

10.9. Child Safe Policy

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ENDORSED BY: Margaret Palmer, Director Corporate Services
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ATTACHMENTS:

1. Child Protection Policy [**10.9.1** - 13 pages]
2. Code of Conduct - Volunteers and Community Representatives [**10.9.2** - 5 pages]
3. Complaints Handling Policy [**10.9.3** - 20 pages]
4. Filming within Council Area Policy [**10.9.4** - 5 pages]
5. Sporting Facilities Booking Policy [**10.9.5** - 4 pages]
6. Volunteer Policy [**10.9.6** - 10 pages]

PURPOSE:

This report presents the *Child Safe Policy* to Council for adoption following its 42-day public exhibition period. It also recommends amendments to other child-safe-related corporate policies.

EXECUTIVE SUMMARY:

At its meeting held 10 October 2022, Council resolved:

THAT Council endorse the amended Child Safe Policy (formerly Child Protection Policy) for public exhibition for a minimum of 42 days during which submissions may be made, and that the final policy be reported back to Council for adoption, together with a submission of any submissions received.

In accordance with the resolution, the amended *Child Safe Policy* was publicly exhibited from 1 November to 12 December 2022. Attempts were made to widely promote the opportunity to provide feedback on the proposed changes to the report. No submissions were received.

The final *Child Safe Policy* is presented for adoption inclusive of an additional appendix to the policy. A summary of the acceptable child-safe behaviours has been added post-exhibition, as this is required to be attached in accordance with guidance from the Commissioner of the Office of Children's Guardian.

It is recommended that the Council adopts the *Child Safe Policy* and consider amendments to related corporate policies as part of Council's compliance with Section 8D (Systems, Policies and Processes) of the *Children's Guardian Act 2019*, which requires that child safe organisations implement the Child Safe Standards through its systems, policies and processes. In turn, amendments are proposed to the following corporate policies:

- a) *Code of Conduct - Volunteers and Community Representatives*
- b) *Complaints Handling Policy*
- c) *Filming within the Council Area Policy*
- d) *Sports Facilities Booking Policy*
- e) *Volunteer Policy*

FINANCIAL IMPLICATIONS:

There are no direct financial implications associated with the proposed policy amendments.

RECOMMENDATION:

- 1. THAT** the Child Safe Policy be adopted.
- 2. THAT** Council readopt the minor amendments to the following policies and that public exhibition is not required:
 - a) Code of Conduct - Volunteers and Community Representatives
 - b) Complaints Handling Policy
 - c) Volunteer Policy
- 3. THAT** Council endorse the amended Filming within the Council Area Policy and the Sports Facilities Booking Policy for public exhibition for a minimum of 42 days during which submissions may be made, and that the final policies be reported back to Council for adoption, together with any submissions received.

LINK TO COMMUNITY STRATEGIC PLAN

The relationship with the Community Strategic Plan is as follows:

4. Our Social Vitality

4.1 North Sydney is connected, inclusive, healthy and safe

5. Our Civic Leadership

5.2 Strong civic leadership and customer focussed services

BACKGROUND

In 2022, a review of Council policies was undertaken. Council considered changes to policies for Directions 1 to 4 of the Community Strategic Plan. On 30 November 2022, Councillors were advised through the Councillor Bulletin that Direction 5 policies would be reported to Council as individual policies rather than as a group. Parallel to this, work is being undertaken regarding the classification, review and content of policies, including consultation with Councillors.

CONSULTATION REQUIREMENTS

Child Safe Policy

Community engagement has occurred in accordance with Council's *Community Engagement Protocol*. The detail of this report provides the outcomes from the engagement for Council to consider prior to adoption.

Other Policies

Community engagement is proposed as outlined in this report.

DETAIL

1. Child Safe Policy

1.1 Public Exhibition

In accordance with the Council resolution of 10 October 2022, the 42-day public exhibition period was held from 1 November to 12 December 2022 during which time effort was made to ensure widespread stakeholder awareness of the opportunity to provide feedback on the proposed amendments.

The following summary details the methods used to promote the public exhibition and their reach:

- web page - 102 page visits, including 16 downloads of the amended policy
- Council's eNewsletters including:
 - Council eNews, December 2022 -1,403 subscribers, opened by 54.18% (752 subscribers), 6 link clicks
 - Council eNews, November 2022 - 1,390 subscribers, opened by 50.76% (701 subscribers), 1 link clicks
 - Stanton eNews, November 2022 issue - 5,340 subscribers, opened by 56.86% (3,020 recipients), 6 link clicks, 1.15% click rate
 - Business eNews, November 2022 - 1,018 subscribers, opened by 44.56% (438 recipients), 1 link clicks, 1.11% click rate
 - Precincts eNews weekly during exhibition period - 143 subscribers, opened by 48.73% (77 recipients), 1 link clicks, 4.35% click rate
- Posts on Council's social media accounts:
 - North.Sydney Twitter post, 5 December 2022 - 153 impressions, 6 engagements, 3 detailed expands, 1 like, 1 retweet
 - North.Sydney Instagram post, 5 December 2022 - 748 impressions, 707 reach, 8 likes
 - North Sydney Council Facebook post, 5 December 2022, 525 impressions, 495 reach, 4 post engagements, 1 like
- Signage displayed at Customer Service Centre and Stanton Library
- Council Noticeboard promotion (Civic Park)

1.2 Submissions

No submissions were received.

1.3 Recommendation

The final *Child Safe Policy* is presented for adoption inclusive of an additional appendix to the policy. A summary of the acceptable child-safe behaviours has been added post-exhibition, as this is required to be attached in accordance with guidance from the Commissioner of the Office of Children's Guardian.

2. Amendments to other child-safe related Policies

Section 8D (Systems, Policies and Processes) of the *Children's Guardian Act 2019* requires that child safe organisations must ensure the organisation implements the Child Safe Standards through systems, policies and processes. In line with the amendments to the *Child Safe Policy*, the following related 'operational' corporate policies have been amended as indicated - the amendments are shown in the attachments with ~~strikethrough~~ indicating deletion and *red font/italics* indicating addition:

2.1 Code of Conduct - Volunteers and Community Representatives

Amendments to this 'operational' policy are required in line with the proposed amendments to the *Volunteer Policy* regarding child safe obligations, and minor edits regarding reference to Council's *Privacy Management Plan* (reported separately to Council). In summary, the amendments are to:

- Key Responsibilities - section 2e) protect the health, safety and welfare of themselves and others in a workplace or public arena. *This means ensuring they take care for their own and others health and safety, and comply with any reasonable instructions, policies and procedures given by Council staff.*
- Confidential and Personal Information - section 5 change from Public Officer to *Privacy Contact Officer*, and added reference to Council's *Privacy Management Plan*.
- New section 9. Child Safe - *Volunteers and community representatives owe statutory duties under the Children's Guardian Act 2019.*
- Related Policies/Documents/Legislation - section 12, the addition of reference to the *Child Safe Policy* and the *Children's Guardian Act 2019*.

The amendments are not considered significant, and it is therefore recommended that public exhibition is not required.

2.2 Complaints Handling Policy

Amendments to this 'operational' policy are required in line with Council being a child safe organisation. This includes that the *Complaints Handling Policy* should be child-focused.

The minor amendments to this policy include the addition of:

- the following objective under section 1.5: *"enable North Sydney Council to respond to child protection complaints in an appropriate manner;"*
- reference to child protection to the exclusions to the application of this policy; and
- reference of the *"Reportable Conduct Procedure"* under section 8.

The amendments are not considered significant, and it is therefore recommended that public exhibition is not required.

2.3 Filming within the Council Area Policy

Amendment to this 'operational' policy are required in line with Council being a child safe Organisation (clause 1.2), and clarification added (clause 4) that "the hire/use of community, recreational or sporting facilities managed by Council cannot be used for the promotion, advertising or displaying of any services or products related to gambling, tobacco, vaping or alcohol", including filming and media launches.

These changes are consistent with *the Sporting Facilities Booking Policy*. As this is a public-facing policy, public exhibition (minimum 42 days) is recommended prior to the policy being re-adopted.

2.4 Sports Facilities Booking Policy

Amendments to this 'operational' policy are required in line with Council being a child safe organisation (section 1.2) and new clause added (4.6) regarding prohibition of use of Council's sporting facilities as follows:

Hire/use of Council facilities including Filming and Media launches - the hire/use of community, recreational or sporting facilities managed by Council cannot be used for the promotion, advertising or displaying of any services or products related to gambling, tobacco, vaping or alcohol.

These changes are consistent with *the Filming in the Council Area Policy*. As this is a public-facing policy, public exhibition (minimum 42 days) is recommended prior to the policy being re-adopted.

2.5 Volunteer Policy

Amendments to this 'operational' policy are required in line with Council being a Child Safe Organisation, and links to the *Code of Conduct - Volunteers and Community Representatives*. The amendments are minor and public exhibition is not considered required.

3. Post Adoption Administration

Following re-adoption, the attached policies will be finalised inclusive of renumbering alphabetically, the version control and footers updated, and the final versions registered in Council's records system and replaced on the Council website.



CHILD SAFE POLICY

D4-05

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Policy Owner: Director Community and Library Services

Category: Statutory

Direction: 4. Our Social Vitality

1. STATEMENT OF INTENT

1.1 This Policy and the accompanying procedures have been designed to ensure that North Sydney Council complies with the requirements of the legislative framework covering the protection of children, specifically:

- *Ombudsman Act 1974 (Part 3)*
- *Ombudsman Amendment (Child Protection and Community Services) Act 1998*
- *Children and Young Persons (Care and Protection) Act 1998*
- *Children's Guardian Act 2019*
- *Children's Guardian Amendment (Child Safe Scheme) Act 2021 No 30*
- *Child Protection (Working with Children) Act 2012*
- *Crimes Act 1900*
- *Privacy and Personal Information Protection Act 1998*

All suspected cases of child abuse and neglect which come to the notice of Council, either observed by employees in the course of their duties, or reported to staff, will be reported in accordance within legislative requirements.

1.2 Under the legislation, Council has the following key responsibilities:

- a) as a public authority, it has a requirement to report any case of suspected child abuse or neglect of children presenting at Council services, facilities or activities;
- b) as an agency responsible for the care and welfare of children, it has a charter to protect the young people in its care from sexual, physical and emotional abuse and neglect, and from improper conduct of a sexual nature;
- c) as an employer of staff responsible for the supervision of children, it has a responsibility to ensure that "prohibited persons", where the nature of their work brings them into unsupervised contact with children, are not employed or do not continue to be employed when discovered;
- d) as an employer of staff responsible for the supervision of children, it has a responsibility to provide training for staff in the identification of

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- suspected child abuse, notification procedures and implementation of relevant programs;
 - e) as an employer of staff responsible for the supervision of children, it has a responsibility to notify any allegation of child abuse against an employee to the Office of the Children’s Guardian; and the head of the relevant entity will be required to give a written notice to the children’s guardian within seven business days of becoming aware of the reportable allegation or reportable conviction; and
 - f) as a part of the range of services provided by Council, it has a responsibility to work with other agencies, within agreed guidelines, to plan and provide services for child protection and family support.

2. ELIGIBILITY

- 2.1 This Policy and relevant procedures applies to all Councillors, permanent, temporary and casual employees of Council, and includes volunteers, work experience persons and contractors.

3. DEFINITIONS

- 3.1 Children and Young Persons - the *Children and Young Persons (Care and Protection) Act 1998* (s.3) defines a child, for the purposes of the Act, to mean a person who is under 16 years of age, and a Young Person as a person aged 16 or 17 years of age. The *Children’s Guardian Act 2019* defines a child as a person under the age of 18 years.
- 3.2 Reportable Conduct - the *Children’s Guardian Act 2019* defines ‘reportable conduct’ as:
- a) any sexual offence, or sexual misconduct, committed against, with or in the presence of a child (including a child pornography offence or an offence involving child abuse material); or
 - b) any assault, ill-treatment or neglect of a child; or
 - c) any behaviour that causes psychological harm to a child, whether or not, in any case, with the consent of the child; or
 - d) any offence under section 43(b) or 316(a) of the *Crimes Act 1900*.

Reportable conduct does not extend to:

- a) conduct that is reasonable for the purposes of the discipline, management or care of children, having regard to the age, maturity, health or other characteristics of the children and to any relevant codes of conduct or professional standards, or
- b) the use of physical force that, in all the circumstances, is trivial or negligible, but only if the matter is to be investigated and the result of

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- the investigation recorded under workplace employment procedures, or
 - c) conduct of a class or kind exempted from being reportable conduct by the *Children's Guardian Act 2019*.
- 3.3 Allegation of Reportable Conduct - an assertion or declaration that a child has been, or is in danger of being abused. An allegation should have the following elements:
- a) the persons subject to the allegation are clearly identifiable; and
 - b) the allegation details specific conduct or a pattern of behaviour that indicates abuse.

An allegation can also include an allegation of misconduct that may involve child abuse and would cover allegations such as the possession of child pornography.

- 3.4 Child Abuse Conviction - the *Children's Guardian Act 2019* defines child abuse conviction as any conviction of a person, in this State or elsewhere, of an offence involving child abuse, and includes a finding by the courts that a charge of such an offence is proven even though the court does not proceed to a conviction.
- 3.5 Child or Young Person at Risk of Harm - In accordance with the *Children and Young Persons (Care and Protection) Act 1998*, a child or young person is at risk of harm if there are current concerns for the safety, welfare or well-being of the child or young person because of the presence of any one or more of the following circumstances:
- a) the child's or young person's basic physical or psychological needs are not being met or are at risk of not being met,
 - b) the parents or other caregivers have not arranged and are unable or unwilling to arrange for the child or young person to receive necessary medical care,
 - c) in the case of a child or young person who is required to attend school in accordance with the *Education Act 1990*, the parents or other caregivers have not arranged and are unable or unwilling to arrange for the child or young person to receive an education in accordance with that Act,
 - d) the child or young person has been, or is at risk of being, physically or sexually abused or ill-treated,
 - e) the child or young person is living in a household where there have been incidents of domestic violence and, as a consequence, the child or young person is at risk of serious physical or psychological harm,

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- f) a parent or other caregiver has behaved in such a way towards the child or young person that the child or young person has suffered or is at risk of suffering serious psychological harm,
 - g) the child was the subject of a pre-natal report under section 25 and the birth mother of the child did not engage successfully with support services to eliminate, or minimise to the lowest level reasonably practical, the risk factors that gave rise to the report.
- 3.6 Child-related Employment - employment that primarily involves direct, unsupervised contact with children and includes:
- a) contractors;
 - b) volunteers;
 - c) trainees undertaking training as part of an educational or vocational course;
 - d) work experience; and
 - e) Family Day Care Educators
- 3.7 Designated Disclosure Officer - Council's Youth Services Coordinator.
- In the event of the Youth Services Coordinator absence, the Manager Community Development shall be the Designated Disclosure Officer.
- 3.8 Disclosure - refers to informing/revealing known or suspected acts of child abuse or neglect.
- 3.9 Prohibited person - someone who has been found guilty of committing a serious sexual offence. It is an offence for Council to employ a prohibited person, or to allow a prohibited person to continue to work, in child-related employment.

4. PROVISIONS

- 4.1 Children's Services procedures are in place to ensure that:
- a) child-related employment in Council is identified and positions are designated and managed in accordance with child protection legislation (see Council's *Child Protection Employment Screening Policy*);
 - b) mandatory reporting requirements are met;
 - c) Council staff can identify and respond to risk of harm concerns in children and young people;
 - d) employment screening is undertaken for prospective appointments to all positions designated as child-related employment;
 - e) disclosures are sought from existing and prospective employees in designated positions regarding reportable allegations and reportable

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- convictions against an employee in accordance with of the *Children's Guardian Act 2019*; and
- f) allegations of child abuse are handled professionally and sensitively in order to meet legislative requirements and guarantee the safety and privacy of individuals.

- 4.2 An employee who has reasonable grounds to suspect an incidence of a child or children at risk of harm must make a report to Council's Designated Disclosure Officer. Employees and those who hold a management position which includes direct responsibility for, or direct supervision of, the provision of health, welfare, education, children's services, residential services or law enforcement have a duty of mandatory reporting of children at risk.

Provisions are incorporated into the *Ombudsman Amendment Act 1998*, the *Children and Young Persons (Care and Protection) Act 1998*, the *Commission for Children and Young People Amendment Act 2005*, and the *Children's Guardian Act 2019* for the protection of persons from defamation or other civil liability when reporting child abuse or undertaking employment screening in good faith and with reasonable care.

Employees who make a report in good faith will not be prejudiced in their employment in any way. Provisions are incorporated into Council's procedures for dealing with allegations of child abuse and neglect to protect the identity or the person who made the report, or information from which the identity of that person could be deduced.

Protection is not available for disclosures which are frivolous, malicious or vexatious or are made to avoid dismissal or disciplinary action. Employees who wilfully make a false or misleading statement when making a disclosure will be disciplined in accordance with Council's *Disciplinary and Misconduct Policy*.

- 4.3 Investigating Allegations

According to the *Interagency Guidelines for Child Protection Intervention*, the Department of Communities and Justice (DCJ) is the agency with lead responsibility in child protection and has the legal mandate to ensure a child's safety, care and welfare. Accordingly, DCJ has, among other duties, the role of:

- a) receiving allegations of child abuse and neglect;
- b) responding to allegations;
- c) referring to the NSW Police any suspected criminal offences; and
- d) including, as appropriate, the notifying agency in any response they are undertaking in relation to the allegation.

However, as part of the co-ordinating role of DCJ they may request that Council participate in the response in accordance with the *Interagency Guidelines for Child Protection Intervention*.

The following bodies will also be notified of any reportable conduct matters:

- a) Office of the Children's Guardian

4.4 Investigation of an Allegation Against an Employee

Under the *Ombudsman Amendment (Child Protection and Community Services) Act 1998*, Council is not precluded from carrying out an investigation into an allegation of child abuse against an employee. The Designated Disclosure Officer will recommend to the relevant Director, General Manager and Manager Workforce Planning the action to occur regarding any internal investigation of the allegation that may follow.

Any internal investigation will be carried out according to Council's *Disciplinary and Misconduct Policy*.

In particular circumstances, the Designated Disclosure Officer, in conjunction with the Manager People and Culture may judge it necessary to inform DCJ.

Council is obliged by law to notify the Office of the Children's Guardian of any allegation of child abuse or neglect against an employee. The Designated Disclosure Officer is responsible for making this notification within seven (7) business days of receiving the allegation.

4.5 Children in Stanton Library, Planet X Youth Centre and youth programs, and North Sydney Olympic Pool

4.5.1 General Principles

These facilities welcome children into their premises to use the resources and facilities and attend organised programs.

While they are known to be safe places, where children can seek help if they feel other members of the public are harassing them, these facilities are still public places and staff cannot guarantee that 'strangers' will not approach children.

4.5.2 Responsibility for Children

Council cannot take responsibility for children in these facilities, as they are not licensed child-care facilities, and therefore cannot provide

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supervision of children. Council Officers do not take over parental responsibilities for children when they come into these facilities.

4.5.2.1. Minimum entry age for North Sydney Olympic Pool - children under 10 years of age are not permitted to enter the facility unless under the supervision of a person 16 years or older, in accordance with Guideline SU1.11 Parental Supervision of the *Pool Safety Guidelines 1996*.

4.5.2.2. Minimum entry age for children in Stanton Library - children 5 years old and under must be supervised by a person who is 16 years or older. Supervision requires that the person be within sight of the child at all times. Children between the ages of 6 and 11 years old must have a parent, carer or sibling (12 years and older) on the premises and providing active supervision.

4.5.2.3. Stanton Library does not control what children borrow, unless it is material classified by a level of government (MA rated videos/DVDs) and it is the parent/guardians' responsibility to monitor the child's use of resources accessed through Stanton Library, be this websites, online databases, printed or audio-visual materials or other library materials.

4.5.2.4. The primary age range for young people attending Planet X Youth Centre is 12-18 years with a secondary range of up to 21 years in approved circumstances where specialised assistance is required. Attendance by young people is on a voluntary basis.

~~4.5.3~~ Unattended children

Council cannot take responsibility for children left unattended in these facilities. Children left unattended could become lost, distressed or sick; get bored and wander off; disrupt other users; cause damage to property; leave the premises themselves and/or be at risk of approach from strangers.

If a child is found unattended in these facilities at any time the staff in charge will attempt to contact the parents. In instances such as when these facilities are closing or the child is distressed the Police will be called.

4.5.4 Disruptive Behaviour

The behaviour of children on premises is the responsibility of the children themselves, their parents/guardians, any responsible person

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accompanying them or, if in a school group, their teachers, supervisors and the school they attend.

5. RESPONSIBILITY/ACCOUNTABILITY

- 5.1 Employee Responsibilities - Council has produced comprehensive procedures addressing employees' responsibilities under the legislation. This includes procedures for employees recognising and notifying child abuse and neglect in the course of their duties, and the procedures to be followed in response to allegations against a member of staff (as outlined in Section 4). All staff should be aware of their contents and implications and recognise that they will be held accountable for actions delegated to them in these documents.

The *Children and Young People (Care and Protection) Act 1998* places a duty of mandatory reporting on any person who, during his or her professional work or other paid employment delivers services, wholly or partly, to children, and any person who holds a management position which includes direct responsibility for or direction of the delivery of services wholly or partly to children.

Employees are required to report any allegation or suspected case of child abuse or neglect to the Designated Disclosure Officer, or in the event of the Designated Disclosure Officer's absence, to the Manager Community Development, and to maintain privacy and confidentiality in all instances.

- 5.2 The Designated Disclosure Officer is responsible for collecting the necessary information and notifying the appropriate departments, and in the case of an allegation against an employee, for informing that person an allegation has been made against them and of the procedures to be undertaken.
- 5.3 Council's Manager Community Development/Manager People and Culture is responsible for:
- a) Advising relevant staff of this Policy; and
 - b) Distributing a copy to all employees whose positions are listed on the Council's *Child Related Positions List*.

6. RELATED DOCUMENTS/DOCUMENTS/LEGISLATION

The Policy should be read in conjunction with the following Council policies and documents:

- Child Protection Employment Screening Procedure (staff policy)
- Complaints Handling Policy
- Disciplinary and Misconduct Policy (staff policy)

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- North Sydney Olympic Pool Safety Guidelines
- Reportable Conduct Procedure (staff guidelines)

The Policy should be read in conjunction with the following documents/legislation:

- Children and Young Persons (Care and Protection) Act 1998
- Children's Guardian Act 2019
- Children's Guardian Amendment (Child Safe Scheme) Act 2021 No 30
- Child Protection (Working with Children) Act 2022
- Crimes Act 1900
- NSW Interagency Guidelines for Child Protection Intervention
- Ombudsman Act 1974
- Ombudsman Amendment (Child Protection and Community Services) Act 1998
- Pool Safety Guidelines 1996
- Privacy and Personal Information Protection Act 1998
- Stronger Communities Legislation Amendment (Children) Act 2021

Version	Date Approved	Approved by	Resolution No.	Review Date
1	2 August 2004	Council	794	2004/05
2	12 March 2007	Council	126	2008/09
3	16 March 2009	Council	150	2012/13
4	18 February 2013	Council	61	2016/17
5	25 June 2018	Council	214	2020/21
6	22 June 2020	Council	58	2021/22
7	[insert date]	Council	[insert min. no.]	2024/25

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APPENDIX 1: CHILD SAFE STANDARDS (PRINCIPLES BASED APPROACH)

The Child Safe Standards recommended by the Royal Commission into Institutional Responses to Child Sexual Abuse provide a road map for making organisations safer for children. The standards provide tangible guidance for Council to build its capability to ensure best practice child protection processes and strategies are at the front of Council's risk management plans.

Each Standard is principle-based and focused on the outcome that the organisation is seeking to achieve by implementing child safe strategies, allowing flexibility in how the standards are applied in different organisational contexts. The Standards work together to emphasise the importance of adopting multiple strategies to address child safety and avoiding an over-reliance on any one strategy.

The Standards encompass existing child safety requirements for individuals and organisations such as the Working With Children Check, the Reportable Conduct Scheme and requirements to report information to police and to the NSW Department of Family and Community Services.

Standard	Core Components
1. Child safety is embedded in organisational leadership, governance and culture	<ul style="list-style-type: none"> a. The organisation publicly commits to child safety and leaders champion a child safe culture. b. Child safety is a shared responsibility at all levels of the organisation. c. Risk management strategies focus on preventing, identifying and mitigating risks to children. d. Staff and volunteers comply with a code of conduct that sets clear behavioural standards towards children. e. Staff and volunteers understand their obligations on information sharing and record keeping.
2. Children participate in decisions affecting them and are taken seriously	<ul style="list-style-type: none"> a. Children are able to express their views and are provided opportunities to participate in decisions that affect their lives. b. The importance of friendships is recognised and support from peers is encouraged, helping children feel safe and be less isolated. c. Children can access abuse prevention programs and information. d. Staff and volunteers are attuned to signs of harm and facilitate child-friendly ways for children to communicate and raise their concerns.
3. Families and communities are informed and involved	<ul style="list-style-type: none"> a. Families have the primary responsibility for the upbringing and development of their child and participate in decisions affecting their child.

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Standard	Core Components
	<ul style="list-style-type: none"> b. The organisation engages in open, two-way communication with families and communities about its child safety approach and relevant information is accessible. c. Families and communities have a say in the organisation's policies and practices. d. Families and communities are informed about the organisation's operations and governance.
4. Equity is upheld, and diverse needs are taken in to account	<ul style="list-style-type: none"> a. The organisation actively anticipates children's diverse circumstances and responds effectively to those with additional vulnerabilities. b. All children have access to information, support and complaints processes. c. The organisation pays particular attention to the needs of Aboriginal and Torres Strait Islander children, children with disability, and children from culturally and linguistically diverse backgrounds.
5. People working with children are suitable and supported	<ul style="list-style-type: none"> a. Recruitment, including advertising and screening, emphasises child safety. b. Relevant staff and volunteers have Working With Children Checks. c. All staff and volunteers receive an appropriate induction and are aware of their child safety responsibilities, including reporting obligations. d. Supervision and people management have a child safety focus.
6. Processes to respond to complaints of child abuse are child focused	<ul style="list-style-type: none"> a. The organisation has a child-focused complaint-handling system that is understood by children, staff, volunteers and families. b. The organisation has an effective complaint-handling policy and procedure which clearly outline roles and responsibilities, approaches to dealing with different types of complaints and obligations to act and report. c. Complaints are taken seriously, responded to promptly and thoroughly, and reporting, privacy and employment law obligations are met.
7. Staff are equipped with the knowledge, skills and awareness to keep children safe	<ul style="list-style-type: none"> a. Relevant staff and volunteers receive training on the nature and indicators of child maltreatment, particularly organisational child abuse.

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Standard	Core Components
through continual education and training	<ul style="list-style-type: none"> b. Staff and volunteers receive training on the organisation's child safe practices and child protection. c. Relevant staff and volunteers are supported to develop practical skills in protecting children and responding to disclosures.
8. Physical and online environments minimise the opportunity for abuse to occur	<ul style="list-style-type: none"> a. Risks in the online and physical environments are identified and mitigated without compromising a child's right to privacy and healthy development. b. The online environment is used in accordance with the organisation's code of conduct and relevant policies.
9. Implementation of the Child Safe Standards is continuously reviewed and improved	<ul style="list-style-type: none"> a. The organisation regularly reviews and improves child safe practices. b. The organisation analyses complaints to identify causes and systemic failures to inform continuous improvement.
10. Policies and procedures document how the organisation is child safe	<ul style="list-style-type: none"> a. Policies and procedures address all Child Safe Standards. b. Policies and procedures are accessible and easy to understand. c. Best practice models and stakeholder consultation inform the development of policies and procedures. d. Leaders champion and model compliance with policies and procedures. e. Staff understand and implement the policies and procedures.

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APPENDIX 2: CHILD SAFE BEHAVIOURS

This Policy and relevant procedures applies to all Councillors, permanent, temporary and casual employees of Council, and includes volunteers, work experience persons and contractors.

You must:

- ✓ Treat children and young people with respect and value their ideas and opinions.
- ✓ Act as positive role models in their conduct with children and young people.
- ✓ Avoid any unnecessary physical contact with a child or young person.
- ✓ Report any misconduct or inappropriate behaviour by other North Sydney Council employees to their supervisor.
- ✓ Contact the police if a child is at immediate risk of abuse - phone 000.
- ✓ Report any suspicions based on reasonable grounds that a child or young person is at risk of significant harm to their supervisor or the Child Protection Helpline on 132 111.

You must not:

- × Shame, humiliate, oppress, belittle or degrade children or young people.
- × Unlawfully discriminate against any child.
- × Engage in any activity with a child or young person that is likely to physically or emotionally harm them.
- × Initiate unnecessary physical contact with a child or young person, or do things of a personal nature for them that they can do for themselves.
- × Be alone with a child or young person unnecessarily and for more than a very short time.
- × Develop a 'special' relationship with a specific child or young person for their own needs.
- × Show favouritism through the provision of gifts or inappropriate attention.
- × Arrange contact, including online contact, with children or young people outside of North Sydney Council's services, programs and activities.
- × Photograph or video a child or young person without the consent of the child and their parent/s or guardian/s.
- × Work with children or young people while under the influence of alcohol or illegal drugs.
- × Engage in open discussions of a mature or adult nature in the presence of children.
- × Use inappropriate language in the presence of children.

 Re-adopted by Council [insert date]



CODE OF CONDUCT - VOLUNTEERS AND COMMUNITY REPRESENTATIVES

D5-12

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Policy Owner: Director Corporate Services

Category: Operational

Direction: 5. Our Civic Leadership

1. INTRODUCTION

North Sydney Council values the work that members of our community contribute through their role as volunteers and Reference/Working Group or special interest group citizen members (i.e. community representatives). Council could not achieve a number of its objectives without the active participation and contribution of citizen members, who give generously of their time and knowledge to make North Sydney an enviable place to live and visit.

Council is committed to high ethical standards for everyone who works with Council in a paid, voluntary or elected capacity.

Volunteers and community representatives are asked to commit to Council's ethical standards and to perform their duties with integrity, honesty and fairness.

This Code of Conduct outlines the responsibilities of volunteers and community representatives in areas such as conflicts of interest, gifts and personal information.

2. KEY RESPONSIBILITIES

Volunteers and community representatives are responsible for their own good conduct. As part of good conduct, volunteers and community representatives are asked to:

- a) be courteous to the public, Councillors, Council staff and other volunteers and community representatives;
- b) obey all laws;
- c) uphold environmental responsibilities, such as disposing of litter or chemicals appropriately;
- d) help create a working environment that is free of harassment and discrimination; and
- e) protect the health, safety and welfare of themselves and others in a workplace or public arena. *This means ensuring they take care for their own and others health and safety, and comply with any reasonable instructions, policies and procedures given by Council staff.*

Re-adopted by Council [insert date]

3. CONFLICT OF INTERESTS

A conflict of interest arises when our own interests, or those of people close to us, conflict with our obligations to the Council. For example, a conflict would exist if a personal interest influenced the way a volunteer or community representative carried out their duties for Council.

If a conflict of interest arises in any area of voluntary work with Council, it should be disclosed to Council. A conflict of interest does not mean that a volunteer or community representative would be barred from participating in a meeting or activity. Instead, it allows others to understand their position and prevents criticism of Council activities or decisions at a later date.

Community representatives are often invited to participate in Council Reference/Working Groups or special interest groups because of their specific knowledge, experience and expertise. This personal interest is generally well understood and would not need to be disclosed.

A pecuniary interest is an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person or another person with whom the person is associated (Sections 442 and 443 of the *Local Government Act 1993*).

Any questions regarding whether a conflict of interest exists can be discussed with Council's Public Officer.

4. GIFTS OR BENEFITS

No volunteer or community representative should offer a Councillor or Council staff member a gift or benefit that:

- a) is designed to gain advantage for themselves or a group they represent; or
- b) may be perceived by the public to give advantage to themselves or a group they represent.

Similarly, volunteers or community representatives should not accept gifts or benefits that could appear to give an advantage to the donor.

Token gifts may be given or accepted; token gifts include small items such as a bunch of flowers or box of chocolates.

Cash incentives must not be offered to, or accepted by, a Councillor, Council staff member, volunteer or community representative under any circumstances.

Re-adopted by Council [insert date]

If a volunteer or community representative is offered a gift or benefit that is not considered token it should be reported to Council's Public Officer. Or, if a volunteer or community representative is not sure if the gift or benefit would be considered token, they should contact Council's Public Officer. Openness about such matters prevents unfair criticism at a later date.

5. CONFIDENTIAL AND PERSONAL INFORMATION

A volunteer or community representative may have contact with confidential or personal information retained by Council. If so, they must maintain the security of any confidential or personal information and not access, use or remove any information, unless they are authorised to do so *and in accordance with Council's Privacy Management Plan*.

Privacy legislation governs the collection, holding, use, correction, disclosure and transfer of personal information. Further information about the legislation can be obtained from Council's ~~Public Officer~~ *Privacy Contact Officer*.

Any breach of the security or misuse of Council's confidential or personal information should be reported to Council's ~~Public Officer~~ *Privacy Contact Officer*.

6. COUNCIL RESOURCES

Council resources should only be used for Council purposes unless approval has been given. Council resources include materials, equipment, vehicles, documents, records, data and information.

7. PUBLIC COMMENT

From time to time, volunteers and community representatives are contacted by the media for information or comment. While they may speak as a member of the public, we ask that they do not make any public statement to the media or at public events that would lead someone to believe that they are speaking on behalf of Council or expressing its views or policies.

8. ALCOHOL AND DRUGS

Volunteers and community representatives should not carry out their duties for Council while under the influence of alcohol or other drugs that could impair their ability or cause danger to the safety of themselves or others.

9. **CHILD SAFE**

Re-adopted by Council [insert date]

Volunteers and community representatives owe statutory duties under the Children's Guardian Act 2019.

10. REPORTING CORRUPTION, MALADMINISTRATION AND WASTE

Volunteers and community representatives can help Council to maintain our ethical standards by reporting any suspected incidences of corruption, maladministration or serious and substantial waste.

These can be reported to the General Manager or the Public Officer. Alternatively, any suspected instances of corruption can be reported to the Independent Commission Against Corruption (ICAC) and any instances of maladministration to the Ombudsman.

A community representative may be considered to be a public official for the purposes of the *Independent Commission Against Corruption (ICAC) Act 1988* and subject to the ICAC's jurisdiction.

11. NORTH SYDNEY COUNCIL'S COMMITMENT

Council is committed to the standards in this Code of Conduct. They reflect the high standards expected by our community, and volunteers and community representatives are expected to maintain these standards and principles when providing their services to Council.

Volunteers or community representatives who breach these standards may be asked resign from their role with Council.

12. RELATED POLICIES/DOCUMENTS/LEGISLATION

The Policy should be read in conjunction with the following Council policies and documents:

- Access to Information Policy
- *Child Safe Policy*
- Code of Conduct - Councillors and Staff
- Code of Meeting Practice
- Community Engagement Policy
- Complaints Handling Policy
- Gifts and Benefits Policy
- Open Government Policy
- Privacy Management Plan
- Volunteer Policy

Re-adopted by Council [insert date]

CODE OF CONDUCT - VOLUNTEERS AND COMMUNITY REPRESENTATIVES

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The Policy should be read in conjunction with the following documents/legislation:

- *Children's Guardian Act 2019*
- Independent Commission Against Corruption Act 1988
- Local Government Act 1993
- OLG Model Code of Conduct and Procedures

13. FOR ASSISTANCE/INFORMATION ABOUT THIS CODE:

For more information or assistance with this Code of Conduct contact Council's Public Officer on 9936 8100.

Version	Date Approved	Approved by	Resolution No.	Review Date
1	2 May 2005	Council	392	2008/09
2	16 February 2009	Council	61	2012/13
3	18 February 2013	Council	61	2016/17
4	25 June 2018	Council	214	2020/21
5	[insert date]	Council	[insert no.]	2024/25

Re-adopted by Council [insert date]



COMPLAINTS HANDLING POLICY

D5-16

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Policy Owner: Executive Manager Governance

Policy Category: Operational

Direction: 5. Our Civic Leadership

1. STATEMENT OF INTENT

- 1.1 North Sydney Council believes that in its commitment to good governance, customers have a right to complain when they are dissatisfied with the services of Council.
- 1.2 Council will ensure all complaints are dealt with in an accountable, transparent, timely and meaningful way. This Policy provides guidance to North Sydney Council staff and people who wish to make a complaint on the key principles and concepts of our complaint management system.
- 1.3 Council's complaint handling system is consistent with the NSW Ombudsman's *Complaints Management Framework (June 2015)*, the Division of Local Government's *Practice Note No. 9 'Complaints Management in Councils' (July 2009)* and the *AS/NZS 10002:2014 'Guidelines for complaint management in organizations'*.
- 1.4 Council has a zero tolerance policy towards any harm, abuse or threats directed towards staff and Councillors. Any conduct of this kind will be dealt with under this Policy and in accordance with Council's duty of care and work health and safety responsibilities.
- 1.5 The objectives of the complaint management system are to:
 - a) enable North Sydney Council to respond to issues raised by people making complaints in a timely and cost-effective way;
 - b) boost public confidence in our administrative process; and
 - c) provide information that can be used by Council to deliver quality improvements in our services, staff and complaint handling.

2. ELIGIBILITY

- 2.1 This Policy applies to all Councillors and employees of North Sydney Council as well as contractors working on behalf of Council.

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COMPLAINTS HANDLING POLICY

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- 2.2 This Policy applies to all staff receiving or managing complaints from the public made to or about North Sydney Council regarding our services, staff and complaint handling.
- 2.3 Staff grievances, code of conduct complaints, privacy complaints and public interest disclosures are dealt with through separate mechanisms.

3. DEFINITIONS

Terms used in the Policy have the following meanings:

- 3.1 Complainant/customer - a person or organisation to whom Council provides or offers a service or who makes a complaint.
- 3.2 Complaint - a complaint is an expression of dissatisfaction made to or about North Sydney Council, services, staff or the handling of a complaint where a response or resolution is explicitly or implicitly expected or legally required.

A complaint covered by this Policy can be distinguished from:

- a) staff grievances [see HR Policies]
- b) public interest disclosures made by our staff [see the Internal reporting policy]
- c) privacy complaints [see the *Privacy Management Plan*]
- d) code of conduct complaints [see the *Code of Conduct*]
- e) responses to requests for feedback about the standard of our service provision [see the definition of 'feedback' below]
- f) reports of problems or wrongdoing merely intended to bring a problem to our notice with no expectation of a response [see definition of 'feedback']
- g) service requests [see definition of 'service request' below], and
- h) requests for information [see Council's *Access to Information Policy*].

A complaint is not:

- a) a request for service unless it is a second request where the complaint is a lack of action against the first request;
- b) a request for information or an explanation of policies or procedures;
- c) a request for a review of a decision in accordance with North Sydney Council's usual processes or procedures;
- d) an expression of concern - where a response or resolution is not explicitly or implicitly expected; OR
- e) an expression of opinion.

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COMPLAINTS HANDLING POLICY

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- 3.3 Complaint management system - all policies, procedures, practices, staff, hardware and software used by North Sydney Council in the management of complaints.
- 3.4 Complaints Review Panel - is the group of Council employees appointed by the General Manager, who may review complaints where the complainant is dissatisfied with the initial outcome from Council.
- Unless otherwise appointed by the General Manager the panel comprises: the Public Officer (Panel Chair), Manager Records and Customer Services as well as a representative from a Division not involved in the original complaint. No panel member may sit on the panel if they have involvement in the complaint.
- 3.4 Dispute - an unresolved complaint escalated either within or outside of North Sydney Council.
- 3.5 Feedback - opinions, comments and expressions of interest or concern, made directly or indirectly, explicitly or implicitly, to or about North Sydney Council, services or complaint handling where a response is not explicitly or implicitly expected or legally required.
- 3.6 Service request - a services request is:
- a) a request for approval;
 - b) a request for action;
 - c) routine inquiries about the North Sydney Council's business;
 - d) a request for the provision of services and assistance;
 - e) a report of failure to comply with laws regulated by the North Sydney Council; and/or
 - f) a request for explanation of policies, procedures and decisions.
- 3.7 Grievance - a clear, formal written statement by an individual staff member about another staff member or a work related problem.
- 3.8 Policy - a statement of instruction that sets out how we should fulfill our vision, mission and goals.
- 3.9 Procedure - a statement or instruction that sets out how our policies will be implemented and by whom.
- 3.10 Public interest disclosure - a report about wrong doing made by a public official in New South Wales that meets the requirements of the *Public Interest Disclosures Act 1994*.

 Re-Adopted by Council [insert date]

- 3.11 Public Officer - is a member of Council's senior staff, appointed under the *Local Government Act 1993*. The functions of the Public Officer include dealing with complaints from the public concerning Council's affairs.

4. PROVISIONS

4.1 Guiding Principles



4.2 Facilitate Complaints

- 4.2.1 People focus - North Sydney Council is committed to seeking and receiving feedback and complaints about our services, systems, practices, procedures, products and complaint handling. Any concerns raised in feedback or complaints will be dealt with within a reasonable time frame.

People making complaints will be:

- a) provided with information about North Sydney Council's complaint handling process;
 - b) provided with multiple and accessible ways to make complaints;
 - c) listened to, treated with respect by staff and actively involved in the complaint process where possible and appropriate; and
 - d) provided with reasons for decision/s and any options for redress or review.
- 4.2.2 No detriment to people making complaints - North Sydney Council will take all reasonable steps to ensure that people making complaints are not adversely affected because a complaint has been made by them or on their behalf.
- 4.2.3 Anonymous complaints - North Sydney Council accepts anonymous complaints and will carry out an investigation of the issues raised where there is enough information provided. Where inadequate/insufficient information is provided to investigate a matter, a review will not be conducted. It can be very difficult to resolve issues, or enforce legislation, without the ability to thoroughly investigate and gather evidence and information.

- 4.2.4 Accessibility - North Sydney Council will ensure that information about how and where complaints may be made to or about us is well publicised. We will ensure that our systems to manage complaints are easily understood and accessible to everyone, particularly people who may require assistance.

If a person prefers or needs another person or organisation to assist or represent them in the making and/ or resolution of their complaint, North Sydney Council will communicate with them through their representative if this is their wish. Anyone may represent a person wishing to make a complaint with their consent (e.g. advocate, family member, legal or community representative, member of Parliament, another organisation).

- 4.2.5 No charge - Complaining to North Sydney Council is free.

4.3 Respond to Complaints

- 4.3.1 Early resolution - Where possible, complaints will be resolved at first contact with North Sydney Council. This may include the involvement of a Supervisor or Manager.

- 4.3.2 Responsiveness - North Sydney Council will promptly acknowledge receipt of complaints. North Sydney Council will assess and prioritise complaints in accordance with the urgency and/or seriousness of the issues raised. If a matter concerns an immediate risk to safety or security the response will be immediate and will be escalated appropriately. North Sydney Council is committed to managing people's expectations, and will inform them as soon as possible, of the following:

- a) the complaints process;
- b) the expected time frames for actions;
- c) the progress of the complaint and reasons for any delay;
- d) their likely involvement in the process; and
- e) the possible or likely outcome of their complaint.

North Sydney Council will advise people as soon as possible when we are unable to deal with any part of their complaint and provide advice about where such issues and/or complaints may be directed (if known and appropriate).

North Sydney Council will also advise people as soon as possible when we are unable to meet our time frames for responding to their complaint and the reason for our delay.

- 4.3.3 Objectivity and fairness - North Sydney Council will address each complaint with integrity and in an equitable, objective and unbiased manner. North Sydney Council will ensure that the person handling a complaint is different

from any staff member whose conduct or service is being complained about (except when resolved at the first point of contact).

Conflicts of interests, whether actual or perceived, will be managed responsibly. In particular, internal reviews of how a complaint was managed will be conducted by a person other than the original decision maker.

- 4.3.4 Responding flexibly - North Sydney Council staff are empowered to resolve complaints promptly and with as little formality as possible. North Sydney Council will adopt flexible approaches to service delivery and problem solving to enhance accessibility for people making complaints and/or their representatives.

North Sydney Council will assess each complaint on its merits and involve people making complaints and/or their representative in the process as far as possible.

- 4.3.5 Confidentiality - North Sydney Council will protect the identity of people making complaints where this is practical and appropriate.

Personal information that identifies individuals will only be disclosed or used by North Sydney Council as permitted under the relevant privacy laws, secrecy provisions and any relevant confidentiality obligations.

4.4 **Manage the parties to a complaint**

- 4.4.1 Complaints involving multiple agencies - Where a complaint involves multiple organisations, North Sydney Council will work with the other organisation/s where possible, to ensure that communication with the person making a complaint and/or their representative is clear and coordinated.

Subject to privacy and confidentiality considerations, communication and information sharing between the parties will also be organised to facilitate a timely response to the complaint.

Where a complaint involves multiple areas within our organisation, responsibility for communicating with the person making the complaint and/or their representative will also be coordinated.

Where North Sydney Council services are contracted out, it is expected that contracted service providers have an accessible and comprehensive complaint management system. North Sydney Council takes complaints not only about the actions of our staff but also the actions of service providers.

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COMPLAINTS HANDLING POLICY

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4.4.2 Complaints involving multiple parties - When similar complaints are made by related parties North Sydney Council will try to arrange to communicate with a single representative of the group.

4.4.3 Empowerment of staff - All staff managing complaints are empowered to implement the North Sydney Council complaint management system as relevant to their role and responsibilities.

Staff are encouraged to provide feedback on the effectiveness and efficiency of all aspects of the complaint management system.

4.4.4 Managing unreasonable conduct by people making complaints – North Sydney Council is committed to being accessible and responsive to all people who approach with feedback or complaints. At the same time our success depends on:

- a) our ability to do our work and perform our functions in the most effective and efficient way possible;
- b) the health, safety and security of our staff; and
- c) our ability to allocate our resources fairly across all the complaints we receive.

When people behave unreasonably in their dealings with North Sydney Council, their conduct can significantly affect the progress and efficiency of our work. As a result, North Sydney Council will take proactive and decisive action to manage any conduct that negatively and unreasonably affects us and will support staff to do the same in accordance with this policy.

For further information on managing unreasonable conduct by people making complaints refer to the *Managing Unreasonable Complainant Conduct Policy*.

5. COMPLAINT MANAGEMENT SYSTEM**5.1 Introduction**

When responding to complaints, staff should act in accordance with North Sydney Council's Complaint Management System Procedure as well as any other internal documents providing guidance on the management of complaints.

Staff should also consider any relevant legislation and/or regulations when responding to complaints and feedback.

The five key stages in the North Sydney Council complaint management system are set out below.

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5.2 Receipt of complaints

Unless the complaint has been resolved at the outset, North Sydney Council will record the complaint and its supporting information. It will be assigned a unique identifier to the complaint file.

The record of the complaint will document:

- a) the contact information of the person making a complaint;
- b) issues raised by the person making a complaint and the outcome/s they want;
- c) any other relevant; and
- d) any additional support the person making a complaint requires.

5.3 Acknowledgement of complaints

North Sydney Council will acknowledge receipt of each complaint promptly, and preferably within five working days.

Consideration will be given to the most appropriate medium (e.g. email, letter) for communicating with the person making a complaint.

5.4 Initial assessment and addressing of complaints

5.4.1 Initial assessment - After acknowledging receipt of the complaint, North Sydney Council will confirm whether the issue/s raised in the complaint is/are within our control.

North Sydney Council will also consider the outcome/s sought by the person making a complaint and, where there is more than one issue raised, determine whether each issue needs to be separately addressed.

When determining how a complaint will be managed, North Sydney Council will consider:

- a) How serious, complicated or urgent the complaint is;
- b) Whether the complaint raises concerns about people's health and safety;
- c) How the person making the complaint is being affected;
- d) The risks involved if resolution of the complaint is delayed; and
- e) Whether a resolution requires the involvement of other organisations.

5.4.2 Addressing complaints - After assessing the complaint, North Sydney Council will consider how to manage it. To manage a complaint we may:

- a) Give the person making a complaint information or an explanation;

COMPLAINTS HANDLING POLICY

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- b) Gather information from the product, person or area that the complaint is about; or
- c) Investigate the claims made in the complaint.

North Sydney Council will keep the person making the complaint up to date on progress, particularly if there are any delays. North Sydney Council will also communicate the outcome of the complaint using the most appropriate medium. Which actions we decide to take will be tailored to each case and take into account any statutory requirements.

5.5 Providing reasons for decisions

Following consideration of the complaint and any investigation into the issues raised, North Sydney Council will contact the person making the complaint and advise them:

- a) the outcome of the complaint and any action taken;
- b) the reason/s for the decision; and
- c) the remedy or resolution/s that is proposed or put in place.

If in the course of investigation, adverse findings are made about a particular individual, consideration will be given to any applicable privacy obligations under the *Privacy and Personal Information Protection Act 1998* and any applicable exemptions in or made pursuant to that Act, before sharing findings with the person making the complaint.

5.6 Closing the complaint, record keeping, redress and review

North Sydney Council will keep comprehensive records about:

- a) how the complaint was managed;
- b) the outcome/s of the complaint (including whether it or any aspect of it was substantiated, any recommendations made to address problems identified and any decisions made on those recommendations; and
- c) any outstanding actions that need to be followed up.

North Sydney Council will ensure that outcomes are properly implemented, monitored and reported to the complaint handling manager and/or senior management.

5.7 Alternative avenues for dealing with complaints

North Sydney Council will inform people who make complaints to or about us about any internal or external review options available to them (such as the NSW Ombudsman or Office of Local Government).

5.8 The three levels of complaint handling

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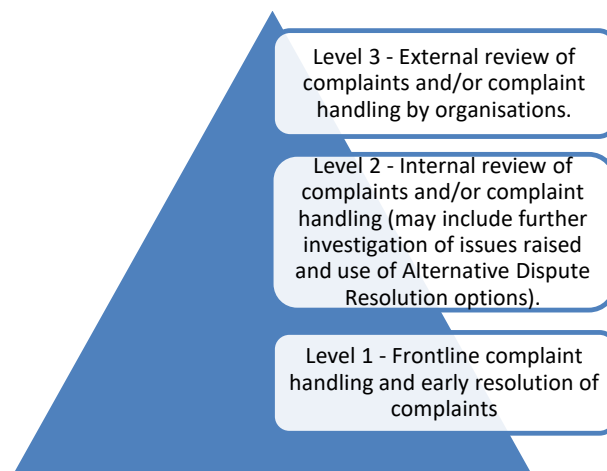
COMPLAINTS HANDLING POLICY

North Sydney Council aims to resolve complaints at the first level, the frontline. Wherever possible staff will be adequately equipped to respond to complaints, including being given appropriate authority, training and supervision. This level of complaint handling may involve the relevant Manager or Supervisor.

Where this is not possible, North Sydney Council may decide to escalate the complaint to the relevant Director or Public Officer. This second level of complaint handling will provide for the following internal mechanisms:

- assessment and possible investigation of the complaint and decision/s already made, and/or
- facilitated resolution (where a person not connected with the complaint reviews the matter and attempts to find an outcome acceptable to the relevant parties).

Where a person making a complaint is dissatisfied with the outcome of North Sydney Council's review of their complaint, they may seek an external review of the decision (by the NSW Ombudsman for example).



5.9 Service Levels

Indicative timeframe	Action
Within 5 working days of Council registering a complaint	In circumstances where a complainant has provided contact details, the staff member responsible for handling the complaint will provide acknowledgement of receipt of the complaint to the complainant. Such acknowledgement may be by telephone or in writing, as appropriate, and details of this contact will be recorded against the complaint in Council's electronic document management system. The staff member will attempt to reach a resolution with the complainant if possible in the contact, or ensure all appropriate details are collated to enable an investigation.

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COMPLAINTS HANDLING POLICY

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Indicative timeframe	Action
Within 15 working days of Council registering a complaint	Council will attempt to address all complaints within 15 working days of receipt of the complaint except where further information is expected to be received to inform the investigation. Should this be the case, this shall be noted in Council's electronic document management system, and the staff member responsible for handling the complaint will advise the complainant of progress of the complaint.
After 15 working days of Council registering a complaint	In instances where Council is awaiting information to assist its investigation a complaint may go beyond our 15 working day timeframe. Council will endeavour to provide the complainant with as accurately as possible the timeframe to expect an informed response. If this timeframe is not met, Council will provide the complainant with a revised timeframe.

6. ACCOUNTABILITY AND LEARNING**6.1 Analysis and evaluation of complaints**

North Sydney Council will ensure that complaints are recorded in a systematic way so that information can be easily retrieved for reporting and analysis.

Regular reports will be run on:

- a) the number of complaints received;
- b) the outcome of complaints, including matters resolved at the frontline;
- c) issues arising from complaints;
- d) systemic issues identified; and
- e) the number of requests received for internal and/or external review of North Sydney Council complaint handling.

Regular analysis of these reports will be undertaken to monitor trends, measure the quality of North Sydney Council's customer service and make improvements.

At least every six months both reports and their analysis will be provided to North Sydney Council's General Manager and senior management for review. This will then be reported to Council.

6.2 Monitoring of the complaint management system

North Sydney Council will continually monitor the complaint management system to:

- a) ensure its effectiveness in responding to and resolving complaints, and
- b) identify and correct deficiencies in the operation of the system.

Monitoring may include the use of audits, complaint satisfaction surveys and online

Re-Adopted by Council [insert date]

listening tools and alerts.

6.3 Continuous improvement

North Sydney Council is committed to improving the effectiveness and efficiency of our complaint management system. To this end, we will:

- a) support the making and appropriate resolution of complaints;
- b) implement best practices in complaint handling;
- c) recognise and reward exemplary complaint handling by staff;
- d) regularly review the complaints management system and complaint data; and
- e) implement appropriate system changes arising out of our analysis of complaints data and continual monitoring of the system.

7. RESPONSIBILITY/ACCOUNTABILITY

7.1 All staff and Councillors are required to comply with the provisions of this Policy.

6.1.1 Any member of Council staff can receive a complaint and must follow this Policy to record and handle the complaint.

6.1.2 If a Councillor receives a complaint, the Councillor should refer the matter directly to the General Manager, relevant Director or the Public Officer.

7.2 Managers and Directors are responsible for supporting staff to apply this Policy, as well as related guidelines/procedures. Managers and Directors are also responsible for ensuring compliance with the procedures identified in this Policy, ensuring that all staff members are trained to deal with complaints handling in accordance with our duty of care and work health and safety responsibilities.

7.3 Managers and Directors are responsible for investigating complaints, determining outcomes and an appropriate method(s) of redress.

7.4 Council's Solicitor is responsible for organising legal advice as required under this Policy.

7.5 The responsible Director and/or Public Officer are responsible for reviewing complaints where the complainant is not satisfied with the initial outcome.

7.6 An (Internal) Complaints Review Panel may be convened to assist with the review of complaints where the complainant is not satisfied with the initial outcome.

Re-Adopted by Council [insert date]

COMPLAINTS HANDLING POLICY

- 7.7 Council's Executive Manager Governance is responsible for presenting a report to Council with details of complaints received and acted on by each Division for the proceeding two quarters.
- 7.8 North Sydney Council expects staff at all levels to be committed to fair, effective and efficient complaint handling. The following table outlines the nature of the commitment expected from staff and the way that commitment should be implemented:

Who	Commitment	How
General Manager	Promote a culture that values complaints and their effective resolution	<ul style="list-style-type: none"> • Report publicly on North Sydney Council's complaint handling. • Provide adequate support and direction to key staff responsible for handling complaints. • Regularly review reports about complaint trends and issues arising from complaints. • Encourage all staff to be alert to complaints and assist those responsible for handling complaints resolve them promptly. • Encourage staff to make recommendations for system improvements. • Recognise and reward good complaint handling by staff. • Support recommendations for service, staff and complaint handling improvements arising from the analysis of complaint data.
Executive Manager Governance	Establish and manage our complaint management system.	<ul style="list-style-type: none"> • Provide regular reports on issues arising from complaint handling work. • Ensure recommendations arising out of complaint data analysis are canvassed with leadership and implemented where appropriate. • Recruit, train and empower staff to resolve complaints promptly and in accordance with North Sydney Council's policies and procedures. • Encourage staff managing complaints to provide suggestions on ways to improve the organisation's complaint management system. • Encourage all staff to be alert to complaints and assist those responsible for handling complaints resolve them promptly. • Recognise and reward good complaint handling by staff.

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COMPLAINTS HANDLING POLICY

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Who	Commitment	How
Staff whose duties include complaint handling	Demonstrate exemplary complaint handling practices	<ul style="list-style-type: none"> • Treat all people with respect, including people who make complaints. • Assist people make a complaint, if needed. • Comply with this policy and its associated procedures. • Keep informed about best practice in complaint handling. • Provide feedback to management on issues arising from complaints. • Provide suggestions to management on ways to improve the organisation's complaints management system. • Implement changes arising from individual complaints and from the analysis of complaint data as directed by management.
All staff	Understand and comply with North Sydney Council's complaint handling practices.	<ul style="list-style-type: none"> • Treat all people with respect, including people who make complaints. • Be aware of North Sydney Council's complaint handling policies and procedures. • Assist people who wish to make complaints access the North Sydney Council's complaints process. • Be alert to complaints and assist staff handling complaints resolve matters promptly. • Provide feedback to management on issues arising from complaints. • Implement changes arising from individual complaints and from the analysis and evaluation of complaint data as directed by management.

7.9 This Policy shall be reviewed every four years or as required based upon any changes to the NSW Ombudsman's Complaint Handling Model Policy.

8. RELATED POLICIES/DOCUMENTS/LEGISLATION

All relevant Council policies and procedures must be taken into consideration when considering or investigating a complaint under the complaints process.

The Policy should be read in conjunction with following Council policies and documents:

- Access to Information Policy
- Code of Conduct - Councillors and Staff
- Conduct Review Committee Charter

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COMPLAINTS HANDLING POLICY

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- Compliance and Enforcement Policy
- Child Safe Policy
- Customer Service Policy
- Delegations of Authority
- Enterprise Risk Management Policy
- Internal Reporting Policy
- Managing Unreasonable Complaints Conduct Policy
- Work Health and Safety Policy (staff policy)
- Open Government Policy
- Privacy Management Plan
- Procurement Policy

The Policy should be read in conjunction with the following documents and legislation relating specifically to issues of complaint handling:

- AS/NZS 10002:2014 'Guidelines for complaint management in organisations' - October 2014
- Children and Young Persons (Care and Protection) Act 1998
- Children's Guardian Act 2019
- Children's Guardian Amendment (Child Safe Scheme) Act 2021 No 30
- Child Protection (Working with Children) Act 2022
- Complaint Management Framework, NSW Ombudsman, June 2015
- Government Information (Public Access) Act 2009
- Independent Commission Against Corruption Act 1988
- Local Government Act 1993 - Sections 429A and 478
- Managing Unreasonable Complainant Conduct Practice Manual, NSW Ombudsman, May 2012
- Practice Note No. 9 Complaints Management in Councils NSW, Division of Local Government, July 2009
- Privacy and Personal Information Protection Act 1998
- Public Interest Disclosures Act 1994
- Work Health and Safety Act 2011

9. ADDITIONAL INFORMATION

Complaints about Council may also be lodged with:

External Agency	Nature of Complaint
NSW Office of Local Government Locked Bag 3015 NOWRA NSW 2541 Telephone 02 4428 4100 Facsimile 02 4428 4199 Email olg@olg.nsw.gov.au	Matters concerning a serious breakdown in Council's operations, if Council as a whole is not operating satisfactorily or the matter relates to pecuniary interest

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External Agency	Nature of Complaint
Website www.olg.nsw.gov.au	
Office of the NSW Ombudsman Level 24, 580 George Street SYDNEY NSW 2000 Telephone 02 9286 1000 or Toll free 1800 451 524 Email nswombo@ombo.nsw.gov.au Website www.ombo.nsw.gov.au	Matters concerning maladministration
The Independent Commission Against Corruption GPO Box 500 SYDNEY NSW 2001 Telephone 02 9318 5999 or Toll free 1800 463 909 Facsimile 02 9699 8067 Email icac@icac.nsw.gov.au Website www.icac.nsw.gov.au	Matters concerning corrupt conduct, which is defined as dishonest or partial exercise of any official functions by a public official The ICAC Act requires the General Manager to report suspected cases of corrupt conduct to ICAC
Information and Privacy Commission NSW GPO Box 7011 SYDNEY NSW 2001 Telephone 1800 472 679 Email ipcinfo@ipc.nsw.gov.au Website www.ipc.nsw.gov.au	Matters concerning the release of government information Breaches of the <i>Privacy and Personal Information Act 1998</i>

Version	Date Approved	Approved by	Resolution No.	Review Date
1	23 October 2006	Council	817	2008/09
2	16 February 2009	Council	61	2012/13
3	20 November 2010	Council	776	2012/13
4	13 August 2012	Council	470	2012/13
5	18 February 2013	Council	61	2016/17
6	25 June 2018	Council	214	2020/21
7	19 November 2018	Council	424	2020/21
8	15 December 2021	General Manager	MANEX	2021/22
9	[insert date]	Council	[insert min. no.]	2024/25

Re-Adopted by Council [insert date]

APPENDIX A: INDIVIDUAL RIGHTS AND MUTUAL RESPONSIBILITIES OF THE PARTIES TO A COMPLAINT

Note: The term 'rights' is used to demonstrate a guarantee of the standard of service and behaviour that all parties should meet if a complaints process is to be effective. It is not used to depict a legally enforceable entitlement - although some are.

In order for North Sydney Council to ensure that all complaints are dealt with fairly, efficiently and effectively and that work health and safety standards and duty of care obligations are adhered to, the following rights and responsibilities must be observed and respected by all of the parties to the complaint process.

1. Individual Rights**1.1 Complainants have the right:**

- to make a complaint and to express their opinions in ways that are reasonable, lawful and appropriate;
- to a fair and impartial assessment and, where appropriate, investigation of their complaint based on the merits of the case;
- to a fair hearing;
- to be informed in at least general terms about the actions taken and outcome of their complaint;
- to be given reasons that explain decisions affecting them;
- to be treated with courtesy and respect; and
- to communicate valid concerns and views without fear of reprisal or other unreasonable response.

1.2 Staff have the right:

- to determine whether, and if so how, a complaint will be dealt with;
- to finalise matters on the basis of outcomes they consider to be satisfactory in the circumstances;
- to expect honesty, cooperation and reasonable assistance from complainants;
- to expect honesty, cooperation and reasonable assistance from organisations and people within jurisdiction who are the subject of a complaint;
- to be treated with courtesy and respect;
- to a safe and healthy working environment; and
- to modify, curtail or decline service (if appropriate) in response to unacceptable behaviour by a complainant.

1.3 Subjects of a complaint have the right:

- to a fair and impartial assessment and, where appropriate, investigation of the allegations made against them;
- to be treated with courtesy and respect by staff of North Sydney Council;

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- to be informed (at an appropriate time) about the substance of the allegations made against them that are being investigated;
- to be informed about the substance of any proposed adverse comment or decision;
- to be given a reasonable opportunity to put their case during the course of any investigation and before any final decision is made; and
- to be told the outcome of any investigation into allegations about their conduct, including the reasons for any decision or recommendation that may be detrimental to them.

2. Mutual Responsibilities

2.1 Complainants are responsible for:

- clearly identifying to the best of their ability the issues of complaint, or asking for help from North Sydney Council to assist them in doing so;
- providing to the best of their ability North Sydney Council with all the relevant information available to them at the time of making the complaint;
- being honest in all communications with North Sydney Council;
- informing North Sydney Council of any other action they have taken in relation to their complaint;
- cooperating with the staff who are assigned to assess/investigate/resolve/determine or otherwise deal with their complaint; and
- treating staff of North Sydney Council with courtesy and respect.

If complainants do not meet their responsibilities, North Sydney Council may consider placing limitations or conditions on their ability to communicate with staff or access certain services.

North Sydney Council has a zero tolerance policy in relation to any harm, abuse or threats directed towards its staff. Any conduct of this kind may result in a refusal to take any further action on a complaint or to have further dealings with the complainant. In certain cases legal action may also be considered.

2.2 Staff are responsible for:

- providing reasonable assistance to complainants who need help to make a complaint and, where appropriate, during the complaint process;
- dealing with all complaints, complainants and people or organisations the subject of the complaint professionally, fairly and impartially;
- giving complainants or their advocates a reasonable opportunity to explain their complaint, subject to the circumstances of the case and the conduct of the complainant;

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- giving people or organisations the subject of the complaint a reasonable opportunity to put their case during the course of any investigation and before any final decision is made;
 - informing people or organisations the subject of investigation, at an appropriate time, about the substance of the allegations made against them and the substance of any proposed adverse comment or decision that they may need to answer or address;
 - keeping complainants informed of the actions taken and the outcome of their complaints;
 - giving complainants reasons that are clear and appropriate to their circumstances and adequately explaining the basis of any decisions that affect them;
 - treating complainants and any people the subject of complaint with courtesy and respect at all times and in all circumstances;
 - taking all reasonable and practical steps to ensure that complainants are not subjected to any detrimental action in reprisal for making their complaint; and
 - giving adequate warning of the consequences of unacceptable behaviour.

If North Sydney Council fails to comply with these responsibilities, complainants may complain to the General Manager.

2.3 Subjects of a complaint are responsible for:

- cooperating with North Sydney Council staff who are assigned to handle the complaint, particularly where they are exercising a lawful power in relation to a person or body within their jurisdiction;
- providing all relevant information in their possession to North Sydney Council or its authorised staff when required to do so by a properly authorised direction or notice;
- being honest in all communications with North Sydney Council and its staff;
- treating the staff of North Sydney Council with courtesy and respect at all times and in all circumstances; and
- refraining from taking any detrimental action against the complainant in reprisal for them making the complaint.

If subjects of a complaint fail to comply with these responsibilities, action may be taken under relevant laws and/or Codes of Conduct.

3. North Sydney Council is responsible for:

- having an appropriate and effective complaint handling system in place for receiving, assessing, handling, recording and reviewing complaints;
- ensuring that all complaints are dealt with professionally, fairly and impartially;
- ensuring that staff treat all parties to a complaint with courtesy and respect;
- ensuring that the assessment and any inquiry into the investigation of a complaint is based on sound reasoning and logically probative information and evidence;

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COMPLAINTS HANDLING POLICY

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- finalising complaints on the basis of outcomes that the organisation, or its responsible staff, consider to be satisfactory in the circumstances;
 - implementing reasonable and appropriate policies/procedures/practices to ensure that complainants are not subjected to any detrimental action in reprisal for making a complaint; and
 - giving adequate consideration to any privacy implications that may arise in the handling of complaints and the conduct of investigations.

If North Sydney Council fails to comply with these responsibilities, complainants may complain to the General Manager.

Re-Adopted by Council [insert date]



FILMING WITHIN COUNCIL AREA POLICY

D5-26

Page 1 of 5

Policy Owner: Director Corporate Services

Category: Operational

Direction: 5. Our Civic Leadership

1. STATEMENT OF INTENT

- 1.1 North Sydney Council is committed to supporting the film and television industry. Council will ensure a balance between the interests of the community and the needs and requirements of the film and television industry.
- 1.2 The primary intent of this Policy is to regulate and manage the activity of location filming within the North Sydney local government area.
- 1.3 Specifically, it is intended that this Policy minimises the potential impacts on residential and commercial stakeholders, including Council's own assets, by providing a consistent framework for the determination of filming related applications and approvals.
- 1.4 It is intended that this Policy acts within the provisions of the *Filming Related Legislation Amendment Act 2008*; and, in turn, the *Local Government Filming Protocol 2009*, which the Act requires that Council must consider when determining an application for location filming.
- 1.5 *Council adheres to the principles of a child safe organisation and is committed to the care and protection of all children and young people. These principles also apply to any event organisers who are holding events in parks, open spaces or streets under the ownership and/or control of the Council.*

2. ELIGIBILITY

- 2.1 This Policy applies to any individual or organisation applying to carry out filming on location within the North Sydney local government area.
- 2.2 As with the *Local Government Film Protocol* this Policy does not cover stills photography.
- 2.3 Issue of permits for filming will be at Council's discretion.

Re-adopted by Council [insert date]

3. DEFINITIONS

- 3.1 Applicant - is a person or an organisation applying to carry out filming within the North Sydney local government area.
- 3.2 Film Contact Officer - is the officer appointed by Council to provide assistance and advice to filmmakers.

4. PROVISIONS

- 4.1 The Applicant will ensure that every endeavour is made to reduce any inconvenience to residents and/or occupiers of business premises directly affected by filming activities.
- 4.2 In circumstances where Council believes residents and businesses will be adversely affected by filming that takes place during the early hours of the morning or late in the evening, filmmakers must obtain written approval from the adversely affected residents and businesses. Copies of the approvals must be presented to Council on request prior to the commencement of any filming activity. Such notification should include dates, times, all events associated with filming and the conditions fixed by Council. Filmmakers are also required to provide a specified contact person and telephone number. Issue of the permit will be at Council's discretion.
- 4.3 No amplification of any form is to be used, including loud hailers and/or megaphones. Any breach of noise regulations as contained in the approval may result in Council taking action under the *Noise Control Act 1975*. This includes the use of mobile generators which, if used, must be properly silenced.
- 4.4 *Hire/use of Council facilities including Filming and Media launches - the hire/use of community, recreational or sporting facilities managed by Council cannot be used for the promotion, advertising or displaying of any services or products related to gambling, tobacco, vaping or alcohol.*
- 4.5 A copy of Council's approval shall be kept on location at all times and made available for inspection by Council officers upon request.
- 4.6 The Local Area Command of the NSW Police should be notified by telephone and/or email of any filming in their area that could affect traffic in an adverse manner. This would include situations where filming takes place on public roads or affects their usual operations through episodes that require road closures or standing plant. Police should also be notified of any film activity where violent conduct is being depicted to assess any associated risk. Evidence of approval must be sighted by Council before commencement of filming in the event that it is required.

Re-adopted by Council [insert date]

FILMING WITHIN COUNCIL AREA POLICY

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- 4.7 The written consent of all relevant authorities (examples of which are listed in the protocol), including Council, is to be obtained before filming commences and presented for inspection if requested by Council's Film Contact Officer.
- 4.8 All production companies are required to have *Work Health and Safety Policy*. Risk Assessments may also be required depending on the nature of the filming activity and must be available on request. The safe and convenient movement of pedestrians and vehicular traffic must not be impeded.
- 4.9 Equipment used, and all activities associated with filming, should comply with the *Protection of the Environment Operations Act 1997* and the *Work Health and Safety Act 2011*.
- 4.10 The Applicant must provide Council with a Certificate of Currency for a Public Liability Insurance Policy with a minimum coverage amount as determined by Council, held with an acceptable Insurance Company and with an endorsement stating that the Policy will be held jointly with the Applicant and Council during the time of filming activity. All production companies are also required have sufficient Workers Compensation Insurance.
- 4.11 The use of drones or Remotely Piloted Aircraft System (RPAS) for filming must adhere to the required licence and certification standards required by the Civil Aviation Authority (CASA,) and all of their documented safety standards. Pilots must hold a current Unmanned Aerial Vehicle (UAV) Operations Certificate and a current Remote Pilot Certificate.
- 4.12 Vehicles must not be parked in Council's parks or reserves or upon grass verges and/or footpaths, unless permission is obtained through the Customer Service (Bookings) staff (Film Contact Officers). All vehicles associated with the production are to be legally parked at all times and/or, where applicable, parked in accordance with an approved parking plan.
- 4.13 At the cessation of filming, the Applicant will repair all damage, remove all rubbish and restore the location to its original condition prior to filming and to the satisfaction of Council.
- 4.14 Payment of fees and any bond determined by Council should be made before filming commences. Fee scales are in accordance with the mechanisms set out in the *Local Government Filming Protocol*.
- 4.15 If the booking is cancelled due to wet weather, the Applicant is entitled to a full refund less the application fee. If the booking is cancelled for any other reason, Council will retain the application fee and bill any additional costs incurred.

Re-adopted by Council [insert date]

FILMING WITHIN COUNCIL AREA POLICY

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- 4.16 Film activities classified as Ultra Low, that being activities with less than ten crew members, no disruption to residents and business and vehicles legally parked, will not attract application fees. However, filmmakers are required to notify Council in writing of their activity. The provisions set out in clauses 4.1 to 4.16 also apply to this level of activity.
- 4.17 Still photography does not require Council approval nor attract Council fees unless it involves additional activity such as blocking streets, constructing a set or additional parking. In such cases the provisions set out in clauses 4.1 to 4.16 apply.
- 4.18 Filmmakers must always adhere to the *Code of Conduct for Location Filming in NSW 2009*.
- 4.19 Any breach of these conditions may result in any future application being refused.

5. RESPONSIBILITY/ACCOUNTABILITY

- 5.1 Council delegates responsibility for the issue of location filming permits to the General Manager and in turn the Director Corporate Services.
- 5.2 The regulation of location filming is delegated to the General Manager and in turn the Director Corporate Services.
- 5.3 Council's Customer Service and Records Department (Bookings Section) is responsible for processing all applications to film and act in the role of Film Contact Officers.

6. RELATED POLICIES/DOCUMENTS/LEGISLATION

The Policy should be read in conjunction with the following documents/legislation:

- Code of Conduct for Location Filming in NSW 2009
- Filming Related Legislation Amendment Act 2008
- Local Government Filming Protocol 2009
- Noise Control Act 1975
- Protection of the Environment Operations Act 1997
- RTA Filming projects - Guidelines for parking and road closures
- Work Health and Safety Act 2011

The Policy should be read in conjunction with following Council policies and documents:

- Work Health and Safety Policy (staff policy)

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FILMING WITHIN COUNCIL AREA POLICY

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Version	Date Approved	Approved by	Resolution No.	Review Date
1	2 August 2004	Council	794	2008/09
2	16 February 2009	Council	61	2012/13
3	31 August 2009	Council	603	2012/13
4	18 February 2013	Council	61	2016/17
5	25 June 2018	Council	214	2020/21
6	[insert date]	Council	[insert min. no.]	2024/25

 Re-adopted by Council [insert date]



SPORTING FACILITIES BOOKING POLICY

D5-47

Page 1 of 4

Policy Owner: Director Corporate Services

Category: Operational

Direction: 5. Our Civic Leadership

1. STATEMENT OF INTENT

- 1.1 To provide a bookings system for North Sydney Council's sporting facilities that is fair and transparent for all users and which prohibits exclusive use.
- 1.2 *Council adheres to the principles of a child safe organisation and is committed to the care and protection of all children and young people. These principles also apply to any event organisers who are holding events in parks, open spaces or streets under the ownership and/or control of the Council.*

2. ELIGIBILITY

- 2.1 This Policy applies to all hirers of Council sporting facilities as defined below.

3. DEFINITIONS

- 3.1 Hirer - is a school, club, association or individual.
- 3.2 Commercial Hirer - is a company or a business.
- 3.3 Sporting facilities - includes ovals, netball courts and practice nets; it excludes North Sydney Olympic Pool, North Sydney Oval, North Sydney Indoor Sports Centre and passive parks.
- 3.4 Local - refers to a resident or hirer who resides or is located, or whose members generally reside, in the North Sydney local government area.
- 3.5 High impact sports - are defined as hockey, oztag, all football codes or any other sport that is deemed to have a heavy impact on the sports field surface.
- 3.6 Low impact sports - are defined as traditional summer sports such as cricket or any other sport that is deemed to have a low impact on the sports field surface.

4. PROVISIONS

- 4.1 Booking of sporting facilities is to be made on a seasonal basis in the first instance.

Re-adopted by Council [insert date]

SPORTING FACILITIES BOOKING POLICY

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- 4.2 Seasonal hirers of Council's sporting facilities will be given preference over occasional hirers.
- 4.3 Bookings are not based on precedent.
- 4.4 Preference will be given to local hirers.
- 4.5 Schools, sporting clubs and sporting associations will have priority over commercial hirers.
- 4.6 *Hire/use of Council facilities including Filming and Media launches - the hire/use of community, recreational or sporting facilities managed by Council cannot be used for the promotion, advertising or displaying of any services or products related to gambling, tobacco, vaping or alcohol.*
- 4.7 Schools and junior clubs will have priority for bookings between 7.00am and 5.30pm, Monday to Friday.
- 4.8 Applications for seasonal bookings will close each year as follows:
- Summer Season: First Friday in August
Winter Season: First Friday in February
- Late applications will only be dealt with after bookings have been allocated to on-time applicants.
- Traditional summer sports have priority during the summer season e.g. cricket, as do traditional winter sports e.g. all football codes and hockey have priority during the winter season.
- 4.9 In determining the allocation of requested bookings, Bookings staff will take into consideration:
- a) the number of players/participants represented by the hirer;
 - b) if the booking is for training/competition/social (priority to will be given to training/competition over social);
 - c) a fair distribution of hours between the respective hirers;
 - d) whether the hirer has previously complied with Council's bookings conditions of hire;
 - e) the impact of a particular sport on the grounds during the maintenance and growing periods. Council Officers will advise the applicant of the current terms and conditions; and
 - f) special events such as holiday camps will be considered on a case by case basis.

Re-adopted by Council [insert date]

SPORTING FACILITIES BOOKING POLICY

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4.10 In accordance with Council's *Fees and Charges Schedule*, permanent hirers that pay the entire season bookings seven days in advance of the season commencing will receive a 10% reduction on the scheduled fee.

4.11 Dispute Resolution - where there is a conflict in relation to dates and/or time slots of the requested bookings, Council Officers will contact the hirers and attempt to work out a compromise arrangement with them on an individual basis.

Where attempts to find a compromise have failed, the parties will be invited to attend a pre-season hirers meeting in order for Council Officers to mediate a solution with the parties. Council's Manager Parks and Reserves will chair the meeting assisted by Customer Services and Records Department staff.

If the impasse cannot be resolved, Council will hold a ballot to allocate the disputed times or Council staff will determine allocation having taken into consideration the needs of the parties.

4.12 Communication with Stakeholders - Council's Manager Parks and Reserves will maintain contact with the various stakeholders on a formal basis, through the Sport and Recreation Reference Group.

5. RESPONSIBILITY/ACCOUNTABILITY

5.1 Customer Service and Records Department (Bookings Section) are responsible for processing applications for seasonal hire of sporting facilities.

5.2 Council's Manager Parks and Reserves is the point of contact with stakeholders to address sport and recreation matters.

5.3 Council's Manager Parks and Reserves is responsible for chairing meetings to resolve conflicts between hirers.

6. RELATED POLICIES/DOCUMENTS/LEGISLATION

The Policy should be read in conjunction with the following documents/legislation:

- Child Safe Policy
- Fees and Charges Schedule
- Recreation Needs Study
- Smoke Free Environment Declared Public Areas Policy
- Terms and Conditions/Permit for Use of Sporting Resource

Re-adopted by Council [insert date]

SPORTING FACILITIES BOOKING POLICY

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Version	Date Approved	Approved by	Resolution No.	Review Date
1	5 June 2006	Council	412	2008/09
2	16 February 2009	Council	61	2012/13
3	18 February 2013	Council	61	2016/17
4	25 June 2018	Council	214	2020/21
5	[insert date]	Council	[insert min. no.]	2024/25

Re-adopted by Council [insert date]



VOLUNTEER POLICY

D5-48

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Policy Owner: Director Corporate Services

Category: Operational

Direction: 5. Our Civic Leadership

1. STATEMENT OF INTENT

1.1 North Sydney Council acknowledges that volunteers contribute to the political, social economic, environmental and cultural wellbeing of the local community by:

- a) strengthening community cohesion, intergenerational exchange, social wellbeing and trust;
- b) expanding the ability of the community to respond to the needs of its citizens and provide a range of services and activities;
- c) engaging the community in protecting local resources, improving the physical environment and support for environmental issues; and
- d) encouraging understanding of, and acceptance of, culture, diversity and difference; and
- e) providing people with the opportunity to contribute whilst offering skills development and learning opportunities.

1.2 The purpose of this Policy is to:

- a) recognise and value the contribution made by volunteers and voluntary groups to the projects and services delivered by Council;
- b) manage and support Council volunteers in accordance with National Standards for involving volunteers in not-for-profit organisations;
- c) work in partnership with community groups and relevant stakeholders to develop volunteering opportunities, promote volunteering, raise the profile of volunteerism and facilitate access to information about volunteering opportunities; and
- d) provide staff and volunteers with clear information about their roles and responsibilities when engaged in Council's volunteer programs.

1.3 *Council adheres to the principles of a child safe organisation and is committed to the care and protection of all children and young people.*

2. ELIGIBILITY

2.1 This Policy applies to all Council staff and all members of the public participating in the Council-approved volunteer programs.

Re-adopted by Council [insert date]

VOLUNTEER POLICY**2.2 Council volunteers include:**

- a) volunteers who are citizen members of Council managed Reference Groups and Working Groups;
- b) volunteers who participate in Council-approved volunteer programs including Bushcare, Coal Loader Centre for Sustainability, Community Garden programs, HarbourCare, Stanton Library, Streets Alive program and Youth/Councillor Mentor Program, as well as Council managed community/cultural events including North Sydney Art Prize; and
- c) volunteers who participate in Council supported partnership programs.

2.3 Council volunteers do not include:

- a) volunteers involved in Work for the Dole initiatives;
- b) volunteers involved in not-for-profit and/or non-government organisations delivering services within North Sydney local government area, unless they are part of a partnership program;
- c) students on formal vocational placement accompanied by documentation and insurance coverage from their educational institutions;
- d) students without formal placement documentation and insurance coverage from their educational institution; and
- e) *volunteers not part of a Council-approved volunteer program or educational institution.*

2.4 This Policy does not apply to community representatives involved in North Sydney Community Precinct System i.e. Precinct Committees as this program is governed by Council's *Precinct System Policy*.

3. DEFINITIONS

3.1 Applicant(s) - member(s) of the public applying to volunteer in a Council program as outlined in 2.2.

3.2 Supervisor - is the Appointed Council Officer responsible for the supervision and training of volunteers.

3.3 Partnership Program - includes formal partnership between Council and State government agencies and/or community organisations including the Aboriginal Heritage Office.

3.4 Volunteer - a person who performs/assists in the delivery of a Council project/service willingly and without financial payment.

3.5 *Working with Children Check (WWCC): The WWCC is a requirement for anyone*

who works or volunteers in child-related work in NSW. The check provides either clearance to work with children for five years, or a bar against working with children.

4. PROVISIONS

4.1 Guiding Principles:

Council's guiding principles for volunteer programs and activities are:

- a) Council supports the principle that volunteers are managed, supported and resourced in accordance with the National Standards for Involving Volunteers in not-for-profit organisations, developed by Volunteering Australia;
- b) Council acknowledges the principles that volunteer initiatives require a commitment to resourcing and that it can play a dual role of supporting volunteers who assist in the provision of Council services and programs, and play a leadership role of developing volunteering within the North Sydney local government area; and
- c) Council *will ensure* that volunteer or unpaid positions not be used to replace paid positions.

4.2 Procedures:

Consistent with Council's commitment to maintain best practice standards in volunteerism these guidelines identify the roles and responsibilities of employees engaging volunteers and the processes required to meet the minimum standards.

4.2.1 Role Statement - the supervisor will develop a role statement (description) that clearly outlines the volunteer role and the expectations of Council. The role statement confirms the expectation that volunteers are engaged for specific tasks. It ensures that volunteers are clear about what is expected of them in their role.

4.2.2 Application Process - potential volunteers must complete an Application Form, supplying the following information - name, address, emergency contact details, role applied for, if relevant, area(s) of interest, applicable skills or background; times and days of availability and where possible applicants must also provide two references/referees.

Prospective volunteers may be required to meet with the supervisor and depending on the duration and complexity of the volunteer engagement, may be required to attend an interview.

Re-adopted by Council [insert date]

4.2.3 Selection and Appointment - applications will be assessed by the supervisor. Once an application has been assessed, an acknowledgment will be sent to the applicant. An offer will be made which details the offer and terms of the agreement. Formal acceptance is required which will consist of the applicant signing the offer. Upon receipt of approval, the applicant will need to liaise with the supervisor about start dates and hours.

Applicants who are not selected will be advised of the outcome; and may be referred to other Council volunteer programs.

4.2.4 Reference/Police Checks/Working with ~~Young Person~~ **Children** Check - You may be asked to undertake a Working with Children Check or a Police Check. If the Police Check confirms a criminal record, the supervisor will assess the suitability of the applicant against the role. If you are unable to receive a clearance for a Child Related position you will not be able to work in the role. References may be contacted to confirm the person's identity and check suitability for the work.

4.2.5 Work Health and Safety - volunteers, in the same way as Council employees, are entitled to work in an environment that is safe. Supervisors are responsible for providing volunteers with Council's *Work Health and Safety Policy* and procedure, and any other relevant safe work procedures where applicable. Volunteers shall follow all safe work procedures and seek instruction when required. It is a standard condition of consent that all work is carried out in accordance with the *Work Health and Safety Act 2011 and Work Health and Safety Regulation 2017*.

4.2.6 Incidents - Volunteers must report incidents to their supervisor as soon as possible. Details of all incidents and emergencies involving volunteers will be recorded by the Supervisor and reported to the Risk Department and People and Culture Department, where relevant.

4.2.7 Equal Opportunity - In accordance with the relevant legislation, Council aims to provide a workplace that is free of direct and indirect discrimination, harassment and bullying in all areas pertaining to employment and volunteering. Prospective volunteers are protected under the relevant legislation when applying for a role within Council and must comply with Council's *EEO, Anti Discrimination and Anti Harassment Policy*.

4.2.8 Insurance - Council's Public Liability/Professional Indemnity and Personal Accident insurance extends to volunteers undertaking tasks for Council. Volunteers are not entitled to workers compensation

Re-adopted by Council [insert date]

under the *Workers Compensation Act 1987* and the *Workplace Injury Management and Workers Compensation Act 1998* but have limited benefits under Council's personal accident insurance. On request, Council will provide detailed information on insurance coverage for volunteers.

- 4.2.9 Induction and Training - volunteers will be assigned a supervisor who will be responsible for providing access to necessary training. Volunteers will begin with an identified trial period after which staff will assess whether the volunteer is suitable for the role.
- 4.2.10 Support and Supervision of Volunteers - volunteers will have regular contact with their supervisor to discuss issues and problems as they arise. The frequency of these meeting will depend on the volunteer role and regularity of volunteering.
- 4.2.11 Reimbursement of Expenses - volunteers are to be paid out-of-pocket expenses incurred during their role for Council. This may include travel to meetings on behalf of Council, but not travel to and from Council for their volunteer shift. It can also include materials purchased for the project the volunteer is participating in with Council. All expenses must be authorised in writing by the supervisor before they are incurred. Expenses such as meals and childcare will not be reimbursed.
- 4.2.12 Media Protocols - Council policy states that only authorised personnel will provide comment to the media. All media enquiries must be directed to the Manager Communications and Events. If this person is not available, an appropriate person will be appointed as media liaison at the time of the event. Under no circumstances should the volunteer offer to answer any questions or comment in any way.
- 4.2.13 Confidentiality - volunteers working with Council must keep all privileged information in relation to Council, staff and customers confidential. However, information affecting the health and safety of customers, staff or others including members of the public shall be reported to Council.
- 4.2.14 Driving - if requested to drive a Council vehicle the volunteer must have a valid current Drivers Licence and provide a copy of their Licence to the supervisor.
- 4.2.15 Gifts - volunteers are discouraged from accepting gifts from customers. Volunteers should report in writing any gifts accepted in writing to their supervisor. Council may direct that gifts be returned if this is considered to be a breach of conflict of interest.

Re-adopted by Council [insert date]

4.2.16 Absences - volunteers must report their absence from volunteer work as soon as possible to their Supervisor to ensure that alternative arrangements may be made.

4.2.17 Grievance Procedures/Dispute Resolution - volunteers have a right to raise a grievance without fear of retribution. All grievances shall be handled in a confidential and sensitive manner and where possible, responded to in a timely manner in accordance with Council's *Disciplinary & Misconduct Policy*.

The following procedures shall apply:

- a) should any matter occur which is of concern to a volunteer, he/she shall raise the matter with their immediate Supervisor.
- b) if the issue is not settled to their satisfaction, the volunteer may raise the matter with their Direct Manager.
- c) if the issue is still not settled to their satisfaction, the volunteer may raise the matter with the Divisional Director.

4.2.18 Feedback and Recognition - the performance of all volunteers will be regularly reviewed on an informal basis. Regular supervision will allow ongoing review of a volunteer's performance, role satisfaction and provide an opportunity for the volunteer to give feedback to the Supervisor.

4.2.19 Unsatisfactory Performance - if a volunteer's work is unsatisfactory or, deviates from principles and goals of service, contravenes the rights and responsibilities of volunteers or places a customer/employee or any other person at risk:

- a) the volunteer's Supervisor will discuss the issue with the volunteer and establish the appropriate standard of conduct/performance with the volunteer.
- b) a written record of the meeting is to be kept of the issues discussed and the agreed strategies to support the volunteer to improve their performance. The volunteer will receive a copy.
- c) deliberate or negligent acts that grossly endanger the safety of others, abuse of a member of the public, serious misconduct or making statements, which are likely to discredit Council, or other similar incidences may result in cessation of the volunteer agreement immediately.
- d) if a volunteer believes that their placement has been terminated unfairly the volunteer can raise their grievance with the Manager of the business unit. This should be submitted in writing with the reasons why the action is considered unfair, and the remedy sought.

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- 4.2.20 Ceasing of Volunteer Arrangement - cessation can occur by either party. Council requests one week's notice and will attempt to give the same notice period in normal circumstances. All volunteers are to return any property, files (electronic or otherwise) etc. belonging to Council prior to leaving.
- 4.2.21 Marketing - Council uses a range of marketing methods to ensure community awareness of its services and facilities. These include brochures, posters and other visual displays in community noticeboards, newsletters, and mail-outs, ceremonies and launches for individual projects, displays at markets and fairs and media releases. It is proposed that a number of these methods will be used to maintain ongoing interest in and awareness of volunteer opportunities.
- 4.2.22 Record Keeping - Council will keep and maintain a Volunteer Database. The database will be a confidential register of volunteer details which will not be released to parties outside Council without the prior consent of volunteers. Volunteers must be registered on the database to be covered by Council's Insurers. From time-to-time volunteers may be sent a newsletter.

5. RESPONSIBILITY/ACCOUNTABILITY

- 5.1 Supervisors and volunteers are responsible for ensuring that volunteering activities are undertaken according to this Policy and the *Code of Conduct - Standards for Volunteers and Community Representatives*.
- 5.2 Volunteers assisting in the provision of Council services have the right to:
- a) work in a healthy and safe environment;
 - b) be interviewed and engaged in accordance with equal opportunity and anti-discrimination legislation;
 - c) be adequately covered by insurance;
 - d) be given accurate and honest information about Council;
 - e) be reimbursed for reasonable out-of-pocket expenses, provided these are approved prior to expenditure;
 - f) be given a copy of this Policy and any other relevant policies and procedures;
 - g) have a role statement and agreed working hours;
 - h) have access to a grievance procedures;
 - i) be provided with an orientation to Council and the specific service for which the volunteer is working;
 - j) have personal and confidential information dealt with in accordance with Council's *Privacy Management Plan*; and

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- k) be provided with sufficient training to perform their role.
- 5.3 Volunteers assisting in the provision of Council services have a responsibility to:
- a) respect and adhere to Council policies and procedures;
 - b) ensure a safe working environment for Council employees, other volunteers, customers and members of the public;
 - c) provide accurate and honest information to Council employees, other volunteers, customers and members of the public;
 - d) performance volunteer activities in accordance with the agreed role statement and working arrangements;
 - e) treat Council, personal and confidential information in accordance with Council's *Privacy Management Plan*; and
 - f) attend orientation and other training activities as required.
- 5.4 Supervisors coordinating volunteers have a responsibility to:
- a) provide a safe and healthy workplace as far as practicable for volunteers to perform their role for Council;
 - b) provide volunteers with induction (orientation) and ongoing supervision;
 - c) provide volunteers with all necessary safety information, instruction, personal protective clothing and equipment (as required);
 - d) provide training to volunteers where required;
 - e) treat volunteers as valuable team members, inform and consult them on matters that affect their work and acknowledge their contributions; and
 - f) report incidents involving volunteers and work health and safety issues to Council's WHS Specialist and Risk Officer.

6. RELATED POLICIES/DOCUMENTS/LEGISLATION

The Policy should be read in conjunction with the following Council policies and documents:

- Bushcare Volunteer Program Guidelines
- Code of Conduct - Councillors and Staff
- Code of Conduct - Volunteers and Community Representatives
- Community Engagement Policy
- Child Safe Policy
- Gifts and Benefits Policy

The Policy should be read in conjunction with the following (internal) staff policies and documents:

- Child Protection Employment Screening Procedure
- Council Fleet Vehicle Policy
- Disciplinary and Misconduct Policy

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- Equipment Allocation Policy
- Employment Screen - Working With Children Check
- EEO, Anti Discrimination and Anti Harassment Policy
- EEO Management Plan
- Fit for Work: Alcohol and Other Drugs in the Workplace Policy
- Work Health and Safety Policy
- Web Access and E-mail Policy

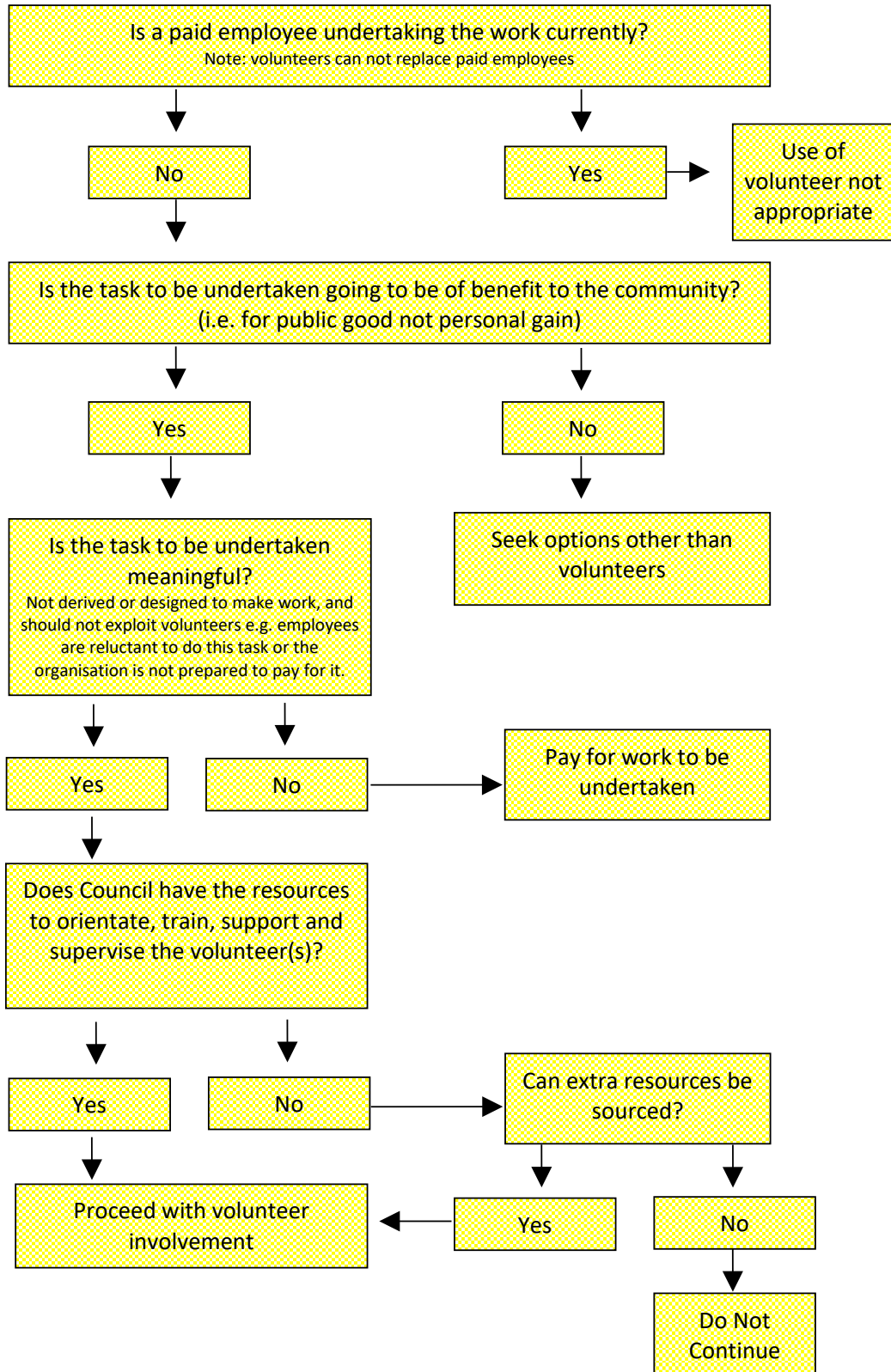
The Policy should be read in conjunction with the following documents/legislation:

- National Standards for Involving Volunteer in Not-for-profit Organisations, Volunteering Australia
- Workers Compensation Act 1987
- Workplace Injury Management and Workers Compensation Act 1998
- Work Health and Safety Act 2011
- Work Health and Safety Regulation 2017

Version	Date Approved	Approved by	Resolution No.	Review Date
1	18 February 2013	Council	61	2016/17
2	5 August 2013	Council	487	2016/17
3	25 June 2018	Council	214	2020/21
4	[insert date]	Council	[insert min. no.]	2024/25

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APPENDIX 1: VOLUNTEER DECISION MAKING TREE



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