



**HUON VALLEY
COUNCIL**

**Implementation of the Ministerial Directions
and
The Review of the Board of Inquiry
Recommendations**

As at 6 July 2017

INTRODUCTION

On 8 September 2015 the Minister for Planning and Local Government established a Board of Inquiry pursuant to the *Local Government Act 1993*. The Board of Inquiry undertook a process of investigation and on 15 June 2016 a report to the Minister for Planning and Local Government (The Minister) was released which included 55 Recommendations.

The Minister, pursuant to section 225 considered the Report and chose to make 7 Ministerial Directions dated 15 June 2016.

The Huon Valley Councillors were dismissed, effective 10 October 2016.

Council at its Ordinary Meeting of 14 December 2016 approved a process and template to be used for the finalisation of the Implementation of the Ministerial Directions and the review of the Board of Inquiry Recommendations.

Following the December 2016 Council meeting, each of the tables were populated with HVC comments or actions on the progress or completion to date. The Acting General Manager has met with Deputy Director of Local Government on two occasions to review and discuss the actions to date and seek the Local Government Division's endorsement of the updated tables.

The Local Government Division, on 14 June 2017, confirmed its overarching statement in relation to the comments provided in the table:

The Local Government Division is monitoring progress towards the implementation of the Ministerial Directions and Board of Inquiry recommendations which remain relevant after the dismissal of the councillors on 10 October 2016. The Division is satisfied that the Council is undertaking appropriate steps and will continue to liaise with senior management on items still to be actioned.

- Work has continued by the Council appointed Consultants GHD on the review of the Council's Community Engagement Framework and the development of the Communication Plan
- A review of the Council Asbestos Management Policy and Plan has been completed with a draft provided to WorkSafe Tasmania. Further suggested amendments have been received and are currently undergoing assessment and amendment with a reviewed Policy and Plan to be presented to the General Manager for approval during the month of September 2017.
- The draft Statement of Expectations for Councillors and the General Manager, as well as the Key Performance Indicators have been completed and provided to the Local Government Division for comment. These have been included in the Attachments to the Reports for endorsement by Council.

A full review of the implementation tables has been undertaken with a number of comments updated. This update included a number of the actions previously marked as 'ongoing' now marked 'completed'. These actions were instances of where Council processes were reviewed, amended and monitored for a period of time to ensure they are sufficient and meet the requirements of the Council.

Implementation of Ministerial Directions

Direction Number	Direction	HVC Comment	LGD Comment C - complete NA - not applicable NFA - no further action at this time O - ongoing WIP - work in progress
1	<p>b) facilitating the development of a Statement of Expectations to govern the relationship between the Mayor and General Manager in the discharge of their functions under the Act to include:</p> <ul style="list-style-type: none"> i. the timing of regular meetings; ii. the manner in which the outcomes of those meetings are recorded; iii. the scope of information that may be requested by the Mayor; iv. the timeframes for requesting information from the General Manager; v. the timeframes for providing information to the Mayor; vi. the development of authorisation processes for formal press releases issued by either office; vii. the roles of both parties in developing Council agendas and conduct at Council meetings; and viii. the process for dealing with disagreements on issues that arise that are not explicitly covered in the Statement of Expectations. 	<p>A Draft Statement of Expectations has been developed and discussed with the Local Government Division.</p> <p>A copy has been included in the Attachments to the Reports for presentation to Council at the August 2017 Ordinary meeting.</p>	C
5	<p>Pursuant to section 225(2)(d) of the Act, within a period of 90 days, take steps to establish sufficient committees under sections 23 and 24 of the Act to enable the efficient discharge of the Council's powers and functions under the Act.</p>	<p>Council at Special Council Meeting of 11 August 2016 resolved the committee structure. The development of a Committee Policy was discussed at the May 2017 Council workshop where it was agreed a full review of all Council committees is required prior. This process will be undertaken over the coming months.</p>	WIP
6	<p>Pursuant to section 225(2)(d) of the Act, take the following steps:</p> <p>a) Within a period of six months, and taking into account Direction 3, in consultation with the community, develop a communication and consultation plan for all internal and external communications and consultation processes that is consistent with the eight characteristics of good governance outlined in the Good Governance Guide.</p>	<p>Council has appointed local Hobart firm GHD to undertake a review of the Council's Internal and External Communication, including</p>	<p>WIP</p> <div style="border: 2px solid red; padding: 5px; text-align: center;"> <p>Meeting: 30.08.17 Item Number: 15.037/17* Page 3 of 26</p> </div>

Direction Number	Direction	HVC Comment	LGD Comment C - complete NA - not applicable NFA - no further action at this time O - ongoing WIP - work in progress
		Community Consultation Framework. Community consultation commenced in July 2017, with work continuing on the development of a reviewed framework and new plan for consideration.	
6	b) Within a period of 60 days, review processes to ensure the equitable provision of information to the Mayor and all councillors in a timely manner in order to enable them to fulfil their functions under sections 27 and 28 of the Act.	A Draft Statement of Expectations has been developed and discussed with the Local Government Division. A copy has been included in the Attachments to the Reports for presentation to Council at the August 2017 Ordinary meeting.	C
6	i) Within a period of 90 days, in consultation with the General Manager and the Local Government Division of the Department of Premier and Cabinet, develop a set of key performance indicators to measure the effectiveness of Directions 6(a) to (h) above.	Draft Performance Indicators have been completed and discussed with the Local Government Division. A copy has been included in the Attachments to the Reports for presentation to Council at the August 2017 Ordinary meeting.	C
7	Pursuant to section 225(2)(d) of the Act, report every two months for the first six months, and then quarterly thereafter for the term of the current council, to the Local Government Division in the Department of Premier Cabinet on the progress of actions taken to comply with these.	Regular reporting continues between the Local Government Division and the Council. Even though the term of the current Council has ended reporting continues in the form of regular telephone	O <div style="border: 1px solid red; padding: 5px; text-align: center;">Meeting: 30.08.17 Item Number: 15.037/17* Page 4 of 26</div>

Direction Number	Direction	HVC Comment	LGD Comment C - complete NA - not applicable NFA - no further action at this time O - ongoing WIP - work in progress
		conversations, meetings, email and written correspondence.	
6	e) Within a period of 60 days, ensure senior management are providing a supportive environment for council staff to come forward with workplace issues and concerns.	Various initiatives have been implemented as outlined in Attachment 1.	C
1	c) endorsing the Statement of Expectations;	Refer to 1B	NFA
	d) publishing the Statement of Expectations on the Council website within a period of 90 days; and	Refer to 1B	NFA
2	b) facilitating training for all councillors on their roles and responsibilities under the Act, with specific reference to the Good Governance Guide for Local Government in Tasmania published by the Department of Premier and Cabinet (the Good Governance Guide) and the Model Code of Conduct for Tasmanian Councillors set out in Schedule 1 of the <i>Local Government (Model Code of Conduct) Order 2016</i> , to be commenced within 45 days and completed within a period of six months.	Training to be provided on the appointment of a new Council as part of the Induction program.	NFA
4	Pursuant to section 225(2)(b) of the Act, discontinue the portfolio system presently adopted by the Council within a period of 90 days.	Council at Special Council Meeting of 11 August 2016 resolved to discontinue Portfolio system – Resolution No. 15.030/16*	C
6	c) Within a period of 90 days, establish a General Manager Performance Review Committee, to include the Mayor as an ex officio member.	Performance Review Committee established by Council at Special Council meeting 11 August 2016 – Resolution No. 15.030/16*.	C
	d) Within a period of 60 days, develop a process for reviewing and monitoring the application of all human resource policies, plans and programs to ensure that councillors are able to perform their collective functions under section 28(2)(b) of the Act.	Quarterly HR reporting to Council established by Council at Special Council meeting 11 August 2016 – Resolution No. 15.030/16*.	C
6	f) Within a period of 60 days, make corporate credit card statements for the past four financial years publicly available.	Council at a Special Council meeting of 11 August 2016	C

Meeting: 30.08.17
Item Number: 15.037/17*
Page 5 of 26

Direction Number	Direction	HVC Comment	LGD Comment C - complete NA - not applicable NFA - no further action at this time O - ongoing WIP - work in progress
		resolved and released all credit cards for the four year period – Resolution No. 15.029/16*.	
6	g) Within a period of 60 days, update the Audit Panel Charter to enable the referral of matters by parties other than the Council.	Council resolved to amend the Audit Panel Charter at an Ordinary Council Meeting of 27 July 2016. Amendment to Charter endorsed by at the February 2017 Council meeting.	C
6	h) Within a period of 60 days, develop a transparent process for the regular review and communication of progress on issues raised with the Council.	Council resolved the implementation of the Current Issues Status Report at a Special Council meeting of 11 August 2016 – Resolution No. 15.034/16*. Monthly report will continue to be presented to Council at each meeting	C
1	Pursuant to section 225(2)(d) of the Act, take steps to facilitate the development of a professional working relationship between the Mayor and the General Manager by: a) arranging for formal mediation and conflict resolution to be delivered by an independent provider and to commence within 30 days between the Mayor and General Manager; e) facilitating leadership development for the Mayor and the General Manager, including an assessment of individual competencies and areas for development, to be completed within a period of 60 days.	Not applicable from 10 October 2016. Not applicable from 10 October 2016	NA NA <div style="border: 1px solid red; padding: 2px; text-align: center;">Meeting: 30.08.17 Item Number: 15.037/17* Page 6 of 26</div>

Direction Number	Direction	HVC Comment	LGD Comment C - complete NA - not applicable NFA - no further action at this time O - ongoing WIP - work in progress
2	Pursuant to section 225(2)(a) of the Act, rectify the irregular behaviour between councillors by: a) facilitating mediated conflict resolution sessions for all councillors to be delivered by an independent provider and to commence within 60 days and continue for such period and at such intervals as the mediator determines; and	Not applicable from 10 October 2016	NA
3	Pursuant to section 225(2)(a) of the Act, beginning immediately and for a period of 12 months, ensure that all public statements made regarding Council positions and decisions are first approved by the Council or, where this is impractical, jointly endorsed by the Mayor and the General Manager.	Not applicable from 10 October 2016 No further action required	NA

Meeting: 30.08.17
Item Number: 15.037/17*
Page 7 of 26

Attachment 1

Ministerial Direction 6(e)

Pursuant to section 225(2)(d) of the Act, take the following steps:

e) Within a period of 60 days, ensure senior management are providing a supportive environment for council staff to come forward with workplace issues and concerns.

Initiatives implemented include:

- Re-introduction of the Culture Statement to all employees with an emphasis placed on its importance and its role within the workplace
- Thank you cards and a chocolate for every member of staff distributed
- Regular Leadership Group meetings being held
- Introduction of the Integrity Commission Speak Up Programme
- Introduction of feedback boxes at worksites
- Completion of the Professional Development Process with feedback provided to all employees
- Several employees have undertaken a mental health first aid course
- Training has been completed in the following areas:
 - Fire wardens
 - First aid
 - Contact officers
 - Integrity Commission – Making Ethical Decisions at Work
- Stay Chatty information sessions has been held for employees
- A new staff intranet site has been developed and is accessible to all work sites
- Information regarding the Employee Assistance Program is readily available to all staff
- Feedback received by Council is distributed to all employees
- Professional Development Training continues to be scheduled
- Organisation restructure complete which includes management positions in each area to provide another point of contact.
- Review of all position descriptions undertaken
- E3 learning courses part of new employee induction program including HVC Induction, Bullying and Harassment, Work Health and Safety, Slips Trips and Falls and Manual Handling
- Posters located in various positions around the building advising who Contact Officers and First Aid Officers are.

Meeting: 30.08.17
Item Number: 15.037/17*
Page 8 of 26

Review of Board of Inquiry Recommendations

Recommendation Number	Finding	HVC Comment	LGD Comment C - complete NA - not applicable NFA - no further action at this time O - ongoing WIP - work in progress
R6	Where appropriate, the additional recommendations contained within this Report are implemented.	Assessment and implementation of all recommendations commenced 14 December 2016.	WIP
R7	The Statement of Expectations between the Mayor and the GM should include agreed protocols to fulfil their respective roles and functions under the Act, for endorsement by the full Council.	Refer to Ministerial Direction 1(b) Statement of Expectations has been drafted, for presentation to Council at its August 2017 meeting.	C
R16	Mandatory training on roles and responsibilities should be undertaken by all newly elected representatives, with an additional leadership module for first-time mayors.	Consideration of mandatory training is the responsibility of the Tasmanian Government; however the Council Induction Program does include training for all elected members on roles and responsibilities. A full review of the Induction Program will be undertaken prior to the appointment of a new Council with consideration of the Human Resources employee induction program to be used as a model.	WIP
R18	At a future council meeting, the Council should consider its stated commitment to 'embrace diversity and new ideas' with a view to developing a strategy to operationalise this value, assist in the fulfilment of the Council's mission statement and ensure that councillors are able to properly perform their functions under section 28 of the Act.	Council has appointed local Hobart firm GHD to undertake a review of the Council's Internal and External Communication, including Community Consultation Framework. This project will see Community consultation to commence in July 2017.	WIP <div style="border: 1px solid red; padding: 5px; text-align: center;"> Meeting: 30.08.17 Item Number: 15.037/17* Page 9 of 26 </div>

Recommendation Number	Finding	HVC Comment	LGD Comment C - complete NA - not applicable NFA - no further action at this time O - ongoing WIP - work in progress
R20	The Council review and confirm its communication and public information strategies against the eight characteristics of good governance outlined in the Good Governance Guide for Local Government in Tasmania.	Council has appointed local Hobart firm GHD to undertake a review of the Council's Internal and External Communication, including Community Consultation Framework. This project commenced in July 2017.	
R27	The Mayor should be consulted by the GM when setting Council meeting agendas.	Consultation is undertaken with the Commissioner prior to the finalisation of each Council meeting agenda. This process has been included in the proposed Statement of Expectations included in the Attachments to the Reports.	C
R32	In consultation with the community, the Council develop a communication and consultation plan covering internal and external communications and inclusive consultation processes.	Council has appointed local Hobart firm GHD to undertake a review of the Council's Internal and External Communication, including Community Consultation Framework. This project commenced in July 2017.	WIP
R33	The communication plan is to include behavioural protocols to ensure councillors avoid publicly criticising one another.	Council has appointed local Hobart firm GHD to undertake a review of the Council's Internal and External Communication, including Community Consultation Framework. This project commenced in July 2017.	WIP
R38	The Mayor should have the right to be an appointed or ex-officio member of all Council Committees.	<p>To be considered further on the development of a Council Committee Policy.</p> <p>The development of a Committee Policy was discussed at the May 2017 Council workshop where it was agreed a full review of all Council</p>	WIP <div style="border: 1px solid red; padding: 5px; text-align: center;"> Meeting: 30.08.17 Item Number: 15.037/17* Page 10 of 26 </div>

Recommendation Number	Finding	HVC Comment	LGD Comment C - complete NA - not applicable NFA - no further action at this time O - ongoing WIP - work in progress
		committees is required prior. This process will be undertaken over the coming months following the development of a Communication Plan.	
R39	Each Council Committee established under section 23 of the Act should have at least two Councillors as members, with equitable distribution of Councillors to Committees. Membership of Special Committees established under section 24 of the Act should be determined by need.	<p>To be considered further on the development of a Council Committee Policy.</p> <p>The development of a Committee Policy was discussed at the May 2017 Council workshop where it was agreed a full review of all Council committees is required prior. This process will be undertaken over the coming months following the development of a Communication Plan.</p>	WIP
R40	The selection criteria outlined in Appendix 3 be used for selection of Committee members with greater weight given to criteria (iii) Interest or Skills relevant to the [Committee] area.	<p>To be considered further on the development of a Council Committee Policy.</p> <p>The development of a Committee Policy was discussed at the May 2017 Council workshop where it was agreed a full review of all Council committees is required prior. This process will be undertaken over the coming months following the development of a Communication Plan.</p>	WIP
R49	The Council to request that WorkSafe Tasmania conduct an audit to ensure that all asbestos policies, procedures and processes are current and applied as required, including at the Cygnet Town Hall and the recreation area that was established at the site of the former Franklin Football Club rooms.	A review of Council's Asbestos Management Policy and Plan has been completed with a review conducted by WorkSafe Tasmania. Further suggested amendments have	WIP <div style="border: 2px solid red; padding: 5px; text-align: center;"> Meeting: 30.08.17 Item Number: 15.037/17* Page 11 of 26 </div>

Recommendation Number	Finding	HVC Comment	LGD Comment C - complete NA - not applicable NFA - no further action at this time O - ongoing WIP - work in progress
		consider and adopt any required recommendations from the findings.	
R54	The Council continue to engage with the Environment Protection Authority (EPA) in order to resolve the matter of water quality for the Russell River.	<p>The EPN issued by Council has been revoked and since early 2008 the regulation of activities associated with the Hatchery at Lonnvale has been conducted by the Tasmanian Government, currently the Environment Protection Authority (EPA) Division within the Department of Primary Industries, Parks Water and Environment.</p> <p>A meeting took place on 31 May 2017 between EPA representatives, Council's General Manager and Officers. At this meeting it was agreed that a number of actions will take place. 1/ The existing EPN will be reviewed and updated.</p> <p>2/ A new catchment study will be undertaken to determine if any changes have occurred</p> <p>3/ A new monitoring station will be installed 400metres downstream of the HAC facility</p> <p>4/ A new analysis will be undertaken to determine if there has been any changes to species diversity</p> <p>5/ An updated report on the Russell River will be made public on the EPA website once completed.</p>	<p>NFA</p> <div data-bbox="1771 1347 2072 1449" style="border: 1px solid red; padding: 5px; text-align: center;"> <p>Meeting: 30.08.17 Item Number: 15.037/17* Page 14 of 26</p> </div>

Recommendation Number	Finding	HVC Comment	LGD Comment C - complete NA - not applicable NFA - no further action at this time O - ongoing WIP - work in progress
R8	Should the Mayor and the GM be unable to develop an appropriate Statement of Expectations, the Director of Local Government is to assist the parties to develop the document.	Refer to Ministerial Direction 1(b).	NFA
R21	High levels of scrutiny should be used to ascertain whether items listed for closed sessions satisfy the criteria in Regulation 15(2) Closed Meetings of the Local Government (Meeting Procedures) Regulations, with the emphasis on maximising agenda items to be dealt with in open council meetings.	This has been in operation since 10 October 2016 with each report presented to Council considered on a case by case basis to ensure compliance with the Regulations. The Local Government Division is currently undertaking an audit of all Council Closed Council Reports and Council will adopt any recommendations from the report.	C
R26	Behavioural expectations relating to meeting conduct are included in mandatory training for all Councillors.	Mandatory training is the responsibility of the Tasmanian Government; however Code of Conduct training is included in the Councillor's Induction Program.	C
R35	Conflict of interest continues to be a significant part of induction and training for all new Councillors in Tasmania. The Board recommends that this training is made mandatory.	Mandatory training is the responsibility of the Tasmanian Government; however this training is included in the Councillor Induction Program.	C
R53	The Board recommends that, subject to confidentiality requirements, once the legal action is resolved, a full account of the detail behind the failed investment in collateralised debt obligations (CDOs) be made public by the Council to inform the community on this issue.	No further action required until the ongoing legal action is complete.	NFA
R11	Council meetings should be audio-recorded and audio-recordings made accessible to the public.	Audio recording of Ordinary Council meetings commenced on 25 November 2015 and have continued since. Audio recordings are available on the Council website for a period of 6 months and by request after the online expiry.	C <div style="border: 1px solid red; padding: 5px; text-align: center;"> Meeting: 30.08.17 Item Number: 15.037/17* Page 15 of 26 </div>

Recommendation Number	Finding	HVC Comment	LGD Comment C - complete NA - not applicable NFA - no further action at this time O - ongoing WIP - work in progress
R24	The press and residents wanting to know the reasons for decisions by individual Councillors should be referred to the audio-recordings of Council meetings.	Enquiries regarding decisions of Council are referred to the audio recordings that are posted on Council's website.	C
R30	In all instances, the Council's processes to resolve bullying and harassment complaints should be followed. If a complaint cannot be resolved through this process, the complainant may refer it to WorkSafe Tasmania or other relevant authority for investigation.	The policy was reviewed on 10 October 2016. The policy outlines the process that can be taken. The Council has a number of Contact Officers available to assist, with additional Officers identified with recent training undertaken.	C
R31	The application of the Council's policy on bullying and harassment should be regularly monitored by Councillors in accordance with section 28 of the Act.	Council adopted at its Special Meeting of 11 August 2016 the introduction of quarterly Human Resources Unit reporting, this continues to be in place with an Annual Statement produced in August each year.	C
R34	The Council develop a process for determining, monitoring and reviewing the application of all HR policies at regular intervals to ensure they are followed in every instance.	Human resources report to Council on a quarterly basis as resolved by Council 11 August 2016 this includes any policy reviews.	C
R36	Disband the portfolio system and aggregate portfolio areas into Committees established under section 23 and 24 of the Act, as appropriate.	Portfolio system discontinued at Council meeting on 11 August 2016 and Committees determined.	C
R37	Committee chairs to report to the Council on a regular basis to ensure knowledge transfer.	Minutes of all meetings are circulated to all Councillors/Commissioner and published on Council's website.	C
R41	The issue of land-use planning is included in councillors' induction training.	This training is included in the Councillor Induction Program.	C
R43	In accordance with section 10 of the Local Government (Audit Panels) Order 2014, the Audit Panel determines its own work plan, including processes.	The Audit Panel independently determines its own work plan in accordance with its Charter.	C

Meeting: 30.08.17
Item Number: 15.037/17*
Page 16 of 26

Recommendation Number	Finding	HVC Comment	LGD Comment C - complete NA - not applicable NFA - no further action at this time O - ongoing WIP - work in progress
R44	The Council's Audit Panel Charter should include a provision to enable councillors to refer matters directly to the Audit Panel.	Council resolved to amend the Audit Panel Charter at an Ordinary Council Meeting of 27 July 2016. Amended Audit Panel Charter adopted at the February 2017 Council meeting.	C
R45	A specific funding allocation should be identified in the Council's annual budget to ensure the adequate functioning of the Audit Panel.	The funding allocation for the Audit Panel is specifically identified in the budget. This is reviewed on an annual basis.	C
R46	For reasons of transparency and public confidence, and given the high levels of public interest in this matter, the Council should make corporate credit card statements publicly available for the past four financial years as soon as practicable.	Council at a Special Council meeting of 11 August 2016 resolved and released all credit cards for the four year period – Resolution No. 15.029/16*. Credit card transactions are regularly reported to the Council.	C
R51	All matters related to the Cygnet Caravan Park should be referred to the Audit Panel for consideration.	Referral completed and discussed at May 2017 Audit Panel meeting. The minutes of this meeting were presented to Council at its May 2017 meeting.	C
R52	A process be developed whereby matters that can potentially affect public safety and legal liability be afforded a high priority in work allocation of the Council.	Risk assessments are completed on as needs basis to ensure any risk is minimised. Action is taken where appropriate on issues raised with Council.	C
R55	The Council produce a regular Issues Progress Report to review unresolved issues and communicate progress to relevant stakeholders.	Council resolved the implementation of the Current Issues Status Report at a Special Council meeting of 11 August 2016 – Resolution No. 15.034/16*. This report is updated each month and is included on all agendas commenced at Council meeting 11 August 2016.	C <div style="border: 1px solid red; padding: 5px; text-align: center;"> Meeting: 30.08.17 Item Number: 15.037/17* Page 17 of 26 </div>

Recommendation Number	Finding	HVC Comment	LGD Comment C - complete NA - not applicable NFA - no further action at this time O - ongoing WIP - work in progress
R1	Pursuant to section 226(1)(b) of the Act, the Minister should recommend that the Governor by order dismiss the councillors and appoint a Commissioner under section 231 of the Act to perform the functions of the Council.	Not applicable to Council.	NA [Note – recommendations relating to actions for the Minister or the Tasmanian Government are not applicable to the Council]
R2	A new election is not called for a minimum period of 12 months.	Not applicable to Council.	NA
R3	The question of whether the Minister should have the power to dismiss a Council's General Manager should be referred to the review of the Local Government Act 1993.	Not applicable to Council.	NA
R4	Pursuant to section 225(2) of the Act, the Minister should direct the Council to: (a) arrange mediation and formal conflict resolution with regard to the key relationships between the Council, Mayor and General Manager (GM); (b) publicly commit to support and participate in these processes in good faith; (c) develop a Statement Of Expectations to govern the relationship between the GM and Mayor, under the direction of the Director of Local Government; (d) request that the Director of Local Government develop a set of indicators against which to assess whether key council relationships are functional; (e) take such steps as are necessary to ensure that the Council meets the indicators developed under R4(d) within six months, as assessed under R4(f); and (f) arrange for its performance against the indicators to be reviewed and assessed by the Director of Local Government and reported to the Minister every three months, for the life of the current Council.	Not applicable to Council.	NA
R5	If the Council fails to comply with any of recommendations R4(a)-(c) within six months, or fails to meet key indicators referred to in R4(d)-(f), then, pursuant to section 226(2) of the Act, the Minister should recommend that the Governor by order dismiss the	Not applicable to Council.	NA <div style="border: 1px solid red; padding: 5px; display: inline-block;"> Meeting: 30.08.17 Item Number: 15.037/17* Page 18 of 26 </div>

Recommendation Number	Finding	HVC Comment	LGD Comment C - complete NA - not applicable NFA - no further action at this time O - ongoing WIP - work in progress
	councillors and appoint a Commissioner under section 231 of the Act to perform the functions of the Council until the next scheduled council elections (October 2018).		
R10	When the Mayor's view differs from a council decision, his view should be put on record in the Council's meeting minutes.	Not applicable as of 10 October 2016.	NA
R14	The broader application of a Mayor speaking only on behalf of Council, and the use of audio-recordings for Council meetings, should be referred to the review of the Act.	Not applicable to Council.	NA
R15	Consideration of additional legislative powers for Mayors of Tasmanian Councils should be referred to the review of the Act.	Not applicable to Council.	NA
R19	Following the commencement of the new statewide Local Government Code of Conduct, the Director of Local Government prioritises the delivery of training to the Huon Valley Council as soon as practicable.	The Local Government Division provided Code of Conduct training to the Council on 22 August 2016. The Councillor Induction Program includes training on the Code of Conduct.	NA
R22	Regulations 15(2) and 15(8) of the Local Government (Meeting Procedures) Regulations be referred to the review of the Act to ensure that Councils maximise both the use of open council to consider agenda items and the public release of information considered in closed Council meetings.	Not applicable to Council.	NA
R25	For broader application, these transparency and accountability issues should be considered in the review of the Act.	Not applicable to Council.	NA
R42	Tourism-related concerns raised through the Inquiry's submission process should be referred to the Joint Huon/Kingborough Tourism Steering Committee or other body, as appropriate.	Huon Valley Council has no further role in the Huon Trail. The Steering Committee has also been disbanded and Council contributes to promotional activities undertaken by Destination Southern Tasmania.	NA
R48	The Director of Local Government investigate whether there was a failure to declare a conflict of interest by the Mayor and Councillor Wilson under section 48 of the Act; and the GM under section 55 of the Act.	Not applicable to Council.	NA

Meeting: 30.08.17
Item Number: 15.037/17⁺
Page 19 of 26

Attachment 1
Board of Inquiry Recommendation 29

Senior management should proactively take steps to provide a supportive environment where staff can safely come forward with their complaints.

Initiatives implemented include:

- Re-introduction of the Culture Statement to all employees with an emphasis placed on its importance and its role within the workplace
- Thank you cards and a chocolate for every member of staff distributed
- Regular Leadership Group meetings being held
- Introduction of the Integrity Commission Speak Up Programme
- Introduction of feedback boxes at worksites
- Completion of the Professional Development Process with feedback provided to all employees
- Several employees have undertaken a mental health first aid course
- Training has been completed in the following areas:
 - Fire wardens
 - First aid
 - Contact officers
 - Integrity Commission – Making Ethical Decisions at Work
- Stay Chatty information sessions has been held for employees
- A new staff intranet site has been developed and is accessible to all work sites
- Information regarding the Employee Assistance Program is readily available to all staff
- Feedback received by Council is distributed to all employees
- Professional Development Training continues to be scheduled
- Organisation restructure complete which includes management positions in each area to provide another point of contact.
- Review of all position descriptions undertaken
- E3 learning courses part of new employee induction program including HVC Induction, Bullying and Harassment, Work Health and Safety, Slips Trips and Falls and Manual Handling

Posters located in various positions around the building advising who Contact Officers and First Aid Officers are.

Meeting: 30.08.17
Item Number: 15.037/17*
Page 20 of 26



Statement of Expectations For Mayor and General Manager

On 8 September 2015 the Minister for Planning and Local Government established a Board of Inquiry pursuant to the *Local Government Act 1993*. The Board of Inquiry undertook a process of investigation and on 15 June 2016 a report to the Minister for Planning and Local Government (The Minister) was released which included 55 Recommendations.

The Minister, pursuant to section 225 considered the Report and chose to make 7 Ministerial Directions dated 15 June 2016.

In accordance with Direction 1 (b) the Council is required to:

Develop a Statement of Expectations to govern the relationship between the Mayor and General Manager in the discharge of their functions under the Act to include:

- i. the timing of regular meetings;*
- ii. the manner in which the outcomes of those meetings are recorded;*
- iii. the scope of information that may be requested by the Mayor;*
- iv. the timeframes for requesting information from the General Manager;*
- v. the timeframes for providing information to the Mayor;*
- vi. the development of authorisation processes for formal press releases issued by either office;*
- vii. the roles of both parties in developing Council agendas and conduct at Council meetings; and*
- viii. the process for dealing with disagreements on issues that arise that are not explicitly covered in the Statement of Expectations.*

The key to the success of the Council and the General Manger will be the development of a respectful and professional working relationship. The following expectations have been developed to facilitate this desire:

1. Formal weekly meetings between the Mayor and the General Manager. Agendas will be prepared for each meeting, with meeting notes distributed to both parties recording any actions or outcomes from the meeting.
2. Information may be requested by any Councillor in accordance with Section 28A of the *Local Government Act 1993*. Section 5 of the Council's *Governance Framework* outlines the process and timeframes for a request for information and its provision by the General Manager.
3. All formal Council Media Releases will be issued following their approval by the General Manager and Mayor. A Media Release may include a statement from the Mayor, or a person delegated by the Mayor. The Mayor or General Manager may request a Media Release to be prepared.

4. A Council meeting agenda review will be conducted between the Mayor and the General Manager prior to the finalisation and distribution of the agenda. Each agenda item and the Officer's recommendation will be discussed. This meeting will ensure the meeting agenda is developed in consultation with the Mayor.
5. In the instance of disagreement of issues arising between the Mayor and the General Manager it is expected the following process will be followed:
 - a. A respectful discussion is held between the parties to discuss both points of view with the aim to reach agreement/consent
 - b. If agreement/consent cannot be reached then advice is to be sought from the Local Government Division on the process forward
 - c. Mediation may be conducted between the parties with the aim to reach agreement/consent
 - d. In the case of the above process failing to reach agreement or consent the matter should be referred to the General Manager Performance Review Committee for a report and recommendation to Council.



Ministerial Directions

Key Performance Indicators

On 8 September 2015 the Minister for Planning and Local Government established a Board of Inquiry pursuant to the *Local Government Act 1993*. The Board of Inquiry undertook a process of investigation and on 15 June 2016 a report to the Minister for Planning and Local Government (The Minister) was released which included 55 Recommendations.

The Minister, pursuant to section 225 considered the Report and chose to make 7 Ministerial Directions dated 15 June 2016.

In accordance with Direction 6 (i) the Council is required to:

In consultation with the General Manager and the Local Government Division of the Department of Premier and Cabinet, develop a set of key performance indicators to measure the effectiveness of Directions 6(a) to (h).

The following Indicators have been developed following discussions with the Deputy Director of Local Government and the Huon Valley Commissioner.

Ministerial Direction	Performance Indicator	Result
6(a) - Develop a communication and consultation plan for all internal and external communications and consultation processes that is consistent with the eight characteristics of good governance outlined in the Good Governance Guide.	Survey of rate payers undertaken to gauge appropriateness and preferences of ratepayers for external communications.	<p>Ongoing: Local Firm GHD were appointed by Council June 2017 to commence the development of Communication Plan and Review of Councils Community Engagement Framework.</p> <p>Consultation has been conducted with the community to gauge feedback on appropriate communication and the community's communication preferences.</p> <p>The feedback received will be considered and included in the Community Engagement Framework and Communication Plan being developed by GHD.</p>
	Survey of staff undertaken to gauge appropriateness and preferences of staff for internal communications.	<p>Ongoing: Workshops have been held with Key staff members to gauge appropriate and preferences for internal communication.</p> <p>The feedback received will be considered and included in the Community Engagement Framework and Communication Plan being developed by GHD.</p>

Ministerial Direction	Performance Indicator	Result
	Draft Communication and Consultation Plan presented to ratepayers and staff for comment.	Ongoing: GHD have been appointed by Council to draft a Community Engagement and Communication Plan. With full consultation to be undertaken with the Community prior to its endorsement by Council
	A compliant Communication and Consultation Plan developed and approved by the Council by its December 2017 meeting.	Ongoing: It is anticipated the Final Community Engagement Framework and Communication Plan will be presented to Council for endorsement at its November 2017 meeting.
6(b) - Review processes to ensure the equitable provision of information to the Mayor and all councillors in a timely manner in order to enable them to fulfil their functions under sections 27 and 28 of the Act.	Information provision process was reviewed by 15 August 2016.	Completed: Reviewed and amended by Council for inclusion in the Council's Governance Framework at its September 2016 meeting.
	Following initial review, information provision process to be reviewed within 12 months of an election.	
6(c) - Establish a General Manager Performance Review Committee.	Performance Review Committee function established by 15 September 2016 that includes the Mayor as an ex officio member.	Completed: Performance Review Committee was established by Council at September 2016 meeting.
	Performance review of General Manager to be undertaken in October each year in accordance with Governance Committee Terms of Reference	Completed: Performance Review Committee meetings are scheduled for October each year.
6(d) - Develop a process for reviewing and monitoring the application of all human resource policies, plans and programs to ensure that councillors are able to perform their collective functions under section 28(2)(b) of the Act.	Check list of all human resource policies, plans and programs developed within 60 days. List to include last review and next review dates.	Completed: Report provided to the Council at its August 2016 meeting providing details on the process for monitoring and reviewing the application of all human resource policies, plans and programs that provide for the fair and equitable treatment of employees of the Council.
	All human resource policies, plans and programs reviewed and current by 1 December 2016.	Ongoing: Quarterly report provided to the Council on key statistics from the application of the policies, plans and programs with the first reporting period 1 October - 31 December 2016 and ongoing every quarter.
6(e) - Ensure senior management are providing a supportive environment for council staff to come forward with workplace issues and concerns.	The Council has appointed Workplace Contact officers.	Completed: Council has appointed 8 Contact Officers who regularly undertake training with Equal Opportunities Tasmania
	The Council has a current bullying and harassment policy and a grievance resolution policy in place.	Completed: Policy is provided in Council induction process. The policy was reviewed in October

Ministerial Direction	Performance Indicator	Result
		2016.
	Senior Management undertake training in a course similar to the Building and Maintaining Great Working Relationships delivered by the Training Consortium by 30 June 2018.	<p>Ongoing: Council is currently undergoing an organisational restructure. This has included the review and completion of, by all employees, the Councils Induction Program as well as the introduction of mandatory training modules utilising Councils E3 Learning platform.</p> <p>A Leadership Group has been formed and meet on a regular basis to discuss corporate projects as well as any options for continuous improvement within the organisation. A number of department team training opportunities have been held, with the identification of further opportunities a standard agenda item for all staff meetings.</p>
	Council has an employee assistance program in place.	Completed: Council has an agreement in place with an External Employee Assistance Provider with contact details available for staff throughout the organisation.
	Staff satisfaction survey undertaken annually to gauge effectiveness of senior management support of health and safety issues. To be scheduled by 15 May and complete by 30 June 2018 and annually by this date thereafter.	Ongoing: Survey to be completed June 2018
6(f) - Make corporate credit card statements for the past four financial years publicly available.	Corporate credit card statements available on the Council website by 15 August 2016.	Completed: Executive Credit Card Expenditure is presented to Council on a monthly basis
6(g) - Update the Audit Panel Charter to enable the referral of matters by parties other than the Council.	Audit Panel Charter updated and approved by the Council by its August 2016 meeting.	Completed: Audit Panel Charter was amended and approved by Council August 2016
6(h) - Develop a transparent process for the regular review and communication of progress on issues raised with the	Draft issues register and process for the regular review of issues raised with the Council to be developed by 15 August 2016.	Completed: Council approved a Issues Register at its August 2016 Ordinary Meeting.

Ministerial Direction	Performance Indicator	Result
Council.	Process finalised and implemented by 30 September 2016.	Completed: The Issues register is presented to Council on a monthly basis.
	Feedback collected from ratepayers and reported to the Council within 90 days of the process being implemented.	Ongoing: Survey to be conducted June 2018.
6(i) - Develop a set of key performance indicators to measure the effectiveness of Directions 6(a) to (h).	Survey of ratepayers to be conducted to gauge satisfaction of Council performance	Ongoing: Survey to be conducted June 2018.

Meeting: 30.08.17
Item Number: 15.037/17*
Page 26 of 26