

CONFIDENTIAL ITEMS 2003 – JUNE 2013

#	Date	Item Title	Confidential Order Details	Item being kept confidential - Agenda/ Attachment/ Minutes	Reason regarding retention or recommend-action to release	Resolution Regarding Action	Last Review Date	Next Review Date	Date Released
74	17 June 2013	Review of Confidential Orders Associated with Ombudsman's Report provided to Council on 15 December 2008	<p>Section 90 (3) (g) Order</p> <p>Pursuant to section 90(2) of the Local Government Act 1999 the Council orders that all members of the public except, Chief Executive Officer, General Manager Corporate Services, General Manager Council Services, General Manager Infrastructure & Projects, Minute Secretary, Risk & Governance Officer, be excluded from attendance at the meeting for Agenda Item 16.4 Confidential Report – Review of Confidential Orders Associated with the Ombudsman's Report – 15 December 2008.</p> <p>Pursuant to Section 90(3)(g)</p> <p>The Council is satisfied that, pursuant to section 90(3)(g) of the Act, the information to be received, discussed or considered in relation to this Agenda Item is information concerning matters that must be considered in confidence in order to ensure that the Council does not:</p> <ul style="list-style-type: none"> * breach any law, order or direction of a court or tribunal constituted by law, * breach any duty of confidence, or *breach any other legal obligation or duty as a confidentiality agreement exists. <p>The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because detailed information within the confidentiality</p>	<p>Redacted information as shown remaining confidential:</p> <p>Attachment 2 - The Council report of 15 December 2008</p> <p>Attachment 3 - A letter from Council to the Ombudsman dated 14 November 2008</p> <p>Attachment 2 – page 198 – dot point 4 – be amended to redact the identity of the council</p>	<p>The redacted parts of Council report of 15 December 2008 (attachment 2 to this report); and</p> <p>The redacted parts of the letter from the Council to the Ombudsman dated 14 November 2008 (attachment 3 to this report)</p> <p>be retained in confidence the life of the confidential agreement; and until all staff members are no longer employed with Council or such lesser period as may be determined by the Chief Executive Officer; and that this order be reviewed every</p>	<p>Release the following items:</p> <p>Attachment 1 - minute 71.1 from 15 December 2008 regarding the Ombudsman's Report be released;</p> <p>Attachment 4 - A letter from Council to the LGA dated 6 November 2008;</p> <p>Attachment 5 - A project brief;</p> <p>Attachment 6 - Information on the organisational review; and</p> <p>Attachment 7 - Services Customer categories</p>	17 Jun 13	2 Sept 13	<p>Att 1 – released</p> <p>Att 2 – part released</p> <p>Att 3 – part released</p> <p>Att 4 – released</p> <p>Att 5 – released</p> <p>Att 6 – released</p> <p>Att 7 released</p> <p>17/6/13 – on web 20/6/13</p>

CONFIDENTIAL ITEMS 2003 – JUNE 2013

#	Date	Item Title	Confidential Order Details	Item being kept confidential - Agenda/ Attachment/ Minutes	Reason regarding retention or recommend-action to release	Resolution Regarding Action	Last Review Date	Next Review Date	Date Released
			<p>agreement cannot be released.</p> <p>Section 90(3)(a)</p> <p>Pursuant to Section 90(3)(a)</p> <p>The Council is satisfied that pursuant to Section 90(3)(a) of the Act, the information to be received, discussed or considered in relation to this Agenda item is information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of existing and previous staff, in that details of staff performance will be discussed.</p> <p>The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because details of existing and previous staff performance is discussed.</p> <p>Section 91(7) Order</p> <p>4.Pursuant to Section 91(7)</p> <p>That having considered Agenda Item 16.4 Confidential Report – Review of Confidential Orders associated with the Ombudsman's Report Provided to Council on 15 December 2008 in confidence under 90(2) and 3(g) & 3(a) of the Local Government Act 1999, the Council pursuant to Section 91(7) of the Act</p>	officer.	12 months.	<p>Release with redacted information as shown remaining confidential:</p> <p>Attachment 2 - The Council report of 15 December 2008</p> <p>Attachment 3 - A letter from Council to the Ombudsman dated 14 November 2008</p> <p>Attachment 2 – page 198 – dot point 4 – be amended to redact the identity of the council officer.</p>			

relating to the names of the complainant be retained in confidence for the life of the confidential agreement, and this order be reviewed every 12 months.

Seconded Councillor Irvine and CARRIED

**100.8 REPORT TITLE: CONFIDENTIAL REPORT – REVIEW OF
CONFIDENTIAL ORDERS ASSOCIATED
WITH THE OMBUDSMAN’S REPORT
PROVIDED TO COUNCIL ON 15
DECEMBER 2008**
DATE OF MEETING: 17 JUNE 2013
FILE NUMBER: 13/046138

Moved Councillor Irvine that Council:

Section 90 (3) (g) Order

1. Pursuant to section 90(2) of the *Local Government Act 1999* the Council orders that all members of the public except, Chief Executive Officer, General Manager Corporate Services, General Manager Council Services, General Manager Infrastructure & Projects, Minute Secretary, Risk & Governance Officer, be excluded from attendance at the meeting for Agenda Item 16.4 Confidential Report – Review of Confidential Orders Associated with the Ombudsman’s Report – 15 December 2008.

Pursuant to Section 90(3)(g)

The Council is satisfied that, pursuant to section 90(3)(g) of the Act, the information to be received, discussed or considered in relation to this Agenda Item is information concerning matters that must be considered in confidence in order to ensure that the Council does not:

- * breach any law, order or direction of a court or tribunal constituted by law,
- * breach any duty of confidence, or
- * breach any other legal obligation or duty

as a confidentiality agreement exists.

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because detailed information within the confidentiality agreement cannot be released.

Section 90(3)(a)

Pursuant to Section 90(3)(a)

The Council is satisfied that pursuant to Section 90(3)(a) of the Act, the information to be received, discussed or

considered in relation to this Agenda item is information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of existing and previous staff, in that details of staff performance will be discussed.

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because details of existing and previous staff performance is discussed.

Seconded Councillor Bailey and CARRIED

100.9 Moved Councillor Bailey that Council:

- 2 Release the following items:
 - Attachment 1 - minute 71.1 from 15 December 2008 regarding the Ombudsman's Report be released;
 - Attachment 4 – A letter from Council to the LGA dated 6 November 2008;
 - Attachment 5 - A project brief;
 - Attachment 6 - Information on the organisational review; and
 - Attachment 7 - Customer Services categories
3. Release **with redacted information as shown remaining confidential:**
 - Attachment 2 - The Council report of 15 December 2008
 - Attachment 3 - A letter from Council to the Ombudsman dated 14 November 2008
 - Attachment 2 – page 198 – dot point 4 – be amended to redact the identity of the council officer.

Seconded Councillor Bettcher and CARRIED

100.10 Moved Councillor Westwood that Council:

Section 91(7) Order

4. Pursuant to Section 91(7)

That having considered Agenda Item 16.4 Confidential Report – Review of Confidential Orders associated with the Ombudsman's Report Provided to Council on 15 December 2008 in confidence under 90(2) and 3(g) & 3(a) of the Local Government Act 1999, the Council pursuant to Section 91(7) of the Act orders that:

 - the redacted parts of Council report of 15 December 2008 (attachment 2 to this report); and

- The redacted parts of the letter from the Council to the Ombudsman dated 14 November 2008 (attachment 3 to this report)

be retained in confidence the life of the confidential agreement; and until all staff members are no longer employed with Council or such lesser period as may be determined by the Chief Executive Officer; and that this order be reviewed every 12 months.

Seconded Councillor Irvine and CARRIED

**100.11 REPORT TITLE: CONFIDENTIAL REPORT – REVIEW OF
CONFIDENTIAL ORDERS ASSOCIATED
WITH AN OMBUDSMAN REPORT
PROVIDED TO COUNCIL ON 15 JUNE 2009**
DATE OF MEETING: 17 JUNE 2013
FILE NUMBER: 13/046279

Moved Councillor Irvine that Council:

Section 90 (3) (a) Order

1. Pursuant to Section 90(3)(a)
Pursuant to Section 90(2) of the Local Government Act 1999 the Council orders that all members of the public except the Chief Executive Officer, General Manager Corporate Services, General Manager Council Services, General Manager Infrastructure & Projects, Minute Secretary and the Risk and Governance Officer, be excluded from attendance at the meeting for Agenda Item 16.5 Confidential Report – Review of Confidential Orders Association with the Code of Conduct Report 15 June 2009.

The Council is satisfied that pursuant to Section 90(3)(a) of the Act, the information to be received, discussed or considered in relation to this Agenda item is information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of staff members and complainants in that details of staff performance and personal details of residents' complaints will be discussed.

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the majority of staff subject to the report still work with Council and the information relates to their performance; and also includes matters personal to the complainants and will be discussed. .

Seconded Councillor Westwood and CARRIED

16.4 **REPORT TITLE: CONFIDENTIAL REPORT – REVIEW OF
CONFIDENTIAL ORDERS ASSOCIATED
WITH THE OMBUDSMAN'S REPORT
PROVIDED TO COUNCIL ON 15
DECEMBER 2008**

DATE OF MEETING: 17 JUNE 2013

FILE NUMBER: 13/046138

Strategic Plan 2012-2017 Ref:

Governance and Leadership

Purpose:

To provide Council with a confidential minute, report and five (5) attachments related to an Ombudsman investigation which was reported to Council on 15 December 2008 to determine if confidential orders should remain.

Summary – Key Issues:

Council conducts an annual review of confidential items however a preliminary Ombudsman's investigation has prompted an earlier review of some confidential items.

Recommendation:

That Council:

Section 90 (3) (g) Order

1. Pursuant to section 90(2) of the *Local Government Act 1999* the Council orders that all members of the public except, Acting Chief Executive Officer, General Manager Corporate Services, General Manager Council Services, Minute Secretary, Risk & Governance Officer, be excluded from attendance at the meeting for Agenda Item 16.4 Confidential Report – Review of Confidential Orders Associated with the Ombudsman's Report – 15 December 2008.

Pursuant to Section 90(3)(g)

The Council is satisfied that, pursuant to section 90(3)(g) of the Act, the information to be received, discussed or considered in relation to this Agenda Item is information concerning matters that must be considered in confidence in order to ensure that the Council does not:

- * breach any law, order or direction of a court or tribunal constituted by law,
- * breach any duty of confidence, or
- * breach any other legal obligation or duty

as a confidentiality agreement exists.

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because detailed information within the confidentiality agreement cannot be released.

Section 90(3)(a)

Pursuant to Section 90(3)(a)

The Council is satisfied that pursuant to Section 90(3)(a) of the Act, the information to be received, discussed or considered in relation to this Agenda item is information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of existing and previous staff, in that details of staff performance will be discussed.

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because details of existing and previous staff performance is discussed.

2. Release the following items:
 - Attachment 1 - minute 71.1 from 15 December 2008 regarding the Ombudsman's Report be released;
 - Attachment 4 - A letter from Council to the LGA dated 6 November 2008;
 - Attachment 5 - A project brief;
 - Attachment 6 - Information on the organisational review; and
 - Attachment 7 - Customer Services categories
3. Release with redacted information as shown remaining confidential:
 - Attachment 2 - The Council report of 15 December 2008
 - Attachment 3 - A letter from Council to the Ombudsman dated 14 November 2008

Section 91(7) Order

4. **Pursuant to Section 91(7)**
That having considered Agenda Item Confidential Report – Review of Confidential Orders associated with the Ombudsman's Report Provided to Council on 15 December 2008 in confidence under 90(2) and 3(g) & 3(a) of the Local

Government Act 1999, the Council pursuant to Section 91(7) of the Act orders that:

- the redacted parts of Council report of 15 December 2008 (attachment 2 to this report); and
- The redacted parts of the letter from the Council to the Ombudsman dated 14 November 2008 (attachment 3 to this report)

be retained in confidence the life of the confidential agreement; and until all staff members are no longer employed with Council or such lesser period as may be determined by the Chief Executive Officer; and that this order be reviewed every 12 months.

Background:

1. The Council last reviewed the confidential orders associated with these items in September 2012.
2. The Ombudsman is conducting a preliminary investigation into the reasons for maintaining confidentiality on this item.
3. The Ombudsman's office agreed that it would be prudent for Council to undertake a further review prior to beginning the investigation.

Discussion:

4. The 7 relevant confidential documents are:
 1. The Council minute 15 December 2008
 2. The Council report of 15 December 2008
 3. Attachment - A letter from Council to the Ombudsman dated 14 November 2008
 4. Attachment - A letter from Council to the LGA dated 6 November 2008
 5. Attachment - A project brief
 6. Attachment - Information on the organisational review
 7. Attachment - Customer Services categories
5. As there was a confidential agreement regarding a claim involving the Local Government Mutual Liability Scheme, the Scheme was consulted as part of this review. No details of the confidentiality agreement can be released.
6. Of the 7 items for review 2 contain information that should remain confidential as it relates to current or previous staff performance and/ or contains information relating to the confidential agreement. This information has been redacted so that the rest of the document can be released. .

Community Engagement:

Informing only	Released information is provided on Council's website
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Policy:

Code of Practice – Access to Meetings and Documents

Budget:

N/A

Statutory/Legal:

This review is additional to the annual review required under the Local Government Act S91(9)

Staff Resource Requirements:

This will be accommodated within existing resources

Environmental:

N/A

Social:

The review of confidential information and release of any matter that is no longer required to be kept confidential is a demonstration of transparency in local government.

Risk Assessment:

There is a risk that information could be released that should remain confidential however by involving the Liability Scheme this has been mitigated.

Asset Management:

N/A

Conclusion:

This confidential topic has been reviewed and some items are recommended for release.

Key Contact

Ros McDougall, Risk & Governance Officer, Corporate Services

Manager or Sponsor of Project

David Peters, General Manager Corporate Services

Attachments

1. The Council minute 15 December 2008
2. The Council report of 15 December 2008
3. Attachment - A letter from Council to the Ombudsman dated 14 November 2008
4. Attachment - A letter from Council to the LGA dated 6 November 2008
5. Attachment - A project brief
6. Attachment - Information on the organisational review
7. Attachment - Customer Services categories

Attachment 1 to Item 16.4 17 June 2013

DISTRICT COUNCIL OF MOUNT BARKER
CONFIDENTIAL MINUTES OF THE COUNCIL MEETING HELD ON 15 DECEMBER 2008.

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people through its position in the Australian constitution. It is a complicated process, and for the whole length of the Summit it was stressed that it is no sure bet and will require significant input by communities. It was given guarded support by the Federal Government members that were there. It is going to depend on how the question is framed for the referendum.

9.15 pm Councillor Stokes left the meeting.

71 CONFIDENTIAL REPORTS

71.1 **REPORT TITLE:** CONFIDENTIAL – OMBUDSMAN'S REPORT
DATE OF MEETING: 15 DECEMBER 2008
AUTHOR: ANDREW STUART
AUTHOR'S TITLE: CHIEF EXECUTIVE OFFICER
REPRESENTORS: NIL
FILE NUMBER: 32/015/052
DEPARTMENT: CHIEF EXECUTIVE'S UNIT
DEPARTMENT MANAGER: ANDREW STUART

Moved Councillor Zanker

1. pursuant to Section 90(2) and 90(3) of the Local Government Act 1999 the Committee orders that the public be excluded from attendance at the meeting to consider in confidence matters regarding:
 - (a) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).
2. That the Chief Executive Officer, General Manager Infrastructure & Projects, General Manager Strategy, Development & Communities and the General Manager Corporate be permitted to remain in the room.
3. That the Council orders pursuant to Section 91(7), (8) and (9) of the Local Government Act 1999 that the discussion, reports, attachments and minutes relating to this item be kept confidential until 15 December 2009.

Seconded Councillor Bails and CARRIED

DISTRICT COUNCIL OF MOUNT BARKER
CONFIDENTIAL MINUTES OF THE COUNCIL MEETING HELD ON 15 DECEMBER 2008.

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Moved Councillor Gamble:

4. That Council notes the response to the Ombudsman's Report from the Chief Executive Officer dated 14 November 2008.
5. That Council supports the administrative changes that are required in the General Inspectorial Section.
6. That Council notes the work undertaken to date on the development of Standard Operating Procedures in the General Inspectorial Section.

Seconded Councillor Irvine and CARRIED

Moved Councillor Bails

7. That subject to Section 90 of the Local Government Act 1999 as amended, the public be readmitted to the meeting at the conclusion of the item.

Seconded Councillor Irvine and CARRIED

MEETING DECLARED CLOSED AT 9.30 PM

MAYOR

DATE

15. CORRESPONDENCE

NIL

16. QUESTIONS ARISING FROM COUNCIL MEETING (10 MINUTES)

17.1

REPORT TITLE:	CONFIDENTIAL - OMBUDSMAN REPORT
DATE OF MEETING:	15 DECEMBER 2008
AUTHOR:	ANDREW STUART
AUTHOR'S TITLE:	CHIEF EXECUTIVE OFFICER
REPRESENTORS:	NIL
FILE NUMBER:	32/015/052
ATTACHMENTS:	1 - CONFIDENTIAL
DEPARTMENT:	CHIEF EXECUTIVE'S UNIT
DEPARTMENT MANAGER:	ANDREW STUART

PURPOSE

To provide the Council with a copy of the response provided to the Acting Ombudsman in relation to the report received from the Ombudsman's office in accordance with the Ombudsman's Act *Investigation of the actions of the District Council of Mount Barker and its officers in removing and unlawfully disposing of a vehicle and its contents, and in later unreasonable dealings with the owner*".

RECOMMENDATION

It is recommended:

1. That pursuant to Section 90(2) and 90(3) of the Local Government Act 1999 the Committee orders that the public be excluded from attendance at the meeting to consider in confidence matters regarding:
 - (a) information the disclosure of which would involve the unreasonable disclosure of information

concerning the personal affairs of any person (living or dead).

2. That the Chief Executive Officer, General Manager Infrastructure & Projects, General Manager Strategy, Development & Communities and the General Manager Corporate be permitted to remain in the room.
3. That the Council orders pursuant to Section 91(7), (8) and (9) of the Local Government Act 1999 that the discussion, reports, attachments and minutes relating to this item be kept confidential until 15 December 2009.
4. That Council notes the response to the Ombudsman's Report from the Chief Executive Officer dated 14 November 2008.
5. That Council supports the administrative changes that are required in the General Inspectorial Section.
6. That Council notes the work undertaken to date on the development of Standard Operating Procedures in the General Inspectorial Section.
5. That subject to Section 90 of the Local Government Act 1999 as amended, the public be readmitted to the meeting at the conclusion of the item.

BACKGROUND

At the Council meeting on 20 October 2008 Council endorsed:

- "...
4. That Council note the receipt of the Ombudsman's Report dated October 2008 - "Investigation of the actions of the District Council of Mount Barker and its officers in removing and unlawfully disposing of a vehicle and its contents, and in later unreasonable dealings with the owner".
- ..."

At that meeting Council was also advised that a further report would be provided at a future Council meeting regarding the progress of the recommendations.

DISCUSSION

Council was required to provide comment to the Acting Ombudsman in relation to the recommendations as summarised in the Executive Summary of the Report. Council's comments were to address:

- Any steps that have been taken to give effect to the recommendations

- Any proposed steps that will be taken to give effect to the recommendations
- Explanation of any inaction in relation to the recommendations made.

Attached to this report at Attachment 1 is the response provided to the Acting Ombudsman, Mr Ken McPherson, addressing each of the recommendations listed in his report.

As part of the response to the recommendations raised by the Acting Ombudsman the following key actions are occurring:

- a number of Standard Operating Procedures (SOPs) covering the general inspectorial section functions are being developed. These are to supplement the reliance of Council officers on relevant legislation and associated regulations. The SOPs being developed are:
 - Impounding of vehicles
 - Dog Destruction and Dog Control Orders
 - Issue of Parking Infringements
 - Appeal against Issue of Parking Infringement
 - Telephone Protocols
 - Impounding of Dogs
 - Unregistered Dog Follow-up
 - Working Alone
 - Impounding of Stock
 - Issue of Section 83 Notices
 - Issue of Expiation Notices
 - Dog Barking Complaints
 - By-Law - Keeping of Additional Dogs
 - By-Law - Moveable Signs
 - Dog Attack, Harass or Chase Complaints
 - Inspection of Dog Breeding Kennels
 - LGA - Issue of Orders
 - Administration Procedures

Mr Bill Chandler, the General Manager, Strategy, Development and Communities, in conjunction with me, is currently in the process of developing and implementing a change management program for the regulatory services functions of Council and that of the authorised officers of Council. This change management program has a focus on system and process reviews, and training and development in legislative compliance, customer service, interpersonal communication and to change the attitude and behaviour of the staff to ensure compliance with Council's Code of Conduct for Employees. To date the system and process reviews are occurring whilst dealing with the behaviour and culture issues of the area.

The previous Manager Regulatory Services no longer has managerial and supervisory responsibilities relating to the management of the general inspectorial staff and functions as a result of the disciplinary process. To date, Mr Chandler has engaged an appropriately experienced and highly regarded contractor, Mr Terry Nicholas and as from 23 October 2008 the management and supervisory responsibilities of the general inspectors has been, and for at least the next few months will be performed by Mr Nicholas. Since 23 October 2008, Mr Nicholas has been engaged on a full time basis to both manage the day to day functions of the section and the staff and to accelerate the development and finalisation of the SOPs. It is expected that the SOPs will be finalised by the end of the year.

In addition, a comprehensive review of the general inspectorial area is underway, which includes:

- Review of the job description for the Management role
- Review of the job descriptions for the general inspectorial officers
- Disciplinary processes being completed relating to this matter with a focus on compliance with statutory responsibilities and the role of staff as public officers
- Resignation of [REDACTED] from Council
- Liaison with other councils, eg City of Tea Tree Gully and City of Onkaparinga in relation to bushfire prevention and other activities. An officer from the City of Onkaparinga has been seconded on a short term basis to assist Council with its bushfire prevention activities.

A job description is being prepared for a revised management role in this area which will be completed in January 2009. The role will have a focus of review of all of the issues associated with the regulatory services group including a review of the current job description of the general inspectorial staff, their skills and any deficiencies.

The preparation of new job descriptions will be undertaken simultaneously with the organisational audit process being conducted by Dr Wayne Coonan, so that at the completion of that process a revised regime of responsibility levels and staff requirements will be able to be implemented. The anticipated completion of this is January 2009.

The organisational review/audit of Council's resources commenced on 10 November 2008 with Dr Wayne Coonan appointed as the consultant to undertake this review. The review by Dr Coonan will also provide advice and input into the composition of the revised management role in the general inspectorial area.

Additionally, a pilot program is being developed by the Local Government Association, which this Council is participating in, which

will also address a number of the issues highlighted in the Acting Ombudsman's investigation. The issues of criteria of suitability for appointment, training on legislative and other roles and responsibilities, is as I understand it, part of the brief for the pilot program.

In addition, as an interim measure the General Manager is receiving a weekly update on the activity of the general Inspectorial staff detailing all matters dealt with and their progress and/or finalisation. This will also enable management to undertake random audits of the general inspectors' activities to ensure they are meeting the compliance requirements.

As part of the resolution with the complainant a payment of \$25,000 has been made in settlement of this matter with particular regard to the value of the vehicle sold by Council, works undertaken to the vehicle, the loss of goods and documents in the vehicle at the time of impounding and personal grief and suffering. Council will receive reimbursement from the Local Government Mutual Liability Scheme of \$6250.

POLICY IMPLICATIONS

1. Financial/budget

[REDACTED]

2. Legal

Council needs to ensure that it complies with its legislative responsibilities and that staff are aware of their responsibilities in accordance with Council's Code of Conduct for Employees.

3. Staffing/Work Plans

Additional staffing may be required to manage the change management process required in the General Inspectorial Section. Mr Terry Nicholas is currently employed on a temporary basis to manage the day to day responsibilities of this section and implement a number of recommendations.

Future resourcing requirements are currently also being considered in conjunction with the organisational audit being undertaken by Dr Wayne Coonan.

4. Environmental

Not applicable to this report.

5. Social

As part of the implementation of the changes in the General Inspectorial area will be the improvement to the level of service

delivery and confidence of the community in Council's activities and that of its staff.

6. Strategic Plans

Goal 6 - Governance.

7. Risk Assessment

As part of the change management process for this area a risk assessment process will be undertaken to ensure that Council's policies and procedures are in accord with the relevant legislation.

8. Asset Management

Not applicable to this report.

COMMUNITY CONSULTATION

1. Customer Needs Analysis

Not applicable to this report.

2. Promotion/Communications

Not applicable to this report.

CONFIDENTIAL

Attachment 3 to Item 16.4 17 June 2013

District Council of Mount Barker

Council Agenda 15 December 2008

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Attachment 3

Attachment 1

Attachment to Item 17.1

**THE DISTRICT COUNCIL OF MOUNT BARKER**

P.O. BOX 54, Mount Barker S.A., 5251 -- Telephone: 8391-7200
DX address: DX 51708, Mount Barker

Facsimile: (08) 8391-7288
web site: www.dcmountbarker.sa.gov.au

Reference: 08/20370

14 November 2008

Mr K MacPherson
Acting Ombudsman
PO Box 3851 Rundle Mall
ADELAIDE SA 5000

Dear Mr MacPherson

Re: [REDACTED] Complaint

I refer to your letter to the Mayor dated 7 October 2008 attaching your final report titled "Investigation of the actions of the District Council of Mount Barker and its officers in removing and unlawfully disposing of a vehicle and its contents, and in later unreasonable dealings with the owner, October 2008".

The Mayor has asked that I provide the District Council of Mount Barker's (the Council) response to the recommendations as summarised in the Executive Summary of your Report with particular emphasis on:

- the steps that Council has taken to give effect to the recommendations
- the proposed steps that Council will take to give effect to the recommendations
- any inaction taken by Council in relation to the recommendations.

In order to provide this response to you I have:

- sought advice from senior management and staff
- sought advice from persons and agencies with relevant expertise
- consulted with the Council and Council's Audit Committee.

It is readily acknowledged that the [REDACTED] complaint highlights a range of issues requiring remedy. Prompt action has been taken. In broad terms these actions address identified behavioural problems and make significant inroads into systems improvements, compliance and controls.

The following response to each of the specific recommendations as listed in the Executive Summary of your Report is provided.

Recommendations at 4.5**Section 237 towing notices**

4.5.1.1 (3.2.6.1) *In my opinion, the Regulations under the Local Government Act 1999 should prescribe the form and content of the towing notice. This would ensure uniformity of administrative approach across all council jurisdictions.*

Concerns expressed regarding the form and content of towing notices used by the local government industry are acknowledged and noted. A letter has been forwarded to the Executive Director of the Local Government Association (LGA) which is attached and marked Attachment 1, outlining your concerns. I also understand that this issue will be one of the matters considered as part of a pilot program that the LGA has engaged the Hon. Trevor Griffin to develop with the aim of improving the standards of operation of regulatory services across the whole local government industry in South Australia. The District Council of Mount Barker is participating in this pilot project. Attached and marked Attachment 2 is a brief outline of the pilot project.

4.5.1.2 (3.2.6.2) *The prescribed notice should correct the flaws I have identified in the notice used by the Mount Barker Council. It should:*

1. Record the date and time.
2. Identify the vehicle.
3. Provide for identifying the vehicle's location as precisely as circumstances permit.
4. State that there is reason to believe that the vehicle has been left there.
5. Warn that if the vehicle is not moved within 24 hours of the date and time of the notice, it may be impounded under section 237, Local Government Act 1999.
6. Warn that release must be sought, and costs will have to be paid. Warn that, if this is not done, section 237 permits a sale.
7. Include a statement that it is an offence under the Motor Vehicles Act 1959 to cause an unregistered motor vehicle to be standing on a road as defined in that Act, and an offence against section 236, Local Government Act 1999, to abandon a vehicle in a public place.
8. Identify the authorised officer who issues the notice, and provide a telephone contact.

In addition to the work being undertaken by the Hon. Trevor Griffin and the LGA, as an interim arrangement, the Council will revise its current Towing Notice to include the items 1-8 listed above in the notice. The revised towing Notice will be completed, printed and in use by the end of December 2008.

4.5.1.3 (3.2.6.3) [REDACTED] should be directed not to embellish and exaggerate a factual situation where there is no evidence to support the matters being stated by [REDACTED] whether in dealing with [REDACTED] ordinary duties or answering an Ombudsman's investigation.

██████████ has been directed in the terms recommended by you.

For your further information I advise that ██████████ is currently the subject of a disciplinary process dealing with ██████████ role in the ██████████ matter and ██████████ subsequent behaviour in misleading your investigation. A meeting has been held with ██████████ and ██████████ union representative on Tuesday 4 November 2008 to give ██████████ the opportunity to respond to your findings against ██████████. I expect that this process will be completed by the end of November 2008. Once this process has concluded I will advise you of the outcome.

One matter has arisen in the course of the disciplinary investigations of ██████████ and ██████████ that I consider should be drawn to your attention by me. At their respective disciplinary interviews on Tuesday 4 November 2008, both officers produced diaries that appear on their face to be contemporaneous records of their activities at the time of the ██████████ incident. The diaries, or notebooks, are of varying degrees of comprehensiveness.

In ██████████ case, ██████████ claims that certain entries in ██████████ diaries/notebooks are relevant in my consideration of the matters raised against ██████████ in the disciplinary investigation. Given that the disciplinary investigation is on essentially the same subject matter as your investigation, and further that these documents do not appear to have been provided to you or your investigating officers, I consider it appropriate to draw your attention to their production.

In relation to the matter of staff not assisting with your investigations, an instruction will be issued to all staff in relation to complying with requests from the Ombudsman's Office. In addition, all Council staff will be advised that the Code of Conduct for Employees sets out their expected professional behaviour.

As part of the LGA pilot program, I am keen for our Council to develop with the LGA a protocol to guide Council's staff in dealing with enquiries from your office. It is intended that this occur in conjunction with the pilot program developed by the LGA.

4.5.1.4 (3.2.6.4) A standard operating procedure should be developed for the exercise of these powers and it should, among many other things, require that the officer who places the towing notice should normally be responsible for any later decision on towing.

Council has previously provided to your office a copy of a new Standard Operating Procedure (SOP) for the Impounding of Vehicles. This procedure will now be further reviewed by Council's recently appointed General Manager, Strategy, Development & Communities, Mr Bill Chandler, with a revised procedure developed and implemented by the end of December 2008 and forwarded to your office accordingly.

Impounding the truck

4.5.1.5 (3.3.9.1) Having regard to the issues that have been identified in the course of this investigation, it is, in my opinion, imperative that this Council take immediate steps to introduce proper controls and supervision of the regulatory activities of the General Inspectors.

A range of actions have either been or will be undertaken. These are identified below.

Council is in the process of developing a number of new SOPs that will govern the range of functions undertaken by Council's General Inspectorial section.

The following SOPs are being developed:

- Impounding of Vehicles - being further reviewed
- Dog Destruction and Dog Control Orders – based on previous advice this procedure is being further reviewed to be provided to your office by 30 November 2008)
- Issue of Parking Infringements
- Appeal against Issue of Parking Infringement
- Telephone Protocols
- Impounding of Dogs
- Unregistered Dog Follow-up
- Working Alone
- Impounding of Stock
- Issue of Section 83 Notices
- Issue of Expiration Notices
- Dog Barking Complaints
- By-Law - Keeping of Additional Dogs
- By-Law - Moveable Signs
- Dog Attack, Harass or Chase Complaints
- Inspection of Dog Breeding Kennels
- LGA - Issue of Orders
- Administration Procedures

A number of these SOPs are in progress with the expected completion of all of the above SOPs to occur within the next six months. Significant additional resources have been committed to expedite the timeframe.

One aspect of Mr Bill Chandler's role since his recent appointment to the position of General Manager Strategy, Development & Communities is to oversee the change management initiatives in Council's Regulatory Services Section. To date, Mr Chandler has engaged an appropriately experienced and highly regarded contractor, Mr Terry Nicholas and as from 23 October 2008 the management and supervisory responsibilities of the general inspectors has been, and for at least the next few months will be performed by Mr Nicholas. So since 23 October 2008 Mr Nicholas has been engaged on a full time basis to both manage the day to day functions of the section and the staff and to accelerate the development and finalization of the SOPs.

Mr Nicholas has been working with Mr Chandler to ensure the staff in the general inspectorial area are aware of their responsibilities and to provide more direct supervision. They are also putting in place the procedures that your investigation has shown to be absent. As an example of the work being undertaken, they have reviewed the delegations and sub-delegations for both the Local Government Act 1999 and the Dog and Cat Management Act 1995. These delegations will be submitted to Council for endorsement in December 2008.

A tailored induction package has been developed by Council that will be suited to both existing and new staff of the general inspectorial area. This package will include:

- A copy of the officer's authorisation appointment from the CEO
- A copy of the instrument of sub-delegation from the CEO
- A copy of the specific delegations relevant to the general inspectorial role
- Where to access procedures and processes that have been adopted by Council relevant to the general inspectorial role
- A copy of the relevant legislation (Local Government Act 1999, Dog and Cat Management Act 1995, etc)
- Specific written instructions detailing the officer's delegated responsibility pursuant to the legislation and what their level of responsibility entails
- A cover sheet for sign off by each officer indicating they have received the package, understood it, know their level of operational delegated responsibility and where they might go in order to seek clarification or approval outside of their area of authorisation.

Council is negotiating with the City of Tea Tree Gully to work collaboratively on manufacturing the package and developing training packages on the use of the package for staff responsible for the general inspectorial function at both Councils. It is anticipated this package will be available by the end of November 2008.

Depending on the final outcomes of the commenced disciplinary processes that are being conducted for all four (4) staff in this section, additional training will be provided to staff in this section on their roles and responsibilities including their legislative responsibilities, sub-delegations, customer service and interpersonal communication. The training will be developed and defined as part of a change management process that is to be implemented upon finding a suitable person to undertake the role of Manager of this section on a permanent basis. A job description is being prepared for a revised management role. It will be completed and the position will be filled late December or early January 2009.

The change management process has also begun in the general inspectorial section with a focus on system and process reviews, and training and development in legislative compliance, customer service, and where necessary interpersonal communication skills training to change the attitude and behaviour of the staff in dealing with members of the community and to ensure compliance with Council's Code of Conduct for Employees.

Council's business systems analyst has for the past two years been working on developing Council's corporate computer information system to provide for the capture of new classes and levels of data. The focus for this time has been on

the development of the systems in the **planning and development area and the general customer request management system. The focus will now turn to the general inspectorial area to ensure staff use the system to maintain the integrity of Council's records and processes.**

In addition, Council is conducting an organisational review that will include a skills audit of staff and an analysis of Council's human resources needs now and into the future. The review will inform workforce planning systems and processes with **a continuous improvement focus to be implemented.** Dr Wayne Coonan has been appointed as the consultant to undertake this review for Council. This organisational review will commence 10 November 2008 with an interim report to be provided to Council by the end of December 2008. A copy of the Organisation Review 2008 brief is attached and marked Attachment 3.

4.5.1.6 (3.3.9.2) The application of, and compliance with, the controls should be a mandated audit requirement, and should include a regular compliance report to be presented to the Council and to be publicly available.

Council's Audit Committee and the Council were presented with a copy of the Executive Summary of your Full Report into this investigation. The Audit Committee is defining and will recommend a comprehensive control environment and framework within Council. At the Committee's next meeting, expected to be December 2008, it will hold discussions on the requirements and structure of the comprehensive control environment and framework for Council to enable the governance and compliance responsibilities to be audited on a regular basis and reported to management and the Council.

Discussions have also been held with Council's external auditor as to whether they can assist Council with the development of a comprehensive control environment and framework. This is being further considered by Council's external auditors and Council's Audit Committee.

It is expected that a decision on the control environment and framework structure will occur early to mid 2009.

Council and the Audit Committee have been and will continue to be kept informed of progress on a regular basis through reports to the Council and the Committee about the implementation of the recommendations contained in your Report. One aspect of that regular reporting will be specific reports on the activities of the general inspectorial section on a quarterly basis. These reports will include the number of complaints received and resolved, the number of infringement notices issued, the number of matters proceeding to court etc.

A proposed format for those reports will be provided to your office for comment when it is fully developed for comment. It is expected that the first report will be presented to the Audit Committee and the Council in January/February 2009.

District Council of Mount Barker

Council Agenda 15 December 2008

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Attachment 4 to Item 16.4 17 June 2013

Attachment 1

COPY**THE DISTRICT COUNCIL OF MOUNT BARKER**

P.O. BOX 54, Mount Barker S.A., 5251 - Telephone: 8391-7200
DX address: DX 51706, Mount Barker

Facsimile: (08) 8391-7299
web site: www.dombarkercouncil.gov.au

Reference:

6 November 2008

Ms Wendy Campana
Executive Director
Local Government Association of SA
GPO Box 2693
ADELAIDE SA 5001

Dear Wendy

Re: Investigations by the Acting Ombudsman

As you are aware the Acting Ombudsman, Ken MacPherson, has been undertaking investigations into the policies and practices of some local councils within South Australia.

The District Council of Mount Barker is the subject of an investigation by the Acting Ombudsman with a report being received by the Mayor on "Investigation of the actions of the District Council of Mount Barker and its officers in removing and unlawfully disposing of a vehicle and its contents, and in later unreasonable dealings with the owner, dated October 2008.

Within the Ombudsman's Report are a number of recommendations for Council to consider and implement changes accordingly.

Some recommendations of the Acting Ombudsman included in the Report relate to changes to the Local Government Act 1999 and Regulations, particularly relating to Section 237 of the Local Government Act, as follows:

- The Regulations under the Local Government Act 1999 should prescribe the form and content of the towing notice. This would ensure uniformity of administrative approach across all council jurisdictions.
- The prescribed notice should correct the flaws I have identified in the notice used by the Mount Barker Council. It should:
 1. Record the date and time.
 2. Identify the vehicle.
 3. Provide for identifying the vehicle's location as precisely as circumstances permit.
 4. State that there is reason to believe that the vehicle has been left there.

5. Warn that if the vehicle is not moved within 24 hours of the date and time of the notice, it may be impounded under section 237, Local Government Act 1999.
 6. Warn that release must be sought, and costs will have to be paid. Warn that, if this is not done, section 237 permits a sale.
 7. Include a statement that it is an offence under the Motor Vehicles Act 1959 to cause an unregistered motor vehicle to be standing on a road as defined in that Act, and an offence against section 236, Local Government Act 1999, to abandon a vehicle in a public place.
 8. Identify the authorised officer who issues the notice, and provide a telephone contact.
- I recommend that Section 237 of the Local Government Act 1999 be reviewed and, if it is still thought necessary to retain the general power it gives, it should be re-written to conform with the general principles of statutory forced sales that exist in other Acts.

As the LGA is commencing a pilot program with four Councils, of which Mount Barker is one, it is prudent for this program to consider the above recommendations of the Acting Ombudsman as part of the development of standard operating procedures and documentation for the regulatory services functions within councils.

Therefore, can you please ensure that the above recommendations are considered as part of the development and review of regulatory services functions within local government.

If you have any queries please contact me.

Yours sincerely

Andrew Stuart
CHIEF EXECUTIVE OFFICER

DRAFT

Attachment 2

OMBUDSMAN PROJECT BRIEF**TITLE:** Pilot Council Project with Specified Councils: Alexandrina, Burnside, Marion, Mt Barker**INTRODUCTION:**

In response to the Ombudsman's comments, the LGA has initiated a governance-related project, aimed at identifying and addressing any perceived weaknesses in Councils' administrative processes and procedures. The project is multi-stranded, with a number of components dovetailing to create a comprehensive response to the issues raised.

The LGA's Annual General Meeting, held on 23-24 October 2008, passed a motion endorsing the recommendation for project funding from the Research and Development Fund on an annual basis, for the Local Government Association Good Governance Self Assessment Program and the sub-program proposed to address concerns by the Ombudsman.

OBJECTIVES:

To work with Pilot Councils to:

- scope the function of regulatory services in key compliance areas, agreed as priorities;
- to develop resource materials for Councils and "road test" these with the pilot Councils relevant to the provision of the function;
- to gain input into discussion and information papers prepared as a result of the conduct of the Pilot and the broader work of the LGA;
- to gain input into training and development activities;

METHODOLOGY:

The Pilot Councils will be utilised throughout the project and the consultancy assistance provided to the LGA will also be available to those Councils.

It is envisaged that considerable "in kind" assistance will be provided by Councils.

Where Councils wish to do further intensive work within their organisations that is not envisaged by the LGA project, this additional work will be at the cost of the pilot Councils.

LGA funds will be augmented by a \$5,000 contribution per Council.

The following product outcomes for the LGA are proposed during the project and Pilot Councils will benefit from the development of these products for their own individual circumstances:

- model operating policies and procedures;
- self assessment tool for regulatory services;
- codes of conduct – relevant to regulatory services;
- customer service guidelines and grievance procedures;
- training program review/development, including TAFE Certificate Courses and additional short courses provided by the LGA to supplement TAFE offerings;
- human resources practices, including job descriptions and induction;

DME

DRAFT

- development of a site on LGA.net that includes all legislation, policies, guidelines and other materials developed as a result of the project;
- protocol with the Ombudsman's Office related to engagement with Councils during their Inquiry and Investigation processes.

PROJECT MANAGER:

Andres Malone , LGA. Other support staff

TIMEFRAME:

The LGA expects to roll out the products from the project progressively over the next nine months.

FUNDING:

LGA funds will be augmented by a \$5,000 contribution per Council.

PARTNERS:

The LGA will work with Norman Waterhouse Lawyers, Wellmans Lawyers, TAFE, Authorised Officers Association, Ombudsman's officer if available.

**The District Council of Mount Barker
ORGANISATIONAL REVIEW 2008**

MANAGING TOMORROW'S PEOPLE TODAY

1. THE CLIENT

The District Council of Mount Barker (DCMB) is situated less than 30 minutes from the Adelaide CBD, servicing a growing population approaching 30,000 with a committed staff of 130. It is a District that continues to experience residential, commercial and industrial growth.

The District is a thriving and progressive community renowned for its tourist destinations, abundance of parks and gardens, tree lined streets, historical architecture and natural rural beauty. It is also recognised as one of the fastest growing councils, offering outstanding lifestyle and business opportunities within a diverse and progressive community. In fact, an article in 'The Australian' rated Mount Barker as one of the top ten most desirable places to live in the nation.

Through consultation, Council has developed the following statement:

'Our community is the heart of our district.'

We value our natural and rural environment, and through leadership and community spirit, we strive to achieve a positive, safe and sustainable future.

Our vision will help guide us as we carefully plan for the future, so that our community, heritage and environment can continue to prosper.'

The Role of Council:

Council is the key statutory body representing the community in undertaking decision making regarding service delivery and service levels.

The Role of the Chief Executive Officer:

The Chief Executive Officer is responsible for the implementation of Council decisions and under the Local Government Act is responsible for the allocation of human resources.

2. OBJECTIVE

The objective of this review is to provide the Chief Executive Officer and Council, and consequently Management and Staff, with an:

- understanding of the human resource impact that the needs and demands of a future community will have on the provision of Council services; and the
- opportunity for assessment of the efficiency and effectiveness of current management structure to meet present and future needs.

3. GOAL & SCOPE

STAGE 1

Scenario Planning

Stage 1 requires the identification of no more than three (3) plausible future DCMB business/service provision model scenarios.

Organisational Review 2008 Brief

It is expected that these three scenarios will:

- Be developed in consultation with DCMB Management.
- Take into consideration DCMB Long Term Financial Plan, DCMB 2020 vision document, DCMB Community Strategic Plan, State and Federal Strategic Goals, population growth expectations and demographic trend data.
- Identify early warning signals which will be indicative that a particular scenario is likely to unfold.
- Not be required to be complete visions of alternative business/service provision futures; rather they are to identify no more than three possible 'worlds' – plausible futures to provide a context in which to examine the environment DCMB might need to operate in and begin to define important people management challenges which are to be further developed in Stage 2.

STAGE 2

Workforce Review

Given the scenarios as defined in Stage 1, Stage 2 requires a comprehensive report which includes identification of the expected workforce implications for each scenario and the affect these implications will have on people management strategies, with particular reference to:

- Assessment of the size and skill of (DCMB) workforce to meet the organisational needs of each forecasted scenario – including gap analysis.
- Identification of key issues and development of recommendations regarding workforce resource implications and effectiveness of current reporting structure.
- Identification of the impact that the people challenges in each scenario will have on the structure and objectives of the Human Resources Function.

4. BACKGROUND

Local Government is under pressure to provide new innovative forms of service delivery while taking on additional responsibilities which were the traditional role of State and Federal Governments.

As a consequence DCMB is beginning to experience the influence of a changing labor market in South Australia. There is a clear need for immediate attention resulting from the real impact of competing economic issues such as petrol prices, inflation, the skills shortages impact on labor market remuneration expectations, as well as the stress rising demands for global worker mobility has on the recruitment abilities of Local Government, particularly regional Councils.

The ability to maintain quality service delivery (while at the same time manage expanded service role expectations and growing inequity in wages and career options) is an important challenge to address.

Organisational Review 2008 Brief

DCMB recognises that given the current economic environment the future is far from certain. The unprecedented pace of change – including service expectations and population growth – means that DCMB can no longer rely on traditional methods of assessing past trends in planning for its business and service provision future.

It is recognised that decisions made today will directly shape Council's ability to meet the future needs of customer's, and that the decisions made today are themselves shaped by individual assumptions about the future. It is therefore important that assumptions made about the future are tested by reviewing a diverse range of plausible futures and identifying the challenges and needs associated with each.

Key Workforce Statistics:

- DCMB employs 130 staff (132.7 FTE) on contract or tenure in both part-time and full-time positions.
- DCMB utilises traditional methods of recruitment – generic branded advertising and interviews, and has no allocated recruitment budget.
- Service delivery costs (employee 41% and contractor including consultants 35%) for 2007-2008 are 76% of our total rates revenue.
- Employee costs are budgeted for 2008-2009 as 42% of total revenue.
- Field Staff – 48.8 average age in years.
- Civic Centre – 44.5 average age in years.
- Library – 44.4 average age in years.
- Dominant age group 2006-2007 = 40 to 50 years old (39% of workforce), 2007-2008 = 40 – 50 years old (36% of workforce).
- Diversity of workforce – 44% of total workforce female, 56% male.

DCMB 2008/09 Priorities:

- Planning and managing the demands of growth in the District Council of Mount Barker while maintaining a sound financial position to keep the community sustainable into the future.
- Investing in the maintenance and renewal of the community's assets and planning for asset management over the long term.
- Providing safe and accessible facilities and services for the whole community.
- Meeting the demands of development following the release of new residential land throughout the district, including development assessment and the provision of community infrastructure.

Legislative responsibilities include:

- Governance and Regulatory activities
- Setting rates, preparing an annual budget and determining longer-term strategic management plans for the area.
- Management of basic infrastructure including roads, footpaths, parks, public open space, street lighting and storm water drainage.
- Street cleaning and rubbish collection.
- Development planning and control, including building safety assessment.
- Various environmental health services.

Further services and programs include:

- Library, Community development and programs for local youth
- Economic Development
- Environmental programs

Organisational Review 2008 Brief

- Immunisation Services
- Community Transport and services for aged and people with a disability
- Community and Cultural Events

Current Organisational Development Commitments:

Organisational Development at DCMB is committed to the following:

- Re-designing policy and best business practice procedures to support quality service and reduce costs.
- Establishing a supportive learning and development culture.
- Assessing recruitment strategies to identify and retain high quality staff.
- Identification of what high quality staff and best practice means for each department at The District Council of Mount Barker.
- Capitalisation of new and existing information systems in regards to knowledge management and customer service.
- Actively responding to dynamic organisational needs whilst maintaining support for all staff.
- Providing up to date relevant advice to middle and senior management.
- Keeping up to date on Employment Standards and the introduction of Forward with Fairness legislation – impact on definition of Constitutional Corporation and Enterprise Bargaining.

Emerging Organisational Issues:

- Sustainability of current workforce profile (Impact of increases in labour costs, ageing workforce costs, wages/salary expectations in areas of skills shortages and potential increases in Council services).
- Demographic trend towards an ageing workforce which may result in youth and skills shortages.
- Age diversity - ageing staff will have changing needs which will have cost and resource implications including health and ageing correlations - managing the health and OHS needs of an ageing workforce.
- Social issues associated with ageing work force, pension Vs Debt, housing costs, job satisfaction etc.
- The implications of a diminishing pool of experienced and suitably qualified local government staff.
- Job role and task restructure as a result of ageing, regionalisation and technological advancements
- Increasing pressure on Council to increase service levels to meet gaps in services traditionally met by State and Federal governments.
- Legislation – changes in Industrial Relations, Awards, Enterprise Agreements, Risk Management demands, impact on service delivery and employment structure with associated operational and cost implications.
- Lack of specialist skills
- Knowledge and skill attraction and retention
- Size of workforce
- The new demanding labor market's ongoing implications
- Regionalisation of services – Identification of skill set required for future workforce
- Restructure of Enterprise Bargaining Agreements
- Legislation – OHS, Risk Management
- Consolidation of existing technological systems
- 'Lack of time' to allocate to training strategies for staff and management

Organisational Review 2008 Brief

5. METHODOLOGY

DCMB seeks the services of a consultant to research and prepare a comprehensive organisational review report which addresses the project outcomes as stated in Section 6 of this brief.

6. PROJECT OUTCOMES

It is expected that completion of Stage 1 and Stage 2 will result in a comprehensive report which includes the following:

- Identification of no more than three (3) future DCMB business/service provision model scenarios.
- Review and recommendation of required sized and skilled workforce to meet the needs of each scenario, including an assessment of Council's current capacity to identify early warning signs and manage organisational change prior to investment - investment in this circumstance encompassing FTE's and implementation of best practice processes.
- Identification and evaluation of workforce resource implications in respect to Council's priorities within each scenario, including recognition of Council's ongoing legislative responsibilities.
- Review of the organisations systems and structure and identification of strengths and weaknesses.
- Assessment of the efficiency and effectiveness of current management structure to meet future needs.
- Qualitative data to allow DCMB to benchmark the quality, efficiency and effectiveness of services as compared to other similar Council(s) (ie: those experiencing significant population and services growth).

7. PROJECT DIRECTOR

Andrew Stuart, Chief Executive Officer

8. PROJECT MANAGER

Samantha Rammell, Organisational Development

9. TIMELINES

Organisational Review Report is to be presented, in confidence, to Project Director (Chief Executive Officer) no later than 28 November 2008.

Progress Reporting:**Prior to commencement**

Presentation to select Management and Elected Members regarding expectations, methodology and time frames

On completion of Stage 1

Presentation of findings and recommendations to date to select Management and Elected Members

On completion of Stage 2

Presentation of key items/recommendations as identified by Project Director & Manager to select Management and Elected Members

10. TENDERS REQUIRED CONTENT

Tenders must outline the relevant experience of the consultant team and clearly define an itemised and costed Project Plan for Stage 1 and Stage 2, including the methodologies to be employed in gathering data to address the project outcomes.

District Council of Mount Barker

Council Agenda 15 December 2008

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Attachment 7 to Item 16.4 17 June 2013

Attachment 4

GENERAL INSPECTORIAL FUNCTIONS - CUSTOMER SERVICE CATEGORIES - NOVEMBER 2008

Major	Minor	Cat 3	Cat 4	Description
ABANDONED CAR				Abandoned Vehicle
ANIMALS				Animals
ANIMALS	CAT			Cat Issue
ANIMALS	CAT	COMPLAIN		Cat - Complaint
ANIMALS	CAT	FOUND		Cat - Found
ANIMALS	CAT	LOST		Cat - Lost
ANIMALS	DOG			Dog Issue
ANIMALS	DOG	ATTACK		Dog Attack
ANIMALS	DOG	COMPLAIN		Dog Complaint
ANIMALS	DOG	COMPLAIN		Dog Barking Complaint
ANIMALS	DOG	FOUND	BARKING	Dog Found
ANIMALS	DOG	LOST		Dog Lost
ANIMALS	DOG	PICKUP		Dog Picked Up
ANIMALS	DOG	REG		Dog Registration Issues
ANIMALS	DOG	REG	ADDRESS	Dog Change of Address
ANIMALS	DOG	REG	DEAD	Dog Deceased
ANIMALS	DOG	REG	DEPARTED	Dog Departed Council District
ANIMALS	DOG	REG	OTHER	Dog Registration Issue
ANIMALS	DOG	WANDER		Dog Wandering at Large
ANIMALS	OTHER			Animal Issue Other than Cat or Dog
ANIMALS	OTHER	STOCK		Stock Issues
FIRE				Bushfire Prevention Related Issues and Enquiries
FIRE	BURN OFF			Fire Burn Off Enquiry Issue
FIRE	ENQUIRY			Fire Related Enquiry
FIRE	LONG GRASS			Long Grass Complaint
FIRE	OTHER			Other Fire Related Issue
FIRE	PERMIT			Permit Enquiry/Request
FIRE	SEC83			Section 83 Enquiry - Clear Grass Notice
INFRINGE				Infringements and Exploitations
INFRINGE	DISPUTE			Infringement Disputes and Waive Requests
INFRINGE	PAYMENTS			Infringement Payment Enquiries
INSECTS				Bees/Wasps/Arts on Council Property
PARKING	VEHICLE	COMPLAIN		Vehicle Parking Complaint
RUBBISH	DUMPED	MISCELL		Rubbish - Dumped miscellaneous
RUBBISH	DUMPED	PARKS		Rubbish Dumped Parks / Reserves
RUBBISH	DUMPED	STREET		Rubbish Dumped Streets and Roadside
RUBBISH	LITTER			Rubbish - Littering
SEPTICTK	MAINTEN			Septic Tank Issues
SEPTICTK	OTHER			Septic Tank - Maintenance Issue
SEPTICTK				Septic Tank - Other Issue