



**Torres Strait Island**  
REGIONAL COUNCIL

# AGENDA

## STRATEGIC ADVISORY REFERENCE GROUP

Date: Tuesday 11th May 2021

Time: 1:00pm to 4:00pm

Venue: Video Conference

## **Agenda**

1. Welcome (Chair)
2. Opening Prayer
3. Apologies
4. Conflict of Interest (COI)/ Declarable / Prescribed
5. Confirmation of Minutes - SARG Meeting – 6<sup>th</sup> April 2021 – VC
6. Strategic Action Items Review
7. **Mayor**
  1. Regional Assembly Aspirations – Verbal Update
  2. Workplace Culture Strategy – Verbal Update
  3. Standing Committee Chair Update
    - *Culture Arts Land and Heritage*
    - *Housing and Safe and Healthy Communities*
    - *Governance and Leadership*
    - *Climate Adaptation and Environment*
    - *Economic Growth*
8. **Chief Executive Officer**
  1. May Councillor Strategic Development Workshop Update
  2. MOA TSRA – Legal – Verbal Update
  3. MOA – Legal – ML, GBK, MNGN
  4. Fuel Update – Verbal Update
9. **Chief Engineer**
  1. Local Disaster Management Group Membership
  2. Works for Queensland Project Report – Verbal Update
10. **Chief Financial Officer**
  1. Risk / Workplace Health and Safety Issues – Verbal Update
  2. Standing Agenda Item – Project Plan Update
  3. People and Wellbeing Policy Updates
  4. Community Grant Policies – Verbal Update

**11. Chief Operating Officer**

1. Standing Agenda Item – Housing Authority Update
2. Housing Policies
3. BSU Update

**12. CLOSED BUSINESS**

1. CFO – HP&W – Certified Agreement
2. CFO – HP&W – Transitional Action Plan – Verbal Update
3. CFO – HCAE – Reconciliation Action Plan – Verbal Update
4. CFO – Strategic Organisational Sustainability Action Plan – Verbal Update
5. CE – Dauan Ponton
6. CFO - Ugar Subsidy
7. CEO – SeaSwift
8. CEO - Elphinstone Close – Verbal Update
9. MAYOR – Industrial Matter 1
10. MAYOR – Industrial Matter 2
11. MAYOR – Industrial Matter 3
12. MAYOR - LGAQ

**13. General/ Other Business (on notice)**

**14. Next meeting date – proposed Tuesday 15<sup>th</sup> June 2021**

**15. Closing Remarks and Prayer**



# DRAFT MINUTES

## STRATEGIC ADVISORY REFERENCE GROUP COMMITTEE

Date: Tuesday 6<sup>th</sup> April 2021

Time: 1:00pm to 5:45pm

Venue: Video Conference

**SARG – Tuesday 6<sup>th</sup> April 2021**

**Present:**

Mayor Phillemon Mosby  
Cr Rocky Stephen  
Cr Keith Fell  
Cr Aven Noah  
Cr Hilda Mosby

Ilario Sabatino – Acting Chief Executive Officer  
Hollie Faithfull – Chief Financial Officer  
Adeah Kabai – Acting Chief Engineer  
Rachel Pierce – Acting Chief Operating Officer  
Peter Krebs – Senior Legal Counsel  
Ursula Nai – Senior Executive Assistant  
Naila Nomoa – Travel Officer

**Apology**

Cr Getano Lui

## **Agenda**

1. Welcome (Chair)
2. Opening Prayer
3. Apologies
  - Cr Getano Lui
4. Conflict of Interest (COI) Declarable / Prescribed
5. Confirmation of Minutes - SARG Meeting – 2<sup>nd</sup> March 2021 – VC
6. Strategic Action Items Review
7. DEPUTATION: - **Bartholomew Stanford** – The marginalisation of Indigenous institutions in Queensland's system of local government

## **8. Mayor**

Standing Committee Chair Update –

- *Culture Arts Land and Heritage*
  - a. Local Law – Entry into Trust Land
- *Housing and Safe and Healthy Communities*
  - a. Sea Rescue (Fuel /support)
  - b. Prepare for Disaster (cyclone)
- *Governance and Leadership*
- *Climate Adaptation and Environment*
- *Economic Growth*

## **9. Chief Executive Officer**

1. SWOT Analysis
2. May Councillor Workshop
3. MOA TSRA
4. Information Report Update on Council Name Change
5. Information Report Update on Local Government Area Name Change
6. Information Report Update on Boundary Change
7. Information Report Update on Elphinstone Close
8. Information Report Update on Transition Action Plan (TAP)
9. Information Report Update on Reconciliation Action Plan (RAP)

- 10. Memorandum of Agreement Update
- 11. Strategic Organisation Sustainability Action Plan Update

**10. Chief Engineer**

- 1. Local Disaster Management Group Membership

**11. Chief Financial Officer**

- 1. Standing Agenda Item – Project Plan Update
- 2. Briefing Note – Risk Management
- 3. Action/ Activity Plan – Enterprise Risk Management
- 4. New Policy – Public Interest Disclosure Policy and Management Program
- 5. Works for Queensland Project Report
- 6. The National Voice Submission
- 7. Community Grant Policies

**12. Chief Operating Officer**

- 1. Standing Agenda Item – Housing Authority Update
- 2. Interim Capital Program (plug-ins)
- 3. Detailed report on tender process for 24 Main St, St Pauls
- 4. Forward Capital (14.4m)
- 5. BSU Update
- 6. Fuel Update
- 7. Presentation – Interim and Forward Capital Works Programs presented by Aboriginal and Torres Strait Islander Housing Unit

**13. CLOSED BUSINESS**

- 1. Industrial Matter 1
- 2. Industrial Matter 2
- 3. Industrial Matter 3

**14. General/ Other Business (on notice)**

**15. Next meeting date – proposed Tuesday 4<sup>th</sup> May 2021**

**16. Closing Remarks and Prayer**

## **Agenda**

### **17. Welcome (Chair)**

Mayor Mosby acknowledged Heavenly father, family, beautiful region and our organisation.

Pay respect and acknowledge the traditional owners our length and breadth of Zenath Kes, TSIRC offices where we a dialling in from including where our staff are based in Cairns Office and acknowledgement their traditional landowners as well.

Acknowledge families who are mourning for their loss through the length and breadth of our beautiful region.

### **18. Opening Prayer**

Mayor Mosby invited Cr Fell to open with a word of prayer, followed by a minute silence.

### **19. Apologies**

- Cr Getano Lui (Chair of Governance and Leadership Committee)

*Mover; Cr Noah Second; Cr Stephen*

**MOTION CARRIED**

### **20. Conflict of Interest (COI)/ Declarable / Prescribed**

Nil.

### **21. Confirmation of Minutes - SARG Meeting – 2<sup>nd</sup> March 2021 – VC**

#### **RESOLUTION:**

***Moved: Cr Stephen Second: Cr Fell***

That the minutes for the February 2021 SARG meeting be adopted as true and accurate.

### **22. Strategic Action Items Review**

Acting Chief Executive Officer, Mr Ilario Sabatino spoke to report and provided update on the action items list.



Mayor Mosby spoke about the Queensland Treasury Corporation and Local Government Association Queensland workshops to be more interactive sessions to be facilitated

*Mover:* Cr Noah *Second:* Cr Fell  
Noted the action items.

**ACTION:** Mayor Mosby requested Queensland Treasury Corporation and Local Government Association Queensland workshops to be more interactive

**23. DEPUTATION: - Bartholomew Stanford** – The marginalisation of Indigenous institutions in Queensland's system of local government

- Asked for feedback and comments on the paper
- Mainstreaming for indigenous council and used TSIRC as an example.
- Stronger recognition of Native Title rights under Local Government Legislation.

Mayor Mosby

- Paper highlights the conflicting issues that elected representatives have in their community.
- Balance our roles as elected representative under the Local Government Act.
- How do we as Torres Strait Islanders and traditional landowners in our own right put forward and continue to protect Ilan Kustom.
- Local Government Act mentions that may be acknowledged.
- The paper clearly identifies the conflicting roles we have as Councillors and as Torres Strait Islanders.
- The paper could be a key document that we could reference or use to provide a point for self-determination.

Cr Fell

- Mainstream Councils should have Traditional Land-owners representation.

## 24. Mayor

### Community Grants Policy

- Change the Community Grants Policy that didn't restrict how the funds were spent.
- Addressing the recent amendments to the legislations around the discretionary fund.

### Chief Finance Officer provides an update.

- Council in the November workshop did not want to support weddings, graduations.
- Cr Fell wanted to look at each community wanted their set of guidelines within the rights of legislation and policy.
- Working with MacDonnells law, the expected date to go to May SARG due to delays in compliance policy and audit.

### Standing Committee Chair Update –

- *Culture Arts Land and Heritage (Chair Cr Noah provide an update)*
  - a. Local Law – Entry into Trust Land
    - Local law, how it relates to Ilan Kustom and when visitations do occur.
    - Council assists with island protocols that exists throughout the region.
    - Working with Manager Legal Services to advise Committee on a document that TSRA has in place and have a look through as a committee.
    - Entry into Local law- trust land more powerful for allowing corporate travellers or visitors given protocol when they visit in the context of 'Ilan Kustom'
    - Monitor by staff on ground and adhere to protocols in place.
    - Highlights place you can and cannot go.
    - Trial on Mer and work with PBC and see how it goes.

**ACTION Item:** Legal team to come up with a paper and work closely with Culture Arts Land and Heritage Committee. DOGIT on all islands still sits with the Council except Murray Island and Badu Island. Ensure there is consistency across the board.

- **Housing and Safe and Healthy Communities (Cr Fell Update)**
  - a. Sea Rescue (Fuel /support)
  - b. Prepare for Disaster (cyclone)
- Discuss with David Baldwin and Matthew Brodbeck.
- Engagement within communities and key stakeholders will need to be brought up to speed e.g.: Bad weather, not enough fuel or motors spark plug broken.
- Discussion within communities and key stakeholders on safety, the importance of carry EPIRB, phone, fuel, motor parts.
- Revisits the disaster plans and who is responsible for the divisions and how we can make it effective and report it back to Council as a standing agenda item.
- Look at what infrastructures on ground, equipment, control centres and what agencies can be helping and assisting with fuel purchases.
- Police had a standing purchase order in case or emergency for fuel.
- What happens within community “when airplanes go es down” assessment.
- Be prepared for natural disasters.

Acting Chief Engineer- Adeah Kabai

- Limited resources for disaster events that could occur in our region.
- Review disaster management plans and staff plans.
- Finding funding for resources
- Prevent issues from happening.
- Have a PLAN not based around emotions.

**ACTION:** David Baldwin, Matthew Brodbeck and Adeah Kabai to review the disaster management plan.

- Touch base with SES people and visit.
- Police

**ACTION:** Reports standing Agenda items or Information report on the Radios audit, incidents happening in the region, community engagement and Disaster Plan.

## **25. Chief Executive Officer**

1. SWOT Analysis
2. May Councillor Workshop
3. MOA TSRA
4. Information Report Update on Council Name Change
5. Information Report Update on Local Government Area Name Change
6. Information Report Update on Boundary Change
7. Information Report Update on Elphinstone Close
8. Information Report Update on Transition Action Plan (TAP)
9. Information Report Update on Reconciliation Action Plan (RAP)
10. Memorandum of Agreement Update
11. Strategic Organisation Sustainability Action Plan Update

Transition Action Plan, Reconciliation Action Plan and Organisation Sustainability Action Plan update will be presented in May workshop.

Data will inform audit process for continuous improvement.

Council name change, local government area name change, and boundary name change requires an immediate focus.

Recommendations will be to engage a specialist to work on the

- Transition Action Plan (TAP)
- Setting up the reference committee

Contact has been made with Reconciliation Australia, who have specialised people that can work with organisations to develop RAPs. The proposal is to set some money aside to engage somebody with experience to work with council.

Council Name Change, Local Government Area Name Change and Boundary Change will be through the Change Commission and having somebody for a certain amount of time to facilitate that process.

- Administration
- Reporting
- Conjured between Council and the Change Commission to manage and facilitate and manage through this process.

The Senior Executive Assistant gave an update on the May Workshop.

- Currently finalising the quotations of the venues
- Quotations for training the Mayor has requested, working with Chief Finance Officer to provide recommendation to both Mayor and the CEO.

- Priorities of the Agenda.
- Discuss the Workshop dates with Mayor and CEO.

Mayor Mosby receive the documentations from Corporate Affairs regarding the Council Name Change, Local Government Area Name Change and Boundary Change.

- The document needs to be simplified to standard English.

## **26. Chief Engineer – Acting Chief Engineer Adeah Kabai**

### **1. Local Disaster Management Group Membership**

- Gave a brief background on the local disaster management group which was formed in 2013
- Discussion for TSIRC to be a stand-alone disaster group
- Core Membership.
- Advisory Group is restricted.

Cr Fell

- Opportunity for Housing and Safe communities committee to be added to the group membership.
- Never given a disaster management report back to community in their information session e.g.: risk
- Consulting community.

Chief Engineer to take on notice Cr Fell's request for opportunity for Housing and Safe communities committee to be added to the group membership.

Mayor Mosby

- CEO to ensure that all project Plans are consistent.

## **27. Chief Financial Officer**

### **1. Standing Agenda Item – Project Plan Update**

- Acting CEO provided an update under item 9.

### **2. Briefing Note – Risk Management**

- Council has updated its policy.
- GAP analysis which was facilitated by Ian Barton at the November Workshop 2020.

- Executive team was interviewed by Ian Barton individually and has been drafted and comments received.
- Guidelines Framework to go to audit committee and audit required clarification on communication and reporting within council.
- Focus on risk management as it had dropped off the radar several times.
- Communication to be implemented and imbedded in the culture of Council.
- Reporting mechanisms, if the guideline is adopted by Council there will be a report on a monthly basis goes to SARG and reflected through to the full Council through the SARG minutes.
- Report will be endorsed by audit committee and then to full Council as a late report in April for endorsement and then it will become policy.
- Workshop done with Ian Barton on Strategic Risk.
- Ian Barton will be on site to updating Council's operational risk.
- Council recently updated the Fraud and Corruption policy.
- Manage risk and avoid conflicts for employees running for Council election. (separate procedure has been drafted and it is not part of the code of conduct but referred to in the human resources handbook which is currently under review by People and Wellbeing).

Chief Financial Officer – to take on notice Mayor Mosby question regarding family members being employed, and look if there is a policy and if we can add this to an existing policy.

Chief Financial officer will liaise with Head of Corporate Affairs and Engagement as falls under People and Wellbeing.

### 3. Action/ Activity Plan – Enterprise Risk Management

### 4. New Policy – Public Interest Disclosure Policy and Management Program

- Policy has been drafted and reviewed by internal audit and the office of the Qld Ombudsman reviews the policy to see if it was consistent with all legislation.
- Policy will have to be endorsed by SARG to be presented at April Council meeting.
- Policy was recommended as part of the fraud and ethics review that Pacifica undertook 2020.
- Undertook Island communication about fraud and corruption on Dauan, St Pauls and Hammond Island.

Chief Financial Officer read the New Policy – Public Interest Disclosure Policy and Management Program.

**Recommendation**

*Moved; Cr Fell Second; Cr Stephen*

**That the Strategic Advisory Reference Group endorse the Public Interest Disclosure Policy and Management Program for Council resolution.**

5. The National Voice Submission

- Voice proposal document Corporate Affairs would like feedback from councillors.

Mayor Mosby

- Mayor advised that Head of Corporate Affairs send email to Councillors for feedback.
- National voice submission development be consistent with local governments in the regions, current future aspirations for the regional assembly.
- Presented too SARG and Council meeting.

**28. Chief Operating Officer**

1. Standing Agenda Item – Housing Authority Update

- No action item from the March meeting.
- Council to make a resolution about their position in relation to a Housing Authority proposal.
- COO recommendation to the ACEO that there would be an independent analysis of the financial implications in moving to a housing authority and the social impact in moving to a housing authority.

Mayor Mosby to take discussion offline with Chief Operating Officer.

2. Interim Capital Program (plug-ins)

Building Services, Project Manager spoke to report.

- Building services unit will prepare report for consideration to the April meeting.
- take on note the quote from the quantity surveyor.
- Report and resolution will be prepared for the April Meeting for endorsement.

Acting Chief Operating Officer advised that there is no further funding available for the interim funding program.

Cr Fell

- No discussion regarding to the plug-ins.

***Moved; Cr Mosby Second; Cr Noah***

**Recommendation:**

The SARG Committee consider the following two options for the Interim capital delivery (plug- ins) program and recommend one option for Agenda Item for resolution at the April Ordinary Meeting.

**1. Council resolves to**

- A) Give the A/CEO authority to apply to vary the Interim remote capital program funding agreement from seven (7) to Five (5) plug-ins with zero impact to Council's budget.**

**And**

- B) Delegate Power to the Chief Executive Officer, pursuant to section 257 of the *Local Government Act 2009* to execute a letter requesting the aforementioned change, and negotiate, finalise and execute any and all matters associated with or in relation to this agreement including any further variations.**

**OR**

**2. Council resolves to**

**Instruct Building Services Unit to construct the seven (7) plug-ins identified in the Interim remote capital program agreement, with a council contribution of \$1.3 million dollars.**

**Motion left lying on table – recommended to go to full council.**

**MOTION NOT CARRIED**

**3. Detailed report on tender process for 24 Main St, St Pauls**

Building Services, Project Manager spoke to report.

Cr Fell spoke about

- Support
- Build relationships
- Establish our locals.



Project Manager explained the tender process which includes:

- Worker order for Smaller contracts to protects the local workforce.
- Larger contracts the risks become larger as well.

Mayor Mosby discussed:

- Council wants to invest into local business owned by Local people first nations people.
- Benefit indigenous people from start to finish.
- Council to have a policy to our people to take advantage
- How do we as an indigenous local government receiving indigenous money to deliver project for indigenous house.
- Supportive people in any depart in TSIRC help and guide them through, they will make it.
- Empower our people, our people must be properly resourced.
- Indigenous employment strategy has been lost.
- Change document that keeps the cultures of this organisation alive too meet peoples need on a day-to-day base.

Information will be passed onto Head of Building Services.

Mayor Mosby to take discussion offline with Acting Chief Executive Officer.

Cr Fell

- Look at our mission statement.

Chief Financial Officer spoke of:

- Certain criteria and council need to be met for tender.
- Seek legal advice from Julia Manager Legal Services for Mayor Mosby's request (Contact all the tenders to resubmit). Nick Sturges to provide the tender process and provide advice back to council.
- Procurement Policy, when council makes their decision regarding the procurement policy in a strategic way forward, consideration will need to be made in regards the effect that will have with councils Bottomline. BSU currently budget for a 20% profit margin for some of their projects which covers management within BSU to do the operations and any profits BSU makes to fund councils that is not a profit generating area. If council went in a strategic direction that value for money was not the area there would be a financial affect and that will need to be communicated to council to make an informed decision for the policy.

Acting Chief Executive officer spoke of:

- Procurement requires application to go back to council meeting for decision.
- It is negligent if administration do not provide advice. However, Council has the discretion to go against what is recommended by the panel, but it needs to be state why or provide reasons as there are implication financial and compliance considerations.
- As advised by Panel, due process and diligence has been followed as per policy.
- Indigenous employment to be recognised by it also has to be reflected through procurement.

**Recommendation:**

**Moved; Cr Stephen Second; Cr Mosby**

**That the Strategic Advisory Reference Group:**

- **Note this report and**
- **Recommend Council consider the Agenda Report – Contractual Matter 24 Main Street, St Pauls Community at the April Ordinary Meeting.**

**MOTION CARRIED**

Mayor Mosby requested Acting chief executive note the following:

- Administration provides the support and advice to councillors achieving what is best interest of the region.

**4. BSU Update**

Building Services, Project Manager spoke to report

**Recommendation:**

**Moved; Cr Noah Second; Cr Mosby**

**It is recommended that SARG note the information contained in this paper.**

**5. Fuel Update- Verbal**

- Fuel Transition plan stage 1 commenced on the 8<sup>th</sup> of March.
- People and wellbeing and safety workshop completed on 16<sup>th</sup> March to identify the support required to roll out the training across all divisions.
- External training organisation as been identified by Special projects and logistics to provide online compliance learning course for each site the cost \$1600 excluding gst per site per annum.
- Patrick Thaiday and Dick Walit – Special training completed 24<sup>th</sup> of March in Special Projects and logistics to assist staff on daily fuel and site safety inspections.

- Engineering stakeholders workshop completed on 25<sup>th</sup> march on Reports, drum, clean-up, and risk rating.
- Walk through engagement on the project plan, delivers, training and safe fuel operations.
- DEO has been nominated on ground for strategic projects and logistics.
- Safe works and NQ Petro fuel audit – Boigu, Darnley, Hammond, and Mabuiag.
- New equipment- to eliminate drum fuel for bowers that are operational.
- Current estimated to complete works is 12 week or the 4<sup>th</sup> of June 2021
- Total capital outlay for works is estimated at \$273,000 excluding gst.
- Alternative supplier quotes are being requested.
- 553 empty fuel drums have been removed from community and recycled cost \$90,080.
- Liase with seaswift's to pick-up drums.
- Saibai will be made safe until construction of the new depo is completed.

Strategic projects and logistics will provide a information report to the April ordinary meeting including the summary of the fuel transition project achievements to date.

Mayor Mosby requested the value of money lost in the process of fuel for having this issue not addressed in a timely manner.

Mabuiag fuel depo does not need a shed advice came from the consultation process.

- Fuel drum are being covered by tarp and has been advised that is more effective being used to stop the water.
- Refuelling takes place under a covered area no extra shelter is required or PPE for employees.
- The fuel and tanks are considered safe where it is until the pump is refurbished.

Manager Special Projects and Logistics and to raise a report paper to seek additional funds.

6. Presentation – Interim and Forward Capital Works Programs presented by Aboriginal and Torres Strait Islander Housing Unit

- Recent SARG and council meeting papers have been presented in relation too interim delivery program, forward capital delivery program, regional housing plan and associated investment plan one of those agenda reports was left lying on the table for further information to support the request the Aboriginal and Torres Strait Islander Housing Unit was invited to present.
- Presentation prepared Aboriginal and Torres Strait Islander Housing Unit.

Aboriginal and Torres Strait Islander Housing Unit Presenters.

- Zac Matysek – Engagement and Partnerships team
- Sharon Kenyan – Acting Executive Director
- Wade Gevonski – Acting Manager Brisbane (Qld and Torres Straits)
- Hannah Albrow – Acting Principal Manager

*SARG moves into Closed Business*

**RESOLUTION:**

**Moved: Cr Noah Second: Cr Fell**

**That in accordance with section 254J of the Local Government Regulation 2012 (Qld) it is resolved for the meeting to go into closed session to discuss matters of the following nature:**

**(b)industrial matters affecting employees.**

**(e)legal advice obtained by the local government or legal proceedings involving the local government including, for example, legal proceedings that may be taken by or against the local government.**

**(g)negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government.**

**MOTION CARRIED**

**29. CLOSED BUSINESS**

1. Industrial Matter 1
2. Industrial Matter 2 – Staff leave room
3. Industrial Matter 3- Staff leave room

*SARG moves out of Closed Business*

**RESOLUTION:**

***Moved: Cr Noah Second: Cr Fell***

That SARG moves out of closed business.

- 30. General/ Other Business (on notice)
- 31. Next meeting date – proposed Tuesday 4<sup>th</sup> May 2021
- 32. Closing Remarks and Prayer



# TORRES STRAIT ISLAND REGIONAL COUNCIL

## SARG AGENDA REPORT

<b>ORDINARY MEETING:</b>	MAY 2021
<b>DATE:</b>	11/05/2021
<b>ITEM:</b>	Agenda Item for <u>Noting</u> by SARG
<b>SUBJECT:</b>	Local Disaster Management Group Separation Plan
<b>AUTHOR:</b>	Mathew Brodbeck – Manager, Engineering Operations

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### **Resolution:**

Strategic Advisory Reference Group (SARG) resolves:

- To note this report

### **Executive Summary:**

To provide Council will an update on the planned re-establishment of a TSIRC Local Disaster Management Group.

### **Background:**

In early 2013 the then District Disaster Coordinator advised TSIRC and TSC that, subject to Ministerial approval, the formation of one LDMG was approved. The formation occurred shortly thereafter in April 2013 upon approval by the then Minister for Police and Community Safety.

In May 2020 at the Council Ordinary meeting, it was resolved to commence the conversations with Mayor and Chief Executive Officer of Torres Shire Council regarding separation of the current combined Disaster Management Plan and to commence the conversations led by the Mayor and Chief Executive Officer with the applicable state government agencies regarding the endorsement of the proposed separation of the existing combined arrangement.

An Information Report was presented at the January Ordinary Meeting which outlined the main steps and considerations that are required to be considered and addressed for the establishment of a standalone Local Disaster Management Group (LDMG). These steps and considerations were broadly categorised as being:

- Membership and Stakeholders.
- Administration and Plans
- Legislative Requirements
- Local Disaster Coordination Centre

The report noted that to address the above items, the following task grouping is required:

- Engagement (with key stakeholders)
- Administration (revision of plans, reporting, governance arrangements)
- Infrastructure (equipment, technology, control centre, etc)

A further report was issued at the March Ordinary Meeting which provided further detail in the form of a project timeline and project plan/task listing.

This information report specifically addresses the recommended Membership and Stakeholders of the proposed TSIRC LDMG.

## Comment:

TSIRC Mayor has met with Torres Shire Council Counterpart to discuss the separation.

The TSIRC Local Disaster Management Plan has been drafted along with the associated sub-plans.

Below is the proposed timeline regarding the for the formation of the separate TSIRC Local Disaster Mangement Group.

*Table 1- Forecasted timeline of events*

Task Name	Duration	Start	Finish
<b>TSLDMP Separation Plan</b>	<b>85 days?</b>	<b>Mon 1/03/21</b>	<b>Fri 25/06/21</b>
Mayor & A/CEO to meet with TSC Counter Parts	5 days	Mon 19/04/21	Fri 23/04/21
TSLDMP and Subplan Review	10 days	Mon 8/03/21	Fri 19/03/21
TSIRC CDMP Updates	10 days	Mon 22/03/21	Fri 2/04/21
Report to SARG - LDMG Membership Arrangements	5 days	Mon 5/04/21	Fri 9/04/21
Agenda Report to Council April Ordinary Meeting seeking membership endorsement for core and advisory membership	2 days	Tue 20/04/21	Wed 21/04/21
Notification Cairns DDMG, State Disaster Coordinator, Key Agencies	5 days	Mon 3/05/21	Fri 7/05/21
Discussion of membership with Key Agencies and advisors	5 days	Mon 10/05/21	Fri 14/05/21
Risk Identification Workshop	5 days	Mon 24/05/21	Fri 28/05/21
Develop Risk Management Plan	5 days	Mon 31/05/21	Fri 4/06/21
<b>Temporary Local Disaster Coordination Centre (Secondary)</b>	<b>7 days?</b>	<b>Mon 10/05/21</b>	<b>Tue 18/05/21</b>
Room Plan Layout	2 days	Mon 10/05/21	Tue 11/05/21
Purchase of required equipment	8 days	Wed 12/05/21	Fri 21/05/21
Print Plans. Maps, etc and store	3 days	Wed 12/05/21	Fri 14/05/21
Formalise proposed membership and invite to inaugural TSIRC LDMG Meeting	5 days	Mon 17/05/21	Fri 21/05/21
<b>Initial Meeting of "New" LDMG</b>	1 day	Fri 25/06/21	Fri 25/06/21
Adoption of new Local Disaster Management Plan and Subplans	1 day	Fri 25/06/21	Fri 25/06/21
Issue Annual Report of former combined LDMG in conjunction with TSC	1 day	Mon 5/07/21	Mon 5/07/21

## Considerations

### Reputational

One of Council's values is accountability, which is achieved by being transparent, honest, and ethical to the benefit of the community. A reputational risk exists should Council not deliver on what is expected of both the department and community. By ensuring inclusiveness through consultation that will maintain trust amongst stakeholders and the community.

**Consultation:**

- Chief Engineer
- Emergency Management Coordinator - Queensland Fire & Emergency Services

**Links to Strategic Plans:**

- Outcome 6: Our Communities remain resilient to the effects of climate change and natural disasters

**Statutory Requirements:**

- *Disaster Management Act 2003 (QLD)*
- *Disaster Management Regulation 2014 (QLD)*
- Torres Strait Local Disaster Management Plan

**Conclusion:**

Strategic Advisory Reference Group (SARG) resolves:

- To note this report

**Author**

Mathew Brodbeck  
Manager, Engineering Operations

**Recommended:**

Adeah Kabai  
Acting Chief Engineer

**Approved:**

David Baldwin  
Acting Chief Executive Officer



# TORRES STRAIT ISLAND REGIONAL COUNCIL

## SARG REPORT

**SARG MEETING:** May 2021

**DATE:** 4 May 2021

**ITEM:** Agenda Item for Strategic Advisory Reference Group

**SUBJECT:** Council Policies

**AUTHOR:** Tracey Burrell, Acting Head of People & Wellbeing

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### Recommendation

That the Strategic Advisory Reference Group notes the report and recommends the following policies for inclusion at the May Ordinary Meeting:

- Code of Conduct Policy
- Work Health and Safety Policy
- Workers Compensation and Rehabilitation Policy
- Domestic and Family Violence Policy
- Equal Employment Opportunity Policy
- Recruitment Policy

### Executive Summary:

The policies contained in this report needed redrafting and updating due to either having expired or changes to legislation. To ensure compliance with legislation and already existing policies, these have been updated to reflect legislative changes or changes internally at Council.

These policies were presented to and noted by the Audit Committee at its meeting on 12 April 2021.

The table below show the policies and procedures contained in this report:

Policy	Changes
Code of Conduct Policy	Had expired and updated to reflect internal changes.
Work Health and Safety Policy	Had expired and updated to reflect internal changes.
Workers Compensation and Rehabilitation Policy	Had expired and updated to reflect internal changes.
Domestic and Family Violence Policy	Had expired and updated to reflect internal changes.
Equal Employment Opportunity Policy	Had expired and updated to reflect internal changes.
Recruitment Policy	Had expired and updated to reflect internal changes.

### Conclusion:

That the SARG recommends the attached policies for inclusion in the May Ordinary Meeting.



Tracey Burrell  
Acting Head of People and Wellbeing



Hollie Faithfull  
Chief Financial Officer

A handwritten signature in black ink, appearing to read "David Baldwin", with a stylized flourish at the end.

David Baldwin  
**Acting Chief Executive Officer**

**Note:** Following Council adoption, final document to be published as an employee handbook, rather than policy format.

## EMPLOYEE CODE OF CONDUCT

<b>Responsible Manager</b>	Head of People and Wellbeing
<b>Head of power</b>	<i>Local Government Act 2009 (Qld)</i> <i>Local Government Regulation 2012 (Qld)</i> <i>Public Service Act 2008</i> <i>Industrial Relations Act 1999</i> <i>Anti-Discrimination Act 1991</i> <i>Sex Discrimination Act 1984</i> <i>Racial Discrimination Act 1975 (Cth)</i> <i>Disability Discrimination Act 1992 (Cth)</i> <i>Human Rights and Equal Opportunity Act 1986 (Cth)</i> <i>Public Sector Ethics Act 1994</i> <i>Crime and Corruption Act 2001</i>
<b>Authorised by</b>	Chief Executive Officer
<b>Authorised on</b>	May 2021
<b>Implemented from</b>	TBC 2021
<b>Last reviewed</b>	June 2018
<b>Review history</b>	2013, 2014, 2016, 2018, 2021
<b>To be reviewed on</b>	June 2023
<b>Corporate Plan</b>	People, Sustainability and Prosperity

## 1. PURPOSE

The purpose of this Code of Conduct (Code) is to provide a set of standards and behaviours related to the way we do our work. It puts a responsibility on each of us to use sound judgement.

It aims to deliver best practice by ensuring those standards are clear and guided by sound ethic. By consistently applying these standards, we enhance public trust and confidence in Council through the actions of each of us. Nothing in the Code interferes with your rights a private citizen or a community member.

The Code does not cover every situation. However, the values, ethics, standards and behaviours it outlines are a reference point to help make decisions in situations not covered by the Code. If you act in good faith and in keeping with the spirit of the Code, you can expect to be supported by your colleagues, your team leader/supervisor and by Council.

## 2. POLICY STATEMENT

It is the policy of Torres Strait Island Regional Council to operate in a manner that provides and preserves a harmonious place for all our workers within the bounds of the applicable industrial relations instruments including agreements and awards, and where all levels of management are focused on ensuring that all work is carried out with minimal disruption and with maintained industrial harmony.

Torres Strait Island Regional Council conducts its business with integrity, honesty and fairness, and complies with all relevant laws, regulations, codes and corporate standards.

Everyone working for Torres Strait Island Regional Council must follow the highest standards of ethical behaviour when dealing with customers and each other. Our leaders must encourage a culture where ethical conduct is recognised, valued and followed at all levels.

Council actively supports, encourages, develops and expects its employees to:

- **Deliver value** by operating safely, ethically and responsibly. We drive productivity and efficiency to ensure we are a financially sustainable organisation.
- **Act as 'One Council'** by working together to provide seamless service to our residents and business customers. We respect Council's decision-making processes and corporate priorities at a local level for the greater good of the organisation.
- **Continuously improve** how we deliver services by listening to and understanding the needs of our customers. We operate in a self-service environment and use quality data from agreed 'sources of truth' to inform decisions and achieve best value.
- **Be capable and effective** by being adaptable and cost-effective in delivering our products and services. Our leaders are accountable to communicate business priorities and performance expectations to their teams and offer regular feedback and recognition.

### Public sector ethics and corporate values

The *Public Sector Ethics Act 1994* (Qld) identifies four fundamental ethical principles that guide our behaviour as public officials. The four ethical principles are:

- integrity and impartiality
- promoting the public good
- commitment to the system of government
- accountability and transparency.

## Our Values

The values we share as employees of Torres Strait Island Regional Council are:

Value & Value Statement		Desired Behaviours
	<b>RESPECT</b> We have <b>respect</b> for each other and the <b>communities</b> we serve	<ul style="list-style-type: none"> <li>We respect and recognise Allau Kastom.</li> <li>We are open and collaborative, valuing clear community engagement.</li> <li>We recognise and respect diversity, individual needs, experience and strengths.</li> </ul>
	<b>COURAGE</b> We are <b>courageous</b> leaders, who think <b>innovatively</b>	<ul style="list-style-type: none"> <li>We encourage, value and reward creative thinking.</li> <li>We respect and explore different ideas and perspectives.</li> <li>We embrace change and actively promote Council's vision.</li> </ul>
	<b>ACCOUNTABILITY</b> We are <b>accountable</b> and responsive to our <b>communities</b>	<ul style="list-style-type: none"> <li>We take pride in our work and pursue a standard of service excellence.</li> <li>We consistently strive for transparency and good governance to the benefit of public interest.</li> <li>We are reliable, honest and ethical in all we do.</li> </ul>
	<b>RESILIENCE</b> We are builders of a <b>sustainable</b> and <b>resilient</b> region	<ul style="list-style-type: none"> <li>We actively seek opportunities to continuously improve and bring growth to our region.</li> <li>We think globally, act regionally.</li> <li>We empower our people and communities; embracing local opportunity and participation.</li> </ul>
	<b>ONE</b> We are <b>one team</b> who achieves who achieves <b>together</b>	<ul style="list-style-type: none"> <li>We show care for people and look out for each other.</li> <li>We speak up and support others to be safe and healthy.</li> <li>We respectfully address behaviours that conflict with Council's values.</li> </ul>

The four ethical principles, together with the Torres Strait Island Regional Council's values, form the basis of this Code of Conduct. They apply to all Torres Strait Island Regional Council workers and guide our thinking, actions and decision making.

## 3. SCOPE

All Torres Strait Island Regional Council workers, regardless of their employment status, role or position must be familiar with and follow the spirit and content of the Code of Conduct.

Torres Strait Island Regional Council workers are:

- Employees of Council who are permanent, temporary or casual employees. This includes executives, managers, supervisors, team leaders, apprentices and trainees, team members and individuals, regardless of whether they work full-time or part-time or on a flexible employment arrangement.
- Contractors, consultants, and labour hire workers who perform work for Council under a contract for services (commercial contract), even though they are not employees of Council.
- Employees of other organisations or agencies who are working in Council on a secondment arrangement.
- Students doing unpaid work experience or unpaid placements.
- Volunteers.

## 4. OBLIGATIONS AS AN EMPLOYEE OF COUNCIL

### 4.1. THE FIRST PRINCIPLE - Integrity and Impartiality

#### a) Ethics value

In recognition that public office involves a public trust, public sector entities and public officials seek to promote public confidence in the integrity of the public sector and:

- are committed to the highest ethical standards;
- accept and value their duty to provide advice, which is objective, independent, apolitical and impartial;
- show respect towards all persons, including employees, clients and the general public;
- acknowledge the primacy of the public interest and undertake that any conflict-of-interest issue will be resolved or appropriately managed in favour of the public interest; and
- are committed to honest, fair and respectful engagement with the community.

#### b) Standards of conduct

##### (i) Behaviour towards each other

We must all treat each other with trust, respect, honesty, fairness, sensitivity and dignity. Employees who supervise or manage other employees have a special responsibility to model this kind of behaviour, and to ensure that the people they supervise understand the standard of performance and behaviour that is expected of them.

You are expected to accommodate and respect different opinions and perspectives and manage disagreements by rational debate. You must not behave towards any other person in a way that could be perceived as intimidating, overbearing or as workplace harassment.

Effective teamwork is an essential part of a productive workplace culture. Each team member is expected to work co-operatively with fellow employees and willingly participate and engage in team activities (e.g. meetings).

##### (ii) Non-discriminatory workplace

Council is committed to creating and maintaining a workplace free from unlawful discrimination. By law, all employees must ensure that discrimination is not part of our workplace or our practices.

##### (iii) Workplace and sexual harassment

Council is committed to preventing harassment of employees and the public.

Creating a work environment free of harassment is everyone's responsibility. As an employee you must take steps to prevent workplace harassment and sexual harassment and address improper or inappropriate behaviours before they become severe, persistent or pervasive.

All employees are expected to contribute to building a workplace that tolerates differences and which is free from intimidation, bullying and harassment.

##### (iv) Conflict of interests

When making decisions, you must declare any conflicts of interest. Refer Definitions, Section 4 for more information.

A conflict of interest involves a conflict between your official duties and responsibilities in serving the public interest and your private interests. A conflict of interest can arise from avoiding personal losses as well as gaining personal advantage – whether financial or otherwise. This includes advantages to relatives and friends.

If you believe you have a conflict of interest, refer to the Conflict of Interest Policy and Procedure.

If you feel you have a conflict of interest between professional and corporate values, discuss it with your team leader/supervisor.

**(v) Influences on decision-making**

You must not influence any person in an improper way to try to obtain any advantages or favours.

You must not deliberately mislead decision-makers by providing them with false, biased, incomplete, or inaccurate information.

All decisions you make must be, and be seen to be, fair and transparent. This can be achieved by:

- following Council's policies, procedures and processes;
- keeping clear, accurate and complete records; and
- recording how and why decisions were made.

The guide to ethical decision-making (see Section 5.7) has more information on this.

**(vi) Accepting gifts and benefits**

You must not ask for a personal payment or other benefit for doing something as a Council employee.

Occasionally you could be offered gifts or benefits from people with whom you do business, in all circumstances, you should follow Council's Gifts and Benefit Procedure.

**(vii) Employment outside Council, includes operating a personal business**

It is not Council's intention to stop you from holding secondary employment or operating a personal business outside your normal working hours, providing your private employment or business:

- does not create a real or perceived conflict of interests;
- has no effect on the performance of your official duties, including effects from a safety/fatigue management perspective and possible exacerbation of an illness or injury;
- is not likely to bring Council's reputation into disrepute; and
- continues to meet these requirements.

Approval is automatically granted for you to undertake private employment or operate a personal business outside of your normal working hours, providing the above requirements are met.

Although you don't need written approval, if you undertake voluntary work or a hobby you must ensure that these activities also meet the above requirements. If you are unsure, you must discuss the matter with your team leader/supervisor.

**(viii) Public comments on Council business**

Under Council's communication guidelines, only the Mayor or their delegate can comment publicly on Council business.

If you are asked to comment on any Council matter, typically by the media or public relations firms, refer the agency to the Corporate Affairs Department.

Sometimes, it might be appropriate to share information based on your personal and professional experience (e.g. in seminars or training programs). Make sure that if you share your experiences, you do not breach the confidentiality of Council information or privacy of other persons (this can potentially include comments made and information shared in your personal life by whatever method of communication you use, including social media).

**(ix) External activities**

You are not to take part in political affairs while on duty. Council's corporate IT & communications networks, including internet access and email, must not be used for political messages or circulating defamatory or disparaging remarks against individuals or groups.

You are free to engage in trade union, party-political, professional, interest group or charity activities. You must make sure that your participation in such activities does not cause a conflict of interest, and that it does not restrict or impact on the performance of your duties with Council.

If you comment publicly in connection with such activities, you must make it clear that the comment is your opinion as a member of those organisations. You must not give your unauthorised opinion as a Council employee.

You must not place negative or disparaging posts or make political comments on Council's official social media channels, e.g. Facebook, Twitter, from your personal accounts.

You must not use your role in Council, Council information or information gained in the course of your duties, to advance your position or standing within an external organisation, nor for the benefit or promotion of an external organisation. You must not provide Council information to members of other groups or related persons, except where this information is publicly available.

As an employee, you are the face of Council in the community. If you identify yourself or can be identified as a Council employee, your out-of-work behaviour and personal opinions are likely to come under public scrutiny. When using social media outside of work hours, assume that material you post online can be made public at any time and may be permanent. Be aware that your posts and photos may be shared by others in ways beyond your control and may reach unintended audiences. Even when you post material anonymously or use private social media channels, you must continue to uphold this Code of Conduct.

Example: If you are identified as a Council employee and you post derogatory or defamatory remarks about your manager or a colleague on the internet (for example Facebook), you may be in breach of this Code of Conduct.

#### **(x) Fairness to suppliers**

Council has a Procurement & Ethical Sourcing Policy, associated procedures and delegations of authority for various stages of procurement of goods and services. You must comply with these procedures when seeking suppliers for goods or services.

If you, through the course of your employment, are involved in offering contracts or buying goods and services from outside Council, you must be sure you have taken reasonable, fair and consistent steps to allow all potential suppliers to bid for work.

You also need to ensure that you do not incur any liability or enter into any contract on behalf of the Council, or alter the terms or conditions of any approved contract, unless you are authorised to do so.

### **c) Working with children and young people**

In accordance with the *Commission for Children and Young People and Child Guardian Act 2000*, Torres Strait Island Regional Council is required to have a Code of Conduct for working with children and young people. This Code outlines appropriate standards of behaviour for adults towards children. It serves to protect children and reduce any opportunities for abuse or harm to occur. The Code also assists employees and volunteers by providing guidance on how to best support children and avoid or better manage difficult situations.

#### **Working with Children and Young People Code of Conduct Statement:**

Council aims to be a child-safe organisation and create an environment where everyone feels safe, respected and valued. Council promotes and protects the rights, interests and wellbeing of children and young people within our local government area, particularly those most vulnerable.

Council supports the rights of children and young people and will act without hesitation to ensure a safe and caring environment is maintained at all times. Council also supports the rights and well-being of our workers and encourages active participation in maintaining a secure environment for all participants, including young people who are participants in Council's workforce, such as school-based trainees, apprentices, and students on work experience.



For positions which provide services or activities for children and young people:

- Council will ensure:
  - *Working with Children Blue Card* checks of employees are done as required; and
  - procedures are in place to manage any risks of harm to children and young people by Council employees.
- Workplace supervisors of young employees or students on work experience are not required to have a *Working with Children Blue Card*.
- You are responsible for notifying your manager if your *Working with Children Blue Card* lapses or is cancelled.

**Torres Strait Island Regional Council employees will:**

- follow organisational policy and guidelines for the safety of children, as outlined in this Code of Conduct and working with children guidelines, as well as all relevant local, state and national laws pertaining to working with children and young people;
- treat everyone with respect and honesty (this includes employees, volunteers, students, children, young people and parents);
- be respectful of children's rights, background, culture, religion, politics and beliefs;
- set clear boundaries about appropriate behaviour to children in the organisation and community;
- always have another adult present or in sight when working with, or in proximity to, children\*;
- conduct themselves in a manner consistent with their position as a positive role model to children, and as a representative of Torres Strait Island Regional Council;
- report and act on any breaches of these standards of behaviour;
- where a child discloses harm to an employee, or where an employee has a suspicion of harm, the employee must report this to Child Safety Qld.

**Torres Strait Island Regional Council employees will not:**

- become involved in inappropriate conversations of a sexual nature, make sexually suggestive comments or expose children and young people to the sexual behaviour of others;
- initiate unnecessary physical conduct with children or do things of a personal nature that children can do for themselves;
- personally correspond (including email and/or mobile phone) with a child or young person in respect of personal feelings for a child or young person;
- spend inappropriate time with a child or young person or show special favours.

Where an incident involves a young person who is a participant in Council's workforce, a senior workplace manager will make immediate contact with the young person's parent or guardian.

Suspected breaches of this Code will be treated individually and all relevant circumstances will be taken into account. Suspected breaches will be treated in line with the Managing Underperformance Procedure. Depending on the severity of the breach, formal disciplinary proceedings might be taken. Matters may be referred to the Crime and Corruption Commission as necessary.

## **4.2. THE SECOND PRINCIPLE - Promoting the public good**

### **a) Ethics value**

In recognition that the public sector is the mechanism through which the elected representatives deliver programs and services for the benefit of the people of Queensland, public sector entities and public officials:

- accept and value their duty to be responsive to both the requirements of government and to the public interest;
- accept and value their duty to engage the community in developing and effecting official public sector priorities, policies and decisions;
- accept and value their duty to manage public resources effectively, efficiently and economically;
- value and seek to achieve excellence in service delivery; and
- value and seek to achieve enhanced integration of services to better service clients.

## **b) Standards of conduct**

### **(i) Using Council assets**

Council's assets include property (physical and intellectual property), plant, equipment, IT & Communication assets, goods, products and valuables (this includes surplus material, waste material, and off-cuts). All employees share the responsibility for looking after them.

If you are in charge of assets you must take good care of them while they are in your possession or use, and ensure they are used economically and efficiently. It is an offence to unlawfully destroy or damage property of Council or to misuse, or allow anyone else to misuse, Council assets. You must make sure assets are secured against theft and properly stored, maintained and repaired.

You must abide by Council's security procedures and rules for accessing Council's assets.

You must not allow anyone else unauthorised access to Council assets.

You must ensure that you use Council assets only for official Council business unless written approval has been granted by your manager.

You are not to access or disclose any information about customers unless you are carrying out official Council business.

If you use a Council vehicle, you must not use it for private or non-official purposes, unless those circumstances are specifically allowed by Council or you have prior written approval from your manager.

When you leave Council, you must return any Council assets you have on loan and all work-related documents.

### **(ii) Using Council's IT & Communication assets**

Any file stored on, or information accessed using Council's IT & Communication assets, is discoverable by Council. All devices (including personal IT & Communication devices) or systems connected to Council's corporate IT & Communication network may be subject to scrutiny.

- You can use Council's IT & Communication assets for:
  - accessing data, information, websites, etc. for official purposes and as necessary where it supports or informs the work you do;
  - limited personal use, providing you comply with Council's rules and guidelines about acceptable use of ICT and social media. Limited personal use means use that is infrequent and brief, and is performed during your non-paid time, that is, before and after work and during lunch breaks. Refer Definitions, Section 4 for more information.
- You can use Council's telephones for messaging and making local calls that you cannot make conveniently outside working hours on a reasonable basis.
- You must not use Council's IT & Communication assets to:
  - store large quantities of personal data or photos or non-work documents;
  - download, stream or store music, movies, video clips, pictures, or other material not associated with your work;
  - make unauthorised copies of software, music, videos, games, etc;
  - introduce, download or use unauthorised software;
  - connect any personal ICT device to Council's corporate ICT network, e.g. iPods, cameras, USB thumb drives, without prior approval from Information Technology Services (ITS). When plugging in a personal ICT device to charge, employees are responsible for ensuring that Council's ICT assets are in no way placed at risk.
  - access or circulate inappropriate material.
- If you telecommute or work from a remote location, you must use an authorised secure means to access Council's ICT network.
- You must not download or store Council's electronic files in an unauthorised location, e.g. on a home computer, personal USB memory stick, personal ICT device.

- You must adhere to Council's security requirements and not attempt to bypass or modify any restriction or security measure put in place by Council or third parties.

### **(iii) Public money**

You must maintain high standards of accountability if you collect and use public money.

You are not to borrow or use Council money for private purposes. This also applies to items such as corporate credit cards and cab-charge cards.

### **(iv) Intellectual property**

You must obtain written approval before arranging to publish or disclose any articles or materials you produced as part of your official duties. Any original work, invention or product you contributed to in association with your work remains Council property.

Similarly, you must not publish or disclose any matters relating to Council's intellectual property without appropriate authority.

This does not stop you from sharing with other organisations information relating to your official duties. However, if you do, you must make sure you do not breach the confidentiality of Council information, its employees or its clients, or compromise Council's intellectual property rights.

You must also respect the intellectual property rights of individuals and organisations outside Council. For example, you must not copy, quote or reproduce their work unless they have given you permission to do so. Where you make reference to the work of others, you must cite or acknowledge the source.

You must not infringe Copyright Law, including the intellectual property, of any individual or organisation. For example, you must not store or copy audio, video or image files, printed media and software without appropriate license or approval on Council assets.

### **(v) Customer service**

All Council employees are energised and proud to serve our communities. We are a trusted Council and take responsibility to deliver on promises, while treating members of the public with honesty, fairness, sensitivity and dignity.

At Council, we are one team working together to provide seamless service, it is important to know there is support available if you are unsure of how to deal with difficult situations and difficult people.

We value customer feedback. It is important to make all reasonable efforts to help customers lodge complaints. If you think a situation is threatening or intimidating, you are entitled to withdraw. If in doubt, ask for help from a more experienced colleague, or a team leader/supervisor.

Council will support any employee who believes they are under threat from a member of the public.

### **(vi) Concern for the environment**

We all share the responsibility to protect our natural environment, creating healthy surroundings for our community, and for managing the impacts of air, water, land and noise pollution. This includes individual responsibility for our own actions (e.g. taking care in disposing of waste and using and storing chemicals, reducing energy consumption and waste in our workspaces where we can, and applying high standards for environmental protection across the region).

### **(vii) Community engagement**

Council's Corporate Plan 2020-2025 strongly articulates Council's intent to engage the community on major issues affecting the future of the region and activities that have significant impacts on the environment.

It is essential that Council has a consistent approach to community engagement and that it uses effective engagement practices. Any engagement undertaken by Council needs to be conducted in a meaningful way so that the community is clear about what it is able to influence and knows that its interests have been considered in planning processes. Wherever possible, you are expected to provide community members with feedback on how their input has influenced Council's decisions. This will help

to increase their trust in Council generally and maintain their involvement in future Council engagement activities.

Council is committed to developing a Community Engagement framework and guidelines for consistent and effective engagement practices. You are expected to comply with these when engaging with the community to augment Council's decision-making processes and to ensure that decisions are made in the public interest.

**(viii) Working with other government agencies\***

Torres Strait Island Regional Council aims to conduct its business with the best interests of the organisation and the community it serves. Building effective formal partnerships and leveraging informal networks with other government agencies\*, community and industry stakeholders are crucial to achieving our Corporate Plan 2020-2025. Below is a set of guidelines Council officers can refer to when undertaking their duties in dealing with Federal Government, State Government and other government agencies.

- 1) Council officers' work must first and foremost represent the interests and contribute to the achievement of Torres Strait Island Regional Council's strategic goals. As a Council official, you must carry out your duties with the best interests of Torres Strait Island Regional Council in mind.
- 2) You must obtain approval from your manager and/or relevant Executive before dealing with other government agencies\* on significant matters. These matters include:
  - entering into formal agreements;
  - advising on Council's strategic position that has not been formally adopted by full Council;
  - dealing with significant operational matters;\*\* and/or
  - sharing or disclosing Council information that is commercial-in-confidence and/or not publicly available.

These principles do not cover every situation and Council officers are advised to seek guidance from their supervisors when dealing with a particular issue or operational matter of which they may be uncertain.

\*Government agencies include other Local, State, Federal Governments, government-owned corporations, statutory authorities and other public bodies.

\*\*Examples of significant operational matters include (but are not limited to) core services that relate to Council's statutory obligations, capital projects above \$200,000 and services that have high community usage and/or are of significant public interest.

### 4.3. THE THIRD PRINCIPLE - Commitment to the system of government

#### a) Ethics value

In recognition that public sector has a duty to uphold the system of government and the laws of the State, Commonwealth and local government, public sector entities and public officials:

- accept and value their duty to uphold the system of government and the laws of the State, the Commonwealth and local government;
- are committed to effecting official public sector priorities, policies and decisions professionally and impartially; and
- accept and value their duty to operate within the framework of Ministerial responsibility to government, the Parliament and the community.

This does not limit the responsibility of a public sector entity or public official to act independently of government if the independence of the agency, entity or official is required by legislation or government policy or is a customary feature of the work of the entity or official.

#### b) Standards of conduct

##### (i) Acting within the law

As an employee of Council, you are expected to comply with:

- this Code of Conduct;
- Council's corporate rules, which include policies, procedures and guidelines;
- all relevant State and Commonwealth legislation; and
- specific legislation relating to your employment.

All employees of Council have the following responsibilities:

- (a) implementing the policies and priorities of the council in a way that promotes:
  - (i) the effective, efficient and economical management of public resources; and
  - (ii) excellence in service delivery; and
  - (iii) continual improvement;
- (b) carrying out their duties in a way that ensures the council:
  - (i) discharges its responsibilities under this Act; and
  - (ii) complies with all laws that apply to the council; and
  - (iii) achieves its corporate plan;
- (c) providing sound and impartial advice to the council;
- (d) carrying out their duties impartially and with integrity;
- (e) ensuring their personal conduct does not reflect adversely on the reputation of the council;
- (f) improving all aspects of their work performance;
- (g) observing all laws relating to their employment;
- (h) observing the ethics principles under the Public Sector Ethics Act 1994, section 4;
- (i) complying with a code of conduct under the Public Sector Ethics Act 1994.

You have the right and responsibility to respectfully question how you do your work, particularly if you think there is an imminent risk to the safety of yourself or others, or there is a better way of doing something, or if you think that a direction may be in breach of the law. When you have recorded your suggestion or concern you are required to work as directed by your supervisor, except where there is an imminent risk to safety. If the matter cannot be resolved within the workgroup, it should be immediately referred to your manager.

If you are charged, or about to be charged, in respect of:

- a summary offence relating to your employment with Council; or
- an indictable offence, whether or not that offence relates to your employment with Council,

you must immediately report the circumstances to your divisional or executive manager.

You are responsible for advising your divisional or executive manager of the outcome of any such proceedings.

If you uncover evidence or have reasonable suspicion there is corrupt conduct, you must notify your divisional or Manager Risk and Ethics at the earliest opportunity.

**(ii) Raising concerns**

You have the right to comment on or raise concerns about Council policies or practices where they impact on your employment. However, you must do this in a reasonable, constructive way and take responsibility for your comments and views. You are required to comply with any lawful management direction, except where there is an imminent risk to safety.

When raising complaints or grievances, employees are expected to act with honesty and in good faith. Complaints that are considered vexatious or frivolous will not be progressed, and the employee will be managed in accordance with the Managing Underperformance Procedure and procedures dealing with vexatious and frivolous complaints.

**(iii) Handling information**

You must respect the copyrights, trademarks and patents of your suppliers. You must not reproduce or quote suppliers' material unless your license specifically allows it. See sections 5.2 (b) (ii) and 5.4 (b) (iii) of this Code.

You must not release information that you know, or should reasonably know, is information that:

- (a) is confidential to Council; and
- (b) Council wishes to keep confidential.

This obligation survives after you leave Council's employment or your contract for services ends.

**(iv) Advice given to elected officials**

Council must give Councillors advice that is thorough, responsive and unbiased so that Councillors can make decisions and carry out their community responsibilities. If you are unsure on how to respond to a Councillor, refer to Council's Acceptable Requests & Communication Protocol Policy, or discuss this with your team leader/manager.

If you believe there is conflict between a request from an elected official and Council policies, discuss this with your team leader/supervisor.

## **4.4. THE FOURTH PRINCIPLE - Accountability and transparency**

**a) Ethics value**

In recognition that public trust in public office requires high standards of public administration, public sector entities and public officials:

- are committed to exercising proper diligence, care and attention;
- are committed to using public resources in an effective and accountable way;
- are committed to managing information as openly as practicable within the legal framework; and
- value and seek to achieve high standards of public administration;
- value and seek to innovate and continuously improve performance; and
- value and seek to operate within a framework of mutual obligation and shared responsibility between public sector entities and public officials.

**b) Standards of conduct**

**(i) Diligence, care and attention**

Council aims to conduct its business with integrity, honesty and fairness, and to achieve the highest standards in service delivery. You contribute to this aim by carrying out your duties honestly, responsibly, in a conscientious manner, and to the best of your ability. This includes:

- giving priority to official duties over personal activities during work time;
- helping Council achieve its mission and goals by acting to improve systems and practices;
- conducting yourself in a way so others gain confidence and trust in the way Council does business;
- not allowing your conduct to distract or prevent others from working;

- not exposing Council to a judgment for damages against it, as a result of your negligence or breach of any law or ordinance;
- ensuring that you carry out your work diligently, accurately, and to the required performance standards and timeframes;
- proactively seeking assistance if you are experiencing difficulties with your work; and
- ensuring your personal conduct does not reflect adversely on Council's reputation.

If you are responsible for managing or supervising others, you must also ensure that:

- you model the values and principles outlined in this Code, and ensure that employees within your area of responsibility understand and comply with the Code;
- you do not come under a financial obligation to any employee you supervise or manage;
- your work and the work of those you supervise contributes to the achievement of Council's goals;
- employee performance is monitored and individuals are given constructive and regular feedback on their performance in line with procedures;
- where practicable, employees are given training opportunities to assist them in developing their careers;
- workloads are fairly distributed;
- resourcing for a work team is neither excessive nor inadequate for the job;
- employees who collect, handle or disburse public money are properly supervised;
- employee work times, overtime, allowances and absences are correctly recorded on timesheets and pay summary reports, and time is accurately costed;
- you do not exercise your delegations until you have considered all the necessary information and you are satisfied that all legislative or procedural requirements are met; and
- appropriate action is taken if breaches of this Code occur.

#### **(ii) Attendance at and absence from duty**

You are expected to follow Council employment and working arrangements, agreements and rulings on attendance at work and leave. This includes notifying your team leader/supervisor of any unscheduled absences prior to the beginning of your shift (where practicable), not being absent without approval, and accurately and truthfully recording work and leave periods.

Absence without approval and without reasonable excuse can create concerns for your safety and unproductive time for others, and may result in deductions in salary/pay for the period of absence and/or possible disciplinary action.

#### **(iii) Privacy and confidentiality**

Council has information about individuals, businesses and commercial issues which is private and sensitive and which could be harmful if released. Employees must only access information and records they require in the course of their Council duties. Employees must keep this information confidential at all times, and comply with Council's Privacy Policy.

You can maintain privacy by:

- taking care about discussing work matters with anyone not entitled to know such information;
- taking responsibility to safeguard confidential files and information;
- not disclosing system passwords to others;
- enforcing rules about storage of information over time; and
- referring all media enquiries to Corporate Affairs.

You must not use information acquired as a Council employee to gain (directly or indirectly) an advantage for yourself or someone else, or cause detriment to Council. This obligation survives after you leave Council's employment or your contract for services ends.

#### **(iv) Continuing development**

You are expected to maintain and improve your work performance and that of your work unit in the delivery of customer service. You have a continuing responsibility to maintain and enhance your skills and expertise and keep up to date the knowledge associated with your area of work. Council will assist you by providing equitable access to training and development opportunities.

**(v) Workplace health and safety**

You must take reasonable steps to ensure your own safety, health and welfare in the workplace. You also have a duty of care to both fellow employees and members of the public. This duty of care extends to both psychological and physical health and wellbeing.

We must all:

- identify hazards and manage risks to health and safety;
- perform all work safely and follow safe work practices;
- use personal protective equipment if required;
- report any incidents or hazards immediately and support investigations; and
- take corrective action to 'make safe' and implement improvements.

We must keep the workplace drug and alcohol free if we are to maintain the trust and confidence of customers and the health and safety of all employees. The use of drugs or alcohol adversely affects productivity, attendance and on-the-job safety.

You must not:

- use, possess or be impaired by the effects of illegal drugs while on duty;
- consume alcohol while on duty or in the workplace;
- come to work impaired by the effects of alcohol or drugs (refer Definitions, Section 4);
- gamble or bet on Council premises (except for authorised sweeps and tipping competitions);
- smoke in Council buildings, offices or vehicles.

**4.5. Breaches of The Code of Conduct**

A breach of the Code of Conduct damages business, public and work relationships. Any act or lack of action that contravenes the Code may be a breach of Council policies. Suspected breaches will be treated individually, and all relevant circumstances will be taken into account. Suspected breaches will be treated in line with the procedures for managing poor performance and misconduct. Depending on the severity of the breach, formal disciplinary action might be taken in accordance with the Disciplinary Procedure.

Council has identified a number of matters that are reportable matters. The following matters must be reported to the Manager, Risk and Ethics for assessment, and the Crime and Corruption Commission as necessary:

- Corrupt conduct or suspected corrupt conduct (refer Definitions, Section 4).
- Allegations that an employee has carried out official duties in a way that lacks honesty and impartiality; or breaches the community's trust; or involves an improper use of official information.
- Any action that is deemed to be a criminal offence, or an act which, if established, would reasonably warrant dismissal from Council's employment. Examples are stealing Council property or a customer's property; accepting a bribe; fraud; assault of a co-worker or customer; disclosing confidential information.

You may be suspended from duty:

- if there is suspected misconduct, including corrupt conduct;
- while an investigation is progressed;
- while charges are determined by the relevant court.

Suspension from duty will be on full pay.

Any subsequent disciplinary action will be in accordance with the Managing Underperformance Procedure.

**4.6. If you have a concern**

The Public Interest Disclosure Act 2010 and the Public Sector Ethics Act 1994 aim to create a work environment where public sector employees understand and maintain appropriate standards of conduct.



If you have a concern, or suspect a breach of the Code involving one or more Torres Strait Island Regional Council employees, the Public Interest Disclosure Act 2010 gives you the right and the protection to report issues using:

- internal channels (e.g. team leader, divisional or executive manager, Chief Executive Officer, Risk and Ethics Unit)
- external channels (e.g. Crime and Corruption Commission, Anti-Discrimination Commission, Queensland Ombudsman).

#### 4.7. A guide to ethical decision-making

The following guide is designed to help you reach an ethical decision based on the relevant facts and circumstances of a situation.

Step 1: Assess the situation.

- What is your aim?
- What are the facts and circumstances?
- Does it break the law or go against Council policy?
- Is it in line with the Code's principles?
- What principles does it relate to? Why?
- Who is affected? What rights do they have?
- What are your obligations or responsibilities?

Step 2: Look at the situation from Council's viewpoint.

- As a public official, what should you do?
- What are the relevant laws, rules and guidelines?
- Who else should you consult?

Step 3: How would others see your actions?

- Would a reasonable person think you used your powers or position improperly?
- Would the public see your action or decision as honest and impartial?
- Do you face a conflict of interests?

Step 4: Consider the options.

- Ask your supervisor, team leader, manager, or any person who is able to give sound, relevant advice.
- What options and consequences are consistent with Council's values, the four Principles and your obligations?
- What are the costs and long-term consequences?
- How would the public view each option?

Step 5: Choose your course of action.

Make sure your actions are:

- within your power to take, legal and in line with policy and this Code;
- fair and able to be justified to your manager and the public;
- documented so a statement of reasons can be supplied;
- consistent with Council's mission, goals and values;
- backed by advice from Council specialists, if this is appropriate.

## 5. FURTHER ASSISTANCE

If you read the Code and are still unsure of how it applies to you, it is important that you discuss this with your manager, team leader, divisional or executive manager. In most cases, they will be able to answer your enquiries.

If you have concerns about approaching any of these people, contact the next most senior person in your area. You might wish to contact your union representative or one of the following: [TBC]

## 6. DEFINITIONS

WORD/ABBREVIATION	DEFINITION
<b>Acceptable use</b>	See definition of Limited personal use
<b>Bullying</b>	see definition of Workplace harassment
<b>Conflict of interest</b>	<p>A conflict of interest involves a conflict between a Torres Strait Island Regional Council employee's work responsibilities and their personal or private interests. A conflict of interest can arise from either gaining a personal advantage or avoiding a personal loss. Conflicts of interest can be real (actual) or perceived (apparent). Interests can be financial, non-financial, personal, private, family or business.</p> <ul style="list-style-type: none"> <li>• <b>A real conflict of interest</b> is a conflict between the employee's duties and their private interests. <ul style="list-style-type: none"> <li>○ <i>Example:</i> Ron is on a recruitment and selection panel and his sister is applying for a position to be decided by that panel.</li> </ul> </li> <li>• <b>A perceived conflict of interest</b> is if it seems an employee's private interests could improperly influence them at work, as judged by a reasonable person. <p><i>Examples:</i></p> <ul style="list-style-type: none"> <li>○ Frida works for Council as a community grants funding program manager. On the weekend she plays tennis with the director of a community organisation applying for funding through the program Frida is managing.</li> <li>○ Jerry, who is responsible for assessing building applications, receives an application for major extensions to a house owned by an old school friend.</li> </ul> </li> <li>• <b>A financial interest</b> is when the employee could gain a personal financial benefit including having shares, receiving gifts, benefits or bribes or receiving hospitality or travel. <ul style="list-style-type: none"> <li>○ <i>Example:</i> Kim's partner owns a company which is tendering for work with Council.</li> </ul> </li> <li>(a) <b>A non-financial interest</b> is when the employee could gain a non-financial benefit such as personal recognition, offer of employment, avoidance of a penalty, or influence a Council outcome for a friend or family member. <p><i>Examples:</i></p> <ul style="list-style-type: none"> <li>○ You work in the strategic procurement area and a friend asks you to keep an eye on his tender application.</li> <li>○ You work in the funding application area and you are also president of a local group applying for funding from Council.</li> <li>○ You work in the development application's area and your children's school will be affected by a new development and the development proposal has been submitted to Council for approval.</li> </ul> </li> </ul>
<b>Discrimination</b>	<p>As defined in various state and federal legislation, discrimination occurs if a person treats, or proposes to treat, someone unfavourably due to a personal characteristic which is protected by law, for example their sex, relationship status, age, race.</p> <p>In some circumstances, discrimination can be considered lawful, such</p>

WORD/ABBREVIATION	DEFINITION
	as where the inherent requirements of the position require certain attributes (e.g. required attributes of an arborist position may be climbing trees, carrying tools, and working at heights).
<b>Corrupt conduct</b>	<p>As defined in the <i>Crime and Corruption Act 2001</i>, means the conduct of a person, regardless of whether the person holds or held an appointment, that:</p> <p>(a) adversely affects, or could adversely affect, directly or indirectly, the performance of functions or the exercise of powers of:</p> <ul style="list-style-type: none"> <li>(i) a unit of public administration; or</li> <li>(ii) a person holding an appointment; <b>and</b></li> </ul> <p>(b) results, or could result, directly or indirectly, in the performance of functions or the exercise of powers mentioned in paragraph (a) in a way that:</p> <ul style="list-style-type: none"> <li>(i) is not honest or is not impartial; or</li> <li>(ii) involves a breach of the trust placed in a person holding an appointment, either knowingly or recklessly; or</li> <li>(iii) involves a misuse of information or material acquired in or in connection with the performance of functions or the exercise of powers of a person holding an appointment; <b>and</b></li> </ul> <p>(c) is engaged in for the purpose of providing a benefit to the person or another person or causing a detriment to another person; <b>and</b></p> <p>(d) would, if proved, be:</p> <ul style="list-style-type: none"> <li>(i) a criminal offence; or</li> <li>(ii) a disciplinary breach providing reasonable grounds for terminating the person's services, if the person is or were the holder of an appointment.</li> </ul>
<b>IT asset</b>	May include, but not limited to, networks, computing systems, software, computers, telecommunication devices, mobile computing devices, removable media, digital or analogue recorders including DVD and video, cameras, printers, fax machines, photocopiers, scanners, media players etc. and managed or controlled by Council.
<b>Impaired by the effects of alcohol or drugs</b>	<p>Means:</p> <p>(a) For all employees:</p> <ul style="list-style-type: none"> <li>o a positive drug test result in excess of the cut-off levels specified in Australian Standard AS 4308-2008; or</li> <li>o physical or mental condition and/or behaviour which limits the employee's ability to undertake work in a safe and effective manner.</li> </ul> <p>(b) In addition to (a), for employees operating/driving heavy vehicles and buses:</p> <ul style="list-style-type: none"> <li>o a blood alcohol content greater than 0.00% (consistent with Queensland Transport Regulations).</li> </ul> <p>(c) In addition to (a), for employees driving light vehicles or operating mechanical tools or equipment:</p> <ul style="list-style-type: none"> <li>o a blood alcohol content greater than 0.05% (consistent with Queensland Transport Regulations).</li> </ul>
<b>Indictable offence</b>	As defined by the <i>Criminal Code</i> and similar legislation. It ordinarily means a criminal offence that is punishable by imprisonment for over one year. An indictable offence may be heard by a court (and jury) or may be dealt with summarily by a judge.
<b>Limited personal use</b>	<p>Means:</p> <ul style="list-style-type: none"> <li>• personal use that is infrequent and brief and is performed during the employee's non-paid time, that is before and after work and during lunch breaks. Examples of permitted personal use include online banking, bill paying, sending or receiving infrequent personal messages by email providing the content of the message does not breach this Code of Conduct.</li> </ul>

WORD/ABBREVIATION	DEFINITION
	<ul style="list-style-type: none"> <li>acceptable personal use does not: <ul style="list-style-type: none"> <li>interfere with the operations of the Torres Strait Island Regional Council or</li> <li>present a possible risk to Council's reputation or</li> <li>compromise Council's legal obligations in any way, e.g. breach of copyright, unauthorised storage of sensitive personal information or</li> <li>involve downloading, streaming or storing music, movies, video clips, pictures or any other material not associated with your work or</li> <li>result in a real or perceived conflict of interest between any private employment, or the operation of a personal business, and an employee's official duties or</li> <li>involve deliberate viewing, downloading, or contributing to inappropriate material, e.g. pornography, extreme violence, racism, terrorism or any illegal activity or</li> <li>detract from the performance of your work, e.g. online gaming, gambling, or auctions such as eBay.</li> </ul> </li> <li>acceptable personal use does not breach this Code of Conduct, <i>Public Sector Ethics Act 1994</i> (Qld), <i>Public Service Act 1996</i> (Qld), <i>Crime and Corruption Act 2001</i> (Qld) or related State and Federal legislation and regulations.</li> </ul>
<b>Personal use</b>	Means your personal or life interests, not associated with the performance of your official duties.
<b>Public official</b>	Means an employee of Council.
<b>Public sector entity</b>	Means Council.
<b>Social media</b>	Social media is using ICT technology to share information, communicate and engage with others. Social media sites may include social networking (e.g. Facebook), micro-blogging (e.g. Twitter), photo and video sharing, blogs, wikis, forums, discussion boards, online social groups.
<b>Sexual harassment</b>	Is any unwelcome sexual advance, unwelcome request for sexual favours or other unwelcome conduct of a sexual nature which makes a person feel offended, humiliated or intimidated, and where that reaction is reasonable in the circumstances.
<b>Summary offence</b>	Is a minor criminal offence or misdemeanour, which is dealt with summarily by a magistrate.
<b>Workplace harassment (bullying)</b>	Is repeated behaviour by a person, including the person's employer or co-worker or group of co-workers of the person, that: <ul style="list-style-type: none"> <li>is unwelcome, unsolicited or uninvited;</li> <li>offends, intimidates, humiliates or threatens (regardless of intent);</li> <li>would offend, intimidate, humiliate or threaten a reasonable person if it happened to them.</li> </ul>
<b>Young People</b>	People who are under the age of 18 years.

**POLICY STATEMENT**

- (a) ~~Council is committed to being an employer of choice by maintaining industry parity in relation to the development, management and support of human resources.~~
- (b) ~~Council, local government employees, Councillors, contractors and agents of Council shall conduct themselves strictly in accordance with the *Local Government Principles* set out in section 4(2) of the *Local Government Act 2009* (Qld) and the *Ethics Principles* set out in section 4(2) of the *Public Sector Ethics Act 1994* (Qld), namely:~~
  - ~~(i) transparent and effective processes and decision-making in the public interest;~~
  - ~~(ii) sustainable development and management of assets and infrastructure and delivery of effective services;~~
  - ~~(iii) democratic representation, social inclusion and meaningful community engagement;~~
  - ~~(iv) good governance of and by, local government;~~
  - ~~(v) ethical and legal behaviour of Councillors and local government employees;~~
  - ~~(vi) integrity and impartiality;~~
  - ~~(vii) promoting the public good;~~
  - ~~(viii) commitment to the system of government; and (ix) accountability and transparency.~~
- (c) ~~Council shall maintain open and transparent internal and external complaints management processes, enabling continuous review of the conduct of Council, its employees, contractors and agents.~~
- (d) ~~A failure of a local government employee, Councillor, contractor or agent to conduct oneself strictly in accordance with the *Local Government Principles* and *Ethics Principles* shall be thoroughly investigated by Council and if proven, met with appropriate disciplinary action as available under Council Policy, Procedure and/or Regulation, including but not limited to mandatory reporting to regulatory bodies [eg. the Queensland Crime and Corruption Commission or the Chief Executive Officer of the Department of Infrastructure, Local Government and Planning].~~

**1. SCOPE**

~~This Code applies to all employees, Councillors, contractors, consultants, agents and assigns of Torres Strait Island Regional Council.~~

## 2. DEFINITIONS

~~CCC~~ means ~~Crime and Corruption Commission~~

~~CEO~~ means ~~Chief Executive Officer of Torres Strait Island Regional Council~~

~~Code~~ means ~~this Code of Conduct~~

~~Council~~ means ~~Torres Strait Island Regional Council~~

~~Functional Manager~~ means:

- ~~a) for all employees, contractors, consultants, agents and assigns – Manager responsible for each functional area as identified in Council’s organisational structure~~
- ~~b) for Councillors – Executive Manager Corporate Services or Chief Executive Officer~~

~~Officers~~ mean ~~all employees, Councillors, contractors, consultants, agents and assigns of Council or engaged by Council to perform duties~~

## 3. IMPLEMENTATION

- ~~a) Matters relating to the interpretation of this Procedure should be raised with the Functional Manager in the first instance.~~
- ~~b) The Chief Executive Officer (CEO) may review any interpretation as relevant.~~

## 4. PURPOSE

~~The object of this Code is to assist officers to:~~

- ~~a) Ensure high standards of workplace behaviour that support a safe working environment and positive working relationships with all parties.~~
- ~~b) Meet Council’s objectives and legal requirements.~~

- c) ~~Comply with their statutory duty to act honestly and exercise due diligence and a high degree of care.~~
- d) ~~Provide a guide to identifying and resolving situations which could result in:~~
  - ~~(ii) conflicts of interest – material personal interests~~
  - ~~(iii) impropriety~~
  - ~~(iv) improper use of their positions~~
  - ~~(v) improper use of resources of Council~~
  - ~~(vi) acting in ways which diminish both public perception and confidence in the administration and system of Local Government~~

## 5. **CONFLICT OF INTEREST**

~~A Conflict of Interest (including Material Personal Interest) occurs when an officer's personal interests are, or are perceived by others reasonably to be, in conflict with the Council's and community's interests. When there is a conflict, it may influence the outcome of the decisions they are required to make.~~

### **A. CONFLICT OF INTEREST PROCEDURE**

- a) ~~Council is required to manage the processes of resolving all conflicts of interest, including those conflicts of interest that should have been, but have not been disclosed.~~
- b) ~~The processes used by Council for managing conflicts of interest must be transparent, open to scrutiny and accountable.~~
- c) ~~Council will ensure that all its officers are made aware of the Conflict of Interest Procedure by requiring them to complete a Take 5 training exercise on the Procedure.~~
- d) ~~If an officer believes they have a potential, perceived, apparent and/or actual conflict of interest they are obliged to declare the conflict of interest. Conflicts of Interest should be declared or recorded in writing to the Functional Manager. The officer may use the Declaration of Interest form in Appendix 1 to declare a Conflict of Interest.~~
- e) ~~When a Councillor or employee declares an actual, potential, perceived and/or apparent Conflict of Interest at a Council Meeting, the disclosure should be recorded in the Meeting Minutes in accordance with Council's Meeting Handbook.~~

- f) ~~If an officer is of the understanding that another officer may have a conflict of interest, they may raise it directly with the officer, with the Executive Manager Corporate Services or with the CEO.~~
- g) ~~Council must maintain records of conflicts of interest that detail:~~
- ~~(ii) all notifications of conflicts of interest;~~
  - ~~(iii) any reported cases of failure to disclose;~~
  - ~~(iv) disclosure by others (e.g. officer or member of the public);~~
  - ~~(v) vexatious or trivial claims;~~
  - ~~(vi) assessment of the matter;~~
  - ~~(vii) any action taken; and~~
  - ~~(viii) any reviews of the assessment process.~~
- h) ~~The notification for conflicts of interest should include:~~
- ~~(ii) the person's name, position, phone number and address;~~
  - ~~(iii) details of the nature of the Conflict of Interest (perceived, apparent, potential or actual);~~
  - ~~(iv) date of notification; and~~
  - ~~(v) suggested course of action to deal with and resolve the conflict of interest.~~
- i) ~~When Council is determining the best option to address the conflict of interest, Council will ensure the process includes impartiality, fairness and protection of Council's interests.~~
- j) ~~Actions taken by Council may include:~~
- ~~(ii) limiting the person's involvement in the matter (e.g. participation in discussion but not decision-making);~~
  - ~~(iii) the person having no involvement in the decision-making or participation in discussion in the matter (e.g. excluding the person from receiving communications in any form or from taking part in discussions and decisions); and~~
  - ~~(iv) removing the source of conflict.~~
- k) ~~Councillors declaring a Conflict of Interest may refer decisions for recommendation, endorsement or approval to other decision-makers:~~

<b>Conflicted Party</b>	<b>Alternative Approver</b>
<b>Mayor</b>	Deputy Mayor/CEO



Councillor

Mayor

## 6. ETHICS

The following ethics principles must be observed by all officers:

- a) **Respect for the Law and the System of Government** – Officers shall uphold the laws of Queensland and Australia and shall not, without just cause, be a party to their breach, evasion or subversion.

Officers shall act with respect towards the institutions of both Parliament and Local Government. Officers shall ensure that their conduct, whether in a personal or official capacity, does not bring the Parliament or Local Government into disrepute or damage public confidence in the System of Government.

Responsibility	Standards of conduct
<i>Respect for the Law and the System of Government</i>	<ul style="list-style-type: none"> <li>Officers shall always abide by the Law and the System of Government.</li> <li>Officers will not engage in negative comment or behaviour that will bring disrepute or damage to the Law and the System of Government to internal or external parties. Officers shall proactively support and implement any policy or decision</li> </ul>
	<p>adopted by Council.</p> <ul style="list-style-type: none"> <li>Officers shall not engage in negative comment regarding any policy or decisions adopted by Council other than through the internal feedback mechanisms.</li> </ul>

- b) **Respect for persons** – Officers shall treat other officers, Council representatives, other officials and members of the public honestly and fairly and with proper regard for their rights, entitlements, duties and obligations.

Officers shall at all times act responsibly in the performance of their public duties.

Officers shall adopt an exemplary standard of conduct in respect to form and manner of communication with clients of Council irrespective of whether they are representatives of Government, the public or private sector or other Council officers.

Responsibility	Standards of conduct
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<i>Respect for persons</i>	<ul style="list-style-type: none"> <li>• Officers shall always respect other parties engaged internally or externally with Council including members of the public.</li> <li>• Officers shall not engage in negative or defamatory comment about the behaviour, actions or activities of other parties engaged with Council or members of the public.</li> <li>• Officers shall support and be helpful to other parties in their efforts to achieve Council objectives.</li> <li>• Officers will not comment on the decisions or activities of other personnel in other departments to other officers other than their Functional Manager.</li> <li>• Officers are not to interrupt other officers performing their duties through gossiping.</li> </ul>
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- c) **Integrity** — Officers shall at all times seek to advance the common good of the community which they serve, in recognition that public office involves a public trust.

In particular, officers shall ensure that their official powers or position are not used improperly for personal advantage. Officers shall ensure that any conflict between personal interests and public duty which may arise is resolved in favour of the public interest.

Responsibility	Standards of conduct
<i>Integrity</i>	<ul style="list-style-type: none"> <li>• Officers shall declare any conflict of interest that may affect the interactions or the decision-making of Council.</li> <li>• Officers shall maintain the highest standard of work performance at all times.</li> <li>• Officers shall not use their power within their role or at Council to disadvantage another party or for their own personal gain.</li> <li>• Officers shall not use their role or political power to incorrectly intimidate, discriminate or harass another person.</li> </ul>
<i>Bribes, gifts and benefits</i>  <i>Refer to TSIRC Gift Procedure</i>	<ul style="list-style-type: none"> <li>• Officers will not seek or accept a bribe or other improper inducement. Officers will not use their official position to gain advantage or to improperly influence Councillors, other officers or delegates in the performance of either their public or professional duties for the purpose of private gain or personal benefit.</li> <li>• Officers will not accept gifts or services other than minor incidental items in the course of their duties.</li> <li>• Officers will not, by virtue of their official positions, accept or acquire a personal profit or advantage of a personal material value (except of a token nature) other than permitted by this Code or any statute or Council procedure now or in the future.</li> </ul>

<i>Use of Council resources</i>	<ul style="list-style-type: none"> <li>• Officers must not use public resources for private purposes (except when supplied as part of a contract of employment) unless such use is lawfully authorised and/or proper payment is made where appropriate.</li> <li>• Officers must not use or convert to their own use any property of Council.</li> <li>• Officers must be scrupulously honest in the use of Council resources of all kinds, both physical and human and in accordance with any Council policy, award or other recognised work practice.</li> </ul>
<i>Use of information</i>	<ul style="list-style-type: none"> <li>• Officers will not advance a private interest by the use of confidential information gained in the course of public or professional duty.</li> <li>• Officers will only conduct their duties in a manner that allows Council members, other officers, delegates and the public to remain informed about Local Government, activity and practices.</li> <li>• Officers will treat confidential reports and confidential discussions of committees and Council with the strictest confidence.</li> <li>• Officers receiving confidential personnel actions or information shall treat this information with the strictest confidence.</li> </ul>

- d) **Diligence** — Officers shall exercise due diligence, care and attention and shall at all times seek to achieve the highest standards practicable in relation to their duties and responsibilities in their official capacity as officers of Local Government.

RESPONSIBILITY STANDARDS OF CONDUCT	
<i>Diligence</i>	<ul style="list-style-type: none"> <li>• Officers shall maintain the highest standard of work performance at all times.</li> <li>• Officers are to aim for continuous improvement within their own duties and within the organisation.</li> </ul>

- e) **Economy and efficiency** — Officers shall avoid waste, abuse and extravagance in the provision or use of public resources and shall expose fraud and corruption of which the officer is aware.

Responsibility	Standards of conduct
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<i>Economy and Efficiency</i>  <i>Refer to TSIRC</i> <i>Fraud and Corruption Control Procedure</i>	<ul style="list-style-type: none"> <li>• Officers shall only exercise decision-making, supervision and financial activities as delegated within their position by their department Manager and as outlined in their position descriptions.</li> <li>• Officers shall manage their duties in order to maximise productivity and minimise downtime and reliance on other officers to complete departmental goals (within the responsibilities of their position descriptions).</li> <li>• Officers shall report any wastage and abuse of resources to their Functional Manager.</li> <li>• Officers shall report any fraud or corruption to the Chief Executive Officer in accordance with Council's Fraud and Corruption Control Procedure.</li> </ul>
<i>Use of Council resources</i>	<ul style="list-style-type: none"> <li>• Officers must avoid waste or extravagance in the use of public resources.</li> </ul>

## 7. BREACHES AND NON-COMPLIANCE

~~Alleged breaches or failure to comply with the Code of Conduct will be dealt with in accordance with the Human Resource Handbook (or under Regulation for Councillors) and within the following guidelines:~~

- a) ~~Questions of compliance raised by Council members, other officers or the community regarding the Code will be considered by the CEO or CEO's nominee.~~
- b) ~~Officers are entitled to representation in the consideration of a question of non-compliance against them. Investigation and management of the matter will have regard to the principles of fairness, equity and natural justice.~~
- c) ~~Investigations undertaken regarding compliance with the Code will be kept confidential. The CEO has responsibility for ensuring that compliance with the Code occurs.~~
- d) ~~If a question of compliance with the Code is raised by the CEO, the Mayor will determine with Council the manner in which to address the matter.~~
- e) ~~Where Council or the Mayor or a committee of Council addresses the matter, principles of fairness, equity and natural justice will apply and the matter will be handled confidentially.~~
- f) ~~If the CEO reasonably suspects that a matter involves, or may involve, corrupt conduct (as defined in the Complaint Management Procedure), the Chief~~

~~Executive Officer has an obligation to notify the Crime and Corruption Commission.~~

DRAFT

# Work Health and Safety Policy

## PO3

<b>Responsible Manager</b>	<a href="#">Head of People &amp; Wellbeing</a> <del>Executive Manager</del> <del>Corporate Services</del>
<b>Head of power</b>	<i>Work Health &amp; Safety Act 2011 (Qld)</i> <i>Work Health &amp; Safety Regulation 2011 (Qld)</i>
<b>Authorised by</b>	Council
<b>Authorised on</b>	TBC 2021
<b>Implemented from</b>	TBC 2021
<b>Last reviewed</b>	October 2015
<b>Review history</b>	2013, 2014, 2015, 2021
<b>To be reviewed on</b>	March 2024
<b>Corporate Plan</b>	<a href="#">Governance</a> <a href="#">People, Sustainability and Prosperity</a>

## 1. PURPOSE

This policy establishes the approach to work health and safety management at Torres Strait Island Regional Council (Council) and outlines management's commitment to ensure a safe work environment for all workers.

## 2. POLICY STATEMENT

Torres Strait Island Regional Council is committed to providing a safe and healthy working environment for all workers, contractors and visitors to our workplaces.

Council is also dedicated to achieving a high standard of health and safety performance and will strive to continuously improve the safety performance results in all of our operations through the implementation of a Safety Management System aligned with the requirements of Occupational Health and Safety Management Systems AS/NZS 4801 and ISO 45001.

Council will apply its best endeavours to comply with all relevant health and safety legislation and related standards, codes of practice and industry guidelines. We establish clear objectives with measurable targets, and report on our performance against those targets at pre-determined intervals.

It is our core belief that:

- all accidents can, and should be prevented; and
- no task is so important that risk of injury to people is ever justified.

Council will deliver on these commitments by:

- having our leaders lead by example and demonstrate a visible commitment to health and safety, to motivate, educate and support all persons involved in council activities
- proactively identifying and managing health and safety risks
- ensuring that there is participative consultation to support and enhance our decision making processes
- emphasising in all communications and interactions that people, safety and systems are our priority, including the effective distribution of important WHS information
- ensuring all incidents and near misses are fully investigated and corrective measures taken to prevent reoccurrence
- ensuring our employees and contractors receive the appropriate health and safety training to enable them to conduct their work safely
- the ongoing regular monitoring and review of our health and safety performance to support the effectiveness of work health safety actions and ensure our health and safety objectives and targets are being met
- ensuring all levels of management and staff carry out their health and safety responsibilities.

With personal commitment and active participation of all our workers, we will achieve outstanding work health and safety standards and deliver on our commitment to provide a safe working environment.

Council is committed to ensuring the health and safety of workers and visitors whilst they are at work or at a Council workplace. This commitment extends to people who may be affected by Council's work related activities and includes compliance with the Work Health and Safety Act 2011, the Work Health and Safety Regulation 2011, subordinate legislation and all associated Codes of Practice and relevant Standards.

### **3. SCOPE**

This policy applies to all Council's operations and workers, including employees, contractors, labour hire employees, volunteers and visitors.

### **AUTHORISATION**

This policy is duly authorised by Council as the Torres Strait Island Regional Council Work Health and Safety Policy (PO3) and shall hereby supersede any previous policies of the same intent.

**Ilario Sabatino**

Acting Chief Executive Officer

**Date**



# WORKERS' COMPENSATION AND REHABILITATION POLICY

<b>Responsible Manager</b>	<a href="#">Head of People and Wellbeing</a> <del>Executive Manager Corporate Services</del>
<b>Head of power</b>	<del><a href="#">Local Government Act 2009 (Qld)</a> <a href="#">Local Government Regulation 2012 (Qld)</a> <a href="#">Workers' Compensation and Rehabilitation Act 2003 (QLD)</a> <a href="#">Workers' Compensation and Rehabilitation Regulation 2014 (QLD)</a></del>
<b>Authorised by</b>	Council
<b>Authorised on</b>	TBC 2021
<b>Implemented from</b>	TBC 2021
<b>Last reviewed</b>	May 2017
<b>Review history</b>	2012, 2013, 2104, 2015, 2016, 2017, 2021
<b>To be reviewed on</b>	March 2024
<b>Corporate Plan</b>	<a href="#">People, Sustainability and Prosperity Governance</a>

## 1. PURPOSE

Torres Strait Island Regional Council (TSIRC) has an obligation to provide workplace rehabilitation to its employees which meets legislation.

TSIRC is committed to ensuring the health, safety and wellbeing of all its employees and will provide workplace rehabilitation for all employees whose ability to carry out their duties is affected by any physical and/or physical, work related or non-work-related injury or illness. This Policy and its associated Procedure provides a framework for the provisions of workplace rehabilitation.

## 2. POLICY STATEMENT

TSIRC recognises that early intervention and early return to work programs offer substantial benefits to both the injured/ill employees and the organisation. The goal of workplace rehabilitation is the earliest possible safe return to work for an injured/ill employee to their pre-injury/illness position. Where possible, workplace rehabilitation aims to maintain the injured/ill employee at work without time off.

- a) Torres Strait Island Regional Council [Council] is committed to ensuring that employees ~~and Councillors~~ receive adequate and appropriate compensation and rehabilitation for work related injuries and illnesses. This commitment includes compliance with the Workers' Compensation and Rehabilitation Act 2003 and the Workers' Compensation and Rehabilitation Regulation 2014.
- b) Council is committed to helping its people to return to full and gainful employment following injury or illness. Council is dedicated to providing a rehabilitation program which is continuously reviewed and monitored to improve injury management activities.
- c) Where time off work is required, the aim is to ensure a return to work occurs as soon as medically advisable. Within realistic time frames, workplace rehabilitation is actively facilitated to:
  - maintain injured or ill employees at work;
  - ensure the employee's earliest possible return to work;
  - maximise the employee's independent functioning; and
  - achieve sustainable and durable return to work goals.

e)d) \_\_\_\_\_ In developing injury management plans, together with injured employees, consideration will be given to individual circumstances in line with the "whole of life" approach. Council will provide an environment that will enrich the safety, health and wellbeing of its people and actively encourage employees' early return to work from injury.

e)e) \_\_\_\_\_ In meeting this commitment Council aims to:

- prevent workplace injuries and illnesses by providing a safe and healthy working environment;
- recognise and complement other organisational policies and procedures where relevant;
- provide early reporting systems and intervention procedures that will enable injured employees to stay at work or return to work as soon as medically appropriate;

- facilitate the durable return to work of employees by assisting with the safe and early integration back into the workplace;
- advise employees of their rights and responsibilities for injury management;
- facilitate participation in an injury or illness management program appropriate to an injured or ill employee's medical recovery;
- provide employees with relevant information about injury management including their rehabilitation rights and obligations;
- consult with employees and/or their representatives;
- maintain confidentiality of personal information in accordance with applicable legislation;
- Manage claims in an equitable, timely and efficient manner, consistent with applicable legislation and self-insurance requirements;
- Comply with applicable injury management and rehabilitation legislation;
- Engage appropriately qualified experts, both internally and externally to assist in the management of injury; and
- Ensure that injured/ill employees are not disadvantaged by participating in workplace rehabilitation.

TSIRC provides relevant workers' compensation cover for staff members in their respective State. Worker's compensation and workplace rehabilitation will be provided as per the respective State's legislation.

### 3. SCOPE

This policy applies to all TSIRC employees and Councillors.

### AUTHORISATION

This page and the previous bearing my initials was/were duly authorised by Council as the Torres Strait Island Regional Council ???????? Policy (PO?) on [INSERT DATE] and shall hereby supersede any previous policies of the same intent.

??????????

Chief Executive Officer

Date: \_\_\_\_\_

# DOMESTIC and FAMILY VIOLENCE POLICY

**Responsible Manager**

Head of People and Wellbeing

**Head of power**

[~~Industrial Relations Bill 2016 \(Qld\)~~](#)  
[~~Local Government Act 2009 \(Qld\)~~](#)  
[~~Local Government Regulation 2012 \(Qld\)~~](#)  
[~~Industrial Relations Act 1999~~](#)  
[~~Human Rights and Equal Opportunity Act 1986 \(Cth\)~~](#)  
[~~Public Sector Ethics Act 1994~~](#)

**Authorised by**

Council

**Authorised on**

TBC 2021

**Implemented from**

TBC 2021

**Last reviewed**

March 2021

**Review history**

2017, 2019, 2021

**To be reviewed on**

March 2024

**Corporate Plan**

[Governance](#)  
[People, Sustainability and Prosperity](#)

## 1. PURPOSE

The aim of the Torres Strait Island Regional Council Domestic and Family Violence Policy and the associated Procedure, is to outline how employees who are experiencing or escaping domestic or family violence, can be supported to improve their safety and work towards a life free from violence and abuse.

## 2. POLICY STATEMENT

- a) Council is strongly committed to providing a healthy and safe working environment for all employees. Council recognises that employees sometimes face difficult situations in their work and personal life, such as domestic and family violence, which may affect their attendance, performance at work or safety.
- b) Council is committed to supporting a staff member experiencing domestic or family violence to continue to participate in the workforce and maintain their employment through a broad range of support which recognises the specific need of people in diverse families and relationships.
- c) It is recognised that employees experiencing domestic and family violence may require a range of support which may include:
  - return to work support for people who need to take extended periods of time off work to recover from the health impacts, including mental health impacts, of domestic and family violence. This could include consideration to changes to work hours, location of work or relocation to suitable employment where this is able to be identified;
  - access to leave entitlements, including personal leave, as well as access to discretionary leave including annual leave and long service leave;
  - temporary changes to arrangements which may include secure car parking and IT and telephone security;
  - absences from the workplace will be reconciled subject to the employees leave entitlements and available accrued hours.
- ~~b)d)~~ A staff member who experiences situations of violence and abuse in their domestic life which may adversely impact on their attendance and/or performance at work will not be disadvantaged in their employment at Council.
- ~~c)e)~~ All personal information given in relation to situations of domestic or family violence will be kept confidential. No information will be kept on an employee's personnel file without their express permission. Council will cooperate with all legal orders protecting a staff member experiencing domestic or family violence.

The Domestic and Family Violence Procedure should be read in conjunction with this Policy, and details how employees who are experiencing or escaping violence can be supported to improve their safety and work towards a life free from violence and abuse.

## 3. SCOPE

This Policy applies to all Torres Strait Island Regional Council employees and Councillors. Refer

to Domestic and Family Violence Procedure PO16-PR1 for more information.

### **AUTHORISATION**

This page and the previous bearing my initials was/were duly authorised by Council as the Torres Strait Island Regional Council ???????? Policy (PO?) on [INSERT DATE] and shall hereby supersede any previous policies of the same intent.

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**Chief Executive Officer**

**Date:** \_\_\_\_\_

# EQUAL EMPLOYMENT OPPORTUNITY POLICY

<b>Responsible Manager</b>	Head of People and Wellbeing
<b>Head of power</b>	<i>Local Government Act 2009 (Qld)</i> <i>Local Government Regulation 2012 (Qld)</i> <i>Public Service Act 2008</i> <i>Industrial Relations Act 1999</i> <i>Anti-Discrimination Act 1991</i> <i>Sex Discrimination Act 1984</i> <i>Racial Discrimination Act 1975 (Cth)</i> <i>Disability Discrimination Act 1992 (Cth)</i> <i>Human Rights and Equal Opportunity Act 1986 (Cth)</i> <i>Public Sector Ethics Act 1994</i>
<b>Authorised by</b>	Council
<b>Authorised on</b>	TBC 2021
<b>Implemented from</b>	TBC 2021
<b>Last reviewed</b>	March 2021
<b>Review history</b>	2013, 2014, 2017, 2018, 2021
<b>To be reviewed on</b>	March 2024

GOVERNANCE TO ADD HEADER

**Corporate Plan**

People, Sustainability and Prosperity



## 1. PURPOSE

The Equal Employment Opportunity Policy (and Procedure) aims to ensure all employees are treated on their merits, without regard to race, age sex, relationship status or any other factor. This Policy is designed to ensure that Torres Strait Island Regional Council complies with all of its obligations under the relevant legislation.

## 2. POLICY STATEMENT

Torres Strait Island Regional Council (TSIRC) is committed to creating a work environment which is free from discrimination and sexual harassment and where all members of staff are treated with dignity, courtesy and respect.

TSIRC is an equal opportunity employer. At all stages of the employment relationship (recruitment and selection, terms and conditions of work, training and professional development opportunities, promotion and transfer, retirement, retrenchment and termination) staff will be treated on their merits and valued according to how well they perform their duties.

Council is committed to the principle of Equal Employment Opportunity (EEO) and will not discriminate in matters of recruitment, selection or career progression on the basis of any distinction, exclusion, or preference having regard to a person's gender, marital status, pregnancy, parental status, sexual orientation, race, impairment, age, religion, trade union activity or political opinion.

Employees are treated on their merits at every stage of their employment—from the recruitment and interview process through to their daily duties, promotion, training and development opportunities, and their resignation, retrenchment or redundancy.

TSIRC believes that all staff should be able to work in an environment free from discrimination, victimisation, sexual harassment, vilification and the seeking of unnecessary information on which discrimination might be based. We consider these behaviours unacceptable and they will not be tolerated.

Staff who make a complaint of discrimination or sexual harassment will not suffer any victimisation by CYP for making the complaint. This also applies to staff who agree to be a witness in a complaint or have a complaint made against them.

TSIRC will provide regular staff training on discrimination and sexual harassment, and have procedures for complaints.

Further, TSIRC is committed to the attraction, recruitment, development and retention of local, First Nations people

**Disciplinary action** will be taken by TSIRC against any staff member found to have breached this policy. Action will be appropriate to the breach and may include: an official warning and note on the person's personnel file; a formal apology; counselling; demotion, transfer, suspension; or dismissal for very serious matters.

## 3. SCOPE

This Policy applies to all local government employees, Councillors and contractors.

## AUTHORISATION

This page and the previous bearing my initials was/were duly authorised by Council as the Torres Strait Island Regional Council ???????? Policy (PO?) on [INSERT DATE] and shall hereby

supersede any previous policies of the same intent.

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**Chief Executive Officer**

**Date:** \_\_\_\_\_

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# RECRUITMENT POLICY

**Responsible Manager**

Head of People and Wellbeing

**Head of power**

[~~Industrial Relations Bill 2016 \(Qld\)~~](#)  
[~~Local Government Act 2009 \(Qld\)~~](#)  
[~~Local Government Regulation 2012 \(Qld\)~~](#)  
[~~Industrial Relations Act 1999~~](#)  
[~~Human Rights and Equal Opportunity Act 1986 \(Cth\)~~](#)  
[~~Public Sector Ethics Act 1994~~](#)

**Authorised by**

Council

**Authorised on**

TBC 2021

**Implemented from**

TBC 2021

**Last reviewed**

March 2021

**Review history**

2017, 2018

**To be reviewed on**

March 2024

**Corporate Plan**

[Governance](#)  
[People, Sustainability and Prosperity](#)

## 1. PURPOSE

The purpose of the Recruitment Policy aims to ensure Torres Strait Island Regional Council (TSIRC) achieves best practice associated with the recruitment and selection of employees and to comply with procedural fairness and, equal employment opportunity principles and practices.

The associated Recruitment Procedure also provides guidance to ensure that TSIRC attracts and selects employees of the highest calibre in an efficient and effective manner.

In addition, this policy is designed as an effective child focused procedure in order to ascertain a person's suitability to work with children where required.

## 2. POLICY STATEMENT

- ~~a) This Policy is to ensure that Torres Strait Island Regional Council follows a transparent and unbiased recruitment and selection process. All recruitment and selection procedures and decisions will reflect Council's commitment to providing equal employment opportunities by assessing all potential candidates according to their skills, knowledge, qualifications and capabilities.~~
- ~~b) Council will internally advertise all vacant positions to current employees to encourage career advancement and increase participation.~~
- ~~c) Council is committed to providing a work environment that is free from harassment and discrimination.~~
- ~~d)a) Council respects and complies with its obligations under the privacy legislation. As such, any applicant information will be treated in accordance with the requirements of the Information Privacy Act 2009.~~

People are any organisation's single most important asset and their attraction and retention are critical to success. Likewise, enduring leadership and organisational performance is dependent on successful succession planning and implementation. TSIRC is therefore very committed to the pursuit of these objectives.

TSIRC is committed to providing high quality programs and services to our community. To support the achievement of this objective we recognise the importance of employing the most suitable applicant for all vacant positions.

TSIRC will ensure it has the best opportunity to attract the best available staff by broadly advertising (internally and externally as deemed appropriate) all vacant remunerated positions. TSIRC will internally advertise all vacant positions to current staff to encourage career advancement and increase participation.

TSIRC will take all reasonable steps to ensure that applicants may be safely entrusted with the duties of their position.

TSIRC is committed to providing a work environment that is free from harassment and discrimination.

All recruitment and selection procedures and decisions will reflect TSIRC's commitment to providing equal opportunity by assessing all potential candidates according to their skills, knowledge, qualifications and capabilities. No regard will be given to factors such as age, gender, marital status, race, religion, physical impairment or political opinions.

TSIRC is an Indigenous organisation and is committed to maintaining a high percentage of Indigenous employees and in seeking to achieve these objectives, it is our policy to strike a balance between merit-based attraction and retention, and indigeneity. In this regard, our policy is as follows:

- If two candidates are assessed as being of equal quality and one is indigenous and the other non-indigenous, preference will be given to the indigenous candidate.
- If there is an indigenous candidate whose ability to immediately perform meets TSIRC's expectations, that is to say their capacity is acceptable, and they are capable of being a high-performance employee, but there is an objectively stronger non-indigenous candidate, the former shall be offered the position.
- If the only candidate whose ability to immediately perform to TSIRC's expectations, that is to say, their capacity is acceptable, is non-indigenous, they shall be offered the position.

Where possible when TSIRC advertises for any position, it will be recognised as 'identified' i.e. the position is identified for filling by a Torres Strait Islander or Aboriginal person, pursuant to Section 105 of the Anti-discrimination Act 1991 (Qld).

Otherwise, advertisements shall state that Torres Strait Islander applicants are encouraged to apply. With a particular focus on ensuring the progression of strong Torres Strait Island employees, TSIRC shall build a leadership talent pool to ensure leadership continuity.

To attract and retain quality employees, TSIRC will ensure that:

- The health and safety of our employees is paramount.
- A culture of innovation and quality is fostered.
- We hire well – or not at all.
- Our people are managed well to ensure directed and motivated employees.
- We pay our people competitively and reward superior performance.
- Employees are treated with respect.
- We will provide perpetual learning and challenge.
- Support processes are built to ensure the ongoing success of valued employees.
- All appointments, promotions and transfers are based on ability, knowledge, skills and experience.
- We establish a work/life culture and climate that is attractive and supportive.
- We never neglect the health and safety of our employees.
- Succession planning and opportunities for development exist and are actively pursued.

### **3. SCOPE**

This Policy applies to all Torres Strait Island Regional Council employees and Councillors.

### **AUTHORISATION**

This page and the previous bearing my initials was/were duly authorised by Council as the Torres Strait Island Regional Council ???????? Policy (PO?) on [INSERT DATE] and shall hereby supersede any previous policies of the same intent.

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Chief Executive Officer

Date: \_\_\_\_\_

DRAFT