

# CONTRACTOR INDUCTION HANDBOOK



## 1.0 Introduction

Berrigan Shire Council recognises its responsibility for the health and safety of contractors and their employees when engaged to perform work or provide services to Berrigan Shire Council. All contractors, subcontractors and their employees are expected to conduct health and safety due diligence in performing their work, so they do not pose a risk to themselves or others. Contractors must always comply with all relevant legislation, codes of practice, and Australian Standards, as well as their own company policies and procedures.

Contractors are expected to have their own safe work procedures in place, as well as the appropriate training, knowledge, and experience to safely undertake the work for which they have been engaged.





## 2.0 Berrigan Shire Council – Work Health and Safety Policy Statement

Berrigan Shire Council is committed to providing a safe and healthy workplace for all its employees, volunteers, contractors, and the public. The Council recognises its obligations under the *Work Health and Safety Act 2011*, the *Work Health and Safety Regulations 2017* and associated legislation.

Council is committed to providing a safe and healthy workplace, and as far as reasonably practicable will:

- provide a safe and healthy work environment for all workers.
- provide safe and healthy methods of work.
- implement safe and healthy systems of work which includes programs and procedures which are continually reviewed and updated.
- identify and eliminate or reduce hazards and risks to health and safety.
- collate and utilise information to continually monitor and improve work health and safety.
- provide advice and information, education and training resources.
- comply with relevant legislation.
- provide for fair and effective workplace representation, consultation, co-operation and issue resolution to work health and safety matters, and
- co-ordinate effective management of injured workers and return to work programs.

## 3.0 Contractor responsibilities

It is the responsibility of all contractors to:

- Maintain their own work health and safety policies, procedures, and work instructions.
- Inform Berrigan Shire Council of any sub-contractors engaged.
- Induct their own employees and sub-contractors, and their employees, on to the worksite and keep appropriate records on site at all times.
- Provide the sub-contractor with the appropriate information to complete the job safely.
- Fulfill legal obligations under the *Work Health and Safety Act 2011* by eliminating risks to health and safety so far as reasonably practicable and if it is not reasonably practicable to eliminate risks to health and safety, then reducing those risks as far as is reasonably practicable following the hierarchy of control.
- Conduct a general hazard identification, risk assessment and review of control measures before commencing work.
- Ensure they have obtained from Council, any information about known hazards and risks involved in the work to be done.
- Implement and maintain a system of obtaining and updating information on all work health and safety laws.
- Provide Council with all safety documents, upon request.
- Inform the Contract Manager/Manager/Overseer of any non-conformances, incidents or issues on site within 12 hours.
- Report to Reception, or report to the responsible Council Officer (on-site or at an agreed location) prior to commencing works and following the completion of the works.

### 3.1 Contractor classifications

Depending upon the classification of the contracted work, contractors have different requirements. The following classifications are followed by Berrigan Shire Council.



#### Summary of Berrigan Shire Council - Contractor Requirements

Minimum requirements	Level 1 – Construction projects/Principal contractors	Level 2 – Major contracts	Level 2 – Non-construction Major contracts	Level 3 – Minor works	Other contractors
Scope of works	Required	Required	Required	Required	Required
Evidence of WHS Management Plan	Required	*As required	Not required	Not required	Not required
Project Management Plan	Required	*As required	Not required	Not required	Not required
Site specific risk assessments	Required	Required	*As required	* As required	Not required
Safe Work Method Statements (SWMS)	Required	Required	Not required	Not required	Not required
Insurances -Public liability (minimum \$20 million) -Workers compensations -Others (may include plant insurance)	Required	Required	Required	Required	Required
Professional Indemnity insurance (value not defined)	*As required	*As required	*As required	*As required	*As required
Specific Risk Control Plans (asbestos removal, demolition, traffic control, other)	*As required	*As required	*As required	*As required	Not required
Licences, permits, Certificates of Competency	Required	Required	Required	Required	Required
Council Induction	Required	Required	Required	Required	Required
Contractor supplied induction	Required	Not required	Not required	Not required	Not required
*As required means that the WHS requirements listed may or may not be required dependent upon the type of work, location, etc.					
Arrangements for the following are to be agreed to between Council and the contractor, based on the nature of the work, how much control Council has over the contractor's work, the level of competency Council has in relation to the contractor's work, the type of contractor and duration of the work:					
<ul style="list-style-type: none"> <li>• Consultation</li> <li>• Incident reporting</li> <li>• Monitoring and supervision: <ul style="list-style-type: none"> <li>○ Council inspections</li> <li>○ Contractor inspections</li> </ul> </li> <li>• Contract Performance Reports</li> </ul>					

### 3.2 Definitions of contractors

Level 1 - Contractor Management – Construction Projects/Principal Contractors which includes:

- o A construction project where the cost of the works is \$250,000 or more, and
- o A construction project where Council is the principal contractor.

Level 2 - Contractor Management – Major contracts

1. Construction, trades and maintenance contracts

Contracts for construction works will be classified as major contracts when the value of the work is less than \$250,000.

Contract works involving one or more high-risk construction activities as defined by the *Work Health and Safety Regulations 2017* will also be classified as major contracts.

2. Non-construction contracts

Other contracts will also be classified as major based on an assessment of the following:

- Value of the contract, e.g., value of \$50,000 and above may be considered as a guide for major contracts.
- The level of complexity and nature of the work, e.g., contracts involving multiple work activities performed by the contractor, co-ordination across multiple sites, the use of subcontractors, and the use of hazardous chemicals, e.g., cleaning contractors or pest control contractors.
- Duration of the project, e.g., contracts that extend beyond six (6) months.

Level 3 - Contractor Management – Minor Works

This covers all contractors who provide an ongoing or one-off low risk manual service. This might include cleaning contractors at one site only, off-site contractors (e.g., sign manufacture).

Level 3 – Contractor Management – Minor Works (Other)

These contractors will generally be classified as minor contracts due to the low-risk nature of their work. Delivery contractors will be classified as minor contractors provided that their work does not involve high-risk tasks (such as unloading a truck with a large crane). Other contractors in this category might involve consulting services, or maintenance services such photocopier/printer maintenance.

## 4.0 Insurance

Dependent upon the terms of engagement, all contractors will be required to provide proof of insurance(s) prior to commencement of works. Examples of insurance(s) required are:

- Public Liability insurance (minimum \$20 million)
- Workers Compensation insurance (where staff are employed by the contractor)
- Professional Indemnity Insurance (minimum to be determined)
- Motor vehicle/heavy plant insurance

## 5.0 Code of Conduct

Contractors are expected to abide by Council's Code of Conduct, specifically:

You must not conduct yourself in a manner that:

- a) is likely to bring the Council or other Council officials into disrepute,
- b) is contrary to statutory requirements or the Council's administrative requirements or policies,
- c) is improper or unethical,
- d) is an abuse of power,
- e) causes, comprises, or involves intimidation or verbal abuse,
- f) involves the misuse of your position to obtain a private benefit,
- g) constitutes harassment or bullying behaviour or is unlawfully discriminatory.

We also expect contractors to uphold the same values as staff:

Integrity  
Leadership  
Selflessness  
Objectivity  
Accountability  
Openness  
Honesty  
Respect  
Trust and Teamwork  
Advocacy  
Partnership

## 6.0 Site rules

Whenever working within a Council workplace, contractors must also abide by site rules. This may mean additional PPE must be worn, there are visitor sign-in requirements, or certain areas that cannot be accessed, etc. Whatever the additional requirements are, contractors must abide by site specific rules in addition to other requirements of performing work on behalf of the Berrigan Shire Council.

Council has in place a long clothing policy. Contractors are not required to adhere to Council's long clothing requirement however are expected to have in place their own policies addressing sun protection and are required to wear PPE in accordance with the work being undertaken.

Any additional site rules will be explained during the site-specific risk assessment and induction which will be performed by the relevant Contract Manager.

## 7.0 Drug and alcohol-free workplace

Berrigan Shire Council conducts random drug and alcohol testing on all employees. These tests are saliva tests and are conducted by an external provider.

Berrigan Shire Council will insist any contractors performing work for Council will be required to have a Drug and Alcohol policy in place. Any contractors on-site when Council's random testing program is taking place may be required to participate. Any contractors returning a non-negative will be required to leave the worksite.

Council will need to be assured that a management plan is in place to monitor the contractor or contractor's employee or sub-contractor before allowing them to return to the worksite.

## 8.0 Gifts and benefits

A Council official (which includes a contractor engaged to perform work for Council) must not seek nor accept any bribe or improper inducement. Improper inducements are not just limited to money but can include any gift or benefit, offered directly or indirectly. A gift of value including cash and other benefits should be declined and should not be accepted where this has a direct correlation or implication to the work being conducted for Council.

An example of this would be, a driver of a Council contracted garbage collection service is approached by a resident to take extra rubbish from their property during the weekly kerbside collection. The driver/contractor is paid a slab of beer to perform the extra task. In this instance, the extra rubbish should have been refused by the driver/contractor, and the slab of beer also refused.

Council has adopted a Gifts and Benefits Policy

Council staff are also not able to accept gifts or benefits from contractors.

Contractors are expected not to supply gifts or benefits to Council staff, at any time.

Council staff must declare all gifts they are offered. This includes gifts of value, gifts of token value, and any gifts offered and declined.

## 9.0 Smoking

Berrigan Shire Council is committed to providing a safe and healthy work environment for all Council workers by reducing the risks associated with smoking and adhering to the *Smoke-free Environment Act 2000* and *Smoke-free Environment Regulation 2016*.

Smoking in public areas is banned:

- within 10 metres of children’s play equipment in outdoor public places.
- public swimming pools.
- spectator areas at sportsgrounds or other recreational areas used for organised sporting events.
- public transport stops and platforms including taxi ranks, bus stops, etc.
- within 4 metres of a pedestrian access point to a public building
- commercial outdoor dining areas.

In addition to public smoking bans, Council has a strict policy in place. Smoking is banned in all Council buildings, large plant, and Council owned vehicles.

Smoking is permitted in designated smoking areas at the Council Depots, and at the rear of the Council offices (if the 4-metre rule is observed).

## 10. Emergency procedures

Each worksite will have applicable emergency procedures. Buildings will have emergency plans applicable to the building, and remote worksites will follow a general plan.

Emergency evacuation procedures will be discussed during the on-site risk assessment and induction.

Generally, emergency evacuation procedures will follow the same instructions, which are:

### 10.1 Emergency Response Procedures

#### 10.1 Introduction

An emergency can develop from a number of causes such as fire, structural instability, hazardous substances incidents, etc. A risk assessment has been conducted on various work activities with consideration to various emergency scenarios. Procedures have been developed for those scenarios considered possible for on-site emergencies.

These procedures set out emergency responses to ensure the safety of employees, contractors, and visitors to this workplace, and have been developed in reference to Australian Standard AS3745-2010 *“Planning for emergencies in facilities”*.

## 10.2 Emergency Planning Committee

Berrigan Shire Council has established an Emergency Planning Committee who is responsible for developing the emergency evacuation procedures and plans, testing those procedures and plans through evacuation drills, and reviewing their effectiveness. Those people comprising the Emergency Planning Committee are listed in Appendix 1 of these procedures.

## 10.3 Emergency Control Organization (ECO)

The ECO is usually made up of a Chief Warden, Deputy Chief Warden, Area Wardens and Wardens. These people are responsible for issuing instructions and instigating the safe evacuation of personnel from a facility. However, on-site workplaces rely on a single person to act as an Area Warden and initiate emergency response.

The Area Warden/s for the worksite will be the Ganger, senior staff member or a delegated responsible person identified during Tool Box Meetings.

## 10.4 Evacuation Procedures

As major emergencies arise such as fire, chemical spill or medical emergency, areas may require evacuation.

The decision to evacuate will be made by the Area Warden upon assessment of the emergency. However, it may be necessary upon the assessment of a situation for other appropriate personnel to make this decision.

### 10.4.1 Action Plan

#### 1. Discovering an emergency situation

- Upon discovery of an emergency situation, notify the Area Warden, if possible.

#### 2. Evacuation

- If after assessing the situation, an evacuation is considered necessary:-
  - Area Wardens or delegates will advise people to evacuate the area;
  - Advise people on the most appropriate exit routes
  - Arrange assistance for any mobility impaired people.

#### 3. Accounting for people

- In an evacuation it is essential that all people are cleared from the area. It is the responsibility of the Area Wardens to check that all areas are clear.

#### 4. Emergency Assembly Areas

- Advise people to assemble in the designated Emergency Assembly Areas.



- If it has been determined that the normal Emergency Assembly Area is not appropriate for an evacuation, the Wardens will communicate an alternative assembly point.

## 5. Notify Emergency Services

- Dial 000
- Provide Emergency Services with the necessary information including:-
  - Location of the site
  - The type of emergency
  - Any casualties or injuries
  - What assistance is required
  - Any hazards that may be encountered
  - Your name and telephone number

## 6. Safe Guard Valuables

- Only if possible to do so, safe guard valuable items. However, it is imperative that employees understand that personal safety is paramount and under no circumstances should items be retrieved if there is clear and present danger, or the area has been evacuated.

### 10.5 Recovery Activities

Following confirmation from emergency services that their operations are complete, the Supervisor or Manager, in consultation with the Chief Executive Officer will initiate recovery procedures.

A meeting will be held with directly affected workers on the next working day following the emergency.

An investigation of the incident will be initiated by the Emergency Planning Committee, in conjunction with site management, immediately following the incident. Copies of the investigation report will be provided to emergency services, as requested. The investigation will also determine if counselling services are required for affected personnel.

The Chief Executive Officer will be responsible for making any public announcements regarding the emergency.

### 11.0 First Aid

All contractors must provide their own suitable and readily accessible first aid kits.

Contractors must have adequate first aid facilities and first aid supplies and determine whether qualified first aiders are required.

### 12.0 Isolation and Tag Out System

The purpose of this is to ensure that employees and public are not exposed to hazards with a high likelihood of injury.

Contractors involved in the maintenance of equipment or plant must ensure that all hazardous energies associated with energised equipment or plant are de-energised and made safe by way of positive isolation, locked out and tagging to ensure staff, contractors and visitors are made aware of any equipment and/or plant that are out of service.

Any work/task area requiring isolation and being tagged out **must** be appropriately barricaded with signage to keep out any unauthorised persons entering the work area.

### 13.0 Permit to work

Contractors who perform any of the works listed below are to ensure they have their own Permit to Work system in place for these processes.

High risk works that require a permit to work:

- Welding, grinding or similar activities outside of normal maintenance facilities, where potential for fire has been identified. **NO HOT WORK IS PERMITTED OUTDOORS ON TOTAL FIRE BAN DAYS.**
- Operation of certain machinery including forklifts, cranes, hoists (EWP).
- Scaffolding
- Pressure equipment
- Dogging and rigging

Evidence of these permits will be required at the appointment of the contractor.

### 13.0 Risk assessments

The contractor is to ensure that risk assessments have been carried out for all hazards in accordance with Codes of Practice and any relevant legislative requirements under work health and safety legislation.

Site information will be provided to the contractor, however it is the contractor's responsibility to ensure that the work to be performed is suitable for the site.

### 14.0 Safe Work Method Statements (SWMS)

SWMS are to be prepared for all high-risk construction works as defined by the *Work Health and Safety Regulations 2017*, and be made available to Council, and also for inspection by Council or SafeWork NSW upon request.

### 15.0 Standard Operating Procedures

Each organisation will have a different way of outlining their operating procedures. Copies of these procedures and additional documentation such as a Work Health and Safety policy must be made available during the tender process or request for quotation process. These documents must be maintained and be made available to Council upon request.

### 16.0 Site Risk Assessments

Site specific risk assessments will be conducted by Council and this information provided to the contractor at induction. In addition, the contractor must also conduct their own before commencement of any works.

### 17.0 Work Health and Safety Management Plans

In accordance with the *Work Health and Safety Regulations 2017*, any construction work above \$250,000 must have in place a work health and safety management plan.



Where Council is the Project Manager, this plan will be developed. Where the contractor is the Project Manager, they must provide a copy of the plan to Council before works commence and make available for inspection by Council or SafeWork NSW upon request.

## 18.0 Safety signage

All workplaces are to be appropriately signed indicating PPE requirements and identified hazard information for all employees, contractors, sub-contractors, visitors and the public.

Signage shall be erected in locations where a hazard exists. This includes roads, roadsides, parks, playgrounds, and worksites. Signage must remain in the area until the works are complete.

## 19.0 Safety breaches

Any breaches of relevant health and safety laws, codes, standards, policies or procedures will be considered a fundamental breach of the contract between Berrigan Shire Council and the contractor. Contractors will be advised in writing of any non-conformances identified by the Contract Manager. Repeated non-conformances or a single serious breach of health and safety laws may result in suspension or termination of the contract.

## 20.0 Management of specific hazards

### 20.1 Asbestos

Council has in place an asbestos register and will inform any contractor undertaking work if asbestos is known to be present and is on-site.

If asbestos is found or suspected in a job, report it to the Contract Manager immediately and do not proceed with works.

Asbestos must only be removed by licenced contractors, with a clearance certification given before works can commence.

### 20.2 Confined spaces

No persons are to enter a confined space unless they comply with all the following:

- are appropriately trained in confined space entry,
- have an approved permit to work, and a completed confined space entry permit,
- completed an approved risk assessment/JSA.

### 20.3 Electrical safety

Any electrical equipment found to be faulty shall be immediately removed from operation and tagged with a warning tag stating, **"DANGER DO NOT OPERATE"**.

All items of electrical equipment in hostile environments, as per *Work Health and Safety Regulations 2017*, must undergo testing and tagging by a qualified person as per AS3760 2001 Safety Inspection and Testing of Electrical Equipment.

All hazards associated with the use of electrical equipment or work processes undertaken near powerlines/sources must be identified.

Council encourages all contractors to use portable RCDs.

#### 20.4 Hazardous substances and dangerous goods

All hazardous substances and chemicals used on Council premises must have:

- Supplier label attached. This applies to products purchased by Berrigan Shire Council and brought on site by contractors.
- Safety Data Sheets (SDS) available for reference by users of the substance.

Contractors will be responsible for the safe keeping of all chemicals and flammable materials used by them. When not in use, they must be kept in approved storage facilities, supplied by the Contractor.

Contractors should store their own chemicals offsite unless otherwise agreed to by contract or Council, i.e., approval granted to store chemicals at Council depot or other approved site.

All chemicals must be stored in accordance with the SDS, ensuring chemicals are segregated as required, or stored onsite with other compatible substances.

#### 20.5 Housekeeping and waste disposal

It is the responsibility of the contractor to maintain good housekeeping and material storage standards in the work area at all times.

No dumping of debris, refuse or waste, etc. is permitted in the work area. At the conclusion of the job, the areas must be left clean and tidy. Contractors must ensure they:

- clean up all spills,
- ensure all items are removed, or returned to their proper storage,
- remove all debris,
- leave the site in a safe state

#### 20.6 Noise management

Where contract activities expose employees of the Berrigan Shire Council or their own employees, sub-contractors or the public or volunteers to noise, a risk assessment will be required to determine the level of exposure and adequate controls to be applied, to ensure the risk exposure is eliminated or reduced.

Ear protection must be worn where signposted or where employees are exposed to noise levels in excess of 85db. Where noise levels are judged to be high, noise levels need to be measures.

Contractors should also note the relevant local law requirements for public noise.

#### 20.7 Personal protective equipment and clothing

All contractors working on site are responsible for providing their own PPE for work they are undertaking.

#### 20.8 Plant safety



Any plant operated by contractors shall have all hazards identified, assessed and controlled to ensure safe operations on Berrigan Shire Council sites.

All personnel operating plant must have the appropriate licences and/or competencies. Licences and/or competencies must be kept on site for inspection by Council or SafeWork NSW upon request.

Pre-start checks must be performed and recorded.

All Contractor supplied plant used on Council worksites must be insured and insurance maintained throughout the works. Evidence of insurance must be provided to Council prior to works commencing.

## 20.9 Dial B 4 U Dig

All underground services must be located prior to commencing any work involving digging, excavation or stump grinding.

Council can provide reports if requested by the Contractor, however it is up to the contractor to make their own enquiries regarding Dial B 4 U Dig and refer to plans when inducting their own staff on-site and prior to commencing any works.

## 20.10 Working at heights

Contractors must have available for the Contract Manager, a specific SWMS which outline working at height, and which clearly describes the hazards and how the work will be undertaken safely, any equipment to be used, and emergency plans.

## 21.0 Incident notification and reporting

In the event of an incident or near miss, whether environmental, within the workplace or public incident, Council will review the circumstances and where appropriate initiate an investigation. The investigation process is not to lay blame but to determine strategies to help prevent similar situations occurring again.

### 21.1 Incident Notification – Workplace - Immediate Action

Upon notification of an incident, the following procedures will apply:

1. The contractor or staff member will check that appropriate medical attention or control measures have been arranged, and emergency services contacted where required. The contractor or staff member will notify the Contract Manager.
2. The Contract Manager will notify the CEO, and/or the appropriate Director, and/or the Enterprise Risk Manager of the incident.
3. The Contract Manager and contractor or staff member will be responsible for securing the site and ensuring the site is preserved as much as possible to allow for investigation. This may require the erection of barricades, evacuation procedures, isolation of power sources, etc. If the incident is determined as “notifiable” under legislation, the site is to remain secured until the arrival of the appropriate authorities.
4. Site preservation may not be practical where the removal of hazards is required to ensure the safety of people in the vicinity. If this is the case, circumstances surrounding the site must be documented and photos taken where possible.

5. Where the incident is determined as notifiable, the CEO or delegate will contact SafeWork NSW and/or EPA by phone as soon as possible and act upon any recommendations.
6. The Incident Report must be completed and submitted to the Enterprise Risk Manager.

### 21.2 Incident Notification – Public Incident - Immediate Action

Incidents involving members of the public are usually reported to Council by the injured or affected party, a witness, or a related person. Upon notification of an incident, the following procedures will apply:-

1. Customer Service staff will log the incident into Council’s customer complaint/request system and assign to the Enterprise Risk Manager.
2. The Enterprise Risk Manager will initiate the investigation and discuss with relevant staff, the contractor and staff involved, and the circumstances surrounding the incident. For example, if the incident involved a person tripping on a raised edge of footpath currently under construction by a contractor, the Enterprise Risk Manager would discuss with the Contract Manager, the circumstances around the works, requirements of contractors, evidence of contractor documentation, etc.
3. Based on the information sourced during the investigation (*refer Council’s Gathering Information policy and Section 7.3.4 Gathering Information List*), the Enterprise Risk Manager would make a decision around the legitimacy of the claim, and Council’s exposure. References to S45 of the *Civil Liability Act* and other applicable legislation will be referred to, to determine Council’s liability.

### 21.3 Incident/Near Miss Investigation

At the initial stage (immediately following the incident), the contractor must notify the Contract Manager. Either the Contract Manager or Enterprise Risk Manager will conduct a preliminary investigation to obtain information from the injured party (if accessible and applicable), witness accounts and a sequence of events, as soon as practicably possible.

Following this, and within 48 hours of the incident, and if deemed necessary, an investigation will be conducted. Dependent upon the severity of the incident, the investigation may be conducted by an individual or by a team. The investigation will be conducted by the Enterprise Risk Manager, and/or Overseer/Manager, and Health and Safety representative (if required).

The ‘Investigation Report’ is to be completed for all incidents or near misses. However additional information may be required to formulate an accurate account of what happened. This could include:

- photos related to the incident,
- weather reports or information detailing environmental conditions that may have been a contributing factor,
- plant and equipment used including maintenance records, log books, etc.,
- processes such as SWMS, Standard Operating Procedures, SDS, etc.,
- training records, licences, competencies, etc.

Where an incident results in an insurance claim, the Enterprise Risk Manager or Council's insurers will advise on additional information to be gathered.

#### 21.3.1 Investigation Procedure

1. Review submitted documentation including claim notification, witness accounts, certificates, etc.
2. Where there is an injury, interview the injured party (if possible and applicable). Ideally this will be conducted face to face, however where the injured party is off work, or unavailable, this may be conducted over the phone. Record all details as relayed by the injured person.
3. Interview witnesses and record all details.
4. Review the site and collate as much information as possible.
5. Review work practices and collate historical information including previous complaints, previous incidents, workplace inspections, timesheets, etc.
6. Record as much information as possible on the Incident Report, and submit to the Enterprise Risk Manager.

#### 21.4 Incident/Near Miss Evaluation

Recommendations will be made regarding the causes of the incident, identified hazards and risk assessments. Control measures will be identified in accordance with the hierarchy of control and what is reasonably practicable. These recommendations will be discussed with the relevant Contract Manager for implementation and tabled at Toolbox meetings.

### 22.0 Grievances

Council is committed to a fair and effective procedure for the resolution of grievances.

Council recognises this procedure is an essential element in maintaining a harmonious working environment. All employees are encouraged to raise work-related grievances for resolution as soon as possible.

Council's grievance procedure is based on the following principles:

1. Privacy and confidentiality
2. Fairness and impartiality
3. Freedom from victimisation
4. Timeliness
5. Ease of use and trustworthiness
6. Seriousness and sensitivity

#### 22.1 Privacy and confidentiality

Privacy and confidentiality must always be strictly observed during the grievance process. Information relating to the grievance must only be passed on where necessary to deal with the grievance fairly and effectively.

This applies to everyone involved in each grievance, including the parties involved, witnesses, support people and the people handling the grievance.

Records relating to the grievance must be stored securely and no information about the grievance should be kept on an individual personnel file unless disciplinary action is taken. A breach of privacy or confidentiality may result in disciplinary action.

## 22.2 Fairness and impartiality

All grievances must be handled fairly and impartially, observing the principles of natural justice and procedural fairness.

This means:

- any person who is the subject of a grievance (the respondent) is entitled to full details about the grievance, including who has initiated it;
- the respondent must be given a full opportunity to respond to the grievance; and
- the parties to a grievance must have a full opportunity to respond to allegations and statements made by the other party and by witnesses.

If anyone involved in handling a grievance has a bias or conflict of interest that may affect their ability to be fair and impartial, they must declare this to the parties and to human resources. One or both of the parties may also perceive a bias or conflict of interest even if the person handling the grievance does not. In these cases, the grievance should be handled by someone else.

## 22.3 Freedom from victimisation

Victimisation is when a person is harassed, treated unfairly, or intimidated because they have lodged a grievance, assisted someone else with a grievance or been a witness in a grievance investigation. Council will take all reasonable steps to prevent the victimisation of anyone connected with a grievance. Victimisation constitutes a breach of this policy and the Code of Conduct and will result in disciplinary action.

## 22.4 Timeliness

All reasonable steps will be taken to ensure grievances are handled as quickly as possible. The longer a grievance takes to resolve, the harder it is to maintain confidentiality, the more stress the parties will be under and the harder it will be to reach a positive outcome.

## 22.5 Ease of use and trustworthiness

This policy and procedure must be up to date, accessible to everyone working at Council, and properly implemented.

This means:

- this policy and procedure will be readily accessible to everyone working at Council and will be kept in Council's Policy Register and available in staff rooms. Council will take all reasonable steps to ensure the contents of this policy and procedure are understood by everyone working in the organisation;
- employees who are responsible for handling grievances will be given suitable training;
- Council will train Contact Officers to provide independent information and support to people who are considering lodging a grievance, people who are party to a grievance and people involved in their handling;
- all complaints will be handled in accordance with this policy and procedure;
- compliance with this policy and procedure will be monitored by the Chief Executive Officer (CEO) or delegated officer; and
- this policy and procedure will be reviewed at least every four years.

## 22.6 Seriousness and sensitivity

All grievances will be taken seriously and handled with sensitivity, considering the individual background and values of each party and any differences between them.

## 22.7 Contact officers



Council will train Contact Officers to assist all the parties to a grievance. They will be volunteers who work in a variety of positions and at different levels of seniority.

A Contact Officer does not conciliate, investigate, or resolve a grievance. Their role is to give independent, confidential information to complainants, respondents, and witnesses.

This information can cover Council’s policies and procedures, options for tackling the problem and where to go for more help or information.

Contact Officers can also help people to consider their options and prepare for meetings relating to the grievance.

## **22.8 Internal and external support**

Both parties to a grievance have the right to have a support person of their choice at meetings relating to the grievance. Contact Officers can act as a support person, but only if there is no-one else available who is suitable.

The support person can provide moral support and discuss the meeting with the party afterwards, but they cannot represent or advocate for the party.

They must maintain the confidentiality and privacy of the grievance procedure. The parties to the grievance can contact an external agency for information, advice or help at any time during the grievance procedure. They can also do this if they are unhappy with the way the grievance has been resolved.

## **22.9 Malicious and vexatious complaints**

Council encourages employees to raise all genuine concerns. Employees should not be put off from raising concerns because they are afraid they may be wrong, or they won’t be able to prove their claims.

However, making allegations that are not true, or making a complaint solely to cause trouble for others, may be serious misconduct. Employees making such malicious and vexatious complaints will be subject to disciplinary action.

If it is alleged during the grievance procedure that the grievance is malicious or vexatious, this will be investigated at the same time as the original grievance.

## **23.0 Further information**

If you require further information following this induction, please do not hesitate to contact your Contract Manager, or any of the staff listed below on 03 58885100.

Chief Executive Officer	Karina Ewer
Deputy Chief Executive Officer	Matthew Hansen
Director Infrastructure	TBD
Director Corporate Services	Tahlia Fry
Enterprise Risk Manager	Michelle Koopman
Operations Manager – Transport	Darron Freund
Operations Manager Sustainability	Vageesh Nonavinakere