



Section 355 Committee Management Procedures



Reviewed as at June 2014

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Foreword

Narrandera Shire Council acknowledges and appreciates the valuable contribution made by members of the community who serve and support the various Section 355 Committees of Council.

As with many other organisations, Narrandera Shire Council relies on volunteers to assist with the provision of services and facilities for the community. This Manual has been developed to support those volunteers, both new and old, who contribute to the communities of the Narrandera Shire.

The operation and responsibilities of Section 355 Committees of Council have been affected by numerous legislative changes and amendments in recent times. These changes, particularly in relation to work, health and safety together with risk management have imposed significant increases in workload for both Council staff and Committee members.

This manual outlines the responsibilities and duties of Council, Committees and Committee Members whilst also providing general advice to Committees to support them in meeting the objectives that Council has delegated to them.

We wish to extend the thanks of Council and the Narrandera Shire Community at large for your contribution and volunteering efforts and look forward to working with the various Section 355 Committees in making the Narrandera Shire a great place to live, work and visit.



Jenny Clarke
Mayor



Judy Charlton
General Manager

I N T R O D U C T I O N

Under the *Local Government Act 1993 (NSW)*, Narrandera Shire Council is able to delegate some of its functions to a Committee of Council. This delegation is used to appoint community people to manage Council facilities and services through a Section 355 Committee of Management. Section 355 of the *Local Government Act 1993 (NSW)* states:

355 How does a council exercise its functions?

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 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 Voluntary Regional Organisation of Councils of which the council is a member). ~*

The provision of Management Committees allows interested persons from the local community to have a greater involvement and control over the facilities provided by Council in their area. This provides a two-fold benefit by giving protection to the committee operating under the banner of Council and by providing Council with assistance in carrying out its functions.

Narrandera Shire Council provides advice and direction on all matters associated with Section 355 Committees and members can seek Council's assistance in this crucial role. These management guidelines have been developed to assist Committee members in the initial establishment and ongoing operation of a Section 355 Committee. Comprehensive guidance is provided on management responsibilities, functions and operation of a community committee.

Upon formal approval of a Section 355 Committee by Council, its members are required to adopt and adhere to the conditions set out in this document. Adherence will ensure committee members are aware of their responsibilities and are adequately covered by insurance. Please note that unless otherwise noted, references to the Act refer to the *Local Government Act 1993 (NSW)*.

Committees can have different responsibilities and for this reason some clauses of this document will not necessarily apply or be relevant to each Committee. A Council resolution is required if the Committee are not acting in accordance with these guidelines.

This document has been prepared to:

- Provide a comprehensive guide on the management responsibilities, functions and operations of community facilities;
- Provide good practices and operational issues for the Committee; and
- Clarifies Council's and the Committee members' role in this partnership.

Committee members have a right:

- To work in a healthy and safe environment;
- To be adequately covered by insurance.
- To be provided with sufficient training to undertake their role.

1.1 OBJECTIVES

- (i) To ensure that Committee members implement governance and other procedures compliant with relevant legislation and Council's policies, procedures and Code of Conduct.
- (ii) To provide a system for community representatives to be delegated care, control and management of community facilities and services.
- (iii) To provide information on the appointment, operation and removal of a delegated Committee.
- (iv) To minimise Council's risk exposure from the operation of Council committees.

1.2 FREQUENTLY ASKED QUESTIONS

What is a Section 355 Committee?

A Section 355 Committee is a Council-approved committee of volunteers who accept the responsibility for the management of Council functions or a Council-owned community facility in their area.

What is Delegation of Function?

Under the *Local Government Act 1993 (NSW)* Council is able to delegate some of its functions to a committee of Council. Council uses this delegation and appoints community people to manage its facilities or functions through a committee of management. It is important to note that the Committee of Management provides **recommendations** that go to Council for **determination**.

What is a Community Facility?

A community facility is a multi-purpose building or facility located in areas where it is accessible by the local community. The space may be used for a range of community and recreational activities.

Why have Committees Managing Council Facilities?

Council works with the community, seeking advice on specific local issues and needs, to plan and construct facilities that will be of the best value to the community. The committees provide a mechanism by which interested persons can have an active role in the provision and management of Council facilities or services. This provides a two-fold benefit by giving protection to the Committee operating under the banner of Council, and by providing Council with assistance in the carrying out of its functions.

What is the Term of the Committee?

Unless otherwise stated as with a sunset **clause** the term of office for Section 355 Committees is the same term as the Council (four years), with the addition of an extra three months after the General Election of Councillors which occurs every 4 years in September. General elections will occur in 2014, 2016 etc.

1.3 RULES GOVERNING THE APPOINTMENT OF A COMMITTEE

The *Local Government Act 1993 (NSW)* provides that:

- ✓ Council may appoint (section 355 of the Act), in respect of any undertaking under the control of the Council, a Committee of local citizens and delegate to the Committee (section 377) the care, control and management of the work or activity, and the expenditure of such monies as the Council may vote.
- ✓ The Council may dissolve any such Committee at any time.
- ✓ Each such appointment and delegation is to be reviewed in the first twelve months of each term of office. Committees are able to be re-established.

Any Committee appointed to manage a Council facility must manage the facility under guidelines set by Council and in accordance with the *Work Health and Safety Act 2011 (NSW)* and *Work Health Safety Regulation 2011*.

D E F I N I T I O N S

In this Manual:

- (i) “Council” shall mean the Narrandera Shire Council.
- (ii) “Committee” or “Management Committee” shall mean that body of persons appointed in accordance with Section 2.2 of this manual.
- (iii) “Licensee” or “Licensed use” shall mean those bodies or organisations which have been granted, under separate lease or license, exclusive or shared occupancy of a section of any facility.
- (iv) “Annual use” shall mean any user granted use of any facility on a year-to-year basis.
- (v) “Minor maintenance” shall mean all maintenance works within land, halls, and other buildings under the control of the Management Committee excluding those specified in any appended Schedule to this manual as being the responsibility of Council.
- (vi) “Seasonal User” shall mean those clubs or groups that use the facilities for a defined season.
- (vii) “Casual Hirer” shall mean those groups or individuals that have been granted use of the sporting or building facilities for a one off activity.
- (viii) “Tenant Body” shall mean any club, group or organisation which is granted use of any portion of the facilities on a licensed annual, seasonal or longer term basis.
- (ix) “Manual” means this Procedures Manual for Council Management Committees.
- (x) “Community Representative” shall mean those individuals that are not affiliated with any Tenant Body and are voted onto the Committee by similar persons at the public meeting held to elect the Committee.
- (xi) “Relative” means:
 - (a) the parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child of the person or the person’s spouse.
 - (b) the spouse or de facto partner of the person or of a person referred to in (i).
- (xii) “Unfinancial” means those representatives or organisations that have accounts outstanding with the Management Committee beyond the due date.

M A N A G E M E N T C O M M I T T E E



3.1 APPOINTMENT OF COMMITTEES AND MEMBERS

The appointment of a Section 355 Committee is at the total discretion of Council and is done so under Sections 355 and 377 of the Act. Each Committee must have a Constitution that contains the specific objectives that Council has delegated to it. The Constitution and any amendment to it have to be approved by Council.

- (i) The Committee shall be formed at a public meeting in the district in which the facility is situated; preferably on the site of the facility.
- (ii) The public meeting may be called by Council or Management Committee by advertising locally, upon a request by residents or at Council's discretion.
- (iii) Notification will be forwarded to Council advising the names and appropriate details of the persons recommended for appointment to the Committee. This notification is to be made on Council's "Volunteer Application Form" **Appendix J**.
- (iv) Upon Council resolving to accept the nominations of the persons proposed for membership of the Committee, Council will advise the Management Committee that they have been appointed to the Committee.

3.2 MEMBERSHIP OF COMMITTEE

- (i) An Individual may hold membership of one (1) or more Management Committees within the Shire however may only represent one (1) body/group on any single committee.
- (ii) Committee Membership will be open only to residents of Narrandera Shire who are over the age of eighteen (18) years.
- (iii) The Management Committee will ideally consist of the Office Bearers and a similar number of other Committee Members. The Office Bearers will occupy the positions of:
 - Chairperson.
 - Secretary.
 - Treasurer.
 - Booking Officer

Narrandera Shire Councillors will be ex-officio members of each Committee.

- (iv) Community representatives nominated for the committee must be residents of the Shire.
- (v) The Management Committee shall consist of:
 - (a) Up to three members of each organisation which is granted use of any portion of the facilities on a licensed, annual, seasonal or longer term basis. Each organisation is entitled to a maximum of two (2) votes.

- (b) Up to a maximum of three other persons who are residents of the Shire and who are not affiliated with any Tenant body. This group is entitled to two (2) votes.
- (c) If a facility has no user group representatives nominated then the committee may be formed by Community representatives. Council will then consider the community representative make-up of the committee and determine whether to form a committee. In this case all the representatives on the committee will be entitled to a vote.

3.3 ELECTION OF MEMBERS

- (i) Persons over the age of 18 may be nominated for membership of the Management Committee at the public meeting called for that purpose. The Community representatives of the Shire shall be elected by the community representatives present at the Annual or Quadrennial General Meeting.
- (ii) Representatives of the regular users of the facility may be nominated by these organisations at the Ordinary, Annual or Quadrennial General Meeting.
- (iii) The Management Committee may nominate a person for appointment by Council to fill any casual vacancy which may occur in its membership from time to time. Such appointments will cease on the date of the dissolution of the Committee.
- (iv) All members of the Management Committee are “caretaker” members until such time as appointed by Council.

3.4 TENURE OF MANAGEMENT COMMITTEE

- (ii) Each Management Committee shall cease to hold office at the expiration of 3 months after the Council election next following upon the appointment of the Committee but shall be eligible for reappointment unless Council specifically resolves otherwise.
- (iii) A person shall cease to be a member of a Management Committee if:
 - (a) the member dies;
 - (b) the member becomes bankrupt;
 - (c) the member resigns from office by notification in writing to the Committee and Council;
 - (d) the member is absent for more than 3 consecutive meetings without leave from meetings of the Committee;
 - (e) Council passes a resolution to remove the member from the Committee;
 - (f) the member holds any office of profit under the Committee; or

- (g) the member fails 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 and for the purposes of this provision “pecuniary interest” has the same meaning given to that term in Section 442 of the Local Government Act 1993; or
 - (h) the member while holding that office is convicted of an offence referred to in part 4 of the Crimes Act 1900 (offences relating to property); or
 - (i) the member is prohibited by Order under Section 230 of the Corporations Law from managing a corporation within the meaning of that Section; or
 - (j) the member becomes a mentally incapacitated person; or
 - (k) the member fails to comply with Council’s Code of Conduct.
- (iv) Council has the right to remove any members of the Management Committee after consultation with the Committee.
- (v) A member can resign at any time. A member may nominate tenure of office.

Council must approve all members onto the Committee. Council is to be annually notified of the membership of the Committee (including office bearers) following the annual general meeting (AGM).

If a vacancy should occur at any time, the Committee is asked to inform Council in writing regardless of whether or not it wishes to recommend a replacement. Any amendments to the Committee must be approved by the General Manager (within the subsequent twelve month period) under the delegated authority before being able to vote and take part in meetings of the Committee. Council reserves the right to appoint one of its members to each Committee.

3.5 COMMITTEE MEMBERSHIP

The Committee membership including officer bearers is required to be endorsed by Council. All Committee members must make application (Expression of Interest) to be a registered approved volunteer of Council.

Membership of the Committee is detailed in the Constitution of the Committee and *may* comprise Councillors, representatives of community, sporting organisations or members of the public.

A Committee’s membership should reflect interested parties or community organisations that have an affiliation with the objectives of the Committee. A person’s commitment to and willingness to be actively involved in the Committee is essential.

All Committee members must be appointed by Council to the Committee. Council will advise persons that nominate for a Committee and the Committee itself of all appointments that have been accepted by resolution by Council. Until such time as Council has confirmed membership, people cannot vote or take part in meetings of Committees.

Council will request on an annual basis, nominations and re-nominations for the membership of the Committee. The Committee is required to advise Council of any

vacancy that may occur during the year and whether or not the Committee wishes that the vacancy be filled.

Members of Section 355 Committee are volunteers and therefore do not receive payment for services, but a Committee may approve payment for the reimbursement of out-of-pocket expenses.

The Committee will, from its own members, elect the office bearers provided for in the Committee's Constitution. The office bearers are to be elected at the Committee's Annual General Meeting and hold office for a period of twelve months or until their successors have been appointed.

3.6 ELECTION OF OFFICE BEARERS

Election of Office Bearers

- (i) The Committee shall, from its own members, elect a Chairperson, Secretary, Treasurer and Booking Officer at the first meeting of the Committee following its appointment and annually thereafter. These positions form the Executive of the Committee.
- (ii) Other Office Bearing positions may be filled where Council or the Committee consider the positions warranted. The Committee may, from its own members, elect a Grounds Committee, Groundsman or caretaker to handle the allocation and/or maintenance of grounds or other sub-committees necessary to handle a specific function or report on a specific issue.
- (iii) For small Management Committees, a member can hold two positions.

Please Note: A Committee Member cannot occupy the positions of Booking Officer and Treasurer at the same time.

- (iv) The Committee may, from its members, elect additional positions such as:
 - (a) Deputy Chairperson.
 - (b) Assistant Secretary.
 - (c) Publicity Officer.
 - (d) Other positions as deemed necessary.
- (v) A maximum of two (2) relatives of any one family can be office bearers on the same Committee at the same time.

Only one (1) of those office bearers is to sign cheques on behalf of the same Committee at the same time.

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.

- (vi) All Management Committees are required to advise Council of the details of the persons who are authorised signatories of the Committee's bank account.
- (vii) All positions should be declared vacant and re-elected at each Annual General Meeting.

For further information on office bearer roles and responsibilities, refer to *Appendix A*.

3.7 DISSOLUTION OF MANAGEMENT COMMITTEE

- (i) Any Management Committee may be dissolved by Council at any time.
- (ii) Council may wish to dissolve a Management Committee to carry out the control of the facility itself.
- (iii) Council may also dissolve a Management Committee if that Committee is not complying with the roles and responsibilities of the Committee.
- (iv) The Management Committee shall be dissolved in the event of membership dropping to less than four (4) persons, unless Council specifically resolves otherwise.
- (v) The Management Committee can also be dissolved by a vote of 75% of the voting members present at an Extraordinary Meeting convened to consider this option.
- (vi) Upon a resolution being passed in accordance with clause (ii) and (iii) and confirmation by Council, all assets and funds of the Management Committee shall, after payment of all expenses and liabilities, be handed over to Council.

3.8 PROCEDURE FOR RESIGNING FROM MANAGEMENT COMMITTEE

- (i) Where a member of a Management Committee resigns a written resignation will be presented to the Management Committee.
- (ii) Upon receipt of the resignation the Management Committee will call for nominations from the user group with which the member was affiliated and refer this nomination to Council for concurrence.
- (iii) Where the member is not a member of a user group, Council will be advised and will call a public meeting to be advertised in the local press seeking nominations to replace the community member who has resigned.
- (v) Any nominations will be submitted to Council for approval.

3.9 LIABILITIES

Management Committee members shall adhere to all requirements outlined in the Management Committee Procedures Manual, along with all Policies, Procedures, Guidelines and Requirements of Narrandera Shire Council. Narrandera Shire Council shall not provide support for Management Committee members that are exposed to litigation or prosecution as a result of acting not in accordance with these Policies, Procedures, Guidelines or Requirements

3.10 REPORTING

Council requires the following information to be reported at a Committee's Annual General Meeting:

- Membership;
- Office Bearers Achievements including a Chairperson's report on the Committee's activities for the past twelve months;
- Presentation of audited financial statements by the Treasurer or Secretary;
- An outline of the Committee's proposed activities for the 12 months, that may also include seeking the community's approval of those plans; and
- The election of Office Bearers for the following 12 months. Note that the financial statements are required within two months after the 30th June each year.

3.11 CONSTITUTION

The Committee is to adopt its own written Constitution incorporating the guidelines as set by Council in addition to any other items necessary, including matters specific to itself.

3.12 POWERS OF COMMITTEES

Committees are appointed for the care, control and management of a particular Council facility or activity. The powers of committees are limited. For example, the Committee may not make decisions concerning the following:

- (a) Fixing of charges or fees (the Committee may submit recommendations for approval by Council in relation to the fixing of charges and fees for use of the facility under its control), including any policy for exemption from fees and charges. The Committee may recommend to Council that specific groups such as schools, preschools and playgroups be allowed subsidised use of the facility and must state the circumstances under which this is to occur.
- (b) Borrowing of any monies without the express written consent of Council.
- (c) The sale, lease or surrender of any land or other property vested in its care under the provisions of *Local Government Act 1993 (NSW)* (as amended).
- (d) The acceptance of tenders which are required to be called by Council. (The Committee may invite and accept quotations for minor works, goods and services covered within the scope of its authority or as agreed with Council).
- (e) The payment or making of any profit, gain or gift, to or by its members as well as allowance or travelling expenses incurred whilst attending Committee meetings. (Travelling expenses incurred by members in the course of extraordinary duties, eg. Open hall, deliver key, respond to complaints and alarms, will be excluded from this condition).
- (f) The carrying out of any works on or to the facility including alterations, reconstructions or construction without the prior consent of Council. (Does not include minor maintenance works).

- (g) Unreasonably restricting access to the facility to any organisation or individual which agrees to comply with and adhere to the rules adopted for use of the facility.
- (h) Voting on monies for expenditure on the works, services or operations of Council.
- (i) The Section 355 Committee will also be subject to such limitations and conditions as may from time to time be imposed by law, specified by resolution of the Council or in writing by the General Manager to the Committee. The Committee will observe any Rules and Regulations made by the Council, in relation to the facility or activity under its management and control.
- (j) If at any time the Committee is deemed to be functioning outside the limits of its powers as described herein, all powers may be revoked by written notice to the Committee signed by the General Manager or his/her delegate.

3.13 PAYMENT TO MEMBERS

Council will not permit payments in the form of an honorarium to be made by a Committee to any of its members. The Committee may adopt payment for the reimbursement of out of pocket expenses.

3.14 PURCHASING

There may be times when the Committee will need to make substantial purchases and as Committees act on behalf of Council; advantage may be taken of Council's purchasing system. To do this, substantial purchases should be made through Council's Director of Finance and Information Services.

3.15 EMPLOYMENT OF PERSONS

A Committee cannot enter into any agreement, which may be construed as an employer/employee relationship without prior Council approval. Each contractor engaged must comply with the *Work Health and Safety Act 2011 (NSW)* and *Work Health Safety Regulation 2011* and Council's Risk Management policies.

Contractors seeking engagement to supply labour or services to the Committee must submit a completed Expression of Interest for Contractor Register Listing and a completed Contract Agreement for the Supply of Labour and Services with Narrandera Shire Council's Work Health Safety Officer.

3.16 CODE OF CONDUCT

Narrandera Shire Council has adopted a Code of Conduct that is applicable to both elected Councillors, employed staff and delegates of Council. All Section 355 Committee members are delegates of Council and as such must abide by the Code of Conduct when undertaking Section 355 Committee business. This Code of Conduct sets out the principles to ensure the business of Council is carried out in an efficient,

honest and impartial way. Council's Section 355 Committees have the responsibility to ensure the following:

- Access is available to the entire community and is not denied because of ethnicity, gender, disability or religion.
- Priority of use should be given to non-profit making community groups and organisations.
- That the facility not be aligned with, or advocate or advertise for or on behalf of, any political party or person/s.
- As Section 355 Committees are operating as a delegation of Council in the management of facilities/services it is important for Committees to be aware of these responsibilities and abide by this Code of Conduct. For further information on Code of Conduct, refer to *Appendix H*.

3.17 CONFLICT OF INTEREST

A conflict of interest can arise when a member of the Committee has other involvements or interests which make it difficult for them to always remain impartial when involved in discussions and decision-makings. These can include:

- business or professional activities,
- employment or accountability to other people or organisations,
- membership of other community organisations or service providers, and/or
- ownership of property or other assets.

The conflict may lead to:

- financial benefit eg, sale of goods or privileged knowledge,
- political benefit eg. gaining or losing electoral support, and/or
- personal benefit eg. career advancement or increased standing in the community.

Example: A Committee member is the relative of person using the facility and there is some dispute regarding that person's use of the facility. The member would need to declare this interest.

If a member of a Committee has a direct or indirect pecuniary or non-pecuniary interest in any matters before the meeting, the member must disclose the nature of the interest and not take part in the discussion or voting. This interest must be recorded in the minutes to the meeting.

FINANCIAL MANAGEMENT



4.1 INTRODUCTION

Committees appointed under Section 355 of the Local Government Act are subject to the same standards of financial accountability as Council, and it is therefore important that they manage their finances well. Committees who will be handling public funds, on behalf of Council, are encouraged to familiarise themselves with the following procedures, which will assist them to keep proper records and guide them through their day-to-day transactions.

The Director of Corporate Services is responsible for controlling the financial affairs of Council and will offer advice and guidelines for the Committee to follow.

It is emphasised that any payment made by a Committee outside its authority may need to be recovered from Committee members.

Keeping proper records calls for attention to detail more than ability to add up. If proper records are taken at the time money is paid or received, keeping the books should only require one or two hours work a month. But if they fall behind, a long night's work will await you. (See page 29 - Financial Checklist for Management Committees)

The overall responsibility for keeping the books falls on the Treasurer, who should be someone who will keep the records up to date. The actual work is not hard, and this Manual aims to make it easier. But remember – there are no short-cuts because the Committee must always be able to say where its money went. Duties of the Treasurer are shown in (Appendix A)

4.1.1 Things You Need

Before any Committee handles any money it must seek approval from the General Manager or his/her delegate to open an account with cheque drawing facilities in the name of the Committee at an approved financial institution through which all transactions must be made. All monies received by the Committee must be banked, in the form in which it was received, preferably at least weekly to aid reconciliation of the bank account with the cash and receipt books.

To record its financial transactions, each Committee should establish and maintain the following books:

- ✓ Booking Diary
- ✓ Receipt Book - supplied by Council.
- ✓ Cash Book - supplied by Council.
- ✓ Cheque Book - obtained from the bank.
- ✓ Assets Register
- ✓ Petty Cash Book - supplied by Council.
- ✓ Petty Cash Vouchers - supplied by Council.

- ✓ Bank Deposit Book.
- ✓ Bank Statement Folder.
- ✓ Cheque Payment Form Folder.
- ✓ Investment Register

These books are your tools of trade for keeping accounts. Each is simple to fill in, because it has a specific purpose. The next sections show you how to handle money and use these Financial Records.

[4.1.2 Delegation of Authority](#)

The Management Committee must open an account at a financial institution that has been approved by Council.

The signatories of the account are to be any two or three members of the executive of the Committee and Council's Director of Corporate Services.

All approved signatories are to be notified to Council.

As well, the Committee must decide who is empowered to approve which payments. Unless the Management Committee decides otherwise, all payments are to be approved by the Management Committee prior to cheques being signed.

As all payments are endorsed by the Management Committee they are recorded in the Minutes. This is most simply done by receiving and accepting the Treasurer's Report, which is described later.

[4.1.3 Principles to Follow](#)

Keep Financial records in accordance with this Manual.

Council's financial year is from 1 July to 30 June. It will be necessary for the accounts of Committees to cover the period 1 July to 30 June. The accounts will need to be completed and submitted to Council by 31 July each year following their adoption at a Committee meeting, if necessary, called to adopt the accounts. This will enable Council to incorporate the Committee's accounts into Council's accounts as required under the Local Government Act 1993 (NSW).

Committees are to obtain a Certificate from the financial institution showing the balance of the Committee's account as at 30 June each year.

4.2 RECEIVING MONEY – See Financial Flowchart (page 29)

[4.2.1 What to Do](#)

To receive and account for money such as payments for hire of the facility or from a customer, you will need a Cash Tin and a Receipt Book.

The procedure is simple:

- (a) The money is taken as cash or cheques and counted or checked;
- (b) A receipt is written out in the Receipt Book; original is given to the hirer or customer;

- (c) The money or cheque is put in the cash tin;
- (d) The money and the duplicate receipts are handed to the treasurer for banking and reconciling.

4.2.2 Banking

As soon as possible after the money is received and no longer than seven (7) days from receipt, the treasurer must bank the money. The Treasurer must then write up the Cash Book, add up the amount in the Cash Book and make sure this is equal to the amount receipted and banked. All income (cash and cheques) must be banked in the form in which it is received. Payments are not permitted to be made from cash receipts held awaiting banking.

4.2.3 Issuing Receipts

Receipts in triplicate must be written in ink for all income as it is received, irrespective of its source. Receipts must show:

- (i) Date of receipt;
- (ii) Name and address of person from whom payment is received;
- (iii) Total amount received in words and figures and whether as cash or cheque;
- (iv) The reason or particulars for which the receipt was issued;
- (v) Signature of (authorised) person receiving the payment.

Only the original copy of the receipt is to be given out or posted to the hirer. The second copy of the receipt is to be given to the Treasurer for banking along with the cash/cheques collected. The third copy is to remain fixed in the book for audit purposes. Receipts are issued and entered into the cashbook in chronological order.

In the case of hall/sportsground bookings, the receipt number, amount paid and date of payment are immediately recorded in the Booking Diary. This provides a ready cross reference between bookings and payments, so it is clear if fees or deposits have been paid.

Personal cheques must be receipted to the name on the cheque. If, for example, a person pays by personal cheque for hall hire on behalf of a group or organisation, the receipt should be made out to the name on the cheque with a notation of the group or organisation he/she represents eg. Mr J Smith (of Our Town Soccer Club).

Where it is necessary for a receipt to be cancelled, all copies should be returned and clearly marked "CANCELLED" with the receipt being initialled by the authorised person on the Committee responsible for the cancellation. If an original receipt is lost or mutilated, a statutory declaration must be completed.

Change can not be given for cheques received. Immediately upon receipt, cheques should be crossed and marked "Not Negotiable".

Used receipt books must be retained.

4.3 MAKING PAYMENTS AND INVESTMENTS

See Financial Flowchart Page 29

To allow Committees to expend monies received by it, Council each year approves such allocation of funds for the care, control and management of the facility, service or event. Expenditure for any other purpose is not permitted without Council approval. All payments should be supported by accounts for goods and/or services received and are to be paid by a cheque and crossed "Not Negotiable".

4.3.1 Making Cheque Payments

The Committee will inevitably have bills to pay. The procedure for this is as follows:

1. An **Invoice**, bill or receipt for reimbursement is received by the Treasurer.
2. The Treasurer makes sure the amount is correct and payable, and prepares a **Payment Voucher**.
3. The Payment Voucher is **authorised** by a delegated person or Management Committee meeting.
4. The Payment Voucher and the supporting documents (eg. invoice) are **stored** in a ring-folder or attached in a file - not kept loose.
5. The **cheque** is written, signed by two signatories, and sent (with an appropriate note if necessary). The date, amount, purpose and payee of the cheque payment should be recorded on the cheque butt.
6. Payments are recorded regularly in the **Cash Book**.

All payments of twenty (\$20) dollars and over shall be made by cheque and receipts for payments obtained and kept. Smaller payments may be made from Petty Cash.

All cheques are to be signed by at least two authorised cheque signatories, be crossed and marked "Not Negotiable" and made payable to the individual or order. Cheques should not be payable to "Cash", unless for the purpose of a properly established petty cash advance.

Under no circumstances should a blank cheque be signed.

Cheque Payment Form

Payments are supported by a properly completed and certified cheque Payment Form.

The Payment Form will be accompanied by the relevant documents, such as invoice, delivery advice, or receipt (if provided). Invoices and all claims for payment of goods and services received or reimbursements for out of pocket expenses are to be retained.

The cheque payment voucher and supporting documentation are to be marked as "PAID" once the cheque has been drawn.

The Payment Form is then stored with supporting documents in a ring binder or file.

The Treasurer is responsible for keeping the Payment Form records, and presenting these to the Management Committee at each meeting for any member to examine,

and for the Chairperson of the meeting to sign when the Management Committee has endorsed the payments.

A Committee must only operate within the levels of the funds held at any one time, i.e. it cannot borrow money or arrange for a bank overdraft.

4.3.2 Petty Cash Procedures

A Petty Cash float is useful if you need to have small amounts of money available for minor purchases or expenses, or for initial change at a function.

To have a Petty Cash float you will need a Petty Cash Book, a Petty Cash Receipt Book and a Petty Cash Tin (do not use the Receipts Tin or the Receipts Book, as the money may get confused).

To set up Petty Cash, the Management Committee should resolve to have Petty Cash and set the size of the float (the amount initially cashed into Petty Cash from the cheque account). The Management Committee should also decide who is responsible for Petty Cash - unless otherwise decided, the Treasurer will be responsible.

For security reasons, it is recommended that the Float be less than \$100.00.

(i) Spending Petty Cash

To purchase something out of petty cash, you can either take the money from the petty cash tin and pay for the item, or pay for it yourself and be reimbursed from petty cash.

In either case, Petty Cash Vouchers will be completed clearly indicating the particulars and cost, with docketts for each claim attached.

Once paid, the petty cash voucher and attached docketts must be marked "Paid". Any payment over \$20.00 will be made by cheque. Generally, petty cash claims are for minor expenses only.

Each petty cash voucher is to be numbered consecutively as each petty cash claim is made. The details are then recorded in the Petty Cash Book.

(ii) Giving Change

Sometimes it is sensible to use Petty Cash for giving change, say when selling tickets at the door of a function. In these cases, it is also sensible to count the petty cash before taking any money, just to make sure it balances.

After the function, count the petty cash again, subtract the amount you started with, and the difference is the income from the event. This amount should be treated as a Receipt, not as Petty Cash. Write the amount into the Cash Book and bank it, leaving Petty Cash as it was before the event.

Alternatively, the Management Committee may resolve to establish a separate Petty Cash float for a particular function. In this case, the whole amount in the function's Petty Cash Tin is banked and recorded in the Cash book, and the Petty Cash closed.

(iii) Petty Cash Accounting

The Petty Cash float can be maintained so that the float is reimbursed at regular intervals to “top it up” to the maximum approved amount, by the drawing of a cash cheque on the bank account. The reimbursement of Petty Cash can be done regularly (monthly) or when the amount left falls too low (say \$10.00).

Petty Cash should be balanced monthly or at time of reimbursement. This involves writing each Petty Cash Voucher into the Petty Cash Book, which records in five columns the date and number of the Petty Cash Voucher, the purpose of the payment, the amount, and the balance remaining in Petty Cash. The balance is calculated by subtracting the amount spent from the amount to start with. Make sure that the final balance is the same as the amount remaining in the Petty Cash Tin.

When the Petty Cash float is to be reimbursed, a cheque is drawn using the Cheque Payment Voucher and attaching to this the petty cash vouchers that are being reimbursed. The cheque details will be recorded in the Cash Book and presented to the Management Committee for endorsement, along with other cheques. The cheque is then cashed and put into the Petty Cash Tin, and recorded in the Petty Cash Book as a negative amount (because it is “unspent”). Subtract this “negative” expense from the balance remaining, and the balance of Petty Cash should again equal the float.

4.4 INVESTMENTS

As funds are accumulated, the Committee may wish to transfer amounts from the cheque account to investment or savings accounts which attract higher interest rates. However, surplus funds may be invested only in those forms of investment authorised by the Local Government Act. Council’s Director Corporate Services can provide advice on this matter.

Payments must not be made from an investment or savings account and withdrawals from these accounts must be immediately deposited in their entirety into the cheque account and all payments, including deposit refunds, made by cheque.

4.5 PURCHASE AND SALE OF ASSETS

Assets (essentially these are items which have a re-sale value) can be purchased by the Management Committee through its normal payment process of approval or payments, and normal records in the Cash Book and Payment Voucher are to be kept. Note that assets purchased by a Management Committee are the property of Council, though it is not Council’s policy to take assets away from the Facility that purchased them. Council must approve the purchase or disposal of any assets and this would normally be done by including the proposed asset purchase and/or disposal in the Committee’s annual budget.

An asset can be taken as an item which has a useful life and provides service potential or future economic benefit. Examples include: Plant, Equipment, Furniture, Fittings and Improvements.

Council’s anticipated threshold for asset recognition is \$500.00 which also applies to aggregated assets eg. if you have 10 chairs valued at \$150.00 each, then they can be brought to account as assets. 10 chairs \$1,500.00.

If an acquisition is under the threshold of \$500.00 or provides no future economic benefit or service potential, then it can be treated as an expense in that period.

When assets are purchased, they should be recorded in the Equipment column in the Cash Book so that they are easily distinguished. Committees may similarly sell assets they have purchased if these become redundant. The income from the sale is entered into the Receipts side of the Cash Book under "Sundries".

At the end of each year, the Committee will update their Assets List which shows what major items they own. Each year Council's Financial Services goes through the Council's Assets Lists and works out the level of depreciation for each item. To assist, Committees will be asked each year to submit details of all items purchased. In this process, Committees can advise Council of any item disposed of as well.

Management Committees may purchase assets for their facility by utilising Council's Purchasing Officer. (See Section 13.2).

[4.5.1 Depreciation and Replacement Fund](#)

Each year, when the Committee receives its Audited Accounts, any amounts shown for depreciation of Assets should be included in a special account set aside for the replacement of Committee assets.

4.6 KEEPING THE CASH BOOK

[4.6.1 Description](#)

The cash book is used to record the Committee's receipts and payments of money. A cash book consists of pages ruled into columns. On one page you write down details of your Committee's income (receipts of money), and on the next you write down payment details. Every month you rule across after the last entry, add up how much you have paid and received, and check that this tallies with the bank.

On the **Receipts** page, the columns are required for:

- date
- source of funds
- receipt number
- amount received
- date of banking

plus columns for frequent sources of funds, such as donations, interest, received amounts.

For facility hire, have columns on:

- date the facility was used
- amount paid for facility hire
- amount paid as damage deposit (bond)

On the **Expenditure** pages of the cash book, the columns to use are for:

- date
- payee's name
- cheque number
- amount paid

plus columns for the main uses for funds, such as deposits forfeited, facility cleaning, purchases of equipment and so on.

A "Sundries" column on both the Income and Expenditure pages would contain all income or expenditure not listed in specific columns and of a minor or irregular nature.

4.6.2 Using the Cash Book

Every time the Committee receives or pays money, the Treasurer records the date, source, amount, and receipt/cheque number in the Cash Book. It is best not to let too many transactions accumulate before writing them up in the Cash Book.

- Receipts and payments are entered consecutively in date and receipt number/cheque number order in the appropriate page of the cash book.
- One entry is written on each line, filling the relevant columns.
- The amount of the income or payment is actually entered twice - in the Total Amount Column, and in the column(s) for the type of income or payment.
- For example, a receipt of \$200 being \$150 hiring fee and \$50 deposit' would show \$200 in the Total column, \$136.36 in the facility Hire Column, \$50 in the facility Deposit Column and \$13.64 in the GST column.
- If an incorrect entry is written in the cash book, it is neatly ruled through and initialled before writing the correct entry. Liquid paper correction fluids should not be used to alter an incorrect entry.

It is suggested that a new page be started in the cash book for each month, unless there are very few entries. To do this, rule off under the month, add up the columns, and on a new page start the next month with the first entry in each page being the balances (column table) brought forward from the previous month.

4.6.3 Recording of Deposits or Bond Moneys

In the Cash Book, deposits or bond moneys received (such as indemnity deposits, key deposits) are recorded in the receipts side of the cash book in Facility Deposits column. This money is to be banked.

When a deposit is refunded (by cheque), the amount paid is shown under the Facility Refunds column in the payment section of the Cash Book.

If a hirer leaves the facility in an unclean or damaged condition, a portion of the deposit may be forfeited and retained by the Committee. The payment entry in the Cash Book would be written up to show the deposit was refunded but a portion was taken in as income, as follows:

- The amount of the drawn cheque (that is, the actual refund) is shown in the Amount column.

- The total amount of the deposit paid is shown in the deposits refunds column.
- The amount forfeited is shown in the forfeited deposits column in brackets () to indicate that this amount is to be treated as additional income.

The Cash Book also provides for a separate page where deposits for the hire of the facility should be recorded.

Then write "R" (for Refunded) beside Receipt entry for the deposit to indicate that this deposit was refunded. It is often helpful to write the number of the refund cheque as a cross reference. When writing the refund cheque details in the Cash Book and on the cheque butt, it is helpful to note the receipt number of the deposit being refunded. It is also good internal control to note on the receipt that a refund (full or partial) has been issued.

These notations and cross referencing help to identify outstanding deposits when compiling a list of deposits still held at any specified time and especially at the end of the financial year.

The details of refunds for damage (indemnity) deposits should be noted in the Booking Diary.

The deposit book should list each individual cheque being deposited, cash in total and should have a summary of each day's deposits from the cash listed in the Deposit Book to add up to the total deposit.

4.6.4 Banking Reconciliations

At the end of each month, the Committee will obtain a Bank Statement for each of the accounts under its control and reconcile this with the Cash Book. All Bank Statements are to be retained. A bank reconciliation is really quite simple to do. It involves calculating from the Cash Book how much money you ought to have, and seeing if this is the same as the amount you do have. The steps are these:

- **Mark** in the Cash Book all cheque payments and bankings which are shown in the Bank Statement as having been made. Check the amounts are the same!
- **Enter** into the Cash Book any entries on the Bank Statement which are not already recorded - payments are likely to be bank charges for the month, and deposits are likely to be interest.
- **Rule off** the Cash Book under the last entry (for both receipts and payments), and add up the amount received and paid since you last ruled off. Make sure that the total of the amounts column equals the total of the other columns.
- **Write down** the amount in the bank at the time of the last reconciliation (generally the amount at the beginning of the month). Add the total amount of money received (according to the Cash Book) since the last reconciliation. Subtract the total amount paid (according to the Cash Book).
- **Add** the total amount for unpresented cheques and subtract the total of any unbanked receipts in the Cash Book (the last banked amount should be recorded in the Banking column, and all receipts after that should not yet have been banked).

- **Check** that the amount you have calculated is the same as the amount on the bottom of your Bank Statement. If not, repeat this process.

4.7 GOODS AND SERVICES ACT

Council makes payment of any GST payable and retains any GST refundable by a Section 355 Committee. Treasurers are asked to obtain and keep all Tax Invoices in relation to all expenditures, as Council is only able to claim back applicable GST where these records are held. Each Committee is obliged to provide information for Business Activity Statements (BAS) as at 30th June each year for preparation of statements and audit of Committee books.

Information and guidance in relation to the requirement for GST can be obtained from Council's Director of Finance and Information Services. A sample record sheet for GST or an electronic version of this record can be obtained.

4.8 BUDGETS/REPORTS

4.8.1 Annual Budget

The budget will be prepared for the period 1 July to 30 June each year to coincide with the period the Balance Sheet/Statement of Income and Expenditure are prepared. The Treasurer should contact Council to confirm any changes to the fees and charges for the next financial year.

However, the budget is prepared prior to 1 July whereas the Balance Sheet and other reports are prepared after 30 June. The Budget is to be prepared in conjunction with the management plan and must be completed by 1 March each year.

The budget should be prepared using the "accrual" accounting concept.

4.8.2 Treasurer's Report

The Committee's Treasurer will prepare a Treasurer's Report for presentation at each Management Committee meeting. The report should inform other Committee Members of the receipts and payments since the last report and include a banking reconciliation. A copy must be forwarded, with the Minutes, to the Council following each meeting.

4.9 ANNUAL FINANCIAL STATEMENTS

4.9.1 What are the Annual Statements?

- (i) The Balance Sheet

The Balance Sheet essentially shows the financial worth of the Management Committee. Assets, liabilities and accumulated funds are separately disclosed – the net worth is the accumulated funds, that is, the assets less the liabilities.

Monies received by Committees, such as bond deposits on the hire of the centre, should be treated at year end as a sundry creditor since the monies will be repaid to the hirer upon satisfactory completion of the hiring terms.

(ii) The Income and Expenditure Statement

The income and expenditure statement shows how much the Committee received during the year, how much it paid out, and whether there was a surplus or deficit. This statement should be prepared based upon the concept of accrual accounting, so it will include items of expenditure incurred but not yet paid, and items of income earned but not yet received, as well as the actual receipts and payments.

(iii) The Auditor's Statement

The important aspects of the Auditor's report is that it clearly expressed an opinion that the financial statements represent a true and fair view of the Committee's results for the period and financial position as at the end of that period. Please note that Council's Auditor may at any time demand the Committee books for audit purposes and on such demand the books shall be handed over immediately.

(iv) Notes to the Treasurer

Notes to the Treasurer are written by the Auditor to provide additional information on any item in the financial statements. Examples would include a schedule of sundry debtors and sundry creditors, a list of capital expenditure for the period and list of deposits held.

[4.9.2 Closing off the Books](#)

Immediately before the close of the Committee's financial year (30 June), the Treasurer will pay all outstanding bills and try to collect any outstanding monies. In early July a bank reconciliation shall be done and an initial financial statement prepared by the Treasurer.

This financial statement should summarise the receipts and payments for the year using the headings on the columns in the Cash Book. The easiest way of doing this is to use pages at the back of the Cash Book to record the monthly totals of receipts and payments under the same headings used on the monthly pages. At the end of the year, simply add up the total for the twelve months for each column, and write these totals in a list.

Having written up the year's totals for receipts and payments, prepare a bank reconciliation for the year. This follows the same procedure described previously, except that the starting balance is the amount in the bank on the first of July, and the final balance is the amount at 30 June.

The books of account and other supporting documents shall then be forwarded to the Council for auditing by 31 July each year. Be sure to include references to any creditors and debtors that exist at year end.

This procedure will also be carried out prior to the Quadrennial Meeting for election of a new Committee in October of the election year.

[4.9.3 Audit of Accounts](#)

A copy of the Treasurer's report and Final Statements will be sent to the Chairperson of the Committee and Council.

The Auditor shall make a full and complete audit of the accounts of the Committee, using due care, skill and diligence, and shall certify whether in his/her opinion the statements of accounts are full and fair statements properly drawn up so as to exhibit a full and true view of the Committee's affairs and whether they are in accordance with the books of the Committee.

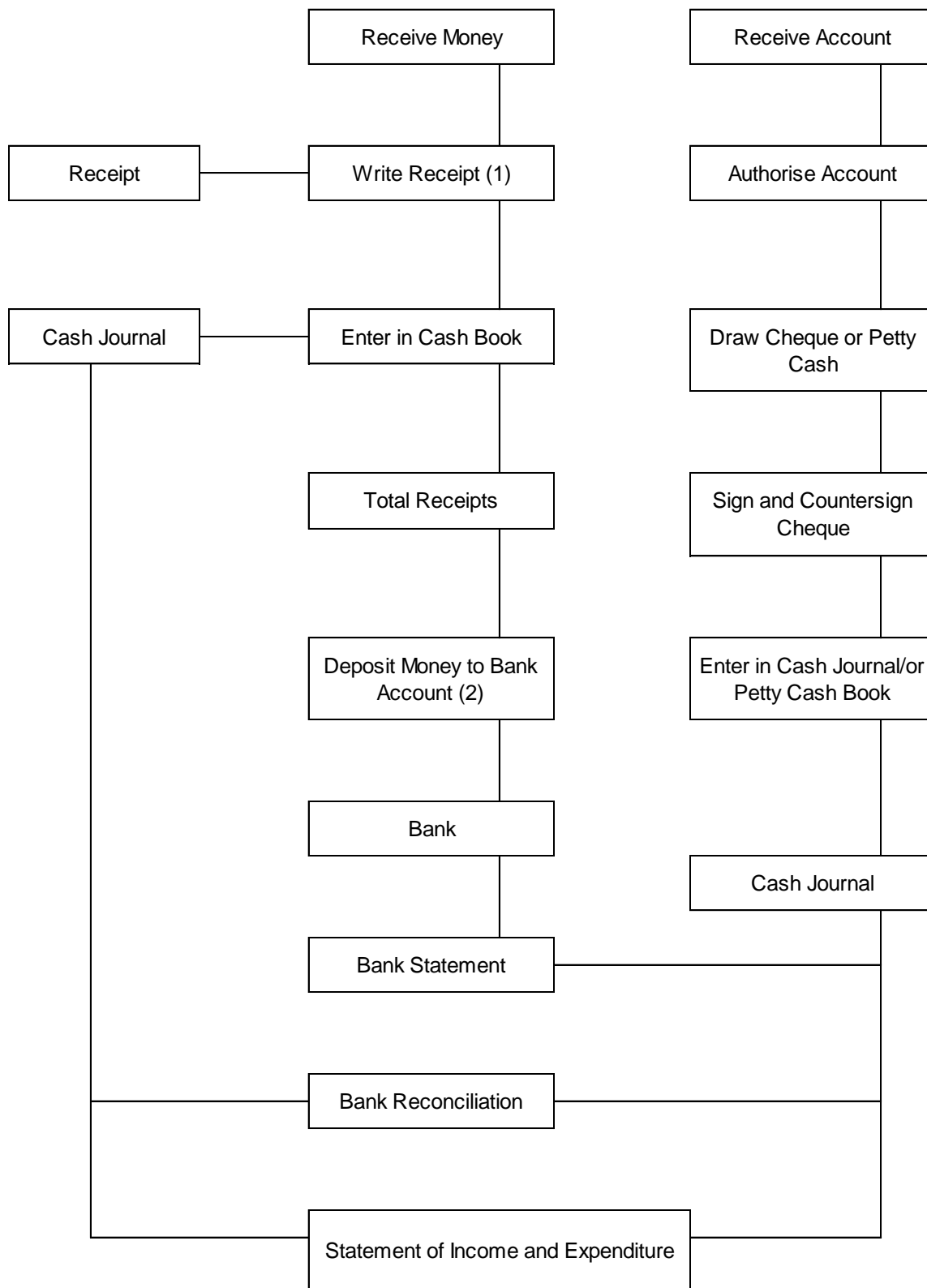
The financial and related records listed in Section 17.1.1 must be available for audit after the end of each year and for any interim check which may be called by Council's Internal or External Auditors at any time during the year.

Prior to their submission for audit, the Treasurer, or authorised Committee member should ensure that the bank statements, savings pass books are updated, and investment and bank certificates (as at 30 June) are updated and certified by the Bank so that transactions up to and including the final date for the audit are recorded on the statements etc. and that all books and documents cover the whole of the period of the impending audit.

The Annual Financial Statements prepared by the auditor should include a Balance Sheet, Income and Expenditure Statement, Notes to the Treasurer, and Auditor's Report.

Should Committees or Treasurers require clarification or assistance with further information regarding any of these procedures, please do not hesitate to contact Council's contact officer and training will be arranged.

FINANCIAL FLOWCHART



1. Receipt should show details of split up of Funds received, that is, amount for hire fees, bond, insurance etc should be itemised on the receipt. Receipt should be written as soon as funds are received and original given to payer.
2. Money received should be banked as soon as possible after receipt, that is, preferably on the same day or at least weekly

R I S K M A N A G E M E N T I N S U R A N C E



5.1 RISK MANAGEMENT

Risk management is a process identifying hazards, assessing the potential for the hazard to cause loss and damage, to either persons or property and implementing preventative and precautionary measures to remove or reduce the risk of personal injury or property damage occurring.

As a Committee of Narrandera Shire Council, the members have a shared duty of care with Council to provide a safe environment for persons using the facility being managed.

Accordingly, it is Council's responsibility to ensure that Management Committees are aware of and trained to undertake certain responsibilities with respect to Work Health and Safety (WHS) Issues as follows.

- Committees are provided with information, instruction and training to meet their obligations with respect to WHS.
- That WHS procedures are complied with in the area under their control,
- How to identify hazards that are under their control and are followed up on
- Committees are consulted on issues that may affect their health and safety

Management Committee members have a responsibility to:

- Take reasonable care of the health and safety of others at the facility
- Co-operate with Council in their efforts to comply with safety requirements and participate in hazard identification and reporting,
- Use equipment properly in order to provide for the health and safety of other people using the facility
- Not to obstruct attempts to reduce risks, or
- Not to refuse a reasonable request for assistance to prevent a risk to safety or health

A **Risk Assessment** should be carried out by the Committee prior to taking any volunteer activities. As with Committee Meetings, volunteers of the Committee must sign an **attendance register** for any volunteer work at the facility.

Any Committee member who as part of their Committee activities, is involved in direct contact with children where that contact is not directly supervised, must complete and sign a **Volunteer Employment Declaration** as per the *Commission for Children and Young People Act, 1998* and the *Child Protection (Prohibited Employment) Act, 1998*. Forms need to be retained by the Management Committee for two years after the volunteer ceases volunteer activities.

5.1.1 Maintenance Activities Carried Out By Members of the Committee

From time to time and due to normal wear and tear, it may be necessary for various routine or other maintenance activities to be taken out or effected in order to have deficiencies rectified.

If the maintenance or work requires the services of a licensed tradesperson such as plumbing or electrical work, then *only* a licensed person should carry out the work and not a member of the Management Committee

Where the maintenance required is of a minor nature eg cleaning or the replacement of a consumable item, the Management Committee will (unless otherwise specified) be responsible, provided they are satisfied they have the necessary skills, equipment and personnel to safely and effectively undertake the task at hand.

Under no circumstances are Committee members to put themselves or anyone else at risk to carry out any activity, if you are not sure or are unable to assess the risk associated with carrying out an activity then please contact Council's Facilities Coordinator for further advice.

5.2 INSURANCE

5.2.1 General

In relation to 355 Management Committee functions, Council maintains the following insurance cover:

- 1) Public Liability Insurance.
- 2) Casual Hirer Insurance.
- 3) Personal Accident Insurance.
- 4) Property Insurance.

5.2.2 Notification of Incidents

The Committee should immediately report to Council any matter or incident notified to them which may give rise to a claim against Council. Initially gather as much information about the incident as possible then contact Council's Facilities Coordinator on 6959 5510 who will arrange for any remedial work(s) where appropriate and notify Council's Risk Management Officer who will initiate an investigation of the incident.

The third party's intention may be received as a telephone call or letter either direct or from a solicitor acting on a third party's advice and will usually contain the statement "seek compensation for loss(es) suffered" or something similar.

5.2.3 Public Liability Insurance

(i) Council Cover

Council carries a Public Liability Insurance Policy which provides cover for incidents relating to a third party(ies) personal injury or property damage for which Council or entities of Council such as 355 Management Committees are deemed to have had a duty of care to a third party.

(ii) Committee Responsibilities

The Management Committee is responsible for the care, control and management of the Council facility under Section 355 of the Local Government Act, it is considered, for the purposes of insurance, an activity of Council and

therefore, claims arising from the Committees activities are covered under Council's Policy.

Claims may arise from allegations such as a person allegedly being injured from, falling in a car park, slipping on a wet floor, falling from a broken chair, getting an electric shock from faulty equipment etc.

In a general sense, Public Liability Claims are based on whether a Corporation or person was "negligent" and their actions (or inactions) directly led to or contributed to the incident. eg. a water tap was "known" to be leaking on a floor in a tiled bathroom and had not been repaired or the area made safe and a user came into the facility, slipped and injured themselves.

However if the person slipped as a result of a drink being spilt during a personal function, and the Council or the Committee were not involved in the event nor did the Council facility contribute to the incident then it is not likely that the Council or the Committee could be held to be liable and the claim would be made on the organisation hosting the event.

This is why it is important that any sporting body, club, association, corporation or incorporated body hiring the facility carry their own Public Liability cover and that the Committee obtains a copy of a current Certificate of Currency to verify that cover is in place and that it covers the entity for the function being held particularly for events such as gala days, fairs and annual festivals.

The policy does not cover someone allegedly injured whilst playing sport on a Council oval, performing at a concert in a local hall, or being hit by a cricket ball whilst watching a cricket match. All claims are assessed on their individual circumstances and all incidents brought to the attention of the committee need to be reported immediately

- (iii) All incorporated bodies must have their own insurance cover. Council's Insurance Policy does not extend cover to the liability exposure of incorporated entities, individuals or non-Council entities.
- (iv) The Committee shall require all incorporated users and hirers of facilities to have Public Liability Insurance cover to a minimum value of \$20 million.

Where proof of such cover is not presented, the Committee shall withdraw the use of the facility until such time as proof of cover is presented.

The Committee shall keep copies of hirers current Public Liability Insurance and ensure copies are provided to the Committee from the hirer when policies are renewed.

5.2.4 Casual Hirer Insurance

- (i) A Casual Hirer means any person or group of persons (not being a sporting body, club, association, corporation or incorporated body), who hires a Council facility for non-commercial or non profit making purposes, less frequently than once per calendar month or 12 times per calendar year.

The policy strictly excludes cover for Sporting Clubs, Associations and all Incorporated Bodies. In these cases these groups should already have their own insurance policy to cover such events.

- (ii) If the user group is, for example, a mothers club and do not use the facilities more than 12 times a year (casually), the Council has set up this facility whereby the user group or individual can gain cover at a minimal cost to the user, as Casual Hirers Insurance.

The real intention of this cover is to provide liability cover for the organiser of the events for “one off hirers” such as birthday parties, wedding reception etc where someone is injured during the function, e.g. slips & falls from a spilt drink and in turn seeks compensation for their injury. Without this cover the organiser could be left personally liable for all costs associated with the claim.

Casual hirers of the facility are required to pay a casual hirers insurance fee per booking and are then covered for the period of the hire (unless they produce a copy of their own public liability insurance policy). Fees collected by the Committee for the hire of the facility should be submitted to Council at the end of March, June, September and December together with the Casual Hirers Insurance Return Form.

[5.2.5 Personal Accident Insurance](#)

355 Management Committee members are covered for Personal Injury whilst engaged in or on any activity directly or indirectly connected with or on behalf of the Council including whilst travelling directly to and from such activity.

The policy covers non Medicare scheduled items and loss of wages up to a maximum of \$3,000 per week (total disablement) for 156 weeks from the date of the injury. However, by law it is not allowed to cover the “gap” between a scheduled Medicare item and the fee charged by a provider.

Please note that the weekly wage only applies if the volunteer earns an income from employment. Volunteers who are self-funded retirees or on a pension are not entitled to the weekly benefit.

The Policy also covers reasonable out of pocket expenses directly attributable to the injury, e.g. domestic home help, fares to travel for medical appointments and the like.

[5.2.6 Age Limitation](#)

Compensation will not be payable for those under the age of 10 years old and over 90 years of age. Accordingly committee members are advised that only persons directly linked to Council i.e. committee members are covered, coverage does not extend to family members or friends.

[5.2.7 Property Insurance](#)

Council maintains insurance cover on the majority of its halls, sportsgrounds, buildings, parks and reserves fixtures. This includes contents insurance on equipment owned by Council or the Committee such as tables and chairs.

It does not, however, include equipment belonging to pre-schools, playgroups, sporting organisations or any other non-Council entity which may be permanently stored at the hall or ground.

The Committee shall strongly advise each user of the facilities to maintain adequate insurance of all contents owned by the user and stored in buildings under the care, control and management of the Committee as equipment damaged or stolen not belonging to Council can not be claimed under Council's Policy.

Any new equipment purchased by the Committees should be notified to Council for inclusion in Council's schedule.

LEGAL MATTERS



6.1 LEGAL ISSUES

It is important that Committees of Council be aware that they are acting on Council's behalf. Legally, the Committee is "Council" and any action which the Committee undertakes is Council's responsibility. Committees provide recommendations that go to Council for determination.

- (i) It is important for Management Committees to be aware that they are acting on behalf of Council and that legally any actions undertaken by the Committee within the scope of the delegations given to the Management Committee by Council and in accordance with the requirements of this manual, are deemed to be the responsibility of Council.

The Committee must also ensure that all activities carried out at the facility comply with the various State and Federal Acts such as those outlined in Section 22

- (ii) The Management Committee can act only within the terms of the delegations as outlined in S377 and S378 of the Local Government Act and in accordance with the requirements of the Operations Manual for Council Management Committees.

6.2 RECORDS OF COMMITTEE

Records of Council Committees should be kept in accordance with the *State Records Act 1998 (NSW)* and *General Disposal Authority – Local Government Records (GDA 10)*. In particular, the Committee needs to be aware of the importance of minutes because of their legal status and their liabilities to subpoena in court. Many records of Council Committees may need to be retained for a minimum period of 30 years. Further guidance can be obtained from Council's Executive Officer or Corporate Records Management Officer.

6.3 PECUNIARY INTEREST

A Pecuniary Interest is one of financial benefit by a Committee person or other person with whom the person is associated (that is, spouse, de-facto partner or relative of a Committee person) from an interest that a Committee person has in a Council matter. It does not exist where the interest is so remote or insignificant that it could reasonably be regarded as unlikely to influence any decision. The obligation to disclose is a strict duty, and the person's motives for participation are irrelevant if an interest is said to exist.

Chapter 14 of the *Local Government Act 1993 (NSW)* includes a framework for the handling of alleged breaches of the pecuniary interest provision of the Act. The Act is about openness, accountability and transparency in decision-making by Councils and any Committees representing the Council. It is the responsibility of members of Section 355 Committees:

- ❖ 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 Section 355 Committee meeting in which the member has a pecuniary interest.

Example: A Committee member is associated with a cleaning business and the s.355 Committee is seeking expressions of interest to have the hall floor repolished.

The member could gain financially if their associated business were to gain the contract so they need to declare their interest and take no part in the assessment of the expressions of interest or decision process

6.3 DISCLOSURE OF PECUNIARY INTEREST

If a Committee member has a direct or indirect pecuniary interest in a matter being considered or about to be considered at a meeting or the interest appears to create a conflict with the proper performance of the member's duties in relation to the consideration of the matter, the member must, as soon as possible after the relevant facts have come to the members knowledge, disclose the nature of the interest at the meeting.

A Committee must ensure that particulars of any disclosure made under this clause are recorded in the minutes. After a member of a Committee has disclosed the nature of an interest in any matter, the member must not:

- ❖ Be present during any deliberation of the Committee with respect to the matter; or
- ❖ Take part in any decision of the Committee with respect to that matter. Please note that a member's absence has a direct impact on numbers for a quorum.

For the purposes of the making of a determination by a Committee as to whether the member has a direct or indirect pecuniary interest in a matter to which the disclosure relates, the member must not be present for the deliberation.

V O L U N T E E R S



Management Committees often need to source and rely upon other people to provide a service or duty to the Committee. These people provide their services or expertise in a voluntary capacity.

Narrandera Council appreciates the efforts of volunteers who become members of Section 355 Committees. This is an important role providing a valuable contribution to the local community. Without such voluntary help the number of community facilities and services that Council is able to establish and support would be reduced.

However it is important for Management Committees to be aware of and comply with the following conditions regarding volunteers:

- (i) All volunteers to a Section 355 Management Committee must complete a Volunteer Application Form and submit it to Council for Approval.
- (ii) Volunteers are to be provided with and should make themselves familiar with Council's Guidelines for Managing Volunteers.
- (iii) The volunteer shall not commence volunteer activities or vote at Committee Meetings until their application has been approved by Council and the Committee has been notified in writing.
- (iv) While undertaking activities on behalf of Council, volunteers have responsibilities for health and safety. In particular volunteers, through their actions or omissions are not to place themselves or other persons at risk while undertaking the activities they have been engaged to do.

Further information is available in Narrandera Shire Council Policy ES 260 – Volunteering. This policy can be obtained from Council's Web Site www.narrandera.nsw.gov.au or email council@narrandera.nsw.gov.au , or by contacting Council's Executive Officer on telephone 6959 5500 for further information or assistance.

FURTHER INFORMATION



There are basic procedures to follow that provide solid structures for operations – large or small. Many of these procedures are common to all kinds of Committees throughout the community, not just Management Committees. Committees need to be aware that accountability is required to Council, user groups and the general community. To facilitate this accountability, Committees are required to:

- (a) Hold an Annual General Meeting and ensure that it is advertised,
- (b) Provide reports and minutes to Council, and
- (c) Ensure that affected persons are aware of Committee meeting details.

To assist the Committee the following appendices provide suggestions for good work practices:

Appendix A – Office Bearer Roles & Responsibilities

Appendix B – Meeting Procedures Guidelines

Appendix C – General Meeting Agenda Template

Appendix D – Annual General Meeting Agenda Template

Appendix E – Format for Minute Taking

Appendix F – Procedure for Motions

Appendix G – Standard Format for Correspondence

Appendix H – Code of Conduct

Appendix I – Facility Management Guidelines

Appendix J – Volunteer Application Form

Should you require further information or direction, contact Council's Executive Officer.

APPENDIX A

Office Bearer Roles & Responsibilities

This appendix provides more detail on the roles, duties and responsibilities of specific office bearers, as well as the role of Committee members who are not office bearers.

Chairperson

Every Committee must have an appointed member as Chairperson. The key responsibility of a Chairperson is facilitating the operations of the Committee. The duties of a chairperson include:

- ✓ Providing coordination, guidance and leadership to ensure the successful functioning of the Committee,
- ✓ Representing the Committee in the public domain, and
- ✓ Ensuring administrative and other tasks from meetings are carried out.

During meetings the Chairperson is responsible for ensuring:

- ✓ Meetings are correctly convened,
- ✓ A quorum is present for all decisions,
- ✓ Meeting decisions are properly minuted,
- ✓ The maintenance of order at the meetings, and
- ✓ The business of the meeting is conducted.

If the Chairperson is absent from any meeting, the Committee may temporarily appoint another of its members as the chairperson. The Chairperson may vote on any motion considered by the meeting and in the event of a tied vote; the chairperson may exercise a second or casting vote.

Secretary

The key responsibility of a Secretary is the administration of the Committee. Duties of the Secretary include:

- ✓ Taking and recording minutes of all meetings;
- ✓ Maintaining off all records and correspondence;
- ✓ Receiving all incoming correspondence and bringing it to the attention of the Committee;
- ✓ Writing and dispatching all outwards correspondence required by the Committee;
- ✓ Keeping Committee members properly informed by sending them notices of meetings, agendas and copies of correspondence, reports etc. as required; and

- ✓ Liaising with the chairperson between meetings so that the business of the Committee is attended to and, in consultation with the chairperson, to call extraordinary meetings as required.

Treasurer

The Treasurer is responsible for keeping the Committee's financial records in good order.

The Treasurer's duties include:

- ✓ Maintaining a bank account in the name of the Committee (once approved by Council);
- ✓ Ensuring signatories to the account are the Chairperson, Treasurer and Secretary (or one other office bearer) with any two to sign;
- ✓ Recording and banking money received;
- ✓ Paying accounts as authorised by the Committee;
- ✓ Keeping all invoices, receipts, cheque butts, bank statements etc. for audit purposes;
- ✓ Reporting at each Committee meeting current details on bank balances, transactions since the previous report, the Committee's current financial position and any other information that the Committee may require; and
- ✓ Preparing an annual financial report, based on financial year.

Committee Members who are not Office Bearers

Non-office bearing members' duties include:

- ✓ Actively participating in Committee activities and business,
- ✓ Attending all Committee meetings and participating in decision making,
- ✓ Bringing to the Committee's attention any identified problems or issues, and
- ✓ Assisting in the maintenance and management of the facility as required

Non-Members as Office Bearers

Committees may find it useful to appoint someone who is not a Committee member, but has relevant skills, to undertake particular tasks such as bookkeeping and secretarial work. In some cases this will be a volunteer; in other cases the Committee may engage a local accountant or bank manager, to keep the books. Note that the Committee will require Council's approval.

APPENDIX B

Meeting Procedures Guidelines

Each Committee is free to decide its own meeting times, schedules and styles. The aim is to meet as often as is necessary for good management of your Committee or Council asset. As a minimum, one meeting must be held each quarter. Its level of activity will largely determine the business that a Committee deals with at the regular meeting. The basics that need to be covered include reports from the:

- Chairperson;
- Treasurer;
- Secretary, including a list of correspondence received and sent; and
- Progress reports on any works being done.

A Committee can decide its meeting schedule at the start of each year, or determine at the end of each meeting when and where the next one will be held. A good way to remind Committee members about a forthcoming meeting is to circulate the Minutes of the last meeting, plus Agenda and any other papers, approximately one week before the meeting date.

In principle, meetings should be open to the public because the Committee is representing the community in the management of a public asset. Therefore, visitors should be able to attend meetings if they wish. They can take part in discussions only at the invitation of the Chairperson, and cannot propose Motions or vote.

Holding Committee Meetings

The following provides greater detail on meeting procedures to assist Committees. However, it is the specific Management Committee that decides its own meeting procedures.

- Notice of the Meeting

A notice of meeting, typically incorporated with the Agenda, is circulated to Committee members at least a week before the meeting. Reasonable notice of meetings should also be provided to the public. This may be by publishing annually a schedule of meetings, or publishing a notice of meeting just prior to each meeting.

- Agenda

An Agenda is prepared prior to any meeting. The Agenda is a short document that sets out the business that is to be dealt with at the meeting. Usually the Secretary, in consultation with the Chairperson, prepares the Agenda, but all Committee members can nominate items of business to be included on the meeting Agenda. When circulating the Agenda, the Minutes of the previous meeting and any reports to be considered at the meeting are usually attached. At the start of the meeting the Chairperson usually asks;

- (i) If there are other items of business that any member wishes to be added to the Agenda, and

- (ii) If any member wishes to change the order of the Agenda. The addition of new items at the meeting is generally acceptable however if those items are contentious and/or some members are absent from the meeting then a decision can be made to defer such items to a subsequent meeting of the Committee.

- Quorums

A Quorum will be half the number of Committee Members plus one (the minimal number of members of the Committee who must be present in order for the Committee to make decisions). If after thirty minutes (or some time generally agreed by the Committee as appropriate) from the start of the meeting a quorum has not been obtained, the Chairperson will decide to:

- ❖ Postpone the meeting, or
- ❖ Conduct the scheduled business of the Committee, but refer all decisions and Motions to a subsequent meeting when a quorum is present for reconsideration and/or ratification.

Note that a member who has made a declaration of interest in a matter before the Committee cannot be counted as part of the quorum.

- Voting

One method for voting is a show of hands. The Chairperson calls first for those in favour of a Motion and then for those opposed to a Motion, and then declares the result to the meeting. In the event of a tied vote the Chairperson may exercise a casting vote.

- Addressing the Meeting

For more formally run Committees, all Committee members addressing the meeting must direct their remarks through the Chairperson (“*Through you Mr/Mrs/Ms Chairperson...*”). Any other member shall not interrupt a Committee member addressing the meeting, except that the Chairperson has the right to provide any direction to the member regarding the conduct of that address (appropriate language, length of time taken, etc).

- Making Decisions/Motions

Each decision of the Committee should be made by a formal vote, even if everyone agrees, and recorded in the Minutes. Decisions are made by passing Motions. Any Committee member may move a Motion and the Chairperson then accepts the Motion for consideration.

This could be as simple as:

“I move that the Treasurer’s report be accepted” Bill Smith moves.

“I second that motion” says Mary Black.

The Chairperson says *“All in favour”* (counts six raised hands) *“all against”* (Counts no raised hands) *“The Motion is carried”*.

The Minutes will record the wording of the Motion, who moved it, who seconded it, whether it was passed or defeated. Committees may have Motions that are more complicated and contentious arising from their discussions on how to proceed with a project or manage their asset. In such cases, it may be useful for the Motion to be written down and read out or

circulated prior to voting, so that everyone is clear about what is being decided. If a vote is tied, the person in the chair has a second or casting vote.

A member may have their name recorded against or for a Motion if the Motion is carried contrary to the way they voted. A Committee can only make decisions (i.e. move and pass Motions) if a quorum of its membership is at the meeting.

- Public Participation

All Committee meetings are open to the public. The form of public participation at any Committee meeting is at the discretion of the Committee and may range from simply allowing the public to witness the Committee's proceedings to actively encouraging input into the discussion of items of general business. Suggestions on managing public participation include:

- ✓ Allowing question time at the start of any meeting,
- ✓ Accepting questions in writing for consideration either at the start of the meeting or as part of general business, and
- ✓ Encouraging deputations and petitions

A Committee that regularly attracts public interest may develop and circulate publicly some simple rules on how members of the public are expected to conduct themselves in Committee meetings. These rules can detail any limits on participation such as limiting questions to two per person, giving the Chairperson the right to eject any person disrupting the meeting etc. Members of the public cannot vote on any matter before the Committee.

- Minutes

Items to be addressed in the Minutes shall be in accordance with Clause 266 of Division 5 of Part 10 of the *Local Government (General) Regulation 2005 (NSW)* which states:

- (1) *Each committee of a council must ensure that full and accurate minutes of the proceedings of its meetings are kept. In particular, a committee must ensure that the following matters are recorded in the committee's minutes:*
 - (a) *details of each motion moved at a meeting and of any amendments moved to it,*
 - (b) *the names of the mover and seconder of the motion or amendment,*
 - (c) *whether the motion or amendment is passed or lost.*
- (2) *As soon as the minutes of an earlier meeting of a committee of the council have been confirmed at a later meeting of the committee, the person presiding at the later meeting must sign the minutes of the earlier meeting.*

Copies of all meeting Minutes are to be forwarded to Narrandera Shire Council within two (2) weeks of the meeting being held.

Minutes are a formal, written record of a meeting and must be kept for all meetings of the Committee. They should record decisions, rather than who said what. At a minimum, the Minutes should record:

- ❖ The time the meeting started and finished;

- ❖ The place of the meeting;
- ❖ The names of the Committee members present;
- ❖ The time of any arrivals and departures of members during the meeting;
- ❖ A list of all items of business considered;
- ❖ The exact wording of any Motions moved, including the name of the mover and seconder, and the mover and seconder of any amendments to the Motion;
- ❖ A record of any or all of the members who supported or opposed the Motion if requested by any member;
- ❖ The results of consideration of any Motions – carried, lost, withdrawn, lapsed, and amended;
- ❖ Details of any questions taken on notice;
- ❖ Details of any deputations made to the Committee, or any guest speakers; and
- ❖ Disclosure of any pecuniary interest or conflict of interest of any member.

The Minutes should enable a Committee member, not present at the meeting, to be informed of all actions and decisions arising and the reasons for those actions and decisions. Every page of the Minutes should be numbered and bear the date of the meeting. The Minutes of a meeting should be endorsed by the following meeting as being a true and accurate record. The Motion endorsing the Minutes should only be moved and seconded by members who actually attended that meeting. Upon ratification of the previous meeting's Minutes, the Chairperson should sign the Minutes. Once endorsed by the signing of the Chairperson, they must never be altered.

Minutes are a permanent record of the Committee's decisions and proceedings. The Secretary should keep a Minute book that will be passed on to the incoming Secretary at the end of the Committee's term. Minutes are a public record of Council and must be stored and archived in accordance with the *State Records Act 1998 (NSW)*. A copy of the Minutes following each meeting is to be forwarded to Council for correct registering and storage.

The *General Disposal Authority - Local Government Records* is the official authority for the disposal of records of councils and county councils. Consult with Council's Executive Officer for information in relation to the disposal of records.

- The Annual General Meeting

The AGM is a public meeting where the Committee reports to its community. The AGM must be held no later than 30 September annually. The AGM includes:

- Ratification of the Minutes of the previous AGM and signing by Chairperson;
- A Chairperson's report on the Committee's activities of the past 12 months;
- Presentation of audited financial statements by the Treasurer or Secretary;
- An outline of the Committee's proposed activities for the 12 months, that may also include seeking the community's approval of those plans; and
- The election of Office Bearers for the following 12 months.

The AGM should be advertised in advance in local newspapers, on public notice boards and via a mail out to users of the Council facility.

Committee members should receive the Agenda, reports and Minutes from the last AGM at least twenty-eight days before the meeting. Ideally, public notification of an Annual General Meeting should be made at least twenty-eight days prior to the meeting.

Attendees can ask questions of the Committee (only in the time set aside in the meeting to do so) but it is not a forum for taking Motions from the floor or voting on proposals. Committee members can only undertake these actions and any such business should be held over to the next regular meeting.

The Minutes of the AGM are to be forwarded to Council along with notification of any changes to names, addresses and contact numbers of office bearers. The incoming office bearers may choose at the end of the AGM to hold the first General meeting of the Committee.

APPENDIX C

General Meeting Agenda Template

(Date)

(Name) (Address)

(Town) NSW (Post Code)

Dear (Name)

Meeting Agenda – (Meeting Date)

You are invited to attend a meeting of the (Committee Name) Management Committee to be held at (location of venue), (town) on (meeting date) commencing at (start time).

Yours faithfully

Secretary

(Committee Name) Management Committee

Committee Meeting for the (Committee Name) Management Committee

MEETING

AGENDA Meeting No: __/20

Opening of meeting by Chairperson/ Welcome to any visitors

Apologies

Confirmation of Minutes of the previous meeting held *(Copy of Minutes attached)*

Business arising from the previous minutes

Correspondence In/Out

Treasurer's report

Agenda Items *(List any items submitted by Committee members separately)*

General Business

Confirmation of next meeting date

Closure of meeting

(Attach any relevant documents to be sent out with Agenda)

APPENDIX D

Annual General Meeting Agenda Template

1. Commence/Open Meeting.
2. The Chairperson presides over the following items:
 - Welcome,
 - Apologies,
 - Minutes of previous AGM, and
 - Reading reports i.e. Chairperson Report, etc.
3. All positions are declared vacant and the Returning Officer takes the chair and presides over the following items:
 - Election of Office Bearers, and
 - Acceptance of nominations from user groups and community members.
4. Returning Officer then hands the chair over to the newly elected Chairperson who is responsible for:
 - Thanking the Returning Officer,
 - Welcoming the new Committee,
 - Considering recommendations 'carried' by way of a motion from the floor, and
 - Getting agreement on meeting dates for coming year.
5. Closure of AGM.

APPENDIX E

Format for Minute Taking

1. Keep them short, clear and concise, and consistent.
2. Set them out - not too cramped, use headings, and underlining so the subjects, decisions and actions to be taken (and by whom) stand out and are easy to read. Use the Agenda as a basis for the format of minutes.
3. Don't try to record every statement made at the meeting. The minutes are a record of the decisions made - each decision or resolution must be accurately recorded.
4. A copy of the minutes without error or additions (unless initialled and signed by the Secretary and Chairperson after adoption at the meeting) should be included in the Minutes Book as a permanent record of meetings. It is the Chairperson's responsibility to see the minutes are unaltered after adoption and are signed as an accurate record.
5. You can record the names of the mover and seconders of each motion or amendment. Record the numbers for and against if specifically requested by those present.
6. List correspondence, business arising and items for general business by number.
7. Organise all your papers in this order and try and see that the agenda follows this order. Shuffling reams of paper, lost items and trying to take minutes while finding the next item is a hassle. Decisions can also be noted on the business papers and then transferred to the minutes later.
8. If minute taking is a shared or revolving duty, allow each person to perfect their skills by taking minutes for at least 3 - 4 consecutive meetings.
9. Draft minutes can be reviewed with the Chairperson or with the Secretary. Two heads are better than one to remember events.
10. Remember, minutes should communicate and assist evaluation. They ensure accountability and are a permanent record of the group's activities.
11. Send them out as soon as possible after the meeting, so that follow-up action is more easily taken.
12. Include a record of the place, date and time of the next meeting.

APPENDIX F

Procedure for Motions

A motion needs to be lawful, productive, relevant, appropriate, easily understood and be positive in its intent, eg. "I move that the facility be an alcohol free zone." If the motion does not meet these requirements, the Chairperson can reject it. Reasons must be given for this decision.

Any motion must be 'seconded' before it can be accepted by the Chairperson and opened for debate. There is no legal requirement to record mover and seconder; however it can be done at the Committee's discretion. The matter lapses if there is no Secunder. Once a motion has been moved and seconded, the order of debate is:

- ✓ Mover (raises original motion)
- ✓ Secunder (allows debate on the motion)
- ✓ Speaker against the motion
- ✓ Speaker for the motion
- ✓ Speaker against the motion
- ✓ Speaker for the motion

The debate continues in this manner until there are no further speakers. A member of the Committee may speak no more than once to each motion or amendment at the meeting. The Mover may then speak again, but in doing so closes the debate.

Once the Mover has closed the debate the Chairperson must put the motion to a vote.

Amendments

Amendments may be made after the motion. The amendment must:

- ✓ be clear and be part of the motion being considered,
- ✓ have a seconder,
- ✓ not exceed the power of the meeting,
- ✓ not be a direct negative of the motion, and
- ✓ be put to the vote before the motion.

APPENDIX G

Standard Format for Correspondence

1. Keep a copy of all correspondence sent out on behalf of the Committee
2. Set up a correspondence book to record all correspondence of the Committee.
This should include:
 - a section for Inwards correspondence/mail.
 - a section for Outwards correspondence/mail.
 - a space to record the date of receipt or dispatch of mail.
 - a numbering systems for both Inwards and Outwards to enable any correspondence to be easily located if the need should occur.
 - a space to identify whose responsibility it is to act on eg, the Secretary.
3. Enter all correspondence in the relevant section of the book ensuring date and numbers are recorded.
4. Place letters received since the last meeting in a folder marked 'Correspondence Inwards' for the meeting.
5. Record any action required and which Committee is responsible for this action.
6. Establish and maintain a filing system for all mail, both In and Out.
7. Correspondence can be filed numerically or by subject.
8. Related items of correspondence can be placed together.

APPENDIX H

Code of Conduct and Ethical Behaviour

Narrandera Shire Council is required under legislation to establish and maintain policies and procedures to ensure the principles contained within the Model Code of Conduct for Local Councils in NSW are observed and followed at all times.

Section 440 of The Local Government Act (1993) NSW requires every Council to adopt a Code of Conduct that incorporates the provisions of the Model Code. The Code of Conduct relates to Councillors, administrators, members of staff of Council, independent conduct reviewers and members of Council committees including Section 355 Management Committees.

The Narrandera Shire Council Code of Conduct is maintained as a separate document. It includes:

- ✓ An Introduction
- ✓ Purpose
- ✓ General Conduct Obligations
- ✓ Conflicts of Interest.
- ✓ Personal Benefit
- ✓ Relationship between Council Officials
- ✓ Access to Information and Council Resources
- ✓ Maintaining the Integrity of the Code

Other documents developed by Narrandera Shire Council support the basic framework of the Model Code and describe in more detail how to best meet all obligations contained with the Model Code.

Two of these policies and procedures:

- (i) The Statement of Business Ethics Policy, and
- (ii) Gifts, Benefits and Hospitality Policy

provide further information such as:

- ✓ When Does a Conflict of Interest Arise?
- ✓ How Should a Conflict of Interest be Dealt with?
- ✓ Recording Conflicts of Interest.
- ✓ Other Responsibilities of Councillors, Members of Staff and Delegates

- Equitable Treatment of People and Situations.
- Bribes, Gifts, Benefits.
- Use of Council's Resources.
- Use of Information.

- ✓ Particular Obligations of Staff & Second Jobs.

- ✓ Returns Disclosing Interests of Councillors and Designated Persons.

- ✓ What are the Legitimate Expectations of a Councillor, Member of Staff & Delegate?

- ✓ Making of Protected Disclosures for Corrupt Conduct etc. as per the *Protected Disclosures Act 1994 (NSW)*.

- ✓ Ombudsman's Report on Good Conduct and Administrative Practice Guidelines.

- ✓ Provision of Information to & Interaction between Councillors & Staff.

- ✓ ss.439-90 of the *Local Government Act 1993 (NSW)* - Honesty and Disclosure of Interests.

- ✓ Breaches of this Code.

Further Information

For more information and detail refer to the following information. Note that this information is available on Council's Web Site - www.narrandera.nsw.gov.au or email council@narrandera.nsw.gov.au , or by contacting Council's Executive Officer on telephone 6959 5500 for further information or assistance. It is **strongly** recommended that the listed documentation be read in conjunction with these Management Procedures.

- (i) Narrandera Shire Council Code of Conduct
- (ii) Narrandera Shire Council Code of Meeting Practice
- (iii) Gifts, Benefits and Hospitality Policy
- (iv) Media and Public Relations Policy
- (v) The Statement of Business Ethics Policy
- (vi) Councillors access to information and interactions with staff and access to Council premises Policy
- (vii) Public Interest Disclosures Policy

APPENDIX I

Facility Management Guidelines

CARE, CONTROL & MANAGEMENT OF A COUNCIL FACILITY (IF APPLICABLE)

Section 1: Management

Committees are responsible for management of the facility on behalf of the community. In doing so a Committee is reminded that subject to payment of fees and charges and other such considerations, the public do have a right to use the facility. Council's buildings must not in any event be used for any purpose that may conflict with the *Work Health and Safety Act 2011 (NSW)* and *Work Health Safety Regulation 2011* and Council's Risk Management policies.

1.1 Maintenance and Improvements – Public Buildings

Each Committee has the responsibility for ensuring that the facility under its control is maintained in a state of reasonable repair and does not present hazards to users. This may entail regular maintenance, (e.g. cleaning, replacement of consumables – paper towelling, etc, mowing and watering) and periodic maintenance of a major nature, (e.g. repainting, replacement of worn or broken items). Council's staff will inspect the various facilities from time to time but Committees are expected to keep Council informed of any substantial repair or upgrading work required on the facility under their control. Any repair work in excess of \$500.00 or any alterations must first be referred to Council for approval and advice before any work is undertaken. Any works considered necessary or desirable but beyond the means of the Committee should be referred to Council in writing so that early consideration might be given to their inclusion in a Works Program or the allocation of Council funds.

Generally, Council will be responsible for major maintenance and improvements, such as external painting or re-roofing and building extensions, but consistent with availability of Council funds and income generated by the facility. The Committee would be expected to accept responsibility for the cost of such items as:

- Cleaning;
- Internal Painting;
- Plumbing maintenance;
- Electrical maintenance;
- Minor repairs, such as broken windows and fittings;
- Installation of new internal fittings, such as cupboards;
- Electricity;
- Gas;
- Water Usage; and
- Provision and maintenance of furniture and equipment.

1.2 Bookings – Public Buildings, Playing Fields and Open Spaces

In the majority of cases, the Committee will take control of bookings for the facility, subject to the schedule of fees being approved by Council on an annual basis. Fees received by the Committee will be retained to cover the cost of maintenance and improvement.

1.3 Usage – Playing Fields and Open Spaces

Committees will not be required to pay any fee to Council in return for field usage. With the exception of usage by schools, preschools or playgroups, the Committee may levy a charge on all users of the field for organised sport and may make a charge on spectators at scheduled events to defray its costs by way of maintenance and operation, provided that such fees and charges are approved by Council.

The general public may not be excluded from any sporting area (unless the general public display disorderly or nuisance conduct), which constitutes public open space except during scheduled events. The Committee will be required to submit a program of scheduled events to Council before the commencement of each sporting season. Council will closely monitor sporting area usage and reserves the right to schedule sporting events of other organisations on to any sporting area controlled by a Committee, provided that such organisations pay to the Committee the standard fee for usage, if required.

Council will be concerned if any sporting area managed by a Committee is either under or over utilised and may seek redress for such occurrences. So long as the Committee manages and maintains the sporting area under its control, and Council is satisfied there is a continued need for the area to be consistently used by the clubs from which the Committee is formed, then that club is permitted to nominate the area as its home ground. If, however, management and/or maintenance is not adequate and/or need for use by the club diminishes then Council may implement its power to dissolve the Committee.

1.4 Funding Allocation – Playing Fields

Applications for subsidy and loans towards the cost of upgrading playing fields will be considered by Council when there is a shortfall in funds after taking into account all income, justifiable expenditure and available services. Any application for subsidy should satisfy Council that all income is being fully utilised, adequate fees are being charged and that fields are maintained at a reasonable standard. The Management Committee may be required to assume total responsibility for the control of any subsidy funding. Maintenance works can be carried out by the following means:

- Voluntary labour,
- Use of Contractors, and/or
- Council staff and equipment (on the basis that the Management Committee pays Council the appropriate hire rates). Council staff will regularly check to ensure that the playing field is being properly maintained and that funds allocated by Council are being spent on the approved activities.

Section 2: Purchases, Employment & Insurances

2.1 Public Liability

As Council appoints Management Committees, members of the Management Committee are included in Council's Public Liability insurance cover, which extends to all properties owned or leased by Council. Members of the Committee should note that they are only covered by Public Liability insurance when acting within the

scope of their delegation and when they are an approved registered volunteer of Council. The Committee should be aware that this policy is subject to a claims excess (please liaise with Narrandera Shire Council's Risk Management Coordinator for information on limits).

2.2 Casual Hirer of Premises

All short-term, unincorporated users of Council facilities (e.g. weddings, birthday's etc) are covered by a master policy by Council. Please check with Narrandera Shire Council's Risk Management Coordinator to ensure your facility is covered.

2.3 Definition of a Casual Hirer

Hire of facilities owned by Council, no more than a total of 10 days over any 12 month period. Should a claim occur arising out of negligence of Council as owners of the facility hired, (e.g. the third party breaks a leg after tripping on a broken step) then Council's Public Liability – Professional Indemnity Policy is the policy to respond to the claim, not the Casual Hirers policy. However, if a claim occurs arising out of the negligence of the Hirer, (e.g. the third party breaks a leg after slipping on a drink spilt on the floor) the Casual Hirers policy is to respond. The Casual Hirers policy provides cover for the ad-hoc hiring of Council owned facilities, including sports facilities. However, it does not provide cover to permanent hirers of the facilities; Incorporated Associations, Sporting bodies or Associations of any kind (see permanent hirer for more detail).

2.4 Definition of Permanent Hirer

A permanent hirer of Council owned facilities is a hirer of facilities for more than 10 days over any twelve-month period, Incorporated Associations, Sporting Bodies, or Association of any kind. These organisations are to provide their own Public Liability Insurance cover, indemnifying Council against any claims that may arise as a result of their activities.'

The hirer shall take out and maintain a Public Liability insurance policy with a reputable insurance office indemnifying Council and in the case of the facility being on a Crown Reserve indemnifying the Minister in the sum of not less than twenty million dollars (\$20,000,000) in respect of each and every claim. The hirer shall provide Council with proof of evidence of this by presenting Council with a Certificate of Currency issued by the Insurer, establishing that the Public Liability Insurance policy remains in force. It is the Management Committee's responsibility to ensure that all incorporated bodies and regular users of Council facilities have adequate Public Liability cover. It is also the responsibility of the Committee to ensure that correct licenses are held by facility users engaged in activities that require the same (e.g. carnival operators). Council has Public Liability Insurance to cover the various Committee facilities. The following general information applies to the Public Liability policy:

- (i) The policy covers Council and the Committee (registered volunteers) against claims made by members of the public for personal injury or injury to personal property arising from a negligent act or omission of Council and/or the Management Committee.
- (ii) When an accident occurs members of the Management Committee are instructed NOT to admit liability. The Committee should contact Council's Risk Management Coordinator, as soon as possible.

- (iii) Members of the public who wish to make a claim should be requested to state their claim in writing setting out full particulars of the accident (when, where and how) and the grounds on which they hold the Committee (or Council) responsible.
- (iv) When a Committee receives a claim, the Committee Secretary should question the members/s involved and submit a report in writing concerning the particular accident as remembered by the Committee member. Specific reference should be made of points raised in the claimant's claim. A full investigation will be undertaken by Council's Risk Management Coordinator.
- (v) Claims from members of the public and the report of the incident should be forwarded together with any other relevant documentation to the Council and marked to the attention of the Risk Management Coordinator.

2.5 Personal Accident Insurance

Council has a blanket policy that covers all Council building assets and, where notified, all contents, which are assets belonging to Council. Any claims for loss or damage would be subject to an excess. Only items belonging to Council can be covered under this policy.

2.6 Property – Damage/Theft

In the event of theft or vandalism to Council property or assets, the incident must be reported to the Police in the first instance and appropriate action taken to secure the property and ensure safety of the area.

The reporting officer must fill out an Incident Report (available from Council) and submit to Council's Risk Management Coordinator for certification. The reporting will serve as an important database of information on small incidents for future reference and budgeting. Management Committees will be liable for the first \$500 on all claims below the excess. A claim under this provision must be made on the appropriate Insurance Claim form accompanied by the Incident Report. If a claim is successful under this provision the items will be on a replace/restore basis only through Council's purchasing system. This provision only refers to property belonging to Council:

- For a claim to be successful it must be demonstrated that the Committee had exercised a "duty of care" prior to the damage or loss.
- It is important that the assets of the Committee are listed on Council's records. Written advice is required on new assets in the Annual Report to Council.

2.7 Fixing of Fees and Charges

Committees do not have the power to set their fees and charges for the hire of a Council facility in accordance with Section 377 of the *Local Government Act 1993* (NSW) – General power of the council to delegate. Council fixes all fees and charges annually when developing Council's budget. Committees must forward recommended Fees and Charges for the ensuing financial year on or before the 1st April of each year to the Director Finance and Information Services. Any fees and charges recommended should be calculated carefully so as to cover the costs of managing and maintaining the facility including periodic maintenance of a major

nature, e.g. repainting, top dressing, furniture replacement, running of events, etc. Care should be taken to ensure that one group or section of users does not unduly subsidise others and that all users contribute on an equitable basis bearing in mind all circumstances. Council retains the right to set fees and charges in order to secure a reasonable fee and charge for the facility. The Committee may recommend to Council that specific groups such as schools, preschools and playgroups be allowed Council subsidised use of the facility and the circumstances under which this is to occur.

Section 3: Risk Management

3.1 What is Risk Management?

A risk is the chance of something occurring that has the potential to cause loss, damage or injury. Most activities have risk associated with them. Risk management is setting in place practices and processes that enable risks to be identified, minimised and dealt with. Risk management seeks to minimise the impact of undesirable events, without discouraging appropriate risk taking and initiative.

3.2 Identification of Risk

There are many ways to identify risks including checklists, judgements based on experience, records, expert opinion etc. The aim of risk identification is to generate a comprehensive list of events that might affect the Committee's operations or objectives. These risks are then considered in more detail to identify the potential impact of each risk. The identification process should be broad so that all possible risks, no matter how small, are considered. Steps should then be taken to reduce the risk as much as possible to try to eliminate loss, damage or injury.

As a minimum, Council's Insurer has advised that where a facility is hired out, the responsible Committee should have a Pre-Hirer checklist. This would need to be completed by a Committee member prior to the Hirer taking possession of the facility to identify and deal with any items that may potentially be a hazard causing loss, damage or injury. The checklist is also helpful as it can prove that the hall was in good order before the hire, therefore the damage must have been inflicted during the hire period. Where the Committee identifies a major risk and reducing it is outside the scope of the Committee, a report should be forwarded to the Risk Management Coordinator at Council's office.

APPENDIX J

Volunteer Application Form



1. NARRANDERA VOLUNTEER APPLICATION FORM

DATE OF APPLICATION: _____

PERSONAL DETAILS:

FAMILY NAME: _____ MR / MRS / MS / MISS

FIRST NAME: _____ PREFERRED NAME: _____

ADDRESS:

Street: _____

Suburb: _____ Postcode: _____

PHONE: Home: _____

Work: _____

Mobile: _____

E-mail address: _____

DATE OF BIRTH: ____/____/____ GENDER: Male Female

INTERESTS AND BACKGROUND:

ARE YOU CURRENTLY (please tick):

Employed, Unemployed, Student, please specify: _____

Home Duties, Work Care, Retired, Seeking work

Centrelink client, - please specify: _____

Other, - please specify: _____

CAN YOU BE CONTACTED AT WORK / SCHOOL? YES / NO

LANGUAGES SPOKEN: _____

HAVE YOU GOT A CURRENT FIRST AID CERTIFICATE? YES / NO

HAVE YOU PREVIOUSLY DONE VOLUNTEER WORK? YES / NO

IF YES PLEASE GIVE DETAILS: _____

QUALIFICATIONS: _____

HOBBIES/ INTERESTS/ SKILLS: _____

PREVIOUS WORK EXPERIENCE: _____

HOW DID YOU HEAR OF THE SERVICE? _____

WHAT BENEFITS DO YOU FEEL YOU WOULD RECEIVE FROM VOLUNTEERING?

PLEASE INDICATE YOUR AREA OF VOLUNTEERING PREFERENCE
 Please note that a glossary of services and agencies is attached for your reference

COUNCIL SERVICES	
(Volunteer recruitment is facilitated through Council's Volunteer Coordinator and Human Resources Officer)	
<u>Resident Support Service Programs:</u>	
<input type="checkbox"/> Community Bus Driver	
<input type="checkbox"/> Community Car Driver	
<input type="checkbox"/> Meals on Wheels	
<u>Youth Services:</u>	
<input type="checkbox"/> Holiday Programs	<input type="checkbox"/> Special Youth Events
<u>Library Services:</u>	
<input type="checkbox"/> Library Services	
<u>Event Management:</u>	
<input type="checkbox"/> John O'Brien Festival	<input type="checkbox"/> Easter Hot Rods
<input type="checkbox"/> Other Events	
<u>Tourism:</u>	
<input type="checkbox"/> Visitor Information Centre	
<u>Administration Support: (limited opportunities)</u>	
<input type="checkbox"/> Typing / Computer input	<input type="checkbox"/> Photocopying
<input type="checkbox"/> Customer Service	<input type="checkbox"/> Filing
<u>Other:</u> Please give details of any other volunteer preference. (PTO for extra space)	

DAYS AVAILABLE

Time	Mon.	Tues.	Wed.	Thurs.	Fri.	Sat	Sun.
Morning (from)							
Morning (Until)							
Afternoon (from)							
Afternoon (Until)							

Are you available on public holidays? YES / NO

Are you available during weekends? YES / NO

HOW MUCH TIME CAN YOU GIVE? (Please tick)

Daily Weekly Fortnightly Emergency

ARE YOU AVAILABLE DURING SCHOOL HOLIDAYS? YES/ NO

NOTE:

Are there any other volunteering areas that you would like to explore, that are not noted on the previous table? Please note the areas that you would like information.

CAR AND TRANSPORT DETAILS:

- ◆ Do you have a current driver's licence? YES / NO
- ◆ Do you have your own car?: YES / NO
- ◆ If you do not have your own car, do you have transport? YES / NO

USAGE OF YOUR PRIVATE CAR AND DETAILS:

- a) Are you interested in transporting people in your own car? YES / NO
- b) If needed, are you willing to drive your own car whilst undertaking your volunteer duties? YES / NO

c) If you answered **YES** to questions (a) or (b) and you are interested in transporting people and/or driving your own car whilst volunteering please note the following details.

Please note that a standard petrol reimbursement will be provided to volunteers if you use your own car. (Refer to Wyndham City Council volunteer handbook for specific details)

Driver's licence Number: _____ Expiry: _____

Endorsed Licence (if applicable): YES / NO

If yes, please state category BUS TRUCK FORKLIFT

d) Do you have fully comprehensive insurance? YES / NO

e) If no, what vehicle insurance do you have? _____

EMERGENCY DETAILS:

SHOULD THE NEED ARISE, WHO WOULD BE YOUR EMERGENCY CONTACT?

NAME: _____ RELATIONSHIP: _____

PHONE: _____ (home) _____ (work) _____ (mobile)

DOCTOR: _____ PHONE: _____

PLEASE SUPPLY US WITH THE NAMES AND CONTACT NUMBERS OF TWO (2) REFEREES:

1. NAME: _____ PHONE: _____

2. NAME: _____ PHONE: _____

PLEASE NOTE:

Applicants wishing to undertake volunteer work involving direct client contact, i.e. transporting or visiting clients or delivering meals to clients in the community, or handling cash are required to undergo a routine police check. The cost of the Police Check will be born by Narrandera Council.

CONFIDENTIALITY :

In the time that you are involved with volunteering for Narrandera Council you may during the course of your involvement in programs or services, or incidental to your involvement come across information that is private and confidential.

This could include personal information about a client of our services, member of the public, member of staff, or Government, community or business organisation. Should this occur, you have a responsibility to respect and maintain the confidentiality and privacy of all organisations and individuals. Breaches of confidentiality in some circumstances constitute offences under the law.

However, if you are concerned about a matter and you are not sure what action to take, you should seek advice and discuss this with your Program Coordinator.

PRIVACY

Narrandera Council is collecting the personal information requested on this form for volunteer management purposes. Council will use the personal information for that primary purpose or directly related purposes. The applicant understands that the personal information provided is for volunteer management use and shall otherwise remain private within council unless disclosure is required by law. You may apply to council for access and/or amendment of the information. Request for access and/or amendment of the information should be made in writing to council's Records Officer.

TRUE AND CORRECT

Narrandera Council is collecting the personal information requested in an effort to best link you with suitable volunteer positions. The applicant understands that Council may verify the legitimacy of the information provided and Council reserves the right to terminate the applicant's services immediately if it is found that the information provided is not true or is misleading.

In consideration of the above I, _____ agree to respect all matters of confidentiality and privacy that I might encounter while in the role as a volunteer with Narrandera Council. I also acknowledge that all information I provide on this application is true and correct and if it is found that the information provided is not true or is misleading, Council reserves the right to terminate the applicants services immediately.

Applicant's signature: _____ date: _____

Applicant's name (Please Print): _____

Witness' signature: _____ date: _____

Witness name (Please Print): _____

TO RETURN FORMS OR FOR FURTHER INFORMATION PLEASE CONTACT:

GLOSSARY OF TERMS / SERVICES / AGENCIES

COUNCIL	DESCRIPTION
Library Services	Narrandera library use volunteers in a number of ways. The task given to volunteers in the library depend upon priorities at the time but include shelving, covering books, folding notices, replacing barcodes on books and stamping withdrawn books.
Visitor Information Centre	The centre provides tourist information to visitors and residents through face to face contact, and via phone, fax and e-mail. Volunteers are involved in a range of tasks that includes providing tourist and local information both over the counter and telephone; ensuring brochures racks are fully stocked and supplies are maintained; assisting with the preparation for outdoor events; assisting with other administrative tasks and ensuring the centre is kept neat, tidy and welcoming.
Youth Services	Youth Services provide a wide variety of programs during most school holidays.
Event Management	Council coordinates various events throughout the year such as the John O'Brien Festival, and the Easter Hot Rod events. Volunteers assist with the pre-preparation for events and to assist with operations on the day.
Council advisory representative committees	<p>Council coordinates many committees to provide advice on Council and/or social policy. Volunteers form an integral part to the operations of these committees. Committees include</p> <ul style="list-style-type: none"> • Traffic • Library • Narrandera Shire Council Noxious Weeds Advisory • Narrandera/Leeton Airport Management • Narrandera Shire Council Library • Teloca House Policy and Forward Planning Advisory • Grong Grong School of Arts Commemoration Hall • Barellan Museum Management • Barellan and District Community (Hall) Centre • Narrandera Koala Regeneration Centre • Narrandera Railway Station Building Management • Narrandera Shire Council Advisory • Narrandera Sports Stadium Management • Narrandera Sportsground Advisory • Narrandera Shire Council Lake Talbot Environs Advisory • Narrandera Shire Wetlands Advisory • Narrandera Shire Council John O'Brien Festival Organising Committee • Narrandera Shire Council Sesquicentenary Planning • Narrandera Shire Council Australia Day Planning • Live Well Narrandera Steering • Narrandera Shire Council Arts and Community Centre Working Party • Teloca House Management • Narrandera Local Government Aboriginal Network Conference (LGAN) 2014 Planning