

OPERATIONAL MANUAL

**SECTION 355 COMMITTEE of
WEDDIN SHIRE COUNCIL**

ADOPTED: 24 June 2021

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INTRODUCTION AND CONTACTS

1.1. TERMS OF REFERENCE

Under Section 355 and 377 of the *Local Government Act 1993*, Council can delegate some of its functions to a Committee or organised body. Council uses this delegation and appoints community representatives to manage facilities and events or functions through a Section 355 (S355) Committee.

Council encourages community participation in many of its functions. The aim of the Committee should be to accurately reflect both the present and future needs of the facility, event or function they represent.

Councillors and staff at their discretion may attend meetings of a Section 355 Committee to enable them to gauge the areas of concern of the community and assist in prioritising any proposals for improvement, growth and development plans of the area of responsibility of the Committee.

1.2. COUNCIL CONTACTS

1.2.1 Council Section 355 Coordinators

Council has a number of Section 355 Committees with a delegated function to manage facilities and events or deliver unique functions. Council's 355 Coordinator will provide support and assistance to the operations and functions of the Section 355 Committees across the Weddin Shire Council Local Government Area (LGA). The 355 Committee Coordinator is there to provide assistance in the delivery of the delegated function.

Council's 355 Coordinator may be contacted by between the hours of 8:30am to 4:00pm Monday - Friday via Phone: (02) 6343 1212 or Email: mail@weddin.nsw.gov.au.

1.2.2 Website

Please refer to Council's website www.weddin.nsw.gov.au

- Overview of Section 355 Committees;
- Section 355 Committee Operational Manual;
- Section 355 Committee Meeting Minutes and Agendas;
- Community Events.

1.2.3 After Hours

Contact can be made with Council's After Hours Emergency phone number 0409 034 981 which is a 24-hour service.

Please note that the After Hours Call-Out facility should only be used for emergency situations. An emergency situation that are a result or will result in a direct impact on public health and safety and/or Council's infrastructure where it is requiring immediate action of Council such as flooding, fallen trees, dangerous dog roaming or attack. All other contact should be made during normal business hours.

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ROLES AND RESPONSIBILITIES

2.1. ROLES AND RESPONSIBILITIES OF SECTION 355 COMMITTEES

Council at its discretion may appoint a community Committee under Section 355 and Section 377 of the *Local Government Act 1993*.

Community Committees are representative of the local community or interest group of the facility or function, which the Committee manages.

The Executive of the Section 355 Committee will consist of a: -

- Chairperson;
- Deputy Chairperson;
- Secretary; and
- Treasurer

A Deputy Chairperson and a Treasurer are optional depending on the Committee's needs, for example not all Committees have income and expenditures responsibilities. The Committee may also merge positions subject to Council approval.

Council, Committee members and volunteers all have individual roles and responsibilities.

Legally, the Committee is a representative of Council and any action which the Committee undertakes is an action of Council and therefore ultimately Council's responsibility. Council delegates its authority to the Committee to act on Council's behalf.

Council may dissolve a Committee at any time if that Committee is not complying with its legal roles and responsibilities. All assets and funds of the Committee will, after payment of all expenses and liabilities, be handed over to Council if required.

At the end of this section to assist you further there are details on: -

- formation of a Community Committee;
- Community Committee membership;
- election of office bearers;
- dissolution of a Community Committee;
- vacation of office;
- the roles and responsibilities of Council and Committees;
- environmental sustainability;
- contributions and ownership;
- Legal Framework and Code of Conduct.

2.2. APPOINTMENT AND ELECTION

2.2.1 Formation of a Community Committee

- (a) The formation and appointment of Committees is at the discretion of Council. Committees are appointed and reappointed in accordance with the provisions of Section 355 and Section 377 of the *Local Government Act 1993*.
- (b) Council aims to form Committees that are representative of the local community or interest group of the facility, event or function, which the Committee manages.
- (c) Council, at its discretion, will choose to hold either a public Inaugural Meeting or call for Expressions of Interest from the community to gain membership for a new Committee.
- (d) Council must appoint new members before being able to vote or take part in the meetings of the Committee.
- (e) Committees are formally appointed by the Councillors in office, therefore after the General Election of Council, all Committee members will cease to hold office unless otherwise reappointed by Council.
- (f) All nominations as members of a Committee are required to be formally submitted in writing to Council for appointment. Noting the recommendation in the Committee minutes and forwarding the minutes to Council will satisfy this requirement.

2.2.2 Community Committee Membership

- (a) A Committee will comprise those people appointed to it by Council. Membership runs in parallel with the four-year term of Council. Members may stand for re-election.
- (b) Committee membership will not number less than four including office bearers. There is no limit on the number of members a Committee can have.
- (c) Whilst no particular qualifications are necessary, a positive commitment to the activities of the Committee and a willingness to be actively involved in the Committee's operations is essential.
- (d) Members of Committees are volunteers and therefore do not receive payment for their involvement or pecuniary benefit. The Committee may by resolution reimburse minor expenses like printing and stationery. No other payment is to be made to Committee members without the prior written approval of Council.
- (e) The executive will advise new members that this Manual is available on Council's website and contains the information they need to effectively perform the roles and functions of the Committee.
- (f) To hold office and be responsible for the management of a Council facility, event or function, all Committee members must be formally appointed by Council.
- (g) Council must appoint new members before being able to vote or take part in meetings of the Committee, however, if the minutes of the meeting do not reach Council in sufficient time to be presented at the next Council meeting, new members will be given discretion to vote at the next Ordinary meeting of the Committee.
- (h) If Council rejects the Committee's recommendation on a new member, the Committee will need to review all decisions that the person had voted on prior to the recommendation.

- (i) To become a member of a Committee the individual may either write to the Committee requesting to become a member or attend an Ordinary meeting and request membership.
- (j) It is expected that a member would serve a minimum of one year.
- (k) Weddin Shire Council reserves the right to appoint Council representatives to each Committee with full voting rights.
- (l) Community representatives nominated for the Committee are not required to be citizens of the Weddin Shire Council (WSC) LGA.
- (m) Committee membership should reflect the community organisations involved with the facility or event and must be open to representatives of user groups and interested community members. Equal representation of members from each user group is not mandatory but recommended.

2.2.3 Election of Office Bearers

- (a) The Committee must, from its own members, elect an Executive of the Committee: -
 - Chairperson;
 - Deputy Chairperson;
 - Secretary; and
 - Treasurer.

A Deputy Chairperson and a Treasurer are optional depending on the Committee's needs. For example, not all Committees have income and expenditure responsibilities. The Committee may also merge positions subject to Council approval.

- (b) Executive positions may be held by an individual for a maximum of 2 years, unless otherwise approved by Council.
- (c) Executive positions must be held by individuals 18 years or over.
- (d) At the discretion of Council, Executive positions may be combined.
- (e) The Committee may, at its discretion, elect or appoint additional positions from among its members such as: -
 - Assistant Secretary/Treasurer;
 - Publicity Officer; or
 - other positions as deemed necessary.
- (f) A maximum of two relatives of any one family can be office bearers on the same Committee at the same time.
- (g) Only one of those office bearers in (f) is to sign cheques on behalf of the Committee at the same time.
- (h) This means that relatives of the same family can be appointed to the same Committee simultaneously but only two can be office bearers, and only one can sign cheques during the time they are members.
- (i) All Community Committees are required to advise Council of the details of the persons who are authorised signatories of the Committee's bank account.
- (j) Volunteers in certain age groups have limited coverage under Council's volunteer insurance.

2.2.4 Dissolution of Community Committee

- (a) Council may dissolve a Committee at any time if that Committee is not complying with its roles and responsibilities.
- (b) The Committee can also be dissolved by a vote of (60%) of members entitled to vote present at an Ordinary or Extraordinary meeting convened to consider this option.
- (c) Upon a resolution being passed in accordance with clause (b) and confirmation by Council, all assets and funds of the Committee will, after payment of all expenses and liabilities, be handed over to Council.

2.2.5 Vacation of Office

- (a) A person will cease to be a member of a Committee if the member resigns from office by notification in writing to the Committee and Council. Notation in the minutes forwarded to Council is acceptable.
- (b) The Committee can recommend the removal of members who are absent for more than three (3) meetings without leave of absence through the following procedure:
 - Inform the individual in writing of the lapse of membership and impending removal. The Committee must then allow a two-week period for a response from the member to indicate any interest to continue as a member.
 - Should no response be received, the Committee can then vote to remove the member at the next Ordinary meeting and verify outgoing correspondence in the minutes of meeting.
 - Removal of membership must be noted by the Secretary in the Minutes of the Committee meeting to be forwarded to Council, failure of the Committee to do this may result in those members being able to vote at AGM's and Ordinary meetings. Council has the right to refuse the recommendation.
- (c) Council reserves the right to pass a resolution to remove a member from the Committee at any time.
- (d) Should a member fail to disclose any pecuniary interest in any matter with which the Committee is concerned and takes part in the consideration, discussion or votes on any question relating to the matter they may be removed from the Committee at the discretion of Council. For the purposes of this provision "pecuniary interest" has the same meaning given to that term in Council's Code of Conduct policy.
- (e) If the member was a representative from a user group, upon receipt of the resignation the Committee members will call for nominations from the user group with which the member was affiliated and refer this nomination to Council for concurrence.

2.3. RESPONSIBILITIES OF COUNCIL AND COMMITTEES

Council sets out the delegation of the Committee in a resolution of Council. This resolution sets out the specific function delegated by Council. Until Council moves to have the Charters on our website, Charters outlining the function of the Committee can be requested from the s 355 Coordinator through mail@weddin.nsw.gov.au.

2.3.1 Responsibilities of Council

- (a) **Funding Major Improvements**
Council shall be responsible for the funding and erection of all major improvement works in the facility or event, in accordance with Council's adopted annual Operational Plan and availability of funds.
- (b) **Maintenance Responsibilities**
Council shall be responsible for agreed maintenance works of the facility or event.
- (c) **Insurance of Assets**
Council shall fully insure all Council-owned buildings, fixtures and fittings. Any contents, assets or fixtures that are not Council-owned are not covered by Council's insurance. The Committee must provide to Council annually a list of all assets - known as the Register of Assets. Until Council moves to have s. 355 templates onto its website, the Committee Asset Inventory template can be requested from the s 355 Coordinator through mail@weddin.nsw.gov.au.
- (d) **Insurance of Committee Members**
Council shall insure the Committee in respect of Public Liability, Professional Indemnity and Volunteers Insurance/Workers Compensation. It is important to understand the distinction with Incorporated bodies and Associations who are covered by Council's policies. Members of such bodies must hold their own insurances for public liability and personal accident insurance.
- (e) **Notification of Fees and Charges**
Council shall notify the Committee of any proposed variation of hire fees recommended for the ensuing year following the Annual General Meeting.
- (f) **Improvement Recommendations**
Council shall consider with its annual budget process all improvements or requests suggested by the Committee.
- (g) **Training of Committees**
Training to advise members and the Executive of the Committee of the requirements of their positions will be arranged and conducted by Council, where appropriate or as requested by the Committee.

An overview of Council's Code of Conduct and Procedure and Code of Meeting Practice can also be arranged and conducted by Council, where appropriate or as requested by the Committee.

2.3.2 Responsibilities of Community Committees

(a) Responsibilities

The Committee will be responsible for the **care, control and management** of the facility or event. The Committee is empowered to use sums for expenditure as is necessary from amounts received from fees and charges to meet costs resulting from the delegated function, to the satisfaction of Council.

(b) Care includes: -

- Duty of care to ensure the health, safety and welfare of persons using the facility or participating in an event or function of the Committee;
- Maintaining the facility and protecting the physical assets from damage, misuse and deterioration, including testing and tagging of electrical equipment as required;
- Ensuring the security of the facility or event;
- Advising Council of any potential insurance risks that may arise in regard to the facilities and event users;
- Attaining sufficient funds to maintain the facility and event as an ongoing concern;
- Ensuring sufficient and equitable access of the facility by the community; and
- Ensuring that all users of the facility and event conform to the insurance requirements as set out in this Manual.

(c) Control includes: -

- Holding regular meetings with recorded minutes;
- Monitoring and maintaining financial records if required;
- Submitting an annual report and all records for an annual financial audit;
- Submitting financial reports in accordance with GST requirements if required;
- Recommending hire fee structures for determination by Council if required;
- Administering and overseeing the use of facilities by other groups;
- Clearly defining the role of Office Bearers and Committee members;
- Submit an estimate of income and expenditure for the period 1 July to 30 June if required, or otherwise stated by Council;
- Submit a current list of all assets belonging to the Committee (not User Groups) for inclusion in Council's Insurance Policy, by 31 January each year;
- Submit a current list of all Committee members including the address, email and phone number to Council immediately following nominations of the Committee and where there are changes; and
- Submitting Office Bearers and current Committee members' names to Council following the Annual General Meeting.

(d) Management includes: -

- Ensuring that all monies received will be used for the benefit of the facility or event in an equitable, honest and consistent manner;
- Ensuring that the organisation is not used for the financial gain of individual members;
- Ensuring that all written material provided to potential hirers or used to promote the facility or event acknowledges the Committee's status as a Section 355 Committee of Weddin Shire Council;
- Ensuring that the standard hire forms and terms and conditions are used;
- Being aware of, and involved in, appropriate community activities which are compatible with the goals of the facility and event;
- Developing and updating the Committee Strategic Plan;

- Recommending policies and procedures, which contribute to the effective management of the facility and event; and
- Being accountable to the community and Council for the Committee's actions and initiatives in respect of the facility and event.

(e) Limitations of powers

The Committee **may not** make decisions concerning the following: -

- Fixing of charges or fees (the Committee may submit recommendations for approval to Council in relation to the fixing of charges and fees for the use of the facility or service provision under its control);
- Borrowing any monies without the express written consent of Council on each such occasion;
- The sale, lease or surrender of any land or other property vested in its care under the provision of the *Local Government Act 1993* (as amended);
- The acceptance of tenders which are required to be called by Council;
- A decision under Section 356 of the *Local Government Act 1993* to contribute or donate money to individuals or organisations, unless prior approval has been granted from Council;
- Formation of submissions to government policies or implementation of policies without the prior written consent of Council;
- The carrying out of any works on or to the facility including alterations, reconstruction or construction without the prior written consent of Council (this does not include minor maintenance work). No reimbursements will be made by Council without prior written consent;
- No payment is to be made to Committee members or volunteers without prior written approval from Council;
- Unreasonably withholding consent for the hiring of the facility or event engagement to any organisations which agreed to comply with and adhere to the rules adopted for the use of the facility or event participation; and
- The exercise by the Committee of its powers and functions will be subject to such limitations and conditions as may from time to time be imposed by law, specified by resolution of Council, or in writing by Council staff to the Committee. The Committee will observe any rules and regulations determined by Council, in relation to the facility/function/event/activity under its management and control.

If at any time the Committee is deemed to be functioning outside the limits of its delegated function as described herein, all powers may be revoked by written notice to the Committee signed by the General Manager or the General Manager's representative.

2.3.3 Contributions and Ownership

Community groups and individuals contributing items for the permanent improvement of the facility or event will be informed by the Committee that such a contribution will become the property of Council and will not be for that group's exclusive use.

Any items provided and funds raised by the Committee are the property of Council however, Council will ensure where possible these items and funds be put into the development of the Committee's facility or event.

2.4. LEGAL FRAMEWORK AND CODE OF CONDUCT

2.4.1 Legal Issues

It is important for Section 355 Committees of Council to be aware that they are in fact acting on Council's behalf. Legally, the Committee is a representative of Council and any action which the Committee undertakes is Council's responsibility. Council delegates its authority to the Committee to act on Council's behalf.

Records of your Committee:

- Documents should be kept for at least seven years. They should be given to Council to be archived.
- Minutes have a legal status and are liable for subpoena in court cases. Minutes must record all motions and amendments put to the meeting, and the results. The Chairperson and the Secretary are responsible for all meeting minutes to be confirmed, ensuring that there have been no unauthorised alterations to the minutes. The motion to confirm the minutes can only be moved and seconded by a person in attendance at that meeting to which the minutes relate.

2.4.2 Code of Conduct

Council has an adopted Code of Conduct available on Council's website. Every Council volunteer needs to be aware of this Code and how it applies to them.

The Code of Conduct sets minimum standards of behaviour for Council officials and applies to Councillors, staff and member volunteers. The Code of Conduct covers: -

- general conduct;
- fairness and equity;
- development decisions;
- other business or employment;
- conflict of interests;
- personal benefits/gifts;
- improper and undue influence;
- relationships between Council officials;
- access and use of information and Council resources;
- confidential and personal information; and
- maintaining the integrity of the Code.

You must not conduct yourself, in carrying out your functions, in a manner that is likely to bring Council or Councillors into disrepute. You must not act in a way that: -

- contravenes the *Local Government Act 1993*, associated regulations, Council's relevant administrative requirements and policies;
- is detrimental to the pursuit of the Charter of Council;
- is improper or unethical;
- is an abuse of power or otherwise amounts to misconduct;
- causes, compromises or involves intimidation, harassment or verbal abuse;
- causes, compromises or involves discrimination, disadvantage or adverse treatment in relation to employment; or
- causes, compromises or involves prejudice in the provision of a service to the community.

You **must**:

- consider all issues consistently, promptly, fairly and in a non-discriminatory manner;
- treat others with respect at all times;
- take all relevant facts known to you, or that you should be reasonably aware of, into consideration and have regard to the particular merits of each case. You must not take irrelevant matters or circumstances into consideration when making decisions.

Breaches of the Code of Conduct must be reported to the General Manager, in writing. Reports regarding the General Manager are to be made to the Mayor, in writing. Allegations of suspected breaches must not be made to Councillors, at Council meetings and Committee meetings or in public forums.

2.4.3 Confidential Information

In regard to information obtained in your capacity as a volunteer of Council, you must: -

- only access Council information needed for Committee business;
- not use that information for private purposes;
- not seek or obtain, either directly or indirectly, any financial benefit or other improper advantage for yourself, or any other person or body;
- only release information in accordance with established policies and procedures in compliance with relevant legislation;
- protect confidential information;
- only release confidential information if you have the authority to do so;
- only use confidential information for the purpose it was intended;
- not use confidential information with the intention to cause harm or detriment to Council or any other person; and
- not disclose any information discussed during a confidential session of a Committee meeting.

When dealing with personal information you must comply with: -

- the *Privacy and Personal Information Protection Act 1998*;
- the *Health Records and Information Privacy Act 2002*;
- the Information Protection Principles (IPPs) and Health Privacy Principles (HPPs); and
- the Privacy Code of Practice for Local Government.

2.4.4 Pecuniary and Non-Pecuniary Conflicts of Interests

A conflict of interest exists where: -

- you could be influenced; or
- a reasonable and informed person would perceive that you could be influenced by a personal interest when carrying out your volunteer duty.

You **must**:

- be aware of conflicts of interest, whether real or perceived.
- you should be aware of circumstances where possible conflicts of interest may arise and must declare the conflict to your Committee Coordinator.

You **must not**:

- use your position to gain profit or advantage.

A Pecuniary Conflict of Interest involves a financial gain or loss (by yourself or a close friend or relative).

Non-Pecuniary Conflicts of Interest are private or personal interests resulting from relationships or associations with sporting or social clubs. Depending on how close the relationship is would determine whether it is a Significant or Non-Significant Non-Pecuniary Conflict of Interest.

Any conflict of interest must be managed to uphold the probity of Council decision-making.

Think about how others would view your situation. Even if the conflict is not significant, you must disclose a non-pecuniary interest that conflicts with your public duty fully and in writing. A disclosure should be made at a Committee meeting, both the disclosure and the nature of the interest must be recorded in the minutes. This disclosure constitutes disclosure in writing.

A non-pecuniary conflict of interest will be significant where a matter does not raise a pecuniary interest but it involves: -

- (a) a relationship between a Council official, volunteer or another person that is particularly close, for example: parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child of the person or of the person's spouse, current or former spouse or partner, de facto or other person living in the same household;
- (b) other relationships that are particularly close, such as friendships and business relationships. Closeness is defined by the nature of the friendship or business relationship, the frequency of contact and the duration of the friendship or relationship; and/or
- (c) an affiliation between the Committee member and an organisation, sporting body, club, corporation or association that is particularly strong.

If you have disclosed that a significant non-pecuniary conflict of interest exists, you must manage it in one of two ways: -

- (a) remove the source of the conflict, by relinquishing or divesting the interest that creates the conflict, or reallocating the conflicting duties to another volunteer; or
- (b) have no involvement in the matter, by absenting yourself from and not taking part in any debate or voting on the issue.

If you determine that a non-pecuniary conflict of interest is less than significant and does not require further action, you must provide an explanation of why you consider that the conflict does not require further action in the circumstances.

The decision on which option should be taken to manage a non-pecuniary conflict of interest must be made in consultation with your Committee Coordinator.

2.4.5 Personal Benefit

If you deal with Council in a personal capacity, you must not expect or request preferential treatment in relation to the matter and avoid any action that could lead members of the public to believe that you are seeking preferential treatment.

2.4.6 Acceptance of Gifts/Benefits

You may accept small or token gifts from users of their services as appreciation of a job well done e.g. chocolates and flowers, however, the gifts must not create a sense of obligation and there must not be any improper and undue influence involved in the gift.

Gifts must not be accepted when they are more substantial in nature or contain cash or cash-like items such as credit cards, gift vouchers or gift cards.

You **must** take all reasonable steps to ensure that your immediate family members do not receive gifts or benefits that give rise to the appearance of being an attempt to secure favourable treatment. Immediate family members ordinarily include parents, spouses, children and siblings.

You **must not**: -

- (a) seek or accept a bribe or other improper inducement;
- (b) seek gifts or benefits of any kind;
- (c) accept any gift or benefit that may create a sense of obligation on your part or may be perceived to be intended or likely to influence you in carrying out your volunteer duty;
- (d) accept any gift or benefit of more than token value; or
- (e) accept an offer of cash or a cash-like gift, regardless of the amount.

Where you receive a gift or benefit of more than token value that cannot reasonably be refused or returned, this must be disclosed promptly to your Council Coordinator. The Coordinator must ensure that any gifts or benefits of more than token value that are received are recorded in a Gifts Register. The gift or benefit must be surrendered to Council, unless the nature of the gift or benefit makes this impractical.

2.4.7 Use of Council Resources

You **must**: -

- use Council resources ethically, effectively, efficiently and carefully in the course of your volunteer duties and must not use for your own purposes; and
- be scrupulous in your use of Council property and ensure they are not misused.

You **must not**: -

- convert any property of Council to your own; or
- use Council's computer resources to search for, access, download or communicate any material of an offensive, obscene, pornographic, threatening, abusive or defamatory nature.

2.4.8 Interaction Between Staff/Volunteers and Councillors

Councillors, staff and volunteers must interact in an appropriate manner. Councillors must not seek to direct, influence or interfere with staff or volunteers in the performance of their duties. Inappropriate interactions are a breach of the Code and include: -

- (a) Councillors approaching staff/volunteers and staff/volunteer organisations to discuss individual and operational staff/volunteer matters other than broader workforce policy issues;
- (b) Council staff/volunteers approaching Councillors to discuss individual and operational staff/volunteer matters other than broader workforce policy issues;
- (c) Council staff/volunteers refusing to give information that is available to other Councillors to a particular Councillor;
- (d) Councillors being overbearing or threatening to Council staff/volunteers;
- (e) Councillors making personal attacks on Council staff/volunteers in a public forum; and
- (f) Councillors directing or pressuring staff/volunteers in the performance of their work, or recommendations they should make.

2.4.9 Obligations of Volunteers

The General Manager is responsible for the efficient and effective operation of the Council organisation and for ensuring the implementation of the decisions of Council without delay.

Volunteers of Council **must**: -

- (a) give their attention to the business of their Committee while on duty;
- (b) ensure that their work is carried out efficiently, economically and effectively;
- (c) carry out lawful directions given by any person having authority to give such directions;
and
- (d) give effect to the lawful decisions, policies, and procedures of Council, whether or not the volunteer agrees with or approves of them.

2.4.10 Obligations During Meetings

You **must** act in accordance with good meeting practice during Committee meetings and show respect to the Chairperson, other Council officials and any members of the public present during Committee meetings. The Code of Meeting Practice provides guidance and may be viewed on Council's website.

Responsibilities of the Chairperson

The Chairperson generally has the specific duties detailed below which make up the major part of their responsibility.

Before a meeting

- prepares the agenda (in consultation with the Secretary or members, or can delegate this role to the Secretary), setting out the items of business to be considered.
- ensures meeting is properly convened in accordance with the Code of Meeting Practice, i.e. proper notice of a meeting is given and a quorum is present.

During the meeting

- opens the meeting, welcomes and introduce members and guests.
- reads/tables Risk Management Awareness Statement at the commencement of the meeting.
- keeps individuals and the meeting focussed on the topics being discussed and encourages all members to participate, ensuring adequate opportunity is given to members who wish to speak.
- ensures correct meeting procedures are followed, using the WSC Code of Meeting Practice as a guide, and control of the meeting is maintained, keeping track of time.
- makes sure members are aware of decisions being made and that the minute taker has recorded decisions of the meeting.
- acts impartially and uses discretionary powers in the best interests of members and in accordance with the agreed standing orders, i.e. method of conducting meetings, and ensures all statutory regulations and organisation's rules are observed.
- closes meeting after business at hand has been properly concluded.

The Chairperson needs to be aware of certain issues and procedures and the importance of establishing and maintaining a working relationship with Council. Particularly in regards to government funding, Risk Management, Council's budget, including Council and community involvement and requirements.

The Chairperson acts as the Risk Management Induction Officer for the Committee. This includes ensuring that Committee members are aware of and understand how to implement Council's Risk Management requirements. This includes, but is not limited to, making available a copy of the Section 355 Committee Operational Manual, presentation of Risk Assessment procedures and ensuring Sign-on/Sign-off sheets are used for all activities, including meetings by the Committee.

The Chairperson is responsible for providing assistance to all members of the Community Committee and ensuring that they fulfil their respective roles. The Chairperson is generally the 'spokesperson' for the Committee.

Responsibilities of the Secretary

The Secretary generally has the specific duties detailed below which make up the major part of their responsibility.

Before a meeting

- draws up the agenda (in consultation with the Chairperson).
- makes copies of the agenda if required.
- ensures agenda is forwarded to Council for inclusion on Council's website **at least one week prior to the meeting.**

During the meeting

- takes minutes.
- reads minutes of previous meeting if necessary.
- provides a list of correspondence in order and summarises any important points.
- records any motions and/or decisions of the meeting including, mover and seconder.

After the meeting

- forwards minutes of meeting to Council for Council approval and inclusion on Council's website as soon as practicable.
- keeps a register of inward and outward correspondence.
- forwards copies of all correspondence to Council.
- in between meetings, informs Committee members of any correspondence requiring urgent attention.

Responsibilities of the Booking Officer

The Booking Officer (if required) generally has the following specific duties which make up the major part of their responsibility:

- takes enquiries – pencils in bookings, sends out hire agreement forms and conditions of use. After receiving confirmation of hire, finalises booking.
- advises Committee of user groups and bookings and raises any concerns or issues.
- issues receipts to users for bond and hiring fees and issues keys.
- advises the cleaner each time a casual booking is made.
- recommends refund of bond after consultation with cleaner.
- gives any money to the Treasurer for banking.
- meets with the Treasurer to confirm usage of the facility before accounts are sent.
- Payments for casual hire, including bonds, should be recovered and banked at least two weeks before the function.

Responsibilities of the Treasurer

The Treasurer generally has the specific duties detailed below which make up the major part of their responsibility.

Primary Function

To take responsibility for the financial management of the Community facility or event and 355 Committee.

Responsibilities

- To ensure that all financial records of the Committee are kept in a proper manner.
- To prepare and present monthly reports to the Community Committee.
- To prepare and bring to audit all financial records of the 355 Committee.
- To prepare and present proposed annual budget to the 355 Committee.

Duties

- Keeping financial records for all incoming and outgoing transactions.
- Banking all monies received by the Committee in an approved bank account.
- Present to each Committee meeting a current financial statement.
- Present to each Committee meeting all invoices received on behalf of the Committee and follow up on payments of invoices.
- Prepare and submit the financial books of the Committee to Council annually by 31 August.

Treasurer's Checklist

- Be prepared: have available an accurate and up to date statement of the Committee's financial position.
- Move the financial report be accepted and that the amounts for the payment be passed.
- Explain the financial statement in lay terms and ensure that all Committee members understand.
- Be Assertive.
- Present a forward budget.
- Ensure that the Committee understands the implications of proposed expenditure.
- Set limits.

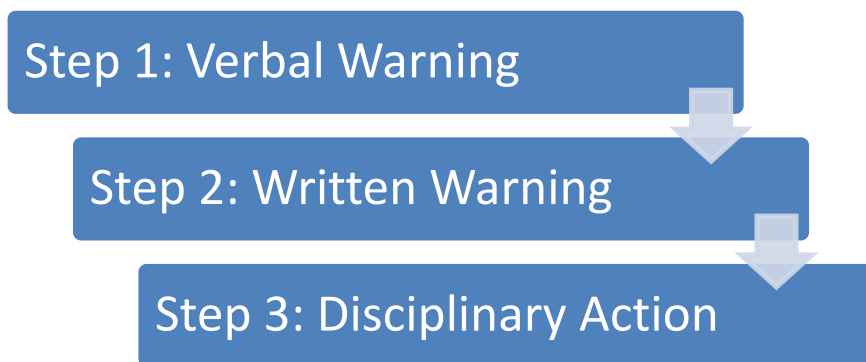
Responsibilities of Committee Members

Committee members' role is important and ensures the democratic process is followed.

Members' responsibilities are:

- Attend most committee meetings.
- Participate in meetings – this involves: -
 - Being on time;
 - Sticking to the agenda;
 - Contributing to the discussion where appropriate;
 - Being objective, listening to others' views;
 - Volunteering to do some of the necessary tasks required;
 - Support the office bearers in carrying out their jobs;
 - Follow Council's Code of Conduct, Policies, Procedures and instructions;
 - Assist in organising the Annual General Meeting;
 - Attend and participate in any planning days that may be held; and
 - Make sure the facility, service or event is being maintained and run smoothly.

Any Committee member who acts outside the delegated function of the Committee, who acts in a way that contravenes Council's risk approach and/or Council's Code of Conduct or who behaves in a manner that is found to be contrary to the expectations of Council will be subject to the same disciplinary action as any employee (volunteer) of Council. A summary of this process follows:



Legal Framework and Code of Conduct

Legislation relating to the Delegations of Community s355 Committees

The following is a **summary extract only** from the *Local Government Act 1993* (as at 30 November 2022):

Part 1 – General

(s355) How a council may exercise functions

- 355 A function of a council may, subject to this Chapter, be exercised--
- (a) by the council by means of the councillors or employees, by its agents or contractors, by financial provision, by the provision of goods, equipment, services, amenities or facilities or by any other means, or
 - (b) by a committee of the council, or
 - (c) partly or jointly by the council and another person or persons, or
 - (d) jointly by the council and another council or councils (including by means of a joint organisation or a Voluntary Regional Organisation of Councils of which the councils concerned are members), or
 - (e) by a delegate of the council (which may, for example, be a joint organisation or a Voluntary Regional Organisation of Councils of which the council is a member).

Part 3 – Delegation of Functions

(s377) General power of the council to delegate

- 377 A council may, by resolution, delegate to the general manager or any other person or body (not including another employee of the council) any of the functions of the council, other than the following--
- (a) the appointment of a general manager,
 - (b) the making of a rate,
 - (c) a determination under section 549 as to the levying of a rate,
 - (d) the making of a charge,
 - (e) the fixing of a fee,
 - (f) the borrowing of money,
 - (g) the voting of money for expenditure on its works, services or operations,
 - (h) the compulsory acquisition, purchase, sale, exchange or surrender of any land or other property (but not including the sale of items of plant or equipment),
 - (i) the acceptance of tenders to provide services currently provided by members of staff of the council,
 - (j) the adoption of an operational plan under section 405,
 - (k) the adoption of a financial statement included in an annual financial report,
 - (l) a decision to classify or reclassify public land under Division 1 of Part 2 of Chapter 6,
 - (m) the fixing of an amount or rate for the carrying out by the council of work on private land,

- (n) the decision to carry out work on private land for an amount that is less than the amount or rate fixed by the council for the carrying out of any such work,
- (o) the review of a determination made by the council, and not by a delegate of the council, of an application for approval or an application that may be reviewed under section 82A of the [Environmental Planning and Assessment Act 1979](#),
- (p) the power of the council to authorise the use of reasonable force for the purpose of gaining entry to premises under section 194,
- (q) a decision under section 356 to contribute money or otherwise grant financial assistance to persons,
- (r) a decision under section 234 to grant leave of absence to the holder of a civic office,
- (s) the making of an application, or the giving of a notice, to the Governor or Minister,
- (t) this power of delegation,
- (u) any function under this or any other Act that is expressly required to be exercised by resolution of the council.

If you need clarification of any of the matters above, please contact Council direct.

Legislation Regarding Pecuniary Interest

This is covered by WSC Code of Conduct and specifies those who are required to make disclosures of interest.

These are:

- Councillors
- ‘designated persons’
- the General Manager
- other senior staff
- other members of staff and delegates of Council who are designated by Council to make such disclosures because of the type of Council functions they exercise
- members of certain Community Committees who are designated by Council because of the type of Council functions exercised by the Committee
- other members of Community Committees (who are not Councillors or designated persons)

Statutory Duties Imposed by WSC Code of Conduct

Members of Committees who are not Councillors or designated persons must comply with the following statutory requirements:

- To disclose to the meeting any pecuniary interest in a matter before the meeting.
- Not to participate in the discussion of the matter before the Committee in which the member has a pecuniary interest.
- Not to vote on the matter before the Community Committee meeting in which the member has a pecuniary interest.

A copy of Council’s Code of Conduct can be found on the Council’s website.

Application for hire of a facility – Not applicable

Application for hire of a sporting or recreational facility – not applicable

3 MEETINGS

3.1. GENERAL REQUIREMENTS

The Committee should hold meetings at least twice per annum. However, if required Ordinary Meetings of the Committee may occur more regularly to ensure that any outstanding matters are dealt with.

A **Volunteer Sign On/Sign Off Form** must be completed prior to and at the conclusion of each meeting or activity. Refer **Appendix 3a**

Minutes of the matters discussed will be kept; a copy is to be made available to all Committee members as well as to Council via one the following:

- Email: mail@weddin.nsw.gov.au
- Post: PO Box 125, GRENFELL NSW 2810

Any items requiring action by Council are to be the subject of a separate letter addressed to the General Manager and forwarded to Council as above.

All meetings will be conducted in accordance with Council's Code of Meeting Practice.

A quorum will normally consist of half the total number of voting members plus one. However, a request for approval to have a quorum of a differing number may be submitted to Council.

Should a quorum of members not be in attendance after 15 minutes after the starting time, the meeting will be adjourned to the same time and place at the next scheduled meeting.

3.2. RISK MANAGEMENT AWARENESS STATEMENT

At the start of every meeting the Chairperson or, in the absence of the Chairperson, another Executive member must make a Risk Management Awareness Statement (a Due Diligence Statement). This includes: -

- (a) All members and volunteers must sign the Volunteer Sign On/Sign Off Form before the commencement of any activities and/or events undertaken by the Committee.
- (b) All members must be aware of and understand the Section 355 Committee Operational Manual.
- (c) Committee members are not to act outside the delegated function of the Committee.
- (d) A Risk Assessment must be conducted for any activities carried out under the Committee's delegated function. Such activities must be minuted.
- (e) Has anyone attending this meeting identified any hazards and/or risk that should be discussed now?

3.3. ORDINARY MEETING

Ordinary Meetings of the Committee are required, where applicable, to address correspondence, hiring of facilities, finance matters, organising of events, risk management matters and maintenance of facilities.

3.4. SUB-COMMITTEES

Subject to Council approval, Sub-Committees may be created to address individual functions of the Section 355 Committee. A request from the Committee must be forwarded to Council for approval.

Sub-Committees must report back to the relevant Section 355 Committee and any recommendation/s need to be supported by that Committee and noted in their minutes.

Sub-Committees must receive Section 355 Committee support and Council approval prior to conducting any event or function, for example working bees etc.

It is recommended that, in undertaking any short-term project(s), a “Working Group” be formed as opposed to a Sub-Committee. Working Groups can only be given a delegated function which is held by the Section 355 Committee. Reporting and approval processes for Working Groups are the same as for Sub-Committees as stated above.

3.5. AGENDAS

The Agenda of a meeting will be forwarded to members and Council via mail@weddin.nsw.gov.au, giving at least three (3) business days’ notice of the proposed meeting.

Only items listed on the Agenda are to be discussed and voted on at the meeting. It is suggested that any issue raised in General Business be placed on the Agenda of the next meeting for resolution, unless the item is deemed by the Chairperson and the Committee as a matter of urgency.

3.6. ANNUAL GENERAL MEETING (AGM)

The Annual General Meeting (AGM) date must be set at an Ordinary Meeting of the Committee and **publicly advertised at least 14 days prior** to the AGM date. At that Ordinary Meeting the Secretary must circulate the current list of members who will be eligible to vote at the coming AGM. The AGM can be publicly advertised via Council’s website.

New Members CANNOT join a Committee at an AGM until Elections have taken place and therefore do not have any right to vote on the Election of Office Bearers at an AGM.

Current members can only vote once on the election of each position of Office Bearers at an AGM.

The Chairperson of the AGM is required to report on the activities of the Committee for the year.

The Annual Financial Report MUST be presented to the Committee at the AGM for adoption then forwarded to Council for auditing purposes.

If an Ordinary Meeting is to be held on the same day, it must be held after the AGM.

3.7. EXTRAORDINARY MEETING

An Extraordinary Meeting requested by two (2) members of the Committee may be called to discuss urgent business and matters outside the scope of a scheduled Ordinary Meeting.

An Agenda will be prepared and circulated to all members of the Committee with a minimum of two days' notice. Only items on the Extraordinary Meeting Agenda are to be discussed.

Minutes, including details of the reason for the Extraordinary Meeting will be kept and a copy forwarded to Council.

3.8. MINUTES

It is the responsibility of the Secretary to ensure accurate Minutes of all meetings of the Committee are taken.

Minutes are to be kept short, clear and concise, as well as consistent. It is not required to record every statement made at the meeting.

Every motion/resolution is to be recorded; details of the mover and seconder are to be included.

A copy of the Minutes should be retained as a permanent record of the meeting. It is the Chairperson's responsibility to see the Minutes are unaltered after adoption and are signed as an accurate record.

Minutes are to be circulated to Committee members as soon as possible following the meeting, allowing follow-up action in a timely manner.

A copy is to be forwarded to Council via mail@weddin.nsw.gov.au for presentation to a forthcoming Ordinary Meeting. Minutes should be forwarded at a minimum one week (seven days) prior to the forthcoming Ordinary Meeting, or at a minimum advance notice given to the General Manager that the Minutes required to be tabled at the forthcoming Ordinary Meeting as a late agenda item.

3.9. PROCEDURE FOR MOTIONS

Any motion must be 'seconded' before it can be accepted by the Chairperson and opened for debate. If there is no seconder, the matter lapses.

The mover and seconder are to be noted in the Minutes.

3.9.1 Amendments

Amendments may be made to a motion. An amendment must be clear and be part of the motion being considered, have a seconder and be put to the vote before the motion is carried.

Volunteer Sign On/Sign Off Register

VOLUNTEER SIGN ON/ SIGN OFF REGISTER

Appendix 3a

Committee Name: _____ Date: _____

Activity: _____ Resolved at Committee held on ___/___/___

Location: _____

Volunteers Name	Sign on Time	Signature	Protective Equipment Issued	Protective Equipment Returned	Sign Off Time	Signature

Secretary (Print Name)

(Signature)

___/___/___
Date

Ordinary Meeting Agenda



[insert Committee name here] Committee

A Section 355 Committee of Weddin Shire Council

All correspondence to be addressed to:
The Secretary

[insert current mailing address here]

[insert Committee/Secretary email address here]

REF: [insert Committee file number here]

Dear Committee Member

NOTICE is hereby given that a **MEETING** of the **[insert Committee name here] COMMITTEE** will be held at **[insert location here]** on **[insert date here]** commencing at **[insert time here]** and your attendance is requested.

ORDER OF BUSINESS

1. **Welcome** by Chairperson
2. **Present** as noted on Sign On/Sign Off Register
3. **Apologies**
4. **Risk Awareness Statement**
5. **Confirmation of Minutes** of previous meeting held [insert date here] (attached)
6. **Matters Arising** from the minutes
7. **Correspondence**
 - 7.1. Inwards/Outwards re: [insert correspondence subject here] (attached)
8. **Treasurer's Report**
9. **Booking Officer's Report** (if applicable)
10. **General Business**
 - 10.1. [insert general business item subject here]
11. **Business Without Notice**
12. **Next Meeting** to be held [insert date, time and location here]
13. **Closure**

Yours faithfully

[insert Chairperson name here]

CHAIRPERSON

Phone: [insert Chairperson phone number here]

Email: [insert Chairperson email address here]

Annual General Meeting (AGM) Agenda



[insert Committee name here] Committee

A Section 355 Committee of Weddin Shire Council

All correspondence to be addressed to:
The Secretary
[insert current mailing address here]
[insert Committee email address here]

REF: [insert Committee file number here]

ANNUAL GENERAL MEETING

NOTICE is hereby given that the **AGM** of the **[insert Committee name here] COMMITTEE** will be held at **[insert location here]** on **[insert date here]** commencing at **[insert time here]**.

ORDER OF BUSINESS

1. **Welcome** by Returning Officer
2. **Present** as noted on Sign On/Sign Off Register
3. **Apologies**
4. **Confirmation of Minutes** of previous AGM held [insert date here] (attached)
5. **Chairperson's Report**
6. **Financial Report**
7. **Business Arising/Questions** if any, in relation to the Chairperson's Report and/or the Financial Report
8. **Election of Office Bearers/Executive** to be conducted by Returning Officer
Existing members ONLY are able to vote.
Members can vote only once for each position.
 - 8.1. Election of Chairperson
 - 8.2. Election of Deputy Chairperson
 - 8.3. Election of Secretary
 - 8.4. Election of Treasurer
 - 8.5. Election of Booking Officer (if applicable)
9. **New Members** – acceptance of nominations from user groups and community members
10. **Handover** from Returning Officer to newly elected Chairperson
11. **Thank you** to the Returning Officer
12. **Welcome new Committee**
13. **Risk Awareness Statement**
14. **General Business** relating to matters relevant to AGM ONLY
 - 14.1. [insert general business item subject here]
15. **Meetings Calendar** for coming year
16. **Next AGM** to be held [insert date in July/August, time and location here]
17. **Closure**

Minutes of Meeting



[insert Committee name here] Committee

A Section 355 Committee of Weddin Shire Council

REF: [insert Committee file number here]

MINUTES OF MEETING HELD [insert date here]

Meeting was held at [insert location here] and commenced at [insert start time here]

1. **Welcome** by Chairperson
2. **Present** as noted on Sign On/Sign Off Register
 - [insert names of those present here]
3. **Apologies**
 - [insert names of apologies here]

Apologies: [insert date of meeting here]	
Recommendation:	that the apologies be accepted.
Support for Recommendation:	Unanimous

4. **Risk Awareness Statement** was read by Chairperson
5. **Confirmation of Minutes** of previous meeting held [insert date here] (attached)

Previous Minutes: [insert date of minutes here]	
Recommendation:	that the Minutes of the [insert Committee name here] Committee meeting held [insert date of minutes here], having been circulated be confirmed as a true and accurate record of that meeting.
Support for Recommendation:	Unanimous

6. **Matters Arising** from the minutes
 - 6.1. [insert matter arising subject here]

Action (if required)

7. **Correspondence**
 - 7.1. Inwards/Outwards re: [insert correspondence subject here]

Action (if required)

8. Treasurer’s Report

Treasurer’s Report: [insert date of meeting here]	
Recommendation:	that the Treasurer’s Report be adopted.
Support for Recommendation:	Unanimous

9. Booking Officer’s Report (if applicable)

9.1. [insert booking subject here]

Action (if required)

Booking Officer’s Report: [insert date of meeting here]
Recommendation: that, except where otherwise dealt with the Booking Officer’s Report be adopted.
Support for Recommendation: Unanimous

10. General Business

10.1. [insert general business item subject here]

Action (if required)

11. Business Without Notice

12. Next Meeting to be held [insert date, time and location here]

13. Closure

There being no further business, the meeting closed at [insert end time here].

A large, bold, grey number '4' is centered on the page. Overlaid on the right side of the number is the text 'RISK MANAGEMENT AND INSURANCE' in a bold, blue, sans-serif font.

**RISK
MANAGEMENT AND
INSURANCE**

4.1. RISK MANAGEMENT OVERVIEW

Risk Management is a method of taking preventative and precautionary measures to avoid injury, loss and damage, to either persons or property.

Council Committees have a duty of care to ensure the health, safety and welfare of persons attending Committee meetings, using a facility managed by the Committee, or attending an event or activity organised by the Committee. This involves regular maintenance to keep the facility and grounds safe, clean and tidy, as well as a system of inspections to detect faults and hazards at an early stage.

Council and Committees of Council have a wide range of potential liability. Liabilities can be based on statute and common law duties of care. To ensure compliance there must be appropriate policies, procedures and practices in place. **It is the Committee’s responsibility to ensure that compliance with relevant legislation and paperwork is undertaken.**

4.2. GUIDELINES

4.2.1 Risk Management

The basic principles of and processes in Risk Management are:



Examples of common problems at events give an idea of the type of things to look for in planning and prior to an event:

- holes in grounds or in footpaths;
- marquee pegs in thoroughfares;
- electrical leads on ground and untagged electrical equipment;
- overcrowding in carparks or mixing vehicle and pedestrian traffic;
- uneven stage floor or performance space;
- no hand washing facilities at food handling stalls

These examples could be rectified with simple solutions; early identification of hazards can minimise risks.

4.2.2 Hazards

A hazard is a situation which could potentially cause injury to a person or damage to property.

A routine inspection process will alert Committees to possible dangers, faults, fire or accidents risk to users of the facility. An Inspection Checklist is provided in [Appendix 4a](#) to be carried out periodically; a copy can be forwarded to Council for action if required.

If a hazard requires urgent attention a warning should be placed near the hazard to alert users of the facility to the danger. The Committee must contact Council to advise.

Committees are urged to apply some common sense rules for hirers of facilities such as restacking of tables and chairs, cleaning spills from floors, rubbish removal e.g. “chairs must be stacked and placed against the wall”.

4.2.3 Building and Event Infrastructure Inspections

Regular inspections are essential to identify potential risks, and to assist in the defence of claims brought against Council. Inspections must be thoroughly documented. Refer to **Inspection Checklist and Summary** – [Appendix 4a](#)

Committees are responsible for inspection of the facilities and event infrastructure under their control. Inspections may be either formal or informal.

Formal inspections: Inspection of the facilities under the Committee’s control **must occur** and be documented using checklists **at least once every six months**. Refer to [Appendix 4a](#) – **Inspection Checklist and Summary**.

Inspection of the facilities should also be conducted annually by Council’s Asset Division.

Informal inspections: Informal inspections are incidental in the course of Committee business. Any defect or problem discovered must be dealt with in accordance with the **Building Maintenance Responsibilities**. Refer to [Appendix 2c](#)

S355 Hire Checklist Committees are encouraged to develop their own individual Facility Hire Checklist.

Safety inspections by hirers: It is the responsibility of the user groups/hirers to ensure that any field or facility is safe for use immediately before and during its use. This will include ensuring there are no holes likely to cause injury and any broken glass and other hazardous matter is removed.

4.2.4 Fire Protection

All Council facilities should be supplied with fire and safety equipment as well as information on how to use it. If this is not available Council must be notified immediately.

Equipment will be inspected twice annually by a qualified professional contractor; this is organised by Council.

If the equipment is used irresponsibly by a hirer this should be deducted from the hirer’s bond.

4.2.5 Emergency Exits

All emergency exits must be identified by an illuminated exit sign and inspected by a Council contractor no less than two times a year.

Emergency exit routes must be kept clear at all times. Exit doors should not be barred or locked at any time while the facilities are in use.

4.3. INSURANCE

4.3.1 General

Council is responsible for insurance policies to cover Council's liability as a consequence of its business activities. These policies can include: -

- (a) Public Liability;
- (b) Professional Indemnity;
- (c) Personal Accident;
- (d) Casual Hirers; and
- (e) Property.

4.3.2 Notification

Committees and hirer/user groups are instructed that any matter or incident which may give rise to a claim against Council **must be reported to Council as soon as it occurs (within 24 hours and paperwork to be submitted to Council within 48 hours of the incident) to Council on mail@weddin.nsw.gov.au.**

This will ensure that investigations and remedial actions can be undertaken to protect Council's interests. **A Workplace Incident Report and Investigation Form must be completed –please contact your Committee Coordinator immediately.**

Council has a responsibility to notify its insurer as soon as a potential claim is known. If Council does not notify its insurer immediately of potential claims (they could have reasonably known about) indemnity may be denied by the insurer.

Committees may receive advice regarding claims in writing or via telephone call or by observation; once a Committee becomes aware of a potential claim they are to notify Council immediately.

4.3.3 Volunteer Labour

For projects involving volunteer labour, an estimate of numbers and details of the activity/project must be forwarded to Council as soon as possible to ensure the project is covered by and noted on the appropriate policy. All activities/projects must also be recorded in the Committee's minutes, noting the proposed activity/project and the proposed date.

The Volunteer Sign On/Sign Off form must be completed by each volunteer participating in any Committee project/activity. The completed register must be kept by the Secretary for a record of that activity. Refer to [Appendix 3a - Volunteer Sign On/Sign Off Register](#).

4.3.4 Workers Compensation Insurance

Council's Workers Compensation Policy only covers Council employees.

If contractors are engaged, they must provide a copy of a current workers compensation policy prior to any work being undertaken.

4.3.5 Public Liability Insurance

Public liability insurance provides cover for legal liability to the public for Council's business activities.

Council Committees are responsible for the care, control and management of facilities, events and/or functions under Section 355 of the *Local Government Act*. If a third party suffers property damage or personal injury as a result of Council or Committee negligence they are covered under Council's Public Liability Policy.

The Committee should note that the policy does not cover participants of events/and or groups/associations or incorporated bodies. By law, all incorporated bodies, sporting clubs must have their own public liability insurance as they are excluded from Council's policy.

4.3.6 Professional Indemnity Insurance

Professional indemnity insurance usually refers to claims where it is alleged that incorrect advice, certificates or incorrect practice has occurred.

Council may be liable for its conduct arising out of its representations or the conduct of its employees, consultants and Committee members.

4.3.7 Personal Accident Insurance

Personal accident insurance covers bodily injury for Committee members whilst engaged in an activity directly or indirectly connected with or on behalf of Council, including whilst travelling directly to and from such activity.

Please ensure that a S355 Committee Sign On/Sign Off form is completed for every Committee activity. Refer to **Appendix 3a– Volunteer Sign On/Sign Off Register**.

4.3.8 Casual Hirer Insurance

A casual hirer is a user that hires a facility for a one-off activity and excludes incorporated bodies, sporting clubs or associations of any kind.

Such excluded groups must by law have their own insurance and the Committee, as discussed previously, must sight and keep a copy with the booking documentation.

4.3.9 Property Insurance

Council maintains property insurance on all its facilities. This includes contents insurance on equipment owned by Council or its Committees.

Council must be notified of any new equipment purchased by the Committee for inclusion under the policy.

Other equipment belonging to sports clubs, playgroups etc. is not covered by Council's policy and such groups must be advised to obtain their own cover for such items if stored at the facility.

4.4. Work Health & Safety (WH&S) Inspection Checklist and Summary

INSPECTION CHECKLIST

AREA OF INSPECTION	GOOD	SATISFACTORY	ACTION REQUIRED	
			TO BE SCHEDULED	IMMEDIATELY
FIRE				
Extinguishers in place, clearly marked for type of fire and recently serviced.				
Adequate direction notices for fire exits.				
Exit doors easily opened from inside.				
Fire instructions available and displayed.				
Regular fire drills carried out.				
Training session.				
ELECTRICAL				
No broken plugs, sockets or switches.				
No frayed or damaged leads.				
No strained leads.				
No temporary leads on floor.				
Portable power tools in good condition.				
Emergency shut down procedures in place.				
GENERAL LIGHTING				
Adequate illumination.				
Good natural lighting.				
Good light reflection from walls and ceilings.				
No direct or reflected glare.				
Light fittings clean and in good condition.				
Emergency lighting operable.				
FLOORS				
Clean surfaces, no cracks or holes.				
No loose boards.				
Grills cleaned regularly.				
No slippery surfaces.				
Entry across walkways kept clear.				
No electrical leads across walkways.				
Walkways adequately lit and clearly marked.				
Unobstructed vision at intersections and stairs/risers.				

AREA OF INSPECTION	GOOD	SATISFACTORY	ACTION REQUIRED	
			TO BE SCHEDULED	IMMEDIATELY
FIRST AID				
Storage location and contents clean and orderly.				
Easy access.				
Employees aware of location of first aid.				
Location clearly labelled.				
Adequate stocks.				
PERSONNEL				
Protective equipment in use.				
Working alone, near traffic, near open flames, near electrical hazards.				
OFFICE HAZARDS				
Filling systems stable.				
Chairs and desks in good repair and suitable for intended purpose.				
Workstations appropriate.				
Use of soft pastel interior decorating.				
Carpeting in office areas.				
Adequate ventilation in enclosed offices.				
Safe noise levels in enclosed offices.				
Shelving height appropriate.				
CHEMICALS				
MSDS for all chemicals.				
Containers clearly labelled.				
Adequate storage (including special storage conditions if applicable).				
SITES				
Warning signs and flashing lights.				
Facilities for and/or control of traffic and pedestrians.				
Perimeter/boundary fences or barriers.				
ELECTRICAL POWER TOOLS				
Awareness of electrical hazards.				
Compulsory tagging of power tools.				
Regular maintenance of power tools.				
On-site checking of tools prior to use.				
Requirement of earth leakage circuit breaker.				

AREA OF INSPECTION	GOOD	SATISFACTORY	ACTION REQUIRED	
			TO BE SCHEDULED	IMMEDIATELY
SMALL PLANT				
Observation of warning tags.				
Training sessions on proper use.				
Observing possible danger to passers by, children, onlookers.				
Clear working area.				
Erection of required signage.				
Checking/securing the required guards.				
Secure safety devices/valves etc. functioning properly.				
Observe the correct procedures for handling/lifting of heavy items.				
Observe the correct procedure for fuelling and keeping of fuel.				
Preserve safety of others.				
Protective clothing/gear worn at all times.				
LARGE PLANT/MACHINERY				
Check and maintain machine in good working order.				
Regular servicing and testing of units.				
Erection of required signage.				
Ensure amber revolving/flashing lights work.				
Observe the applicable regulations and restrictions e.g. working under power lines.				
Training and proper licensing of operators.				
Use only proper slings and ropes.				
Ensure safety devices and warning barriers are in good working order.				
Correct procedures are followed e.g. wearing seat belts, operating manner.				
TRUCKS				
Load is safe.				
Safe operating manner.				
Check and maintain truck in good working order.				

AREA OF INSPECTION	GOOD	SATISFACTORY	ACTION REQUIRED	
			TO BE SCHEDULED	IMMEDIATELY
DEPOT				
Observe procedure for entering an area where an activity is taking place.				
Observe restriction on the keeping of dangerous goods.				
HAZARDOUS MATERIAL				
The nature of hazardous materials is understood.				
Proper handling procedures associated with dangerous goods is practiced.				

INSPECTOR(S):

_____ [name]

_____ [signature]