CITY OF ARMADALE

AGENDA

OF **CITY AUDIT COMMITTEE** TO BE HELD IN THE **COMMITTEE ROOM**, ADMINISTRATION CENTRE, 7 ORCHARD AVENUE, ARMADALE ON **WEDNESDAY, 6 MARCH 2019 AT 5.00PM.**

A meal will be served at 6:15 p.m.

PRESENT:

APOLOGIES:

OBSERVERS:

IN ATTENDANCE:

PUBLIC QUESTION TIME

Note:
Meetings of the City Audit Committee are closed to the public on the basis that matters to be dealt with by Committee will generally be of a sensitive and confidential nature which, if disclosed could reasonably be expected to impair the effectiveness of the audit process – Council resolution CS18/2001 refers.

*"For details of Councillor Membership on this Committee, please refer to the City's website – **www.armadale.wa.gov.au/your council/councillors**."*

DECLARATION OF MEMBERS' INTERESTS

DEPUTATION

Nil

CONFIRMATION OF MINUTES

RECOMMEND

Minutes of the City Audit Committee Meeting held on 10 December 2018 be confirmed.

CONTENTS

CITY AUDIT COMMITTEE

6 MARCH 2019

---

1. FINANCIAL MANAGEMENT & PLANNING

1.1 THREE-YEAR INTERNAL AUDIT PLAN 2019 - 2021 2

1.2 EXTERNAL AUDIT PLAN FOR THE YEAR ENDING 30 JUNE 2019 5

2. MISCELLANEOUS

2.1 MISCONDUCT, FRAUD AND CORRUPTION CONTROL POLICY AND MANAGEMENT PRACTICE 8

2.2 COMPLIANCE AUDIT RETURN 2018 CALENDAR YEAR 11

3. COUNCILLORS' ITEMS

NIL 13

SUMMARY OF ATTACHMENTS 14

1.1 - THREE-YEAR INTERNAL AUDIT PLAN 2019 - 2021

WARD	:	ALL
FILE No.	:	M/150/19
DATE	:	27 February 2019
REF	:	F W
RESPONSIBLE MANAGER	:	Executive Director Corporate Services

In Brief:

- The objective of the three-Year Internal Audit Plan is to provide an outline of the areas the City considers to be a priority for review, using a risk based approach. The City's contracted internal auditor, will develop the requirements into a Memorandum Audit Plan for each individual audit.
- Recommend that Council endorse the Three-Year Internal Audit Plan 2019 - 2021

Tabled Items

Nil

Officer Interest Declaration

Nil

Strategic Implications

4.1 Visionary civic leadership and sound governance
4.2 An innovative and progressive organisation

Legislation Implications

Local Government (Audit) Regulations 1996 – Regulation 17
Local Government (Financial Management) Regulations 1996 – Regulation 5 (2) (c)

Council Policy/Local Law Implications

Nil

Budget/Financial Implications

The provision of Internal Audit services contract will be funded through the Corporate Services budget allocation.

Consultation

1. Crowe Horwath – City's Internal Auditor
2. MANEX

BACKGROUND

Regulation 17 of the Local Government (Audit) Regulations requires a triennial review of the appropriateness and effectiveness of a Local Government's systems and procedures in relation to risk management, legislative compliance and internal control. Internal audit is an essential function in meeting the requirements of this regulation.

Internal audit is a facilitator of continuous improvement and a partner of positive change. This independent review and advice service assists management in improving the City's business performance and achievement of outcomes.

Following a procurement process, the City has recently contracted Crowe Horwath to undertake internal audit services for the City for a period of 12 months with options for two additional years.

The role of the internal auditor is different from the external auditor whose primary role is to decide whether the annual financial statements of a local government are free of material mis-statement, however some functions of the internal auditor will complement the external auditor's role. Internal audit provides an independent and objective review and advisory service to provide assurance that the City's financial and operational controls designed to manage the organisation's risk and achieve the City's objectives are operating an efficient, effective and ethical manner.

The internal auditor reports functionally to the Audit Committee and administratively to the CEO. In accordance with section 5.41 of the Local Government Act, the CEO is responsible for the day to day management of council activities which implicitly includes the internal audit function, responsibility for which the CEO may choose to delegate.

The Audit Committee's Terms of Reference detail the committee responsibilities in relation to the internal audit function including to:

- Review and monitor the internal audit program and the scope of internal audits.
- Oversee the implementation of any action that the City:
    - Is required to take in response to an audit report received by an internal or external auditor.
    - Has taken or intends to take following a report prepared addressing any matters identified as significant by the auditor.
    - Has agreed following a review of risk management, internal control or legislative compliance.
    - Has agreed following a review of Financial management systems.
    - Has agreed following an internal audit.

DETAILS OF PROPOSAL

The three-year Internal Audit Plan has been designed to ensure that the activities of Internal Audit are focused on the risks that matter to the City, and has been prepared with input from the Management Executive and the Internal Auditor. The plan seeks to adapt to the changing environment the City operates in and be flexible and responsive to the City's needs. This high level plan has been developed using the results of the City's recent risk assessments as a basis of determining priority. Where matters of higher priority arise over the course of the three year plan, they will be considered and the detail of the plan may be revised to accommodate the new risk, with the changes communicated where necessary.

The three-year Internal Audit Plan provides for up to 5 functional audits per year. Also included is a review of the annual Compliance Audit Return (CAR) and the Financial Management Systems once every 3 years. An annual Information and Communications Technology (ICT) audit is suggested due to the significance of the operational risks to the organisation as a whole in this area. Each audit is required to consider misconduct and fraud risk mitigation and is an essential control strategy in this area.

More detailed plans (Memorandum Audit Plans) will be developed by the Internal Auditor in consultation with the CEO, and the relevant Executive Director and Manager of the area subject to an audit.

COMMENT

OPTIONS

1. The Committee endorses the three-year Internal Audit Plan
2. The Committee endorses the three-year Internal Audit Plan and proposes additional focus areas.

CONCLUSION

The objective of the three year Internal Audit Plan is to provide an outline of the areas that the City considers a priority for review, using risk as the basis for identification. The City's contracted internal auditor, in consultation with City officers, will then further extrapolate the requirements and details into a Memorandum Audit Plan for each individual audit.

RECOMMEND

That Council endorse the Three-year Internal Audit Plan 2019-2021.

ATTACHMENTS

1.⇩ Three-Year Internal Audit Plan 2019 - 2021

1.2 - EXTERNAL AUDIT PLAN FOR THE YEAR ENDING 30 JUNE 2019

WARD	:	ALL
FILE No.	:	M/152/19
DATE	:	28 February 2019
REF	:	JL
RESPONSIBLE MANAGER	:	Executive Director Corporate Services

In Brief:

- This Reports presents for discussion and determination with Committee, the Auditor's *External Audit Plan* for the year ending 30 June 2019
- The report recommends that the Auditor's *External Audit Plan* be approved.

Tabled Items

Nil

Officer Interest Declaration

Nil

Strategic Implications

4.1.3 Support the role of the elected body

Legislation Implications

Local Government Act 1995

Section 7.1A – Audit Committee
Section 7.1C – Decisions of audit committees
Section 7.9 – Audit to be conducted
Section 7.12A – Duties of local government with respect to audits

Council Policy/Local Law Implications

Nil

Budget/Financial Implications

The budgeted cost of the External Financial Audit for the year ending 30 June 2019 is approx. $30,000.

Consultation

Council's Auditor

BACKGROUND

The City's Auditor has provided his *External Audit Plan* for the year ending 30 June 2019 for review/discussion with the City Audit Committee – refer to confidential Attachment.

DETAILS OF PROPOSAL

The attached *External Audit Plan* is self-explanatory.

The Interim Audit planned for March 2019 (which forms part of the External Audit Plan) is explained as follows:

The following areas will be covered for risk assessment during the interim audit:

- *Treasury management cycle – Bank reconciliations and investment of surplus funds*
- *Procurement and Payments cycle – Purchases (includes purchases through credit cards), Payments and Creditors Management*
- *Revenue cycle – Rates & ESL, Other revenue (fees and charges, etc.) and Debtors Management*
- *Payroll cycle*
- *Fraud risk assessment - Journals*
- *IT Controls assessment*

Compliance Matters

An examination of some compliance matters (including registers, minutes and other legislative matters) under:

- *Part 6 of the Local Government Act 1995 (as amended);*
- *the Local Government (Financial Management) Regulations 1996 (as amended); or*
- *applicable financial controls of any other written law*

will be carried out and any non-compliance matters will be reported in our Interim Audit Management Report for management information.

COMMENT

ANALYSIS

The Auditor's examination of internal controls during the Interim Audit is designed primarily for the purpose of expressing an opinion on the financial statements of the City of Armadale. During this process, various checks and tests will be undertaken to ensure that the policies and procedures established by management and Council are being adhered to.

The City's Auditor Mr Anthony Macri (Audit Partner) and Mr Raj Kalairajan (Audit Senior) will be in attendance to explain/discuss the External Audit Plan.

From a Management perspective, there are no matters additional to those detailed in the External Audit Plan recommended for inclusion in the Plan - Committee may however wish to discuss with the Auditor, additional matters for inclusion in the interim audit.

CONCLUSION

It is recommended that the Auditor's *External Audit Plan* as presented as a confidential Attachment to this Report, be approved with or without modification

RECOMMEND

That Council approves (with or without modification) the City Auditor's External Audit Plan for the year ending 30 June 2019 as presented as a confidential Attachment to this Report.

ATTACHMENTS

1. External Audit Plan Ending 30 June 2019 - *This matter is considered to be confidential under Section 5.23(2) (f i) of the Local Government Act, as it deals with the matter, if disclosed, could be reasonably expected to impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law*

2.1 - MISCONDUCT, FRAUD AND CORRUPTION CONTROL POLICY AND MANAGEMENT PRACTICE

WARD	:	ALL
FILE No.	:	M/149/19
DATE	:	27 February 2019
REF	:	FW
RESPONSIBLE MANAGER	:	Executive Director Corporate Services

In Brief:

- To ensure that the City is implementing best practice techniques in mitigating risks relating to fraud and corruption, it is important to establish a policy and framework from which to communicate the City's commitment.
- Recommend that Council notes the Audit Committee's support (or otherwise) for the adoption of the following:
  1. Policy – ADM 23 – Misconduct, Fraud and Corruption
  2. Management Practice - ADM 23 – Misconduct, Fraud and Corruption

Tabled Items

Nil

Officer Interest Declaration

Nil

Strategic Implications

4.1 Visionary civic leadership and sound governance

Legislation Implications

Local Government (Audit) Regulations 1996

Council Policy/Local Law Implications

Proposal includes development of a new policy and management practice for misconduct, fraud and corruption control.

Budget/Financial Implications

Nil

Consultation

1. MANEX
2. Manager of Governance and Administration
3. Manager of Human Resources
4. Department of Local Government, Sport and Cultural Industries

BACKGROUND

Regulation 17 of the *Local Government (Audit) Regulations* requires the Chief Executive Officer to review the appropriateness and effectiveness of a local government's systems and procedures in relation to —

(a) risk management; and
(b) internal control; and
(c) legislative compliance.

Expanding on that requirement, the Department of Local Government's Operational Guideline No. 9 Audit in Local Government suggests that one of the matters that ought to be considered is:

> *Ascertaining whether fraud and misconduct risks have been identified, analysed, evaluated, have an appropriate treatment plan which has been implemented, communicated, monitored and there is regular reporting and ongoing management of fraud and misconduct risks.*

The establishment of a policy and framework regarding fraud and misconduct risk mitigation is seen as an important step in taking appropriate steps to prevent fraud. This has been recommended by the State Government in a report on Misconduct Risk in Local Government Procurement.

More recently, the Office of the Auditor General (OAG) initiated a performance audit of the Local Government sector to review the sectors approach to managing Misconduct Risks. The existence of a Fraud and Misconduct Control policy and framework is an aspect that the OAG considers best practice to managing the risk.

Further guidance regarding fraud and misconduct risk management is found in the Australian Standard for Fraud and Corruption Control (AS 8001-2008).

DETAILS OF PROPOSAL

The Australian Standard for Fraud and Corruption Control (AS 8001-2008) describes fraud and corruption control as:

> *"a holistic concept involving implementation and continuous monitoring and improvement across three key themes:*
> *a) Prevention*
> *b) Detection*
> *c) Response"*

The standard suggests that:

- An entity's approach to managing the risks of fraud and corruption should be underpinned by an organisation wide policy benchmarking against established best practice prevention and detection programs and standards.
- Entities should develop and implement a Fraud and Corruption Control Plan which documents the entities exposure to fraud and corruption and the intended action in implementing and monitoring the entities fraud and corruption prevention, detection and response initiatives.

In response to this, City staff have researched the Misconduct, Fraud and Corruption policies of other Local Governments, guidelines from the Public Sector Commission and the Crime and Corruption Commission and developed a draft Misconduct, Fraud and Corruption Policy and associated Management Practice. The Management Practice is in the form of a Framework and takes its format and some content from the Department of Local Government and Communities Fraud and Corruption Control Framework, in addition to addressing the three key themes from the standard.

COMMENT

Following the adoption of the Misconduct, Fraud and Corruption Control Policy and Management Practice, a Fraud and Corruption Control Plan will be developed based on a risk assessment of fraud and corruption risks.

The scope of the City's draft Internal Audit Plan includes a requirement to consider misconduct and fraud risks as a component of every functional area audit.

Given the nature of the policy, it is appropriate for the Audit Committee to initially consider the Misconduct, Fraud and Corruption Control policy before referring the policy to the City Strategy Committee to recommend the adoption of the policy to Council. This report therefore seeks the views of the Audit Committee as they pertain to the policy and management practice.

OPTIONS

1. Support the Misconduct, Fraud and Corruption Policy and Management Practice as presented.
2. Support the Misconduct, Fraud and Corruption Policy and Management Practice with amendments.
3. Not support the Misconduct, Fraud and Corruption Policy and Management Practice as presented.

CONCLUSION

To ensure that the City is implementing best practice techniques in mitigating risks relating to fraud and corruption, it is important to establish a policy and framework from which to communicate the City's commitment.

RECOMMEND

That Council notes the Audit Committee's support (or otherwise) for the adoption of the following:

1. Policy – ADM 23 – Misconduct, Fraud and Corruption

2. Management Practice - ADM 23 – Misconduct, Fraud and Corruption.

ATTACHMENTS

1.⇩ Fraud and Corruption Policy and Management Practice

2.2 - COMPLIANCE AUDIT RETURN 2018 CALENDAR YEAR

WARD	:	ALL
FILE No.	:	M/91/19
DATE	:	8 February 2019
REF	:	KD
RESPONSIBLE MANAGER	:	Executive Director Corporate Services

In Brief:

- Council is requested to consider and adopt the 2018 Compliance Audit Return covering the period 1 January 2018 to 31 December 2018 as presented, noting that there is one instance of non-compliance

Tabled Items

Nil

Officer Interest Declaration

Nil

Strategic Implications

4.1.3 Support the role of the elected body

Legislation Implications

Local Government (Audit) Regulations 1996, i.e.

- Clause 13 – prescribed statutory requirements for which compliance audit needed;
- Clause 14 – compliance audits by local governments; and
- Clause 15 – compliance audit return, certified copy of etc. to be given to Department CEO.

Council Policy/Local Law Implications

Nil

Budget/Financial Implications

Nil

Consultation

Management Executive Group (MANEX)

BACKGROUND

The *Local Government (Audit) Regulations 1996* requires every local government to carry out a Compliance Audit for the period 1 January to 31 December each year and to complete a Compliance Audit Return (CAR) as produced by the Department of Local Government.
The CAR is to be:

- Reviewed by the Audit Committee
- Presented to Council at a meeting of the Council;
- Adopted by the Council; and

- Recorded in the minutes of the council meeting at which it is adopted.

After the CAR has been presented to and adopted by Council, a certified copy is to be signed by the Mayor and CEO for lodgment with the Department by 31 March together with the relevant section of the council minutes and any additional information explaining or qualifying the compliance audit.

COMMENT

The CAR is one of the tools available to Council in its governance monitoring role. The CAR also forms part of the Department of Local Government's monitoring program.

The 2018 CAR once again places emphasis on the need for Council to be aware and acknowledge instances of non-compliance or where full compliance was not achieved. In addition, the CAR also requires (if applicable) Council to endorse details of remedial action either taken or proposed, to prevent future like occurrences.

The 2018 CAR has been completed by Management and is presented as an attachment to this Report for consideration/review by Committee, prior to it being submitted to Council.

The 2018 CAR has identified one instance of non-compliance. The instance relates to the Annual Return of an elected member not being lodged by the deadline of the 31 August 2018. The Annual Return was lodged on the 3 September 2018. The matter was reported and referred to the Department of Local Government, Sport and Cultural Industries for its consideration.

On 5 December the Department advised in writing that no further action was to be taken, however action may be taken in the future should there be any further breaches of the financial provisions of the Act.

The 2018 CAR, once adopted by Council, will be certified/signed by the Mayor and CEO and then forwarded to the Director General of the Department of Local Government by 31 March 2018

CONCLUSION

It is recommended that 2018 Compliance Audit Return as presented as an Attachment to this Report, be approved by Council.

RECOMMEND

That Council:

1. **Adopts the Compliance Audit Return (CAR) for the 2018 calendar year presented as an attachment;**

2. **Acknowledges that the 2018 Compliance Audit Return presented as an attachment will be subsequently jointly certified by the Mayor and Chief Executive Officer for submission to the Department of Local Government.**

ATTACHMENTS

1.⇩ Draft 2018 Compliance Audit Return

COUNCILLORS' ITEMS

Nil

MEETING DECLARED CLOSED AT _____

CITY AUDIT COMMITTEE

SUMMARY OF ATTACHMENTS

6 MARCH 2019

ATT NO.	SUBJECT	PAGE
1.1	**THREE-YEAR INTERNAL AUDIT PLAN 2019 - 2021**	
1.1.1	Three-Year Internal Audit Plan 2019 - 2021	15
2.1	**MISCONDUCT, FRAUD AND CORRUPTION CONTROL POLICY AND MANAGEMENT PRACTICE**	
2.1.1	Fraud and Corruption Policy and Management Practice	17
2.2	**COMPLIANCE AUDIT RETURN 2018 CALENDAR YEAR**	
2.2.1	Draft 2018 Compliance Audit Return	31

Three-year Strategic Internal Audit Plan 2019 - 2021

Audit Focus Area	Objectives	Scope	No. of Audits in 3 year period	CEO's Office					Community					Corporate			Development				Technical Services							
				Council Members	City Projects	Economic Development & Tourism	Human Resources	Communications and Marketing	Community Development	Community Planning	Libraries & Heritage Services	Ranger & Emergency Services	Recreation Services	Financial Services	Information & Communications Technology	Governance and Administration	Building Services	Health Services	Strategic Planning	Statutory Planning	Asset Management	Civil Works	Engineering Design	Parks	Environmental Services	Property	Subdivisions	Waste
Financial Management Systems and Procedures	Meet the requirements of LG Financial Management Regulations 5 (2) c Completed once every 3 years	* Undertake a review of the appropriateness and effectiveness of the financial management systems and procedures * Undertaken every 3 years	1																									
Records Management Systems	Evaluate the effectiveness of the City's systems, policies, processes and practices used to manage the City's records and determine opportunities for improvement	* Policies * Procedures * Misconduct risk mitigation	1																									
Armadale Fitness & Aquatic Centre (AFAC)	Identify opportunities for improvement in newly established systems and procedures at the AFAC.	* Cash handling and balancing * Stock in and out * Payroll processes - rosters, timesheets * Misconduct risk mitigation	1																									
Contract, lease and agreement management	Evaluate the effectiveness of the City's systems, policies, processes and practices used to manage contracts, leases and agreements and determine opportunities for improvement	* Currency * Accuracy of execution * Value for money * Misconduct risk mitigation	2																									
Procurement:	Evaluate the effectiveness of the City's systems, policies, processes and practices used to procure goods and services and determine opportunities for improvement	* Compliance with policy and legislation * Credit Cards * Separation of duties * Misconduct risk mitigation	2																									
Statutory Compliance:	Evaluate the effectiveness of the City's systems, policies, processes and practices used to ensure compliance with regulatory requirements	* Acts * Regulations * Schemes * Codes	3																									
Human Resources:	Evaluate the effectiveness of the City's systems, policies, processes and practices used to manage the requirements of the City's employees	* Recruitment; * Staff induction; * Staff performance evaluation; * Training and development * Staff entitlements; * Confidential information * Resignations and retirements; * Occupational Health and Safety * Misconduct risk mitigation * Procurement Practices	1																									
IT - General and systems access controls	Identify vulnerabilities and insecure configurations, and provide remediation advice and recommendations to help improve the ongoing security of the City's network environment.	* Cyber Seurity * Assets * Licences * Systems * Misconduct risk mitigation	3																									
Property: Safety, security and integrity	Evaluate the effectiveness of the City's systems, policies, processes and practices used to manage the safety, security and integrity of the City's properties	* Both leased and operational properties * Misconduct risk mitigation * Undertake property inspections to determine non-compliance	2																									
Emergency Management:	Evaluate the effectiveness of the City's systems, policies, processes and practices used for incidence response.	* Event Management * Misconduct risk mitigation * Procurement Practices	1																									
Compliance Audit Return	Assess the accuracy of the annual Compliance Audit return to ensure it is a true reflection	* 2018 calendar year Compliance Audit return * Misconduct risk mitigation * Undertaken every 3 years	1																									
			18			Year 1 - 2019					Year 2 - 2020					Year 3 - 2021					Every Year							

POLICY – ADM 23 – Misconduct, Fraud and Corruption

Related Management Practice

Yes – ADM 23

Relevant Delegation

N/A

Rationale

To reinforce the City's commitment to an organisational culture that is free of misconduct, fraud and corruption in line with the City's values of honesty, accountability, respect and professionalism.

Policy

All Councillors and employees have a key responsibility to safeguard against damage and loss through fraud, corruption or misconduct and have an obligation to support efforts to reduce associated risk by behaving with integrity and professionalism in undertaking their duties.

The City expects its Councillors and employees to act in compliance with the code of conduct and behave ethically and honestly when performing their functions and during their interactions with each other, the community and all stakeholders of the City.

All suspected instances of fraudulent or corrupt conduct will be thoroughly investigated and the appropriate reporting, disciplinary, prosecution and recovery actions initiated.

MANAGEMENT PRACTICE – ADM 23 – Misconduct, Fraud and Corruption

Relevant Delegation

N/A

Introduction

The purpose of Management Practice ADM 23 is to provide direction on the strategies utilised by the City for implementing and monitoring fraud and corruption prevention, detection and response initiatives and activities.

Definitions

CCM Act means the *Corruption, Crime and Misconduct Act 2003*

Corruption means *"Dishonest activity in which a director, executive, management employee or contractor of an entity acts contrary to the interests of the entity and abuses his/her position of trust in order to achieve some personal gain or advantage for him or herself or for another person or entity." (Australian Standard AS8001:2008 Fraud and Corruption Control)*

Explanatory Note: In the case of a Local Government a Director is known as a Councillor.

Corruption is any deliberate or intentional wrongdoing that is improper, dishonest or fraudulent and may include:

- conflict of interest;
- failure to disclose acceptance of gifts or hospitality;
- acceptance of a bribe;
- misuse of internet or email; or
- release of confidential or private information or intellectual property.

Corrupt conduct tends to show a deliberate intent or an improper purpose and motivation and may involve conduct such as the deliberate failure to perform the functions of office properly; the exercise of a power or duty for an improper purpose; or dishonesty.

Corruptly means Corruption

Fraud means *"Dishonest activity causing actual or potential financial loss to any person or entity including theft of moneys or other property by employees or persons external to the*

entity where deception is used at the time, immediately before or immediately following the activity. This also includes the deliberate falsification, concealment, destruction or use of falsified documentation used or intended for use for a normal business purpose or the improper use of information or position for personal financial benefit." (Australian Standard AS8001:2008 Fraud and Corruption Control)

This also includes the deliberate falsification, concealment, destruction or use of falsified documentation used or intended for use for a normal business purpose or the improper use of information or position for personal financial benefit.

Fraud can take many forms including:

- the misappropriation of assets;
- the manipulation of financial reporting (either internal or external to the organisation);
- corruption involving abuse of position for personal gain.

FW Act means the *Fair Work Act 2009*

Misconduct is defined as either minor misconduct, serious misconduct (reportable) or serious misconduct (non-reportable).

Minor misconduct (CCM Act) occurs if a public officer engages in conduct that:

i. adversely affects, or could adversely affect, directly or indirectly, the honest or impartial performance of the functions of a public authority, whether or not the public officer was acting in their public officer capacity at the time of engaging in the conduct; or

ii. constitutes or involves the performance of his or her functions in a manner that is not honest or impartial; or

iii. constitutes or involves a breach of trust placed in the public officer by reason of his or her office or employment as a public officer, or

iv. involves the misuse of information or material that the public officer has acquired in connection with his or her functions as an employee or Councillor, whether the misuse is for the benefit of the employee or Councillor or the benefit or detriment of another person

and constitutes, or could constitute -

v. deleted

vi. a disciplinary offence providing reasonable grounds for the termination of a person's office or employment as a public service officer under the Public Sector Management Act 1994 (whether or not the public officer to whom the allegation relates is a public

service officer or is a person whose office or employment could be terminated on the grounds of such conduct).

(Section 4(d) of the CCM Act)

Exclusion: **Minor misconduct** means misconduct of a kind described in section 4(d) of the CCM Act that is not any of the following —

(c) conduct engaged in by —

(i) a member of a local government or council of a local government;

(CCM Act definition of Minor misconduct)

Public Officer means any of the following —

(d) a member, officer or employee of any authority, board, corporation, commission, local government, council of a local government, council or committee or similar body established under a written law; (The Criminal Code Act Compilation Act 1913)

Serious Misconduct (Reportable) (CCM Act) occurs if a public officer:

- acts *corruptly* or *corruptly* fails to act in the course of their duties; or
- corruptly takes advantage of their position for the benefit or detriment of any person; or
- commits an offence which carries a penalty of 2 or more years imprisonment.

Corrupt conduct tends to show a deliberate intent for an improper purpose and motivation and may involve misconduct such as: the deliberate failure to perform the functions of office properly; the exercise of a power or duty for an improper purpose; or dishonesty. Some examples of corrupt or criminal conduct which could be serious misconduct include:

- abuse of public office;
- blackmail;
- bribery, including bribery in relation to an election;
- deliberately releasing confidential information;
- extortion;
- obtaining or offering a secret commission;
- fraud or stealing;
- forgery;
- perverting the course of justice;

- an offence relating to an electoral donation;
- falsification of records.

(Sections 4(a),(b) and (c) of the CCM Act)

Serious Misconduct (Non-Reportable) (FW Act) is when an employee breaches their obligations under their contract of employment to an extent that it is reasonable for the City to discontinue the employee's employment. Examples include but are not limited to:

- threatened or actual assault of another employee or member of the public;
- serious conflict of interest;
- damage, misuse or acts of dishonesty in relation to City property and facilities;
- serious or repeated bullying, abuse or sexual harassment of another employee or member of the public;
- serious failure to observe workplace health and safety policies, instructions and procedures; or
- refusal to carry out a lawful and reasonable instruction that is consistent with the employee's contract of employment.

(Part 1, Division 2 section 1.07 of the Fair Work Regulations 2009)

Fraud and Corruption Control

1.1 Planning and resourcing

The Management Practice is an integral part of the City's overall risk management system and details its approach to fraud and corruption prevention, detection, response and monitoring.

The Management Practice will be reviewed as considered necessary, taking into account any changes to the City's business and operating environment, including the impact of fraud and corruption risks.

1.2 Prevention

Robust internal controls and systems are a prime defence mechanism against fraud and corruption. The City demonstrates these by:

- Adopting and encouraging a workplace culture based on the Western Australian Public Sector Code of Ethics and the general principles of official conduct prescribed by the *Public Sector Management Act 1994*.

- Endorsing a workplace Code of Conduct which reinforces a commitment to promoting a high standard of integrity and accountability by demonstrating professional behaviours that are consistent with the City's role and values.
- A commitment from senior management to be role models and demonstrate ethical and accountable behaviour by their actions.
- Ensuring all employees participate in and complete appropriate training.
- Ensuring effective management of conflict of interests as per the Code of Conduct.
- Establishing effective reporting mechanisms and protection for employees making disclosures about fraud and corruption activities. The City has Public Interest Disclosure Guidelines (under development) to document this process.
- Promoting, practising and adhering to risk management policies and procedures, ensuring risk assessments are conducted and treatment plans developed to address identified risks as required.
- Pre-employment screening to verify qualifications, suitability and experience of a potential candidate for employment. Techniques used can include confirmation of qualifications, verification of employment background, referee and criminal history checks.
- Supplier and customer screening to verify credentials.
- Contracts entered into by the City for goods and services are awarded either through a formal tender process, WALGA preferred supplier arrangement, the Department of Finance Whole of Government Common Use Arrangement or are contracted in accordance with the City's purchasing policy ADM 19 Procurement of Goods and Services.

1.3 Detection

The City has the following measures in place to identify and detect incidents of fraud and/or corruption:

1.3.1 Observation and awareness by all employees

Through the City's Code of Conduct and Accountable and Ethical Decision Making training, staff have knowledge and understanding of how to respond if fraud and corrupt activity is detected or suspected. Detection of fraud or corruption often requires specialised and knowledge of the business area where the activity may be perpetrated. However, the presence of indicators of fraud does not necessarily mean that fraud is occurring; they may be the result of other factors.

1.3.2 Risk Management System

The City has a Risk Management system in place for the identification, analysis, evaluation and treatment of risk, including fraud and corruption, and a process to monitor and review on a regular basis.

The application of risk management principles and techniques in the assessment of the risk of fraud and corruption must be carried out within the Risk Management Framework (under development) as adopted by the City.

1.3.3 Internal audit

Internal Auditing is an independent evaluation and assurance activity that assists the City to improve the effectiveness of its risk management, control and governance processes.

The City's internal audit function is currently outsourced to Crowe Horwath. One or two officers from this organisation attend meetings of the Audit Committee providing advice and guidance as well as findings and recommendations associated with audits conducted in line with the Strategic Internal Audit Plan.

1.3.4 External audit

External auditors are responsible for planning and performing an audit to obtain reasonable assurance that the City's financial statements are free of material misstatement, whether caused by fraud or error. Representatives of the external auditor meet with the Audit Committee twice per year to discuss the External Audit Plan and the final report. From the 2019/20 financial year, external audits, including performance audits will be conducted by the Office of the Auditor General.

1.3.5 Mechanisms for reporting

It is mandatory to report known or suspected fraud and/or corruption through one or more of the channels outlined below:

- Reporting should, in the first instance, be to an officer's immediate manager, or the next level senior officer if more appropriate however, an officer may feel more comfortable reporting their suspicions to the Executive Director Corporate Services or a Public Interest Disclosure Officer, as identified in the Corruption and Crime Commissions' PID Officer Contact Directory, accessed using the following link: https://publicsector.wa.gov.au/document/pid-officer-contact-directory

- Staff may also report directly to the Corruption and Crime Commission if desired. The Corruption and Crime Commission does not require callers to provide their personal details or reveal their identity, but anonymous reports are difficult to

assess and will be treated with scepticism until supporting evidence is gained through a preliminary independent investigation.

Public Interest Disclosure (Whistle-Blower Protection)

- The *Public Interest Disclosure Act 2003* facilitates the disclosure of public interest information, enabling anyone to make disclosures about improper or unlawful conduct within the State Public Sector, local government and public universities without fear of reprisal. The *Public Interest Disclosure Act 2003* also provides protection for those who are the subject of a disclosure.

1.4 Response

Employees are sometimes reluctant to become involved in a matter of suspected fraud and corruption by a co-worker. Employees should be mindful that such behaviour is likely to continue and become substantially worse the longer it occurs. The failure to take action to stop, or to report suspected fraud and corruption may place employees in breach of the City's Code of Conduct - Clause 5.2 – Honesty and Integrity.

The function of reporting an incident of fraud or corruption is quite separate from investigating, and not all reports will result in an investigation.

1.5 Responding to Fraud and Corruption Incidents

Suspected fraud will be assessed, reported and if necessary investigated in accordance with the City's policies and procedures.

Where an employee is not employed under the Local Government Act, the assessment and if necessary, the investigation will be conducted in accordance with the principles of confidentiality, procedural fairness and natural justice.

The CEO will be advised of all incidences of alleged fraud and be provided with regular updates on the progress of any investigation.

Internal Audit will consider and ensure controls are appropriately designed and implemented to mitigate risks relating to fraud and corruption.

Civil action to recover misappropriated public funds or property will be at the discretion of the Council or CEO, as applicable.

1.5.1 Preliminary Assessment

All reported incidents of known or suspected fraud or corruption will in the first instance be directed to the CEO who will then appoint an officer to undertake a preliminary assessment to determine whether the behaviour meets the threshold for reporting to the Corruption and Crime Commission or whether the actions involve a less serious breach of trust, element of dishonesty or lack of integrity and are reportable to the Public Sector Commission.

Unless otherwise authorised the assessment will be undertaken by the Executive Director Corporate Services (or his delegate) and a recommendation will be provided to the CEO.

Where there is evidence of wilful and deliberate misconduct, the CEO is required to report the allegations to the Corruption and Crime Commission (serious misconduct) or the Public Sector Commission (minor misconduct). Less serious allegations will be dealt with internally in accordance with departmental disciplinary procedures.

1.5.2 Investigations

The Corruption and Crime Commission (serious misconduct reportable) or the Public Sector Commission (minor misconduct) will determine the most appropriate action in responding to the allegations of fraud or corruption and may include:

- investigation by the City in accordance with the City's Investigating Complaints Procedure (under development)
- investigation by the Corruption and Crime Commission, the Public Sector Commission or another independent agency, such as the Ombudsman, or the Auditor General;
- alternative further action, if the allegation is deemed not to be misconduct, not in the public, or outside the Corruption and Crime Commission or Public Sector Commission jurisdiction; or
- require no further action.

If the Corruption and Crime Commission or the Public Sector Commission refers the investigation back to the City, an assessment will be made on a case by case basis as to whether the matter will be investigated internally or an external investigator appointed.

1.5.3 Disciplinary Procedures

Appropriate disciplinary action will be taken against officers involved in any misconduct incident in accordance with the City's Disciplinary Procedure (under development).

1.5.4 External Reporting requirements

Where fraudulent and corrupt activity is suspected as criminal, the CEO will determine notification to relevant authorities.

Corruption and Crime Commission

Under section 28 of the *Corruption, Crime and Misconduct Act 2003* the CEO is required to notify the Corruption and Crime Commission in writing of any reasonable suspicion that serious misconduct may have occurred. Following notification the Corruption and Crime Commission may determine to investigate or take other action in relation to the matter.

Western Australia Police

The CEO will determine whether any information that raises a suspicion of criminal conduct is to be referred to the Western Australian Police (in addition to notifying the Corruption and Crime Commission), for advice and possible investigation.

1.5.5 Recovery and Legal Proceedings

The City may seek to recover any money or assets lost due to incidents of fraud and corruption; and undertake criminal or civil actions as deemed appropriate.

1.6 Roles and Responsibilities

1.6.1 Chief Executive Officer (CEO)

- Legislated responsibility to exercise authority on behalf of the City.
- Overall accountability for prevention and detection of fraud and corruption within the City.
- Ensure integrity and accountability in the performance of the City's functions.
- Manage the City's operations and resources ensuring service delivery is effective and efficient.
- Promote continual evaluation and improvement of the City's management practices.

1.6.2 Executive Director Corporate Services

- Authority for fraud and corruption control and acts as 'sponsor' of the risk management process, including fraud and corruption.
- Oversee the development, implementation and continued management of the Fraud and Corruption Control Plan (under development).
- Provide accurate and timely advice to the CEO and the Audit Committee on fraud and corruption matters.
- Promote the implementation of effective risk management practices, in relation to fraud and corruption.
- Ensure training and awareness programs are comprehensive and designed to assist employees, contractors and stakeholders to identify, prevent and detect fraud and corruption, including methods of reporting.

1.6.3 Audit Committee

- Oversight of risk management, including fraud and corruption control.
- Provide advice to Council, including potential fraud and corruption matters and recommendations.

- Review governance processes to ensure all matters relating to alleged fraud and corruption or unethical conduct are dealt with appropriately.
- Review the City's Risk Management Framework for identifying, monitoring and managing business risk, including risks associated with fraud and corruption.
- Review the Strategic Internal Audit Plan annually to ensure it covers fraud and corruption risks.

1.6.4 Organisational Management Commitment

- Encourage and maintain a culture and working environment that fosters personal responsibility, integrity and accountability.
- Develop and maintain best practice for the prevention and detection of fraud and corruption and ensuring due consideration is given to confidentiality, natural justice and procedural fairness pertaining to any reported incidents.

1.6.5 Business Improvement Officer

- Develop, implement and monitor the fraud and corruption control plan in consultation with divisional business areas.
- Coordinate, monitor and review the fraud and corruption risk assessment process.
- Implement fraud and corruption strategies with divisional business areas, including internal and external audit recommendations.
- Record and collate fraud and corruption incident reports.
- Provide reports to the Audit Committee on fraud and corruption as necessary.

1.6.6 Employees

- Understand responsibilities associated with performing their official duties and commit to acting ethically and with integrity in accordance with the City's Code of Conduct and other relevant policies and procedures.
- Contribute to the development of improved systems, policies and procedures to enhance the City's prevention of fraud and corruption.
- Undertake awareness training and education.
- Report all suspected or actual incidents of fraud and corruption that they may be aware of to their supervisor.

Alternatively, employees can make a Public Interest Disclosure under the *Public Interest Disclosure Act 2003*.

Further information can be obtained from the City's Public Interest Disclosure Guidelines (under development) or the Public Sector Commission's website.

- Provide any necessary information and cooperation in the conduct of any such assessment or investigation in relation to an incident.

1.6.7 Councillors

- Understand responsibilities associated with performing their official duties and commit to acting ethically and with integrity in accordance with the City's Code of Conduct and other relevant policies and procedures.

Staff communication, education and awareness

Staff bulletins will be regularly broadcast to all officers on the City's Intranet or global emails. This will ensure all officers are reminded of their obligations to identify and report suspected fraud and/or corruption.

Mandatory training in the following modules is required by all new officers, with refresher training scheduled at regular intervals during employment with the City.

- Induction;
- Code of Conduct;
- Accountable and ethical decision making; and
- Record-keeping awareness.

The City uses a variety of education and awareness strategies to foster an accountable and ethical organisational culture and strengthen resistance to fraud and corruption:

- Code of Conduct is available to all staff on the City's Intranet.
- All officers are required to read the Code of Conduct and acknowledge the conduct and behaviour required for working in the City is understood.
- The Executive Director Corporate Services acts as 'sponsor' of the risk management process, including fraud and corruption.
- The Management Practice is accessible to all officers on the City's Intranet in the Policy manual.
- Dissemination of Public Interest Disclosure Guidelines to all officers on the City's Intranet and the publication of Public Interest Disclosure officers' details.

- Reinforcement of the City's zero tolerance attitude to fraud and corruption demonstrated by prompt response to incidents.

Monitor, Review and Evaluation

The effective monitoring, review and evaluation of the Management Practice is a mechanism by which the City can demonstrate accountability and provide assurance that legislative and governance requirements are being met.

- A Fraud and Corruption Register will be used to capture all instances of suspected fraud and corruption.
- Following an incident or investigation where fraud or corruption was substantiated, a review will be conducted to determine the failure of internal controls and corrective measures to be taken.
- Regular review of the Fraud and Corruption Control Plan (under development) for adequacy and effectiveness of controls and the analysis of trends.
- A review of the Fraud and Corruption Control Plan will be performed every two years to identify systemic control weaknesses and to take into account changes to business operations, legislation or any other significant development.

Referenced Documents

City of Armadale Documents:

- Code of Conduct
- Disciplinary Procedure (under development)
- Investigating Complaints Procedure (under development)
- Public Interest Disclosure Guidelines (under development)
- Risk Management Framework (under development)

Externally referenced documents:

- Corruption Crime and Misconduct Act 2003
- Criminal Code Act Compilation Act 1913
- Fair Work Regulations 2009

- Department of Local Government and Communities Fraud and Corruption Control Framework
- AS 8001-2008: Fraud and Corruption Control
- Public Sector Commission Guidelines
- Corruption and Crime Commission Guidelines

Department of
Local Government, Sport
and Cultural Industries

Armadale - Compliance Audit Return 2018

Commercial Enterprises by Local Governments

No	Reference	Question	Response	Comments
1	s3.59(2)(a)(b)(c) F&G Reg 7,9	Has the local government prepared a business plan for each major trading undertaking in 2018.	N/A	
2	s3.59(2)(a)(b)(c) F&G Reg 7,10	Has the local government prepared a business plan for each major land transaction that was not exempt in 2018.	N/A	
3	s3.59(2)(a)(b)(c) F&G Reg 7,10	Has the local government prepared a business plan before entering into each land transaction that was preparatory to entry into a major land transaction in 2018.	N/A	
4	s3.59(4)	Has the local government given Statewide public notice of each proposal to commence a major trading undertaking or enter into a major land transaction for 2018.	N/A	
5	s3.59(5)	Did the Council, during 2018, resolve to proceed with each major land transaction or trading undertaking by absolute majority.	Yes	

Delegation of Power / Duty

No	Reference	Question	Response	Comments
1	s5.16, 5.17, 5.18	Were all delegations to committees resolved by absolute majority.	N/A	
2	s5.16, 5.17, 5.18	Were all delegations to committees in writing.	N/A	
3	s5.16, 5.17, 5.18	Were all delegations to committees within the limits specified in section 5.17.	N/A	
4	s5.16, 5.17, 5.18	Were all delegations to committees recorded in a register of delegations.	N/A	
5	s5.18	Has Council reviewed delegations to its committees in the 2017/2018 financial year.	N/A	
6	s5.42(1),5.43 Admin Reg 18G	Did the powers and duties of the Council delegated to the CEO exclude those as listed in section 5.43 of the Act.	Yes	
7	s5.42(1)(2) Admin Reg 18G	Were all delegations to the CEO resolved by an absolute majority.	Yes	
8	s5.42(1)(2) Admin Reg 18G	Were all delegations to the CEO in writing.	Yes	
9	s5.44(2)	Were all delegations by the CEO to any employee in writing.	Yes	
10	s5.45(1)(b)	Were all decisions by the Council to amend or revoke a delegation made by absolute majority.	Yes	
11	s5.46(1)	Has the CEO kept a register of all delegations made under the Act to him and to other employees.	Yes	
12	s5.46(2)	Were all delegations made under Division 4 of Part 5 of the Act reviewed by the delegator at least once during the 2017/2018 financial year.	Yes	
13	s5.46(3) Admin Reg 19	Did all persons exercising a delegated power or duty under the Act keep, on all occasions, a written record as required.	Yes	

DRAFT

Department of
Local Government, Sport
and Cultural Industries

Disclosure of Interest

No	Reference	Question	Response	Comments
1	s5.67	If a member disclosed an interest, did he/she ensure that they did not remain present to participate in any discussion or decision-making procedure relating to the matter in which the interest was disclosed (not including participation approvals granted under s5.68).	Yes	
2	s5.68(2)	Were all decisions made under section 5.68(1), and the extent of participation allowed, recorded in the minutes of Council and Committee meetings.	Yes	
3	s5.73	Were disclosures under section 5.65 or 5.70 recorded in the minutes of the meeting at which the disclosure was made.	Yes	
4	s5.75(1) Admin Reg 22 Form 2	Was a primary return lodged by all newly elected members within three months of their start day.	N/A	
5	s5.75(1) Admin Reg 22 Form 2	Was a primary return lodged by all newly designated employees within three months of their start day.	Yes	
6	s5.76(1) Admin Reg 23 Form 3	Was an annual return lodged by all continuing elected members by 31 August 2018.	No	1 Councillor failed to lodged by the deadline. Lodged on the 3/9/18. DLGSC advised.
7	s5.76(1) Admin Reg 23 Form 3	Was an annual return lodged by all designated employees by 31 August 2018.	Yes	
8	s5.77	On receipt of a primary or annual return, did the CEO, (or the Mayor/ President in the case of the CEO's return) on all occasions, give written acknowledgment of having received the return.	Yes	
9	s5.88(1)(2) Admin Reg 28	Did the CEO keep a register of financial interests which contained the returns lodged under section 5.75 and 5.76	Yes	
10	s5.88(1)(2) Admin Reg 28	Did the CEO keep a register of financial interests which contained a record of disclosures made under sections 5.65, 5.70 and 5.71, in the form prescribed in Administration Regulation 28.	Yes	
11	s5.88 (3)	Has the CEO removed all returns from the register when a person ceased to be a person required to lodge a return under section 5.75 or 5.76.	Yes	
12	s5.88(4)	Have all returns lodged under section 5.75 or 5.76 and removed from the register, been kept for a period of at least five years, after the person who lodged the return ceased to be a council member or designated employee.	Yes	
13	s5.103 Admin Reg 34C & Rules of Conduct Reg 11	Where an elected member or an employee disclosed an interest in a matter discussed at a Council or committee meeting where there was a reasonable belief that the impartiality of the person having the interest would be adversely affected, was it recorded in the minutes.	Yes	
14	s5.70(2)	Where an employee had an interest in any matter in respect of which the employee provided advice or a report directly to the Council or a Committee, did that person disclose the nature of that interest when giving the advice or report.	N/A	
15	s5.70(3)	Where an employee disclosed an interest under s5.70(2), did that person also disclose the extent of that interest when required to do so by the Council or a Committee.	N/A	
16	s5.103(3) Admin Reg 34B	Has the CEO kept a register of all notifiable gifts received by Council members and employees.	Yes	

DRAFT

Department of
Local Government, Sport
and Cultural Industries

Disposal of Property

No	Reference	Question	Response	Comments
1	s3.58(3)	Was local public notice given prior to disposal for any property not disposed of by public auction or tender (except where excluded by Section 3.58(5)).	Yes	
2	s3.58(4)	Where the local government disposed of property under section 3.58(3), did it provide details, as prescribed by section 3.58(4), in the required local public notice for each disposal of property.	Yes	

Finance

No	Reference	Question	Response	Comments
1	s7.1A	Has the local government established an audit committee and appointed members by absolute majority in accordance with section 7.1A of the Act.	Yes	
2	s7.1B	Where a local government determined to delegate to its audit committee any powers or duties under Part 7 of the Act, did it do so by absolute majority.	N/A	
3	s7.3	Was the person(s) appointed by the local government to be its auditor, a registered company auditor.	Yes	
4	s7.3, 7.6(3)	Was the person or persons appointed by the local government to be its auditor, appointed by an absolute majority decision of Council.	Yes	
5	Audit Reg 10	Was the Auditor's report for the financial year ended 30 June 2018 received by the local government within 30 days of completion of the audit.	Yes	
6	s7.9(1)	Was the Auditor's report for the financial year ended 30 June 2018 received by the local government by 31 December 2018.	Yes	
7	S7.12A(3)	Where the local government determined that matters raised in the auditor's report prepared under s7.9(1) of the Act required action to be taken by the local government, was that action undertaken.	N/A	
8	S7.12A (4)	Where the local government determined that matters raised in the auditor's report (prepared under s7.9(1) of the Act) required action to be taken by the local government, was a report prepared on any actions undertaken.	N/A	
9	S7.12A (4)	Where the local government determined that matters raised in the auditor's report (prepared under s7.9(1) of the Act) required action to be taken by the local government, was a copy of the report forwarded to the Minister by the end of the financial year or 6 months after the last report prepared under s7.9 was received by the local government whichever was the latest in time.	N/A	
10	Audit Reg 7	Did the agreement between the local government and its auditor include the objectives of the audit.	N/A	
11	Audit Reg 7	Did the agreement between the local government and its auditor include the scope of the audit.	N/A	
12	Audit Reg 7	Did the agreement between the local government and its auditor include a plan for the audit.	N/A	
13	Audit Reg 7	Did the agreement between the local government and its auditor include details of the remuneration and expenses to be paid to the auditor.	N/A	
14	Audit Reg 7	Did the agreement between the local government and its auditor include the method to be used by the local government to communicate with, and supply information to, the auditor.	N/A	
15	Audit Reg 17	Has the CEO reviewed the appropriateness and effectiveness of the local government's systems and procedures in accordance with regulation 17 of the Local Government (Audit) Regulations 1996.	Yes	
16	Audit Reg 17	If the CEO has not undertaken a review in accordance with regulation 17 of the Local Government (Audit) Regulations 1996, is a review proposed and when.	N/A	

DRAFT

Department of
Local Government, Sport
and Cultural Industries

GOVERNMENT OF WESTERN AUSTRALIA

Integrated Planning and Reporting

No	Reference	Question	Response	Comments
1	s5.56 Admin Reg 19DA (6)	Has the local government adopted a Corporate Business Plan. If Yes, please provide adoption date of the most recent Plan in Comments. This question is optional, answer N/A if you choose not to respond.	Yes	9 July 2018 - CS55/6/2019
2	s5.56 Admin Reg 19DA (6)	Has the local government adopted a modification to the most recent Corporate Business Plan. If Yes, please provide adoption date in Comments. This question is optional, answer N/A if you choose not to respond.	No	
3	s5.56 Admin Reg 19C (7)	Has the local government adopted a Strategic Community Plan. If Yes, please provide adoption date of the most recent Plan in Comments. This question is optional, answer N/A if you choose not to respond.	Yes	29 March 2016 - CS22/3/16
4	s5.56 Admin Reg 19C (7)	Has the local government adopted a modification to the most recent Strategic Community Plan. If Yes, please provide adoption date in Comments. This question is optional, answer N/A if you choose not to respond.	Yes	25 September 2018 - C75/9/18 26 November 2018 - CS86/11/18
5	S5.56	Has the local government adopted an Asset Management Plan. If Yes, in Comments please provide date of the most recent Plan, plus if adopted or endorsed by Council the date of adoption or endorsement. This question is optional, answer N/A if you choose not to respond.	Yes	13 November 2017 - T89/11/17
6	S5.56	Has the local government adopted a Long Term Financial Plan. If Yes, in Comments please provide date of the most recent Plan, plus if adopted or endorsed by Council the date of adoption or endorsement. This question is optional, answer N/A if you choose not to respond.	Yes	9 July 2018 - CS55/6/2019
7	S5.56	Has the local government adopted a Workforce Plan. If Yes, in Comments please provide date of the most recent Plan plus if adopted or endorsed by Council the date of adoption or endorsement. This question is optional, answer N/A if you choose not to respond.	Yes	16 April 2018 - CS33/4/18

Local Government Employees

No	Reference	Question	Response	Comments
1	Admin Reg 18C	Did the local government approve the process to be used for the selection and appointment of the CEO before the position of CEO was advertised.	N/A	
2	s5.36(4) s5.37(3), Admin Reg 18A	Were all vacancies for the position of CEO and other designated senior employees advertised and did the advertising comply with s.5.36(4), 5.37(3) and Admin Reg 18A.	Yes	
3	Admin Reg 18F	Was the remuneration and other benefits paid to a CEO on appointment the same remuneration and benefits advertised for the position of CEO under section 5.36(4).	N/A	
4	Admin Regs 18E	Did the local government ensure checks were carried out to confirm that the information in an application for employment was true (applicable to CEO only).	N/A	
5	s5.37(2)	Did the CEO inform council of each proposal to employ or dismiss a designated senior employee.	Yes	

Official Conduct

No	Reference	Question	Response	Comments
1	s5.120	Where the CEO is not the complaints officer, has the local government designated a senior employee, as defined under s5.37, to be its complaints officer.	N/A	CEO is the complaints officer
2	s5.121(1)	Has the complaints officer for the local government maintained a register of complaints which records all complaints that result in action under s5.110(6)(b) or (c).	Yes	No complaints registered for 2018
3	s5.121(2)(a)	Does the complaints register maintained by the complaints officer include provision for recording of the name of the council member about whom the complaint is made.	Yes	No complaints registered for 2018
4	s5.121(2)(b)	Does the complaints register maintained by the complaints officer include provision for recording the name of the person who makes the complaint.	Yes	No complaints registered for 2018
5	s5.121(2)(c)	Does the complaints register maintained by the complaints officer include provision for recording a description of the minor breach that the standards panel finds has occured.	Yes	No complaints registered for 2018
6	s5.121(2)(d)	Does the complaints register maintained by the complaints officer include the provision to record details of the action taken under s5.110(6)(b) or (c).	Yes	No complaints registered for 2018

DRAFT

Department of
Local Government, Sport
and Cultural Industries

Tenders for Providing Goods and Services

No	Reference	Question	Response	Comments
1	s3.57 F&G Reg 11	Did the local government invite tenders on all occasions (before entering into contracts for the supply of goods or services) where the consideration under the contract was, or was expected to be, worth more than the consideration stated in Regulation 11(1) of the Local Government (Functions & General) Regulations (Subject to Functions and General Regulation 11(2)).	Yes	
2	F&G Reg 12	Did the local government comply with F&G Reg 12 when deciding to enter into multiple contracts rather than inviting tenders for a single contract.	Yes	
3	F&G Reg 14(1) & (3)	Did the local government invite tenders via Statewide public notice.	Yes	
4	F&G Reg 14 & 15	Did the local government's advertising and tender documentation comply with F&G Regs 14, 15 & 16.	Yes	
5	F&G Reg 14(5)	If the local government sought to vary the information supplied to tenderers, was every reasonable step taken to give each person who sought copies of the tender documents or each acceptable tenderer, notice of the variation.	Yes	
6	F&G Reg 16	Did the local government's procedure for receiving and opening tenders comply with the requirements of F&G Reg 16.	Yes	
7	F&G Reg 18(1)	Did the local government reject the tenders that were not submitted at the place, and within the time specified in the invitation to tender.	Yes	
8	F&G Reg 18 (4)	In relation to the tenders that were not rejected, did the local government assess which tender to accept and which tender was most advantageous to the local government to accept, by means of written evaluation criteria.	Yes	
9	F&G Reg 17	Did the information recorded in the local government's tender register comply with the requirements of F&G Reg 17.	Yes	
10	F&G Reg 19	Was each tenderer sent written notice advising particulars of the successful tender or advising that no tender was accepted.	Yes	
11	F&G Reg 21 & 22	Did the local governments's advertising and expression of interest documentation comply with the requirements of F&G Regs 21 and 22.	Yes	
12	F&G Reg 23(1)	Did the local government reject the expressions of interest that were not submitted at the place and within the time specified in the notice.	N/A	
13	F&G Reg 23(4)	After the local government considered expressions of interest, did the CEO list each person considered capable of satisfactorily supplying goods or services.	Yes	
14	F&G Reg 24	Was each person who submitted an expression of interest, given a notice in writing in accordance with Functions & General Regulation 24.	Yes	
15	F&G Reg 24AD(2)	Did the local government invite applicants for a panel of pre-qualified suppliers via Statewide public notice.	Yes	
16	F&G Reg 24AD(4) & 24AE	Did the local government's advertising and panel documentation comply with F&G Regs 24AD(4) & 24AE.	Yes	
17	F&G Reg 24AF	Did the local government's procedure for receiving and opening applications to join a panel of pre-qualified suppliers comply with the requirements of F&G Reg 16 as if the reference in that regulation to a tender were a reference to a panel application.	Yes	
18	F&G Reg 24AD(6)	If the local government to sought to vary the information supplied to the panel, was every reasonable step taken to give each person who sought detailed information about the proposed panel or each person who submitted an application, notice of the variation.	Yes	
19	F&G Reg 24AH(1)	Did the local government reject the applications to join a panel of pre-qualified suppliers that were not submitted at the place, and within the time specified in the invitation for applications.	Yes	
20	F&G Reg 24AH(3)	In relation to the applications that were not rejected, did the local government assess which application(s) to accept and which application(s) were most advantageous to the local government to accept, by means of written evaluation criteria.	Yes	
21	F&G Reg 24AG	Did the information recorded in the local government's tender register about panels of pre-qualified suppliers, comply with the requirements of F&G Reg 24AG.	Yes	
22	F&G Reg 24AI	Did the local government send each person who submitted an application, written notice advising if the person's application was accepted and they are to be part of a panel of pre-qualified suppliers, or, that the application was not accepted.	Yes	
23	F&G Reg 24E	Where the local government gave a regional price preference in relation to a tender process, did the local government comply with the requirements of F&G Reg 24E in relation to the preparation of a regional price preference policy (only if a policy had not been previously adopted by Council).	N/A	
24	F&G Reg 24F	Did the local government comply with the requirements of F&G Reg 24F in relation to an adopted regional price preference policy.	N/A	
25	F&G Reg 11A	Does the local government have a current purchasing policy in relation to contracts for other persons to supply goods or services where the consideration under the contract is, or is expected to be, $150,000 or less.	Yes	

DRAFT