

POLICY AP001
PUBLIC INTEREST DISCLOSURES
– INTERNAL REPORTING



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Policy Outcomes Statement

The purpose of this policy is to establish an internal reporting system for staff and Councillors to report wrongdoing without fear of reprisal. The policy sets out who you can report wrongdoing to in Bogan Shire Council, what can be reported and how reports of wrongdoing will be dealt with by Bogan Shire Council.

This policy is designed to complement normal communication channels between supervisors and staff. Staff are encouraged to raise matters of concern at any time with their supervisors, but also have the option of making a report about a public interest issue in accordance with this policy and the *Public Interest Disclosures Act 1994* (PID Act).

The internal reporting system established under this policy is not intended to be used for staff grievances, which should be raised through the Human Resources Department. If a staff member makes a report under this policy which is substantially a grievance, the matter will be referred to Human Resources to be dealt with in accordance with Council policies.

Overview

The Public Interest Disclosures Act 1994 (the PID Act) aims to encourage and facilitate the disclosure, in the public interest, of corrupt conduct, maladministration, serious and substantial waste and government information contravention in the public sector.

Under section 6D of the PID Act, public authorities are required to have a policy and procedures for receiving, assessing and dealing with public interest disclosures made by public officials.

Organisational commitment

Bogan Shire Council is committed to high standards of ethical and accountable conduct and will not tolerate any form of wrongdoing. Staff are encouraged to report known and suspected wrongdoing within Council to help promote integrity, accountability and good management. A decision to disclose wrongdoing to bodies outside the Bogan Shire Council will be respected, provided that the disclosure is made in accordance with the provisions of the PID Act.

A disclosure by a public official is protected under the Act if it discloses information “that the person making the disclosure honestly believes, on reasonable grounds, shows or tends to show” conduct of the relevant type (such as corrupt conduct or maladministration).

Any staff member who reports wrongdoing, will be supported by management. Details of such people will be protected and their confidentiality maintained wherever possible or appropriate. Victimisation or harassment of anyone who has made a disclosure will not be tolerated.

Reports of wrongdoing will be thoroughly and impartially investigated and, if some form of wrongdoing has been found, appropriate action will be taken to rectify the situation.

Staff who make reports will be kept informed of the progress and outcome of such report.

Council will provide adequate resources, both financial and human, to

- encourage reports of wrongdoing
- protect and support those who make them
- provide training for key personnel
- investigate allegations
- properly manage any workplace issues that the allegations identify or create
- correct any problem that is identified.

Applicability

This policy will apply to

- both council staff and Councillors
- permanent employees, whether full-time or part-time
- temporary or casual employees
- consultants
- individual contractors working for the council.
- employees of contractors providing services to Bogan Shire Council
- other people who perform council official functions whose conduct and activities could be investigated by an investigating authority, including volunteers.

The policy also applies to public officials of another council or public authority who report wrongdoing relating to Bogan Shire Council.

Purpose

The practical protection of persons who make disclosures is the foundation on which the success of the PID Act sits. Bogan Shire Council is committed to supporting and protecting staff if they report wrongdoing. This policy and related procedures set out the process for handling reports that are classified as public interest disclosures under the PID Act to allow staff and Councillors to disclose matters of corrupt conduct within Council in the strictest confidence.

Roles and responsibilities

The role of council staff and councillors

Staff and councillors play an important role in contributing to a workplace where known or suspected wrongdoing is reported and dealt with appropriately. All council staff and councillors are obliged to:

- *report all known or suspected wrongdoing and support those who have made reports of wrongdoing*
- *if requested, assist those dealing with the report, including supplying information on request, cooperating with any investigation and maintaining confidentiality*
- *treat any staff member or person dealing with a report of wrongdoing with courtesy and respect*
- *respect the rights of any person the subject of reports.*

Staff and councillors must not:

- *make false or misleading reports of wrongdoing*
- *victimise or harass anyone who has made a report*

Additionally, the behaviour of all council staff and councillors involved in the internal reporting process must adhere to the Bogan Shire Council's code of conduct. A breach of the code could result in disciplinary action.

The role of the Bogan Shire Council

The Bogan Shire Council has a responsibility to establish and maintain a working environment that encourages staff and councillors to report wrongdoing and supports them when they do. This includes keeping the identity of reporters confidential where practical and appropriate, and taking steps to protect reporters from reprisal and manage workplace conflict.

The Bogan Shire Council will assess all reports of wrongdoing it receives from staff and councillors and deal with them appropriately. Once wrongdoing has been reported, the Bogan Shire Council takes 'ownership' of the matter. This means it is up to us to decide whether a report should be investigated, and if so, how it should be investigated and by whom. The Bogan Shire Council will deal with all reports of wrongdoing fairly and reasonably, and respect the rights of any person the subject of a report.

The Bogan Shire Council must report on our obligations under the PID Act and statistical information about public interest disclosures in our annual report and to the NSW Ombudsman every six months.

To ensure the Bogan Shire Council complies with the PID Act and deals with all reports of wrongdoing properly, all staff and councillors with roles outlined below and elsewhere in this policy will receive training on their responsibilities.

Roles of key positions

General Manager

The General Manager has ultimate responsibility for maintaining the internal reporting system and workplace reporting culture, and ensuring the Bogan Shire Council complies with the PID Act. The general manager can receive reports from staff and councillors and has a responsibility to:

- assess reports received by or referred to them, to determine whether or not the report should be treated as a public interest disclosure, and to decide how the report will be dealt with
- deal with reports made under the council's code of conduct in accordance with the council's adopted code of conduct procedures
- ensure there are strategies in place to support reporters, protect reporters from reprisal and manage workplace conflict that may arise in relation to a report
- make decisions following any investigation or appoint an appropriate decision-maker
- take appropriate remedial action where wrongdoing is substantiated or systemic problems are identified
- refer actual or suspected corrupt conduct to the Independent Commission Against Corruption (ICAC)

- refer any evidence of a reprisal offence under section 20 of the PID Act to the Commissioner of Police or the ICAC.

Disclosures coordinator

The disclosures coordinator at Bogan Shire Council has a central role in the Bogan Shire Council's internal reporting system. The disclosures coordinator can receive and assess reports, and is the primary point of contact in the Bogan Shire Council for the reporter. The disclosures coordinator has a responsibility to:

- assess reports to determine whether or not a report should be treated as a public interest disclosure, and to decide how each report will be dealt with (either under delegation or in consultation with the general manager)
- deal with reports made under the council's code of conduct in accordance with the council's adopted code of conduct procedures
- coordinate the Bogan Shire Council's response to a report
- acknowledge reports and provide updates and feedback to the reporter
- assess whether it is possible and appropriate to keep the reporter's identity confidential
- assess the risk of reprisal and workplace conflict related to or likely to arise out of a report, and develop strategies to manage any risk identified

Disclosures officers

Disclosures officers are additional points of contact within the internal reporting system. They can provide advice about the system and the internal reporting policy, receive reports of wrongdoing and assist staff and councillors to make reports.

Disclosures officers have a responsibility to:

- document in writing any reports received verbally, and have the document signed and dated by the reporter
- make arrangements to ensure reporters can make reports privately and discreetly when requested, if necessary away from the workplace
- discuss with the reporter any concerns they may have about reprisal or workplace conflict
- carry out preliminary assessment and forward reports to the disclosures coordinator or general manager for full assessment.

Mayor

The Mayor can receive reports from staff and councillors about the general manager. Where the Mayor receives such reports, the Mayor has a responsibility to:

- assess the reports to determine whether or not they should be treated as a public interest disclosure, and to decide how they will be dealt with
- deal with reports made under the council's code of conduct in accordance with the council's adopted code of conduct procedures
- refer reports to an investigating authority, where appropriate
- liaise with the disclosures coordinator to ensure there are strategies in place to support reporters, protect reporters from reprisal and manage workplace conflict that may arise in relation to a report
- refer actual or suspected corrupt conduct to the ICAC
- refer any evidence of a reprisal offence under section 20 of the PID Act to the Commissioner of Police or the ICAC.

Supervisors and line managers

Supervisors and line managers play an important role in managing the immediate workplace of those involved in or affected by the internal reporting process.

Supervisors and line managers should be aware of the internal reporting policy and are responsible for creating a local work environment where staff are comfortable and confident about reporting wrongdoing. They have a responsibility to:

- encourage staff to report known or suspected wrongdoing within the organisation and support staff when they do
- identify reports made to them in the course of their work which could be public interest disclosures, and assist the staff member to make the report to an officer authorised to receive public interest disclosures under this policy
- implement local management strategies, in consultation with the disclosures coordinator, to minimise the risk of reprisal or workplace conflict in relation to a report
- notify the disclosures coordinator or general manager immediately if they believe a staff member is being subjected to reprisal as a result of reporting wrongdoing, or in the case of suspected reprisal by the general manager, notify the Mayor.

What should be reported?

You should report any suspected wrongdoing within the Bogan Shire Council, or any activities or incidents you see within the Bogan Shire Council that you believe are wrong.

Reports about five categories of serious misconduct – corrupt conduct, maladministration, serious and substantial waste of public money, breach of the GIPA Act, and local government pecuniary interest contravention – which otherwise meet the criteria of a public interest disclosure, will be dealt with under the PID Act and according to this policy. See below for details about these types of conduct.

More information about what can be reported under the PID Act can be found in the *NSW Ombudsman's Guideline B2: What should be reported?*

All other wrongdoing or suspected wrongdoing should be reported to a supervisor, to be dealt with in line with the relevant policies. This might include:

- harassment or unlawful discrimination
- practices that endanger the health or safety of staff or the public.

Even if these reports are not dealt with as public interest disclosures, the Bogan Shire Council recognises such reports may raise important issues. We will respond to all reports and make every attempt to protect the staff member making the report from reprisal.

a. Corrupt conduct

Corrupt conduct is the dishonest or partial exercise of official functions by a public official.

For example, this could include:

- the improper use of knowledge, power or position for personal gain or the advantage of others
- acting dishonestly or unfairly, or breaching public trust
- a council official being influenced by a member of public to use their position in a way that is dishonest, biased or breaches public trust.

b. Maladministration

Maladministration is conduct that involves action or inaction of a serious nature that is contrary to law, unreasonable, unjust, oppressive or improperly discriminatory or based wholly or partly on improper motives.

For example, this could include:

- making a decision and/or taking action that is unlawful
- refusing to grant an approval for reasons that are not related to the merits of their application.

c. Serious and substantial waste of public money

Serious and substantial waste is the uneconomical, inefficient or ineffective use of resources that could result in losing or wasting public money.

For example, this could include:

- not following a competitive tendering process for a large scale contract
- having bad or no processes in place for a system involving large amounts of public funds.

d. Breach of the GIPA Act

A breach of the Government Information (Public Access) Act 2009 (GIPA Act) is a failure to properly fulfil functions under that Act.

For example, this could include:

- destroying, concealing or altering records to prevent them from being released
- knowingly making decisions that are contrary to the legislation
- directing another person to make a decision that is contrary to the legislation.

e. Local government pecuniary interest contravention

A local government pecuniary interest contravention is a failure to comply with requirements under the Local Government Act 1993 relating to the management of pecuniary interests. These include obligations to lodge disclosure of interest returns, disclose pecuniary interests at council and council committee meetings and leave the meeting while the matter is being discussed. A pecuniary interest is an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person.

For example, this could include:

- a senior council staff member recommending a family member for a council contract and not declaring the relationship
- a councillor participating in consideration of a DA for a property they or their family have an interest in.

Assessment of reports

All reports will be promptly and thoroughly assessed to determine what action will be taken to deal with the report and whether or not the report will be treated as a public interest disclosure.

The disclosures coordinator is responsible for assessing reports, in consultation with the general manager where appropriate. All reports will be assessed on the information available to the disclosures coordinator at the time. It is up to the disclosures coordinator to decide whether an investigation should be carried out and how that investigation should be carried out. In assessing a report the disclosures coordinator may decide that the report should be referred elsewhere or that no action should be taken on the report.

When will a report be treated as a public interest disclosure?

The Bogan Shire Council will treat a report as a public interest disclosure if it meets the criteria of a public interest disclosure under the PID Act. These requirements are:

- the report must be about one of the following five categories of serious wrongdoing – corrupt conduct, maladministration, serious and substantial waste of public money, breach of the GIPA Act, or local government pecuniary interest contravention
- the person making the disclosure must honestly believe on reasonable grounds that the information shows or tends to show wrongdoing
- the report has to be made to either the general manager or, for reports about the general manager the Mayor, a position nominated in this policy (see section 8), an investigating authority or in limited circumstances to an MP or journalist (see section 9).

Reports by staff are not public interest disclosures if they:

- mostly question the merits of government policy (see section 17)

- are made with the sole or substantial motive of avoiding dismissal or other disciplinary action (see section 18).

Who can receive a report within the Bogan Shire Council?

Staff are encouraged to report general wrongdoing to their supervisor. However the PID Act requires that, for a report to be a public interest disclosure, it must be made to certain public officials identified in this policy or any supporting procedures.

The following positions are the only people within the Bogan Shire Council who are authorised to receive a public interest disclosure. Any supervisor who receives a report that they believe may be a public interest disclosure is obliged to assist the staff member to make the report to one of the positions listed below. The broader responsibilities of these positions are outlined under Roles and Responsibilities (section 4).

If your report involves a councillor, you should make it to the General Manager. If your report relates to the General Manager, you should make it to the Mayor.

General Manager

- Derek Francis, Email; derek.francis@bogan.nsw.gov.au Phone; 02 6835 9000

Mayor (for reports about the general manager only)

- Ray Donald (OAM), Email; raydidonald@gmail.com

Disclosures Coordinator

- Director Finance & Corporate Services, Stephanie Waterhouse
Email; steph.waterhouse@bogan.nsw.gov.au Phone 02 6835 9000

Disclosures Officers

- Human Resources Officers,
Kirsty Burley Email; kirsty.burley@bogan.nsw.gov.au Phone 02 6835 9000
Hope Campbell Email; hope.campbell@bogan.nsw.gov.au
Phone 02 6835 9000

Who can receive a report outside of the Bogan Shire Council?

Staff and councillors are encouraged to report wrongdoing within the Bogan Shire Council, but internal reporting is not your only option. You can also make a public interest disclosure to:

- An investigating authority.
- A Member of Parliament or a journalist, but only in the limited circumstances outlined below.

a. Investigating authorities

The PID Act lists a number of investigating authorities in NSW that staff and councillors can report wrongdoing to and the type of wrongdoing each authority can deal with. In certain circumstances it may be preferable to make a report of wrongdoing to an investigating authority, for example a report about either the General Manager or the Mayor.

The relevant investigating authorities for the Bogan Shire Council are:

- the Independent Commission Against Corruption (ICAC) — for disclosures about corrupt conduct
- the Ombudsman — for disclosures about maladministration
- the Auditor-General — for disclosures about serious and substantial waste
- the Information Commissioner — for disclosures about a breach of the GIPA Act
- the Office of Local Government – for disclosures about local councils

You should contact the relevant investigating authority for advice about how to make a disclosure to them. Contact details for each investigating authority are provided at the end of this policy.

You should be aware that the investigating authority may well discuss any such reports with the Bogan Shire Council. We will make every effort to assist and cooperate with the investigating authority to ensure the matter is dealt with appropriately and there is a satisfactory outcome. We will also provide appropriate support and assistance to staff or councillors who report wrongdoing to an investigating authority, if we are made aware that this has occurred.

b. Members of Parliament or journalists

To have the protections of the PID Act, staff reporting wrongdoing to a Member of Parliament (MP) or a journalist must have already made substantially the same report to one of the following:

- the general manager
- a person nominated in this policy, including the Mayor for reports about the general manager
- an investigating authority.

Also, the Bogan Shire Council or the investigating authority that received your initial report must have either:

- decided not to investigate the matter
- decided to investigate the matter, but not completed the investigation within six months of the original report
- investigated the matter but not recommended any action as a result

- not told the person who made the report, within six months of the report being made, whether the matter will be investigated.

Most importantly – to be protected under the PID Act – if you report wrongdoing to an MP or a journalist you will need to be able to prove that you have reasonable grounds for believing that the disclosure is substantially true and that it is in fact substantially true (see section 19).

c. Other external reporting

If you report wrongdoing to a person or authority that is not listed above, or make a report to an MP or journalist without following the steps outlined above, you will not be protected under the PID Act. This may mean you will be in breach of legal obligations or our code of conduct – by, for example, disclosing confidential information.

For more information about reporting wrongdoing outside the Bogan Shire Council, contact the disclosures coordinator or the NSW Ombudsman's Public Interest Disclosures Unit. Their contact details are provided at the end of this policy.

How to make a report

You can report wrongdoing in writing or verbally. You are encouraged to make a report in writing as this can help to avoid any confusion or misinterpretation. Bogan Shire Council's Internal Reporting Form (Appendix A) is also available for staff or councillors to use to make a report.

If a report is made verbally, the person receiving the report will make a comprehensive record of the report and ask the person making the report to sign this record. The reporter should keep a copy of this record.

Can a report be anonymous?

There will be some situations where you may not want to identify yourself when you make a report. Although these reports will still be dealt with by the Bogan Shire Council, it is best if you identify yourself. This allows us to provide you with any necessary protection and support, as well as feedback about what action is to be taken or has been taken to deal with the issues raised in the report, or the outcome of any investigation.

It is important to realise that an anonymous disclosure may not prevent you from being identified by the subjects of the report or your colleagues. If we do not know who made the report, it is very difficult for us to prevent any reprisal should others identify you.

Feedback to staff who report wrongdoing

Staff and councillors who report wrongdoing will be told what is happening in response to their report.

a. Acknowledgement

When you make a report, the Bogan Shire Council will contact you to confirm that your report has been received and to advise:

- the timeframe within which you will receive further updates
- the name and contact details of the people who can tell you what is happening or handle any concerns you may have.

After a decision is made about how your report will be dealt with, the Bogan Shire Council will send you an acknowledgment letter, providing:

- information about the action that will be taken in response to your report
- the likely timeframes for any investigation or other action
- information about the internal and external resources or services available that you can access for support.
- We will provide this information to you within twenty working days from the date you make your report. We will also advise you if we decide to treat your report as a public interest disclosure and provide you with a copy of this policy at that time, as required by the PID Act.

Please note, if you make a report which meets the requirements of the PID Act but the report was made under a statutory or legal obligation or incidental to the performance of your day to day functions, you will not receive an acknowledgment letter or a copy of this policy.

b. Progress updates

While your report is being dealt with, such as by investigation or making other enquiries, you will be given:

- information about the progress of the investigation or other enquiries and reasons for any delay
- advice of any decision by the Bogan Shire Council not to proceed with the matter
- advice if your identity needs to be disclosed for the purposes of investigating the matter or making enquiries, and an opportunity to talk about this beforehand.

c. Feedback

Once the matter has been finalised you will be given:

- enough information to show that adequate and appropriate action was taken and/or is proposed to be taken in response to your disclosure and any problem that was identified
- advice about whether you are likely to be called as a witness in any further matters, such as disciplinary or criminal proceedings.

Maintaining confidentiality

The Bogan Shire Council realises reporters may want their identity and the fact they have made a report to remain confidential. This can help to prevent any action being taken against them for reporting wrongdoing.

Where possible and appropriate we will take steps to keep your identity, and the fact you have reported wrongdoing, confidential. We will discuss with you whether it is possible to keep your identity confidential.

If confidentiality cannot be maintained, we will develop a plan to support and protect you from reprisal in consultation with you.

If you report wrongdoing, it is important that you only discuss your report with those responsible for dealing with it. This will include the disclosures coordinator and the general manager, or in the case of a report about the general manager, the disclosures coordinator and the Mayor. The fewer people who know about your report, before and after you make it, the more likely it will be that we can protect you from any reprisal.

Any staff or councillors involved in the investigation or handling of a report, including witnesses, are also required to maintain confidentiality and not disclose information about the process or allegations to any person except for those people responsible for handling the report.

Managing the risk of reprisal and workplace conflict

When a staff member or councillor reports wrongdoing, the Bogan Shire Council will undertake a thorough risk assessment to identify the risk to you of detrimental action in reprisal for reporting, as well as indirect but related risks of workplace conflict or difficulties. The risk assessment will also identify strategies to deal with those risks and determine the level of protection and support that is appropriate.

Depending on the circumstances, the Bogan Shire Council may:

- relocate the reporter or the staff member who is the subject of the allegation within the current workplace
- transfer the reporter or the staff member who is the subject of the allegation to another position for which they are qualified
- grant the reporter or the staff member who is the subject of the allegation leave of absence during the investigation of the disclosure.

These courses of action are not punishment and will only be taken in consultation with the reporter.

Protection against reprisals

The Bogan Shire Council will not tolerate any reprisal against staff or councillors who report wrongdoing or are believed to have reported wrongdoing.

The PID Act provides protection for staff and councillors who have made a public interest disclosure by imposing penalties on anyone who takes detrimental action against another person substantially in reprisal for that person making a public interest disclosure. These penalties also apply to cases where a person takes detrimental action against another because they believe or suspect the other person has made or may have made a public interest disclosure, even if they did not.

Detrimental action means action causing, comprising or involving any of the following:

- injury, damage or loss
- intimidation or harassment
- discrimination, disadvantage or adverse treatment in relation to employment
- dismissal from, or prejudice in, employment
- disciplinary proceedings.

A person who is found to have committed a reprisal offence may face criminal penalties such as imprisonment and/or fines, and may be required to pay the victim damages for any loss suffered as a result of the detrimental action. Taking detrimental action in reprisal is also a breach of the council's code of conduct which may result in disciplinary action. In the case of councillors, such disciplinary action may be taken under the misconduct provisions of the Local Government Act 1993 and may include suspension or disqualification from civic office.

It is important for staff and councillors to understand the nature and limitations of the protection provided by the PID Act. The PID Act protects reporters from detrimental action being taken against them because they have made, or are believed to have made, a public interest disclosure. It does not protect reporters from disciplinary or other management action where the Bogan Shire Council has reasonable grounds to take such action.

a. Responding to allegations of reprisal

If you believe that detrimental action has been or is being taken against you or someone else in reprisal for reporting wrongdoing, you should tell your supervisor, the disclosures coordinator or the general manager immediately. In the case of an allegation of reprisal by the general manager, you can alternatively report this to the Mayor.

- All supervisors must notify the disclosures coordinator or the general manager if they suspect that reprisal against a staff member is occurring or has occurred, or if any such allegations are made to them. In the case of an allegation of reprisal by the general manager, the Mayor can alternatively be notified.

If the Bogan Shire Council becomes aware of or suspects that reprisal is being or has been taken against a person who has made a disclosure, the Bogan Shire Council will:

- assess the allegation of reprisal to decide whether the report should be treated as a public interest disclosure and whether the matter warrants investigation or if other action should be taken to resolve the issue
- if the reprisal allegation warrants investigation, ensure this is conducted by a senior and experienced member of staff
- if it is established that reprisal is occurring against someone who has made a report, take all steps possible to stop that activity and protect the reporter
- take appropriate disciplinary action against anyone proven to have taken or threatened any action in reprisal for making a disclosure
- refer any breach of Part 8 of the council's code of conduct (reprisal action) by a councillor or the general manager to the Office of Local Government.
- refer any evidence of an offence under section 20 of the PID Act to the ICAC or NSW Police Force.

If you allege reprisal, you will be kept informed of the progress and outcome of any investigation or other action taken in response to your allegation.

If you have reported wrongdoing and are experiencing reprisal which you believe is not being dealt with effectively, contact the Office of Local Government, the Ombudsman or the ICAC (depending on the type of wrongdoing you reported). Contact details for these investigating authorities are included at the end of this policy.

b. Protection against legal action

If you make a public interest disclosure in accordance with the PID Act, you will not be subject to any liability, and no action, claim or demand can be taken against you for having made the public interest disclosure. You will not have breached any confidentiality or secrecy obligations and you will have the defence of absolute privilege in defamation.

Support for those reporting wrongdoing

The Bogan Shire Council will make sure that staff who have reported wrongdoing, regardless of whether their report is treated as a public interest disclosure, are provided with access to any professional support they may need as a result of the reporting process – such as stress management or counselling services.

Access to support may also be available for other staff involved in the internal reporting process where appropriate. Reporters and other staff involved in the process can discuss their support options with the disclosures coordinator.

Council employee assistance program contact numbers are;

AWI Consulting 1300 363 577

Lifeline 13 11 14

Bogan Shire Medical Centre 02 6832 1305

Sanctions for making false or misleading statements

It is important all staff and councillors are aware that it is a criminal offence under the PID Act to wilfully make a false or misleading statement when reporting wrongdoing. The Bogan Shire Council will not support staff or councillors who wilfully make false or misleading reports. Such conduct may also be a breach of the code of conduct resulting in disciplinary action. In the case of councillors, disciplinary action may be taken under the misconduct provisions of the Local Government Act 1993 and may include suspension or disqualification from civic office.

The rights of persons the subject of a report

The Bogan Shire Council is committed to ensuring staff or councillors who are the subject of a report of wrongdoing are treated fairly and reasonably. This includes keeping the identity of any person the subject of a report confidential, where this is practical and appropriate.

If you are the subject of the report, you will be advised of the allegations made against you at an appropriate time and before any adverse findings. At this time you will be:

- advised of the details of the allegation
- advised of your rights and obligations under the relevant related policies and procedures
- kept informed about the progress of any investigation
- given a reasonable opportunity to respond to any allegation made against you
- told the outcome of any investigation, including any decision made about whether or not further action will be taken against you.

Where the reported allegations against the subject officer are clearly wrong, or have been investigated and unsubstantiated, the subject officer will be supported by Bogan Shire Council. The fact of the allegations and any investigation will be kept confidential unless otherwise agreed to by the subject officer.

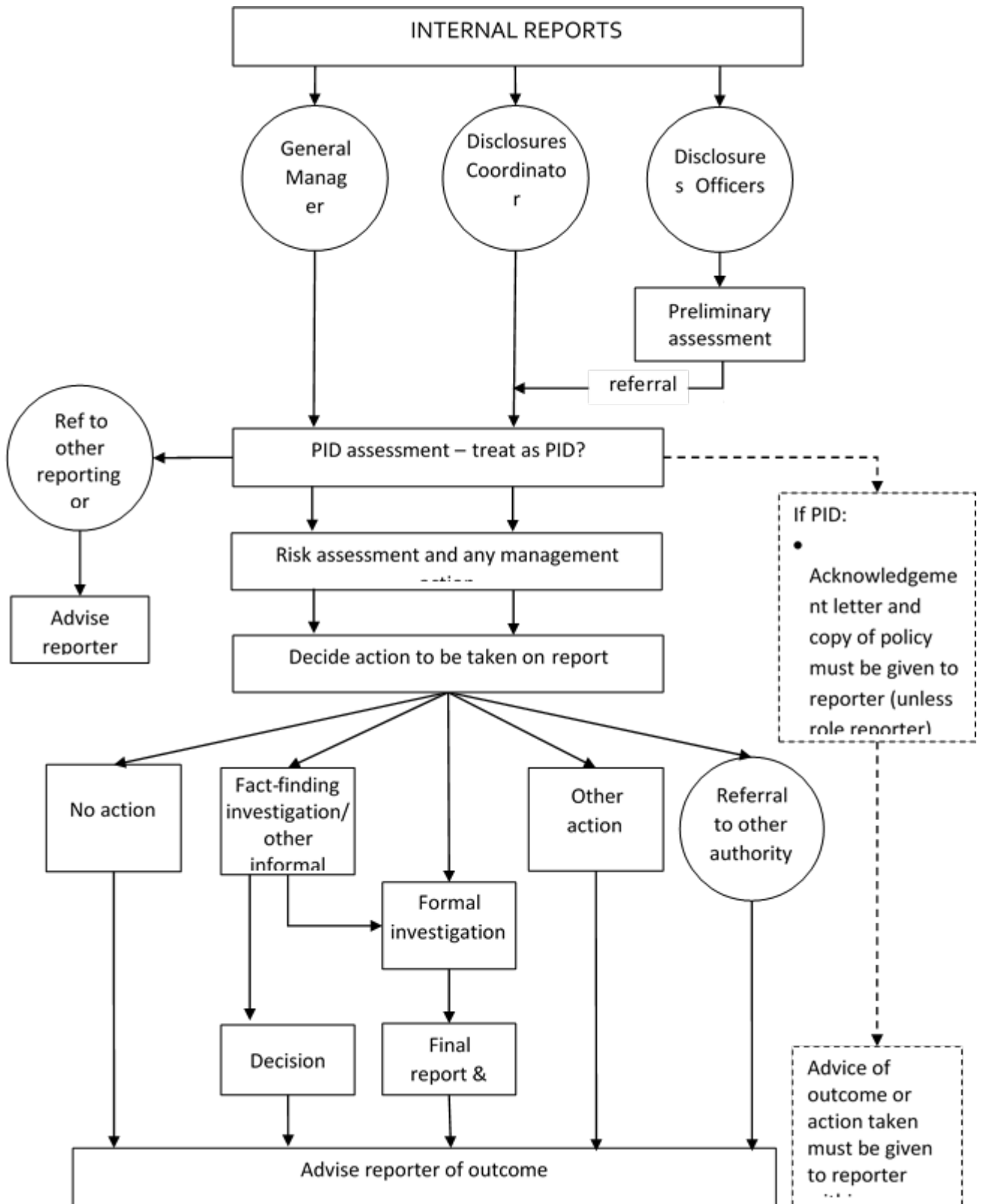
Review

This policy will be reviewed by the Bogan Shire Council every two years. For any advice or guidance about this review, contact the NSW Ombudsman's Public Interest Disclosures Unit.

More information

Staff can also seek advice and guidance from the disclosures coordinator and the NSW Ombudsman's website at www.ombo.nsw.gov.au.

Flow chart of internal reporting process



Resources

The contact details for external investigating authorities that staff can make a public interest disclosure to or seek advice from are listed below.

For disclosures about corrupt conduct:

Independent Commission Against Corruption (ICAC)

Phone: 02 8281 5999

Toll free: 1800 463 909

Tel. typewriter (TTY): 02 8281 5773

Facsimile: 02 9264 5364

Email: icac@icac.nsw.gov.au

Web: www.icac.nsw.gov.au

Address: Level 7, 255 Elizabeth Street,
Sydney NSW 2000

For disclosures about maladministration:

NSW Ombudsman

Phone: 02 9286 1000

Toll free (outside Sydney metro): 1800 451 524

Tel. typewriter (TTY): 02 9264 8050

Facsimile: 02 9283 2911

Email: nswombo@ombo.nsw.gov.au

Web: www.ombo.nsw.gov.au

Address: Level 24, 580 George Street,
Sydney NSW 2000

For disclosures about serious and substantial waste:

Auditor-General of the NSW Audit Office

Phone: 02 9275 7100

Facsimile: 02 9275 7200

Email: mail@audit.nsw.gov.au

Web: www.audit.nsw.gov.au

Address: Level 19, Darling Park Tower,
201 Sussex Street, Sydney NSW 2000

For disclosures about local councils:

Office of Local Government

Phone: 02 4428 4100

Tel. typewriter (TTY): 02 4428 4209

Facsimile: 02 4428 4199

Email: olg@olg.nsw.gov.au

Web: www.olg.nsw.gov.au

Address: 5 O'Keefe Avenue, Nowra, NSW 2541

For disclosures about breaches of the GIPA Act:

Information & Privacy Commissioner

Toll free: 1800 472 679

Facsimile: 02 8114 3756

Email: ipcinfo@ipc.nsw.gov.au

Web: www.ipc.nsw.gov.au

Address: Level 17, 201 Elizabeth Street,
Sydney NSW 2000

Attachments

Appendix A – Internal Report Form

Policy Owner / Further Assistance

Director Finance and Corporate Services

Related Information

- Public Interest Disclosures Act 1994
- Bogan Shire Council Code of conduct
- Guidelines and other information from the NSW Ombudsman (www.ombo.nsw.gov.au)

Review Date

October 2024

Revision History

Date	Description of Change	Sections Affected
27/10/2011	New policy drafted and adopted	All
11/10/2012	Reviewed	All
27/2/2014	Reviewed	All
28/10/2021	Reviewed and amended	All

Authority

Council Resolution No dated

Appendix A

Internal Report Form

To be completed by an internal reporter and submitted to a nominated disclosures officer

Details of reporter <i>(You can make an anonymous report by leaving this section blank)</i>		
Name:		
Position:		
Division/Unit:		Preferred method of contact
Telephone:		<input type="checkbox"/> Telephone
Email:		<input type="checkbox"/> Email
Postal address:		<input type="checkbox"/> Post
Details of the wrongdoing being reported		
Description:		
<ul style="list-style-type: none"> • <i>What happened?</i> • <i>Where did this happen?</i> • <i>When did this happen?</i> • <i>Is it still happening?</i> <p><i>[Attach an additional page if required]</i></p>		
How did you become aware of this?		
Name and position of people involved in the wrongdoing:	Name	Position
Attach any additional relevant information or indicate where supporting evidence may be found:	Supporting evidence	Attached
		<input type="checkbox"/>
Name and position of other people who may have additional information:	Name	Position
Statement		
I honestly believe that the above information shows or tends to show wrongdoing.		
<hr/> Signature of reporter <i>(Do not sign if you want to make an anonymous report)</i>		<hr/> Date report submitted <i>(Essential information)</i>



Bogan Shire Council Community Financial Report 2020-2021



Introduction

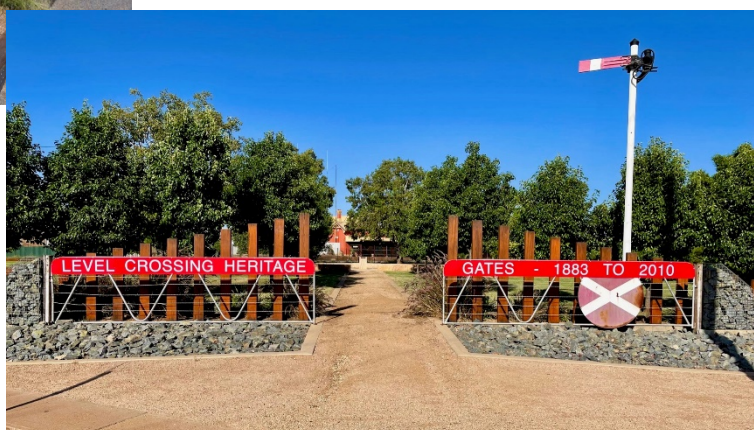
Bogan Shire Council looks after millions of dollars' worth of infrastructure assets on behalf of our community and provides a range of services from garbage collection to medical services. We operate the Nyngan Pool, Library, Medical Centre, Early Learning Centre and the Visitor Information Centre. We try to make sure that we keep our parks, gardens and Nyngan's main street looking good for the benefit of locals and visitors and we maintain over 1,400 kilometres of unsealed roads to enable access to and from our rural properties. More information on these activities can be found in our annual report, which is on our website, but key major projects for this year include:

- Improvements to Nyngan Memorial Swimming Pool
- Commencement of construction for the new Bogan Shire Youth and Community Centre
- Shire Road maintenance to the value of \$3.2 Million including flood damage repairs
- 2km of New Road Construction and 7km of Road Rehabilitation
- 15.4km of Resealing and 50km of Resheeting of Shire Roads

To be able to look after our community assets and provide all these services we need money which comes from the government and from our ratepayers and residents. It is important that we account to the government and our community each year on what money we have received and how we spent it. To do this, every year we prepare audited Annual Financial Statements which are available on Council's website - www.bogan.nsw.gov.au.

Our Annual Financial Statements are complex and the purpose of this Community Financial Report, which is based on information extracted from the audited Annual Financial Statements, is to give community members an easy to follow summary of the Financial Statements.

Overall our operations for the year, with a turnover of over \$24 Million, resulted in a \$1,594,000 cash surplus. In other words we brought in \$1,594,000 more cash than we spent during the year. Whilst this looks like a big surplus, it is really a result of the Federal Government paying our operational grants for 2021/22 in advance. Overall, though, we have had a positive financial result to ensure the ongoing financial viability of our Shire.

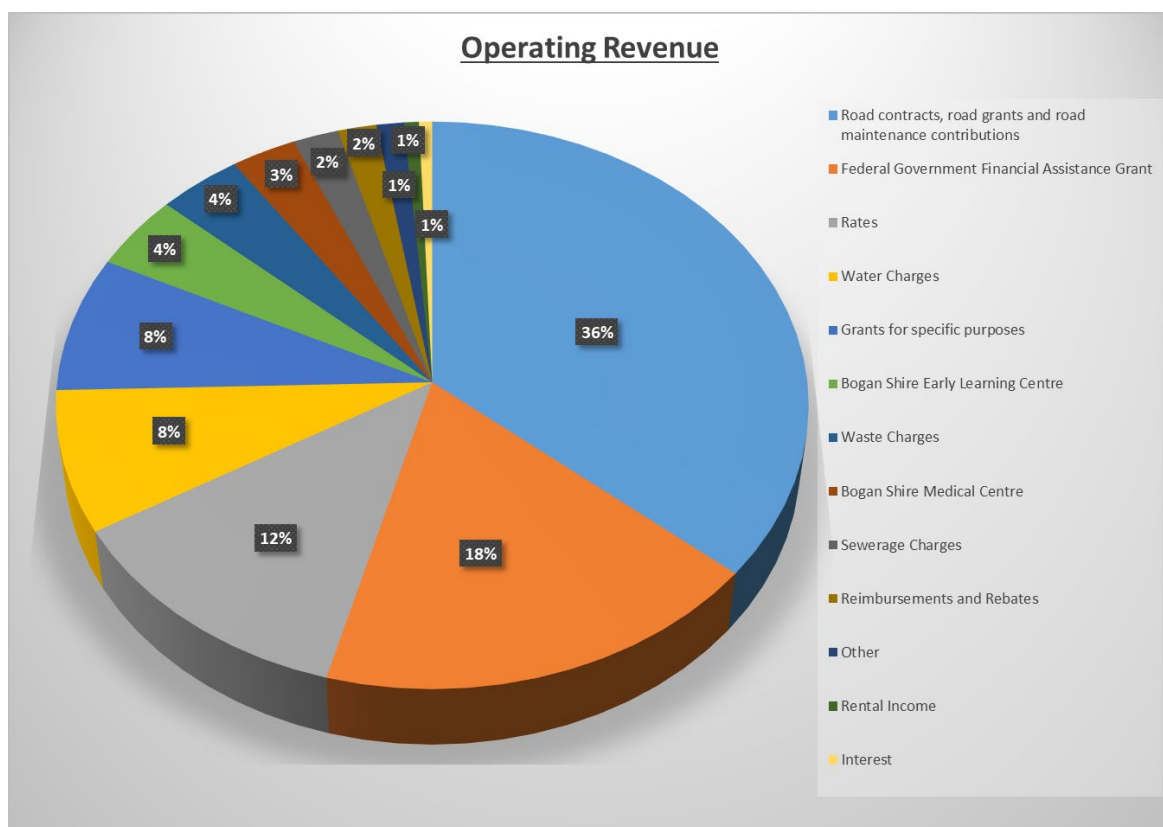


Where did our money come from?

This section shows where our money came from during the year. The figures below show money received for day to day operating purposes only. In addition to this we also received \$4,786,000 to pay for capital improvements (like new roads and water infrastructure) which is detailed on page 5.

Operating Revenue	\$
Road contracts, road grants and road maintenance contributions	8,961,000
Federal Government Financial Assistance Grant	4,484,000
Rates	3,059,000
Water Charges	1,996,000
Grants for specific purposes	1,921,000
Bogan Shire Early Learning Centre	1,062,000
Waste Charges	966,000
Bogan Shire Medical Centre	751,000
Sewerage Charges	528,000
Reimbursements and Rebates	443,000
Other	318,000
Rental Income	172,000
Interest	152,000
	24,813,000

Whilst not the biggest component of income, rates are a very important source of revenue to keep our Shire operating well. In 2020/21 we sent out rates notices totalling \$5.2M and collected \$5.1M during the year, a collection percentage of 98% which compares favourably with many other Councils.



Where did we spend our money?

This section shows what we spent our money on during the year. This page gives details of operating expenses whilst capital/infrastructure expenses spending is shown on page 5.

Bogan Shire Council makes a significant contribution to the local economy through employing 119 local people at a total of \$6.3 Million.

Council's Community Strategic Plan contains five key themes, each of which has a goal and several activities linked to it. Our budget is structured around these themes and activities, showing how much money goes towards each goal / theme.

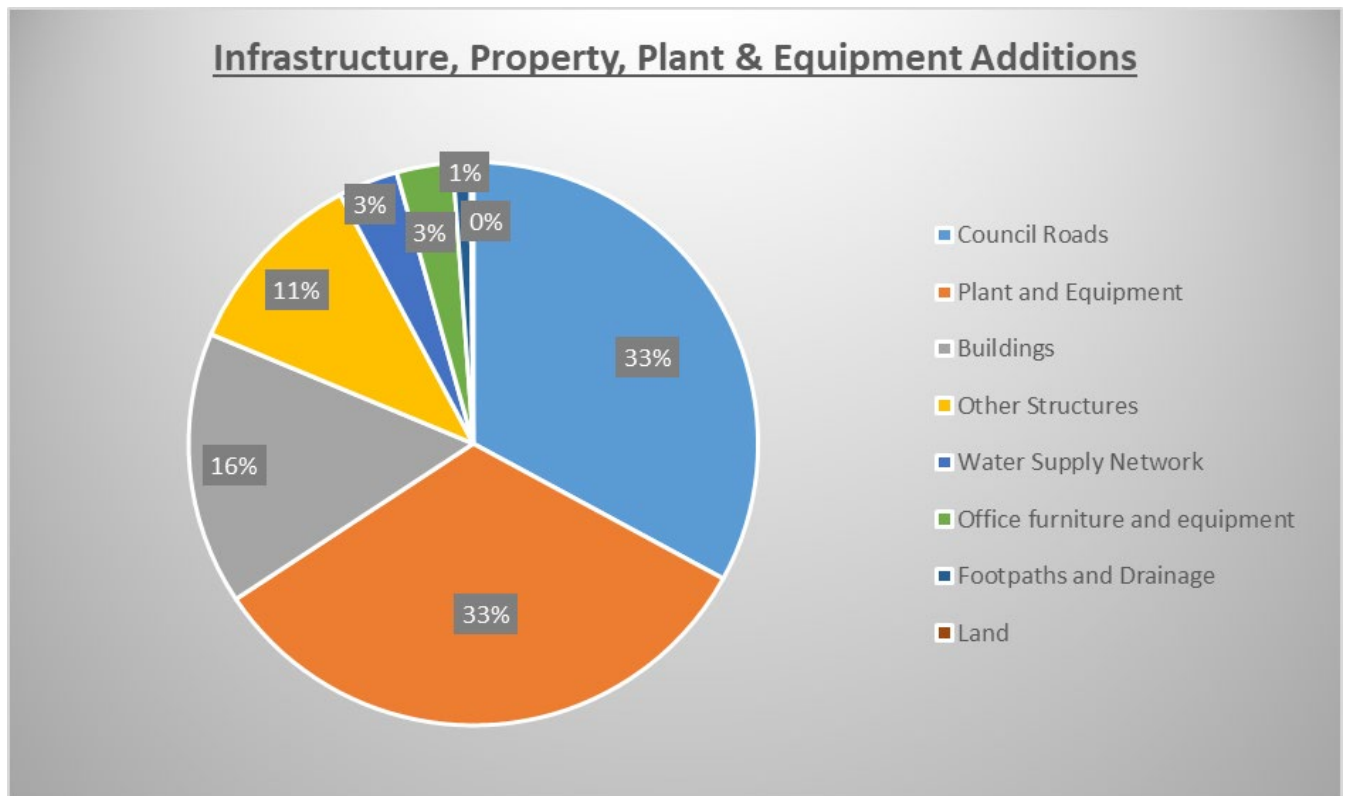
Operating Expenditure	\$
Theme 1 - Social	4,975,000
<p>Goal: An inclusive community that works together and is able to access services and opportunities to support our comfortable country living.</p> <p>Activities include maintaining the pool, parks, gardens, sports fields, community halls and showgrounds as well as operating the Bogan Shire Early Learning Centre, Library and Medical Centre and supporting local emergency management services.</p>	
Theme 2 - Infrastructure	13,446,000
<p>Goal: Construct and manage reliable and efficient community assets that provide access to quality services.</p> <p>Activities include Shire road maintenance, contract highway work on behalf of Transport for NSW and providing water and sewerage services.</p>	
Theme 3 - Environmental	3,060,000
<p>Goal: To support, enhance and preserve the environment of our Shire through sound planning and management practices to ensure a sustainable, healthy community.</p> <p>Activities include waste and recycling services, building and facility maintenance and regulatory functions including noxious weeds, ranger services and health and building surveying.</p>	
Theme 4 - Economic	245,000
<p>Goal: A vibrant local economy with a diversity of successful business that provide local employment opportunities and contribute to a prosperous community.</p> <p>Activities include promoting tourism, economic and community development and operating the Nyngan Airport and Visitor Information Centre.</p>	
Theme 5 – Civic Leadership	2,303,000
<p>Goal: Strong, transparent and effective governance with an actively engaged community.</p> <p>Activities include the costs to efficiently and responsibly run Council's business to enable all of our activities to take place whilst meeting legislative obligations and community needs.</p>	
Total All Themes	24,029,000

In addition to our operating expenses we over \$8 Million on new additions and renewals to our capital / infrastructure assets during the year as shown below.

Infrastructure, Property, Plant & Equipment Additions	\$
Council Roads	1,732,000
Plant and Equipment	1,721,000
Buildings	823,000
Other Structures	573,000
Water Supply Network	179,000
Office furniture and equipment	167,000
Footpaths and Drainage	53,000
Land	8,000
Work in progress	2,759,000
Total	8,015,000

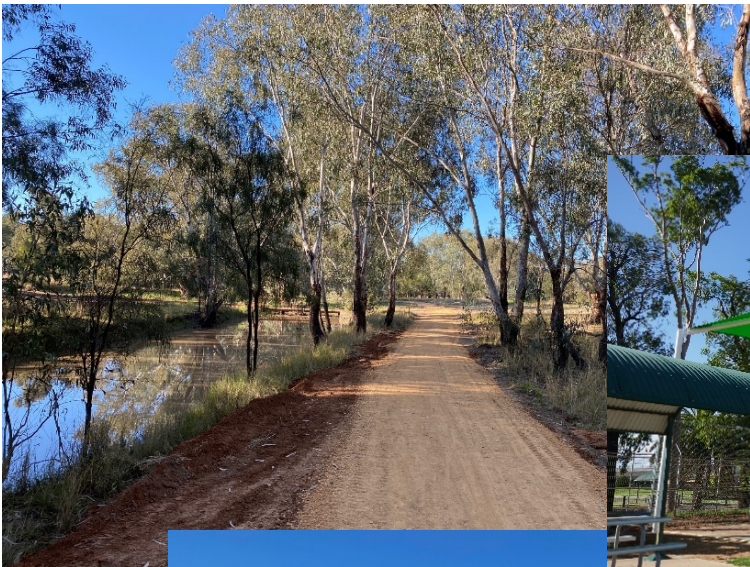
Work in progress relates to capital / infrastructure works that were started during the year but not completed. These include road works of \$1.6 Million, Drought Security water projects of \$682,000 and building works of \$409,000.

Road plant purchases makes up the bulk of the plant and equipment expenditure including a new Jetpatcher Tar Truck at \$420,000, grader at \$378,000 and a roller for \$143,000.



Key capital / infrastructure projects during the year included:

- 2km of sealed road construction at a cost of \$303,000
- Resheeting, resealing and rehabilitation of Shire roads at a cost of \$2,800,000
- Nyngan Pool improvements at a total cost of \$478,000
- Improvements to the Nyngan Showground at \$217,000
- Bogan River Upper and Lower Weir Improvements \$112,000
- Larking Oval sealing netball courts \$111,000
- Ultrasound equipment for Bogan Shire Medical Centre \$93,000



What do we own?

Looking at long-term assets in our Balance Sheet by far the biggest category is property and infrastructure, of which the majority (\$225 Million) are infrastructure assets like our road, water and sewerage networks, followed by \$6 Million in plant and equipment.

Other assets include \$22.5 Million in current assets such as Investments and Debtors. Our Cash and Investments balance includes \$12,670,000, which is restricted for specific purposes and can't be used for Council's current year general expenses.

Total assets are listed below:

Total Assets	\$
Roads, bulk earthworks, bridges and footpaths	164,557,000
Water and Sewerage network	40,940,000
Buildings and other structures	20,444,000
Plant and equipment	6,162,000
Capital projects in progress	3,950,000
Land	3,132,000
Office equipment and furniture	398,000
Cash and Investments	16,554,000
Receivables (Debtors)	5,991,000
Inventory (Stores)	659,000
Other	103,000
	262,890,000



What do we owe?

We owe \$2.18 Million in long term liabilities (loans) which was borrowed in 2016 to finance community infrastructure projects including Council's share of the cost of constructing the Bogan Shire Early Learning Centre, Bogan Shire Medical Centre and improvements to the Nyngan Waste and Recycling Facility to comply with State Government EPA requirements.

This is repayable at \$86,168 per year, including interest, until 2037 at a favourable interest rate of 2.94%.

In addition, our current or short term liabilities amount to \$7.3 Million made up as follows:

Current Liabilities	\$
Contract Liabilities	3,327,000
Provisions	2,005,000
Payables	1,852,000
Borrowings	119,000
Total Current Liabilities	7,303,000

Payables include money we owe our suppliers, which fluctuates every month depending on volume of transactions and terms of payment. Our short term borrowings of \$119,000 are the current year's portion of the community infrastructure loan referred to above. Provisions represent money set aside to pay staff out for any accumulated leave they have due to them but have not taken when they resign or retire. Our contract liabilities represent grant money received from the Government towards capital projects such as the construction of the Bogan Shire Youth and Community Centre and road works which has not yet been spent.



Financial Summary

Shown below is a simplified Balance Sheet and Operating Profit and Loss (Income) Statement that show the result of our operations for the year.

Balance Sheet

ASSETS		\$	LIABILITIES		\$
Current Assets		22,566,000	Current Liabilities		7,303,000
Infrastructure, Property, Plant & Equipment		239,583,000	Non-current borrowings (loans)		2,185,000
Other Assets		741,000			
			Total Liabilities		9,488,000
			EQUITY		\$
			Accumulated Surplus and Reserves		253,402,000
			Total Equity		253,402,000
Total Assets		262,890,000	Total Liabilities and Equity		262,890,000

Operating Profit and Loss

Operating Revenue		\$
Grants (Operating Purposes)		9,728,000
User charges and Fees		9,144,000
Rates and Annual Charges		5,203,000
Other Revenue		480,000
Gain on Disposal of Assets		106,000
Interest		152,000
		24,813,000
Operating Expenses		\$
Staff costs		7,990,000
Materials and Contracts		11,388,000
Other expenses		428,000
Borrowing costs		78,000
		19,884,000
Net Operating Result		4,929,000

This Operating Result excludes depreciation costs, which has been done to show a cash-based end of year position. The Operating Result indicates the amount of cash from operations which Council is able to invest in essential capital / infrastructure during the year.

Conclusion

Bogan Shire Council's Mission, as expressed in our Community Strategic Plan is "to provide a comfortable country lifestyle by progressively improving on the level of facilities and services and encouraging growth and economic development that is responsive to the needs of the community".

A comfortable country lifestyle can mean different things to different people. Whether this is a safe and well-maintained road network, the provision of medical services, a reliable and safe domestic water supply, well-maintained sports facilities or childcare, Bogan Shire Council strives to provide services to meet the needs of our community.

We encourage you to make contact with the Mayor, your Councillors or the General Manager to talk about how we can improve Council services to meet your needs.



Back row:

Graeme Bourke, Director Engineering Services, Clr Graham Jackson, Clr Greg Deacon, Clr Tony Elias, Ty Robson, Acting Manager Development and Environmental Services (2015-2017).

Middle row:

Cathy Ellison, Executive Assistant, Stephanie Waterhouse, Director Finance and Corporate Services, Clr Veneta Dutton, Clr Victoria Boag, Clr Jodi Douglas, Debb Wood, Director People and Community Services.

Front row:

Derek Francis, General Manager, Clr Ray Donald (Mayor), Clr Glen Neill (Deputy Mayor), Clr Kevin Ryan.

PARTNERSHIP AGREEMENT

Between **Service NSW** (ABN 37 552 837 401) and the **Bogan Shire Council** (the '**Council**)
(the '**Parties**')

Last Updated: 27 July 2021

1. Purpose

1.1. The purpose of this Agreement is to:

- A. Provide the services of Service NSW for Business, which is a division of Service NSW with a mandate of being the one front door for businesses in NSW to access government information and services.
- B. Provide the framework within which Services will be delivered;
- C. Document the responsibilities of Service NSW and the Council on the provision of Services;
- D. Provide mechanisms to manage the relationship between the Parties;
- E. Promote a collaborative approach to working together in a timely and effective manner and to act in good faith.

This Agreement is not legally binding.

2. Background

- 1) Service NSW is a Division of the Government Service established under the Service Act. The functions of Service NSW include the exercise of customer service functions, within the meaning of the Service Act; other functions conferred by statute; and other functions relating to the delivery of Government services, as directed by the Minister responsible for Service NSW.
- 2) Section 7 of the Service Act makes provision for customer service functions to be delegated by other NSW Government agencies to the Chief Executive Officer ('CEO').
- 3) The functions of the CEO are exercised by the staff of Service NSW.
- 4) Section 8 of the Service Act enables the CEO to enter into Agreements with local government agencies for the exercise of a non-statutory customer service function of the agency; or with respect to the exercise of a customer service function delegated to the CEO.
- 5) Subsection 8(4) of the Service Act provides that an Agreement with a council, a county council or a joint organisation within the meaning of the *Local Government Act 1993* must be approved by a resolution of the council, county council or joint organisation, must be approved before it is entered into.
- 6) Service NSW partners with the Council to promote and deliver the services of Service NSW for Business to businesses across NSW.

7) the purpose of this collaboration is to ensure awareness and access to Government services to all businesses in NSW.

8) the Services of Service NSW for Business are free for the Council and for customers.

9) The PPIP Act and the HRIP Act set out information handling principles that apply to public sector agencies (as defined in section 3 of the PPIP Act). As public sector agencies, the parties must not do anything, or engage in any practice, that contravenes a privacy principle that applies to them.

10) Section 14 of the Service Act makes provision for the disclosure and use of information, including personal information, for the purposes of the exercise of customer service functions by the CEO. Section 14 has effect despite the provisions of any other Act, including the PPIP Act and the HRIP Act.

11) Section 15 of the Service Act makes provision for the collection of personal information for the purposes of the PPIP Act and the HRIP Act, by Service NSW.

12) Section 16 of the Service Act enables an Agreement made under the Service Act, or a delegation of a customer service function by an agency to the CEO, to provide for the exercise by Service NSW of functions relating to access to information under the Government Information (Public Access) Act 2009 and functions relating to the State Records Act 1998, in connection with the functions of the council concerned. The responsibilities of Agencies under the *State Records Act 1998* include making and keeping full and accurate records of their office.

13) The Parties have agreed to enter into an Agreement under section 8 of the Service Act, incorporating the terms on this Agreement..

3. Guiding Principles

3.1. The Parties will:

- A. Work collaboratively and in good faith in a timely and effective manner, with open communication to achieve shared objectives;
- B. Facilitate a partnership relationship that promotes and achieves continuous improvement and accountability;
- C. Ensure that each of its Personnel complies with this Agreement and all applicable laws and policies relating to the Services, including the *Work Health and Safety Act 2011*;
- D. Comply with the agreed timelines for meeting obligations to ensure efficient and effective delivery of Services;
- E. Work together to identify and manage shared risks;
- F. Work together to prioritise initiatives and enhancements, particularly where there are limitations on time and resources; and
- G. Work together to respond to the media, advise Ministers, and consult each other when developing communications that impact on Services.

4. Roles and Responsibilities

4.1. Service NSW will:

- A. Provide the Services in accordance with the terms of this Agreement, subject to any Change Request;
- B. Exercise the required standard of skill, care and diligence in its performance of the Services and ensure that its Personnel have appropriate qualifications and skills to provide the Services;
- C. Take responsibility for the management of records it creates or holds as a result of the exercise of a customer service function, where required; and
- D. Take responsibility for performing necessary maintenance of its systems and data managing the impact on customers from Service NSW system outages and working in conjunction with the Council.

4.2. The Council will:

- A. Provide Service NSW with all information, inputs, resources and subject matter expertise in a timely manner as required to enable Service NSW to provide the Services as set out in the Agreement;
- B. Take responsibility for the management of records it receives or holds following the exercise of a customer service function by Service NSW.

4.3. The Parties undertake to maintain open channels of communication by:

- A. Making available Personnel, data, reports and computer systems for the purposes of resolving customer issues;
- B. Appointing a Relationship Manager with responsibility for managing the contractual and operational aspects of the Services. The Relationship Manager may be varied.

5. Services

A. Service NSW will:

- (i) provide the relevant information and contacts to Council to ensure its local businesses are aware and can access the Service NSW for Business services
- (ii) provide a single point of contact for Council to ensure it can access Service NSW for Business services.

B. the Council will:

- (i) refer eligible customers to the Program;
- (ii) provide guidance to Service NSW staff to assist in responding to inquiries;
- (iii) inform customers and Service NSW of the outcome of relevant applications in line with privacy requirements
- (iv) provide updates on changes to local government policies, guidelines or other matters which may affect the Program;
- (v) identify local opportunities to inform customers of the program;
- (vi) provide Service NSW with feedback on the effectiveness and performance of the Program.

6. Liability

- 6.1. To the full extent permitted by law, neither Council or Service NSW will be liable to the customer for the customer's actions or responsible for any liability, loss or cost suffered directly or indirectly by the business in connection with the Service NSW for Business service.

7. Data and Data Security

- 7.1. Each party retains ownership of its Data.
- 7.2. Except as required by law, neither party must, and must ensure that its Personnel will not:
 - A. use the Data belonging to the other party for any purpose other than the performance of its obligations under this Agreement; or
 - B. sell, commercially exploit, let for hire, assign rights in or otherwise dispose of any Data. or
 - C. Make the other party's Data available to a third party including another government agency or body, other than an approved Subcontractor, and only to the extent required under this Agreement.
- 7.3 Each party must establish and maintain safeguards against the destruction, loss or alteration of either party's Data in the possession or control of that party which are is consistent with and no less rigorous than those maintained by either party to secure its own data; and comply with all applicable laws and policies.
- 7.4 In particular, the Parties will ensure the secure transmission and storage of data, at standards no less than those recommended by Cyber Security NSW.

8. Confidential Information

- 8.1. The Parties must, in respect of any Confidential Information:
 - A. Keep the Confidential Information confidential and not disclose that information to any person without the prior written consent of the disclosing party, other than to its Personnel, professional advisors or contractors requiring access to the Confidential Information in connection with providing the Services;
 - B. Use the Confidential Information solely for the purpose of carrying out its obligations;
 - C. Not permit the Confidential Information to be reproduced except to the extent reasonably required to carry out its obligations;
 - D. Not do anything that would cause the disclosing party or its Personnel to breach their obligations under Privacy Law; and
 - E. Notify the other party as soon as possible upon becoming aware of any breach of this clause.

9. Privacy

- 9.1 Each party and its Personnel must:
 - A. Comply with Privacy Laws; and
 - B. Do all that is reasonably necessary to enable the other party to comply with Privacy Laws, including the development of documentation to demonstrate compliance with Privacy Laws, as agreed between the parties;
- 9.2. In particular, Service NSW acknowledges that:
 - A. The collection of personal or health information will take place in compliance with the Privacy Laws, as modified by section 15 of the Service Act; and

- B. the use, disclosure, storage and retention of such information will be in accordance with the Privacy Laws, and in accordance with applicable policies.

Schedule 3 documents the respective responsibilities of Service NSW and the Council in relation to the collection, storage, use, retention and disclosure of personal information.

- 9.4 Personal and health Information collected, used, disclosed or retained between the parties will be managed and retained by the parties in accordance with the *State Records Act 1998* (NSW) and all other applicable laws, including Privacy Laws.
- 9.5 Once either of the Parties has reasonable grounds to believe there has been unauthorised access to, unauthorised disclosure of, or a loss of Personal or Health Information, dealt with in connection with this Agreement (**'Data Incident'**):
 - A. The party must immediately (but in any event, no later than 72 hours of becoming aware of the Data Incident) notify the other party of that contravention together with all relevant information relating to the contravention;
 - B. Consult with the other party as to which party should have primary responsibility for investigating and dealing with the breach or possible breach;
 - C. Consider, having regard to the scope of the Data Incident and the nature of the personal or health information involved, together with any other relevant factors, whether the Data Incident is serious.
 - D. The party with primary responsibility for the breach must notify the Privacy Commissioner as soon as practicable that a serious Data Incident has occurred; and
 - E. The parties must co-operate and collaborate in relation to assessment and investigation of the Data Incident, and action required to prevent future Data Incidents.
- 9.6 If either of the Parties receives a complaint or request for an internal review of conduct in relation to a breach or alleged breach of a Privacy Law, including under section 53 of the PPIP Act, (a **'Complaint'**), the following will apply:
 - A. It is the responsibility of the party that receives the Complaint to perform a preliminary investigation to determine the party responsible for the conduct;
 - B. If responsibility lies wholly with the party that received the Complaint, then that party is responsible for responding to the complaint or conducting the internal review of conduct;
 - C. If, after performing the investigation, the relevant party reasonably considers that the Complaint should be transferred to the other party, it will (after obtaining the consent of the customer) promptly transfer the Complaint and any further information obtained by the party from its preliminary investigation, to the other party, no later than 20 days after receipt of the original Complaint;
 - D. If the Complaint relates jointly to the conduct of both parties, then the party that received the Complaint will (after obtaining the consent of the Customer) notify the other party no later than 20 days after its receipt of the original Complaint and provide any further information obtained by that party from its preliminary investigation. The parties will then work together to coordinate a joint response from the parties within 60 days of receipt of the Complaint. This response may include an internal review of conduct.

10. Intellectual Property

- 10.1 Each party will retain the Intellectual Property Rights in its Existing Material.
- 10.2 Each party agrees to grant to the other party a non-exclusive and royalty free licence to use, sublicense, adapt, or reproduce:
 - A. Their Existing Material; and
 - B. All methodologies, processes, techniques, ideas, concepts and know-how embodied in their Existing Material,
 - C. To the extent their Existing Material is required for use by the other party, solely in connection with provision of the Services.
- 10.3 Each party represents and warrants to the other party that it has all required rights and consents for its Existing Material to be used for the Services.
- 10.4 Intellectual Property Rights in all New Contract Material will vest in the Council.
- 10.5 The Council grants a perpetual, worldwide, irrevocable and royalty free licence to the Intellectual Property Rights in all New Contract Material to Service NSW for the purpose of performing the Services.
- 10.6 Subject to clauses 10.1 and 10.4, Service NSW will own all Intellectual Property Rights in the provision of the Services, including any solution and service design.

11. Performance Management and Continuous Improvement

- 11.1 Service NSW for Business does not require any provisions in relation to performance management
- 11.2 Service NSW for Business will work collaboratively with Council to ensure continuous improvement of its services to Council.
- 11.3 Any future extension of this Agreement by Service NSW with Council will specify the relevant performance management and continuous improvement provisions required.

12. Reporting

- 12.1 Service NSW for Business does not require any reporting arrangements
- 12.2 Any future arrangements that require reporting will be outlined in a Schedule to this Agreement.

13. Change Management

- 13.1 Each party will comply with the Change Management Process set out in Schedule 4.
- 13.2 The parties agree to complete a Change Request in the form set out in Schedule 4 to add to or vary the Services.

14. Governance

14.1 The parties agree to comply with the Governance Framework.

15. Business Continuity and Disaster Recovery

15.1 Each party will maintain Business Continuity and Disaster Recovery Plan arrangements to ensure that each party is able to continue to perform its obligations under this Agreement, or where performance is not possible, resume performance as soon as reasonably practicable in the event of a Disaster.

16. Dispute Resolution

- 16.1 In the event of a dispute between the parties, a party will:
- Raise the dispute with the other party's Relationship Manager and use best efforts to resolve the dispute;
 - If the dispute is not resolved within a reasonable period, the Chief Executive of the Council or their delegate will meet with the Chief Executive Officer of Service NSW (or their delegate) with a view to resolving the dispute.
 - If the dispute is not resolved under clauses 16.1(b) within a reasonable period, attempt to resolve any dispute in accordance with the Premier's Memorandum M1997-26.
- 16.2 Despite the existence of a dispute, each party must continue to perform its obligations.

17. Termination

- 17.1 Either party may terminate this Agreement in whole or in part by giving the other party 90 days written notice or as otherwise agreed.
- 17.2 On notice of termination or where Service NSW is otherwise required to cease to perform some or all of the Program, the parties will work together in good faith to finalise and agree a transition out plan to facilitate smooth and orderly transition of the relevant Program to the Council or the Council's nominated third party. Where the parties cannot agree, the dispute resolution provisions in clause 16 will apply.
- 17.3 Upon termination, each party agrees to return all Data and property belonging to the other party within 30 days of the termination date and comply with the transition out plan agreed under clause 17.2.

18. Miscellaneous

18.1 Entire Agreement

This Agreement supersedes all previous Agreements, understandings, negotiations, representations and warranties and embodies the entire Agreement between the Parties about its subject matter.

18.2 Survival

The following clauses survive termination or expiry of the Agreement: Clauses 4, 6, 7, 8, 9, 10, 14, 15, 16, 17, 18, 19 and any other clause which by its nature is intended to survive termination or expiry of the Agreement.

18.3 Notices

A notice under this Agreement must be in writing and delivered to the address or email address of the recipient party.

18.4 Variation

All variations to this Agreement and all consents, approvals and waivers made under this Agreement must be evidenced in writing and variations signed by both parties.

18.5 Waiver

If a party does not exercise (or delays in exercising) any of its rights, that failure or delay does not operate as a waiver of those rights.

10.6. Applicable law

The Agreement is governed by, and is to be construed in accordance with, the laws in force in NSW.

18.7 Counterparts

The Agreement may consist of a number of counterparts and if so, the counterparts taken together constitute one and the same instrument.

19. Execution

Bogan Shire Council has reviewed and accepts this Agreement

Signed for and on behalf of Bogan Shire Council by its authorised signatory	Signed for and on behalf of Service NSW by its authorised signatory
Name:	Name:
Title:	Title:
Date:	Date:
Signature:	Signature:
Witness:	Witness:
Signature:	Signature:

Schedules

Schedule 1 - Definitions

In these Partnership Agreement, except where a contrary intention appears:

Business Continuity and Disaster Recovery Plan means a business continuity and disaster recovery plan which documents the back-up and response actions each of the parties will take to continue its obligations if a Disaster occurs;

Change Request means the request for a change to the scope of Services in the form set out in Schedule 4;

Commencement Date means the date of start of this Agreement.

Confidential Information of a party means any written or oral information of a technical, business or financial nature disclosed to the other party, including its employees or agents, by the disclosing Party (whether orally or in writing) whether before or after the Commencement Date, that:

- A. is by its nature confidential; or
- B. is designated as confidential; or
- C. the other party knows or ought to know is confidential,
- D. but does not include information which:
 - a. is or becomes public knowledge other than by breach of this Agreement; or
 - b. is in the lawful possession of the Party without restriction in relation to disclosure before the date of receipt of the information; or
 - c. is required to be disclosed by Law, government policy or legal process.

Contact Centre has the meaning set out in Schedule 2;

Continuous Improvement Principles have the meaning set out in Schedule 2;

Continuous Improvement Process has the meaning set out in Schedule 2;

Data means the data of each party and all data and information relating to their operations, Personnel, assets, customers and systems in whatever form that may exist, including Confidential Information;

Disaster means an event that causes, or is likely to cause, a material adverse effect on the provision of the Services that cannot be managed within the context of normal operating procedures including interruption, destruction or other loss of operational capacity;

Existing Material means any material that is developed prior to entering into a Partnership Agreement, or developed independently of a Partnership Agreement, and includes any enhancements and modifications to its Existing Material created as part of a Partnership Agreement;

HRIP Act means the *Health Records and Information Privacy Act 2002 (NSW)*;

Instrument of Delegation means the instruments of delegation (including its terms and conditions) made by the Council in relation to the Delegated Functions.

Intellectual Property Rights includes patent, knowhow, copyright, moral right, design, semi-conductor, or circuit layout rights, trademark, trade, business or company names or other proprietary rights and any rights to registration of such rights, whether created before or after the Commencement Date, in Australia or elsewhere;

Middle Office has the meaning set out in Schedule 2;

Moral Rights means the right of integrity of authorship and the right not to have authorship falsely attributed, as confined by the *Copyright Act 1968* (Cth) and the rights of similar nature anywhere in the world, whether in existence before or after the Commencement Date;

New Contract Material means new data created, other than the solution or service design;

Partnership Agreement means these terms and conditions and includes Schedules 1, 2, 3 and 4.

Personal Information has the meaning given to it in the Privacy Laws, as amended from time to time;

Personnel means the person or persons employed or otherwise contracted by either party under this Agreement, as the context requires;

PPIP Act means the *Privacy and Personal Information Protection Act 1998* (NSW);

Privacy Law means any law that applies to either or both of the parties which affect privacy or any personal information or any health information (including its collection, storage, use or processing) including:

- A. the PPIP Act; and
- B. the HRIP Act.

Program means the Easy to do Business program;

Quarterly Forecast has the meaning set out in Schedule 2;

Relationship Manager means the nominated relationship managers of either party, as set out in the Service Agreement, or as otherwise nominated by a party from time to time;

Service Act means the *Service NSW (One-stop Access to Government Services) Act 2013* (NSW);

Service Centre has the meaning set out in Schedule 2;

Service NSW Standard Operating Conditions means the standard operating conditions met by Service NSW in the usual course of its performance of the Services set out in Schedule 2;

Subcontractor means a third party to which Service NSW has subcontracted the performance or supply of any Services;

Schedule 2

1. Service NSW Standard Operating Conditions

In addition to the Partnership Agreement this section covers the standard omnichannel service inclusions.

1.1. Service Centre

Similar services as those available at Service Centres may be offered through Mobile Service Centres. The Mobile Service Centre timetable is published regularly on the Service NSW website.

Inclusion	Description
Concierge and digital assisted services	A Service NSW Concierge will greet and direct customers to the appropriate channel and dispense a ticket where applicable. If the transaction can be completed online, a Digital Service Representative will assist the customer to complete the transaction
Customer sentiment surveys	Before leaving the centre, customers will be offered the option of leaving feedback via a digital terminal

1.2. Contact Centre

Similar services (to that of phone-based) may be offered through a web chat feature accessible via the Service NSW website.

Inclusion	Description
Virtual hold call back system	During high volume periods, customers will be offered the option of leaving their details with an Interactive Voice Response (IVR) auto attendant. Customers can hang up while holding their place in the queue. Their call will be returned by the next available operator
Inbound number	Service NSW will answer all inbound enquiries on 13 77 88 as 'Service NSW'
Call coding	A Customer Service Representative will record the customer's reason for calls and the outcome
Customer sentiment surveys	Once the call is complete, customers will be offered the option of leaving feedback via an automated IVR system

1.3. Middle Office

Inclusion	Description
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Enquiry triage	Service NSW will triage enquiries received to info@service.nsw.gov.au or via Service NSW website 'Contact Us' page and <ul style="list-style-type: none"> - Resolve these enquiries or; - Refer it to the appropriate business area at the Council
Enquiry coding	A Customer Service Representative will record the customer's reason for enquiring and the outcome

1.4. Service NSW Website and Mobile App

Inclusion	Description
Scheduled maintenance and planned outages	Service NSW will conduct regularly scheduled maintenance of the website and mobile app. 10 business days of notice will be provided regarding outages from planned and scheduled maintenance Maintenance activities with negligible impact or outage, such as enhancements to optimise for cybersecurity or performance, may occur without notification to the Council

1.5. Service NSW for Business

Service NSW for Business provides a multi-channel service including digital, phone and face-to-face services for metro and regional businesses in NSW and develops relationships with councils and business associations to promote the offering to local businesses.

Inclusion	Description
Relationship management	Business Customer Service staff initiate and maintain relationships with councils and business associations to promote awareness and use of the service offering by such stakeholders and their local business community. It may include, but is not limited to, information sharing, regular liaison at events and stakeholder premises and issue of surveys.
Scheduled Maintenance and Planned Outages	Digital products controlled by Service NSW for Business will be regularly updated, upgraded and maintained without any outages.

1.6. Training

Service NSW will provide appropriately trained Personnel to deliver the Services.

1.7. Language

Service NSW will provide services in English and may arrange translation and interpreter services for customers from non-English speaking backgrounds if required.

1.8. Branding

Unless otherwise set out in the Partnership Agreement, Service NSW channels are singularly branded. Marketing communication is limited to Service NSW led or co-led campaigns and programs.

1.9. Contractors and Agents

Service NSW may use contractors and agents in connection with the delivery of Services. Such agents and contractors are approved persons under Part 2 Section 12 of the Service Act.

1.10. Out of Scope Services

Any item, service or deliverable that is not specified in a Partnership Agreement is deemed to be out of scope for Service NSW.

2. Operational Framework

Service NSW operational framework outlines how operations are managed on a day-to-day basis.

Operational Support	Description
Knowledge Management	Service NSW creates and maintains support material (knowledge articles) for serving customers. These will be sent to the Council for endorsement of content accuracy bi-annually
Complaints Management	Service NSW will record complaints and its supporting information unless resolved at the outset. Service NSW will contact the Council where assistance is required
Issues Management	Issues relating to existing products and services should be raised via partnerships@service.nsw.gov.au or directly with the Relationship Manager The Relationship Manager will assess the issue and facilitate a resolution within Service NSW, providing regular updates
Quality control framework/ compliance	Service NSW has a quality control framework that governs transactional activities in line with risk assessment at the time of onboarding The framework includes: <ul style="list-style-type: none">- Regular review of contact centre calls, including being assessed against procedure and process used by the agent during the call- Daily quality checks of transactions undertaken by the service centre- Quarterly compliance reviews and certifications provided by all service delivery channels

2.1. IT Operations & Support

Service NSW runs a 24/7, 365 days a year service desk. Unplanned interruptions or degradations in quality of service should be raised to the Service NSW Service Desk on 1300 697 679 (option 2) or servicedesk@service.nsw.gov.au

Incident response times in our production environment are prioritised based upon urgency and impact, with associated response and resolution times.

Priority Code	Service Level Target Response/Resolution Time
P1 - Critical	Response: Immediate response, action/update within 15 minutes Resolution: 2 hours
P2 - High	Response: Immediate response, action/update within 30 minutes Resolution: 4 hours
P3 - Medium	Response: 8 hours Target Resolution: 10 working days
P4 - Low	Response: Email notification of call being logged within 2 days. Response by email or phone within 2 working days Target Resolution: 20 working days

Where vendors or other government platforms are involved, Service NSW utilises a best practice vendor governance framework for service level Agreements and for priority 1 and 2 incidents.

2.2. System and Security Maintenance

Service NSW complies with the NSW Government Cyber Security Policy and operates an information security management system that is certified against ISO 27001. These engagement Terms do not extend the certification scope to the Council's specific activities.

3. Customer Payments

Service NSW will collect payments from customers for transactions set out in the Service Agreement. Cash, cheque, money order, credit or debit card may be accepted and merchant fees plus GST will be recovered.

Service NSW will provide remittances and reconciliation files to the Council which include:

- A. Credit T+2 value for cash, cheques* and bank card payments
- B. Credit T+2 value for AMEX payments
- C. Debit any cheques dishonoured
- D. Debit any card payment chargebacks
- E. Debit any refunds processed on behalf of the Council

Cheque payments received over \$50,000 will be remitted back to the Council once the funds clear the Service NSW remitting bank account.

4. Business Continuity and Disaster Recovery

Service NSW will maintain an Enterprise Risk Management Framework focused on managing risks to Service NSW, including mitigation of the likelihood and impact of an adverse event occurring. As a function of risk management, business continuity management will enable Service NSW to minimise disruptive risks and restore and recover its business-critical services within acceptable predefined timeframes should an adverse event or other major business disruption occur.

Recovery and timeframes may be impacted when events or disruptions are related to dependencies on partner Agencies. The Parties will agree on Recovery Point Objectives and Recovery Time Objectives and associated charges prior to designing the system and will periodically review these objectives.

All systems and technology provided by Service NSW internally and through third-party vendors, operate through multiple data centres to achieve high availability. Service NSW systems are architected, where practicable and possible, to ensure continuity of service in the event of a data centre disruption or outage.

Definitions

Recovery Point Objectives means the age of files that must be recovered from backup storage for normal operations to resume if a computer, system, or network goes down as a result of a hardware, program, or communications failure.

Recovery Time Objectives means the targeted duration of time and a service level within which a business process must be restored after a disaster (or disruption) in order to avoid unacceptable consequences associated with a break in business continuity.

5. Continuous Improvement

Service NSW regularly reviews improvement ideas from employees and customers. We will provide you with any ideas relevant to your agency for consideration.

‘Continuous Improvement’ refers to identifying a process, system or policy opportunities that will deliver a benefit for our people, our customers or the NSW government. These improvements may be delivered in house where possible or by engaging our partnering agencies where further input or decisions are required under policy or legislation. A Continuous Improvement:

- A. Puts the customer first
- B. Makes the customer service job easier
- C. Improves a step in a process
- D. Changes the way a task is completed so that it doesn’t take as long
- E. Reduces handling time and is cost effective
- F. Allows others to benefit from best practices
- G. Allows us to do things better locally, regionally or organisation-wide
- H. Is a low-investment process change and not a policy change
- I. Improves accountability within the various stages of the process
- J. Removes steps that don’t add any value to a process

Service NSW will consider several factors such as cost to implement, cost savings, customer experience, team member experience and operational efficiency in prioritising continuous improvements.

5.1. Continuous Improvement Process

The parties will identify new continuous improvement initiatives on an annual basis, with a 6-monthly check-in on ongoing continuous improvement initiatives.

When establishing a new continuous improvement initiative, the parties will classify the initiative based on

whether it can be implemented as:

- A. part of the ongoing 'business as usual' services (cost and resourcing to be absorbed by Service NSW;
or
- B. a new project initiative (cost and resourcing to be agreed by the parties).

A prioritisation process will be agreed upon between the parties to prioritise initiatives (for Service NSW, this will be performed by the Partnerships team).

The Council may be required to effect policy, system or regulatory changes to assist in delivering the service process improvement, as agreed with Service NSW. Where a review of Council policy, system or regulatory changes is requested by Service NSW from the Council, these should be conducted within timeframes agreed between the respective Relationship Managers.

Schedule 3 – Privacy and Data Security

(a) General

- (i) Service NSW may collect, use, disclose, store and retain personal information when exercising functions for the Council:
- (ii) Where Service NSW exercises functions for the Council, Service NSW can share information it obtains with the Council without separately requesting the customer's consent. Service NSW can also share the information it obtains with any person that the Council is authorised or required to disclose the information to in accordance with the Service Act.

(b) Access to Agency Systems

- (i) The Parties agree that Service NSW will not have access to the Council's information system.

(c) Collection of information

- (i) Service NSW may incidentally collect Personal Information via call recordings in the course of answering queries on behalf of Council or referring customers to Council. Personal Information collected may include: full name, address, contact number or email address.
- (ii) Service NSW will take reasonable steps to ensure that the Personal or Health Information it collects on behalf of the Council is, relevant, accurate, up-to-date and complete.
- (iii) Service NSW will provide a privacy collection notice to customers whenever it collects their information.
- (iv) If Service NSW collects personal information for its own internal purposes, when exercising functions for the Council, it will ensure that the privacy collection notice meets the requirements of section 10 of the *PIPA Act* in light of section 15(3) of the *Service Act*.
- (v) The notice will address each of the matters that a privacy collection notice is, by law, required to address. Service NSW will develop the content of the notice in consultation with the Bogan Shire Council.

(d) Internal records maintained by Service NSW

- (i) Under the *Service Act*, Service NSW is permitted to collect, maintain and use the following records for its internal administrative purposes, including for the purposes of its interactions with customers for whom functions are exercised:
 - Details of transactions between customers and Service NSW
 - The preferences of customers for transacting matters with Service NSW and the Bogan Shire Council, and
 - Other information about customers.
- (ii) Service NSW collects, maintains and uses the following information for its internal administrative purposes:
 - Details of transactions between customers and Service NSW
 - The preferences of customers for transacting matters with Service NSW and the Bogan Shire Council, and

- Other information about customers.

(e) Use of information

- (i) Service NSW can use information in accordance with the *Service Act*, PPIP Act and HRIP Act.
- (ii) Service NSW uses Personal Information for the purposes of assisting customers in directing queries to Council, training and quality purposes.

(f) Disclosure

- (i) Service NSW can disclose information in accordance with the *Service Act*, PPIP Act and HRIP Act.
- (ii) Where Service NSW performs a transaction for a customer, when exercising functions for the Council, it will ask the customer for consent before sharing that information with a different agency,

(g) Retention

- (i). Personal Information collected via call recordings is stored in Genesys. The length of data retention will be directly related to the purpose for which it was collected and retained. Data is maintained for the minimum period required. Call recordings are available for 3 months and subsequently archived. **(h)**

(h) Data Security

- (i). Personal Information stored in Genesys follows a comprehensive User Access Matrix controlled by Government Technology Platforms Virtual Contact Centre Team. Role based access to the system is granted to users at the minimum level required to perform their duties and to protect against unauthorised access, use, modification or disclosure. Access vi SSO with dfsi.okta.com. The Genesys PureCloud environment is whitelisted and only users on the corporate network or VPN can access the platform. The User Access Matrix is reviewed monthly and a detailed review is conducted every 6 months. The User Access Matrix is a comprehensive document that shows details such as the time of last login, date the account was disabled, date of termination, date of extension, date of role review, name of the reviewer.

(i) Privacy Management plans

The parties agree to update and periodically review their privacy management plans or other relevant policy documents so that any person can ascertain whether Service NSW or the Council holds personal information relating to that person and if so, the nature of the information, the main purposes for which it is used and the person's entitlement to access the information, in relation to the services covered by this Agreement.

(j) Access to and amendment of Personal Information

- (i) Service NSW agrees that it will provide any individual who requests it with access to their own personal information without excessive delay and without any expense, in relation to information it holds as a result of exercising functions for the Council.

(k) Privacy Officer

The parties have nominated a Privacy Officer who is the point of contact for dealing with complaints, applications for internal reviews, data breaches, employee education and other privacy matters.

Privacy Officers can be contacted as follows:

Service NSW:

Privacy Officer

Service NSW

2-24 Rawson Place, Sydney NSW 2000

Phone: 13 77 88

Email: privacy@service.nsw.gov.au

Bogan Shire Council:

[Name of Council Privacy Officer]:

Schedule 4- Change Management

1. Change Management Process

Change is defined as any alteration to services, process, technology or product. Changes may be initiated by Service NSW or the Council. Where a change to the Services is requested by a party, set out below is the following process:

- 1.1. The party requesting the change will notify the other party's Relationship Manager as soon as possible;
- 1.2. The Relationship Managers will meet within 5 days to discuss the requested change;
- 1.3. The Relationship Managers will work collaboratively to conduct a high-level change assessment of the change, and agree and draft a Change Request, considering the following factors:
 - A. Current state and desired future state outcomes;
 - B. Impacts on customers and both parties informed by end-to-end customer journey;
 - C. Additional resource effort; potential cost and timing of implementation;
 - D. Implementation and testing requirements;
 - E. Legislation/policy that may be required;
 - F. Whether variation to the Partnership Agreement will be required; and
 - G. Continuous Improvement Principles
- 1.4. The parties will sign the Change Request, which will be incorporated into this Agreement.

Where a change relates to Service NSW's IT systems, the Council will notify Service NSW within a reasonable period to outline the proposed change and requested timeframes. Service NSW will consider the change and advise whether an increased cost to implement the change is required.

Service NSW will assess the results and implement corrective action to ensure sustainability of the change to the Services. Changes to the Services will be reported on in the monthly management meeting between Relationship Managers.

2. Change Request Template

This Change Request is created in accordance with the Partnership Agreement	
Date of Change Request	
Originator of Change Request	
Proposed Implementation Date	
Cost	<Cost>
Summary and scope:	
Service NSW responsibilities:	

Council responsibilities:
Change plan:
Change impact (Including the effect on service levels):
Assumptions and exclusions:
List of documents forming part of this change request:
Clauses affected by this change request:

Bogan Shire Council*
Budget Review
As at 30th September 2021

Appendix A

Outcome	Full Year Original Budget	2021/22 Carry Forwards	2021/22 Sep Recommended Changes	2021/22 Sep Projected Year End Result	YTD Actuals (Incl Oncosts/Commit)
Grand Total	4,431,944	27,434,022	133,644	31,999,610	8,165,286
Operating	2,066,773	540,271	-90,156	2,516,888	-921,711
Social	2,365,988	269,736	-39,240	2,596,484	468,905
Social & Cultural	120,246	18,022	0	138,268	38,650
Community Centres	1,049,230	0	13,600	1,062,830	107,323
Inclusive Communities	301,957	97,343	0	399,300	4,429
Education	1,800	0	0	1,800	0
Public Health	678,138	0	0	678,138	262,875
Emergency Services	214,617	154,371	-52,840	316,148	55,628
Infrastructure	1,624,711	140,271	154,640	1,919,622	1,764,134
Transport Networks	2,107,857	140,271	2,146	2,250,274	2,777,691
Plant System	-580,094	0	-10,006	-590,100	-225,358
Water	-69,925	0	162,500	92,575	-572,216
Sewer	166,873	0	0	166,873	-215,984
Environmental	2,009,895	128,264	-179,847	1,958,312	165,650
Built Environment	1,298,946	128,264	-179,847	1,247,363	677,684
Waste & Recycling	-90,184	0	0	-90,184	-677,508
Natural Environment	221,972	0	0	221,972	71,079
Health, Safety & Regulation	579,161	0	0	579,161	94,395
Economic	201,988	2,000	3,500	207,488	94,217
Local Industries and Business	56,464	0	2,500	58,964	53,315
Tourism	71,506	2,000	1,000	74,506	20,233
Public Transport and Air Services	74,018	0	0	74,018	20,668
Civic Leadership	-4,135,809	0	-29,209	-4,165,018	-3,288,879
Leadership, Advocacy & Governance	746,135	0	0	746,135	200,474
Managing Our Business	-4,891,944	0	-29,209	-4,921,153	-3,523,366
Disaster Management	10,000	0	0	10,000	34,014
Labour Overheads	0	0	0	0	-125,738
Labour Overheads System	0	0	0	0	-125,738
Capital	2,365,171	26,893,751	223,800	29,482,722	9,086,997
Social	119,446	1,479,214	6,800	1,605,460	-361,724
Social & Cultural	0	0	0	0	0
Community Centres	50,000	1,479,214	6,800	1,536,014	-255,172
Inclusive Communities	42,392	0	0	42,392	-119,981
Public Health	27,054	0	0	27,054	13,429
Infrastructure	1,908,817	21,347,217	0	23,256,034	9,055,619
Transport Networks	131,817	3,469,229	0	3,601,046	436,371
Plant System	1,048,000	0	0	1,048,000	381,247
Water	415,000	17,867,988	0	18,282,988	8,238,001
Sewer	314,000	10,000	0	324,000	0
Environmental	132,948	3,374,290	226,000	3,733,238	7,575
Built Environment	86,917	3,168,263	226,000	3,481,180	-15,828
Waste & Recycling	43,031	206,027	0	249,058	23,403
Natural Environment	3,000	0	0	3,000	0
Economic	50,000	646,261	-9,000	687,261	312,209
Local Industries and Business	24,000	227,008	-20,000	231,008	2,078
Tourism	26,000	399,287	6,000	431,287	300,838
Public Transport and Air Services	0	19,966	5,000	24,966	9,292
Civic Leadership	153,960	46,769	0	200,729	73,318
Leadership, Advocacy & Governance	0	0	0	0	0
Managing Our Business	93,960	46,769	0	140,729	73,318
Disaster Management	60,000	0	0	60,000	0

*Report Contains Filters

	September Budget Review Statement of Adjustments 2020/2021				APPENDIX B
	Favourable	Unfavourable	Neutral Transfers	Net	Notes
	OPERATING BUDGET	- 217,055	326,899	- 200,000	- 90,156
1 Social	- 52,840	13,600	-	- 39,240	
Revenue					
Expenditure					
Community Centres		13,600		13,600	Budget for additional contractor costs Swimming Pool - Water Slide
Emergency Services	- 52,840			- 52,840	Emergency Services Levy - Adjustment to budget
2 Infrastructure	- 10,006	164,646	-	- 154,640	
Revenue					
Transport Networks			- 18,037	-	Financial Assistance Grant
Transport Networks			- 2,000,000	-	TfNSW Flood Damage Grant
Transport Networks			- 39,156	-	TfNSW School Zone Infrastructure Program
Expenditure					
Transport Networks			2,000,000	-	TfNSW Flood Damage Expenditure
Transport Networks			39,156	-	TfNSW School Zone Infrastructure Program - Nyngan High School, Nyngan Public School, St Josephs Catholic School
Transport Networks			18,037	-	Nyngan Streets Sealed
Transport Networks		2,146		2,146	Additional Security at Engineering Depot
Transport Networks	- 10,006			- 10,006	Insurance - Plant
Water		162,500		162,500	25% of Estimated Costs for Water Treatment Plant Predesign Investigations
3 Environmental	-	20,153	- 200,000	- 179,847	
Revenue					
Council Owned Buildings			- 200,000	-	Sale of 8A & 8B Dandaloo St
Expenditure					
Council Owned Buildings		20,153		20,153	Insurance - Buildings
4 Economic	-	3,500	-	- 3,500	
Revenue					
Expenditure					
Local Industries and Business		2,500		2,500	Contribution to Regional for Housing Study
Tourism		1,000		1,000	Museum Consumables
5 Civic Leadership	- 154,209	125,000	-	- 29,209	
Revenue					
Managing Our Business	- 154,209			- 154,209	Financial Assistance Grant
Managing Our Business		125,000		125,000	Rates Income Adjustment for Mining Category
Expenditure					
Budget Review Adjustments					
	Favourable	Unfavourable	Neutral Transfers	Net	Description
CAPITAL BUDGET	- 1,169,900	1,193,700	200,000	223,800	
1 Social	-	6,800	-	6,800	
Revenue					
Expenditure					
Community Centres		6,800		6,800	Heaters Larkin Oval, Signage Jack Hargreaves Park
2 Infrastructure	- 1,149,900	1,149,900	-	-	
Revenue					
Transport Networks		150,000		150,000	TfNSW Block Repair Grant not funded
Transport Networks	- 999,900			- 999,900	Fixing Local Roads Rnd 3
Transport Networks					Grant Funds
Expenditure					
Repair Grant Expenditure	- 150,000			- 150,000	TfNSW Block Repair Grant not funded
Fixing Local Roads Grant Expenditure		999,900		999,900	Neeroc Rd \$99,900, Merryanbone Rd \$250,000, Paynes Rd \$200,000, Murrawombie Rd \$250,000, Warrah rd \$200,000
3 Environmental	-	26,000	200,000	226,000	
Revenue					
Expenditure					
Council Owned Buildings			200,000	-	Council Contribution - 70 Bogan St
Council Owned Buildings		20,000		20,000	Additional Coolabah Toilets funded from Coolabah Village Funds
Council Owned Buildings		6,000		6,000	Storage Container for Building Sites
4 Economic	- 20,000	11,000	-	- 9,000	
Revenue					
Expenditure					
Local Industries & Business	- 20,000			- 20,000	Funds Transferred from Coolabah Village to pay for additional toilet.
Tourism		6,000		6,000	Council share of upgrades to the Cairn site
Public Transport & Air Services		5,000		5,000	Civil works for Jet Gas Tank
5 Civic Leadership	-	-	-	-	
Revenue					
Expenditure					

Cash Position of Funds - 2021-2022 projected operating result

Appendix C

(Note: The cash position reflected takes into account cash transfers to and from Council's Reserves (Investments) to fund capital expenditure.)

	General Fund (Incorporating Waste and Plant) (Columns A+B+C)	September Recommended Changes	General Fund Total Budget after First Quarter Changes
1 General Fund			
Operating Income	19,305,626	2,300,491	21,606,117
Less: Operating Expenditure	21,275,451	2,047,835	23,323,286
	-	252,656	-
Add back depreciation	3,398,800		3,398,800
Cash from current year available to fund Capital	1,428,975	252,656	1,681,631
Add Capital Grants to fund Capital Projects	1,061,524	849,900	1,911,424
Add Sale of Capital Plant Items	286,000		286,000
Less Gross Capital Spending as per Draft Capital Budget	2,857,484	1,073,700	3,931,184
Less loan repayments used to fund capital projects	151,211		151,211
	-		-
	232,196		203,340
Transfer from loan funds	-	-	-
Transfer from unrestricted cash	439,290		439,290
Cash Balance	207,094	28,856	235,950
2 Sewer Fund	Sewer Fund	September Recommended Changes	Sewer Fund
Operating Income	547,439		547,439
Less: Operating Expenditure	714,312		714,312
	-		-
Add back depreciation	170,000		170,000
Cash from current year available to fund Capital	3,127		3,127
Gross Capital Spending as per Draft Capital Budget	314,000		314,000
Transfer In from Sewer Reserve	310,873		310,873
Cash Balance	-	-	-
3	Water Fund	September Recommended Changes	Water Fund
Operating Income	2,202,619		2,202,619
Less: Operating Expenditure	2,132,694	162,500	2,295,194
	69,925	-	92,575
Add back depreciation	540,000		540,000
Cash from current year available to fund Capital	609,925	162,500	447,425
Add Capital Grants to fund Capital Projects	-		-
Gross Capital Spending as per Draft Capital Budget	415,000		415,000
Cash Balance	194,925	162,500	32,425
4	Consolidated		Consolidated
Operating Income	22,055,684	2,300,491	24,356,175
Less: Operating Expenditure	24,122,457	2,210,335	26,332,792
	-	90,156	-
Add back depreciation	4,108,800	-	4,108,800
Cash from current year available to fund Capital	2,042,027	90,156	2,132,183
Add Capital Grants to fund Capital Projects	1,061,524	849,900	1,911,424
Add Sale of Plant	286,000	-	286,000
Gross Capital Spending as per Draft Capital Budget	3,586,484	1,073,700	4,660,184
Less loan repayments used to fund capital projects	151,211	-	151,211
Partial Use of 2018/19 Plant Fund Surplus	-	-	-
Transfer from Sewer Fund Reserve	310,873	-	310,873
Transfer from unrestricted cash	439,290	-	439,290
Cash Balance	402,019	133,644	268,375

	Description	Carryover from 2020/2021 (Operating Revenue)	Adopted New Items 2021/2022	First Quarter Budget Review 2021/2022	SOURCE OF FUNDING					Totals	
					Grants	Plant Fund	2021/22 General Fund Operating Revenue	2021/22 Sewer Fund Operating Revenue	2021/22 Water Fund Operating Revenue		Other
2.1 Transport Networks	Pangee Rd Resheet Rnd 1	191,216								191,216	
2.1 Transport Networks	Yarrandale Rd Repair & Reseal Rnd 1	453,154								453,154	
2.1 Transport Networks	Pangee Street - Resurfacing Rnd 2	974,783								974,783	
2.1 Transport Networks	Neeroc Rd - Rehab Rnd 3			99,900	999,900					99,900	
2.1 Transport Networks	Merryanbone Rd - Rehab Rnd 3			250,000						250,000	
2.1 Transport Networks	Paynes Rd - Rehab Rnd 3			200,000						200,000	
2.1 Transport Networks	Murrawombie Rd - Rehab Rnd 3			250,000						250,000	
2.1 Transport Networks	Warrah Rd - Rehab Rnd 3			200,000						200,000	
	Local Roads & Community Infrastructure									-	
2.1 Transport Networks	Bitumen Sealing 2Km Pangee Rd - LRCI Rnd 2	297,753								297,753	
2.1 Transport Networks	Repairs to Footpaths, Kerb & Gutter in Nyngan - LRCI Rnd 2	337,750								337,750	
	Own Works									-	
2.1 Transport Networks	Mulla Road - Construct & seal 0.95km to bend	140,000								140,000	
2.1 Transport Networks	Colane Road - Construct & seal 1.0km	150,000								150,000	
2.1 Transport Networks	Roads Closed Signs	12,500								12,500	
2.1 Transport Networks	Street Sign Renewal		30,000			30,000				30,000	
2.1 Transport Networks	Install walkways on levee for gate access		50,000			50,000				50,000	
2.1 Transport Networks	Install pathways on levee for recreational access		10,000			10,000				10,000	
4.2 Tourism	Extend Information Bays advertising sign frames		5,000			5,000				5,000	
2.1 Transport Networks	Wyes Road Box Culvert	13,500								13,500	
2.1 Transport Networks	Ground Tanks	22,984								22,984	
2.1 Transport Networks	Pipe Culvert Renewals Rural roads	80,000	20,000			20,000				100,000	
2.1 Transport Networks	Pangee Road Culverts (Plus R2R Funds 2021 \$80,000)	37,500	0							37,500	
2.1 Transport Networks	Bridge Repair Program	80,000	20,000			20,000				100,000	
2.1 Transport Networks	Footpath Repair Program	6,616	20,000			20,000				26,616	
2.1 Transport Networks	Kerb & Gutter Repair Program	12,097	20,000			20,000				32,097	
2.1 Transport Networks	Grid Removal - Rural Roads Grid Removal Subsidy (as per Policy)	3,750	0							3,750	
2.1 Transport Networks	Civil Works Tools		5,000			5,000				5,000	
2.1 Transport Networks	Nyngan Airport: (Resealing, Fuel Tank, Fencing) - R4R	19,966								19,966	
2.1 Transport Networks	Nyngan Airport: Civil Works for construction of Jet A1 Gas			5,000		5,000				5,000	
	PLANT FUND									-	
2.1 Transport Networks	Additions of Plant as per spreadsheet		1,359,000			1,359,000				1,359,000	
2.1 Transport Networks	Disposal of Plant as per spreadsheet		-286,000			-286,000				286,000	
	Capital portion of Loan Repayments		151,211			151,211				151,211	
	Subtotal - General Fund	8,902,259	2,722,695	1,073,700	1,911,424	1,073,000	611,971	0	0	200,000	12,698,654
	TOTAL - ALL FUNDS	26,780,247	3,451,695	1,073,700	1,911,424	1,073,000	611,971	314,000	415,000	200,000	31,305,642
	Available Funds		4,043,607		1911424	1,290,100	191,531	3,127	447,425	200,000	
	Cash Transferred in from Reserves						439,290				
	Excess of/ Shortfall in Capital Funding		591,912		0	217,100	18,850	310,873	32,425	0	

BOGAN SHIRE COUNCIL - DELIVERY PROGRAM PROGRESS REPORT 30th SEPTEMBER 2021

Key - Status

NS: Not Started

NP: Not Progressing

PWI: Progressing with Issues

C: Completed

Strategy 1.1.1

Continue to support and create opportunities for community festivals, events and cultural activities through planning, marketing, direct involvement and various forms of assistance.

	Activities 2021/22	Status	Action Comments	Council Lead
ii	Seek sponsorship and organise the Christmas Lights and Rural Mailbox Competitions	NS	Scheduled for November / December	Director People and Commur Services

Strategy 1.1.2

Support all local communities, heritage and cultural groups to reconnect to, preserve and share our Shire's heritage and social history, and continue to promote the attractions that contribute to the cultural and economic development of the Shire.

	Activities 2021/22	Status	Action Comments	Council Lead
iii	Promote annual events calendar via website and council column (e.g. WSPA End of Year Concert, ANZAC Day Events etc.)	PWI	Community Events on hold or severely restricted under COVID-19 Public Health Order and Lockdown	Director People and Commur Services
iv	Continue to promote the Nyngan Museum and Mid-State Shearing Shed Museum	PWI	Museum and Mid-State Shearing Shed have been closed to the public under COVID-19 Public Health Order.	Director People and Commur Services

Strategy 1.1.3

Identify, respect and preserve sites and items of historical significance.

	Activities 2021/22	Status	Action Comments	Council Lead
iii	Undertake a review of the Community Heritage Study	NP	Subject to funding	Director Development and Environmental Services

Strategy 1.1.4

Develop and support volunteer groups to carry out functions and projects for the benefit of the community and volunteers.

	Activities 2021/22	Status	Action Comments	Council Lead
ii	Support National Tree Day	C		Director Development and Environmental Services

Strategy 1.2.1

Provide and maintain Nyngan Pool facilities to cater for a variety of users.

	Activities 2021/22	Status	Action Comments	Council Lead
i	Undertake a review of the public pool facilities and maintain best practice standards	PWI	Policy, Procedure, Operational Guide and Management Agreement all reviewed nearing finalisation	Director Development and Environmental Services

Strategy 1.2.2

Maintain and improve our parks, gardens and playgrounds to promote their use and enjoyment by the whole community and our visitors.

	Activities 2021/22	Status	Action Comments	Council Lead
i	Investigate the establishment of a Community Street Tree Planting Program	NS	Subject to funding	Director Development and Environmental Services
ii	Consult with Nyngan Garden Club regularly to gather suggestions for garden improvements	NP	Subject to COVID-19 restrictions	Director Development and Environmental Services

Strategy 1.2.4

Provide well maintained community halls and other similar facilities for community use.

	Activities 2021/22	Status	Action Comments	Council Lead
i	Develop progressive M&R program for all Shire halls and community facilities capital works	NP	Subject to resources and funding	Director Development and Environmental Services
iii	Undertake a review of community halls and develop a plan of management with the view to support community activities	NP	Subject to resources and funding	Director Development and Environmental Services

Strategy 1.2.6

Support development of a youth centre that is maintained for recreational, educational and cultural activities.

	Activities 2021/22	Status	Action Comments	Council Lead
i	Work with schools and community organisations to identify needs, opportunities and funding options for a dedicated youth centre	C	Community Consultation took place in August 2019, Stronger Country Communities Funding Round 3 grant application successful. Addition grant frunding from Resources for Regions also successful.	Director People and Commur Services

Strategy 1.2.7

Provide and promote quality Library services.

	Activities 2021/22	Status	Action Comments	Council Lead
i	Provide and promote well maintained facilities and access to printed and online information and other resources.	PWI	Library activities impacted by COVID-19 Public Health Order - Library has been closed to the public.	Director People and Commur Services

Strategy 1.3.1

Provide childcare facilities, preschools, after hours care and playgroups that meet the needs of the whole community.

	Activities 2021/22	Status	Action Comments	Council Lead
i	Operate Bogan Shire Early Learning Centre	PWI	Covid-19 affected attendance and revenue - Federal Government Business Continuity Plan enacted for 4 weeks covering August/September.	Director People and Commur Services
ii	Continue to provide the Bush Mobile playgroup service.	PWI	COVID-19 Public Health Order - LGA Lockdowns across the region - affected attendance and revenue - Federal Government Business Continuity Plan enacted for 4 weeks covering August/September.	Director People and Commur Services

Strategy 1.3.2

Provide opportunities for young people to be actively engaged in the development, design and planning of educational and other programs, services and infrastructure in which they are a stakeholder or user group.				
	Activities 2021/22	Status	Action Comments	Council Lead
iv	Source funding for Youth Week activities and/or events including StormCo	NS	Youth Week cancelled due to COVID-19 Public Health Order	Director People and Commur Services
Strategy 1.3.5				
Identify and support a range of recreational, sporting and other opportunities for personal development, interaction and healthy lifestyle for seniors through education, support networks and facilities.				
	Activities 2021/22	Status	Action Comments	Council Lead
i	Work with community organisations to develop a program of workshops and/or events in Seniors Week, depending on funding.	C		Director People and Commur Services
ii	Sponsor and organise Senior Citizen of the Year Awards, Morning Tea and Concert in Seniors Week	C		Director People and Commur Services
Strategy 2.2.1				
Encouraged increased use of rail for transporting agricultural and mining products.				
	Activities 2021/22	Status	Action Comments	Council Lead
ii	Work with John Holland Rail, the RMS and NSW Police to ensure current standards of rail and crossing safety are maintained and promoted within the community	NP	The safety of the Hoskins Street level crossing remains a concern. Council has resolved to follow up before the next State election.	General Manager
Strategy 2.4.1				
Provide a financially viable and efficient sewerage system that meets best practice and has sufficient capacity for current and projected growth requirements.				
	Activities 2021/22	Status	Action Comments	Council Lead
ii	Monitor and review the development of a database of all sewerage management systems within the Local Government Area	NS	When resources permit	Director Development and Environmental Services
Strategy 2.4.2				
Ensure effective management of liquid trade waste.				
	Activities 2021/22	Status	Action Comments	Council Lead
Strategy 3.1.1				
Conduct periodic reviews of Council's planning instruments to ensure that land use planning supports the long term sustainability of our local communities and our economy.				
	Activities 2021/22	Status	Action Comments	Council Lead
i	Review of LEP 2011	NS	When resources permit	Director Development and Environmental Services
ii	Define and prioritise plans of management for public land	NS	When resources permit	Director Development and Environmental Services
iii	Endeavour to identify and purchase parcels of Crown Land that may be of value for development	NP	When resources permit	Director Development and Environmental Services
iv	Review DCP 2012, including provisions of heritage controls	NP	When resources permit	Director Development and Environmental Services
v	Establishment of Rural Residential Strategy	NP	When resources permit	Director Development and Environmental Services
Strategy 3.1.4				
Develop and implement flood management plans for all urban flood plain areas.				
	Activities 2021/22	Status	Action Comments	Council Lead
ii	Review requirements under LEP and DCP for Flood Management	NP	When resources permit	Director Development and Environmental Services
Strategy 3.2.1				
Provide efficient and cost effective kerbside collection of solid and recyclable waste.				
	Activities 2021/22	Status	Action Comments	Council Lead
ii	Review and monitor kerbside recycling service in order to reduce contamination rates	PWI	Development of Policy and Procedure in progress	Director Development and Environmental Services
Strategy 3.2.2				
Operate the Bogan Shire waste facilities to comply with standards and regulations, ensuring it is environmentally sound.				
	Activities 2021/22	Status	Action Comments	Council Lead
i	Implement and review Waste Facility Operations Management Plan	C		Director Development and Environmental Services
Strategy 3.3.2				
Protect and improve the amenity of the river corridor to enhance and increase utilisation for a range of recreational activities.				
	Activities 2021/22	Status	Action Comments	Council Lead
ii	Work with NetWaste to identify locations and programs to reduce waste along the river corridor	NC	No current NetWaste program	Director Development and Environmental Services
Strategy 3.3.5				
Protect, preserve and enhance Bogan Shire's natural environments, waterways, flora and fauna through responsible development and management.				
	Activities 2021/22	Status	Action Comments	Council Lead
i	Review DA Consent Conditions: Environmental Protection - Monitor LEP and DCP provisions for Environmental Protection	NC	Residential completed. Commercial in progress.	Director Development and Environmental Services
Strategy 4.1.1				
Support and promote our local business and industry, to identify gaps and develop initiatives for sustainable economic growth and local employment opportunities.				
	Activities 2021/22	Status	Action Comments	Council Lead

iv	Implement the Economic Development Plan for Bogan Shire	NS	Grant applications continued to be a focal point for Council in Q1, which relate directly to economic development.	Director People and Commur Services
Strategy 4.2.1				
Develop and implement a tourism strategy which includes the identification of potential opportunities for growth and new tourism products through consultation with stakeholders.				
	Activities 2021/22	Status	Action Comments	Council Lead
ii	Provide and maintain a quality Visitor Information Centre which encourages and supports growth across many sectors of the local economy.	PWI	VIC has been closed to the public under COVID-19 Public Health Order and lockdown. COVID-19 affecting operations - when permitted, now open Monday to Friday with limited hours - no volunteers, only paid staff to operate	Director People and Commur Services
iii	Continue to update, produce and distribute the Official Tourist Guide to local businesses and VICs in neighbouring shires	PWI	Statewide COVID-19 Public Health Orders and lockdowns restricting movement and travel have impacted tourism to the region and therefore the need to distribute guides	Director People and Commur Services
iv	Continue to advertise Nyngan and Bogan Shire in print media, on appropriate websites and via relevant social media platforms.	PWI	COVID-19 Public Health Order and lockdown negated the need for advertising Nyngan and Bogan Shire during Q1 - this will be reviewed in Qs2-4	Director People and Commur Services
Strategy 5.1.2				
Provide accountability to the community by regularly reporting on Council activities through the publication of statutory reports, business papers, meeting minutes and general information.				
	Activities 2021/22	Status	Action Comments	Council Lead
iv	Complete statutory financial accounts	C	Accounts signed off by Auditor 24/9/2021	Director of Finance and Corpo Services
Strategy 5.1.4				
Maintain effective partnerships through regional and industry bodies to collaborate on matters of mutual interest and lobby collectively on behalf of the community.				
	Activities 2021/22	Status	Action Comments	Council Lead
i	Maintain regional partnerships including OROC, LMWUA	PWI	It has not been possible to launch new regional council body to replace OROC / Orana JO due to effects of COVID-19 Delta Outbreak.	General Manager
Strategy 5.2.4				
Manage Council's operations effectively and on business-like principles to maximise service delivery for the community.				
	Activities 2021/22	Status	Action Comments	Council Lead
vii	Manage Council's ICT resources including disaster recovery to support our business	PWI	Council is identifying ways to improve ICT with limited resources	Director of Finance and Corpo Services

POLICY FIN003

Corporate Credit Card Policy



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1. Policy Outcomes Statement

This policy will assist Council to establish effective internal controls around the use and management of credit cards by Bogan Shire Council and minimise the risk associated with the use of Credit Cards and Fuel cards by employees and elected members of Council.

2. Overview

This Policy will set out the responsibilities of the General Manager who is ultimately responsible for the proper management and administration of credit cards within Council. This Policy will also ensure Cardholders understand and are accountable for the responsible use of credit cards issued by Council.

3. Applicability

This Policy applies to the General Manager, elected members of Council and all cardholders at Bogan Shire Council.

4. Principles

The Local Government Act 1993 (LG Act) (section 8B) and the Local Government (General) Regulation 2021 (clause 209) require all councils to establish effective internal control mechanisms for financial management, expenditure and accounting records.

Under Section 23A of the LG Act new Guidelines have been established in September 2021 on the use and management of credit cards.

The use and management of credit cards by Council is an important element of Councils operations and internal controls and is required to be included in Councils risk management framework.

5. Policy

1. The General Manager has established and will implement the following in relation to Credit Card and Fuel Card management and administration at Bogan Shire Council;

1.1 The General Manager will ensure all cardholders have the appropriate financial and operational delegations to incur expenditure on behalf of Council;

At Bogan Shire Council Credit Cards will be limited to the General Manager, Director of Finance & Corporate Services, Business Services Officer – Finance & Corporate Services, Executive Assistant - General Managers Office and the Administration Officer – Engineering. Fuel cards can be held by

Bogan Shire Council Policy FIN003 – Corporate Credit Card Policy

any person with a Full Private Leaseback Arrangement with Council and an administration card will be held by the Administration Officer – Engineering for use when approved.

- 1.2 A register will be kept and held on Councils Record Management System of all cardholders and their limits.
- 1.3 A credit card issue form found at Attachment A should be completed by each card holder and kept in Council's Record Management System.
- 1.4 Credit cards or Fuel cards are not permitted to be used by any person other than the card holder with the exception of the administration fuel card.
- 1.5 The General Manager will set appropriate card limits for each cardholder and will state that no cash withdrawals will be allowed on any card issued by Bogan Shire Council.

At Bogan Shire Council the card limit for the General Manager and Director Finance and Corporate Services is set at \$10,000 each. The card limit for the Business Services Officer, Executive Assistant (General Managers Office and the Administration Officer – Engineering is set at \$5,000 each. The overall Facility Limit is \$60,000.

- 1.6 The General Manager will ensure that Council does not exceed its total borrowing limit or budget limit by issuing the credit card to any cardholder.
- 1.7 All cardholders will ensure that anything purchased on their cards has a budget and that it does not exceed their individual card limit.
- 1.8 The Credit Card should only be used for authorised Council business and purchases and can include reasonable travel, accommodation and meal/refreshment expenses or for meeting Council liabilities where it is efficient to do so.
- 1.9 All credit card purchases must be done by either the General Manager, Director Finance and Corporate Services, Business Services Officer - Finance & Corporate Services, Executive Assistant - General Managers Office or the Administration Officer – Engineering. If you wish to make a purchase via the credit card you need to ensure you have an authorised requisition in line with Councils procurement policy and a copy of an invoice or a quote for what you are purchasing prior to requesting a purchase by credit card. If you are away from the office when undertaking your purchase this should be completed immediately on return.
- 1.10 All expenditure incurred on corporate credit cards shall be reviewed and authorised monthly by the General Manager and Director Finance and Corporate Services.
- 1.11 Expenditure paid for using corporate credit cards shall be incurred in the exercise of Council business and must be legitimate Council expenditure,

Bogan Shire Council Policy FIN003 – Corporate Credit Card Policy

supported by appropriate documentation and authorised as per Councils purchasing policy, for which a budget provision exists. If this has not occurred it may result in the expenditure having to be repaid to Council.

- 1.12 The General Manager, Director of Finance and Corporate Services, Business Services Officer – Finance & Corporate Services, Executive Assistant - General Managers Office and the Administration Officer – Engineering will ensure that no personal expenses are charged to the Council credit card. In emergency circumstances only, if private expenditure is incurred, private funds should be transferred or repaid immediately, to offset the expenditure.
- 1.13 Once a purchase is made via the credit card, the authorised requisition, with a ledger account or work order number and the paid invoice should be given to the Assistant Finance Officer who will reconcile the Credit Card statement when payment is due.
- 1.14 Transactions by phone shall be allowed however authorisation by way of a requisition should be completed prior to the transaction taking place and a receipt and tax invoice must be sought and provided to the Assistant Finance Officer as soon as the transaction is made.
- 1.15 Internet transactions shall be allowed however authorisation by way of a requisition should be completed prior to the transaction taking place and a receipt and tax invoice must be sought and provided to the Assistant Finance Officer as soon as the transaction is made.
- 1.16 Purchases shall not be split into separate transactions above the holder's delegated limit outlined in Council's delegation of authority in order to carry out a purchase.
- 1.17 Once you have purchased fuel via your fuel card the receipt should be given to the Assistant Finance Officer with the purpose of the journey and the plant or ledger number to cost the transaction to for reconciliation when the account is paid.
- 1.18 All fuel purchases must only be for the use of fuel as referenced in your Full Private Leaseback Agreement with Council at Section 5 Fuel. If fuel is purchased on the spare card held by the Administration Officer – Engineering it must be approved and the card signed out and back in.
- 1.19 All credit cardholders will keep their credit cards safe and secure at all times. If the card is lost or stolen they should immediately report this to the Business Services Officer who will report it to the Card Issuer or online at NAB Connect.
- 1.20 All holders of fuel cards will keep their cards safe and secure at all times. If the card is lost or stolen they should immediately report this to the Engineering Administration Officer.
- 1.21 A direct debit will be established with the Bank to auto pay the monthly outstanding amount to ensure no interest or late payment fees are incurred.

1.22 The General Manager will undertake an Annual Risk Assessment as part of Councils Risk Management Framework to ensure identified risk treatments remain adequate to ensure the safe and secure use of cards at Bogan Shire Council.

1.23 Breaches of this Policy and Procedure will be investigated as potential breaches of Council's Procurement Policy, relevant Code of Conduct, this Policy and Procedure and/or industrial arrangements and actions taken according to outcomes from an investigation.

6. Attachments

Attachment A – Credit Card Issue Form

7. Authority

Council Resolution no. _____ dated _____ .

8. Policy Owner / Further Assistance

Director Finance and Corporate Services

9. Related Information

- Office of Local Government – Guideline on the use and management of credit cards – September 2021
- FIN004 Procurement Policy

10. Review Date

- October 2024

11. Revision History

Date	Description of Change	Sections Affected
15/12/2011	Policy adopted	All
27/02/2014	Policy adopted	All
23/02/2017	Policy adopted	All
26/11/2020	Policy adopted	All
28/10/2021	Revised Policy to meet new guidelines	All

Attachment A – Credit Card Issue Form

Name: _____

Position: _____

Credit Card Number: _____

Date Issued: _____

Credit Limit Issued: _____

I hereby have read and understood Council's Policy and Procedure FIN003 Credit Card Policy and Procedure and shall abide by this document when expending Council funds on the issued credit card.

I acknowledge that failure to abide by Council's Credit Card Policy and Procedure may result in investigation and potential disciplinary action.

Signed: _____

Title: _____

Name: _____

Date: ____/____/____

Signed: _____

Title: General Manager

Name: Derek Francis