition to his/her role as a Councillor, the functions of the Mayor are set out in section 73AA of the Act:

- providing guidance to Councillors about what is expected of a Councillor including in relation to the role of a Councillor under section 65 (referred to above), and the observation of the Councillor conduct principles and the Councillor Code of Conduct by Councillors under sections 76B, 76BA and 76C; and
- acting as the principal spokesperson for the Council; and
- supporting good working relations between Councillors; and
- carrying out the civic and ceremonial duties of the office of Mayor.

The Mayor should also:

- establish partnerships and networks and actively promoting Council's interests;
- create and maintain political stability within the Council;
- have a close working relationship with the Chief Executive Officer, thereby creating and ensuring positive relationships with the organisation, leading to good planning, identification and resolution of issues;
- foster positive relationships with various stakeholders, including government agencies and peak bodies;
- promote a positive image of Council and a positive organisational culture.

The Mayor will take a leadership role in consultation, advice and mediation as required in accordance with Council's agreed dispute and conflict resolution process.

Role of the Deputy Mayor/s

The role of the Deputy Mayor/s, which is not a statutory position, is to give effective support to the Mayor in his/her absence by chairing meetings, attending functions and being the Council spokesperson where the Mayor is unavailable.

The Deputy Mayor/s will take a leadership role in consultation, advice and mediation as required in accordance with Council's agreed dispute and conflict resolution process.

Role of the Chief Executive Officer

The Chief Executive Officer (CEO) has a number of statutory responsibilities and is accountable to the elected council for delivering Council's strategies and services. As the head of the organisation, the CEO's role is to provide professional, relevant and timely information and support to the Council.

Section 94A of the Act identifies some of the CEO's responsibilities including:

- establishing and maintaining an appropriate organisational structure;
- ensuring that the decisions of the Council are implemented without undue delay;
- the day-to-day management of the Council's operations in accordance with the Council Plan;
- developing, adopting and disseminating a code of conduct for Council staff;
- providing timely advice to Council including in relation to its legal obligations under the Act and any other Act;
- supporting the Mayor in the performance of the Mayor's role as Mayor;
- appointing, directing and managing staff.

Role of the Executive

The Executive provides a whole of organisation perspective to ensure strategic alignment between the organisation's operations and the achievement of the Council Plan.

This includes:

- Contributing to policy development through recommendations to Council
- Operational decision making
- Providing advice/ assistance
- Generating discussion
- Encouraging problem solving
- Leading performance management
- Interpreting and understanding the current and future operational and political environment
- Driving organisational leadership/culture

Role of the General Managers

General Managers are responsible for overseeing the efficient operation of the departments within their Directorate to assist the City of Melton in achieving its vision

and objectives. They play a key role in supporting the CEO and providing advice and information to the Mayor and Councillors. This includes:

- Providing advice and possible recommendations to Councillors on issues raised by community and stakeholder groups on matters relating to the General Manager's area of management.
- Providing guidance on matters which, for reasons of community interest and benefit, require immediate action and may be advanced under delegated authority of the Chief Executive Officer.
- Providing advice and information on emerging issues and opportunities relating to their Directorate.
- Providing direction and advice on matters before Council through the review and approval of officer reports to Council.

3.3.2 Understanding and agreement of roles

A clear understanding and agreement of roles and responsibilities as outlined above contribute to Councillors and the Executive acting as an effective leadership team. It ensures each individual is aware of the boundaries of their role and of the shared areas.

At the City of Melton the Councillors and the Executive have agreed that this works best when there is mutual trust, discussions rather than assumptions and good communication.

3.3.3 Working relationships

Strong and respectful working relationships are essential for Council to achieve its vision. Effective working relationships promote a positive culture and provide the organisation with the freedom to focus on opportunities and delivering great outcomes, rather than spending effort overcoming problems associated with negative relationships.

The key working relationships at the City of Melton are between the:

- Mayor and Councillors
- Mayor and CEO
- Mayor and General Managers
- Councillors and CEO
- Councillors and General Managers
- CEO and General Managers
- General Managers and officers

Many Council officers hold positions that require specialised knowledge and skills and are required to provide information, advice and recommendations to the best of their professional ability. Sharing this knowledge with Councillors is a key part of ensuring that Council has the information it needs to make informed decisions.

It is important to note that Councillors cannot direct or improperly influence, or attempt to direct or improperly influence, the functions, duties, actions, recommendations or advice provided by Council officers. Improper direction and improper influence are covered under section 76E of the Act.

To facilitate the efficient functioning of Council, and ensure timely responses, the CEO has put in place a protocol which requires Councillors to direct all their enquiries to the CEO, the appropriate General Manager or Manager or specified support staff. Persistent failure to follow this protocol may be addressed through the Councillor Code of Conduct.

3.3.4 Legal framework

Victoria's 79 Councils operate within a legal framework established by the Victorian Parliament through the Act. This defines the purposes and functions of local government as well as providing the legal framework for establishing and administering Councils.

Possibly the other most significant pieces of legislation affecting local government are the *Planning and Environment Act 1987*, the *Privacy and Data Protection Act 2014*, the *Health Records Act 2001* and the *Freedom of Information Act 1982*.

The following list identifies just some of the other pieces of legislation that Council acts in accordance with, or enforces, in the delivery of services to the community. Included in many of the Acts below are a variety of Regulations which Council must also act in accordance with.

- *Child Wellbeing and Safety Act 2005*
- *Charter of Human Rights and Responsibilities Act 2006*
- *Crimes Act 1958*
- *Disability Act 2006*
- *Domestic Animals Act 1994*
- *Drugs, Poisons and Controlled Substances Act 1981*
- *Emergency Management Act 1986*
- *Environment Protection Act 1970*
- *Equal Opportunity Act 2010*
- *Fences Act 1968*

- *Fire Services Property Levy Act 2012*
- *Food Act 1984*
- *Graffiti Prevention Act 2007*
- *Health Services Act 1988*
- *Housing Act 1983*
- *Impounding of Livestock Act 1994*
- *Independent Broad-based Anti-corruption Commission Act 2011*
- *Infringements Act 2006*
- *Interpretation of Legislation Act 1984*
- *Public Health and Wellbeing Act 2008*
- *Public Records Act 1973*
- *Residential Tenancies Act 1997*
- *Road Management Act 2004*
- *Road Safety Act 1986*
- *Subdivision Act 1988*
- *Summary Offences Act 1966*
- *Valuation of Land Act 1960*
- *Victorian Civil Administrative Tribunal Act 1998*

Council believes that good governance follows the rule of law. As a minimum Council aims to and will comply with the law including the Act and all relevant laws.

In some instances, Council will aim for and set for itself a higher standard than is required by the Act and/or any relevant law. Where this higher standard is not met it is acknowledged that whilst this might be a breach of Council's internal rules, it is not a breach of the law.

Where the two standards are in conflict or if there is any doubt or dispute in relation to interpretation, Council will revert to and rely on the law (including the Act) over any internal rule/policy or document.

3.3.4.1 Integrity agencies

In Victoria there are a number of integrity agencies that ensure local government is operating in a fair and efficient manner. These include:

The Independent Broad-based Anti-corruption Commission (IBAC) - educates the public sector and community about corruption and how to prevent it, and investigates and exposes serious corruption in the public sector.

The Victorian Ombudsman – investigates administrative actions or the conduct of staff in government departments, statutory authorities and local government.

The Local Government Investigations and Compliance Inspectorate - investigates alleged breaches of the Act by any Victorian local council.

The Victorian Auditor-General's office (VAGO) - examines the management of resources through financial and performance audits within the public sector on behalf of Parliament and Victorians.

3.3.4.2 Delegations

Each day Council is required to make hundreds of decisions. In order to facilitate the smooth and efficient operations of the organisation, and to allow Council to focus on strategic matters and major developments, Section 98 of the Act allows Council to delegate to any staff member any power, duty or function of Council under the Act or any other Act other than—

- (a) this power of delegation; and
- (b) the power to declare a rate or charge; and
- (c) the power to borrow money; and
- (d) the power to approve any expenditure not contained in a budget approved by the Council; and
- (e) any power, duty or function of the Council under section 223; and
- (f) any prescribed power.

In turn the CEO can delegate (by way of a sub-delegation) authority to an appropriately qualified staff member or contractor. However, the Chief Executive Officer must not delegate a power delegated by Council if Council has directed the Chief Executive Officer not to further delegate the power.

All decisions made under delegated authority are binding and represent a 'Council decision'.

The CEO can also delegate some of the responsibilities of his/her office with some exceptions (s98 (2)).

3.3.4.3 Local Laws

Local laws are statutory instruments adopted by the Council to assist in governing the municipality. They enable Council to regulate matters to better serve the local community.

The Act provides Councils with the power to make local laws. Where Council has an obligation under the Act or other Acts of Parliament it can make local laws.

The City of Melton has two Local Laws:

1. Meeting Procedure Local Law 2013.

The purpose of this local law is to:

- regulate proceedings and provide for orderly and fair conduct at all Council Meetings, Special Committee Meetings, Advisory Committee Meetings, and other meetings conducted by or on behalf of Council where Council has resolved that provisions of this Local Law are to apply;
- maintain open, efficient and effective processes of the government of the Council and assist with keeping the preparation of the agenda consistent from meeting to meeting;
- regulate proceedings for the election of the Mayor and Chairperson of various committees;
- regulate the use and prohibit unauthorised use of the common seal.

2. City of Melton General Local Law 2015.

The purpose of this Local Law is to:

- provide for the peace, order and good government of the Municipal District of Melton City Council in a way that is complementary to Council's Plan; and
- provide for those matters which require a Local Law under the Act and any other Act; and
- provide for the administration of Council powers and functions; and
- prohibit, regulate and control activities, events, practices or behaviour in places so that no detriment is caused to the amenity of the neighbourhood, nor nuisance or danger to a Person or their health and safety nor detrimental effect to a Person's Property nor impede free and safe movement by any Person, and in particular a Person with a disability.

3.4 Pillar 3: Decision Making and Accountability

3.4.1 Effective decision making

One of the most important functions undertaken by the Mayor and Councillors is to attend and participate in the decision making process at Council meetings. Councils are empowered by law to make decisions on many matters of importance to their local communities.

Decisions may be made in formally constituted council meetings, or under delegations approved by the Council.

Individually neither the Mayor nor Councillors have the legal authority to act or make decisions on behalf of the Council.

Decisions made at a formal Council Meeting provide the direction and authority for the ongoing operation of the Council. The decisions give direction to the CEO and are implemented by staff.

It is also at Council meetings that the Mayor and Councillors decide the policy direction of the Council and make decisions on other statutory matters.

Council is a corporate body and as such it can only make decisions by resolution, i.e. a motion has to be put to a properly convened meeting and passed by the required majority of members. A Council can only make decisions and pass resolutions about matters falling within its jurisdiction, otherwise it will be deemed to be acting "ultra vires" – acting beyond its powers.

Formal meeting procedures are followed. The Mayor chairs the meeting and has a casting vote if there is an equality of votes.

An Agenda, listing the issues and relevant reports for discussion at the meeting, is made available to the public in advance so that everyone has the opportunity to be aware of matters before Council. Copies are available through Council's website, by visiting the Council Offices or at the Customer Service Centres.

Members of the public are encouraged to attend meetings. Meetings are only closed to the public when topics of a confidential nature are discussed, such as an individual's financial circumstances, a particular staff member, proposed developments or legal matters.

Assembly of Councillors

Councillors often attend briefings or workshops which are considered to be an 'assembly of councillors'. Under the Act, an assembly of councillors is a meeting of an advisory committee of the Council, if at least one Councillor is present, or a planned or scheduled meeting of at least half of the Councillors and one member of Council staff which considers matters that are intended or likely to be the subject of a decision of the Council; or an action completed under delegation.

It is important to note that an assembly of councillors does not have any decision making authority.

Access to information

The City of Melton encourages thorough debate and evidence based decision making to deliver great outcomes for the community. The CEO ensures that Councillors are briefed on complex or contentious issues. In order to fulfil their role to the best of their ability Councillors are provided access to a range of information. The provision of information is guided by Council's Privacy Policy.

Councillors must at all times adhere to the provisions of the Act relating to confidentiality and/or inappropriate use of information. Section 77 of the Act makes it

unlawful for a Councillor or former Councillor to release information that the person knows, or should reasonably know, is confidential information.

3.4.2 Effective management

Management structure

The CEO is responsible for putting in place a management structure that meets the goals and needs of Council with a focus on the efficient and effective use of human resources.

The City of Melton has 3 directorates, 17 business units and approximately 470 EFT employees.

Council's management structure is available on the City of Melton website.

Service delivery

From footpaths and local laws to kindergarten and events, the City of Melton provides a variety of services to residents every day.

Council will develop a comprehensive suite of Customer Service Commitments for its major services. The service commitments inform the community of what they can expect when dealing with Council.

The full suite of Customer Service Commitments will be available on Council's website or by calling into one of Council's Civic Centres.

In addition to the Customer Service Commitments, set out on Council's website is a Customer Service Charter.

The Charter provides for a commitment from Council staff and asks for a commitment from customers.

Our Commitment to you

All Council staff understand that helping our community means helping individuals. In every personal contact, we will strive to be courteous, fair and helpful.

Attitude

We will be positive and friendly when engaging with community members.

We will be empathetic, seeking to understand the issue at hand.

We will be solutions focussed, seeking positive outcomes at all times.

Ability

We will exercise initiative and innovation solving customer issues.

We will communicate clearly and honestly.

We will be flexible in meeting individual customer requirements.

We will actively develop our skills and knowledge to better assist community members.

Process

We will be fair in decision making, consistent with applicable legislation and Council policy.

We will make information and policies readily available and easily understood.

We will establish reasonable timeframes according to individual circumstances.

We will enact a fair complaint resolution process.

We will seek and act upon customer feedback to improve.

Your commitment to us

To work with us in an honest, cooperative and courteous manner, to ensure we can fulfil our charter.

Complaints

The City of Melton is committed to properly dealing with all complaints and has a Complaints Management Policy linked to its website. This Policy provides a framework to ensure concerns and complaints are addressed promptly and fairly with outcomes which will assist Council to improve its services for the future.

For some issues, complaints and appeals are governed by other processes outside the jurisdiction of Council and/or are not appropriate to be dealt with by Council. Where this is the case, complainants will be referred to the appropriate process or authority. This includes where the matter:

- is considered frivolous, vexatious or not made in good faith;
- involves a matter where an adequate remedy or right of appeal already exists, whether or not the complainant uses that remedy or right of appeal;
- the complainant seeks to revisit the same issue after an initial investigation when no new evidence or material is provided;
- relates to a decision of Council;
- relates to conduct before a court, coroner or tribunal;
- relates to a matter under investigation by the Minister for Local Government or any other government department including the Victorian Police Service;
- relates to the appointment or dismissal of any employee or an industrial or disciplinary issue;
- relates to a matter awaiting determination by the Council;
- relates to the actions or conduct of private individuals;
- has insufficient information available;
- the complainant declines or refuses to provide further information;

- where threats are made against Council or council staff.

Where the relevant authorised officer determines that a complaint will not be investigated, the complainant will be so advised. Should it be requested, the advice will be provided in writing.

3.4.3 Risk Management

Council is responsible for providing a wide and diverse range of services to its community. All of these activities involve some form of risk, which must be managed to ensure that aims and objectives are achieved, services are delivered and that opportunities to deliver better and more cost effective services are realised. If Council is not aware of, or has not adequately assessed or managed some risks, it could result in financial loss, threats to public or employee safety or lead to substantial adverse publicity.

The City of Melton has a comprehensive risk management program embedded within all service and functional areas of Council.

Risk management is not a stand-alone function that is separate from the main activities and processes of the organisation. It is an integral part of all organisational processes, including strategic planning, project and change management processes.

Council regularly reviews and considers both its operational and strategic risks to ensure that these are being appropriately managed, mitigated or accepted.

3.4.4 Fiduciary responsibility and Procurement

The City of Melton is responsible for the sound financial management of public money and takes this responsibility very seriously.

The organisation is committed to the principles of sound financial management set out in section 136 of the Act which states that Council must:

- manage financial risks faced by the Council prudently, having regard to economic circumstances;
- pursue spending and rating policies that are consistent with a reasonable degree of stability in the level of the rates burden;
- ensure that decisions are made and actions are taken having regard to their financial effects on future generations; and
- ensure full, accurate and timely disclosure of financial information relating to the Council.

The risks referred to above include risks relating to—

- the level of Council debt;
- the commercial or entrepreneurial activities of the Council;
- the management and maintenance of assets;

- the management of current and future liabilities;
- changes in the structure of the rates and charges base.

In 2016/17 the City of Melton has a total annual budget of \$237 million, including a \$186 million expenditure budget to ensure Council continues to provide services to 137,865 residents and a \$51 million capital works budget for investment in community infrastructure.

Council conducts community consultation prior to the adoption of the annual budget to ensure that the community has the opportunity to provide input and shape the way that their rates work for them.

Council's financial documents are publicly available on Council's website and include the:

- 2016/17 annual Budget
- 2016/17 Strategic Resource Plan - a high-level planning and general direction document which covers the financial and non-financial resources required by Council to achieve its strategic objectives.

Council has a procurement policy which ensures that goods and services above \$150,000 and capital works above \$200,000 are awarded only after a public tender process. Procurement below these levels must also comply with various internal procedures which are aimed at ensuring that where possible at least two quotations are obtained for every purchase and that all purchases are appropriately approved.

3.4.5 Transparency and disclosure

It's important that the community has confidence in Council's decision making and ability to plan for the future. One way that the local government sector helps to encourage confidence is by making information available for public inspection.

Under Regulation 12 of the Local Government (General) Regulations 2015, Council is required to make a comprehensive amount of information available for public inspection including:

- a document containing details of overseas or interstate travel (other than interstate travel by land for less than 3 days) undertaken in an official capacity by any Councillor or member of Council staff in the previous 12 months, including -
 - the name of the Councillor or member of Council staff; and\
 - the dates on which the travel began and ended; and
 - the destination of the travel; and
 - the purpose of the travel; and
 - the total cost to the Council of the travel, including accommodation costs;

- the agendas for, and minutes of, ordinary and special meetings held in the previous 12 months which are kept under section 93 of the Act, other than those agendas and minutes relating to a part of a meeting which was closed to members of the public under section 89 of the Act and are confidential information within the meaning of section 77(2) of the Act;
- the minutes of meetings of special committees established under section 86 of the Act and held in the previous 12 months, other than those minutes relating to a part of a meeting which was closed to members of the public under section 89 of the Act and are confidential information within the meaning of section 77(2) of the Act;
- a register of delegations kept under sections 87(1) and 98(4) of the Act, including the date on which the last review took place under sections 86(6) and 98(6), respectively, of the Act;
- a document containing details of all leases involving land which were entered into by the Council as lessor, including the lessee and the terms and the value of the lease;
- a register maintained under section 224(1A) of the Act of authorised officers appointed under that section;
- a list of donations and grants made by the Council in the previous 12 months, including the names of persons who, or bodies which, have received a donation or grant and the amount of each donation or grant.

Officers prepare reports to assist Councillors in making decisions on behalf of the community. As much as possible Council makes these reports available to the community so that they can see the evidence base which Councillors are using to make decisions. Members of the public are also encouraged to attend Council meetings to listen to the debate, and the responses to any questions asked by Councillors, which often provide further information.

Council is not able to make all reports available to the public. Some reports are confidential and dealt with in closed Council. This information can only be released to the public by resolution of Council. Closed Council reports cover matters such as:

- personnel matters;
- the personal hardship of any resident or ratepayer;
- industrial matters;
- contractual matters;
- proposed developments;
- legal advice;
- matters affecting the security of Council property;

- any other matter which the Council or special committee considers would prejudice the Council or any person.

3.4.6 Accountability

An important aspect of good governance is accountability. Council holds itself accountable to the community through regular reporting, community consultation and open and transparent decision making processes. For further information on Council's performance reporting and commitment to transparency please see Transparency and Disclosure (3.4.5) and Performance Management (3.4.7).

Councillors and Council officers are also held accountable for their actions through their respective codes of Conduct. The Councillor Code of Conduct and the Employee Code of Conduct are available on Council's website for information purposes. These are internal documents.

3.4.7 Performance Management

Just as it's important for Council to have a vision for the future and a plan on how we'll get there, it's also important for Council to report to the community on progress against the Council Annual Action Plan (CAAP).

Each year, Council produces an Annual Action Plan identifying the activities and initiatives that Council will work towards in achieving the objectives and strategic outcomes identified in the Council Plan.

Each quarter Council provides the community with an update on its performance against each the key activities and initiatives identified in the Annual Action Plan, including major achievements. A quarterly financial report on the standard financial statements is also prepared and reported to the community to provide an update on Council's financial performance. These reports are included in the Council agenda and can also be accessed on Council's website.

In addition to the Quarterly Reports to the Community, Council prepares a comprehensive annual report. The Annual Report also includes the performance statement which Council is required under section 132 of the Act to prepare. The Performance Statement includes key strategic activities, performance measures and targets included in the Budget, results, and an explanation where there has been a substantial failure to achieve the target.

Council is also required to participate in the Local Government Performance Reporting Framework (LGPRF). The LGPRF ensures that all councils are measuring and reporting on their performance in a consistent way.

The framework is made up of 66 measures and a governance and management checklist of 24 items which together build a comprehensive picture of council performance. The LGPRF enables the community, councils and the Government to benchmark and compare similar councils.

3.4.8 Audit Program and the Audit Committee

The Audit Committee is charged with monitoring, reviewing and advising the Council on the standard of its financial control, risk management and corporate governance. The Audit Committee membership comprises five people appointed by Council. Two members are Councillors and the remaining three committee members are independent members, one of whom is appointed as the chairperson.

Council engages an independent internal auditor to conduct internal audits on specific focus areas within the organisation. The audits identify areas of improvement to assist Council to improve performance and manage risk. The results of the audits are reported to, and monitored by, Council's Audit Committee.

Council also participates in a range of external audits run by the Victorian Auditor General's Office (VAGO). These fall into two categories – financial audits and performance audits. The Act requires Council to prepare a financial report and submit it to the Auditor-General for audit each financial year. Council also participates in a range of performance audits as required.

When Council participates in an external audit, the Audit Committee play a key role in understanding the major focus areas of the audit, monitoring matters arising from the audit and monitoring the implementation of the external auditor's recommendations which are adopted by the Council.

Council's participation in audit programs demonstrates its commitment to accountability and provides the community with confidence that the organisation is using resources in an efficient and effective manner.

3.4.9 Consultation and engagement

The City of Melton is committed to community consultation as a way of ensuring Council provides services and programs in line with the needs and preferences of the community. Council's community consultation program allows people to become involved in Council's decision-making processes so they can help shape decisions that affect them and their community.

Community consultation is any process that the City of Melton undertakes to involve the public in decision-making by communicating with them by email, post, social media, phone or in person to find out their views about a particular issue, service or Council matter prior to making decisions. Council's *Community Engagement Policy* and *Community Engagement Guidelines* can be found on its website.

Examples of community consultation include asking the community for feedback on Council policies, service delivery performance or involving the community in the progress or review of specific projects or developments. A full list of current community consultation opportunities is available on Council's website at '*Join the Conversation*'.

One of the most fundamental roles of all councils is to advocate for and on behalf of their communities for the improvements, services and funds they need, where these are the responsibility of the state and federal governments or other third parties.

The City of Melton has affirmed its commitment to advocating on behalf of its residents to ensure the development of critical infrastructure requirements to adequately support the growing Melton community and plan for future growth areas. Council's *Advocacy Policy* and *Advocacy Framework* can be found on the website.

4. Administrative Updates

It is recognised that, from time to time, circumstances may change leading to the need for minor administrative changes to this document. Where an update does not materially alter this document, such a change may be made administratively. Examples include a change to the name of a Council department, a change to the name of a Federal or State Government department, and a minor update to legislation which does not have a material impact. However, any change or update which materially alters this document must be by resolution of Council.

4.1 Review

This Charter will be reviewed annually in line with the review of the Council Plan and the Councillor Code of Conduct. The next review will be completed by 30 June 2017.

5. Responsibility /Accountability

5.1	<p>The roles of</p> <ul style="list-style-type: none"> • Council • Councillor • Mayor • Deputy Mayor • Chief Executive Officer (CEO) • Executive • General Manager (GM) <p>are as set out within the body of this Charter</p>
5.2	<p>The role of</p> <ul style="list-style-type: none"> • All other staff and including the above roles. <p>Is to give full effect to this Charter including its spirit and intention. Good Governance is everyone's responsibility.</p>

6. References and links to legislation and other documents

Name	Location
All state Acts and Regulations including the <i>Local Government Act</i> 1989	www.legislation.vic.gov.au
Council Documents, Reports and Strategies including on Council's website:	http://www.melton.vic.gov.au/Council/Publications/Documents-Reports-Strategies
Advocacy Framework	
Advocacy Policy	
Annual Report	
Community Engagement Guides	
Community Engagement Policy	
Customer Service Charter	
Melton City Council budget	
Council Plan	
Councillor Code of Conduct on Council's website:	http://www.melton.vic.gov.au/Council/About-Council/Councillors
Employee Code of Conduct on Council's website:	http://www.melton.vic.gov.au/Council/Publications/Documents-Reports-Strategies