



Guidelines for Special Committees, Controlling Authorities and Council Committee Members



This manual has been developed to guide the functions of Special Committees, Controlling Authorities and other Council Committees as directed by the Kentish Council. It aims to provide clarity to the roles individuals play on a committee, the responsibilities of positions held, meeting procedures, facility management and guidance on other relevant matters.

Council committees should be viewed as an extension of Council operations, and as such rules apply. It is imperative that Council committees follow the guidelines as Kentish Council is required to report on their functions as part of annual audits.

For further information on anything contained in this manual, please contact Kentish Council.

Contents

1.	COMMITTEES, MEETING AND PROCEDURE DETAILS	5
1.1	COMMITTEES.....	5
1.2	ROLE OF COMMITTEE MEMBERS	5
1.2.1	Councillors	5
1.2.2	Kentish Council Employees	5
1.2.3	Committee Members.....	6
1.3	MEETING PROCEDURES.....	6
1.3.1	General Information	6
1.3.2	Chairperson	6
1.3.3	Duties of the Chair	7
1.3.4	The Secretary.....	7
1.3.5	Preparing the Agenda	7
1.3.6	Taking the Minutes	7
1.3.7	Treasurer	8
2.	CODE OF CONDUCT	9
2.1	VALUES.....	9
2.2	APPLICATION OF THE CODE.....	9
3.	FINANCIAL REQUIREMENTS.....	10
4.	CONFLICT OF INTEREST.....	11
4.1	WHY WORRY ABOUT CONFLICTS OF INTEREST?	11
4.2	GETTING HELP.....	11
4.3	MAKING DISCLOSURES	12
4.3.1	Special Committees and Controlling Authorities	12
4.3.2	Working Groups/Parties – Reference Groups/Parties	12
4.4	TYPES OF INTEREST.....	13
5.	PUBLIC LIABILITY INSURANCE.....	14
6.	RISK MANAGEMENT	16
6.1	OCCUPATIONAL HEALTH AND SAFETY (OH&S).....	16

7.	EMERGENCY INFORMATION.....	17
7.1	EMERGENCY PROCEDURES IN COUNCIL BUILDINGS.....	17
8.	VOLUNTEERS.....	18
9.	PUBLIC EVENTS.....	19

1. COMMITTEES, MEETING AND PROCEDURE DETAILS

1.1 COMMITTEES

The Local Government Act 1993 (“the Act”) provides Councils with the power to establish Committees to assist them to carry out their duties. Kentish Council establishes committees to assist with the management of facilities and to carry out other functions on behalf of the Council.

The Act includes the following:

Council Committees

Section 23

- (1) A Council may establish, on such terms as it thinks fit, Council Committees to assist it in carrying out its functions under this or any other Act.
- (2) A Council Committee consists of Councillors appointed by the Council and any Councillor who fills a vacancy for a meeting at the request of the Council Committee.
- (3) A meeting of a Council committee is to be conducted in accordance with prescribed procedures.

Special Committees

Section 24

- (1) A Council may establish, on such terms and for such purposes as it thinks fit, Special Committees.
- (2) A Special Committee consists of such persons appointed by the Council as the Council thinks appropriate.
- (3) The Council is to determine the procedures relating to meetings of a Special Committee.

Council Committees are clearly the more formal of the two types. Membership is restricted to Councillors and meetings of these Committees are to be conducted in accordance with prescribed procedures. Governance requirements for Council Committees are described later in this manual.

Special Committees are less formal. Membership is not restricted to Councillors and there are no prescribed procedures for conducting meetings. Council is able to determine the procedures for a Special Committee on terms it sees fit.

A report to Council is required to establish either a Council Committee or a Special Committee.

1.2 ROLE OF COMMITTEE MEMBERS

1.2.1 Councillors

The role of the Councillor while sitting on committees is to act as the voice for the elected members as a whole. Councillors will be the passage of communication between the elected members of Council and the committee itself. Therefore, their role is to act not only on behalf of Council, but also the people of Kentish by actively contributing to each committee.

1.2.2 Kentish Council Employees

Employee representatives act as the voice for the operational elements of Council and are the primary means of communication for the Council on the committee. Kentish Council employees are in a position to provide information to the public. Therefore, they are in effect the Council’s point of contact with regards to that particular committee.

Most importantly, the Kentish Council employee has a responsibility to ensure that all procedures are followed and that appropriate transparent governance takes place. The Council’s representative must ensure that meetings occur in accordance with the committees’ instrument of delegation that each committee submits agendas and minutes from meetings to Council, that debate occurs in a constructive and fair manner and that committee members act appropriately and respectfully towards others.

1.2.3 Committee Members

Committee members have an important role to play in providing a third party contribution to the discussion. By this, they reflect community views and perspectives or business views and perspectives. Committee members have a responsibility to actively contribute to meetings and provide Council with additional ideas, views and opinions.

In some instances, committee members obtain positions of authority. This can include the chairperson, deputy chairperson, secretary and treasurer.

1.3 MEETING PROCEDURES

This section summarises the information pertaining to Council's use of committees, both internal and external, to help it to achieve its goals and objectives. This section covers key points that you need to be aware of when conducting meetings as a Special Committee.

1.3.1 General Information

- Each Committee must have a Chairperson and Secretary with some requiring a Treasurer. There may be occasions when two positions are rolled into one.
- Each Committee should have a set number of members, but not all have to be office bearers.
- Each Committee should have an Instrument of Delegation outlining purpose, roles and responsibilities, quorum and reporting requirements etc.

The newly elected Committee is responsible for determining how often a meeting is convened as well as days and times which suit their needs. Please note that there may be legislative requirements determining how often some Committees are required to meet.

As a general guide, unless stated in the *Local Government Act 1993* or during the creation of the committee, meetings should occur at least quarterly. This will allow for a reasonable timeframe to discuss issues and for regular debate to occur. For committees who are required to hold Annual General Meetings, these should occur during the month of July or as soon as possible thereafter in accordance with provisions in their Instrument of Delegation.

Local Government Elections are held every 4 years in October, after which new Councillor representatives are elected to all Committees at the first Council Meeting (or a Special Council Meeting) held after the declaration of the polls.

1.3.2 Chairperson

Usually the Chairperson chairs committee meetings. The Chairperson, or anyone acting as Chairperson in the Chairperson's absence, is responsible for keeping the meeting on track, while encouraging full and balanced participation by all members.

The Chairperson's overall responsibilities are to:

- Coordinate the work so that it is shared as equally as possible and still gets done;
- Liaise between the Committee and outside bodies;
- Act as a representative of the Committee if this is needed, making sure to express only the view of the Committee, not personal ones;
- Call and chair all general meetings of the Committee, making sure there is a quorum as required by the Instrument of Delegation;
- Encourage full and balanced participation by all the members;
- Be sensitive about any differences of opinion that arise and try to help resolve these; if this is necessary to make sure that the Committee can continue to work effectively together.
- Open, manage and close meetings and keeping order;
- Committees, Meeting and Procedure Details
- Ensure meetings conclude at the scheduled finishing time or before;
- Welcome members and thank people for attending and for any work done outside the meetings;
- Keep the discussion focused on the business of the meeting and making sure that the important things get done first and other things are held over, if necessary;

- Clarify points that have been made and summing up discussions to bring them to a close where that is needed; and
- Make sure everyone understands the decisions being considered.

1.3.3 Duties of the Chair

The Chairperson has a number of important duties to perform. These include:

- Presiding over meetings;
- Conduct proceedings regularly;
- Determine the sense of the meeting;
- Preserve Order;
- Adjourn the meeting if necessary;
- Control the voting process;
- Declare the meeting closed; and
- Sign the minutes.

1.3.4 The Secretary

The Secretary is essentially the record keeper for the rest of the Committee. It is the Secretary who takes the minutes and keeps the official documents of the committee including the Instrument of Delegation, policies, list of members, correspondence and any other documentation regarding the operations of the Committee.

The Secretary provides valuable support to the Chairperson in making the committee meetings run as smoothly as possible.

Key secretarial tasks include

- Sending out notices of the date, time and place arranged for each Committee meeting;
- Preparing the agenda for each meeting, in consultation with the Chairperson;
- Opening all mail addressed to the Committee and reading the mail before each meeting to pick out the important information. This makes it easier for the Committee to deal with the correspondence;
- Keeping an accurate record of members and Committee members to show who is entitled to vote and to receive notices;
- Preparing a list of visitors and apologies for the Chairperson;
- Ensuring that minutes are kept of valid meetings and of the decisions made and that these are distributed to members; and
- Be a suitable, friendly contact person for new members, answering enquiries and liaising with officials, other organisations, affiliated bodies and Government departments.

It is the Secretary's role to make sure that all correspondence is dealt with appropriately and this can mean bringing to the attention of the Chairperson any urgent correspondence received, which needs a response prior to the next general committee meeting.

1.3.5 Preparing the Agenda

An agenda is a list of what is to be discussed at the meeting. Part of the Secretary's job is to prepare an agenda in consultation with the Chairperson and other members.

The notice of meeting (Agenda) should be forwarded no less than five days prior to each meeting with a copy of the minutes to be distributed no more than five days at the conclusion of each meeting.

Circulating the agenda to members before the meeting will let people know what is to be discussed, whether it is vital for them to be there and what information they should find out in advance. Members can be briefed on issues by preparing and circulating background papers. If there are alternative possible decisions, members can be briefed before the meeting as to the advantages and disadvantages of each alternative. All these things can speed up discussions while still making sure members are kept informed and still have a chance to contribute to the decision-making process.

1.3.6 Taking the Minutes

It is essential to have a correct record of the proceedings of a meeting. The minutes serve as a general and attendance record and in the case of later doubt or dispute; they are a legally acceptable reference.

Accurate minutes must be kept of each meeting of the Committee and this is usually the task of the Secretary. When you first start taking minutes, it can be very confusing as you may feel you have to record almost everything that is being said. It often seems hard to have a chance to have your own say, as you are too busy recording what everyone else is saying! Not everything discussed needs to be recorded. Note key points, agreed actions, summary of issues and any decisions made.

A few useful tips follow to help make this important task a little more manageable:

Record the names of those present and those who have sent their apologies. If it is easier for you, you can circulate a list for people to record their own names.

Make sure that reports to be delivered to the meeting by the Treasurer, Secretary and any sub-committees or working groups are in writing as these can then be attached to the rest of the minutes as an accurate record of what was reported to the meeting.

At the start of the next meeting, the minutes should be confirmed as a true and correct record of what took place and be signed by the Chairperson. Try not to read the previous minutes word-for-word at the start of the meeting, as it is time consuming.

Record all decisions reached, for example, "It was decided not to purchase tan bark until September".

Record the exact wording of all motions, put, including who put the motion, who seconded the motion and whether the motion was carried or defeated, for example, Alice Smith/John Jones "That the Treasurer's Report be accepted." Carried.

Record any action agreed to be taken by members of the Committee, for example, "Peter agreed he would bring a list of local suppliers of tan bark to the next meeting."

Minutes should be impartial, not representing just one person's view;

1.3.7 Treasurer

This section is relevant to Special Committees who manage finances.

The Treasurer is the custodian of the committee's funds and it is important that these are managed in accordance with the Instrument of Delegation and the wishes of fellow committee members.

The Treasurer has a range of financial responsibilities including:

- Preparing and presenting the annual budget;
- Managing financial transactions for the Committee;
- Ensuring all fees and charges are accounted for;
- Sending out accounts and paying bills;
- Maintaining an accurate record of all income and expenditure;
- Constantly updating the balance sheet – an overview of assets against liabilities;
- Providing the committee with a report each meeting about the current financial situation;
- Maintaining an accurate register of assets; and
- Performing duties in accordance with the Committee's Instrument of Delegation.

2. CODE OF CONDUCT

The Code of Conduct is a statement of the standard of behaviour that Council committee members should demonstrate and which the community can expect be demonstrated when they are carrying out their roles and functions.

The Council committee's Code of Conduct:

- Gives a clear understanding of how Committee members will behave in their dealings with each other, Councillors, employees and members of the community;
- Provides a practical means of identifying and resolving situations which may face Committee members in carrying out their roles and functions;
- Promotes fair, objective, transparent and informed decision-making by the Committee members, ensuring that the public interest will always have priority over their private interests.

2.1 VALUES

The Code of Conduct requires Committee members to:

- Act honestly;
- Exercise reasonable care and diligence;
- Do not make improper use of their position to gain directly, or indirectly for themselves;
- To not cause, or attempt to cause damage to the Council;
- Be respectful of fellow committee members views and opinions; and
- Respect fellow committee members.

2.2 APPLICATION OF THE CODE

This Code applies during Council committee meetings and any dealings on behalf of the committee.

2.2.1 Responsibilities of Committee Chairs

The Chairs of the committees are accountable to the Council for the output of those committees. It is the responsibility of the Chair to ensure that procedures are followed and debate occurs within a fair and equal environment.

2.2.2 Responsibilities of Committee Members

It is the responsibility of Committee members to:

1. Inform themselves fully of the committee's aims and objectives, roles, responsibilities and agenda;
2. Attend committee meetings or, if absence from a meeting is unavoidable, to inform the committee in advance of their inability to attend;
3. Arrive at meetings well prepared with respect to agenda issues;
4. Participate fully through discussion of key issues and general business items and where relevant, casting votes on particular matters put to vote in the committee;
5. Undertake tasks requested by the Chair and/or the responsible Council officer;
6. Be objective when making decisions and to take account of all views;
7. Not use abusive or threatening language during committee meetings; and
8. Debate agenda items in a constructive and informative manner.

While differences of opinion will inevitably arise, there should be an over-riding respect for one another that enables the Committee to deal with issues and challenges without losing cohesiveness vital to a successful Committee.

3. FINANCIAL REQUIREMENTS

As a committee constituted by Kentish Council, it is a requirement to provide Council with detailed and accurate financial records of the committee's activity during the financial year. Council is required to reflect the financial activity of committees in its consolidated accounts records. Committees should aim to apply sound bookkeeping practices to ensure they comply with these requirements.

The following documents are to be provided each financial year:

- Bank statements for the financial year
- copies of your bank statements for the 12 month period, this includes operating accounts and term deposits
- Cheque butts, receipt books and deposit books
- invoices paid (crossed when paid with reference to cheque number)
- Cash book, bank reconciliations
- Balance sheet (if applicable)
- Presidents/Chairman's report (or summary of committee's actions during the year)
- Copies of all meeting minutes including evidence of approval of payments and financial reports
- copies of audit certificates (if available)

This information should be provided no later than July 15th each year. For assistance with committee financial matters contact the Kentish Council's Corporate Services and Finance Manager.

4. CONFLICT OF INTEREST

Members of Council Special Committees, Controlling Authorities or other Council committees from time to time may have a conflict of interest when discussing matters. This section provides an outline of what constitutes a conflict of interest and the process when a conflict of interest arises.

4.1 WHY WORRY ABOUT CONFLICTS OF INTEREST?

Being a member of a Council committee or Controlling Authority is a position of trust that involves obligations to the community and to the Council. It must be clear to everyone that you are not using your position to serve your own interests or the interests of a close associate.

For this reason, the Act requires members of Council committees and Controlling Authorities to disclose conflicts of interest and not participate in a decision (discussion or vote) if they have a conflict of interest. In accordance with S48A of the Act:

“At any meeting of a special committee or controlling authority...a member must not participate in any discussion, or vote on any matter, in respect of which the member -

(a) has an interest; or

(b) is aware or ought to be aware that a close associate has an interest.”

Furthermore, S49 of the Act states that:

“A member has an interest in a matter if the...member or close associate would, if the matter were decided in a particular manner, receive, have an expectation of receiving or be likely to receive a pecuniary benefit or pecuniary detriment”.

Section 51 of the Act determines that a close associate of a committee or controlling authority member is:

- a) *a body corporate of which the...member is a director or a member of the governing body; or*
- b) *a proprietary company in which the...member is a shareholder; or*
- c) *a public company in which the...member is directly or indirectly a substantial shareholder; or*
- d) *a beneficiary under a trust or an object of discretionary trust of which the...member is a trustee; or*
- e) *a business partner of the...member; or*
- f) *the employer or an employee of the...member; or*
- g) *a person from whom the...member has received, or might reasonably be expected to receive a fee, commission or other reward for providing professional or other services in relation to a matter being dealt with or to be dealt with by the...Council committee, special committee, controlling authority...; or*
- h) *the spouse or partner of the...member...member’s son or daughter; or*
- i) *the son, daughter, brother, sister, mother or father of the...member or of their spouse or partner.*

Failure to disclose a conflict of interest may be an offence that can be prosecuted in a court of law. It is your responsibility and duty to identify and disclose your conflicts of interest when required to.

4.2 GETTING HELP

In addition to this section assistance with conflict of interest matters or concerns may be sought by contacting:

- The Council’s General Manager or other experienced Council Officer authorised by the General Manager to provide such assistance; or
- The Local Government Association of Tasmania (LGAT)

It is important to note that, while another person may assist you in deciding or determining whether you have a conflict of interest, they cannot make the decision for you. Irrespective of what assistance or advice you receive from someone else, legally you remain responsible for your own actions.

While this Guide provides a summary of your obligations, the definitive statement regarding conflicts of interest and your legal obligation is the law itself – particularly sections 48A-54A of the Act.

4.3 MAKING DISCLOSURES

There are several types of Council committees, including:

- Special Committees
- Controlling Authorities
- Working Groups / Reference Group

Unless your committee is only an advisory committee, you must disclose conflicts of interest in committee meetings. Members of Working Groups/Parties, Reference Groups/Parties, whilst not legally bound to disclose conflicts of interest, are strongly encouraged to do so. This is based on governance best practice.

4.3.1 Special Committees and Controlling Authorities

Conflicts of interest must be disclosed in special committees and controlling authorities. A special committee or controlling authority are delegated a power or duty by the Council. Every special committee or controlling authority must have an “Instrument of Delegation” and terms of reference that details its powers and functions.

Special committees and controlling authorities may be established to manage facilities such as:

- Community halls
- Sport and recreation reserves

There are four steps to take when disclosing a conflict of interest:

1. Tell the committee that you have a conflict of interest. This must be done immediately before the matter is discussed.
2. Tell the Chairperson that you are leaving the meeting.
3. Leave the room and any area where you can see or hear the meeting and item being discussed, until the matter has been concluded and you are recalled to the meeting.
4. In accordance with S48A (4) a member of a special committee or controlling authority, by notice in writing, is to advise the General Manager of the details of any interest declared under this section within 7 days of that declaration.

When advising the committee about your conflict of interest, you must state the class of interest (see bottom of page) and describe the nature of the conflict. For example, a person disclosing an interest may state:

“I have a conflict of interest in Item 2.1 – Decision to employ a caretaker – because I have a close association. This is because my brother is an applicant for the position”.

If you are concerned about having to disclose confidential or private information when disclosing a conflict of interest, you should seek advice from the Council’s General Manager or other experienced Council Officer authorised by the General Manager.

Conflict of interest disclosures are recorded in the minutes of the meeting. When the minutes are considered for adoption at the next meeting, ensure that you check that your disclosure has been recorded correctly. The declared interest will also be recorded in Council’s Register of Interests in accordance with S54A of the Act.

4.3.2 Working Groups/Parties – Reference Groups/Parties

Councils may establish working or reference groups to advise the Council about particular matters. Whilst working or reference groups are not subject to the same conflict of interest rules as special committees or controlling authorities, the Council may recommend or require you to disclose conflicts of interest.

Even if you are not required by the Act or by Council to disclose conflicts of interest, it is highly recommended that you disclose any conflicts or private interests you may have in matters being considered or discussed.

4.4 TYPES OF INTEREST

Generally conflicts of interest can be broken down into direct and indirect interests.

4.4.1 Direct Interest

A person has a direct interest if they are likely to be directly affected by a decision or action of the committee or controlling authority. This is not limited to financial interests. Examples of direct interest includes proposals that may:

- Give you money or property or take it from you
- Appoint you to a paid position
- Approve a contract with you
- Grant you a permit
- Approve your use of facility

You have a conflict of interest in a matter if you have a direct interest in a matter to be considered at a committee or controlling authority meeting. You also have a conflict of interest if a close associate has a direct interest in a matter before the committee or controlling authority.

4.4.2 Indirect Interest

There are a number of conflicts of interest that fall under the category of indirect interest. This includes indirect financial interest, in which a person is likely to gain or lose in a way that can be measured in money, resulting from a benefit or loss to another person, company or body. Examples of this include:

- The committee or controlling authority is considering awarding a contract to a company in which you hold substantial shares (see S52 (e) of the Act for determination)
- The committee is considering employing someone who owes you money
- The committee is considering a marketing strategy that will publicise the company that employs you
- You have a conflict of interest in a matter if you or a close associate has an indirect financial interest.
- Another indirect interest is conflicting duty. A conflicting duty is where a person has a duty to a person or organisation that may conflict with their committee or controlling authority duty. Examples of this include:
 - The committee or controlling authority is considering a contract or agreement with a company you work for
 - The committee or controlling authority is considering a permit request from a person and you are the person's agent or consultant
 - Your spouse is on the committee of a club that is applying for funding from the committee or controlling authority.

Exemptions

S.52 of the Act – Non-application of Part, prescribes that:

- (1) *This part does not apply to a...member or close associate who has any pecuniary interest in any matter if –*
 - (a) *The benefit or detriment is one received in common with all or a substantial proportion of the electors of the municipal area (at least 5% or 1,000 electors, whichever is lesser); or*
 - (b) *The matter relates to an insurance policy or indemnity policy being considered or taken out by the Council...to insure or indemnify...members or their spouses or partners unless the matter related to, or is a claim made by the...member; or*
 - (c) *In relation to the consideration of an application or request for approval, authorization, licence, permit, exemption or other right under this or any other*

Act, the extent of the interest of the...member or close associate is no greater than that of any other member of the public; or

- (ca) The matter relates to the making of a rate or charge under Part 9; or*
- (d) The matter relates to any allowances or expenses payable to...members; or*
- (e) The interest is a beneficial interest in shares of a company or other body where the total nominal value of those shares does not exceed whichever is the lesser of the following amounts:
 - i. An amount of \$10 000;*
 - ii. An amount which is 1% of the total nominal value of the issued share capital of the company or body.**
- (2) This Part does not apply to a...member or close associate who has any pecuniary interest in any matter only because –
 - (a) The matter involves –
 - i. Expenditure from money belonging to, or held by, a Council, Council committee, special committee, controlling authority...and the...member contributes to the money as a ratepayer; or*
 - ii. The terms and conditions on which the right to participate in the supply of goods and services is offered to members of the public; or**
 - (b) The...member or close associate is a person to whom the goods or services are supplied in the same manner and subject to the same terms and conditions as apply to members of the public; or*
 - (c) The...member or close associate provides services of a professional nature to another person who is the subject of, or is involved in the matter; or*
 - (d) The...member or close associate is a member of a body, club, union or other non-profit organisation if
 - i. A personal benefit or detriment to the...member or close associate, or the spouse or partner of the...member or close associate, is not involved; and*
 - ii. The...member or close associate is not an office-bearer of that body, club, union or organisation;**
 - (da) the...member or close associate is appointed or nominated as a member of a body by the Council; or*
 - (e) The matter relates to planning and development issues that apply throughout the municipal area and do not result in any particular benefit or detriment to the...member or close associate that is no greater than any member of the public; or*
 - (f) The...member or close associate is an employee in the service of the Crown or of a body established under any Act for a public purpose; or*
 - (g) The...member or close associate is a member of a body established by a Council.**
- (3) A Council, at a meeting open to the public, may decide to exempt a...member from this Part for a period not exceeding 12 months if the...member has a potential pecuniary interest in a matter only because of being appointed or nominated as a...member due to expertise arising from direct involvement in an activity that gives rise to that potential pecuniary interest.*

Notification of Interest (knowledge of interest of another member)

Under S53 of the Act:

- (1) “ Any person who considers that a...member has an interest in a matter to be, or being, dealt with by a...Council committee, special committee or controlling authority may notify the general manager in writing of the interest.*
- (2) On receipt of a notification, the general manager is to advise –
 - (a) the...chairperson;**

5. PUBLIC LIABILITY INSURANCE

Public liability insurance indemnifies the insured against legal liability resulting from damage to property, loss of use of property and death or bodily injury to members of the general public, where the loss, damage or injury to the property or third party was caused by a negligent act on the part of the insured. Public liability insurance does not cover breaches of professional duty and is not the same as personal accident injury insurance.

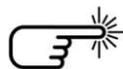
Kentish Council is covered by public liability insurance which extends to all Council committees. Without public liability insurance, venues such as halls or sporting grounds cannot be hired out to the public. For normal events involving 50 or more people, alcohol, some children's activities and sporting events, the committee must ensure that hirers supply the following information to you. Public liability insurance is to be sought from businesses, using/hiring the facility or contractors e.g., caterers, bands and mowing contractors prior to the event. Information required includes but is not restricted to:

1. Event type e.g., football grand final;
2. Time of day the event will start and finish;
3. Day/days of operation;
4. Approximate number of people attending the event;
5. Names of committee members, if any, to be present at event;
6. Hirer name and contact details; and
7. Current copy of public liability insurance certificate (if applicable).

For events that are of an abnormal or irregular nature and which are large in size or have a larger than normal risk attached to them (carnival, large sporting event, pop concert, jazz festival, tractor pull etc), an event management plan should be completed and passed onto Council's Risk Management Officer. Council will need the referral at least one month prior to the event. An event management plan can be found at the following link <http://www.kentish.tas.gov.au/page.aspx?u=502>.

Lessees of Council facilities are required to be covered by public liability insurance to the value of \$10,000,000. Public liability insurance can be purchased from the Kentish Council, however it is subjected to approval.

All of the above insurance arrangements are subject to Council approval based on reasonable use of facilities and frequency. If a Committee is unsure about any aspect of insurance cover, they must contact Council's Risk Management Officer.



**RESERVE/SPORTS GROUND PRE ACTIVITY INSPECTION
APPLICATION FOR FACILITY HIRE**

6. RISK MANAGEMENT

6.1 WORKPLACE HEALTH AND SAFETY & RISK MANAGEMENT

The Kentish Council has certain obligations under the [Workplace Health and Safety Act 2012](#) and Risk management Principles and Guidelines - AS/NZS ISO 31000:2009. Under these obligations, Council is to provide and maintain, as far as is reasonably practicable, a healthy and safe environment for its committees, public and volunteer workers. The Committee can help Council achieve this by:

- Supervising volunteers; and
- Informing Council of any hazards the Committee becomes aware of.

6.1.1 Additional Considerations

Both the lessor and lessee (committee) have certain rights and responsibilities in regard to lease and hire agreements. The lessor for example, has a responsibility to ensure leased facilities and venues are safe for use, whilst the lessee has a responsibility to hold adequate and appropriate insurance cover for liability exposure.

Most Council lease or hire agreements will require lessees to declare if they intend to sell liquor. The licence will usually specify that any organisation intending to sell or supply liquor on Council owned or operated premises must provide evidence that they hold an appropriate permit or licence prior to sale or supply.

4.1.2 Reporting To Council

Council requires an indication or estimate of activities that occur at your facility and their frequency. The following explanations may assist you in compiling this information. The following categories must be filled out when submitting a Special Committee/Controlling Authority Insurance Form:

ACTIVITY CONDUCTED

This will describe what actually occurs (e.g. meetings, training special events, markets, educational or children's activities, productions, weddings, tournaments, childcare, shows, equestrian events etc.)

GROUP TYPE

Describe the type of group participating as opposed to the name of the group. For example youth, senior citizens, scout, cricket, netball, pony clubs etc.

FREQUENCY

Describe how many times the facility will be used for these activities in one year.

FEE CHARGED

This acts as evidence of the venue being charged for all members of the community equally and fairly.

PUBLIC LIABILITY INSURANCE

This determines if the group has public liability insurance and if they don't, it is recorded on file.

All events held within or on the grounds surrounding the building must be recorded. The Committee must maintain a register on the number of hires per year. You are asked to supply this register to Council's Risk Management Coordinator.

Council inspects all Council owned facilities on an annual basis. During these inspections it is recommended a committee member be present.

7. EMERGENCY INFORMATION

This section is relevant to Special Committees who manage Council owned facilities.

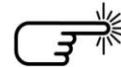
7.1 EMERGENCY PROCEDURES IN COUNCIL BUILDINGS

Council provides each facility for the safe enjoyment of its tenants, lessees, licensees, hirers, invitees and their guests. As part of this responsibility, Council provides and maintains emergency equipment such as hoses and/or extinguishers for firefighting purposes and shall provide evacuation procedures for user groups of the facility.

In return, the tenant/hirer agrees to:

- Keep displayed in prominent locations, Emergency notices and Fire Procedures;
- Not interfere with any emergency equipment or notices. Replacement or repair of such equipment caused by mischievous use shall be at the tenant/hirer's expense;
- The tenant/hirer will immediately notify the Committee and Council if an emergency occurs. Council's after hours contact telephone number is 6491 2500.
- The tenant/hirer must notify the Committee and Council if fire-fighting equipment is used; and
- The tenant/hirer must be aware of proper procedures for and be responsible for the safe and orderly evacuation of guests from the facility if an emergency situation occurs. Emergency Evacuation Procedures guidelines have been provided for the information of tenants/hirers.

In the event of an emergency or incident, Committees are required to complete an incident report form. See appendix D or contact Kentish Council for additional incident report forms.



INCIDENT REPORT FORM

8. VOLUNTEERS

Sitting committee members that are not Council staff or Councillors are volunteers and as such are covered by Council's insurance policy. To ensure coverage is provided, it is necessary that each volunteer complete the Kentish Council Volunteer Registration Form.

The actions Special Committee members, in the proper execution of the Committee power and responsibilities, are covered by Council's existing public liability policy.

A registered volunteer worker with the Kentish Council is covered within the terms and conditions of the Council's insurance for third party personal injury or damage to property, caused by an occurrence in connection with the business of the Council, except where the injury or damage is caused by a willful and malicious act on the part of the volunteer.

Should a volunteer suffer loss or damage to personal property as a result of their participation in the volunteer program, they are entitled to be indemnified for that loss and may make a claim against Kentish Council's insurance cover.

Each claim is assessed and determined on its merits.

It must be clearly understood by volunteers that the Kentish Council will only accept insurance liability for those activities that are specifically endorsed and supported by Council.

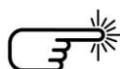
Should a volunteer suffer an injury or illness as a result of their participation in the volunteer program, they are entitled to seek compensation for costs incurred and any losses suffered.

Accidents should be reported immediately and the appropriate documentation completed. This includes an incident/accident report form to ensure an internal investigation can begin immediately. The Kentish Council believes in the prevention of occupational injury and illness. To assist in this aim, all employees and volunteers are asked to report on hazards and near misses.

Some activities that volunteers should not undertake include:

- Participation in a program or service without the presence of, or direct access to, the designated supervisor
- Reconciliation and banking of monies received;
- Provision of advice upon which a client could reasonably be expected to act;
- The act of, or the commitment to, spending of Kentish Council funds;
- Signing documentation on behalf of the Kentish Council;
- Resolving complaints about a service or program;
- Supervision or oversight of other volunteers or work experience placements; and
- Using Kentish Council vehicles, unless registered as a driver with the Kentish Council's volunteer program, and holding a current drivers licence, of which a photocopy is provided to the Supervisor.

There may be occasions where committees seek external help from the community to assist with the activities of the committee. An example could be where the committee endorse a working bee to undertake ground maintenance where community members assist. Each of these community members can be covered by insurance provided they complete a volunteer registration form.



KENTISH COUNCIL VOLUNTEER REGISTRATION FORM

9. PUBLIC EVENTS

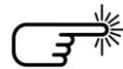
Many public events are held at Council facilities throughout the year. When these events are organised by a third party (neither Council nor the Council Committee) there is a number of compliance the group need to abide by.

These cover event areas of:

- Whether food is being sold;
- Whether any temporary structures are used; and
- Alcohol is being sold;
- If music is being played;
- If patrons will be smoking.

Kentish Council has developed a Guide to Event Management to assist event organiser's plan and deliver events in the Kentish municipality. It is recommended event organisers obtain a copy of this.

Due to the complexity of the requirements for compliance, committees should advise the event organisers to contact Council during the planning stage for advice on the types of licences and permits required.



A GUIDE TO EVENT MANAGEMENT

FOOD BUSINESS REGISTRATION

PLACE OF ASSEMBLY