

3. GOVERNANCE

3.1 Office Bearers Roles and Responsibilities

3.1.1 Chairperson Responsibilities

Every Committee of Management must have an appointed member as Chairperson. The key responsibility of a Chairperson is facilitating the operations of the Committee.

The Chairperson is the leader of the formal meeting, and as such is responsible for maintaining order, conduct of business, ensuring that procedures adopted are correct and for the tone of the meetings.

The duties of the Chairperson include (but are not limited too):

- Providing coordination, guidance and leadership to ensure the successful functioning of the Committee;
- Representing the Committee in the public domain; and
- Ensuring the administrative and other tasks from meetings are carried out.

Specifically during meetings the Chairperson is responsible for ensuring:

- The agenda is followed;
- Meetings are correctly convened;
- Motions and amendments are unambiguous and otherwise in order;
- All members are given the opportunity to speak;
- A quorum is present for all decisions; and
- Maintaining order.

If the Chairperson is absent from a meeting, the Vice Chairperson will convene the meeting. If the Committee does not have a Vice Chairperson, the Committee may temporarily appoint another of its members as the substitute Chairperson.

The Chairperson may vote on any motion considered by the meeting and in the event of a tied vote, the Chairperson may exercise a second or casting vote.

3.1.2 Vice Chairperson Responsibilities

The Vice Chairpersons role shadows that of the Chairperson. The Vice Chairperson should be able to stand in for the Chairperson at short notice.

3.1.3 Secretary Responsibilities

The key responsibility of a Secretary is the administration of the Committee.

The duties of the Secretary include:

- Taking and recording minutes of all meetings;
- Maintaining all records and correspondence;
- Receiving all incoming correspondence and bringing it to the attention of the Committee;
- Writing and dispatching all outwards correspondence required by the Committee;
- Working with the Chairperson to arrange the Annual General Meeting;
- Keeping Committee members properly informed by sending them notices of meetings, agendas and copies of correspondence, reports, etc. as required; and
- Liaising with the Chairperson between meetings so that the business of the Committee is attended to and, when necessary, to call extraordinary meetings.

3.1.4 Treasurer Responsibilities

The Treasurer is responsible for keeping the Committees financial records in good order.

The Treasurer's duties include:

- Maintaining a bank account in the name of the Committee;*
- Recording and banking money received;
- Paying accounts as authorised by the Committee;
- Keeping all invoices, receipts, cheque butts, bank statements etc. for audit purposes;
- Reporting at each Committee meeting current details on bank balances, transactions since the previous report, the Committee's current financial position and any other information that the Committee may require; and
- Preparing an annual financial report (based on financial year e.g. (1/07/2008 - 30/06/2009).

* Signatories to the account should be the Chairperson, the Secretary and the Treasurer, with any two to sign.

3.1.5 Committee Members (Who are not Office Bearers)

Non-office bearing members' duties include:

- Actively participating in Committee activities and business;
- Managing the facility, including preparation and implementation of management plans, financial plans and business plans, and subsequent reporting against those plans;
- Attending all Committee meetings, and participating in decision making; and
- Bringing to the Committees attention any problems or issues.

3.1.6 Seeking Specialist Skills

Committees of Management may find it useful to appoint someone who is not a Committee member, but has relevant skills, to undertake particular tasks such as bookkeeping and secretarial work. In some cases this will be a volunteer, in other cases the Committee may engage a local accountant or bank manager, for instance, on a retainer or honorarium to keep the accounts.

3.2 Meeting Procedures in Detail

Each Committee is free to decide meeting times, schedules and styles. The aim is to meet as often as is necessary for good management of the facility. For a big facility or a facility that has seasonal fluctuations, fortnightly or monthly meetings may be necessary. For small facilities, meetings might be bi-monthly, quarterly or even half yearly.

The business that a Committee deals with at a regular meeting will be largely determined by its level of activity. The basics that need to be covered include reports from the:

- Chairperson;
- Treasurer;
- Secretary, with a list of inwards and outwards correspondence; and
- Progress reports on any works being done should also be presented.

A Committee can decide its meeting schedule at the start of each year, or determine at the end of each meeting when and where the next one will be held. A good way to remind Committee members about an upcoming meeting is to circulate the minutes of the last meeting, plus agenda and any other papers, at least seven clear days prior to the meeting.

The Committee is representing the community in the management of public land and therefore, meetings should be open to the public. Visitors can take part in discussions only at the invitation of the Chairperson, and cannot propose motions or vote. The Committee is allowed to exclude visitors from confidential issues. Such items can be grouped together for 'in camera' (private) discussion before or after all other business has been covered.

The following provides greater detail on meeting procedures to assist Committees. However, it is the specific Committee of Management that decides its own meeting procedures.

3.2.1 Notice of the Meeting

A notice of meeting, typically incorporated with the agenda, is circulated to Committee members at least two days, and preferably a week before the meeting.

Reasonable notice of meetings should also be provided to the public. This may be by publishing annually a schedule of meetings, or publishing a notice of meeting just prior to each meeting.

3.2.2 Agenda

Prior to any meeting an agenda is prepared. The agenda is a short document that sets out the business to be dealt with at the meeting. Refer to Form 3 - Ordinary Meeting Agenda – Sample.

Usually the Secretary, in consultation with the Chairperson, prepares the agenda, but all Committee members can nominate items of business to be included on the meeting agenda.

A typical agenda includes some or all of the following:

- Details of time and place of meeting (Notice of Meeting);
- List of all members, and any non members invited to attend;
- Apologies;
- Minutes of the previous meeting;
- Conflict / Conflict of Interest;
- Correspondence inwards;
- Correspondence outwards;
- Reports;
- Secretary's report;
- Treasurer's report;
- Manager / caretaker's report; and
- General business.



When circulating the agenda, the minutes of the previous meeting and any reports to be considered at the meeting are usually attached.

At the start of the meeting the Chairperson usually asks:

- If there are other 'special' items of business that any member wishes to be added to the agenda;
- If any member wishes to change the order of the agenda; and
- Are there any conflicts of interest to declare?

The addition of new items at the meeting is generally acceptable, but if those items are contentious and/or some members are absent from the meeting, the meeting may decide to refer such items to a subsequent meeting of the Committee.

3.2.3 Quorum

As per the Instrument of Delegation, the quorum at any Committee meeting shall be a majority of the members of the Committee. No business shall be conducted by the Committee unless a quorum exists.

If a quorum has not been obtained within thirty minutes of the agreed starting time, the Chairperson will decide to:

- Postpone the meeting, or
- Conduct the scheduled business of the Committee, but refer all decisions and motions to a subsequent meeting, when a quorum is present, for reconsideration and/or ratification.

If, at any time during the meeting a quorum of members cannot be maintained, the Chairperson will decide to:

- Close the meeting and refer any unfinished business to a subsequent meeting, or
- Continue to conduct the scheduled business of the Committee, but refer all decisions and motions made with no quorum present to a subsequent meeting when a quorum of members is present for reconsideration and/or ratification.

3.2.3 Conflict of Interest

3.2.3.1 What is a Conflict of Interest?

A 'conflict of interest' is when a person has to make a decision on an issue in which they have, or are perceived to have, a personal interest or benefit in a specific outcome.

At the Golden Plains Shire, Council understands that every effort should be made to ensure that private interests do not, or could not be perceived, to impact on our public duties. Council will meet its requirements under the Local Government Act 1989 (Section 79).

The conflicts can often be based around financial matters (pecuniary interest) such as contracts or the terms and conditions of a rental or tenure arrangement. For example, a local builder on a Committee of Management would have a pecuniary interest in any building contracts let by the Committee for which he or she had tendered.

A conflict could be interest based; for example, a Committee member who is a member of the local football club would have a conflict of interest in a decision to lease part of the Reserve to the football club.

A simple way to manage this problem is to disqualify the affected Committee members from discussion and voting on issues where they have a conflict of interest. Often, people will leave the room once they have declared their conflict. However, this is not always practical, particularly since it could mean that the Committee no longer has a majority of voting members present (a quorum).

The key factors in dealing with conflicts of interest are to:

- Acknowledge that they exist; and
- Be open and transparent in managing them both within and outside the Committee.

3.2.3.2 Keeping Conflict of Interest Records

Keeping public records is crucial for a Committee being regarded as open and transparent in managing conflicts of interest.

The Committee minutes' must record how conflicts of interest were handled. For example, a Committee member who is a builder declares he/she has a conflict of interest with the next agenda item, a building contract to be discussed. The minutes must record:

- What the conflict was;
- If the Committee member left the room (at what time he/she left/returned and at what stage of the discussion); and
- The result of the discussion and the decision made.

Private interests should not be confused with specialist knowledge, which is not a conflict of interest. For example, a member who is a builder, but who is not tendering for a job, would have useful specialist knowledge.

3.2.3.3 Working through a Conflict of Interest

Generally, a Committee member with a conflict of interest will not take part in discussion or voting on that particular issue. However, to maintain a quorum the member(s) may have to take part.

The following should be recorded when members with declared conflicts of interest must take part in the discussion and decision making:

- The decision in the minutes.
- Which members have a conflict and what they are?
- How each member voted?
- Why the Committee believes it has made the most appropriate decision?

3.2.4 Voting

One method for voting is a show of hands. The Chairperson calls first for those in favour of a motion and then for those opposed to a motion, and then declares the result to the meeting. For example:

- The Chairperson says: "All in favour." (Counts nine raised hands) "All against." (Counts no raised hands) "The motion is carried."
- The Chairperson says: "All in favour." (Counts three raised hands) "All against." (Counts six raised hands) "The motion is denied."
- In the event of a tied vote the Chairperson may exercise a casting vote.

3.2.5 Addressing the Meeting

All Committee members addressing the meeting must direct their remarks through the Chairperson. A Committee member addressing the meeting shall not be interrupted by any other member, except that the Chairperson has the right to provide any direction to the member regarding the conduct of that address (appropriate language, length of time taken, etc).

3.2.6 Making Decisions / Motions

Decision making is one of the most important and consistent functions of a Committee of Management.

The reason Committees are seen as an effective way to manage organisations is because the wisdom of a group is considered generally superior to the wisdom of an individual. Hopefully, the sharing of the responsibility, the consideration of issues from many points of view, and the sharing of control will result in fewer negative outcomes for the Committee.

Each decision of the Committee should be made by a formal vote, even if everyone agrees, and recorded in the minutes.

Decisions are made by passing motions. Any Committee member may move a motion and the Chairperson accepts the motion for consideration. This could be as simple as:

- “I move that the treasurer’s report be accepted,” Bill Smith moves.
- “I second that motion,” says Mary Black.
- The Chairperson says: “All in favour.” (Counts six raised hands) “All against.” (Counts no raised hands) “The motion is carried.”

The minutes will record the wording of the motion, who moved it, who seconded it, whether it was carried or denied, and usually the voting margin (5-4, etc.).

Committees may have to make decisions that are more complicated and contentious arising from their discussions relating to dealing with a project or managing their facility. In such cases, it may be useful for the motion to be written down and read out or circulated prior to voting, so that everyone is clear about what is being decided.

The decision making process has the following stages:

- Analyse the situation, issue or opportunity;
- Define and agree upon the situation, issue or opportunity;
- Examine the alternatives;
- Explore implications, including financial implications if appropriate; and
- Seek Council advice (in necessary).

3.2.7 Public Participation

All Committee meetings are open to the public.

The form of public participation at any Committee meeting is at the discretion of the Committee, and may vary from allowing the public to witness the Committee’s proceedings to actively encouraging input into the discussion of items of general business.

Suggestions on managing public participation include:

- Allowing question time at the start of any meeting;
- Accepting questions in writing for consideration either at the start of the meeting or as part of general business; and
- Encouraging deputations and petitions.

A Committee that regularly attracts public interest may develop and circulate publicly some rules on how members of the public are expected to conduct themselves in Committee meetings. These rules can detail any limits on participation such as two questions per person, giving the Chairperson the right to eject any person disrupting the meeting, time allowed to speak etc.

Members of the public cannot vote on any matter before the Committee.

3.2.8 Minutes

Minutes are a formal, written record of a meeting and must be kept for all meetings of the Committee. They should record decisions, rather than who said what. At a minimum, the minutes should record:

- The time the meeting started and finished;
- The place of the meeting;
- The names of the Committee members present;
- Record of apologies;
- The time of any arrivals and departures of members during the meeting;
- A list of all items of business considered;
- The exact wording of any motions moved, including the name of the mover and seconder, and the mover and seconder of any amendments to the motion;
- A record of any or all of the members who supported or opposed the motion if requested by any member;
- The results of consideration of any motions - carried, lost, withdrawn, lapsed, amended;
- Details of any questions taken on notice;
- Details of any deputations made to the Committee, or any guest speakers;
- Disclosure of any pecuniary interest or conflict of interest of any member; and
- The minutes should enable a Committee member, not present at the meeting, to be accurately informed of all actions and decisions arising.

Every page of the minutes should be numbered, and bear the date of the meeting.

Minutes are a permanent record of the Committees decisions and proceedings. The Secretary should keep a minute book that will be passed on to the incoming Secretary at the end of the Committees term. In the longer term, the minute book must be stored and archived in accordance with the Public Records Act. Refer to Section 2.2, for further Public Records Act information).

The minutes of a meeting should be endorsed by the following meeting as being a true and accurate record. The motion endorsing the minutes of a previous meeting should only be moved and seconded by members who actually attended.

Upon ratification of the previous meeting's minutes, the Chairperson should sign the minutes. Once endorsed by the signing of the Chairperson, they must never be altered.

3.2.9 Attending Meetings

Committee members are expected to attend all meetings, but illness, family crisis or other good reasons may result in absences. The Chair, Secretary or other office bearers should be contacted to tender apologies, which will be recorded in the minutes. It is important that apologies are tendered and accepted by the Committee. Any member's position on a Committee can become vacant if they are absent from three (3) consecutive meetings without approval, subject to the Committees discretion.

3.2.10 Dealing with Complaints

3.2.10.1 Dealing with Public Complaints

At some stage a Committee may receive a complaint from a member of the public about something it did or did not do. Most of these complaints will be resolved fairly easily and to the satisfaction of all parties. Remember that any complaint, decision, action of the Committee in response, and whether the person was satisfied with the outcome, should be recorded.

For problems that prove tougher to resolve, the Committee should contact the Golden Plains Shire for advice.

Committees need to be aware that sometimes members of the public may take their concerns to the Golden Plains Shire or their local Councillor if they feel that a Committee has not dealt with them adequately.

3.2.10.2 Code of Conduct

The Code of Conduct is a legislative requirement under the Local Government Act 1989. Breach of the Code is an offence under the Act. While noting this, Golden Plains Shire Council uses the Code primarily as a guide for good governance.

Resolving Internal Disputes Between Members of Section 86 Committees

Golden Plains Shire Council recognises that Councillors, Council Officers and Committees will have differences of opinion. It expects that Councillors, Council Officers and Committee members will respect the opinions of others and that good and honest communication will help move the Council, the Committee and the community forward.

If a Committee of Management cannot resolve a dispute and/or are dissatisfied with a Committee member or a Council representative, the Committee/member may discuss their concerns with the Manager, Community Development. If after these discussions the Committee of Management/member

is still dissatisfied with that outcome, the Committee/member can write to the Chief Executive Officer of the Golden Plains Shire Council.

3.2.11 Dealing with Resignations

There are two common types of resignations:

- A resignation of an office bearer who will remain on the Committee; and
- A resignation of a member who will leave the Committee.

Members who decide to resign and leave the Committee should aim to give reasonable notice so that a new member can be recruited, if necessary.

When the Chairperson resigns, the following applies:

- The resigning Chairperson needs to submit their resignation in writing to the Committee. The Committee then elects an interim Chairperson, and submits the original resignation letter and a recommendation for a new Chairperson to the Golden Plains Shire. The recommended Chairperson will not officially become Chairperson of the Committee until the Golden Plains Shire has passed a resolution appointing the nominated candidate.

To resign from any other office bearer position, but not from the Committee:

- Written resignations must be submitted. The Committee must accept and record the resignation in the minutes and then elect another member to fill that position.

In all cases, a resigning member must hand over all Committee records to the Committee of Management. The Chairperson or Secretary of the Committee must notify Council in writing the names of resigning members.

3.2.12 Filling a Casual Vacancy

A casual vacancy on a Committee should be filled if:

- There is more than 4 months of the Committees term remaining;
- The Committee can no longer function or perform its duties, e.g. the Committee has less than three people or a quorum no longer exists;
- The Committee wishes to fill the vacancy; or
- The candidate who fills the vacancy is appointed only for the remaining period of the original member's term.

Vacancies are often filled in the same way as the original appointment was made. For example, if the Committee was appointed using the expression of interest process, this process would be used to fill a vacancy.

Alternatively, the Committee may decide to hold a public election process. The Chairperson or Secretary of the Committee must notify Council in writing the names of new members. This is to ensure that they are covered by Council's Public Liability Insurance.

3.2.13 Removing a Committee Member

The Golden Plains Shire can remove a member from a Committee of Management at any time but this power is rarely used. Further details can be found in the Instrument of Delegation.

Committee positions can become vacant for any of these reasons:

- Absence from three consecutive meetings without the Committee's approval;
- Bankruptcy;
- Conviction for a serious offence; or
- The Committee member becomes incapable of performing Committee duties (for example, chronic illness).

3.2.14 Removal due to 'Non-Performance'

It is a difficult and subjective judgment that a fellow Committee member is 'not performing' e.g. not carrying out their Committee duties satisfactorily.

If this issue arises, the first step should be for the Chairperson or the Committee to discuss the matter with the member concerned. Often this will resolve the issue, with either the member accepting that more is required of him/her or the member resigning.

If the poor performance continues and the member is reluctant to resign, then other Committee should contact the Golden Plains Shires, Community Recreation Officer for advice.

3.2.15 Reappointing a Committee

Committees will run for a one-year term (unless otherwise agreed in writing from Council), with all positions up for reappointment/re-election at its expiration.

3.2.16 Handing over to a New Committee

A (certificate of appointment) will detail the responsibilities in handing over to the incoming Committee.

The outgoing Treasurer should:

- Balance the books and have them audited;
- Provide copies of any business plans and financial reports prepared over the Committees term;
- Advise the incoming Committee of any committed funds;
- Organise the changeover of bank account signatory details;
- Advise the Australian Taxation Office of the incoming Committees contact details;
- Advise service providers (e.g. gas, electricity and water) of the incoming Committees contact details; and
- Hand over the books to the incoming Committee.

The outgoing Secretary should:

- Hand over all correspondence, including minute books and all copies of these guidelines;
- Provide copies of all management plans or statements, and corresponding performance reports, prepared by the Committee over its term;
- Provide all details to the incoming Committee of any contracts (e.g. leases, licenses or any other contracts for services); and
- Hand over employment details and staff contracts.



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The outgoing Chairperson should:

- Ensure that the handover is completed in a timely and professional manner, and that the incoming Committee is adequately briefed.

The incoming Committee members must familiarise themselves with:

- Their responsibilities, both as a Committee and as individual Committee members by reading these guidelines;
- The particulars of the facility they have been appointed to manage including, if necessary, reviewing and updating the management plan or management statement; and
- New Committee members are not formally appointed until approved by the Golden Plains Shires Chief Executive Officer, and cannot conduct Committee business until approved.

3.2.17 Early Termination of a Committee's Term

There are some circumstances under which a Committee may wish to, or be forced to, relinquish its management responsibility before its term ends. Also, the Golden Plains Shire may revoke a Committees appointment at any time and either assume direct responsibility for the facility management or appoint a new Committee.

A Committee may resign because of the inability of its members to work together, or perhaps because its duties have become unnecessary (e.g. a public hall in a remote area that is no longer in demand). If the resignation is not related to the need or use of the facility, the Golden Plains Shire will appoint a new Committee. The resigning Committee should undertake a handover procedure.

If the Golden Plains Shire agrees that there is no longer a need for a Committee of Management, the outgoing Committee will need to wind up its affairs before disbanding, as detailed in the Instrument of Delegation. When this has been completed to the satisfaction of the Golden Plains Shire, the Shire will resume direct responsibility for the facility and all its assets, including decisions on the disposal of any assets, the revocation or change of purpose of the reservation, the dissolution of the incorporation, and the future use of the facility, as outlined on the previous page.

3.3 The Annual General Meeting (AGM)

The AGM is a Public Meeting where the Committee shall:

- Receive the Annual Report;
- Receive a report on the programme of activities for the coming year;
- Receive the audited Annual Financial Statement;
- Receive the minutes of the previous AGM;
- Receive the Chairperson's Report of the Committee's activities of the past 12 months; and
- Receive the Treasurer's Report of the past 12 months;

The AGM should be advertised in advance in local newspapers at least 14 days prior to the meeting. The Chairperson or Secretary of the Committee must notify the Golden Plains Shires Community Recreation Officer at least 21 days prior to the proposed meeting date to arrange an advertisement.

Committee members should receive the agenda, reports, and minutes from the last AGM at least one week before the meeting.

Attendees can ask questions of the Committee (only in the time set aside in the meeting to do so), but it is not a forum for taking motions from the floor or voting on proposals. These actions can only be undertaken by Committee members and any such business should be held over to the next regular meeting.

Refer to Form 4: Advertisement AGM - Sample

Refer to Form 5: Agenda AGM - Sample

Refer to Form 8: Nomination Form AGM - Sample

3.3.1 Eligibility as a Candidate

The criteria for people to vote in, or nominate for, election is that they be adult (e.g. over 18 years of age) and within the "community of interest".

The "community of interest" is not restricted in the geographical sense but may include all people with a demonstrated, genuine interest in the facility. For example, candidates could include weekenders, holidaymakers or non-local interest groups that regularly use the facility (e.g. An Equestrian Centre used by riders from outside the area).

Any queries prior to the meeting as to whether a person qualifies as a candidate will be adjudicated by the Golden Plains Shire. A person who seeks nomination and has a pecuniary interest in the facility, must state the nature of that interest to the meeting before the ballot is taken.

A candidate who cannot attend the meeting may submit a nomination for membership in advance. This must be in writing to the Committee, with a copy to the Secretary. It will then be included in the ballot (proxy votes and postal votes are not allowed).

Nominees to the Committee of Management are required to meet suitable standards for office. Nominees must meet the following criteria:

- Are not insolvent (unable to pay debts as they become due and payable);
- Have not been convicted of any indictable offence (a serious crime that is tried by a judge);
- Have not been convicted of fraud (convicted by a court of obtaining of material advantage by unfair or wrongful means or an intentional dishonest act done with the purpose of deceiving);
- Have not been disqualified from acting as a director or acting in the management of a company;
- Have not committed any other act or omission that might render or be seen to render them unfit for the office of Member/Chairperson of the Committee of Management; and
- Nominees to the Committee of Management should not have criminal convictions, financial or taxation dealings that might render or be seen to render them unfit for office.

3.3.2 Voting at the Election

Unless the procedures of the Committee otherwise provide, voting must be by show of hands.

3.3.3 Duties of the Secretary (Prior to the Meeting)

- 21 days prior to the meeting, notify the Council's Community Recreation Officer, who will place a public notice in the relevant newspapers;
- 14 days prior to the meeting, place a flyer on notice boards and local shop window (available from Council's Community Recreation Officer);
- Distribute information and nomination forms on request (available from Council's Community Recreation Officer);
- Ensure that nomination forms are available from the time the advertisement is placed, and at the meeting itself;
- Ensure the annual reports - financial and others - are complete and available for inspection prior to and at the meeting;
- Ensure that all the necessary equipment is available for the meeting including nomination forms, ballot papers, attendance sheet, ballot box, whiteboard, etc;
- Bring all nominations received prior to the meeting; and
- Prepare a meeting agenda for distribution at the meeting.

3.3.4 Duties of the Chairperson (Prior to the Ballot)

Prior to the election, the Chairperson shall:

- State the purpose of the meeting which is to elect recommended candidates to form a Committee of Management for a one year period commencing on a particular date;

- Clearly identify the facility over which the Committee of Management is to be appointed and clearly define the “community of interest” for those present;
- Detail the number of Committee members being sought;
- Make it clear that the people elected are recommended candidates only, with the final decision and appointment being made by the Chief Executive Officer of the Golden Plains Shire;
- Nominate the Committee members who will be responsible for presenting the reports to the meeting, providing a brief summary, and answering any questions. (Usually the Treasurer presents any financial reports, and the Chairperson presents any performance or management reports, but any Committee member may be nominated);
- Nominate a Returning Officer for the meeting. (This may be the Chairperson, another Committee member or some other person who the Chairperson considers would be acceptable to the meeting);
- Ask all present who wish to vote, and who have not marked the attendance sheet upon arrival, to do so immediately; and
- Describe how the meeting will be conducted, and the process for the ballot.

3.3.5 The Ballot

The Chairperson and/or Councillor will declare all positions vacant. Unless the procedures of the Committee otherwise provide, voting must be by show of hands. Refer to the Instrument of Delegation for further details on the ballot process. The duties of the outgoing Chairperson, Secretary or Councillor are:

- Declare positions vacant from the specified date;
- List all nominations received prior to the meeting;
- Call for additional nominations (if applicable);
- Verify the eligibility of all nominations as defined by the Instrument of Delegation;
- After a reasonable interval, declare nominations closed;
- If the number of candidates is less than the number of vacancies, declare all candidates as the successful recommended candidates;
- If the number of candidates exceeds the number of vacancies, announce that an election will be held and give details on how it will be conducted. For example, each eligible voter can only cast one vote for one candidate;
- Check that all persons wishing to vote are eligible, and have signed the attendance sheet; and
- Call on the Returning Officer to explain and conduct the ballot.

3.3.6 Duties of the Returning Officer

- Announce the method to be used in marking the ballot papers e.g. initialling by the Chairperson;
- Identify those persons who are entitled to vote;
- Arrange for ballot papers to be distributed to those persons;
- Check that all persons entitled to ballot papers have in fact received them;
- Introduce the candidates to the meeting. At the discretion of the Chairperson, invite each candidate to make a brief presentation in support of his or her candidature;
- Invite those holding ballot papers to mark them;
- Arrange for the collection of ballot papers;
- Check that all ballot papers have in fact been collected;
- Formally declare the ballot closed;
- Arrange for the count of the votes contained in the ballot papers; and
- Inform the Chairperson of the results.

3.3.7 After the Ballot

- Announce the results of the election and declare those candidates receiving the most votes successful;
- Reiterate that the successful recommended candidates will not officially become members of the Committee until the Golden Plains Shire have passed a resolution appointing the nominated candidates; and
- Close the meeting.

3.3.8 After the Meeting

- Determine from the successful candidates the roles they wish to adopt: the Committee Chairperson, Secretary, Treasurer or any other office bearers, mindful of the fact that these candidates are not officially elected until a Council resolution has been passed; and
- Notify the Golden Plains Shire of the relevant appointment/nominations. Please include details of printed full names, postal/email address and phone numbers of all candidates and which user groups they represent.

3.4 Financial Management

Responsible management of financial resources is perhaps the most common factor that separates a successful Committee from those that are less successful or those that no longer exist.

Keeping track of financial records is an important task. Committee members should keep user groups

fully informed of the results of the Committees activities and be able to account for all monies handled by the Treasurer and Committee.

3.4.1 Bookkeeping and Accounting

Methodical bookkeeping is essential to good financial management. If the books are properly kept then there is a clear record of all receipts and payments and of the funds available to the Committee. Money received should be banked regularly, at least weekly. All payments and receipts must be recorded. All cash received must be banked and cheques drawn to cover all expenditure.

3.4.2 Receiving Money

Whenever the Committee receives money, a receipt should be issued. A carbon duplicate book should be used to record all receipts. This is a practical safeguard against the possibility of error or disagreement.

There may be times when issuing individual receipts is not feasible. For example, if the Committee is organising a fund raising event or calculating entry fees, it would be impractical to write out a receipt for every person. Two members of the Committee, preferably not the Treasurer should be responsible for collecting and accounting the money prior to handing to the Treasurer. One receipt should then be written for the total amount.

3.4.3 Paying Money

Payments should be made by cheque, crossed not negotiable, and signed by two authorised members of the Committee. As each cheque is drawn, the paper work detailing the expenditure should be retained and filed in cheque number order. If there is no paper work then a cheque voucher should be drawn up giving the details of the payment i.e. payee, amount, date, cheque number and what the payment is for.

3.4.4 Petty Cash

The Committee may advance an amount up to \$100.00 to the Secretary for the purpose of change or petty cash and such payments shall be recouped into the organisational bank account hereof. The Committee must approve payments in excess of \$500.00 for Secretarial purposes.

Petty cash should only be used for minor items and a receipt/docket provided for each purchase. Reimbursement must be by cheque and receipts/dockets must equal the total of the cheque drawn.

3.4.5 Cash Book

The cash book is the principal book of accounts. One section is for money received with varying number of columns to detail all the major areas of income. The second section is for expenditure, again with a number of columns to detail all the major areas of expenditure. Books with varying numbers of columns are available through newsagents or stationers. All cash books should now have a separate column for recording GST receipts and payments.

Money Received

From the receipt book enter the details to the cash book with the money going into the amount and detail column. For ease of balancing to your bank statement a second amount column marked bank can be kept and the total banked each day added into this column. At the end of each month add the analysis columns and balance the totals to the total banked.

Payments

As with money received there is a bank column and several analysis columns. Enter the amount of each cheque drawn in the bank column as well as in the relevant analysis column. At the end of each month total the analysis columns and balance the totals with the bank column. The monthly totals should be added progressively month by month until after twelve months the totals are available for the yearly financial return.

3.4.6 Financial Controls

The Committee as a whole, not just the Treasurer, is responsible for the financial affairs of the organisation. The Committee must see monthly reports of income and expenditure and must approve all accounts paid, or to be paid, for the month.

- Authorisation: The Committee should set definite limits on expenditure and on persons authorised to purchase. Large items of expenditure would only be authorised following discussion and approval at a meeting of the Committee. However staff or the Treasurer may be authorised to pay regular accounts or spend limited funds up to an agreed amount;
- Cheque Signing: The cheque account shall require two people to sign each cheque. Signatories to be account should be the Chairperson, the Secretary and the Treasurer and their signatures must be registered with the bank; and
- Cheques should always be crossed, marked not negotiable and the details entered before being signed.

3.4.7 Developing a Budget

The Committee shall monitor their effective financial control through the preparation of a written budget for the ensuing year and forward to the Chief Executive Officer of Golden Plains Shire Council no later than the 30 May in each year.

This budget is best carried out through looking at the income and expenditure pattern for the current year. Add to that any extra works/services that the Committee would like to see in place and determine the overall estimated expenditure.

Once the expenditure is set, the Committee can then look at the options available to fund the expenditure. Remember that inflation will have an effect on the cost of services and therefore an allowance should be built into each item.

3.4.8 Annual Accounts

The Annual General Meeting should be held between 1st July and 31st October each year on a date fixed by the Chairperson. At that meeting the annual accounts should be presented to the members, accepted by the members and then forwarded to Council.

3.4.9 Bank Reconciliation

Arrange with the bank for a statement to be forwarded to the Treasurer every month, ensuring each entry is verified, and the statement balance reconciled to the bank.

3.4.10 Revenue and Expenditure

Revenue received by a Committee must be directed to activities associated with the facility. Revenue can come from sources such as grants, user fees, rentals, fundraising activities, donations, etc.

Committees are not required to spend all revenue in the year it is received and it is quite wise to carry forward some funds into the next year. It is also acceptable, if a Committee has planned for a large development in the next few years, to accumulate the funds required (e.g. major renovations).

It is strongly recommended that Committees do not carry excessive funds. Golden Plains Shire facilities are a public asset and funds should be spent on maintaining or enhancing the facility. Council would deem 'Excessive Funds' to be exceeding \$10,000.

3.4.11 Fees and Charges

Fees can be either non-discretionary (e.g. "Every adult person seeking admission to the grandstand shall pay a fee of \$2.50") or discretionary (e.g. "The Committee may from time to time determine a scale of fees for admission to the grandstand").

The regulations for a facility determine what fees and charges may be made. Fees and charges must be used responsibly, and;

- Should be in line with similar rates in the area so that the maximum public benefit is gained for use of a public asset; and
- Should not use the advantage of lower overheads associated with Shire land to the disadvantage of competing activities on private land.

If normal rates do not seem appropriate, reasonable fees for the purpose must be set. For example not-for-profit community groups may receive a discount rate.

3.4.12 Contracts

Generally, a Committee can only enter into contracts that are directly related to its facility and within its area of responsibility. Committees can enter a contract to buy services (e.g. lawn mowing), or to buy goods (e.g. plants and garden supplies).

It is good business practice that a Committee invites quotations or tenders for contracts it wishes to let. The decision to go to tender should be based on the value of the project.

For example, if a Committee needs to purchase a ride on mower or other expensive equipment it should seek 2-3 written quotes. However, a Committee wishing to undertake some major development works should invite tenders. The quote and tender systems help Committees to obtain the best value for their spending.

As per the 'Instrument of Delegation', a Committee wishing to invite quotations or tenders for contracts "shall not carry out or authorise any capital works, extensions, additions or materially alter the buildings or surrounds without prior approval from the Council". All such actions should be in consultation with the Golden Plains Shire. The objective of the Committee shall be the control and management of the facility and to act as a planning, promotion and management body for the development of the facility.

The Committee should:

- Achieve value for money in the result;
- Have open and fair competition for all potential providers;
- Operate with professional integrity;
- Provide clear and consistent specifications and documentation to all; and
- Make and record decisions in a clear and transparent manner.

The Committee is not empowered to do any of the following things without the approval of the Council:

- Enter into a contract with a value exceeding \$10,000; and
- Make alterations or additions to the Reserve.

3.4.13 Inviting Tenders

Tenders must be advertised in the tender section of an appropriate newspaper. The newspaper should have at least a local circulation, but depending on the scale of goods or services required it may be necessary to advertise in regional press. Please contact Golden Plains Shires Community Recreation Officer for more information, or refer to your Committees Instrument of Delegation.

3.4.14 Borrowing Money

The Committee is not empowered to borrow money, including the issue of debentures and promissory notes, without the written approval of the Golden Plains Shire.

3.4.15 Asset Management

As part of its financial records, a Committee is strongly urged to maintain an asset register with details of all assets it owns or manages including buildings and facilities.

The register should contain:

- A description of each asset;
- The date it was bought; and
- An estimate of its value.

Each year, the value of the asset should be adjusted to reflect depreciation (for physical assets such as buildings, equipment and stock).

3.4.16 ABN / GST – Useful Information

Committees of Management are non-profit organisations. The Committee shall obtain an Australian Business Number (ABN). The requirement to register for GST largely depends on the scale of operations of a Committee, and whether the Committee is considered an entity carrying out an enterprise.

The GST (Goods & Services Tax) is a broad based tax of 10% applied to suppliers of most services consumed in Australia. Not-for-profit organisations with an annual turnover above \$150,000 must be registered for the GST.

Committees should obtain appropriate advice about how best to deal with the GST from their accountancy advisor, the tax reform website at www.taxreform.at.gov.au or by contacting the Golden Plains Finance Department on 5220 7111.

3.4.17 Good Work Practices – Auditing

The term audited accounts means that the financial records of the organisation have been independently checked, by a person with recognised accounting qualifications, as being a true and accurate record of the financial operations and position of the Committee at that time. An auditor will confirm the correctness of your records and provide useful advice on accounting practices.

The Committees financial records should be maintained to a standard that will allow auditing. Committees financial records shall be audited annually and are required to submit financial reports to its members and the Golden Plains Shire.

The Auditor will need to be provided with:

- The books of account, consisting of the cash books written up and balanced for the year, and journals and ledgers if these records are maintained;
- Bank statements for the whole year (if these have been misplaced, your bank will be able to provide new ones);
- Copies of deposit slips and cheque butts;
- Receipt books containing the duplicates of receipts issued as well as cancelled original receipts. The Auditor also needs to sight unused receipt books;
- Vouchers for payments made, which should be placed in cheque number order;
- Access to 'paid' cheques from the Committees bankers - unless receipts have been obtained for all payments made;
- A copy of the minute book to enable the Auditor to review approvals for major items of income and expenditure;
- A copy of the last audited statements of account;

- The financial statements for the year now being subjected to audit, together with all supporting working papers; and
- Any other records or evidence the auditor may request.

3.4.18 General Financial Record Keeping

To ensure that they prepare proper and complete financial reports, Committees are urged to maintain suitable records. The Australian Taxation Office (ATO) provides two good resources to assist:

How to keep your business records' (NAT 3029). 'E-Record', a CD-ROM containing a simple, easy-to-use electronic package of worksheets on which to build financial records (NAT 3043).

The numbers listed above relate to the ATO product ordering system. These numbers are useful if you are contacting the ATO to order the products.

3.5 Risk Management

3.5.1 What is Risk?

Risk is the chance of something occurring that has the potential to cause loss, damage or injury. Most activities have associated risks.

3.5.2 What is Risk Management?

- Processes that identify potential risks and methods that control these risks by elimination or control;
- Plans and systems that minimise losses before an incident happens;
- Risk management evaluates risk taking into account:
 - What can go wrong;
 - The likelihood of it happening; and
 - What to do if it happens.

3.5.3 Why Manage Risk?

- To reduce the chance of anybody being injured;
- To avoid legal action;
- To reduce insurance premiums;
- To provide better information for decision-making; and
- To improve management of the building or property.

In managing risk, Committees may chose to treat the risk, avoid the risk, reduce the risk, transfer the risk or accept the risk.

3.5.4 Who is the Risk Manager?

The Committee takes ultimate responsibility for risk management and every Committee member should play a part in minimising risk. The Committee should assign the risk management role to a Committee member who will be responsible for risk management processes. Council can provide assistance to the Committee of Management. The Committee should write to Council if assistance is required.

It is not expected that the Committee of Management undertake all the risk procedures listed in this section. Committees are encouraged to develop a risk management plan that covers the building or property and its uses. Refer to Sample Form 16 – Annual Building and Inspection Management Report.

3.5.5 The Concept of Risk

Risks relating to Committee of Management functions including:

- Building and property security;
- Occupational health and safety;
- Public liability;
- Financial and administrative; and
- Emergency management.

Risks relating to an individual on a Committee of Management:

- General liability

3.5.6 A Risk Management Plan

There are many ways to identify risks including checklists, judgements based on experience, records and expert opinion. Once the risks have been identified the Committee is responsible for developing a risk management plan. The risk management plan will:

- Evaluate the risk in terms of probability (high, medium or low) and consequence (high impact, moderate impact, low impact);
- Identify priority actions for the highest risk;
- Monitoring risk; and
- Updating the Risk Management Plan annually.

3.5.7 Identifying Risk

The information below outlines the risks that Committees may be exposed to. The risks identified are not comprehensive as each Committee may identify other unique risks due to the use of the particular building or property. In some cases, risks listed may not apply.

For a Committee of Management, risk falls into two categories:

- Generic risk; and
- Site specific risk.

Each of these categories is outlined in more detail below for consideration by the Committee in developing its Risk Management Plan. In each category and risk class, the Committee is responsible for identifying risks and hazards, assessing the potential impact of these risks and hazards and undertaking actions to minimise each identified risk.

3.5.8 Generic Risks

Public Liability

Council requires the Committee of Management to minimise or eliminate the risk of injury, damage and loss to the public and potential exposure to the Council. Council's Public Liability Insurance covers Committees of Management for any approved activity undertaken on the premises owned by the Council. This includes all activities associated with the Committees operations and property under its control.

The Committee is responsible for providing a safe community venue by:

- Identifying potential public liability risks and hazards;
- Assessing the potential impact of these risks and hazards; and
- Undertaking actions to minimise these risk exposures.

To meet these responsibilities the Committee will need to:

- Monitor potential risks;
- Implement a Risk Management Plan; and
- Maintain the buildings and facilities in a safe condition.

The Committee must make the building or facility as safe as possible for users. While a facility may meet safety standards for its intended use, it may be unsafe for alternative uses. If a person is injured undertaking an alternative use, Council may be sued if the injury has been caused by any negligence by Committee members or volunteers.

The Public Liability Insurance Section 3.6.3 provides additional information.

Asset Security

Committees of Management must maintain, and keep secure, Council assets. This includes Council owned buildings and Committee owned contents. Committees may choose to include their assets on the Council's insurance policy or alternatively take out private insurance or leave the contents uninsured. Committees must inform Council's Risk Management Officer which option they wish to pursue. Building Insurance shall be provided by Council at Council's expense under Council's Industrial Special Risk Insurance Policy.

To meet these responsibilities the Committee will need to:

- Identify Committee owned assets and determine insurance cover;
- Monitor potential risks;
- Develop an asset security plan, including asset register; (Form 15)
- Maintain Council owned assets in a safe condition; and
- Manage asset loss and damage

Any facility that is to be closed for a period should also be secured. The emphasis in this type of security is not to prevent theft, but to minimise unauthorised use of a facility or area outside supervised times.

Financial and Administrative Risks

Committees of Management must also consider the risks associated with financial and administrative tasks.

The Committee is responsible for:

- Identifying financial and administrative risks;
- Analysing these risks and hazards; and
- Undertaking actions to minimise these risk exposures.

To meet these responsibilities the Committee will need to:

- Maintain records which preserve Committee memory/history;
- Maintain security measures for financial and administrative records; and
- Store records in a safe and secure location.

Liability for Volunteers' Actions

Committees of Management must consider the impact of inappropriate behaviour by volunteers such as harassment or assault.

The Committee is responsible for:

- Identifying risks and hazards associated with the use of volunteers;
- Analysing these risks and hazards; and
- Undertaking actions to minimise these risk exposures.

To meet these responsibilities the Committee will need to:

- Develop and implement guidelines for selecting volunteers;
- Develop volunteer standards of behaviour; and
- Train volunteers in volunteer roles and responsibilities.

Public Safety Standards

Committees of Management are responsible for maintaining the facility to a safe standard. This requires regular inspections, a maintenance program and a system of reporting and remedying faults and defects.

Regular inspections will detect and repair faults and defects before members of the public or volunteers are injured and before the faults and defects result in expensive repairs. An inspection checklist should be used (Form 16). Frequency of inspection will vary depending on the nature and use of the facility.

Maintenance inspection records must be maintained. Records must include:

- The date of inspection;
- The person completing the inspection;
- The inspection checklist;
- Any repairs required; and
- Details of completed repairs (date, contractor etc).

The Committee of Management must make adequate provision for the maintenance costs in the annual budget, recognising that maintenance will increase as the facility ages.

Faults and defects will also be identified at other times by Committee members, users and the public. The Committee must have a formal written system for recording these faults and defects and not rely on casual contact or telephone calls. Details recorded must include:

- The date the fault was reported to the Committee;
- The person who identified the fault;
- The Committee member the fault was reported to;
- Any repairs required; and
- Details of the completed repairs (date, contractor etc).

When a fault is reported, prompt action must be taken to investigate the report and carry out any repairs.

Committees of Management will not usually be required to design new facilities. Where a Committee takes this responsibility, the Committee must contact Council's Community Projects Engineer, prior to commencing design, to seek further advice.

Occupational Health and Safety

Council has a responsibility as an employer to ensure that persons "...are not exposed to risks to their health and safety arising from the conduct of the undertaking of the employer." The Committee of Management also carries this responsibility due to the Section 86 delegation from Council. Consequently, occupational health and safety must be considered when using contractors for routine maintenance (e.g. gardening, cleaning) or projects (e.g. painting, building, fencing). Although volunteers and Committee members are not regarded as employees, good practice requires that the same occupational health and safety principles apply.

Specific occupational health and safety practices that must be in place include:

Job Safety Analysis

These provide detail of the safest way of doing a common task. Form 17 will help in identifying the risks.

Machinery and Plant

Plant includes items such as “lifts, cranes, pressure equipment, machinery, hoists, powered mobile plant, amusement structures, lasers turbines, explosive powered tools, scaffold and temporary access equipment.”

Plant must only be used if it is in a safe condition and by a competent/qualified operator. A risk assessment must be completed for each piece of plant used by Committee members and volunteers. Plant risk assessments need only be done once for a particular type of plant, e.g. one plant risk assessment is completed for all tractors. The risk assessment must be read prior to use each time (Refer Form 18). When hiring plant, the hire company is required to provide information on safe use.

Further information on plant can be found in the WorkSafe Code of Practice for Plant. This can be obtained from a WorkSafe Office or on the internet (www.worksafe.vic.gov.au).

Injury and Incident Reporting

An injury/incident report must be completed by the injured party within 12 hours of the injury or incident. If the injured party is unable to complete the report, a member of the Committee may complete the report on their behalf.

All injuries must be reported to the Committee and to Council, along with incidents where a person could have been injured or equipment damaged. The Committee is responsible for storing the reports and initiating an investigation.

Injury/Incident Report Forms (Form 20) must be accessible to volunteers and Committee members.

The Committee must report all injuries to Council's Risk Management Officer within eight hours. Where possible the site of the injury incident must be preserved until Council's Risk Management Officer or a WorkSafe inspector authorises the site to be cleared.

Council's Risk Management Officer will assist the Committee with the completion of a WorkCover Incident Notification Form if required.

The Risk Management Officer will require written statements detailing the incident from each party involved. Council will coordinate the lodgement of the WorkCover Incident Notification form.

Contact Telephone Numbers:

Risk Management Officer: (03) 5220 7173 (business hours) 0439 616 425 (after hours)

If these is no response: Organisational Development Manager: 0433 447 377

Investigation

An Injury/Incident Report (Form 20) must be completed by the Committee for all injuries and incidents within 24 hours of the incident. Where possible, photographs supporting the investigation should be submitted with the investigation report.

The results of the investigation will help the Committee to determine whether practices are reviewed, or improved supervision is required.

Emergency Management

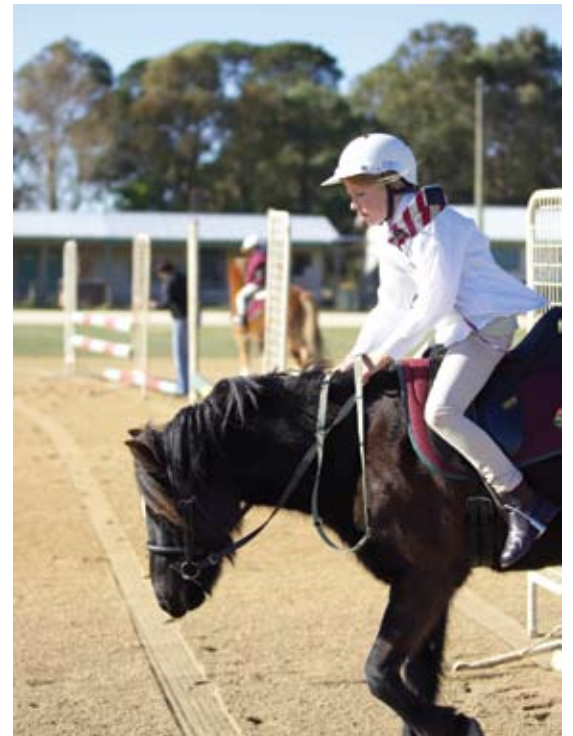
Committees of Management need to develop a plan for common emergencies, such as fire and flood. The Emergency Plan (Form 21) aims to provide an effective response to emergencies to prevent or minimise harm to persons, property and the environment.

The Committee is responsible for:

- Preventing emergencies where possible;
- Identifying potential risks;
- Implementing preventative measures;
- Responding to emergencies;
- Analysing responses following an emergency;
- Nominating and training Committee members in emergency response;
- Cooperating with emergency services personnel; and
- Monitoring the effectiveness of the Emergency Plan.

To meet these responsibilities the Committee will need to:

- Develop an Emergency Plan; and/or
- Implement a fire prevention strategy; and/or
- Implement a flood warning system.



Woody Yaloak Equestrian Centre, Smythesdale

Signage

All signage should comply, as far as possible, with the Australian Standards. The Australian Standards Association has produced a wide range of pictogram signs, which are designed for visual comprehension by people unable to read English, and can be recognised by children.

Care should be taken to ensure that the placement of signs is appropriate to the hazard and that, once installed, signs are maintained and legible (i.e. not obscured by graffiti or vegetation).

3.5.9 Site Specific Risks

In addition to the generic risk outlined above, the Committee should consider whether any of the following site specific risks are present at the building or facility.

Physical Risks

Food and drink

- Are Food Act requirements met? (Refer Council's Environmental Health Officer)
- Are user rules on display?

- Is the policy for the responsible service of alcohol on display?

Plant and machinery

- Is machinery regularly tested?
- Are maintenance records kept?
- Are work safety procedures in place?
- Are users aware of safety procedures?
- Is the plant and machinery inaccessible to the public?

Personal Hazards

- Are public areas, steps, stairs and paths non-slip and free of obstacles?
- Are there loose posts or broken fences?
- Are there any unprotected drops?
- Are surfaces even?
- Are there any trip hazards?

Dangerous Goods

- Are hazardous objects or dangerous substances on-site?
- Are dangerous substances adequately signed and locked away?

Events

- Are crowd/traffic controls necessary?
- Are emergency procedures in place?
- Will emergency services involvement required?
- Does special material or equipment meet regulations and standards?

Fire

- Can anything catch fire?
- Are alarms and extinguishers in place and checked? (Form 22)
- Is there an emergency evacuation plan in place?

Operational Risks

Volunteers

- Are volunteers screened for suitability?
- Are volunteers supervised?

Complaints

- Is a complaints procedure in place?

Meetings

- Are correct meeting procedures used?

Equal Opportunity

- Does the Committee ensure equal opportunity rights and persons are not subjected to discrimination or bullying.

First aid

- Is there a designated first aid area?

Emergency access

- Is emergency vehicle access available?

Environmental Risks

Natural Disaster

- Is the building or property exposed to natural disasters (e.g. bush fires or floods?)

Drowning

- Is there standing water into which someone could fall and drown?

Trees

- If trees could fall on buildings or people is there an inspection program?

Financial Risks

Fraud

- Are Committee spending limits in place and complied with?
- How will the Committee receive regular budget and expenditure reports?
- How will Committee prepare annual reports?
- How will the Committee comply with the audit requirements in the Instrument of Delegation?

Criminal Risk

Theft

- Are systems in place to prevent theft?

Burglary

- Is the building or property secure?

Personal Safety

- Could volunteers or the public be exposed to unsafe situations?

Risk Management Contact Numbers

**Risk Management Officer Contact Number: 5220 7173 (working hours)
0439 616 425 (after hours)**

3.6 Insurance Claims

3.6.1 Property or Building Insurance Claims

General Requirements

Committees of Management are required to maintain and keep secure all Council owned assets under their control. Where a property or building insurance claim arises:

- If the cost of damage is less than \$1,000 the cost falls to the Committee of Management and there is no insurance claim. Golden Plains Shire does not need to be informed of the losses;
- If the damage is more than \$1,000 the Committee of Management is to contact Golden Plains Shire and a claim form is completed; and
- The Risk Management Officer will consider the circumstances of the damage and determine whether an investigation should be undertaken.

The Committee of Management will need to fund the \$1,000 excess. If the Committee does not have sufficient funds to repair damage, the Committee should contact Council's Community Services Department (Refer Form 24 Incident Reporting Form).

What to do if a Facility or Building is Damaged?

IN THE CASE OF FIRE, ARSON, BURGLARY, THEFT OR MALICIOUS DAMAGE DO NOT TOUCH ANYTHING – NOTIFY THE POLICE IMMEDIATELY.

All Damage

Where buildings and facilities have been damaged by flood or water, the Committee will take the following actions: Take photos (preferably digital) of:

- The items damaged;
- The cause of the incident (where possible);
- Any entry points;
- Any other evidence;
- Secure the site - Take all reasonable steps to protect the property and minimise further damage;
- Make building safe - Clean up the area and carry out any repairs necessary to make the location safe;
- Notify Council's Risk Management Officer on 5220 7173 within one working day; and
- Initially, a verbal notification will be sufficient. Council will need in writing (Form 24 – Incident Reporting Form)
 - The location;
 - The date and time of the incident;

- A brief description of the incident;
- The probable cause and contributing factors; and
- A preliminary estimate for repairs.

A written report must be submitted to Council's Risk Management Officer within seven days of the incident. Time is critical as claims not submitted to Council's insurer promptly may not be accepted by the Insurer.

Additional Information for:

- Storm Damage, Flood and Water Damage
 - Where buildings and facilities have been damaged by storms, flood or water:
 - Making building safe may include temporary shuttering, hiring tarpaulins, relocating valuable items, lifting floor coverings, removing items for drying, hiring dryers, etc.
- Fire Damage, Arson Damage, Burglary or Malicious Damage
 - Where buildings and facilities have been damaged by fire (including arson):
 - Do not touch or remove anything, including the entry point. The door may have valuable fingerprints on it. Notify the Police immediately, noting the name and station of the Investigating Officer. Obtain a copy of the Police Report.
 - With Police clearance, secure the site to protect the property and minimise further damage.
 - Assist investigations by cooperating with the Police and arson investigators to preserve evidence.
 - Making building safe may include temporary shuttering, securing doors and replacing locks and relocating valuable items.
 - Forward the Police Report to Council with the written incident report.

3.6.2 Building Contents

Committees of Management are required to keep all Council owned property under the Committees control safe and secure. Committees may choose not to include their assets on the Council's Insurance Policy, but they must decide whether to take out insurance with another provider or leave the contents uninsured. Committees should inform Council's Risk Management Officer of the option they wish to pursue. Council provides a Buildings Insurance subsidy scheme to Committees.

3.6.3 Public Liability Insurance

Public Liability Insurance covers negligence for the Committee of Management and their volunteers. This insurance usually covers Committees of Management and their volunteers where their activities are directly related to the Instrument of Delegation. This includes activities such as fundraising and maintenance authorised by the Committee.

Incidents that are potential claims need to be handled properly at the time they occur. If a public liability issue or claim arises, a detailed investigation must be carried out and the information passed to

Council. First hand knowledge is invaluable but suspicions and unsubstantiated allegations should be included.

Regular communication between the Committee and Council will assist in monitoring the progress of the claim and in assessing whether improvements could be made in handling situations in the future.

Meetings may also be scheduled between the Committee, Council and Council's insurers. It is important that Committee members attend.

Claims and Legal Documents

If a claim, solicitors' letter or another legal document arrives in the mail or is served on the Committee of Management or its members:

- Do not reply to the letter or claim;
- Do not make any remarks or comments about the incident to the person delivering the letter or claim;
- Record in writing how the claim arrived (by mail or by hand), if by hand, who delivered it;
- Ring the Council's Risk Management Officer on 5220 7173 immediately; and
- Send the letter, claim or document and any incident report, names of witnesses, photographs and any notes relating to the incident to Council.

Any action you take must be taken under Council's guidance.

If a person demands compensation

If an angry or upset person confronts you or telephones you, remain calm and treat the person politely. Do not take responsibility for the incident, take notes of the conversation and ask the person to submit a claim in writing to Council. Contact Council about the incident and follow Council's recommendations.

Liability Claims Procedure

All claims should be treated as if they were genuine. The Committee of Management is not responsible for determining the validity of the claim. Where a member of the public is injured or has property damaged, action needs to be taken to minimise the chance of a claim being made or, if a claim is made, minimising the compensation that may be due.

A claim may not arise for some years after the incident has occurred, so it is important to record as much information as possible at the time the incident occurs.

An Incident Report should be completed as soon as possible after the incident (within 24 hours). (Refer Form 24).

Specifically:

- Obtain names and addresses of witnesses before they leave the scene.
- Interview witnesses;
- Identify, block off or sign post any damaged fixtures or hazards;

- Note conditions relating to the incident, e.g. floor or ground condition; lighting, weather conditions, equipment or facilities; and
- Note as much information as you can about the injured person and possible contributing factors such as:
 - What the injured person said?
 - What was the cause of the incident?
 - Type of clothing worn by the injured person?
 - Type and condition of footwear?
 - Whether walking aids were used?
 - Whether spectacles or contact lenses were worn?
 - Whether there were any substances on the person's clothing or shoes?
 - Emotional state of person prior to the incident?
 - Any evidence of intoxication?

All serious or potentially serious incidents must be reported to Council's Risk Management Officer on 5220 7173 as soon as possible after the incident. Where new information or witnesses are found any time after the incident occurs, this information should be reported as soon as possible to Council.

DO NOT

- Accept responsibility for an incident;
- Offer to pay any medical or their expenses;
- Agree that any equipment or facilities were faulty;
- Blame Committee members, Council or other parties;
- Apologise for the incident;
- Argue or discuss the cause with the injured person or witnesses;
- Conduct the investigation or fill out the incident report form in the presence of the injured person; or
- Discuss the incident with anybody who has not been identified as representing Council.

IF IN DOUBT, CHECK.



Woodyaloak Recreation Facility, Smythesdale

3.7 Planning

The management of facilities should be planned, rather than ad hoc, to achieve the best possible outcomes. Committees are strongly recommended to prepare a management plan or works schedule with a corresponding Business Plan or Annual Budget in consultation with the Golden Plains Shire so that plans remain consistent with the aims of the local community.

The benefit of these documents is that they provide a context for financial expenditure to which every member has agreed, and they draw together the big picture of what the Committee wants to achieve.

Management documents may include:

A Management Plan, which outlines the Committees aspirations for the use and development of the facility over its term of office. It details what the Committee intends to do, to maintain and develop the facility. Such as: WHAT WE WANT TO DO?

- Introduction
- What do we have? (present/current situation)
- What do we want? (the future)
- How do we get there? (strategies and actions)

A Business Plan, which outlines how the Committee will implement its management plan. It details what actions the Committee will need to take, i.e. employ staff, enter into leases or licences, seek grant money, etc. over its term to achieve its objectives. HOW WILL WE DO IT?

- Vision, Objectives, Proposed Actions
- Business overview - team, 'market'
- SWOT (Strengths, Weakness, Opportunities, Threats)
- Planned actions/strategies
- Timetable
- Monitoring and reporting
- Risks
- Cash Flow Projections

A Financial Plan, which details the income and expenditure needed to achieve the management plan. It is often incorporated into the business plan. HOW WE WILL FINANCE IT?

- Current revenue
- Required revenue
- 1, 3 and 10 year cash flow

The amount of detail in these documents may vary depending on the specific facility. These three plans may be developed as one, rather than individually. Smaller facilities may wish to simplify this process further into a management statement containing a 12-month vision including income and expenditure.