

NORTHERN MIDLANDS COUNCIL
HUMAN RESOURCES POLICIES & PROCEDURES



5. PHYSICAL HEALTH & WELLBEING:

Subsidised Gym Membership

Council will subsidise gym membership at the Longford Community Sports Centre for any employee who wishes to join the gym. The subsidy will be fifty percent of the cost of a membership and this may be paid quarterly, half yearly or annually.

Pool Membership

Council will subsidise membership to any of the three Northern Midlands owned swimming pools which are located at Campbell Town, Cressy and Ross. The subsidy will be fifty percent of the cost of a seasonal pass for any employee or a family pass.

Health Assessments

In accordance with the provisions detailed in the *Northern Midlands Council Workplace Agreement*, Council will provide a free general medical/health assessment for each employee who wishes to accept this. This will be provided every two years to assess an employee's general health.

Council will also provide employees with a free skin screening assessment every two years to assess the early detection of skin cancer.

These health assessments will be offered to employees on alternate years.

Sun Protection

Council provides employees with the appropriate protective equipment and training to minimise the risk of skin cancer and other effects caused by exposure to ultraviolet radiation from sunlight while at work.

Immunisations

Council will organise for all employees who wish to participate, an annual influenza immunisation.

Council also agrees to cover the cost associated with Hepatitis A and B vaccinations for any employees who are at risk.

Massage

Council will provide employees with a one hour remedial massage every quarter at the Longford Community Sports Centre or an alternate registered provider within the municipality, of which Council will reimburse fifty percent of the cost of this, up to a maximum of \$30 on each occasion.

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6. EMOTIONAL HEALTH & WELLBEING:

Council provides an Employee Assistance Program (EAP) to all employees, which is a confidential, counseling service funded by Council. The EAP provides professional counselors to help employees who may be affected by personal or work-related problems.

Employees can access this free service by contacting our EAP provider, Newport and Wildman directly on 1800 650 204.

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Policy Name:	Issue Resolution Policy
Policy Owner:	Human Resources Officer
Originated Date:	August 2015
Amended Date/s:	
Review Date:	December 2016
Applicable Legislation:	<i>Age Discrimination Act 2004 (Cth)</i> <i>Anti-Discrimination Act 1998 (TAS)</i> <i>Australian Human Rights Commission Act 1986 (Cth)</i> <i>Disability Discrimination Act 1992 (Cth)</i> <i>Fair Work Act 2009 (Cth)</i> <i>Local Government Act 1993 (TAS)</i> <i>Racial Discrimination Act 1975 (Cth)</i> <i>Sex Discrimination Act 1984 (Cth)</i> <i>Work Health & Safety Act 2012 (TAS)</i> <i>Workers Rehabilitation & Compensation Act 1988 (TAS)</i>
Publication Sources:	15/013 - Human Resources Policies & Procedures 02/03/01/01 – Human Resources – Employee Infonet / Documents / HR – Policies Works Depot & Childcare Facility

1. AUTHORITY & APPLICATION:

This Policy should be considered in the context of the following policies and procedures:

- Communications & Social Media
- Disciplinary
- Employee Code of Conduct
- Fitness for Work
- Performance Management
- Work Health & Safety
- Workplace Behaviour

Definitions

Contact Officer – an employee of Council who is appointed in writing after receiving and completing appropriate training to perform the role of Contact Officer.

Council - Northern Midlands Council.

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Councillor - an elected member of Council known as a Councillor or Alderman or otherwise meeting the definition of a Councillor as defined under section 3 of the *Local Government Act 1993 (TAS)*.

Employee - a person who carries out work for Council as an employee of Council.

General Manager - the General Manager of Council as appointed under section 61 of the *Local Government Act 1993 (TAS)*.

Infringing Workplace Behaviour - any act or omission, which amounts to a breach of any Council policy, contractual obligation or misconduct at common law.

Industrial Instrument – an instrument recognised under the Fair Work Act 2009 that has legal application with respect to minimum entitlements to those employees covered within its scope (e.g. Award or Enterprise Agreement).

Issues – any grievances, disputes, issues, complaints or concerns that a worker or other persons at the workplace may have against Council, Councillor, workers or other persons at the workplace.

Manager/Supervisor - a person at the workplace who is appointed to a position that has management/supervisory responsibilities for others or their appropriately nominated or authorised delegate.

Other Persons at the Workplace - any person, other than a Councillor at the workplace who is not a worker including visitors and ratepayers.

Policy - this Policy including the Authority and Application.

Procedure – the Issue Resolution Procedure including the Authority and Application.

Worker - a person who carries out work in any capacity for Council, including work as:

- an employee
- a contractor or subcontractor
- an employee of a contractor or subcontractor
- an employee of a labour hire company who has been assigned to work at Council
- an outworker
- an apprentice or trainee
- a student gaining work experience or
- a volunteer

Workplace - a place where work is carried out for Council.

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Training

Council will provide all persons covered by this Policy with the appropriate training so they are made aware of their responsibilities and obligations under the Policy.

Amendment

Council retains the sole discretion to reasonably vary, terminate or replace this Policy from time to time. Council will consult before amendments are made and will notify and train those the amendments apply to.

Interpretation of Policy

The singular includes the plural and vice versa.

A reference to any legislation includes all delegated legislation made under it and amendments, consolidations, replacement or re-enactments of any of them.

A reference to a policy or procedure means any approved policies or procedures of Council unless otherwise stated.

'Including' and similar expressions are not words of limitation.

A reference to a document (including this document) is to that document as amended, novated or replaced unless otherwise stated.

Where a word or expression is given a particular meaning, other parts of speech and grammatical forms of that word or expression have a corresponding meaning.

Examples used in this Policy are for illustrative purposes only and are not intended to be exhaustive.

Unless expressly provided for, this Policy is not in any way incorporated as part of any enterprise agreement and does not form part of any employee's contract of employment and any applicable enterprise agreement or contract of employment will prevail over this Policy to the extent of any inconsistency.

It is not intended that this Policy impose any obligations on the Council or those covered by it that are unreasonable or contrary to the operation so applicable laws. Any obligation, direction, instruction or responsibility imposed by this Policy must be carried out in a manner that an objective third party would consider to be fair and reasonable taking into account and in the context of all the relevant applicable laws, operational and personal circumstances.

Questions relating to the interpretation, application or enforcement of this Policy should be directed to the person's manager or the Human Resources Officer.

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Reporting of Breaches

Persons covered under the paragraph 'Coverage' must reasonably report breaches of infringing workplace behaviour as follows:

For breaches by:

- an employee (other than the General Manager or other workers) the report must go to the reporting person's applicable manager
- an other person at the workplace, to the General Manager and/or
- the General Manager the report must go to the Mayor (or if unavailable to the next appropriately delegated Councillor) and

as otherwise required or permitted by applicable laws.

Breach of this Policy

Persons covered under the paragraph 'Coverage' who engage in infringing workplace behaviour may (as is appropriate) be subject to appropriate disciplinary action in accordance with the Disciplinary Policy and Procedure or removal from the workplace or termination of services (workers, other than employees and other persons at the workplace). Infringing workplace behaviour may also amount to breaches of applicable laws:

- exposing individuals to legal proceedings and
- making Council vicariously liable for the conduct of others

2. PURPOSE:

Northern Midlands Council is committed to providing a fair and supportive working environment for all workers and a safe workplace for all workers other persons at the workplace.

Council will provide a flexible approach for issue resolution which takes into consideration the individual, operational and environmental circumstances.

Council recognises that issues are best dealt with at the individual level, as soon as is practicable and without unnecessary formality to prevent unnecessary escalation and to promote fairness all round for all parties.

This Policy will provide a reference framework for the Issue Resolution Procedure and operate in conjunction with applicable laws and related Council documents.

3. COVERAGE:

This Policy covers and applies to worker and other persons at the workplace regarding issues in relation to:

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- behaviour at the workplace
- the performance of work for or in connection with Council and
- conduct outside the workplace or working hours if the acts or omissions:
 - are likely to cause serious damage to the relationship between Council, Councillors, workers or other persons at the workplace or
 - are incompatible with a workers or other person at the workplace's duty to Council or
 - damage or are likely to damage Council's interests or reputation

This Policy does not cover or apply to issues that are covered by a specific policy, procedure or process including a dispute settlement procedure under the *Northern Midlands Council Workplace Agreement*.

For the avoidance of doubt this Policy does not cover or apply to a Councillor.

4. REQUIREMENTS:

Workers and other persons at the workplace must comply with this Policy.

Managers must communicate and implement this Policy within their area of responsibility.

5. RESPONSIBILITIES:

What are the manager's responsibilities?

Managers are responsible for:

- ensuring appropriate management of issues under the Issue Resolution Procedure
- making appropriate records relating to issues
- taking reasonable steps to ensure workers and other persons at the workplace are not victimised or subjected to other infringing workplace behaviour because they have made, are respondent to or otherwise involved in an issue legitimately raised
- making reasonable resources available to assist workers and other persons at the workplace in relation to raising or responding to and resolving issues and
- advising employees of reasonable internal and external support to raise or respond to and resolve issues

What are the workers and other person's at the workplace responsibilities?

Workers and other persons at the workplace are responsible for:

- their own behaviours, including reasonably raising or responding to and resolving issues
- not raising or responding to issues to be dealt with or participating in any process under the Issue Resolution Procedure not in good faith, vexatiously, falsely, frivolously, or without reasonable grounds
- participating appropriately in issue resolution processes under the Issue Resolution Procedure and

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- identifying the appropriate support, training or experience and opportunities to raise or respond to and resolve Issues

6. ENGAGING IN AN ISSUE RESOLUTION PROCEDURE:

What is an issue resolution procedure?

An issue resolution procedure consists of an appropriate process to make and respond to and resolve Issues.

When may Council utilise the issue resolution procedure?

Council may utilise the Issue Resolution Procedure where an Issue has been raised by a worker or other person at the workplace or when a manager or the Human Resources Officer becomes aware of an issue or reasonably considers an issue exists where it is appropriate to utilise the Issue Resolution Procedure.

What is the process?

The Issue Resolution Procedure provides guidelines containing a number of different processes that may be utilised to make or respond to or resolve issues.

Is there a requirement to use a particular process?

Council may use a particular issue resolution process that a manager or the Human Resources Officer considers reasonable in the circumstances. This may involve utilising a process that is requested by the worker or other person at the workplace raising an issue (if applicable) or using a different process without their agreement.

Who conducts an issue resolution process?

An issue resolution process is conducted by a manager at the lowest possible level with support from the Human Resources Officer.

Despite this, Council may decide, taking into consideration the relevant circumstances, to utilise instead or in addition to a manager at the lowest possible level:

- a more senior manager or
- an external person

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Procedure Name: Issue Resolution Procedure
 Procedure Owner: Human Resources Officer
 Originated Date: August 2015
 Amended Date/s:
 Review Date: December 2016
 Publication Sources: 15/013 - Human Resources Policies & Procedures
 02/03/01/01 – Human Resources – Employee
 Infonet / Documents / HR – Policies
 Works Depot & Childcare Facility

1. AUTHORITY & APPLICATION:

Definitions

As per the Issue Resolution Policy.

Training

Council will provide all persons covered by this Procedure with the appropriate training so they are made aware of their responsibilities and obligations under the Procedure.

Amendment

Council retains the sole discretion to reasonably vary, terminate or replace this Procedure from time to time. Council will consult before amendments are made and will notify and train those the amendments apply to.

Interpretation of Procedure

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Unless expressly provided for, this Procedure is not in any way incorporated as part of any enterprise agreement and does not form part of any employee's contract of employment and any applicable enterprise agreement or contract of employment will prevail over this Procedure to the extent of any inconsistency.

It is not intended that this Procedure impose any obligations on the Council or those covered by it that are unreasonable or contrary to the operation so applicable laws. Any obligation, direction, instruction or responsibility imposed by this Procedure must be carried out in a manner that an objective third party would consider to be fair and reasonable taking into account and in the context of all the relevant applicable laws, operational and personal circumstances.

Questions relating to the interpretation, application or enforcement of this Procedure should be directed to the person's manager or the Human Resources Officer.

2. GUIDELINES:

General Guidelines

This Procedure will take into account applicable and relevant circumstances to ensure that all issues are treated on their individual merits. This Procedure does not limit Council's right to take reasonable action in a reasonable manner.

Particular processes and outcomes will be utilised as considered reasonably necessary by Council depending in the individual circumstances. The exact nature of procedural fairness will be applied according to the individual circumstances of each case including confidentiality and privacy considerations and obligations and noting that this is a non-disciplinary procedure.

Contact officers are an integral part of the issue resolution process and are available to workers and other persons at the workplace who would like to understand/discuss an issue, seek the resolution of an issue, or respond to an issue being raised about them. Their role is to:

- listen to the person (not act as a support person or as an advocate)

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- explain and provide information about what can constitute infringing workplace behavior
- provide information about the options available to deal with the persons concerns, the likely results and the advantages and disadvantages of each and possible strategies for resolving the issues with the other person(s)
- refer the employee to the Employee Assistance Program (EAP) or other support or advice services if necessary
- ensure that relevant person has access to or are provided with copies of relevant policies and procedure

For the avoidance of doubt Contact Officers are not on any one person's side. They represent a resource for workers and others persons at the workplace and their role will facilitate the resolution of issues where reasonably practicable to do so for all parties.

Support person – worker or other person at the workplace will be advised of the opportunity to have a support person during this process. The role of the support person is to assist the person by providing emotional support, aiding the person's understanding or by taking notes, asking appropriate questions, or requesting breaks. An appropriate support person is a person who is not a party to a process or involved as a potential witness or otherwise has a conflict of interest. Where the support person is a Union official or other professional advocate they may speak or write on behalf of the person but only as to:

- matters of interpretation (e.g. legislation, industrial instrument etc) and/or
- resolution of the issue
- issues are to be resolved at the lowest possible level with minimum formality as appropriate and safe to do so
- issues in the form of a complaint made is not necessary given Council's duty of care under section 19 of the *Workplace Health and Safety Act 2010 (TAS)* to, in general terms, provide a safe workplace.

3. GUIDELINES FOR PROCESSES:

Treat fairly and seriously – assess all matters on their merits and facts. Any issue resolution process should be thorough enough and obtain relevant and credible evidence as is reasonably necessary to ensure substantive fairness by:

- providing particulars of issues and available evidence (including a copy of any complaints if available and not otherwise inappropriate to provide on legitimate work health and safety grounds) so participants understand the context of the process in which they are being required to participate
- providing workers and/or other persons at the workplace with a reasonable opportunity to respond to issues, findings, proposed resolution, subsequent or additional information (whether in writing and/or in person as appropriate) or other processes
-

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- making factual findings that are reasonably open to be made (e.g. specific behaviours and their context and surrounding circumstances)
- making conclusions or characteristics (e.g. breaches of policies which are serious) that can be objectively drawn from those factual findings
- notify workers and/or other persons at the workplace of the findings relevant to them and any proposed resolution action (if any)
- taking into account the nature and extent of the issue, a workers and/or other persons at the workplace personal circumstances and employment record including prior disciplinary action, any mitigating circumstances, Council requirements and any other
- relevant matters to ensure that any issue resolution is appropriate in the circumstances and
- notifying workers and/or other persons at the workplace of the issue resolution (if any) which will be imposed and when

Act promptly – issue resolution matters should be dealt with courteously, respectfully and within appropriate timelines on a case by case basis. All relevant parties should be provided with reasonable estimates of timeframes and be kept reasonably informed of the progress. Extensions of time may be appropriate in complex matters where justified. If additional time beyond the initial estimate is reasonably required to address the issues, all relevant parties should be advised of the additional time required and, in a manner appropriate, the reasons for the delay.

Support all parties – employees involved in the process should be told what support is available including the Employee Assistance Program (EAP).

Be neutral - impartiality towards everyone involved (i.e. persons seeking to impose a resolution to an issue, witnesses, affected parties, and responding persons). Participants should also avoid any personal or professional bias (perceived or actual). If a preliminary enquiry or workplace investigation is undertaken, the investigator may be internal or external to Council and must be a person who is:

- objective and neutral and impartial (i.e. avoid real or perceived bias)
- competent having regard to the particular circumstances
- available to conduct a preliminary enquiry or workplace investigation and report in a timely manner and
- not a potential witness or who has had prior dealings with parties that creates a real or perceived bias

Communicate process and outcomes - all parties should be reasonably informed of the process, and what they can expect will happen during an issue resolution process and potential outcomes. Council will provide all parties with clear reasons for any actions taken or not taken. Details of issue resolution matters should only be disclosed in a manner to

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those parties that need to know, provided that such disclosure does not create an unreasonable risk to their health and safety.

Maintain confidentiality - the process should ensure appropriate confidentiality for all parties involved and consider individual requests for confidentiality subject to Council's duty to provide a safe workplace.

Keep records as appropriate - some form of record should be made of the issue resolution process and matters dealt with under this Procedure including details of issue, written responses or submissions from those involved, the process adopted and any outcomes.

Seeking external advice – participants are entitled to obtain advice of their choice and have a support person present during any meetings they are required to attend at their own cost.

Appropriate interim arrangements – it is necessary to preserve the integrity of the issue resolution process being undertaken and having regard to the seriousness of allegations or to reasonably ensure the health and safety of any persons at the workplace. While in the process of resolving any issue, the parties must reasonably ensure that there is no interruption to work. Council may impose appropriate interim arrangements which may include any combination of the following:

- stand down with pay (unless otherwise specifically provided for in an industrial instrument). Employees responding to an issue (any other employees where considered appropriate)
- providing alternative duties to employees
- directing temporary changes to work arrangements (including reporting lines and location)
- preventing or restricting communication between employees, workers and other persons at the workplace
- imposing, for legitimate work health and safety reasons only, confidentiality obligations on employees, workers and other persons at the workplace (which does not preclude the taking of bona fide advice from a Union official or other professional advocate)
- preserving evidence - if necessary secure part of the workplace, obtain photographs or take any other steps to preserve physical evidence that may otherwise be lost and
- reporting to relevant authorities – e.g. Police, Regulators, Work Safe Tasmania etc

Any action taken under stand down with pay is an interim measure only and is not a disciplinary outcome and is without loss of pay or other entitlements (unless otherwise specifically provided for in an industrial instrument).

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4. PROCESSES:

General

Workers and other persons at the workplace may seek to utilise any of the Issues Resolution Processes. However, managers with support from the Human Resources Officer will decide and implement any of the following processes appropriate to the circumstances in any combination.

References to a worker's manager under this paragraph (Processes) should be to their immediate manager or if not applicable or appropriate then to the General Manager or Mayor as applicable.

Self management

Workers or other persons at the workplace should first raise issues directly with the person the issues relate to where appropriate to do so being mindful of safety and the possibility of reprisals.

A person may not be confident or comfortable to raise or discuss issues directly with the person involved. They may prefer to raise issues with another person in the workplace first and not progress with any self-management process.

Making a person aware of issues may give all persons involved a chance to consider and, where appropriate, change their behavior and reduce the possibility of issues progressing past this stage.

Self-management may be effective where the issues are likely to be non-contentious and where all persons involved may be unaware of the effect of their behaviours or particular circumstances. In these circumstances this process can focus immediately on desired outcomes without adverse consequences to anyone.

Self-management will not be suitable for circumstances including:

- serious or contentious issues or
- where it is appropriate for the issues to be dealt with under the Disciplinary Procedure or other policy or procedure or
- serious health and safety risks at the workplace

Workers utilising self-management should consider notifying their manager so they can monitor the situation as far as is reasonably practicable to ensure there are no ongoing risks to health and safety. The manager should keep the Human Resources Officer informed of the same.

Indirect approach

Workers or other persons at the workplace may, with or without a support person, raise issues with:



- their manager (if applicable)
- the manager of the person the issues relate to
- the Human Resources Officer or
- Council's Contact Officers

A person may not be confident or comfortable to raise or discuss issues directly with the person involved. They may prefer to raise issues with another person in the workplace first.

This process is useful for enabling workers or other persons at the workplace to:

- receive useful advice to give them tools to better understand a situation, adjust to or deal with the issues with the person direct
- just 'tell someone' who can understand, provide context and monitor the situation or
- have an appropriate person approach the person who is the subject of the issues to resolve the issues or take other action whilst keeping their identity confidential and without their being any adverse findings or disciplinary processes

An indirect approach may also be effective in similar circumstances where self-management has not been effective.

This process will not be suitable for circumstances including where self-management is not appropriate or where it is necessary for the person who is the subject of the issues to be aware of the identity of the person raising the issues and detailed particulars before it can be resolved.

Direct approach (voluntary)

A person may raise issues with the relevant manager who will then determine the appropriate process, with support from the Human Resources Officer. This may include an approach similar to self-management except the manager, with that person's consent, will discuss the issues direct with relevant persons and take reasonable action to resolve the issues.

This process will often involve agreement between the relevant persons as to the process adopted and outcome implemented.

Direct approach (escalating)

An Issue Resolution Form (included at the end of this Procedure) may be lodged with Council by:

- a worker or other persons at the workplace at any stage or
- a manager if self-management, indirect approach or direct approach do not resolve the issues or the manager considers direct approach (escalating) to be appropriate at any stage

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A manager, with support from the Human Resources Officer may deal with issues even if a worker or other person at the workplace fails or refuses to lodge the Issue Resolution Form if considered appropriate in circumstances including:

- Council considers this appropriate to discharge its duty to provide a safe workplace or to appropriately manage its workers and/or other persons at the workplace
- making appropriate decisions in relation to issues or potential issues and
- minimising further issues

If an Issue Resolution Form has been lodged or Council otherwise considers it appropriate, Council may adopt a process including:

- conducting initial interviews or requiring initial written responses
- preserving evidence if it is appropriate to secure the scene, obtain photographs or take any other steps to preserve physical evidence that may otherwise be lost
- implementing appropriate interim arrangements and
- conducting a preliminary enquiry or workplace investigation

5. DETERMINATION PROCESS:

Council may conduct a preliminary enquiry which may consist of obtaining detailed statements and interviews of persons directly relevant to the issues and a report without making findings where there is disputed evidence. Council may do so in circumstances including where it is unable to immediately form a reasonable suspicion to deal with the issues under the Disciplinary Procedure or it requires further factual circumstances or the issues are not particularly serious or may be better resolved with a preliminary enquiry.

Council may conduct a general workplace investigation under a scope it considers appropriate to potentially resolve the issues. This does not involve making allegations of infringing workplace behavior in which case the issues will be dealt with under the Disciplinary Procedure. Council may do so in circumstances including where:

- there may be significant outcomes for Council such as work health and safety, reputation or costs considerations
- it may be more effective to ascertain a particular workplace culture or custom or practice or
- there are key disputed facts or other factual matters in dispute that are material

Council may not conduct a preliminary enquiry or workplace investigation if it is reasonably satisfied that the issues and findings of fact can be determined and conclusions can be objectively drawn. Examples of this include where there is no dispute as to the material facts or they can be easily determined for the purpose of resolving the issues.

6. OUTCOMES:

As part of any of the processes, Council may implement any combination of the following outcomes as it considers appropriate in the circumstances:

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- obtain commitment to cease the behaviour (e.g. undertaking)
- provide communication to individuals, groups or Council-wide
- provide training (e.g. communication skills, diversity awareness, interpersonal skills) to individuals, groups or Council-wide
- remedial actions for any worker adversely affected (e.g. re crediting leave or specialist training or counselling)
- providing coaching, counselling support and/or mentoring
- review a policy that is the subject of an issue
- mediation or any other facilitated process
- structured program to reintegrate a worker into the workplace
- amend work arrangements including removing or restricting communication or interaction between workers
- implement action in accordance with any other policy including Performance Management Policy
- commence a disciplinary process under the Disciplinary Policy or
- other lawful and reasonable directions considered appropriate for the circumstances

7. LODGING AN ISSUE RESOLUTION FORM:

Step 1 – Lodging an issue

Complete the Issue Resolution Form attached to this Procedure.

Step 2 - Initial response

A manager, the Human Resources Officer or person appointed by Council will meet separately with all parties as soon as practicable and explain the process and their rights and responsibilities.

Council may determine to attempt to resolve the issues by utilising other processes under the Procedure or under another policy or procedure in which case persons will be notified as appropriate.

Step 3 - Appropriate interim arrangements

Council will implement appropriate interim arrangements whilst conducting the process.

Step 4 - The determination process

Council may conduct an appropriate process in a reasonable manner to determine the issues. Depending on the circumstances, this may involve a preliminary enquiry or workplace investigation.

Step 5 - Findings and report

The manager, Human Resources Officer or person appointed by Council (e.g. investigator)

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will provide a report consistent with the required scope including findings and other matters appropriate to resolve the issues. The findings should be communicated to the parties in writing as considered appropriate for the circumstances.

Step 6 – Outcome

Council will implement an outcome after it has provided the parties with a reasonable opportunity to respond to the findings and any proposed outcome.

Step 7 – Post outcome

Council will implement:

- appropriate reporting to other persons
- processes to monitor the outcome and
- other appropriate actions as necessary

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**ISSUE RESOLUTION FORM:**

Worker or other persons at the workplace details (the person seeking the issue to be resolved).

Name: _____

Position Title: _____

Department: _____

Manager's Name: _____

Type of Issue (please tick):

Please consider Council's Workplace Behaviour Policy to ensure which issue this resolution form pertains to. Please seek advice from the Human Resources Officer or your manager if assistance is required.

- Inappropriate workplace behaviour
- Bullying
- Equal opportunity, discrimination, harassment
- Sexual harassment
- Victimisation
- Vilification
- Conflict with another employee
- Conflict with other persons at the workplace
- Work, health and safety matter
- Fitness for work
- Employee Code of conduct
- Communications & Social Media
- Other matter not categorised above. Please list below:

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Respondent(s) Details: (the person against whom the issue has been raised)

Name(s): _____

Position Title: _____

Department: _____

Manager's Name: _____

Details of Issue/s: (attach an additional sheet if required)

Date and time of performance, behaviour and/or conduct:

Location of performance, behaviour and/or conduct:

Names of Witnesses: (if any)

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Issues details (be precise, chronological and use facts. Do not use opinion, beliefs or conclusions):

Basis of issues (include why you are lodging form, your beliefs or conclusions):

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Other relevant details:

What resolution would you like to occur as a result of raising the issue including any proposed process or outcome?

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Declaration and Acknowledgement:

I declare / understand that:

The details I have provided in this form are correct to the best of my knowledge.

An issue is encouraged to be attempted to be resolved at the workplace level before any external agencies are notified or involved although Council respects a person's lawful right to do so.

Disciplinary action can be brought against me for making vexatious, false or frivolous claims or claims not made in good faith against another person.

Signature: _____

Date: _____

This form and the subsequent process will be treated with the appropriate confidence.

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Policy Name:	Overtime Policy
Policy Owner:	Human Resources Officer
Originated Date:	February 2015
Amended Date/s:	August 2015
Review Date:	December 2016
Applicable Legislation:	<i>Northern Midlands Council Workplace Agreement 2013 – 2016</i>
Publication Sources:	15/013 - Human Resources Policies & Procedures 02/03/01/01 – Human Resources – Employee Infonet / Documents / HR – Policies Works Depot & Childcare Facility

1. PURPOSE:

The purpose of this Policy is to define overtime, outline when it is to be paid and provide details pertaining to the authorisation process.

2. COVERAGE:

This Policy applies to all Municipal Officers (indoors staff) employed on a permanent full-time, part-time or casual arrangement by the Northern Midlands Council.

3. REQUIREMENTS:

As per the *Northern Midlands Council Workplace Agreement 2013 – 2016*, overtime means all work performed at the direction of Council:

- in excess of the employee's agreed weekly hours
- on days other than the employee's agreed ordinary working days and
- in excess of the maximum agreed ordinary hours on any given day

As far as practically possible, Council will endeavor to arrange work so that employee's are able to complete their assigned tasks within Council's normal business hours of 8.30am till 5.00pm. Similarly, employees should be able to complete their responsibilities for their position within business hours.

On occasions this may not be possible and there may be a need for the manager to request an employee to undertake reasonable amounts of overtime. However overtime should only be worked when directed by an employee's manager. No employee is entitled to the payment of overtime or flexi-time accrued unless such overtime has been requested and appropriately authorised by the employee's manager.

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An employee may refuse to work overtime in circumstances where the working of such overtime is unreasonable; it would pose a risk to the employee's health and safety; due to personal circumstances including family responsibilities; if sufficient notice has not been given and/or any other relevant reason.

An Approval for Overtime Form must be completed by employees and approved by their manager before any overtime payment is made or flexi-time accrued. This should be attached to the employee's timesheet and given to payroll.

Payment for overtime will be made in accordance with the *Northern Midlands Council Workplace Agreement 2013 – 2016*.

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Policy Name:	Performance Management Policy
Policy Owner:	Human Resources Officer
Originated Date:	August 2015
Amended Date/s:	
Review Date:	December 2016
Applicable Legislation:	<i>Age Discrimination Act 2004 (Cth)</i> <i>Anti-Discrimination Act 1998 (TAS)</i> <i>Australian Human Rights Commission Act 1986 (Cth)</i> <i>Disability Discrimination Act 1992 (Cth)</i> <i>Fair Work Act 2009 (Cth)</i> <i>Local Government Act 1993 (TAS)</i> <i>Racial Discrimination Act 1975 (Cth)</i> <i>Sex Discrimination Act 1984 (Cth)</i> <i>Work Health & Safety Act 2012 (TAS)</i> <i>Workers Rehabilitation & Compensation Act 1988 (TAS)</i>
Publication Sources:	15/013 - Human Resources Policies & Procedures 02/03/01/01 – Human Resources – Employee Infonet / Documents / HR – Policies Works Depot & Childcare Facility

1. AUTHORITY & APPLICATION:

This Policy should be considered in the context of the following policies and procedures:

- Communications & Social Media
- Disciplinary
- Employee Code of Conduct
- Fitness for Work
- Issue Resolution
- Work Health & Safety
- Workplace Behaviour Policy

Definitions

Council - Northern Midlands Council.

Councillor - an elected member of Council known as a Councillor or Alderman or otherwise meeting the definition of a Councillor as defined under section 3 of the *Local Government Act 1993 (TAS)*.

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Employee - a person who carries out work for Council as an employee of Council.

General Manager - the General Manager of Council as appointed under section 61 of the *Local Government Act 1993 (TAS)*.

Infringing Workplace Behaviour - any act or omission, which amounts to a breach of any Council policy, contractual obligation or misconduct at common law.

Manager/Supervisor - a person at the workplace who is appointed to a position that has management/supervisory responsibilities for others or their appropriately nominated or authorised delegate.

Policy - this Policy including the Authority and Application.

Procedure – the Performance Management Procedure including the Authority and Application.

Workplace - a place where work is carried out for Council.

Training

Council will provide all persons covered by this Policy with the appropriate training so they are made aware of their responsibilities and obligations under the Policy.

Amendment

Council retains the sole discretion to reasonably vary, terminate or replace this Policy from time to time. Council will consult before amendments are made and will notify and train those the amendments apply to.

Interpretation of Policy

The singular includes the plural and vice versa.

A reference to any legislation includes all delegated legislation made under it and amendments, consolidations, replacement or re-enactments of any of them.

A reference to a policy or procedure means any approved policies or procedures of Council unless otherwise stated.

‘Including’ and similar expressions are not words of limitation.

A reference to a document (including this document) is to that document as amended, novated or replaced unless otherwise stated.

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Where a word or expression is given a particular meaning, other parts of speech and grammatical forms of that word or expression have a corresponding meaning.

Examples used in this Policy are for illustrative purposes only and are not intended to be exhaustive.

Unless expressly provided for, this Policy is not in any way incorporated as part of any enterprise agreement and does not form part of any employee's contract of employment and any applicable enterprise agreement or contract of employment will prevail over this Policy to the extent of any inconsistency.

It is not intended that this Policy impose any obligations on the Council or those covered by it that are unreasonable or contrary to the operation so applicable laws. Any obligation, direction, instruction or responsibility imposed by this Policy must be carried out in a manner that an objective third party would consider to be fair and reasonable taking into account and in the context of all the relevant applicable laws, operational and personal circumstances.

Questions relating to the interpretation, application or enforcement of this Policy should be directed to the person's manager or the Human Resources Officer.

Reporting of Breaches

Persons covered under the paragraph 'Coverage' must reasonably report breaches of infringing workplace behaviour as follows:

For breaches by:

- an employee (other than the General Manager) the report must go to the reporting person's applicable manager
- the General Manager the report must go to the Mayor (or if unavailable to the next appropriately delegated Councillor) and

as otherwise required or permitted by applicable laws.

Breach of this Policy

Persons covered under the paragraph 'Coverage' who engage in infringing workplace behaviour may (as is appropriate) be subject to appropriate disciplinary action in accordance with the Disciplinary Policy and Procedure or removal from the workplace or termination of services (workers, other than employees and other persons at the workplace). Infringing workplace behaviour may also amount to breaches of applicable laws:

- exposing individuals to legal proceedings and
- making Council vicariously liable for the conduct of others

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2. PURPOSE:

The aims of this Performance Management Policy are to:

- continuously improve employee performance
- provide guiding principles for managing employees performance
- provide a reference and framework for the Performance Management Procedure and
- provide assessment measures for training and development needs

3. COVERAGE:

This Policy covers and applies to employees in relation to:

- behaviour at the workplace
- the performance of work for or in connection with Council

This Policy does not cover or apply to behaviours that amount to or are dealt with by Council as:

- incapacity for work, which are dealt with under Council's Fitness For Work Policy or
- disciplinary matters, which are dealt with under Council's Disciplinary Policy

For the avoidance of doubt this Policy does not cover or apply to a Councillor.

4. REQUIREMENTS:

Employees must comply with this Policy.

Managers must reasonably communicate and implement this Policy within their area of responsibility.

5. ROLE RESPONSIBILITIES:

What are the manager's responsibilities?

Managers are responsible for:

- managing and reviewing employees' performance to assist them to continuously improve and be effective and ensuring appropriate management of poor performance
- communicating the requirements of employees' roles and expectations for effective performance
- making appropriate records relating to managing performance
- making reasonable resources available to assist employees and
- advising employees of reasonable internal and external support

What are the employee's responsibilities?

Employees are responsible for:

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- their own performance, including the requirements of their role for effective performance
- participating appropriately in performance management
- improving performance and
- identifying appropriate support, training or experience and opportunities to improve performance

6. ENGAGING IN PERFORMANCE MANAGEMENT:

What is the process?

Managing performance is an ongoing process that all employees are continuously involved in. The Performance Management Procedure provides guidelines containing a number of different processes Council may utilise to appropriately manage performance.

Is there a requirement to use a particular process?

Council may use a particular performance management process or tool (or a combination of processes and tools) that a manager considers reasonable in the circumstances to ensure compliance with role requirements or expectations or other policies and procedures.

Who conducts performance management?

Performance management is conducted by an employee's immediate manager, with support from the Human Resources Officer.

Despite this, Council may decide, taking into consideration the relevant circumstances, to utilise instead or in addition to the employee's immediate manager:

- a more senior manager
- the Human Resources Officer or
- an external person

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Procedure Name: Performance Management Procedure

Procedure Owner: Human Resources Officer

Originated Date: June 2015

Amended Date/s:

Review Date: December 2016

Applicable Legislation: *Age Discrimination Act 2004 (Cth)*
Anti-Discrimination Act 1998 (TAS)
Australian Human Rights Commission Act 1986 (Cth)
Disability Discrimination Act 1992 (Cth)
Fair Work Act 2009 (Cth)
Local Government Act 1993 (TAS)
Racial Discrimination Act 1975 (Cth)
Sex Discrimination Act 1984 (Cth)
Work Health & Safety Act 2012 (TAS)
Workers Rehabilitation & Compensation Act 1988 (TAS)

Publication Sources: 15/013 - Human Resources Policies & Procedures
 02/03/01/01 – Human Resources – Employee
 Infonet / Documents / HR – Policies
 Works Depot & Childcare Facility

1. AUTHORITY & APPLICATION:

Definitions

As per the Performance Management Policy as amended from time to time.

Training

Council will provide all persons covered by this Procedure with the appropriate training so they are made aware of their responsibilities and obligations under the Procedure.

Amendment

Council retains the sole discretion to reasonably vary, terminate or replace this Procedure from time to time. Council will consult before amendments are made and will notify and train those the amendments apply to.

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Questions relating to the interpretation, application or enforcement of this Procedure should be directed to the person's manager or the Human Resources Officer.

2. GUIDELINES:

Performance management is conducted with as little formality as is possible. Particular performance management tools will be utilised as considered reasonably necessary to ensure effective performance. This Procedure does not limit Council's right to take reasonable action in a reasonable manner.

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Performance management processes will depend on the type of performance issues, which may include:

- infringing workplace behaviour (generally behaviours that are not serious or a deliberate departure from role requirements or expected behaviours otherwise this would be dealt with under the Disciplinary Policy)
- work quality including technical requirements, accuracy and consistency of work performed
- work output including quantity and efficiency of work performed and
- work effectiveness including communication, decision making, team work, following work processes, prioritising, deadlines and cooperation

Procedural fairness appropriate to the circumstances should be provided to employees by their managers, which includes reasonable:

- notice of specific behaviours (given that performance is aggregated behaviours) Council considers to be contrary to performance expectations or requirements
- opportunities to respond to such notice concerning performance and address performance issues
- opportunities to change or remedy behaviours to improve performance
- notice of the performance tools being utilised to improve performance and their context including the potential outcome and security of ongoing employment and
- steps to maintain confidentiality

The process should ensure appropriate confidentiality for all parties involved and consider individual requests for confidentiality subject to Council's duty to provide a safe workplace.

The opportunity to have a support person is not generally offered or considered to be appropriate. This is because performance management is based on professional relationships between managers and employees to perform work to meet operational requirements. This Procedure only contains non-disciplinary processes. However, Council will not unreasonably refuse a request for a support person.

The role of the support person is to assist employees by providing emotional support, aiding the employee's understanding or by taking notes, asking appropriate questions, or requesting breaks. A support person is not to be an advocate or speak on behalf of the employee. An appropriate support person is a person who is not a party to a process or involved as a potential witness or who otherwise has a conflict of interest.

A support person must maintain confidentiality understanding that employees' work performance are private matters between the relevant parties and the confidentiality of those processes should be respected at all times.

Any of the performance management tools utilised should incorporate any one or more of the following guidelines as appropriate:

- communicate to the employee that performance is or is not meeting expectations or requirements and provide recent examples of specific behaviours



- encourage the employee to continue to engage in effective behaviours or, where ineffective, first identify the solution themselves, before advising them what to do or how to improve performance if necessary
- agree on a plan to rectify any performance gap between expected and actual behaviours
- set measurable performance goals and allow reasonable timeframes to achieve them
- provide or offer necessary support and training to assist the employee in improving performance
- advise an employee that if their performance levels do not improve by a specific date, what the escalation process will be and/or
- document performance, communication and outcomes

3. TOOLS:

Managers, in conjunction with the Human Resources Officer may implement performance management processes appropriate to the circumstances using any of the following tools and in any combination they deem reasonable. Templates are available to aid this process.

Meetings

Meetings develop professional relationships which in turn build teams that are necessary for better performance. Meetings are work requirements that can be used to respond to operational requirements and implement any of the other tools.

Praise

Positive reinforcement is generally far more powerful than negative feedback and can have a significant effect on a person and the morale of the team. A simple 'thank you' for a job well done is always appreciated. Public recognition of a job well done where appropriate and with an employee's consent can also be effective.

Feedback (positive and negative)

Feedback is encouraging effective behaviours. The purpose is to correct or change behaviours or reinforce to continue behaviours. Because it is affirming and adjusting it needs to be verbal and immediate.

Feedback deals with small incremental adjustments to behaviour. It is not disciplinary or to 'punish' which is why it deals with future behaviours only. It is not concerned with 'root cause' or the 'intent' behind behaviours, which is why it allows an employee to provide their own solutions to change or continue behaviours.

Communicating Expectations

Communicating expectations can occur in a variety of circumstances including where there is:

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- an apparent 'expectations gap' between the employee's view of their performance and their manager's view
- a pattern of behaviour that is not aligned to expectations or
- inadequate response to feedback

Communicating expectations should occur verbally (e.g. during meetings) and in writing (e.g. emails, memos, and letters) and include:

- describing specific behaviours
- consequences – the impact of those behaviours and why they are not effective
- considering the response including the cause, options and employee's plan to change
- reiterating expectations and resources to assist and
- escalation – what will happen by when if there is not a satisfactory change (which may include use of other tools and is non-disciplinary)

Coaching

Coaching is goal orientated communication. Coaching is used to not only address poor performance but to manage people's strengths and further develop performance. Coaching is self-directed because it requires an employee to agree on the goal, the action plan and process to report and review.

Training

This is targeted teaching used by the manager to overcome a specific deficit in skills required for effective performance management plans.

Performance Management Plans

These are documented plans to address ongoing poor performance as referred to in the following paragraph.

4. PLANS:

A performance management plan will be initiated where:

- performance issues have been identified and
- performance issues are of a serious nature or
- there has not been acceptable improvement to performance utilising other performance management tools

The employee will be provided with reasonable notice that a meeting has been scheduled to discuss unacceptable performance.

The opportunity to have a support person at this stage may be considered to be appropriate. The meeting should include:

- reference to any previous performance management processes

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- details of how and why performance is unacceptable and provide examples of specific behaviours
- describing the expected performance
- outlining the level of training and assistance available
- devising a performance management plan in consultation with the employee;
- advising as to the potential outcome if the action plan items are not achieved and ultimately the performance goals within the stated timeframe and
- any other relevant matter

Following the performance management meeting the manager, with support from the Human Resources Officer will implement a written performance management plan in consultation with the employee that contains:

- measurable performance goals
- an action plan containing the standard of behaviours required
- reasonable timeframes to improve to the required standard and
- meetings and reporting to monitor and review the action plan and ultimately whether the performance goals have been achieved or not

5. OUTCOMES:

Council may implement any of the following performance management outcomes arising out of utilising the performance management tools.

Coaching - an employee may engage in coaching internally with a manager other than their immediate one, the Human Resources Officer or externally

Training - this may be provided internally other than by an employee's immediate manager or externally

Change of duties or responsibilities - this may be utilised to focus on an employee's strengths and the best value to Council. It must not be utilised to avoid managing poor performance or to change a role where other employees are adversely impacted on as a result.

Transfer to a new role or position - if appropriate and subject to merit based selection an employee may be transferred to a new role or position by agreement and at the sole discretion of Council which may be at the same, higher or lower level with a new contract of employment.

Disciplinary - a disciplinary process which may result in disciplinary action up to and including termination or employment may arise out of any performance management tool (e.g. prior to, during or at the end of a performance management plan process) in which

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case the Disciplinary Policy and Procedure will apply to that disciplinary process and not this Procedure.

Any other performance management outcome.

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Policy Name:	Recruitment & Selection Policy
Policy Owner:	Human Resources Officer
Originated Date:	October 2015
Amended Date/s:	
Review Date:	December 2016
Replaced Policy:	Policy 59 – Employee Recruitment & Selection Policy
Applicable Legislation:	<i>Age Discrimination Act 2004 (Cth)</i> <i>Anti-Discrimination Act 1998 (TAS)</i> <i>Australian Human Rights Commission Act 1986 (Cth)</i> <i>Disability Discrimination Act 1992 (Cth)</i> <i>Fair Work Act 2009 (Cth)</i> <i>Local Government Act 1993 (TAS)</i> <i>Racial Discrimination Act 1975 (Cth)</i> <i>Sex Discrimination Act 1984 (Cth)</i> <i>Work Health & Safety Act 2012 (TAS)</i> <i>Workers Rehabilitation & Compensation Act 1988 (TAS)</i>
Publication Sources:	15/013 - Human Resources Policies & Procedures 02/03/01/01 – Human Resources – Employee Infonet / Documents / HR – Policies Works Depot & Childcare Facility

1. AUTHORITY & APPLICATION:

Definitions

Competency Based Interview Questions – are similar to one-on-one interview questions, but they are based on the principle that past behaviour is the best indicators of how people will behave in the future. In other words, the questions asked in a competency based interview are predominately related to the applicant's experiences and achievements.

Council - Northern Midlands Council.

Councillor - an elected member of Council known as a Councillor or Alderman or otherwise meeting the definition of a Councillor as defined under section 3 of the *Local Government Act 1993 (TAS)*.

Employee - a person who carries out work for Council as an employee of Council.

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Employment Contract – is a legally enforceable agreement which defines terms and conditions of employment. The contract lists the rights, expectations and obligations of both Council and the individual.

General Manager - the General Manager of Council as appointed under section 61 of the *Local Government Act 1993 (TAS)*.

Induction – is the process of providing information, guidance and support to new employees to enable them to adjust to their new working environment and begin productive, meaningful work as quickly as possible. An induction should be a structured program that is implemented consistently across an organisation to provide orientation, organisational knowledge and on the job training.

Manager/Supervisor - a person at the workplace who is appointed to a position that has management/supervisory responsibilities for others or their appropriately nominated or authorised delegate.

Person Specification – outlines the abilities, skills, knowledge and personality traits that are required to perform a role.

Policy - this Policy including the Authority and Application.

Position Description – is a document that outlines the key duties, responsibilities and competencies that a role requires.

Procedure – the Recruitment & Selection Procedure including the Authority and Application.

Protected Attributes – include race; colour; sex; sexual preference; age; physical or mental disability; marital status; family or carer's responsibility; pregnancy; religion; political opinion and social origin.

Recruitment – refers to the process of attracting, screening and selecting qualified people for a specific job.

Reference Check – is the process of contacting previous employers of an applicant to determine their employment history and to assess their ability to perform the role for which they have applied. Reference checking may also involve contacting educational institutions attended by an applicant to verify their qualification details.

Selection Criteria – a set of criteria that describes the attributes (i.e. the knowledge, skills, qualities and experience) that an applicant needs to fulfill the requirements of the role.

Short-listing – a process that is undertaken to determine the applicants that will be eliminated from the recruitment and selection process and those who will continue to be considered for the position.

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Vicariously Liable – is the responsibility an employer has for the actions of its workers or agents towards others during work hours or in other work-related circumstances.

Worker - a person who carries out work in any capacity for Council, including work as:

- an employee
- a contractor or subcontractor
- an employee of a contractor or subcontractor
- an employee of a labour hire company who has been assigned to work at Council
- an outworker
- an apprentice or trainee
- a student gaining work experience
- a volunteer

Workplace - a place where work is carried out for Council.

Training

Council will provide all persons covered by this Policy with the appropriate training so they are made aware of their responsibilities and obligations under the Policy.

Amendment

Council retains the sole discretion to reasonably vary, terminate or replace this Policy from time to time. Council will consult before amendments are made and will notify and train those the amendments apply to.

Interpretation of Policy

The singular includes the plural and vice versa.

A reference to any legislation includes all delegated legislation made under it and amendments, consolidations, replacement or re-enactments of any of them.

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any applicable enterprise agreement or contract of employment will prevail over this Policy to the extent of any inconsistency.

It is not intended that this Policy impose any obligations on the Council or those covered by it that are unreasonable or contrary to the operation so applicable laws. Any obligation, direction, instruction or responsibility imposed by this Policy must be carried out in a manner that an objective third party would consider to be fair and reasonable taking into account and in the context of all the relevant applicable laws, operational and personal circumstances.

Questions relating to the interpretation, application or enforcement of this Policy should be directed to the person's manager or the Human Resources Officer.

Breach of this Policy

Persons covered under the paragraph 'Coverage' who do not follow this Policy and the Recruitment & Selection Procedure may be subject to disciplinary action in accordance with the Disciplinary Policy and Procedure. In particular, this will be the result where recruitment and selection practices amount to breaches of applicable laws exposing individuals or Council to legal proceedings and/or making Council vicariously liable for the conduct of others.

2. PURPOSE:

Northern Midlands Council is committed to recruiting the best suited applicants for all available positions, based on the principles of merit and equal employment opportunity.

Accordingly, Council has a professional and effective recruitment and selection process which is guided by the principles of fairness and equity to ensure a consistent and transparent process for all.

3. COVERAGE:

This policy applies to all personnel of Council who are involved in recruitment and selection of employees and pertains to all aspects of the recruitment and selection process.

For the avoidance of doubt this Policy does not cover or apply to a Councillor.

4. REQUIREMENTS:

A structured framework is provided for in the Recruitment and Selection Procedure, which provides guidelines for the Human Resources Officer and department manager as they work their way through the recruitment and selection process.

In summary the Procedure details each step of the recruitment and selection process, as listed below and in the order they should be undertaken:

- Identify the need
- Develop or review position description
- Recruitment approval form
- Advertise vacancy
- Confirm interview panel

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- Develop competency based interview guide
- Shortlist applicants
- Confirm interviews
- Interview
- Reference check/s
- Pre employment medical assessment
- National Police Check
- General Manager approval
- Verbal offer
- Employment contract
- Advise unsuccessful candidates
- Probation period
- Induction

Refer to the Recruitment and Selection Procedure for a comprehensive overview of each of these stages within the process.

All documentation pertaining to the recruitment and selection process should be returned to the Human Resources Officer who will ensure it is saved in the appropriate folder/s and in Council's records information system.

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Procedure Name: Recruitment & Selection Procedure
 Procedure Owner: Human Resources Officer
 Originated Date: October 2015
 Amended Date/s:
 Review Date: December 2016
 Publication Sources: 15/013 - Human Resources Policies & Procedures
 02/03/01/01 – Human Resources – Employee
 Infonet / Documents / HR – Policies
 Works Depot & Childcare Facility

1. AUTHORITY & APPLICATION:

Definitions

As per the Recruitment and Selection Policy.

Training

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Amendment

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Questions relating to the interpretation, application or enforcement of this Procedure should be directed to the person's manager or the Human Resources Officer.

2. GUIDELINES:

Effective recruitment and selection processes are essential to ensure that Council appoints the right people into the right positions. Similarly, having a structured process ensures the principles of fairness and equity are followed each and every time we recruit to ensure a consistent and transparent process for all.

The recruitment and selection process will be managed by the Human Resources Officer, in close collaboration with the responsible department manager and the following procedure provides a framework for each step of the process.

3. PROCEDURE:

Identify the Need

When a vacancy arises, through natural attrition, the department manager in conjunction with the General Manager and Human Resources Officer need to assess if the role is to be replaced or whether the work can be reallocated amongst existing employees.

It should then be decided the capacity in which the position will be replaced (permanent, part time, fixed term, contract, casual or consultancy agreement), taking into consideration budget allocations and the future business requirements of Council.

Develop or Review Position Description

For a newly created position, a detailed position description should be developed. Where an employee is being replaced, the existing position description should be reviewed by the

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manager in conjunction with the Human Resources Officer to ensure it remains relevant and reflective of the position and the needs of Council.

The position description should emphasise the position purpose and the key responsibility areas, combined with a person specification which details the attributes, qualifications and experience required for the role.

Recruitment Approval Form

All positions require approval from the department manager, the Human Resources Officer and the General Manager prior to the recruitment process being initiated. The purpose of this is to ensure the proposed recruitment has been accounted for within Council's personnel budget and the General Manager approves the recruitment to proceed.

Advertise Vacancy

Care needs to be taken when creating the job advertisement to ensure that the advertisement complies with applicable legislation.

The advertisement should accurately reflect the position, including key responsibility areas, essential and desirable criteria and the level of skill, experience and qualifications required to fulfill the role. All of this information can be derived from the position description and inserted into the *Job Advertisement Template*.

The Human Resources Officer will determine the most appropriate sourcing strategy and advertising medium for each vacancy. This may include internal advertisement, external print media, online Seek advertisement, notice boards, affiliation organisations and/or engaging the services of a recruitment agency.

Confirm Interview Panel

The interview panel will be determined at this point and comprise of the department manager, the Human Resources Officer and any other personnel that the manager deems appropriate to participate.

If any members of the panel are known to an applicant that is being interviewed, they must make the Human Resources Officer aware of this to avoid any conflict of interest. In this instance, they may be removed from the panel and replaced by another suitable employee.

Competency Based Interview Guide

Prior to short-listing applicants a competency based interview guide is to be finalised by the Human Resources Officer. The questions should be a combination of competency based questioning, and open ended questioning.

The interview questions asked will be relevant to the advertised position and based on the selection criteria, seeking to identify the experience and ability of the applicants in relation

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to the role. Interview questions will not make any reference to protected attributes covered under the applicable legislation.

Shortlist Applicants

Once applications have been received, they will be culled in the first instance by the Human Resources Officer to determine the applicants who meet the selection criteria and have the essential experience, qualifications and skills as outlined in the position description and/or person specification.

The manager will then make an assessment of the applications received before meeting with the Human Resources Officer to determine and agree on a shortlist to progress to the next stage of the recruitment process.

Any resumes that do not meet the criteria will be discarded from continuing in the process at this point and sent a letter or email advising that they have been unsuccessful.

Confirm Interviews

The Human Resources Officer will confirm interview details with the shortlisted applicants, including but not limited to date, time, location, panel members, format of the interview and duration of the interview.

Interview

Interviews will be facilitated by the Human Resources Officer and guided by the principles of fairness, equity and equal employment opportunity.

The interview is designed to identify the applicant most suited to the position. Interviews are to be structured in such a way to enable the collection of sufficient evidence to confirm the applicant(s) shortlisted have the required skills, experience and motivation to carry out the inherent requirements and responsibilities of the role.

Interview questions will include behavioural based questions and these will be tailored to the position and the competencies of the role. The interview panel should document the applicant's responses, which will accurately record the assessment of the applicant and the recommendation for appointment decisions. This will provide evidence why an applicant was or was not successful and allow for feedback to applicants if the same is requested.

The interview process is an opportunity for the interview panel to represent Council in a professional manner so that the applicant walks away with a positive impression of Council and the way they have been dealt with at interview. This is a branding opportunity for Council so all applicants should be treated professionally and with respect even if they are deemed unsuitable for the position.

Reference Check/s

Reference checking is an important part of the recruitment process and should only be undertaken with the applicant's permission.

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Meaningful questions should be asked about the applicant's previous work performance, their strengths, weaknesses' and how they respond in certain work situations (i.e. conflict, working as a team member, prioritising their work, meeting deadlines etc).

In all instances the referee should be advised of the position the applicant is being considered for and what the key requirements are so that their opinion can be objectively based.

Qualifications should also be verified by either a copy of the relevant documentation being provided or alternatively, contacting the educational institution to verify the qualification.

Pre Employment Medical Assessment

The preferred applicant will need to undergo a pre employment medical assessment at the expense of Council. The Human Resources Officer will liaise with the applicant to determine a suitable day and time and then schedule the appointment with Council's preferred medical provider.

Results of the medical assessment will be forwarded to the Human Resources Officer and in the event an unsatisfactory result is returned, the Human Resources Officer will follow up with the medical provider to determine what action is required. In this instance, the department manager and/or General Manager will be advised of the situation at hand as deemed appropriate.

National Police Check

Council requires all new employees to undergo a National Police Check as part of the recruitment and selection process. The report will release information about an applicant's past criminal history and be assessed against the requirements for the position.

An offer of employment can be made prior to the National Police Check being returned, however in this instance the offer of employment should be subject to a satisfactory National Police Check being returned to Council.

A National Police Check can take anywhere between one week and three weeks to be returned.

The cost associated with obtaining the National Police Check will be met by Council.

General Manager Approval

Once pre employment screening activities have been completed, the Human Resources Officer will prepare a *Selection Report* for the General Manger which outlines the recruitment process to date, in addition to identifying the preferred applicant.

The General Manager will be asked to approve this report before the Human Resources Officer progresses to the next stage of making a verbal offer of employment.

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Verbal Offer

The Human Resources Officer will verbally make an offer of employment to the successful candidate and the following is covered during this discussion:

- Position being offered and who the role reports to
- Remuneration and benefits, including salary plus superannuation and any other benefits like company vehicle, laptop and mobile phone (if applicable)
- Commencement date
- Hours of work
- Probation period
- Any other information pertinent to the position

Employment Contract

An employment contract will be prepared following verbal acceptance by the successful applicant.

Each new employee will receive a new starter pack, prepared by the Human Resources Officer which will contain 2 x employment contracts, 2 x position descriptions, relevant payroll forms, tax declaration, superannuation fund forms, driver declaration form, employee handbook and applicable Human Resources Policies and Procedures.

The Human Resources Officer must ensure they have received a copy of the employment contract and position description signed by the applicant along with all other new starter paperwork prior to the applicant commencing or at the latest on their first day of employment.

In the event an internal applicant is successful, a new employment contract and position description will be issued, which must be signed and returned to the Human Resources Officer prior to the date of commencement in the new position.

The Human Resources Officer will scan the completed paperwork and save it in the employee's personnel file and Dataworks before passing the same on to Payroll for action and set up.

Advise Unsuccessful Applicants

All applicants are to receive a response from the Human Resources Officer advising the outcome of their application. This can be via email or a letter sent in the post and should be actioned as soon as possible following the recruitment process and once the successful candidate has accepted the position.

Probation Period

All new employees will commence with Council on a probation period which is normally six months in duration, however will be determined by the type of employment contract the employee has been engaged on. For shorter term contracts, a shorter probation period may be involved.

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The probation period is designed to assess the employees work performance and suitability to Council employment. The probation period allows the new employee to learn about Council and their position and decided if this is the right role for them. Similarly, it provides Council with the opportunity to assess how the employee is fitting into the workplace and their new position.

Employee's performance will be reviewed regularly throughout the probation period and formal discussions will take place at the half way point between the department manager and the employee as well as one week prior to the probation period concluding. These discussions will be documented using the *Probationary Review Template* and employees will be notified in writing of the confirmation of their employment once they successfully pass their probation period.

Similarly, existing employees that accept a position that is different from their previous role may be subject to a probation period in the new position. The probation review process is the same for existing employees as it is for new employees and outlined in the paragraph above. If performance during the probation period is inadequate the employee will be offered, in the first instance, the opportunity to move back to their previous position or a role similar to their previous one on the employee's previous salary and terms and conditions of employment.

Induction

The Human Resources Office in conjunction with the department manager will prepare an induction program for the new employee to undertake during their first week of employment. This will include allocated time with key stakeholders and the management team of Council.

The induction program is designed to welcome the new employee to Council and the department in which they will work. In addition to this, the induction program aims to ensure the new employee understands the essential requirements of their new position and is intended to help them settle into their new role and work environment as quickly as possible. An effective induction program makes the transition for a new employee as smooth and trouble free as possible.

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Policy Name:	Work Health & Safety Policy
Policy Owner:	Human Resources Officer
Originated Date:	August 2015
Amended Date/s:	
Review Date:	December 2016
Replaced Policy:	Policy 12 – Occupational Health & Safety
Applicable Legislation:	<i>Age Discrimination Act 2004 (Cth)</i> <i>Anti-Discrimination Act 1998 (TAS)</i> <i>Australian Human Rights Commission Act 1986 (Cth)</i> <i>Disability Discrimination Act 1992 (Cth)</i> <i>Fair Work Act 2009 (Cth)</i> <i>Local Government Act 1993 (TAS)</i> <i>Racial Discrimination Act 1975 (Cth)</i> <i>Sex Discrimination Act 1984 (Cth)</i> <i>Work Health & Safety Act 2012 (TAS)</i> <i>Workers Rehabilitation & Compensation Act 1988 (TAS)</i>
Publication Sources:	15/013 - Human Resources Policies & Procedures 02/03/01/01 – Human Resources – Employee Infonet / Documents / HR – Policies Works Depot & Childcare Facility

1. AUTHORITY & APPLICATION:

This Policy should be considered in the context of the following policies and procedures:

- Communications & Social Media
- Disciplinary
- Employee Code of Conduct
- Fitness for Work
- Issue Resolution
- Performance Management
- Workplace Behaviour

Definitions

Council - Northern Midlands Council.

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Councillor - an elected member of Council known as a Councillor or Alderman or otherwise meeting the definition of a Councillor as defined under section 3 of the *Local Government Act 1993 (TAS)*.

Employee - a person who carries out work for Council as an employee of Council.

General Manager - the General Manager of Council as appointed under section 61 of the *Local Government Act 1993 (TAS)*.

Infringing Workplace Behaviour - any act or omission, which amounts to a breach of any Council policy, contractual obligation or misconduct at common law.

Manager/Supervisor - a person at the workplace who is appointed to a position that has management/supervisory responsibilities for others or their appropriately nominated or authorised delegate.

Officer – an officer within the meaning of section 9 of the Corporations Act 2001 of the Commonwealth other than a partner in a partnership; or an officer of the Crown within the meaning of section 247 of the Work Health and Safety Act 2012 (TAS); or an officer of a public authority within the meaning of section 252 of the Work Health and Safety Act 2012 (TAS) – other than an elected member of a local authority acting in that capacity (which includes a Councillor).

Other Persons at the Workplace - any person, other than a Councillor at the workplace who is not a worker including visitors and ratepayers.

Policy - this Policy including the Authority and Application.

Worker - a person who carries out work in any capacity for Council, including work as:

- an employee
- a contractor or subcontractor
- an employee of a contractor or subcontractor
- an employee of a labour hire company who has been assigned to work at Council
- an outworker
- an apprentice or trainee
- a student gaining work experience
- a volunteer or
- a Councillor

Workplace - a place where work is carried out for Council.

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Training

Council will provide all persons covered by this Policy with the appropriate training so they are made aware of their responsibilities and obligations under the Policy.

Amendment

Council retains the sole discretion to reasonably vary, terminate or replace this Policy from time to time. Council will consult before amendments are made and will notify and train those the amendments apply to.

Interpretation of Policy

The singular includes the plural and vice versa.

A reference to any legislation includes all delegated legislation made under it and amendments, consolidations, replacement or re-enactments of any of them.

A reference to a policy or procedure means any approved policies or procedures of Council unless otherwise stated.

'Including' and similar expressions are not words of limitation.

A reference to a document (including this document) is to that document as amended, novated or replaced unless otherwise stated.

Where a word or expression is given a particular meaning, other parts of speech and grammatical forms of that word or expression have a corresponding meaning.

Examples used in this Policy are for illustrative purposes only and are not intended to be exhaustive.

Unless expressly provided for, this Policy is not in any way incorporated as part of any enterprise agreement and does not form part of any employee's contract of employment and any applicable enterprise agreement or contract of employment will prevail over this Policy to the extent of any inconsistency.

It is not intended that this Policy impose any obligations on the Council or those covered by it that are unreasonable or contrary to the operation so applicable laws. Any obligation, direction, instruction or responsibility imposed by this Policy must be carried out in a manner that an objective third party would consider to be fair and reasonable taking into account and in the context of all the relevant applicable laws, operational and personal circumstances.

Questions relating to the interpretation, application or enforcement of this Policy should be directed to the person's manager or the Human Resources Officer.

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Reporting of Breaches

Persons covered under the paragraph 'Coverage' must reasonably report breaches of infringing workplace behaviour as follows:

For breaches by:

- an employee, worker (other than the General Manager or other workers) or other person at the workplace the report must go to the reporting person's applicable manager
- the General Manager the report must go to the Mayor (or if unavailable to the next appropriately delegated Councillor) and

as otherwise required or permitted by applicable laws.

Breach of this Policy

Persons covered under the paragraph 'Coverage' who engage in infringing workplace behaviour may (as is appropriate) be subject to appropriate disciplinary action in accordance with the Disciplinary Policy and Procedure or removal from the workplace or termination of services (workers, other than employees and other persons at the workplace). Infringing workplace behaviour may also amount to breaches of applicable laws:

- exposing individuals to legal proceedings and
- making Council vicariously liable for the conduct of others

2. PURPOSE:

The purpose of this Work Health and Safety Policy is to:

- recognise Council's commitment to providing a safe and healthy workplace for workers and other persons at the workplace whose health or safety could be at risk through our work
- direct and guide workers and other persons at the workplace regarding action considered reasonably practicable to protect health and safety
- operate with any applicable laws or policies and procedures
- comply with applicable laws through implementing:
 - appropriate plans, policies and procedures and programs to support and implement this Policy
 - measurable safety performance objectives and targets
 - training on health and safety matters relevant to Council work

Council recognises its duty of care under the *Work Health & Safety Act 2012 (TAS)* and will provide a fair and flexible approach to work, health and safety activities that takes into consideration the individual, operational and environmental circumstances.

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3. COVERAGE:

This Policy covers and applies to workers and other persons at the workplace in relation to all work, health and safety matters.

4. REQUIREMENTS:

Workers and other persons at the workplace must comply with this Policy.

Workers and other persons at the workplace are required to meet their duty of care obligations and to be accountable for their own safety and the safety of others at the workplace.

Workers and other persons at the workplace (unless otherwise notified in writing) are required to adhere to lawful and reasonable directions, policies and procedures regarding compliance with this Policy and health and safety generally.

Managers are required to:

- promote this Policy within their area of responsibility
- take reasonable steps to ensure that any potential breaches of this Policy are identified, taken seriously and acted upon appropriately and
- where applicable, if and as officers meet their due diligence obligations

Compliance with legislative requirements in regards to work health and safety is the minimum standard acceptable to Council and we recognise that all persons are required to contribute to this to achieve this objective. Anyone found to be in breach of this Work Health and Safety Policy may be subject to disciplinary action, up to and including termination of employment.

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HUMAN RESOURCES POLICIES & PROCEDURES



Policy Name: Workplace Behaviour Policy
Policy Owner: Human Resources Officer
Originated Date: August 2015
Amended Date/s:
Review Date: December 2016
Replaced Policy: Policy 35 – Anti Discrimination and Harassment
Applicable Legislation: *Age Discrimination Act 2004 (Cth)*
Anti-Discrimination Act 1998 (TAS)
Australian Human Rights Commission Act 1986 (Cth)
Disability Discrimination Act 1992 (Cth)
Fair Work Act 2009 (Cth)
Local Government Act 993 (TAS)
Racial Discrimination Act 1975 (Cth)
Sex Discrimination Act 1984 (Cth)
Work Health & Safety Act 2012 (TAS)
Workers Rehabilitation Act 2012 (TAS)

Publication Sources: 15/013 - Human Resources Policies & Procedures
02/03/01/01 – Human Resources – Employee
Infonet / Documents / HR – Policies
Works Depot & Childcare Facility

1. AUTHORITY & APPLICATION:

This Policy should be considered in conjunction with the following policies and procedures:

- Communications & Social Media
- Disciplinary
- Employee Code of Conduct
- Fitness for Work
- Issue Resolution
- Performance Management
- Work Health & Safety

Definitions

Council - Northern Midlands Council.

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General Manager - the General Manager of Council as appointed under section 61 of the *Local Government Act 1993 (TAS)*.

Infringing Workplace Behaviour - any act or omission, which amounts to a breach of any Council policy, contractual obligation or misconduct at common law.

Manager/Supervisor - a person at the workplace who is appointed to a position that has management/supervisory responsibilities for others or their appropriately nominated or authorised delegate.

Other Persons at the Workplace - any person, other than a Councillor, at the workplace who is not a worker including visitors and ratepayers.

Policy - this Policy including the Authority and Application.

Worker - a person, other than a Councillor, who carries out work in any capacity for Council, including work as:

- an employee
- a contractor or subcontractor
- an employee of a contractor or subcontractor
- an employee of a labour hire company who has been assigned to work at Council
- an outworker
- an apprentice or trainee
- a student gaining work experience or
- a volunteer

Workplace - a place where work is carried out for Council.

Training

Council will provide all persons covered by this Policy with the appropriate training so they are made aware of their responsibilities and obligations under the Policy.

Amendment

Council retains the sole discretion to reasonably vary, terminate or replace this Policy from time to time. Council will consult before amendments are made and will notify and train those the amendments apply to.

Interpretation of Policy

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Unless expressly provided for, this Policy is not in any way incorporated as part of any enterprise agreement and does not form part of any employee's contract of employment and any applicable enterprise agreement or contract of employment will prevail over this Policy to the extent of any inconsistency.

It is not intended that this Policy impose any obligations on the Council or those covered by it that are unreasonable or contrary to the operation so applicable laws. Any obligation, direction, instruction or responsibility imposed by this Policy must be carried out in a manner that an objective third party would consider to be fair and reasonable taking into account and in the context of all the relevant applicable laws, operational and personal circumstances.

Questions relating to the interpretation, application or enforcement of this Policy should be directed to the person's manager or the Human Resources Officer.

Reporting of Breaches

Persons covered under the paragraph 'Coverage' must reasonably report breaches of infringing workplace behaviour as follows:

For breaches by:

- an employee (other than the General Manager) or workers, the report must go to the reporting person's applicable manager
- an other person at the workplace, to the General Manager and/or

- the General Manager the report must go to the Mayor (or if unavailable to the next appropriately delegated Councillor) and

as otherwise required or permitted by applicable laws.

Breach of this Policy

Persons covered under the paragraph 'Coverage' who engage in infringing workplace behaviour may (as is appropriate and as applicable) be subject to appropriate disciplinary action in accordance with the Disciplinary Policy and Procedure (employees) or removal from the workplace or termination of services (workers, other than employees and other persons at the workplace). Infringing workplace behaviour may also amount to breaches of applicable laws:

- exposing individuals to legal proceedings and
- making Council vicariously liable for the conduct of others

2. PURPOSE:

The purpose of this Policy is to ensure that workers and other persons at the workplace understand their obligations and do not engage in any infringing workplace behavior.

This Policy aims to ensure that workplace requirements (e.g. recruitment, remuneration, promotion and access to training and development) are determined on the basis of relevant skills, experience, qualifications, knowledge, aptitude and the potential for future development of the individual and are reflected in policies and procedures that relate to workers and their employment or engagement.

This Policy will confirm expectations regarding appropriate behaviours in the workplace and is clear in stating that Northern Midlands Council will not tolerate infringing workplace behavior.

This Policy will provide a broad, overarching Policy that incorporates or overlaps some elements of other policies and operate with applicable laws and related Council documents.

3. COVERAGE:

This Policy covers and applies to workers and other persons at the workplace in relation to:

- behaviour at the workplace
- the performance of work for or in connection with Council and
- conduct outside the workplace or working hours if the acts or omissions:
 - are likely to cause serious damage to the relationship between Council, Councillors, workers or other persons at the workplace or
 - are incompatible with a worker's duty to Council or employment relationship or engagement or
 - damage or are likely to damage Council's interests or reputation

For the avoidance of doubt this Policy does not cover or apply to a Councillor.

4. REQUIREMENTS:

Workers and other persons at the workplace are required to comply with this Policy, applicable laws and not directly or indirectly engage in or encourage infringing workplace behaviour.

Managers are required to reasonably promote this Policy within their area of responsibility and take reasonable steps to ensure that any potential breaches of this Policy are identified, taken seriously and acted upon appropriately, with support from the Human Resources Officer.

Workers and other persons at the workplace are required to utilise the Issue Resolution Policy if they reasonably suspect workers or other persons at the workplace have engaged or are engaging in infringing workplace behaviour. However, complaints which are vexatious, frivolous or otherwise not made in good faith will constitute a breach of this Policy and the appropriate action will be taken.

5. DISCRIMINATION:

What is discrimination?

Discrimination is behaviour that favours one particular individual or group over others based on an attribute, whether known, imputed or assumed and can be either direct or indirect. Discrimination at the workplace can occur, by way of the following examples:

- when determining who should be offered work
- in the terms and conditions of work that is offered
- in failing or refusing to offer work
- in failing or refusing to grant, or limiting, access to opportunities for promotion, transfer, training or another benefit to a worker
- in dismissing a worker and
- by treating an worker otherwise less favourably

There may be genuine occupational reasons based on the inherent requirements of the role that means discrimination is not unlawful. For example, it will not be unlawful to terminate employment if:

- disability prevents a worker from being able to perform the inherent requirements of their position or
- performance of the inherent requirements would require services, facilities or reasonable adjustments that would impose an unjustifiable hardship on Council

What is direct discrimination?

Direct discrimination is where an individual or group is treated less favourably due to a particular attribute or personal characteristic or a characteristic imputed to that attribute. For example, if Council decided:

- not to employ or promote a person because of their:
 - nationality
 - sexuality or
 - pregnancy or
- to terminate an employee because they took personal leave (because disability includes illness and is a protected attribute), carer's leave or parental leave (because family responsibilities is a protected attribute)

What is indirect discrimination?

Indirect discrimination occurs if a person imposes a condition, requirement or practice which is unreasonable in the circumstances (even if it appears to be fair and neutral) and has the effect of disadvantaging a member of a group of people who:

- share, or are believed to share, a prescribed attribute or
- share, or are believed to share, any of the characteristics imputed to that attribute

more than a person who is not a member of that group.

For indirect discrimination to take place, it is not necessary that the person who discriminates is aware that the condition, requirement or practice disadvantages the group of people. For example:

- offering training opportunities to staff members only at limited and rigid times which prevented staff with parental responsibilities from attending the training
- not reasonably providing somewhere for a breast feeding worker to express milk while at work or
- not providing reasonable equipment to allow an employee with a back injury to stand and still do computer work

What are the protected attributes or personal characteristics?

Direct or indirect discrimination within the workplace based on any of the following attributes or personal characteristics will breach this Policy:

- gender (male, female and intersex) and gender identity
- marital status
- relationship status
- pregnancy
- family responsibilities

- race
- colour
- national or ethnic origin
- religion
- physical, intellectual, psychiatric or learning disability
- impairment (including HIV/aids status)
- parental status
- breastfeeding
- age
- sexual orientation
- lawful sexual activity
- industrial activity
- political belief or affiliation
- political activity
- irrelevant criminal or medical record or
- being associated with a person who has (or is believed to have) any of these attributes

6. ADVERSE ACTION:

What is adverse action?

Unlawful adverse action can occur where a person engages in adverse action (or threatens, organises or coerces others to take adverse action) against a person because that person:

- has a workplace right (or has exercised or proposed exercising their workplace right or not done so or to prevent a worker from doing so) or
- engages (has engaged, proposes to engage or has not engaged) in industrial activity or, is (or not so) an officer or member of an industrial association

Types of adverse action

- dismissal or termination of contract (e.g. terminating employment or a contractor's services)
- injuring the worker in relation to their employment or terms and conditions of contract (e.g. offering a salary or fee for services that is less than would otherwise be offered)
- alter the position of the worker to their prejudice (e.g. removing status or areas of responsibility from an employee or providing a damaging recommendation in relation to a contractor to other service users) or
- discrimination between a worker and other workers or a worker and other prospective workers (e.g. preferring applications for annual leave from a non-union member employee or using contractors with non-union enterprise agreements) and
- an employee or union takes industrial action against Council (e.g. stop work meeting)

Types of workplace rights, relevant attribute or industrial activity

Workplace rights

- an entitlement under the *Local Government Industry Award* or Northern Midlands Council Workplace Agreement or a workplace law (e.g. entitlement to make a worker's compensation claim)
- a role or responsibility under a workplace law or the Northern Midlands Council Workplace Agreement or the *Local Government Industry Award* (e.g. to act as a bargaining representative)
- ability to initiate or participate in a process or proceedings under a workplace law or the Northern Midlands Council Workplace Agreement or the *Local Government Industry Award* (e.g. making a request for flexible working arrangements or participating in a consultation process regarding redeployment in a redundancy situation)
- ability to make a complaint or inquiry to seek compliance with a workplace law or the *Northern Midlands Council Workplace Agreement* or the *Local Government Industry Award* or generally in relation to a person's employment (e.g. making a complaint to the Anti-Discrimination Commissioner or making an inquiry about their classification or salary level)

Relevant attributes

- race, colour, sex, sexual preference, age, physical or mental disability, marital status, family or carer's responsibilities, pregnancy, religion, political opinion, national extraction or social origin
- can initiate or participate in a process or proceeding under a workplace law or enterprise agreement (e.g. making an individual flexibility arrangement, appointing a bargaining representative or acting as a witness for another employee in a Fair Work Commission hearing)

Industrial activity

- is or is not an officer or member of an industrial association
- engages or does not engage in industrial activity (e.g. promoting, encouraging or participating in an activity on behalf of an industrial association such as an on-site meeting)

7. WORKPLACE HARASSMENT:

What is workplace harassment?

Workplace harassment is any conduct which offends, humiliates, intimidates, insults or ridicules another person on the basis of protected attributes and in circumstances in which

a reasonable person, having regard to all the circumstances, would have anticipated that the other person would be offended, humiliated, intimidated, insulted or ridiculed.

Workplace harassment can be a one-off occurrence and a specific intent or motive is not necessary.

Workplace harassment is unlawful.

What are the protected attributes for workplace harassment?

- race
- age
- sexual orientation
- lawful sexual activity
- gender
- gender identity
- intersex
- marital status
- relationship status
- pregnancy
- breastfeeding
- parental status
- family responsibilities or
- disability

What are examples of workplace harassment?

Examples of workplace harassment include:

- telling a joke about a homosexual person which may offend someone who is homosexual
- sending an email to workmates ridiculing a colleague because they have taken carer's leave to look after a sick child which may be humiliating and offensive
- putting a sign on the door of a room where a worker is expressing breast milk unnecessarily advertising the activity the worker is engaging in which may be humiliating
- telling a worker who is pregnant that they are getting fat or must be having twins which is offensive
- telling a worker she is 'just a young girl and could not be expected to cope in the workplace

8. SEXUAL HARASSMENT:

What is sexual harassment?

Sexual harassment is any unwanted or unwelcome conduct which:

- is of a sexual nature in that there is a sexual element, overtone or implication, which may not in isolation appear to be sexual in nature, but may become so because of the surrounding circumstances (e.g. unsolicited act of physical contact of a sexual nature, unwelcome sexual advance or request for sexual favours, unwelcome gesture, action or comment of a sexual nature) and
- is unreasonable in the circumstances and
- a reasonable person having regard to all the circumstances would have anticipated that the other person would be offended, humiliated, intimidated, insulted or ridiculed

Sexual harassment can be a one-off occurrence and a specific intent or motive is not necessary.

Sexual harassment is unlawful.

What are examples of sexual harassment?

- offensive or sexually orientated email or text messages, voice mail messages, screen savers (words and images), telephone calls
- deliberate and unnecessary physical contact such as patting, pinching, fondling or deliberately brushing against another body, attempts at kissing
- constant requests for drinks or dates, especially after prior refusal
- request for sexual favours, gestures or body movements of a sexual or intimidating nature
- crude or sexually orientated jokes, comments and suggestions or
- innuendo, including sexually provocative remarks, suggestive or derogative comments about a person's physical appearance, inferences of sexual morality or tales of sexual performance

9. WORKPLACE BULLYING:

What is bullying?

Bullying is repeated, unreasonable behaviour directed towards a worker or a group of workers (or other persons at the workplace) that creates a risk to health and safety

'Repeated behaviour' refers to the persistent nature of the behaviour and can refer to a range of behaviours over time

'Unreasonable behaviour' means behaviour that a reasonable person (i.e. objective test), having regard for the circumstances, would see as unreasonable (e.g. victimising, humiliating, undermining or threatening)

'Risk to health and safety' can refer to physical or psychological injury that may occur as a result of the repeated, unreasonable behavior

Workplace bullying is unlawful.

How does bullying occur?

Workplace bullying can be:

- direct (obvious) or indirect (subtle)
- intended or unintended or
- upwards, downwards or sideways

What is direct or indirect bullying?

Bullying can involve many different forms of behaviour and can occur face-to-face, over the phone, via email, instant or text messaging or using social media technologies.

Examples of potential *direct* bullying may include:

- aggressive and abusive or threatening language
- yelling and invading personal space
- eye rolling and scowling
- inappropriate emails containing unjustified criticism delivered bluntly and
- delivering negative feedback in front of co-workers

Examples of potential *indirect* bullying may include:

- spreading rumours or lies
- displaying degrading or offensive material in the workplace
- deliberately excluding, isolating or marginalising a person
- deliberately withholding information that is vital to do a job
- deliberately setting unrealistic deadlines and tasks that are unreasonably above or below a person's skill or experience and
- deliberately changing work arrangements to cause stress

What is intentional or unintentional bullying?

Bullying can be intentional, where the actions are intended to humiliate, offend, intimidate or distress, whether or not the behaviour did have that effect. Indirect bullying will often occur intentionally.

Bullying can also be unintentional, where actions which, although not intended to humiliate, offend, intimidate or distress, do so and would be reasonably likely to do so. Sometimes people do not realise that their behaviour can be harmful to others because that is how they would like to be treated. Direct bullying may occur unintentionally where the intentions can even be good but the impact is harmful and the behaviour is not reasonable in the circumstances.

How can bullying be carried out?

Bullying can be directed at a single person or a group of people and be carried out by one or more persons. Organisationally, bullying can be:

- *downwards* from managers to their team members – for example, an immediate manager may have a management style that is unreasonably domineering, they may stand over employees when they speak to them or speak to employees rudely or in a demanding or unreasonably loud manner that is disrespectful
- *sideways* between workers and/or other persons at the workplace – for example, a worker unreasonably seeking to enhance their position or sense of power in the workplace may make a co-worker perform the duties that are less likely to be recognised, blame others for mistakes or fail to pass on instructions from a manager so the co-worker makes mistakes or
- *upwards* from team members to immediate managers and/or Councillors – for example, workers may bully their immediate manager to try and unreasonably drive them from the workplace or prevent them from effectively doing their job by spreading misinformation or malicious rumours about them or criticising them or complaining about them without justification

What's the difference between bullying and harassment?

Discrimination, harassment and adverse action:

- do not have to be repeated and can be one off behaviour and
- must be linked to a protected characteristic (e.g. personal attributes, workplace rights or industrial activity)

Bullying requires repeated unreasonable behaviour (i.e. cannot be one off behaviour) but there does not need to be any link to protected attributes or protected actions (i.e. it is no defence to treat everyone equally unreasonably).

It is possible for a person to be bullied, harassed and discriminated against at the same time.

What is not considered to be bullying?

Many things that happen at the workplace are generally not considered to be bullying, although some experiences can be uncomfortable.

A single incident of unreasonable behaviour is not bullying, although it may have the potential to escalate into bullying. A single incident of unreasonable behaviour can create a risk to health and safety and can be considered to be inappropriate workplace behaviour as distinct from bullying.

Differences of opinion, performance management, conflicts and personality clashes do happen in any workplace but do not, without more, amount to bullying.

Reasonable management action, which is carried out in a reasonable manner is not bullying.

Workplace conflict is not bullying

Workplace conflict by itself does not amount to bullying.

Not all conflict is negative nor does it always pose a risk to health and safety. When conflict is at a low level and task based, it can generate debate and lead to new ideas and innovative solutions. For example, collaborating on a project requires a robust exchange of ideas to be effective.

Conflict may be negative and undesirable but still not amount to bullying or even inappropriate behavior. For example, workers may have a 'personality clash' and not like each other but still behave in a professional and respectful way to each other.

Reasonable management action carried out in a reasonable manner is not bullying

Reasonable management action (i.e. 'what') carried out in a reasonable manner (i.e. 'how') is not bullying. Managers have a right to direct the way work is carried out and to monitor and give feedback on performance.

Examples of reasonable management action relating to *performance management* include:

- setting reasonable performance goals, standards and deadlines in consultation with workers and after considering their respective skills and experience
- allocating reasonable work to a worker in a transparent way
- deciding not to select a worker for promotion, following a fair and documented process
- informing a worker about unsatisfactory or unacceptable work performance in a constructive way and in accordance with policies and procedures
- informing a worker about unacceptable conduct or behaviour in accordance with policies and procedures and

Examples of reasonable management action relating to *operational matters* include:

- fairly rostering and allocating working hours

- transferring a worker for genuine operational reasons
- implementing organisational changes or restructuring
- decisions regarding accessing leave entitlements based on genuine operational requirements and
- providing access to training or employment benefits based on genuine operational requirements and merit

10. VICTIMISATION:

What is victimisation?

Victimisation occurs when a person subjects, or threatens to subject, another worker, Councillor or other person at the workplace or an associate of that person to any detriment because they:

- made or intend to make a complaint
- gave, or intend to give, evidence or information in connection with any proceedings
- allege or intend to allege that any person has committed an act which would amount to a contravention of applicable laws
- refused or intend to refuse to do anything that would amount to a contravention of applicable laws or
- have reasonably reported a breach of this Policy or utilised the Issue Resolution Policy

Victimisation under applicable law is unlawful.

What are some examples of the types of activities that could in the above circumstances amount to victimisation?

- refusing to employ another person
- terminating or threatening to terminate employment
- prejudicing or threatening to prejudice a person in their employment (refusing to provide a favourable reference)
- intimidating or coercing (excluding from workplace discussions)
- imposing any pecuniary penalty or other penalty (withholding wages) or
- taking disciplinary action (e.g. giving an employee a written warning)

11. VILIFICATION:

What is vilification?

Vilification is conduct that incites physical harm, hatred, serious contempt or severe ridicule towards a worker, Councillor or other persons at the workplace or group of the foregoing on the basis of race, sexuality, disability or religion. It can take many forms, including hate-speech, graffiti, websites, and distribution of propaganda or other forms of offensive literature.

Vilification is conduct which occurs in a public place. The workplace is a public place and discussions or jokes in the workplace that relate to race, sexuality, disability or religion could amount to vilification.

Vilification is unlawful.

What are examples of vilification?

- speaking about a person's race, disability, sexual orientation, religious belief in a way that could make other people hate or ridicule them
- publishing claims that a racial, disabled, sexually orientated or religious group is involved in serious crimes without any proof
- encouraging violence against people who have a particular race, disability, sexual orientation, religious belief, or damaging their property or
- encouraging people to hate a person or group with a particular race, disability, sexual orientation, religious belief, using flyers, stickers, posters, a speech or publication, or using websites or email

12. WORKPLACE VIOLENCE:

What is workplace violence?

Work related violence occurs when a worker or other person at the workplace abuses, threatens or assaults another worker, Councillor or other person at the workplace, in circumstances relating to their work or the workplace. Unlike bullying, an action does not need to be repeated.

Threats to harm someone, of violence and of damage to property are breaches of applicable laws that should be referred to the Police, and any other appropriate authority.

What are examples of workplace violence?

- threatening to kill or hurt a person or their family
- assault or
- throwing objects at another person

13. INAPPROPRIATE WORKPLACE BEHAVIOUR:

What is inappropriate workplace behavior?

Inappropriate workplace behaviour is any behaviour by workers or other persons at the workplace that Council considers is not appropriate workplace behaviour or is unacceptable in the workplace.

It is behaviour inconsistent with Council's policies and procedures, expectations and way of doing things, which means it will vary from case to case.

Unreasonable behaviour (as is objectively required with bullying) will also amount to inappropriate workplace behaviour. However, behaviour does not have to be unreasonable in the circumstances to be considered inappropriate workplace behaviour. For example, 'over sharing' of personal information by a manager with a direct report which may be welcomed by the employee in the circumstances but still be considered inappropriate behaviour by Council for not meeting the communicated expectations of a professional manager.

Inappropriate workplace behaviour may also fit into any of the categories of unlawful behaviour under this Policy. Even if it does not, it still amounts to infringing workplace behaviour. Therefore, if you are unsure as to what the standards are ask your manager or the Human Resources Officer or other appropriate person about the circumstances.

What are examples of inappropriate workplace behaviour?

- treating people rudely, disrespectfully or without dignity are examples of what is considered inappropriate workplace behaviour
- at the 'high' or serious end of the scale, it is behaviour that may also constitute serious misconduct under common law
- at the low or 'less serious' end of the scale, it may be behaviour that is inappropriate but not unreasonable (e.g. manager privately makes crude jokes with a direct report in the workplace which are based on protected attributes. This may not be unlawful in the circumstances in that the employee welcomes the behaviour and no-one overheard or was likely to but is still considered inappropriate behaviour because it amounts to poor judgment and is below what is expected of a manager).

Council strongly encourages employees and other persons in the workplace to report incidents of discrimination, harassment, bullying, victimisation and vilification to their manager and the Human Resources Officer.

Employees and other persons in the workplace must appreciate that raising an allegation of one of the above-mentioned workplace behaviours against another employee is a serious matter. Regardless of whether the complaint is substantiated or not, the act of raising the complaint will have significant and often permanent consequences both personally and professionally for the other party. Council will not tolerate abuse of the processes outlined in this Policy or the Issue Resolutions Policy and Procedure or the making of vexatious complaints.

The appropriate disciplinary action will be taken against a person who is found to have breached this Policy and/or made a vexatious complaint as per the Disciplinary Policy and Procedure. The actions taken will depend on the nature and circumstances of the breach and may include termination of employment.

Public Holidays 2016

Gov 7

Holiday	Date	Location	Notes
New Year's day	1 January	Statewide	Friday Wednesday not earlier than fifth and not later than eleventh day of January. From 11am Municipal area of Devonport - generally State Public Service only. to check your award or agreement ring Fairwork Infoline on 131394.
Devonport Cup	6 January	Devonport	
Australia day	26 January	Statewide	Tuesday Second Monday in February. South of & including Oatlands and Swansea excluding Bronte Park, Catagunya, Strathgordon, Tarraleah, Wayatinah & West Coast. Last Wednesday in February - generally Public Service only. All Day - Municipal areas of Break O'Day, Dorset, George Town, Glamorgan-Spring Bay (north of and including Cranbrook), Launceston excluding Launceston City centre and suburbs specified below, Meander Valley excluding suburbs and townships specified below, Northern Midlands, Southern Midlands north of but not including Oatlands, West Tamar excluding townships specified below. From 11am - Launceston City centre and the following suburbs and townships Alanvale, Blackstone Heights, East Launceston, Elphin, Franklin Village, Glen Dhu, Inveresk, Invermay, Killafaddy, Kings Meadows, Mayfield, Mowbray, Mowbray Heights, Newnham, Newstead, North Riverside, Norwood, Prospect, Prospect Vale, Punchbowl, Ravenswood, Riverside, Rocherlea, St Leonards, Sandhill, South Launceston, Summerhill, Trevallyn, Vermont, Waverley, West Launceston, West Riverside, Youngtown
Launceston Cup	24 February	Launceston	
King Island Show	1 March	King Island	First Tuesday in March
Eight Hours Day	14 March	Statewide	Second Monday in March
Good Friday	25 March	Statewide	Friday
Easter Monday	28 March	Statewide	Monday

Restricted public holiday observed by some awards/agreements and the State Public Service. To check your award or agreement ring Fair Work Infoline on 131394.

Easter Tuesday	29 March	Statewide	
ANZAC Day	25 April	Statewide	Monday
AGFEST	6 May	Circular head	Friday following the first Thursday in May. Municipal area of Circular Head only.
Queen's Birthday	13 June	Statewide	Second Monday in June
Burnie Show	30 September	Burnie	Friday before the first Saturday in October. Municipal areas of Burnie, Waratah-Wynyard and West Coast.
Royal Launceston Show	6 October	Launceston	Thursday before the second Saturday in October. Municipal areas of Break O'Day, Dorset, George Town, Launceston, Meander Valley, Northern Midlands, West Tamar.
Flinders Island Show	14 October	Flinders Island	Friday before the third Saturday in October - Municipal area of Flinders Island.
Royal Hobart Show	20 October	Hobart	
Recreation Day	7 November	All parts of the State which do not observe Royal Hobart Regatta	First Monday in November
Devonport Show	25 November	Devonport	Friday nearest the last day in November but not later than 1 December. Municipal areas of Devonport, Kentish and Latrobe.
Christmas Day	25 December	Statewide	Sunday. If Christmas Day falls on a Sunday, the Tuesday following Christmas Day is also a public holiday
Boxing Day	26 December	Statewide	Monday
Christmas Day	27 December	Statewide	if Christmas Day falls on a Sunday, the Tuesday following Christmas Day is also a public holiday

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Tasmanian
Government
(<http://www.tas.gov.au>)

Will Hodgman
Premier of Tasmania



19 July 2014

Jeremy Rockliff, Minister for Education and Training

School term dates for 2016-18 announced

Tasmanian families, businesses and the wider community can better plan for the future with the release today of public school term dates through to the end of 2018.

Continuing with the four-term model, the term dates provide for an evenly structured school year, which the Liberal Government believes is in the best interest of students' learning and wellbeing.

Knowing the term dates well in advance can help families with school age children plan for holidays and other activities without impacting on their education.

The 2015-2018 term dates for public schools and colleges, which are available on the Department of Education's website at www.education.tas.gov.au (<http://www.education.tas.gov.au>), are:

2015

Term 1	4 February – 2 April
Term 2	20 April – 3 July
Term 3	20 July – 25 September
Term 4	12 October – 17 December

2016

Term 1	3 February – 8 April
Term 2	26 April – 1 July
Term 3	18 July – 23 September
Term 4	10 October – 21 December

2017

Term 1	8 February – 13 April
Term 2	1 May – 7 July
Term 3	24 July – 29 September
Term 4	16 October – 21 December

2018

Term 1	7 February – 13 April
Term 2	30 April – 6 July

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You are directed to information on how your personal information is protected (<http://www.tas.gov.au/stds/pip.htm>). You are directed to a disclaimer and copyright notice (<http://www.tas.gov.au/stds/codi.htm>) governing the information provided.





NORTHERN
MIDLANDS
COUNCIL

Event Management Guide

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Received

Approved

Approved with additional requirements

Applicant Advised

INTRODUCTION

The purpose of this Event Management Guide is twofold:

1. To ensure those organising an event on Northern Midlands Council ("Council") property meet the relevant legislative requirements; and
2. To assist event organisers in creating an event that is safe and smoothly run.

All forms referred to in this Event Management Guide are located at the end of the Guide.

NOTIFICATION AND BOOKING

When you decide to hold an event on Council owned property, it is recommended you notify Council by submitting an [Event Notification Form](#).

Submitting the Event Notification Form with basic information in respect to the event will allow Council staff to review which permits, licences and approvals may be required by Council for your event.

The Event Notification Form will also mean that the event can be advertised on Council's website and Facebook page, free of charge.

TIMELINES

It is important to provide the information required by Council in a timely manner.

Information to be submitted to Council	Cost	Time frame
Submit event notification form to Council	No fee	As early as practicable prior to commencement of event, no less than 4 weeks prior to the event
Submit Facility Hire Agreement	No fee	At least 4 weeks prior to event
Submit Application for Road Closure (if required)	No fee	At least 4 weeks prior to event, preferably 8 weeks prior
Submit Application for Temporary Registration of Food Business (if required)	Fees may apply – refer to Council's Fees and Charges Schedule	At least 3 weeks prior to event
Submit Application for Temporary Occupancy Permit (if required)	Fees may apply – refer to Council's Fees and Charges Schedule	At least 3 weeks prior to event
Submit Application for Place of Assembly Licence (if required)	Fees may apply – refer to Council's Fees and Charges Schedule	At least 3 weeks prior to event

HIRING COUNCIL FACILITIES

Council has hire agreements for all of its facilities including; Halls, Reserves or Recreation Grounds. If you are holding a public event on Council land you are required to submit a hire agreement either to Council, or to the Committee of Management who manage the facility.

You are required to supply the following information to Council when submitting a hire agreement to Council for an event:

- A copy of the Certificate of Currency for Public Liability Insurance for the Event;
- A copy of your Risk Management Plan for the Event;
- A copy of your Emergency Management Plan for the Event;
- Any permits or licences required for your event (see below).

COUNCIL ASSISTANCE FOR EVENTS

Grant funding

Council offers grant funding to not-for-profit community organisations who are hosting a major festival, event or promotion within the Northern Midlands. Major festivals, events or promotions are defined as significant events that are the only one of their kind in the Northern Midlands in any one year, and attract significant numbers of people, generally in excess of 2,000, and/or attract significant media coverage for the Northern Midlands.

Council assistance may be "in kind" or monetary, or a combination of the two. Grant funding is offered in two rounds each year and is advertised in February/March and September/October.

Advice and assistance

Council staff are available to assist you with the preparation of your event, for example, in completing applications for licences and permits or development of a risk management plan.

Council may also offer assistance in the lead up to, or on the day of an event by providing rubbish bins, traffic management or bollards and signage. Please note that assistance of this nature should be applied for as an "in kind" grant referred to above.

USEFUL CONTACTS

Northern Midlands Council

Phone: (03) 6397 7303

Email: council@nmc.tas.gov.au

Web: www.northernmidlands.tas.gov.au

Emergency Services (Police, Fire, Ambulance)

Phone: 000

Police (Longford)

Phone: (03) 6391 1204

St Johns Ambulance (Kings Meadows)

Phone: (03) 6343 4226

Tasmanian Fire Service (Youngtown)

Phone: (03) 6336 5633

Liquor Licensing Tasmania

Phone: (03) 6777 2777

Department of State Growth (Roads)

Phone: (03) 6166 3369

Email: permits@stategrowth.tas.gov.au

EVENT MANAGEMENT PLAN

1. EVENT DETAILS

1.1. Event Place & Time

Name of Event:

Venue of Event:

Details of event activities:

Eg. flower show, or, road running race.

.....

Estimated Number of People expected to attend:

Date and Time Set Up Commences:

Date and Time Event Starts or is Open to the Public:

Date and Time Event Finishes:

Date and Time Dismantling Commences and Anticipated Conclusion Time:

MULTI-DAY EVENTS ONLY TO COMPLETE THIS SECTION

Day 1 Start: Finish:

Day 2 Start: Finish:

Day 3 Start: Finish:

Day 4 Start: Finish:

Day 5 Start: Finish:

Day 6 Start: Finish:

1.2. Event Manager Details:

Event Manager:

Address:

Phone (Work): Phone (Home):

Fax:

Email:

Contact During Event:

Phone: Mobile:

2. INSURANCE

It is a mandatory requirement of Council that any event held on Council property is covered by Public Liability insurance to the value of at least \$10 million.

You may be able to purchase cover under Council's insurance policy for a small fee, dependant on the type of event being held. Council's insurance details are provided on its Hire Agreement Forms for facilities and reserves.

2.1 Insurance Details

A copy of your Certificate of Currency is required to be included with this form.

Name of Insurer:

Address:

Phone:Fax:

Email:

Policy Number and Expiry Date:

Public Liability Value and Asset Value:

Area covered (eg. all of Australia):

3. VENUE

3.1 Site Plan

A site plan is a map of the event which shows the location of key areas such as toilets, exits, stallholders, water, first aid etc.

It is recommended site plans are posted strategically around the site for use by patrons and for reference in the event of an emergency.

It is recommended the following things are identified on a site plan (if applicable):

- | | |
|--|--|
| <input type="checkbox"/> Entrance/Exit | <input type="checkbox"/> Information |
| <input type="checkbox"/> Emergency Assembly Point | <input type="checkbox"/> Stallholders |
| <input type="checkbox"/> Emergency Vehicle Access | <input type="checkbox"/> Security |
| <input type="checkbox"/> Drinking Water | <input type="checkbox"/> Lost children/property |
| <input type="checkbox"/> First Aid posts | <input type="checkbox"/> Toilets |
| <input type="checkbox"/> Fire fighting equipment
(extinguisher, blanket, hydrant) | <input type="checkbox"/> Rubbish bins |
| <input type="checkbox"/> Wet / dry areas | <input type="checkbox"/> Rules and Conditions of Use |
| <input type="checkbox"/> Incident Control Centre | <input type="checkbox"/> Disclaimer |
| <input type="checkbox"/> Mains power/water/gas | <input type="checkbox"/> Identification of Risks |

Has a Site Plan been prepared for display at the venue?

YES

NO

4. RISK AND EMERGENCY MANAGEMENT

4.1 Risk Management Plan

It is recommended that a "Risk Assessment" of the venue is conducted to identify potential hazards in the area, such as slip, trip and fall hazards or proximity to a water body. .

It is the responsibility of the event organisers to ensure that all hazards appropriate to the event have been identified and action taken to minimise and control the risk.

Has a Risk Assessment been conducted and actions implemented? YES NO

Has a Risk Management Plan been prepared? YES NO

Has the Risk Management Plan been provided to all event organisers? YES NO

4.2 Emergency Management Plan

Event organisers must have in place an Emergency Management Plan for the site outlining the procedure for action in the event of an emergency.

For example, if the site needs to be evacuated, the Emergency Management Plan should set out the responsible organisers and tasks to be undertaken in the event of an evacuation.

Any incidents that involve serious damage to property or injury to a person/s are required to be reported to Council.

The plan should include items such as (but not limited to):

- Location of the Incident Control Centre at the event;
- Arrangements to request further police and other emergency services assistance;
- Meeting points for emergency services;
- Details of the local hospital;
- Access and egress routes;
- How communication will occur during the event (between organisers, to the public etc).

Have the local Emergency Service Personnel been advised of the event? YES NO

Has an Emergency Management Plan for the event been prepared? YES NO

Has the Emergency Management Plan been provided to event organisers, key stakeholders and emergency services? YES NO

Has an Incident Register been prepared? YES NO

5. PUBLIC HEALTH & SAFETY

Health and safety laws provide requirements to hold certain permits and licences for a public event. The information provided below will help you determine whether or not you need a permit or licence for your event. If you are unsure, please contact Council to discuss further.

5.1 Sale of Food

A Temporary Food Licence is required if there will be food for sale at your event, or if food will be handled for sale at your event. The permit must be on display for the duration of the event.

Will you or other vendors at your event be selling any article of food? YES NO

Has an [application for a Temporary Food Licence](#) been submitted? YES NO

List of the food businesses and type of food being provided at the event:

	Business/Vendor Name	Contact Phone during event	Type of Food	Council Reg. No & Event Permit No.
1				
2				
3				

Add additional pages if required.

5.2 Consumption of Alcohol

If you intend selling or supplying alcohol at the event a liquor licence must be obtained from the Liquor Licensing Commission Tasmania.

If alcohol is BYO to the event, the consent of local authorities (Northern Midlands Council) and Tasmania Police may be required.

Will there be alcohol at the event? YES NO

If yes, will alcohol will be sold and consumed or BYO Sale BYO

Has a Liquor Licence been obtained from Liquor Licensing Tasmania? YES NO

Has Council approval for BYO alcohol been received? YES NO

Has Tasmania Police approval for BYO alcohol been received? YES NO

5.3 Temporary Place of Assembly Licence

A Temporary Place of Assembly Licence may be required when using or hiring a place where the public congregates for special events, to protect the health and safety of patrons.

A Place of Assembly is defined in the *Public Health Act 1997* as:

- any place or area used for the entertainment of members of the public; and
- any place or area used for the assembly of members of the public for social and recreational purposes; and
- any school or other place or area used for community or public purposes.

A Temporary Place of Assembly Licence must be on display for the duration of the event.

Examples of events where a Temporary Place of Assembly Licence may be required are:

- Shows or festivals.

Has an [application for a Place of Assembly Licence](#) been submitted? N/A YES NO

Has a Place of Assembly Licence been obtained? N/A YES NO

5.4 Temporary Occupancy Permit

A Temporary Occupancy Permit is issued under the *Building Act 2000* to allow the use of an existing building or temporary structure for a particular short term activity such as a public or a private event. A Temporary Occupancy Permit must be on display for the duration of the event.

Pursuant to the *Building Act 2000* a person must not occupy an existing building or a temporary structure in respect to which an occupancy permit is not, or is not likely to be issued unless:

- a temporary occupancy permit is in force in respect of that building or temporary structure; or
- the *Building Regulations* provide that a temporary occupancy permit is not required for that building or temporary structure.

Examples of events where a Temporary Occupancy Permit may be required are:

- concerts and festivals where there are temporary stages or grandstands;
- indoor entertainment such as a food festival held in a warehouse;
- markets, fairs, shows, rodeos;
- sporting events with temporary structures such as tents and marquees.

Will there be temporary structures at the event? YES NO

Details

Stages & Platforms YES NO

Break-away Stage Skirts YES NO

Seating YES NO

Marquees/Tents YES NO

Has an [application for a Temporary Occupancy Permit](#) been submitted? YES NO

Has a Temporary Occupancy Permit been obtained? N/A YES NO

Permit Name:

Permit Number:

Permit Date:

Description of Structure:

Building Surveyor:

Contact details:

5.5 Amenities

5.5.1 Public Toilets

There are fixed regulations for the provision of public toilets at a public event.

Sanitary Facilities

Sanitary facilities to be provided	Closet fixtures			Urinals			Washbasins		
	1	2	Each extra	1	2	Each extra	1	2	Each extra
Number of males	100	300	200	50	100	50*	50	200	200
Number of females	25	50	50**	-	-	-	50	150	200

* Where the number of male patrons exceeds 250, not less than 5 urinals must be provided plus one additional urinal for every additional 100 males in excess of 250.

** Where the number of female patrons exceeds 250, not less than 6 closet fixtures must be provided plus 1 additional closet fixture for every 100 females in excess of 250.

If existing facilities are not adequate, additional portable units must be made available.

A cleaning schedule should be established for toilets. Toilets must be cleaned, restocked with supplies regularly.

How many toilets will be provided at the event?

Male

Female

Disabled

Who will be responsible for the cleaning of toilets?

Contact details during the event:

Name:

Mobile:

5.5.2 Water

At outdoor events, organisers must provide one drinking fountain or drinking tap for every 200 patrons or part thereof. A wash basin does not constitute a drinking fountain or tap.

Is there adequate drinking water available for patrons? YES NO

Is the location of water clearly signposted and marked on the site plan? YES NO

Will extra water be supplied to patrons on very hot days if needed? YES NO

What is the source of water?

5.5.3 Shelter

Shelter and shaded areas should be available wherever patrons or staff and volunteers (including First Aiders) may be located for an extended period of time and where weather conditions dictate that it is required.

Will shelter be provided at the event? YES NO

Will sunscreen be available at the event? YES NO

5.5.4 Waste Management

Do you require additional rubbish bins from Council? YES NO

Has an [application for additional bins](#) been submitted to Council? YES NO

Are there arrangements in place for rubbish collection and disposal? YES NO

5.6 Noise

The *Environmental Pollution Management and Pollution Control (Miscellaneous Noise) Regulations 1994* provides the days and times within which certain noise can be made. If your event will involve noise outside of the permitted hours, you may be required to apply for a permit.

Will your event generate noise that may cause a nuisance to surrounding residents? YES NO

Has a permit for noise outside of legislated hours been obtained? N/A YES NO

Have adjoining property occupants been contacted regarding the proposal of this event. YES NO

How and when.....

.....

5.7 Security & Crowd Control

Is Security required for your event?

N/A YES NO

Name of Company:

Licence Details:

Contact Details:

Phone/Mobile:

Number of Security Personnel at Event:

Contact for Tasmania Police?

Name:

Station:

Phone:

Mobile:

Fax:

Email:

5.8 Fire/Gas/Pyrotechnics

During the months from December to March fire danger is high. Consult with the fire authority as to how fire danger can be minimised.

On days of total fire ban, it is a requirement to obtain a permit from the fire services to use an open flame for any purpose, including cooking, heating for temporary stalls marquees or in the open.

Has a day of total fire ban or fire danger period been considered? YES NO

Has a fire plan been submitted to the fire service? YES NO

Will portable fire protection equipment be strategically located throughout the venue for initial attack of the fire by the public and/or safety officers? YES NO

Gas cylinders must comply with AS 1596-1989 and AG601-1995. They should be checked and approved by the Workplace Standards Tasmania prior to installation.

Will there be gas cylinders at the event? YES NO

Will the cylinders be checked to comply with AS 1596-1989 and AG601-1995 YES NO

Will there be fireworks or pyrotechnics at the event? YES NO

Has a permit been obtained from [WorkSafe Tasmania](#)? YES NO

Permit Number:

Person Responsible for Fireworks:

Contact Details During Event:

Phone:

Mobile:

5.9 Lost and Stolen Property / Lost Children

Has an area been delegated for Lost Property and Lost Children YES NO

5.10 Lighting and Power

Even in venues darkened for the performance, lighting should always be adequate to identify exits as well as corridors and aisles leading to them. Auxiliary battery power or generators should be installed to provide light in a power outage and to power the public address system. The latter may permit directions to be given to spectators in a power failure, thereby alleviating panic.

As many concerts are performed with only stage lighting, access to the main lighting or house lights is essential in case of an emergency. The location of the controls for these lights, and the operation of the controls, must be known to those on-site responsible for emergencies.

Do you have emergency power & lighting? YES NO

Has the location of lighting control and mains power control been marked on the site plan? YES NO

Describe emergency power and lighting systems.

.....
.....

It is recommended that an electrician be available for the event.

Name of Certified Electrician:

Contact Details during the event:

6. TRAFFIC AND PEDESTRIAN MANAGEMENT

There are now strict guidelines around the closure of roads. A road is not permitted to be closed without the following having been submitted to Council:

- Application for Temporary Closure of Road or Street;
- Traffic Management Plan;
- Approval from the Department of State Growth (if the road closure is to occur on a State owned road).

A Traffic Management Plan is to be prepared in accordance with Australian Standards 1742.2 and 1742.3.

6.1 Traffic and Pedestrian Management

Patron access must be planned to ensure there is no disruption to neighbouring businesses or homes and to ensure clear access by emergency services and event staff.

Event organisers must make arrangements for the following:

- Adequate car parking space, including over-flow parking

- Access for people with disabilities
- Preferred access routes to the venue
- Adequate lighting into and out of the venue
- Shuttle buses where venue/activity covers a large area

Is there car parking for:

	YES	NO	N/A
Emergency Vehicles			
Key Stakeholders			
Disabled Patrons			
General Parking			
Overspill			
Buses			
Taxis			

6.2 Road Closures

Council approval for the road closure and advertising of the road closure are mandatory and must be approved well in advance.

Has a Traffic Management Plan been developed for this event? YES NO

Has an [application for Road Closure](#) been submitted to Council? YES NO

Have you provided the local Police with a copy of the Traffic Management Plan? YES NO

Has the Department of State Growth been provided with a copy of the Traffic Management Plan (if applicable)? YES NO

Has approval for the road closure been received? YES NO

7. PROMOTION OF THE EVENT

Clear appropriate signage is essential for the awareness of any event.

Signage promoting the event may be erected on Council land subject to specific details being provided and approval by Council prior to erection of same.

Signage on State Government land requires the permission of the Department of State Growth – click on this link to download the application form [www.transport.tas.gov.au/ data/assets/pdf file/0006/86172/Advertising a Community Event - Application Form.pdf](http://www.transport.tas.gov.au/data/assets/pdf_file/0006/86172/Advertising_a_Community_Event_-_Application_Form.pdf)

An opportunity exists to promote Longford town events on the noticeboards on Tannery Road. Booking for the sign boards must be made at the Council Offices.

8. APPROVED CONTRACTORS

All contractors who conduct work on Northern Midlands Council owned land, must have provided evidence to Council of their insurances, qualifications, and have completed an induction for working on Council owned land.

Inductions are held every Wednesday morning at 7:30am at the Northern Midlands Council Chambers, 13 Smith Street, Longford. Bookings are not required.

Will there be contractors conducting work on Council land for your event? YES NO

If yes, has the appropriate information been provided to Council and induction completed? YES NO

I,, understand and will follow this guide and plans to the best of my ability.

.....
Signature

.....
Date

EVENT NOTIFICATION FORM

**NORTHERN
MIDLANDS
COUNCIL**

To avoid delays please ensure the Event Notification Form is returned to Council:

- 4 weeks prior to the event (for events with less than 200 participants)
- 8 weeks prior to the event (for events with 200 or more participants)
- 12 weeks prior to the event (for large, overnight events)

Event name	
Description of Event	
Event location	
Event date(s)	
Set up date(s)	
Event time(s)	
Pack up date(s)	
Estimated number of attendees	
Contact details: Name/Telephone/Email/Website	

Please complete and return this form to:

Executive Officer
Northern Midlands Council
PO Box 156
LONGFORD TAS 7301
council@nmc.tas.gov.au

Would you like Council to advertise this event on its Facebook page and Website with the details provided above?

Yes

No

Postal: PO Box 156
 Address: Longford Tas 7301



Location:
 13 Smith Street
 Longford Tas 7301

Phone: (03) 6397 7303
 Fax: (03) 6397 7331

TEMPORARY FOOD BUSINESS APPLICATION FOR REGISTRATION OF A FOOD BUSINESS (Including Mobile Food Business)	Food Act 2003 Sections 87 & 89
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FOOD BUSINESS PROPRIETOR'S DETAILS:	
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Applicant:
 Owner/Occupier

Title: First Name: Surname:

Address:

Phone No:

Mobile No:

Email address: Fax No:

DETAILS OF SKILLS AND KNOWLEDGE OF THE PROPRIETOR AND FOOD HANDLERS: (food safety qualifications, training or experience)	
--	--

(Please tick and attach details if insufficient space)

Accredited Training <input type="checkbox"/>		Self Education <input type="checkbox"/>
Foodsafe Training Package <input type="checkbox"/>		Food Safety Plan <input type="checkbox"/>
On-the-Job Training <input type="checkbox"/>		Other (please detail) <input type="checkbox"/>

BUSINESS DETAILS:	
--------------------------	--

ACN
 (If Registered Company):

Name of Business:

Location of Business:

Emergency Contact:

Types of Food Produced/Sold:

Does your business manufacture raw egg products? Yes No

Contact Person:

Phone No:

Mobile No:

Fax No:

Phone No:

FOR MOBILE FOOD BUSINESS:	
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Vehicle Registration No:

Address where Vehicle/trailer garaged:

PROPOSED DATES/HOURS OF OPERATION:

	Date	Hours		Date	Hours
Monday			Tuesday		
Wednesday			Thursday		
Friday			Saturday		
Sunday					

LOCATION / EVENT:

Event:

Location:

PLANS AND SPECIFICATIONS:
(if initial application – supply the following details)

For new or altered premises (including mobile food businesses), please attach plans and specifications or other information clearly showing the design, fit out and arrangement of plant equipment for the proposed use.

APPLICATION FEE AND SIGNATURE:

	FEE
Charities:	NoCharge
Per Day:	\$30.00
2 – 8 Weeks:	\$60.00
6 Months:	\$110.00
Yearly:	\$160.00

Applicant for Registration/Renewal: Name: (Print) Signed: Date:

OFFICE USE ONLY:

Receipt No: Date Issued:

I hereby recommend that the registration should be issued. The method and manner of trading is to my satisfaction and the prescribed fee has been paid.

EHO: Name: (Print) Signed: Date:

PRIVACY STATEMENT

The Northern Midlands Council abides by the *Personal Information Protection Act 2004* and views the protection of your privacy as an integral part of its commitment towards complete accountability and integrity in all its activities and programs.

Collection of Personal Information: The personal information being collected from you for the purposes of the *Personal Information Protection Act, 2004* and will be used solely by Council in accordance with its Privacy Policy. Council is collecting this information from you in order to process your building application.

Disclosure of Personal Information: Council will take all necessary measures to prevent unauthorised access to or disclosure of your personal information. External organisations to whom this personal information will be disclosed as required under the *Building Act 2000*. This information will not be disclosed to any other external agencies unless required or authorised by law.

Correction of Personal Information: If you wish to alter any personal information you have supplied to Council please telephone the Northern Midlands Council on (03)6397 7303. Please contact the Council's Privacy Officer on (03)6397 7303 if you have any other enquires concerning Council's privacy procedures.

Postal: PO Box 156
Address: Longford Tas 7301

Phone: (03) 6397 7303
Fax: (03) 6397 7331



Location:
13 Smith Street
Longford Tas 7301

PLACE OF ASSEMBLY (PERMANENT AND TEMPORARY)	Public Health Act 1997 Sections 76 & 81
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Application for a Place of Assembly Licence

Application for Renewal of a Place of Assembly Licence

APPLICANT DETAILS:

Applicant: Title: First Name: Surname:
Address: Phone No:
 Mobile No:
Email address: Fax No:

PREMISES DETAILS:

Trade name of premises: Phone No:
Address of Premises: Mobile No:
 Fax No:
Postal address for correspondence: Mobile No:
 Fax No:
Emergency Contact: Phone No:
Description of intended use of premises:
Number of persons to be accommodated:
Other licences issued to the premises:
Date of Event:

APPLICATION FEE AND SIGNATURE:	FEE
Place of Assembly Licence	\$130.00
Place of Assembly Licence (Special Event)	\$75.00
Place of Assembly Licence (Charity)	No Charge

Applicant: Name: (Print) Signed: Date:

OFFICE USE ONLY:

Receipt No: Date Issued:

DOCUMENTATION REQUIRED:

- Site plan and / or floor plan
- Any information required by the Council for assessment purposes

COUNCIL CHECKLIST:

- Form fully completed
- Form signed and dated
- Fee Paid
- Site/floor plan attached
- Further information required
- Date information requested

OTHER DETAILS:

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NORTHERN
MIDLANDS
COUNCIL

Postal PO Box 156
Address: Longford Tas 7301

Phone: : (03) 6397 7303
Fax: (03) 6397 7331

Location:
13 Smith Street
Longford Tas 7301

APPLICATION FOR TEMPORARY OCCUPANCY PERMIT

Section 107

To: Council
 Address
 Suburb/postcode

Form

5

APPLICANT / OWNER DETAILS:

Note: Only an owner or agent of the owner may make an application

Owner:
Address:
 Phone No:
 Fax No:

Owner builder: Yes: (X if Applicable) Email address:

Agent:
Address:
 Phone No:
 Fax No:

Note: Agents to be authorised in writing by the owner: Email address:

DETAILS OF BUILDING OR TEMPORARY STRUCTURE:

Address: (X applicable one)
 Temporary structure: Existing building:

Existing use of building / temporary structure details:

Proposed use of building or temporary structure:

Period for which temporary occupancy sought: From: To:

DOCUMENTS PROVIDED:

Documents / information required by the General Manager (Certificates, plans, permits or other) -

Document description:	Prepared by:
<input type="text"/>	<input type="text"/>

Owner / Agent:

Fee \$145.00 (CODE 03)

PAYMENT DETAILS: Receipt No: Date Issued: **PRIVACY STATEMENT**

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Postal Address: PO Box 156
Longford Tas 7301

Phone: (03) 6397 7303
Fax: (03) 6397 7331

Location:
13 Smith Street
Longford Tas 7301

APPLICATION FORM – REQUEST FOR COUNCIL TO PROVIDE WASTE BINS FOR NON PROFIT COMMUNITY EVENT

Council supplies 240lt Waste and Recycling bins for community events at no cost; however this form must be completed, attached to your **Reserve Hire Agreement** and returned to Council.

Please note that you will be responsible for all 240lt bins supplied by Council and payment will be required for any missing or damaged bins. (*\$70 replacement of missing bin, \$20 for damaged lid or wheel, if too badly damaged replacement cost of \$70 applies*)

CLUB / APPLICANT CONTACT DETAILS:

Club / Applicant: <input type="text"/>	Mobile No: <input type="text"/>
Postal address: <input type="text"/>	Phone No: <input type="text"/>
<input type="text"/>	Fax No: <input type="text"/>
<input type="text"/>	Email address: <input type="text"/>

LOCATION OF EVENT

Name of event <input type="text"/>	Date of Event <input type="text"/>
Reserve: <input type="text"/>	
Street: <input type="text"/>	
Town: <input type="text"/>	

BIN DETAILS

Number of Waste bins required: <input type="text"/>	Number of Recycling bins required: <input type="text"/>
Council required to deliver - Please note bins will not be delivered to unattended locations.	No / Yes
Council required to pick up	No / Yes
Council required to empty bins	No / Yes

RESPONSIBILITY (To be completed upon delivery of bins)

I hereby accept responsibility for the bins listed below

	<i>Name: (Print)</i>	<i>Signed:</i>	<i>Date:</i>
Applicant	<input type="text"/>	<input type="text"/>	<input type="text"/>

Council Officer to complete

Please list serial numbers of all bins provided.

Waste bins:

Recycling bins:

Bins returned (check off serial numbers)	Yes / No	Damage Yes / No	Missing bins? (If yes, advise office to send invoice)
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Major Events and Road Closure Application

Applicant:

Contact Details/Address:
.....

Date: Contact Phone No.:

Description of Events or reason for road closure:
.....

Dates for events or road closure:

From: to:

From: to:

By signing this application, the applicant agrees to allow any Emergency Service vehicles or emergency personnel access to, and or through a race stage to assist or aid any person/s or properties contained in that stage. And this race stage will be closed and will stay closed until all emergency vehicles and emergency personnel have left the race stage.

Are there to be any temporary structures on-site, i.e. tents, marquees or temporary occupancy buildings that differ from normal use, if yes please contact Council Yes No

Is there to be food sold on-site, if yes please contact Council Yes No

An Events or Road Closure checklist form (attached) must be completed (Approval for your event or request for road closure will not be given without the completion and the return to Council of an Events or Road Closure checklist.) Yes No

All Events held in the Northern Midlands Council area are to be administered as per the 'Code of Practice for Risk Management of Agricultural Shows and Carnivals', please obtain a copy from the office prior to staging your event. Has a copy been supplied? (Note: Costs may be incurred.) Yes No

Applicant:

Print Name: Position:

Signature: Date:

OFFICE USE
Approved By:
Print Name: Position:
Signature: Date:

Signature..... Date.....

APPLICATION FOR CLOSURE OF STREET/S

Club/Organisation Name:

Address:
.....

Contact Person:

Contact Phone No:

Street/s requiring closure:
.....
.....

Usage:

Date(s)	Times closure required	Function/Event
Monday	From am/pm To am/pm	
Tuesday	From am/pm To am/pm	
Wednesday	From am/pm To am/pm	
Thursday	From am/pm To am/pm	
Friday	From am/pm To am/pm	
Saturday	From am/pm To am/pm	
Sunday	From am/pm To am/pm	

Public Liability Insurance

A Certificate of Currency or copy of current Public Liability Insurance Policy **MUST be attached** to this Application.

Certificate/Policy Number:

Expiry Date:

Amount of Cover (Minimum \$10m).

TERMS & CONDITIONS

- (1) The Council reserves the right to cancel the applicants use of a street on a date shown in this application in the event of the street being required for an extraordinary function or extraordinary use.
- (2) The applicant shall not do, or neglect to do, or permit to be done or left undone, anything that will affect the Council's Insurance Policy or Policies relative to fire or public risk in connection with the closure of this street and the applicant hereby agrees to indemnify the Council to the extent that such policies are affected by commission or omission.
- (3) The applicant agrees to indemnify and keep indemnified and to hold harmless the Council, its servants and agents and each of them from and against all actions, claims, charges, expenses and damages whatsoever which may be brought about or made or claimed against it by any of them arising out of or in any way related to the closure of this street.
- (4) The applicant shall at all times during the allocated period of use insure and keep insured with an insurance company approved by the Council against public risk for an amount of not less than \$10 million.

UNDERTAKING

I of hereby make application for closure of the above street/s for the dates and times specified and acknowledge having received and read the Terms and Conditions and undertake to be bound by and comply with the Terms and Conditions in every respect and I further undertake to be responsible for ensuring that all individuals or groups using the street in association with this application comply with the terms and conditions.

SIGNATURE OF APPLICANT: **DATE:**

<p><u>OFFICE USE ONLY</u></p> <p>APPLICATION: APPROVED/REFUSED (Reason refused)</p> <p>.....</p> <p>SPECIAL CONDITIONS? YES/NO (Specify):</p> <p>.....</p> <p>.....</p> <p>SIGNED BY : DATE</p> <p style="text-align: center;">(on behalf of Council)</p>
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