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Promoting Better Practice Program

REVIEW REPORT

LIVERPOOL CITY COUNCIL

December 2012



Division of Local

Government

Department of Premier and Cabinet

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EXECUTIVE SUMMARY

The review commenced with Council undertaking a self assessment process that was followed by a site visit undertaken by two (2) officers from the Department of Premier and Cabinet's Division of Local Government. The self assessment process required the Council to complete a comprehensive checklist and provide evidence of the current state of its plans, systems and processes. The onsite component of the review took place in late August 2011.

Our intent in writing this report is to focus attention on better practice (from which others can learn) and those aspects of Council's operations which can be further developed. Given this, the report includes a number of tables that reflect Council's overall performance but do not detail the vast majority of Council practices. These tables reflect our overall assessment that the Council is performing well but there remain some important issues that it needs to address as it looks to the future.

The review identified many examples of noteworthy practices which would be of interest to other Councils with a similar demographic. Of particular note are the manner in which Council is approaching strategic planning, community consultation and communication practices, customer service, strategic financial management and waste services. These and other better practices are detailed in the report.

Notwithstanding the better practices identified, the review identified a number of improvement opportunities that Council needs to consider as a priority. Many of these matters were known to staff and some are already being considered. However, a failure to address these matters may place Council at risk. The report provides details of these matters so that Council can consider them.

At the time of the onsite component of the review, the team noted some specific matters in relation to Council's decision making processes that need to be revised. Issues to be addressed include the need to review Council's adopted Code of Meeting Practice, the decision making processes around development consents and the implementation of a risk management approach to development approvals.

Council has tried a number of different approaches to facilitate informed decision making on the part of councillors, including the use of Councillor briefing sessions and workshops. While there are procedural and statutory issues that need to be considered

when using the different approaches to briefing councillors, we commend Council for its efforts in this regard.

From a strategic perspective it is important for councillors to having ongoing regard, when making decisions, to the provisions of any adopted policies and plans. The investments made by Council in developing sound policies and plans is put at risk if Council makes decisions that don't have due regard to their previously adopted policy position. In particular, Council needs to be mindful of all relevant information before making a determination.

Council also needs to adopt a policy position which recognises the broad range of risks it is exposed to and the importance of assessing and treating those risks. However, there remains work to be done for Council to develop and apply risk management techniques. Such risks include those that pose a threat to Council's reputation, the need to ensure ongoing compliance with existing and new statutory requirements, minimising the possibility of fraud/corruption, financial and workplace hazards.

The Council officers the review team interviewed appear to be committed to continuing to support the current positive direction of the organisation. The staff were almost universally enthusiastic and committed to the organisation and their work in providing services to the Liverpool community.

A more detailed Summary of Findings is set out on the next pages.

SUMMARY OF KEY FINDINGS		
BETTER PRACTICE	NOTEWORTHY	AREAS FOR DEVELOPMENT
STRATEGIC PLANNING AND REPORTING		
<ul style="list-style-type: none"> Sustainability indicators based in quadruple bottom line reporting principles. 	<ul style="list-style-type: none"> Community Strategic Plan is clear and integrated. Community Engagement Strategy is inclusive of social justice groups. Resourcing Strategy is comprehensive and integrated. Delivery Program and Operational Plan are clear and well integrated. Overall integration of Plans enables ease of reading for interested community members. 	<ul style="list-style-type: none"> Integrated Planning and Reporting documents marked 'draft' should be finalised. Council should ensure future revisions to the Community Strategic Plan give due regard to the NSW State Plan and other State and regional plans. Council should identify which scenario in the Long Term Financial Plan is preferred, and reflect this in the plan. The Delivery Program should be strengthened with appropriate references to a current or proposed special rate variation to make clear how related strategies will be resourced. Council should ensure that its annual reports are fully compliant with statutory requirements. Council should post its community annual reports and quarterly newsletters on its website. Council should review the format of its quarterly budget review statements to ensure it is compliant with the Division's guidelines.
GOVERNANCE		
<ul style="list-style-type: none"> Gifts register requiring disclosure of offers and receipt of gifts including gifts of token value and how dealt 	<ul style="list-style-type: none"> Council's Intranet provides easy links to source material enabling efficient and effective use of information. 	<ul style="list-style-type: none"> Council should ensure that a Risk Management Plan is finalised and implemented as a high priority. Council ensure that it gets best value for its disposed

<p>with.</p> <ul style="list-style-type: none"> • Mediation guidelines for management of code of conduct complaints. • Lessons learnt in disaster recovery arising from the administration building fire. 	<ul style="list-style-type: none"> • Internal Audit is well resourced, effective and accessible. 	<p>assets by developing a process for monitoring the disposal of its assets through an appropriate audit process.</p> <ul style="list-style-type: none"> • Council consider conducting an audit of its open access information using the OIC Compliance Checklist for agencies. • Council establish and maintain a register of political donation disclosures in accordance with the provisions of the Local Government Act 1993. • Council amend its Councillor expenses and facilities policy to comply with the Division's guidelines. • That Council develop and implement a system to identify its legislative responsibilities and resolve any noncompliance matters arising. • Council should consider revising the provision of its adopted code of meeting practice relating to the operation of its public forum. • Council consider moving its public address forum to a different evening in order to give adequate time for council to consider the verbal submissions prior to determining the matters before Council. • Council should review clause 10.2 of its code of meeting practice to align with the Act.
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PLANNING AND OTHER REGULATORY

	<ul style="list-style-type: none"> • Environment Restoration Plan and Activities produce results and engage well with the community 	<ul style="list-style-type: none"> • Council should review its development assessment and contributions processes and implement the findings. • Council should review the delegations of its regulatory staff to reflect their roles and responsibilities. • Council undertake a review of compliance and
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enforcement operations as a matter of priority.

- Develop and implement a plan to promote lifetime registration of companion animals.
- Identify and implement a plan to promote back yard water safety.

ASSET AND FINANCIAL MANAGEMENT

- Stormwater renewal and Council's use of technology minimised community disruption during important infrastructure renewal.

- That Council revise and update its investment policy in line with its Resourcing Strategy and business objectives.
- Council should develop formal business plans for its parking business operations.
- Council should implement the Internal Audit report recommendations to reduce its outstanding rates and charges.

COMMUNITY AND CONSULTATION

- Customer Service focus of Council delivers customer satisfaction.
- Community consultation for a broad range of Council activities is effective.
- Engaging with Diversity. Council delivers services to a diverse community in appropriate and tailored ways.
- Library Services in Liverpool CBD demonstrate a multifunction approach to community access.
- Waste Contract provides Council with

- Council should immediately develop an integrated approach to economic development that aligns with the goals in its Community Strategic Plan.

a favourable return for the delivery of waste services.

- Cultural services are well delivered and resourced through Council venues such as the Casula Power House.

WORKFORCE RELATIONS

- Council should consider engaging succession planning methodology to identify key positions and ensure business continuity by implementing a succession plan as part of its overall Resourcing Strategy.
- Council should conduct an employee survey that will inform the development of its Workforce Plan.
- Council should include EEO activities in its annual reports.
- Council should consider a regular report to Management on the nature, outcomes and lessons from the grievance process.

PART I. BACKGROUND

1 ABOUT THE REVIEW

Review objectives

Promoting Better Practice reviews have a number of objectives. The objectives include generating momentum for a culture of continuous improvement and the promotion of good governance and ethical conduct. The reviews are designed to act as a "health check", giving confidence about what is being done well and helping to focus attention on key priorities.

Review process

The process involves a review team from the Department of Premier and Cabinet's Division of Local Government (the Division) evaluating the effectiveness and efficiency of the council's operations and giving feedback.

There are essentially five steps in a typical review - preparing, assessing, checking, analysing and reporting. The completion of a comprehensive self assessment checklist by the council is a key element in all PBP reviews.

The review team takes a risk based approach targeting its resources to areas identified as core matters to be examined as part of a PBP review and those matters considered to be important. The review team examines local circumstances in order to understand the pressures on council and how the council has sought to manage that environment. It does not examine every aspect of a council's operations.

All reviews involve checking compliance with a range of statutory requirements, examining appropriate practices and ensuring that council has frameworks in place to monitor its performance. All reviews seek to identify better and noteworthy practices and areas requiring improvement or further development.

The scope of the review report is limited to documenting those areas the review team identified as:

- exceeding good practice (referred to as better practice)
- in need of improvement or further development
- otherwise noteworthy for the reasons detailed in the body of the report.

SIGNIFICANT OBSERVATIONS	DESCRIPTION
Better practice	<ul style="list-style-type: none"> • Beyond or above minimum compliance requirements and good practice indicators. • Innovative and/or very effective. • Contributes to continuous improvement within the sector.
In need of improvement or further development	<ul style="list-style-type: none"> • Does not satisfactorily meet minimum compliance and good practice indicators and may impact negatively on council operations. • Significant improvement initiatives that are in progress and which need to be continued.
Otherwise noteworthy	<ul style="list-style-type: none"> • May include successful initiatives which respond effectively to local circumstances or practice that is in other ways significant for the council/community. • Practice which in general exceeds good practice but may have some aspects that require fine tuning.

Liverpool City Council Review

Liverpool City Council was asked to complete a comprehensive checklist/questionnaire about key Council practices. The review examined Liverpool City Council's compliance with a range of legislation and checked a number of the policies and practices relating to how Council operates. However, the scope of the review report is limited to documenting examples of better practice and those aspects of Council's operations that warrant further development.

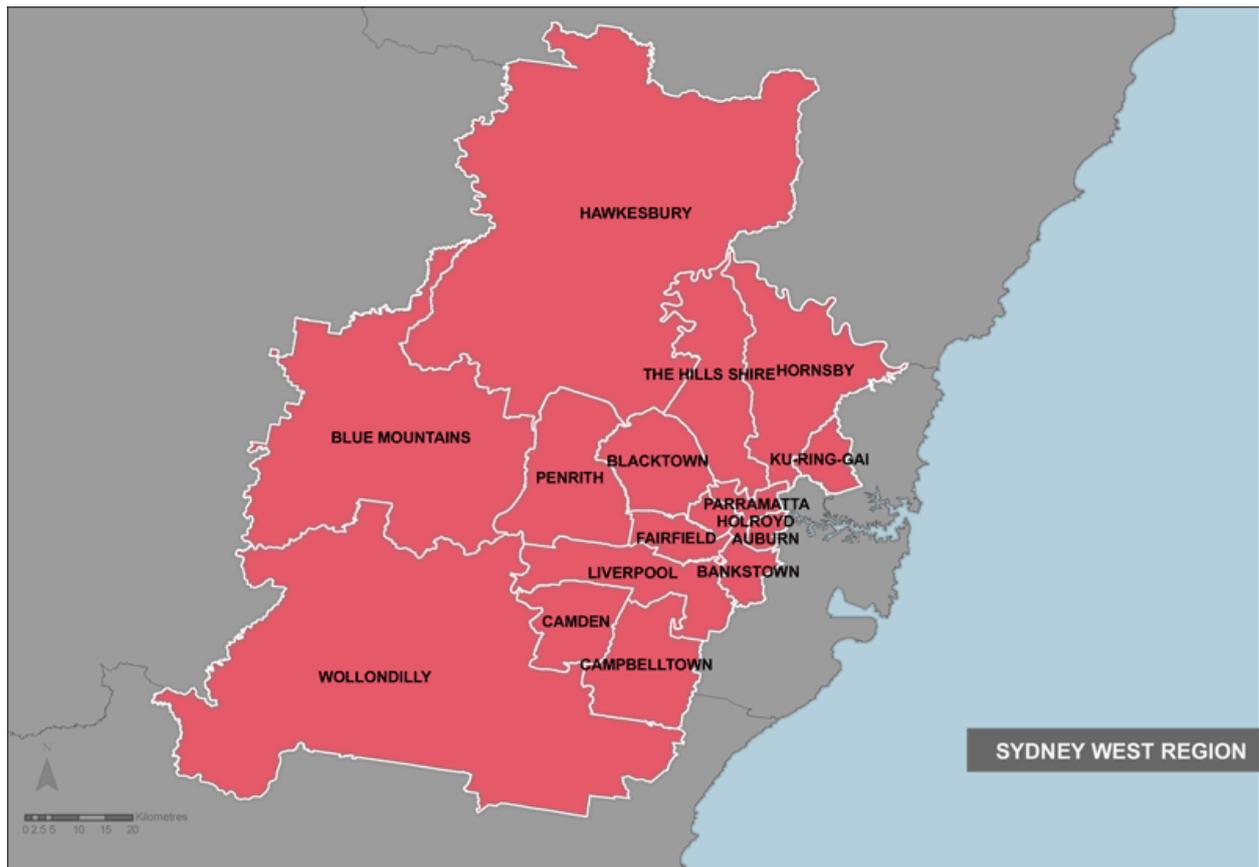
The review team comprised of Senior Investigation Officers Grant Astill and John Davies. The team examined a range of source documents prior to visiting Council, in order to gain a preliminary understanding of the circumstances of Council and how the Council is responding.

The on-site component of the review took place in late August 2011. It involved an initial interview with the General Manager, interviews with a cross section of staff, observation of a Council meeting, individual meetings with councillors, a review of Council policies and other documents and visits to a number of Council facilities. The Mayor was absent at the time of the site visit.

2 ABOUT THE COUNCIL AND THE AREA

Location and demographics

The Liverpool City Council area is located in South West Sydney. It covers 305 square kilometres and includes more than 38 suburbs. The Liverpool City Centre has been identified by the State Government as one of three regional centres in metropolitan Sydney.



Liverpool's population has grown from 12,600 people in 1947 to 182,000 in 2009. Latest projections suggest the population will grow by more than 75% to 325,000 by 2036. This growth poses a number of challenges, with the Council responsible, in collaboration with the State Government and private developers, for the creation of new suburbs supported by the necessary services and infrastructure.

Liverpool is a comparatively young community with children and young people under 25 years of age making up close to 40% of the population. Liverpool is also one of the most culturally diverse communities in NSW with almost one in three born overseas.

Local issues

Liverpool City Council has faced a number of significant challenges in recent years. The September 2008 Local Government elections saw the return of an elected council after a period of 4 years under administration following the dismissal of the previous Council. The Council faced a further significant challenge in 2010 when its administration building was destroyed by fire. The fire also destroyed most of the administrative equipment and all of Council's physical records. The manner in which the Council overcame this challenge is a testament to the resilience of the organisation and its staff.

The Liverpool Local Government Area is an extensive east west corridor with the business centre in the far eastern portion. Council has already received feedback from its community that they wish to see duplications of such assets as libraries, pools and child care centres in the western growth areas of the Local Government Area. This expansion pressure creates significant challenges for council's service delivery as the western areas develop.

The Liverpool Local Government Area is also home to a significantly diverse community. Australian Bureau of Statistics 2006 Census responses show that 77,492 people speak a language other than English at home. This represents about 45% of the Liverpool community speaking over thirty six (36) different languages. Such diversity creates challenges for council's interactions with its community.

Current Council

The governing body of the Council comprises of 11 councillors. The Mayor, Cllr Wendy Waller, is popularly elected.

Representation on the Council is politically diverse. Four councillors, including the Mayor, are endorsed by the ALP, 3 by the Liberal Party and 2 by the Liverpool Community Independents Team. Two councillors are independent. This diversity has been the source of lively debate at times.

Council staffing

The Council employs 613 equivalent full time staff. Five staff are identified as 'senior staff' for the purposes of the *Local Government Act 1993*. The Council is split into four groups: City Planning, City Services, City Assets and Corporate Services

PART II. PLANNING A SUSTAINABLE FUTURE

This part of the review focussed on Council’s strategic intent and how it has involved its communities and other stakeholders in developing long term strategic plans. The review assessed the clarity of Council’s strategic direction, whether its plans reflect a shared and realistic vision and its overall approach to corporate planning. Monitoring and reporting progress to promote continuous improvement was also an integral consideration in regard to Council’s performance in this area.

1 STRATEGIC PLANNING AND REPORTING

A new planning and reporting framework for NSW local government has been introduced to improve local councils’ long term community planning and asset management as well as streamline reporting to the community.

The new framework aims to improve the sustainability of local communities by encouraging councils, residents and State agencies to work together on long term plans and appropriate delivery programs. Community Strategic Plans are to be supported by a Resourcing Strategy comprising a Long Term Financial Strategy, Asset Management Plan and Workforce Plan. The framework is set out in the following diagram.



1.1 Liverpool's Strategic Position

Integrated planning and reporting framework

Table 1: Liverpool City Council's compliance with the IP&R Framework

Integrated Planning and Reporting	Complies with minimum statutory requirements or appropriate practices
Community Engagement	<input checked="" type="checkbox"/>
Community Strategic Plan	<input checked="" type="checkbox"/>
Delivery Program	<input checked="" type="checkbox"/>
Operational Plan	<input checked="" type="checkbox"/>
Workforce Plan	<input checked="" type="checkbox"/>
Long Term Financial Plan	<input checked="" type="checkbox"/>
Asset Management Plans	<input checked="" type="checkbox"/>
Reporting	<input checked="" type="checkbox"/>

Note: A tick indicates that Council has at least adequately met the standards and statutory requirements relating to that area as set out in the Promoting Better Practice Self Assessment Checklist. A cross indicates that improvement is needed in that area.

Overview

Liverpool City Council is a Group 2 council for the purpose of the implementation of the Local Government Integrated Planning and Reporting framework. Council was required to have developed, publicly exhibited and endorsed its Community Strategic Plan and adopted its Delivery Program, Operational Plan and Resourcing Strategy by 1 July 2011. Council was also required to provide a copy of its Community Strategic Plan to the Division of Local Government within 28 days of the Plan being endorsed. Council met these timeframes.

The Division of Local Government undertook a review of Council's documents and provided feedback to Council on the outcome of this review. Comment on the strategic planning documents is provided in the section below. Comment on Council's Resourcing Strategy, including its Long Term Financial Plan and Asset Management Strategy, is included in the 'Asset and Financial Management' section of the report. Comment on the Workforce Strategy is included in the 'Workforce Relations' section of the report.

Better practices

Sustainability Indicators

The Council reports annually on its performance against sustainability indicators. These indicators are based on quadruple bottom line reporting principles. Council uses two sets of indicators: those that relate specifically to the Council and those that apply to the community as a whole. Council also groups the indicators into three areas; environment, social-cultural and economic. As a means of benchmarking the Council's performance and indeed the performance and health of the community as a whole, this use of sustainability indicators represents better practice.

Noteworthy practices

On the whole, the Council has successfully implemented the Integrated Planning and Reporting framework, though there is scope for improvement. The Council is clearly committed to the Integrated Planning and Reporting process and this is reflected in the suite of documents that comprise its Integrated Planning and Reporting framework. Subject to the below comments, community priorities and aspirations have clearly been considered in strategic and asset planning.

An assessment of each of the components of the framework together with its overall integration is outlined below.

Community Strategic Plan

Council's Community Strategic Plan, *Growing Liverpool 2021*, builds on a previous strategic plan called *Liverpool Directions*. It reflects community, environmental, economic, social and cultural priorities. It describes 10-year objectives based on the quadruple bottom line. The use of the quadruple bottom line to outline strategies in the Community Strategic Plan clearly demonstrates to the community how the strategies are linked.

The Community Strategic Plan has the following weaknesses:

- While it includes a statement of the Council's vision for Liverpool, this is not articulated as a community vision.
- It is not apparent from the plan whether and how the NSW State Plan, other State plans and regional plans inform the development of the plan.

Community Engagement Strategy

Council has a published Community Engagement Strategy that outlines the aims of community engagement and methods for stakeholder engagement together with some targeting of social justice groups.

Resourcing Strategy

Council's Resourcing Strategy is comprised of three separate sets of documents: a Workforce Management Plan, Asset Management Plan and a Long Term Financial Plan.

In relation to the Council's Workforce Management Plan, the plan is marked "draft". It is not clear whether the plan has been finalised and adopted. The plan outlines the Council's current workforce position as well as its additional staffing requirements over a ten-year period. Indicative timeframes are provided but these are limited to the "short", "medium" and "long" terms. The Workforce Management Plan is aligned with the objectives of the Delivery Program. The Delivery Program specifically identifies a strategy to "develop, implement and regularly review a Workforce Management Plan to support Council's Delivery Program and Operational Plan". However, the Workforce Management Plan and Delivery Program could be more closely linked.

The Council's asset management planning documents comprise of an asset management policy, strategy and plans. The 'Infrastructure Assets: Asset Management Plan' contains plans for four classes of assets. These satisfactorily meet legislative requirements. The Plan also indicates that community feedback on the performance of infrastructure assets informed its development.

As with its Workforce Management Plan, Council's Long Term Financial Plan is marked 'draft'. It is not clear whether the plan has been finalised and adopted. Overall, the Long Term Financial Plan adequately meets the legislative requirements. The plan includes commentary, assumptions and explanations which makes it easy to read and informative. The plan makes reference to an application for a special rate variation for both included scenarios. It is not clear if Council intends to proceed with such an application and no such application is listed on the Independent Pricing and Regulatory Tribunal website.

It is unclear how the Long Term Financial Plan was used to inform the development of the Community Strategic Plan, Delivery Program or Operational Plan.

Delivery Program and Operational Plan

Council has prepared its Delivery Program and Operational Plan as a single document. The links between the Delivery Program/Operational Plan and the Community Strategic Plan are clear, and are enhanced through the use of consistent numbering across the documents.

The Delivery Program details strategies, principal activities, responsibility for delivery, and performance measures against each activity. The Operational Plan actions are described within the broader delivery program strategies, making it clear how the two relate.

The Delivery Program/Operational Plan outline four year financial budgets for services and capital works, and a ten-year stormwater works program. It also describes the projects to be funded in the current operational year through an existing special rate variation.

Overall integration of plans

There is strong integration between the Delivery Program and Operational Plan. There is clear numerical referencing between the plans so each objective and strategy can be traced through the plans to the programs or projects.

However, linking each of the elements of the Resourcing Strategy with each other and with the other components of the Integrated Planning and Reporting framework will strengthen overall integration.

Recommendation 1

Integrated Planning and Reporting documents marked 'draft' should be finalised.

Recommendation 2

Council should ensure future revisions to the Community Strategic Plan give due regard to the NSW State Plan and other State and regional plans.

Recommendation 3

Council should identify which scenario in the Long Term Financial Plan is preferred, and reflect this in the plan.

Recommendation 4

The Delivery Program should be strengthened with appropriate references to a current or proposed special rate variation to make clear how related strategies will be resourced.

Annual and quarterly reporting

Annual report

The review team undertook a review of the Council's 2009 – 2010 annual report. The Council's annual report comprises of 2 documents, namely:

- the “annual report” outlining the activities undertaken in the previous year and other information required under the Act and *Local Government (General) Regulation 2005* and
- the “annual financial report” comprising the Council's audited financial reports.

This makes for a more “user-friendly” annual report than may be the case with a single consolidated document.

The annual report is structured and written in a readily accessible style. It is aligned with the strategic themes identified in the Council's previous strategic plan, *Liverpool Directions*.

Both documents mostly comply with statutory requirements. However, the review team was unable to identify information in either document relating to rates and charges ‘written off’ which is required under clause 132 of the Regulation.

While writing this report, the Council issued its 2010-2011 annual report. The review team did not have an opportunity to review this in detail but noted that it utilises a similar format and style to the previous year's annual report. The review team notes that this continues to be aligned with the strategic themes identified in *Liverpool*

Directions (necessarily, given the relevant planning and reporting timeframes). Next year's annual report will be the first produced under the Council's new Integrated Planning and Reporting framework.

To support the annual report, Council produces a "Community Annual Report" that is sent to all landowners that provide residents with an update on the Council's recent activities. While Council is to be commended for this initiative, one minor concern the review team has is that it was unable to locate this on the Council's website.

Quarterly reporting

The Council reported within 2 months of the end of each quarter on its performance against the targets set under its management plan as was previously required under section 407. In the case of the quarterly report for the June quarter however, while this was reported to the meeting of 29 August 2011, it was subsequently deferred until the meeting of 28 September 2011.

Under its current Delivery Program/Operational Plan Council foreshadows that it will continue to report quarterly on its performance.

The Council's quarterly reports are set out in a manner that mirrors the format of the management plan they relate to (including the strategic goals under which actions or programs are delivered) and clearly identifies the steps taken to date in delivering the action or program.

As with the annual report, Council produces a quarterly newsletter in support of quarterly reports that is sent to all landowners that provide residents with an update on the Council's recent activities. As with the "community annual report" the review team was unable to locate this on the Council's website.

Council also reported within 2 months of the end of each quarter a budget review statement required under clause 203 of the Regulation. While this document is generally compliant with the requirements of clause 203, Council should review the format of the budget review statement as it implements its new Integrated Planning and Reporting framework, to ensure it is compliant with the Quarterly Budget Review Statement Guidelines which became mandatory from 1 July 2011.

Recommendation 5

Council should ensure that its annual reports are fully compliant with statutory requirements.

Recommendation 6

Council should post its community annual reports and quarterly newsletters on its website.

Recommendation 7

Council should review the format of its quarterly budget review statements to ensure it is compliant with the Division's guidelines.

Council response

Council acknowledges the comments of the review team and accepts the recommendations that have been put forward. The recommendations outlined above have been actioned and/or incorporated into the future review processes to ensure continuous improvement in the implementation of Integrated Planning and Reporting and compliance with statutory requirements.

PART III. DELIVERING AND ACHIEVING

This part of the review focussed on examining key structures, systems and processes involved in delivering the stated outcomes of Liverpool City Council's strategic plans. This included considering the means by which Council:

- governs its day to day operations;
- undertakes its planning and regulatory obligations;
- manages its assets and finances;
- involves the community; and
- recruits and retains its workforce.

3 GOVERNANCE

3.1 OVERVIEW

“Corporate governance refers to all the means by which entities are directed and controlled.” (Standards Australia, HB401-2004:12) Corporate governance is important because it enhances organisational performance; manages and minimises risks; increases the confidence of the community and the local government sector in the organisation; ensures that an organisation is meeting its legal and ethical obligations; and assists in the prevention and detection of dishonest or unethical behaviour.

3.1.1 Scope of review

- *Ethics and values*
- *Procurement, disposal & tendering*
- *Privacy management*
- *Code of conduct*
- *Communication devices*
- *Disclosure of pecuniary interests*
- *Risk management, legislative compliance and internal control*
- *Council's decision-making processes, including delegations and conduct of meetings*
- *Support for councillors*
- *Records management*
- *Access to information*
- *Complaints handling*
- *Information technology*

3.1.2 Overview of Liverpool City Council's governance practices

The review team found that council is effectively managed and supported by sound structures and systems. Our review has identified some areas for improvement and strengthening that are outlined in this section of the report.

The following table indicates Council's compliance with minimum statutory requirements and governance practices.

Table 2: Liverpool City Council's compliance with governance requirements.

Governance Area	Complies with minimum statutory requirements or appropriate practices
Ethics and Values	<input checked="" type="checkbox"/>
Code of Conduct	<input checked="" type="checkbox"/>
Gifts & Benefits	<input checked="" type="checkbox"/>
Communications Devices	<input checked="" type="checkbox"/>
Disclosure Pecuniary Interests	<input checked="" type="checkbox"/>
Business Ethics	<input checked="" type="checkbox"/>
Risk Management	<input checked="" type="checkbox"/>
Fraud Control	<input checked="" type="checkbox"/>
Business Continuity	<input checked="" type="checkbox"/>
Internal Audit	<input checked="" type="checkbox"/>
Legislative Compliance	<input checked="" type="checkbox"/>
Legal Services	<input checked="" type="checkbox"/>
Procurement / Disposal / Tendering	<input checked="" type="checkbox"/>
Privacy Management	<input checked="" type="checkbox"/>
Records Management	<input checked="" type="checkbox"/>
Public Officer	<input checked="" type="checkbox"/>
Access to Information by the Public	<input checked="" type="checkbox"/>
Policy Register	<input checked="" type="checkbox"/>
Executive Management Meetings	<input checked="" type="checkbox"/>
Delegations	<input checked="" type="checkbox"/>

Council Meetings	<input checked="" type="checkbox"/>
Councillor Induction and Ongoing Training	<input checked="" type="checkbox"/>
Expenses and Facilities Policy	<input checked="" type="checkbox"/>
Councillor / Staff Interaction	<input checked="" type="checkbox"/>
Access to Information by Councillors	<input checked="" type="checkbox"/>
Campaign Donations	<input checked="" type="checkbox"/>
Complaints Handling	<input checked="" type="checkbox"/>
Protected Disclosures and Internal Reporting	<input checked="" type="checkbox"/>
Information Technology	<input checked="" type="checkbox"/>

Note: A tick indicates that Council has at least adequately met the standards and statutory requirements relating to that area as set out in the Promoting Better Practice Self Assessment Checklist. A cross indicates that improvement is needed in that area.

3.1.3 Significant Observations

Better practices

Gifts and benefits

Council's gifts register represents better practice. The register requires the following to be recorded: the nature of the gift, the approximate dollar value, date received, who it was received from, the relationship with the donor and the action taken (ie whether the gift was accepted, surrendered, shared with staff). It was apparent that staff were reporting offers and acceptance of gifts in the register. Accepted gifts were all of token value. The register indicated that some offers of cash were made and that all such offers were correctly refused. There was evidence of reporting of offers of gifts since 1997.

Council's gifts register exceeds current requirements under the Model Code of Conduct. The Division will consider including it as an example of better practice in the better practice guidelines it intends to issue to supplement the new version of the Model Code of Conduct.

Code of Conduct Mediation Guidelines

Council has adopted mediation guidelines to supplement its code of conduct. These prescribe a process for the resolution of code of conduct complaints through mediation. These are based on the Victorian guidelines.

The mediation guidelines represent better practice. The Division intends to also develop non-mandatory mediation guidelines that may be used by councils to resolve code of conduct complaints by alternative means to supplement its proposed Model Code procedures. In doing, so the Division intends to use Council's guidelines as a basis for its guidelines.

Disaster Recovery

With the fire in its administration building in 2010, Council found itself in the unfortunate position of having to implement its disaster recovery plan. The speed and efficiency with which the Council was able to restore its essential functions and to continue to meet the needs of its community was impressive and a testament to the commitment of its staff.

Council has acknowledged that its experience of having to implement its disaster recovery plan exposed some areas for improvement. To its credit, following the fire, Council commenced the process of reviewing its disaster recovery plan to reflect the lessons learnt as a result of the fire.

The review team would encourage the Council to share its experience in disaster recovery planning and implementation with other councils.

Noteworthy practices

Council's Intranet

The review team were impressed with the quality of Council's intranet and more importantly, the manner in which it was being used to facilitate communication and knowledge sharing within the organisation. Effective internal communication is an important element in facilitating the maintenance of good governance within an organisation. It is needed to ensure staff are aware of what is expected of them and to facilitate them having the requisite information they need to do their jobs. It is also

important as it facilitates management being informed as to performance of the organisation.

Some of the better practices we observed included the widespread use of the intranet, the scope and depth of information which could be readily accessed using the intranet and the opportunity for staff to provide feedback to management via the intranet. Further, extensive links to policies and procedures promote consistency at an operational level.

Internal Audit

The review team notes that Council was one of the first in the State to adopt an independent audit function. Council's internal audit function is well resourced and supported by a comprehensive procedure manual.

Areas for improvement

Risk Management

Risk management is about the systematic identification, analysis, evaluation, control and monitoring of risks. While risk cannot be entirely eliminated, councils should aim to establish a risk aware culture and to continually work towards establishing structures, processes and controls that can effectively reduce the council's risk profile and thereby protect the interests of the council, the public and other key stakeholders. There should be a balance between the cost of managing risk and the benefits expected from engaging in an activity that has inherent risks.

Council does not have a risk management plan that addresses the key business risks facing it. However, work has commenced on developing such a plan. Council's Asset Management Planning should also identify risk management strategies in relation to critical assets.

Recommendation 8

Council should ensure that a Risk Management Plan is finalised and implemented as a high priority.

Asset Disposal

The review team noted that Council has substantial procurement and tendering policies and procedures. However, it appears that Council does not have strong asset disposal systems. Further, Council has yet to conduct a risk assessment of its procurement and disposal systems. It is noted elsewhere in the report that Council is currently developing its organisation wide risk management plan.

Recommendation 9

Council ensure that it gets best value for its disposed assets by developing a process for monitoring the disposal of its assets through an appropriate audit process.

Regulatory Compliance – Government Information Public Access

The review team was impressed with Council's customer service and public access services. However, the review team noted that Council had not yet checked that it is compliant with its legislative responsibility to provide open access information under GIPA 2009.

Recommendation 10

Council consider conducting an audit of its open access information using the OIC Compliance Checklist for agencies.

Regulatory Compliance – Political Donations Register

The Local Government Act 1993 requires the General Manager to keep a register of political donations disclosures lodged with the Electoral Funding Authority (EFA) by, or on behalf of Councillors. The review team notes that Council appears not to comply with this requirement. The Council can comply with this requirement simply by providing a link to the EFA website on its website.

Recommendation 11

Council establish a register of political donation disclosures in accordance with the provisions of the Local Government Act 1993 by providing a link to the Election Funding Authority on its website.

Regulatory Compliance – Expenses and Facilities Policy

Council's policy has been assessed for compliance against the Act, Regulation and Guidelines on which it is based. Aspects of the policy content which comply are:

- the inclusion of a no general expense allowance statement;
- the inclusion of appropriate approval processes;
- the inclusion of a dispute resolution process;
- the inclusion of clear reconciliation and reimbursement processes, including applicable timeframes;
- provision for advance payment and a timeframe for reconciliation;
- recognition of local differences;
- the inclusion of expenses related to training and development, childcare, legal costs and insurance, as well as on-site car parking (safety);

Aspects of the policy content which do not comply are:

- the omission of a no private benefit statement;
- the omission of a mechanism for repaying private benefit;
- the omission of clear limits for all expenses and facilities;

Aspects of Council's policy review, development and reporting processes which comply are:

- Council has reviewed the policy annually;
- Council has publicly exhibited the policy, allowing 28 days for submissions;
- Council forwarded the adopted policy and any submissions considered to the Division within 28 days of adoption of the policy and before 30 November; and
- Historically, Council has included its policy, as well as a breakdown by councillor of expenses incurred and facilities provided, in its annual report.

Policy content is rated as 'adequate/poor' and associated policy review, development and reporting processes are rated as 'good'. The overall rating for this policy is 'adequate'. To improve on this rating, Council must ensure that it addresses the incidences of non-compliance outlined above.

Recommendation 12

Council amend its Councillor expenses and facilities policy to comply with the Division's guidelines.

Legislative Compliance Regime

Council has indicated that it has no system to determine and monitor its implementation and compliance with its legislative responsibilities.

Recommendation 13

That Council develop and implement a system to identify its legislative responsibilities and resolve any noncompliance matters arising.

Council Meetings

The review team observed an ordinary meeting of Council. The meeting observed by the review team was chaired by the Deputy Mayor in the Mayor's absence. The review team did not have the opportunity to observe a meeting chaired by the Mayor.

The meeting was well run. Councillors, Staff and members of the community present were respectful of each other and the business of Council was in the main, transacted appropriately.

However, from our observations we have identified a number of ways in which Council could improve the efficiency and effectiveness of its decision making processes.

Firstly, Council needs to ensure that it abides by its code of meeting practice. At the observed meeting, Councillors resolved to 'suspend standing orders' to grant time extensions to allow speakers to continue. Councillors should be aware that neither the Act nor the Regulation permits a council to "suspend standing orders" to avoid compliance with the requirements of the Act, the Regulation and its own Code of Meeting Practice.

Secondly, the review team considers that Council meetings may be run more efficiently. In particular, a significant amount of time in the meeting was taken up with public addresses on various contentious issues. While the Division encourages council to permit public input into council decisions and applauds the community participation in

council decision making evident from the meeting we observed, there is also a risk that this may distort Council decision making particularly in relation to development matters. The review team observed an instance of this at the meeting it attended.

One way of overcoming this, is to hold the public address forum on a different evening, to allow the Council to consider submissions, and if need be, to get further information from Council staff before making a final decision.

The review team also notes that Council's public participation processes prescribed under its code of meeting practice are very generous. In particular we note that:

- any person may address the Council on any matter, including a matter that is not on the agenda of the meeting provided it is a matter that is "under the jurisdiction or influence of Council", and
- apart from presentations on matters considered by the IHAP, there is no limitation on the number of persons who may address the Council on a matter on the agenda. Even in relation to matters that have been considered by the IHAP the code of meeting practice generously allows five speakers for and five against.

The purpose of public participation in council meetings is to improve decision making by allowing the community to have direct input into the decisions made at meetings. We question how a presentation that is made to a meeting in relation to a matter that is not being considered at the meeting achieves this purpose. We also question how council decision making is enhanced by hearing the same arguments for or against a matter being restated by a large number of persons.

Other councils' codes of meeting practice limit public addresses to matters on the agenda of the meeting and restrict the numbers of persons who may speak for or against a matter. In the interests of ensuring the more efficient conduct of council meetings we recommend that Council review its public participation processes.

Recommendation 14

Council consider moving its public address forum to a different evening in order to give adequate time for Council to consider oral submissions prior to determining the matters before Council.

Recommendation 15

Council consider reviewing the provisions of its adopted code of meeting practice relating to the operation of its public forum.

Code of Meeting Practice

Council's Code of Meeting Practice appears to be inconsistent with the Act and/or the Regulation in that Clause 10.2 appears to imply that a councillor who is in the public gallery at a Council meeting is not present at the meeting.

Recommendation 16

Council should review clause 10.2 of its code of meeting practice to ensure consistency with the Act

Councillor briefings

Council holds routine councillor briefing sessions prior to meetings. The Division endorses pre-meeting councillor briefings on items on the agenda as a means of enhancing the efficiency of meetings and the effectiveness of decision making at meetings. Briefing sessions do this in two ways:

- they minimise the need for councillors to ask questions at the meeting thereby allowing the council to move more quickly through the agenda, and
- they ensure that councillors are equipped with all necessary information to ensure they make fully informed decisions.

We understand that some councillors do not attend briefing sessions. It has been suggested that this was because the councillors took the view that discussions occurred at briefing sessions that ought instead to occur at Council meetings. We did not have the opportunity to observe any briefing sessions. However, we put these concerns to a number of Council staff who attend the sessions who maintained that this was not the case.

As the Division's Meetings Practice Note advises, briefing sessions should not be used for detailed or advanced discussions where agreement is reached and/or a (de-facto) decision is made. Any detailed discussion or exchange of views on an issue, and any

policy decision from the options, should be left to the open forum of a formal council or committee meeting. Briefings are merely a means which enable councillors to bring an informed mind to the appropriate decision-making forum.

We would encourage all councillors to attend briefing sessions.

Council response

As noted by the reviewers, Council has commenced working towards the implementation of an Enterprise Risk Management framework to ensure that all risks are adequately identified, assessed and mitigated in accordance with the principles of ISO 31000. Council will be seeking the services of an external expert to assist with the implementation of an appropriate sustainable methodology within Council.

Council officers are reviewing the policies and processes noted by the reviewers, in particular the recommendations, to ensure compliance with legislative requirements and best value for Council. An audit of Council's open access to information has been scheduled and will be conducted using the OIC Compliance Checklist as a guide. Council's *Payment of Expenses and Provision of Facilities Policy* and *Code of Meeting Practice* have both been reviewed post-Council elections with consideration given to the recommendations of this report. Council is maintaining a register of political donation disclosures and will incorporate a link to the Election Funding Authority as part of the review of its webpage.

4 PLANNING AND OTHER REGULATORY FUNCTIONS

4.1 OVERVIEW

Council exercises regulatory functions in relation to a range of activities within its area. The efficiency and probity of council's regulatory functions is important for effectively managing council's responsibilities and for preserving public trust in council and its staff. Regulation is important to achieve a wide range of social, economic and environmental goals.

4.1.1 Scope of review

A review was conducted of a range of aspects of Council's planning and regulatory practices, including:

- *Council's planning instruments and policies*
- *Development assessment*
- *Section 94 plans*
- *Companion animals*
- *Environmental management*
- *Compliance and enforcement practices*
- *Swimming pools*

4.1.2 Overview of land use planning, development assessment and regulatory practices

The review team identified some significant challenges for the provision of development services. A discussion with senior staff indicated that Council is aware of the challenges faced. These included the recruitment and retention of skilled planning and development assessment staff to fill current vacancies, dealing with legacy issues and with the pressures of projected growth. Liverpool City Council appears to have sound planning and development strategies and processes. However, Council needs to focus on the integration of its approvals systems with its compliance and enforcement programs.

4.1.3 Significant Observations

Table 3: Liverpool City Council's compliance with planning and other regulatory functions

Planning and other regulatory function area	Complies with minimum statutory requirements or appropriate practices
Strategic Land Use Instruments	<input checked="" type="checkbox"/>
Local Approvals Policy	<input checked="" type="checkbox"/>
Development Applications Process	<input checked="" type="checkbox"/>
Contribution Plans and Planning Agreements	<input checked="" type="checkbox"/>
BASIX	<input checked="" type="checkbox"/>
State of the Environment Reporting	<input checked="" type="checkbox"/>
Graffiti	<input checked="" type="checkbox"/>
Enforcement	<input checked="" type="checkbox"/>
Environmental Management/Compliance	<input checked="" type="checkbox"/>
Companion Animals	<input checked="" type="checkbox"/>
Water Safety	<input checked="" type="checkbox"/>

Note: A tick indicates that Council has at least adequately met the standards and statutory requirements relating to that area as set out in the Promoting Better Practice Self Assessment Checklist. A cross indicates that improvement is needed in that area.

Better practices

The review team did not identify any better practices examples.

Noteworthy practices

Environment Restoration Plan

The review team noted the implementation of Council's 2007 Environment Restoration Plan and the work of Council's Environment Advisory Committee. Council is successfully partnering with the community to produce high impact environment improvement through co-ordinating volunteer groups, promoting environment care through workshops, newsletters and flyers and conducting regeneration/restoration works. Council's works in this area appear to be efficient and effective in delivering real outcomes for the Liverpool Area.

Areas for improvement

Development Assessment Audit

Council indicates that it has not evaluated its development assessment processes in the last 2 years nor has it audited its contributions processes. The Independent Commission Against Corruption has produced a development assessment internal audit tool that may benefit Council's review of its processes.

Recommendation 17

Council should review its development assessment and contributions processes and implement the findings.

Compliance and Enforcement Delegations

The review team found that Council's regulatory officers have generic delegations that enable them to undertake any task covered by relevant legislation. For example, a parking enforcement officer has the authority to undertake building compliance operations. Council's delegations should reflect the training, roles and responsibilities of the officers. Generic delegations expose council to significant risks.

Recommendation 18

Council should review the delegations of its regulatory staff to reflect their roles and responsibilities.

Compliance and Enforcement Procedures

Council has a Compliance and Enforcement policy dated February 2011. The policy addresses Council's approach to compliance and enforcement and provides the community with useful guidance. In examining the systems supporting Council's policy position, the review team found that most of Council's rangers and compliance procedures were overdue for revision and updating, some by many years. Further, there were significant gaps in documented procedures. Compliance and enforcement operations carry significant risks to reputation and finances.

Recommendation 19

Council undertake a review of compliance and enforcement operations as a matter of priority.

Companion Animals

The Local Government Area has a high rate of companion animal ownership and statistics indicate that the dumping of unwanted animals is around 10% of the estimated population. Council's euthanasia rate for unwanted animals is commendably low. This indicates that Council is successfully pursuing companion animal re-homing strategies. However the lifetime registration rates of companion animals is below the state averages for both cats and dogs. Council should implement processes to improve lifetime registration as data indicates that lifetime registered companion animals are more likely to be de-sexed. De-sexing reduces the amount of unwanted animals entering pounds and Council receives approximately 80% of the collected registration fees.

Recommendation 20

Develop and implement a plan to promote lifetime registration of companion animals.

Water Safety

Council states that it does not actively promote back yard water safety but does have two (2) residential swimming pool safety fact sheets and a compliance certification form for residential swimming pools. Given the significant residential growth expected in the Liverpool area, Council needs to develop a programme to promote swimming pool safety for all existing and new swimming pools to ensure compliance with safety standards. Council needs to consider how it can actively promote water safety at home.

Recommendation 21

Identify and implement a plan to promote back yard water safety.

Council response

Council acknowledges all recommendations made in the area of Planning and Other Regulatory Functions and has commenced actions to improve and promote better

practice in this area. Specifically, Council has reviewed and implemented a number of procedures such as:

1. new preliminary assessment procedure
2. new handling of unclear development applications procedure
3. reviewed Section 94 procedure
4. reviewed IHAP and JRPP procedures.

These procedural reviews follow the recruitment and permanent appointment of a new Manager Statutory Planning. As recommended, officers will consider the ICAC development assessment internal audit tool when reviewing processes.

A recent review of delegations was conducted and current delegations are reflective of the duties performed.

Council has undertaken a structural review of the enforcement area, including a review of job descriptions and is currently recruiting for team leader roles. It is anticipated that the review and recruitment process will be finalised by late November 2012.

5 ASSET AND FINANCIAL MANAGEMENT

5.2 OVERVIEW

Under its charter, council has a responsibility to raise funds for the purposes of carrying out its functions. This can be achieved by the fair imposition of rates, charges and fees, borrowings and grants. The council is also the custodian and trustee of public assets and must effectively account for and manage these assets.

5.2.1 Scope of review

A review was conducted of a range of aspects of Council’s asset and financial management practices, including:

- *Financial management*
- *Asset management, including land assets, plant replacement and capital works*
- *Management of community land*

5.2.2 Overview of asset and financial management practices

Table 4: Liverpool City Council’s compliance with planning and other regulatory functions

Asset and financial management area **	Complies with minimum statutory requirements or appropriate practices
Asset Management	<input checked="" type="checkbox"/>
Land Assets	<input checked="" type="checkbox"/>
Financial Management	<input checked="" type="checkbox"/>
Council Businesses	<input checked="" type="checkbox"/>
Insurance	<input checked="" type="checkbox"/>

Note: A tick indicates that Council has at least adequately met the standards and statutory requirements relating to that area as set out in the Promoting Better Practice Self Assessment Checklist. A cross indicates that improvement is needed in that area.

The reviewers note that overall Council is considered to be in a sound and stable financial position. Most indicators remain better than accepted industry benchmarks. However, there are concerns about the amount of unfunded asset maintenance works in 2009/2010 and the very high costs to bring assets to satisfactory standard. This indicates that Council may wish to re-examine its Asset Management Plans. Also noted was a higher than benchmark outstanding rates and annual charges figure. Council

provided the review team with a copy of an Internal Audit report that makes a number of recommendations to address this issue. The review team found that Council was aware of these matters and taking steps to address them.

5.2.3 Significant Observations

5.2.4 Better practices

Stormwater renewal

As part of its ongoing commitment to asset maintenance and renewal, council has undertaken condition assessment of a significant portion of its stormwater system. Staff have given effect to significant storm water pipe renewal using technologies usually applied in sewage and water treatment systems. The technology adopted by Council enables trenchless repairs and maintenance. The application of this technology to stormwater renewal and maintenance has resulted in more effective and efficient stormwater systems and less impact on residences, businesses and traffic while the works are undertaken.

5.2.5 Noteworthy practices

The review team did not identify any noteworthy examples.

Areas for improvement

Investment Policy

A topic of frequent discussion within local government is the issue of sustainability. As previously noted, Council is in a sound financial position. The review team noted that Council had recently purchased commercial property in Liverpool CBD and indicated its interest in other property related development and investment options by Council. The review team commends the Council's use of its investment activities to promote broader strategic objectives.

However, Council's investment policy states that Council does not propose to invest in Australian property. Further, the policy includes a Ministerial investment order from the year 2000 that has been twice superseded. Council needs to revise and update its investment policy in line with its resourcing strategy and business objectives.

Recommendation 22

That Council revise and update its investment policy in line with its resourcing strategy and business objectives.

Regulatory Compliance – Council Businesses

Council indicates that it has two existing car parking businesses and does not yet have formal business plans for those operations. A business plan is a formal statement of a set of business goals, the reasons why they are attainable, and the plan for reaching those goals. Formal business plans promote effective management, oversight of operations and identify future risks and opportunities. Council's car parking operations business plan could also link to Council's transport infrastructure plans.

Recommendation 23

Council should develop formal business plans for its parking business operations.

Internal Audit - Accounts receivable

Council's outstanding rates and charges percentage was just over industry benchmarks. Council advised the review team that it is aware of the situation and Council's Internal Audit committee has reviewed the matter. The internal audit report makes recommendations to remedy procedural issues and follow up outstanding amounts. This process highlights the value of a robust internal audit system in improving councils overall performance.

Recommendation 24

Council should implement the Internal Audit report recommendations to reduce its outstanding rates and charges.

Council response

Council, in conjunction with its investment advisers, reviews its Investment Policy on an annual basis to ensure compliance with legislative requirements and to facilitate best value for Council in delivering on the objectives of its Community Strategic Plan. Council's website has been amended to ensure that it includes Council's current Investment Policy and attachments.

Council adopted a CBD Parking Strategy in February 2010, followed by stage 1 implementation in March 2012, with further stages being implemented over the next four to six years. The adopted CBD Parking Strategy will form the basis of a formal business plan for the parking operations within Liverpool.

With regard to the reduction of outstanding rates, Council has a very robust process that it applies for the recovery of outstanding rates. Unfortunately, given the socio-economic makeup of the Liverpool community, it is expected that this ratio will remain as is or slightly above the benchmark.

6 COMMUNITY AND CONSULTATION

6.3 OVERVIEW

The Local Government Act sets out a Council's charter as a set of principles that are a guide to council in carrying out its functions. The charter requires that a council:

- Provides services after due consultation;
- Facilitates the involvement of councillors, members of the public, users of facilities and services and council staff in the development, improvement and coordination of local government;
- Actively promotes the principles of multiculturalism;
- Plans, promotes and provides for the needs of children; and
- Keeps the local community and State Government informed about its activities

6.3.1 Scope of review

A review was conducted of a range of aspects of Council's community and consultation practices, including:

- *The methods council uses to involve and determine the views of its community*
- *Ageing Population*
- *Social and community functions of council*
- *Annual reporting*
- *Customer service standards*

6.3.2 Overview of community and consultation practices

Table 5: Liverpool City Council's compliance with requirements in the community and consultation area.

Community and consultation area	Complies with minimum statutory requirements or appropriate practices
Social and Community Planning	<input checked="" type="checkbox"/>
Ageing Population	<input checked="" type="checkbox"/>
Community Participation	<input checked="" type="checkbox"/>
Communication Policy	<input checked="" type="checkbox"/>
Annual Report	<input checked="" type="checkbox"/>

Cultural Planning	<input type="checkbox"/>
Ethnic Affairs –	<input checked="" type="checkbox"/>
Customer Service	<input checked="" type="checkbox"/>
Economic Development	<input type="checkbox"/>

Note: A tick indicates that Council has at least adequately met the standards and statutory requirements relating to that area as set out in the Promoting Better Practice Self Assessment Checklist. A cross indicates that improvement is needed in that area.

6.3.3 Significant Observations

Better practices

The review team did not identify any better practices examples.

Noteworthy practices

Customer Service

The review team found that Council has focused significant resources on providing a customer service focus particularly in the counter services area. Council's monthly reports collate customer survey and customer request completion data as a means of documenting Council's performance. The reports provided to the review team and our observations of the customer service operations indicate Council's strong commitment to customer service delivery.

Community Consultation

Council's community consultation strategy outlines the methods for engaging the community. The strategy nominates 'engagement booths' as one consultation tool which was used during the preparation of the Community Strategic Plan. Council Staff informed the review team that the usefulness of engagement booths was enhanced by Council's ability to allocate those staff displaced by the fire in the Council administration building. The collection and dissemination of information appears to have been significantly enhanced by the efforts of their staff allocated to various locations throughout Liverpool.

There is evidence that Council devotes significant resources to engaging with the community through committees, volunteer groups, publications, surveys and information booths. Combined with multilingual staff and publications, Council's efforts to engage the community should be commended.

Engaging with diversity

The review team found that Council is aware of the breadth of cultures in the Liverpool area and is actively pursuing appropriate communications through physical and electronic publications. Council's website has links to translation services for its documents. Council also has a register of languages spoken by staff available to customer service staff and is working to continuously improve its ability to engage with its community.

Library Services

The review team was impressed with the way council has provided its library services in the Liverpool CBD. The facility includes multi-language newspapers, multimedia borrowings and facilities, meeting rooms, training facilities, dedicated exhibition areas and a café. The multifunction approach demonstrates Council's thought and consideration for the needs of its community.

Waste Contract

Council has negotiated a favourable waste contract that provides a positive return. Staff indicate that some of the challenges include ensuring the continued separation of waste from recyclables in order to meet the contract conditions. Council undertakes ongoing public education campaigns to ensure the success of the contract. Council is to be commended for the way in which it engages with such a diverse community living in a broad variety of housing types in order to meet the waste contract conditions.

Casula Power House

Council's "Powerhouse" facility provides a focal point for cultural activities and appears well managed and maintained. The dedicated website is prominently linked on Council's home page and provides good access to facilities and upcoming events. This facility should be one of the focal points of Council's cultural planning activities.

Areas for improvement

Economic Development

The Community Strategic Plan encapsulates economic development in at least 4 of its 12 goals. Goal 10 is to ensure that Liverpool has a range of business and employment opportunities. Council indicates that it does not have an economic development plan and is currently recruiting an economic development officer. Given the current and projected growth of Liverpool, an integrated approach to planning and development will by necessity require a strategic approach to economic development.

Recommendation 25

Council should immediately develop an integrated approach to economic development that aligns with the goals in its Community Strategic Plan.

Council response

Council has taken a number of steps to improve the focus on economic development in the Liverpool area. This commenced with the appointment of a Manager Economic Development who is responsible for developing and implementing a strategic economic framework for the city of Liverpool and the broader local government area. A number of milestones have been achieved over recent months including, but not limited to, the signing of a Memorandum of Understanding between Council and Liverpool TAFE; coordination of a Small Business Assistance Seminar with the Australian Tax Office; and preparation of a Liverpool Economic Development and Employment Growth Strategy. Council will review the alignment of economic development and the Community Strategic Plan (CSP) as part of the review of the CSP over the coming months.

7 WORKFORCE RELATIONS

7.4 SCOPE

Councils have a number of legislative responsibilities in relation to their role as an employer. Council is required to conduct itself as a responsible employer

Workforce planning is an important part of the Integrated Planning and Reporting framework. A council's Workforce Management Plan is included in Council's overall Resourcing Strategy that will help it to meet the community's priorities and aspirations expressed in the Community Strategic Plan. Council needs the right people in the right places with the right skills doing the right jobs at the right time.

A review was conducted of a range of aspects of Council's workforce relations practices, including:

- *Human resources strategy and workforce planning*
- *Employee attitude surveys*
- *Job descriptions and job evaluation*
- *Recruitment and selection processes*
- *Equal employment opportunity*
- *Occupational health and safety*
- *Secondary employment*

7.4.1 Overview of Liverpool Council's Workforce Management

Liverpool City Council's workforce is divided among four main operational areas. The team observed that Council's workforce appears diverse and representative of the community it serves.

Council records that it has 613 full-time equivalent staff of which 3% are Aboriginal and Torres Strait Islander and 46% are women. Council does not appear to know the types or numbers of the different cultural groups that make up its workforce.

There are 8 staff over the age of 65 years and 55% of staff are aged over 45 years. Council acknowledges that it has an ageing workforce, particularly in specific areas such as engineering. However, states that it has not yet undertaken any succession planning.



Note: first two age brackets are 5 year spread. All others are 10 year spread

Table 6 – Liverpool City Councils compliance in the area of Workforce Relations

Workforce relations area	Complies with minimum statutory requirements or appropriate practices
Workforce Management Strategy	<input checked="" type="checkbox"/>
Workforce Planning	<input type="checkbox"/>
Employee Surveys	<input type="checkbox"/>
Employment Contracts	<input checked="" type="checkbox"/>
Consultative Committee	<input checked="" type="checkbox"/>
Recruitment & Selection	<input checked="" type="checkbox"/>
Job Descriptions and Evaluation	<input checked="" type="checkbox"/>
Employee Remuneration	<input checked="" type="checkbox"/>
Equal Employment Opportunity	<input type="checkbox"/>
Staff Induction	<input checked="" type="checkbox"/>

Grievance Management	<input type="checkbox"/>
Work Health and Safety	<input checked="" type="checkbox"/>
Secondary Employment	<input checked="" type="checkbox"/>
Exit of Staff	<input checked="" type="checkbox"/>

Note: A tick indicates that Council has at least adequately met the standards and statutory requirements relating to that area as set out in the Promoting Better Practice Self Assessment Checklist. A cross indicates that improvement is needed in that area.

7.4.2 Significant Observations

As noted in the above table, Council has developed its Workforce Management Strategy and is in the process of implementation. The review team noted that Council has identified the need for a well developed governance system as part of its Workforce Management Plan. Council's record systems indicate that many of its workplace management policies are out of date, some by a number of years.

7.4.3 Better practices

The review team did not identify any better practices examples.

7.4.4 Noteworthy practices

The review team did not identify any noteworthy practice examples.

7.4.5 Areas for improvement

Succession Planning

Succession planning is a process whereby an organisation ensures that employees are recruited and developed to fill each key role within the company. Through the succession planning process, council can develop staff knowledge, skills, and abilities, and prepare them for advancement and give them the best chance for promotion into ever more challenging roles.

Actively pursuing succession planning ensures that employees are constantly developed to fill each role. As the organisation changes, succession planning ensures that council has employees on hand ready to fill new roles. Effective succession planning involves identifying key positions, identifying suitable staff, preparing training

and development programs and actively pursuing the development of identified staff through such actions as project placements and supervisory activities.

Council indicated that it has not identified key positions yet and does not know if any of its key staff are due to retire in the next 18 months. Council is aware that it has an ageing work force with 126 staff over the age of 55.

Recommendation 26

Council should consider engaging succession planning methodology to identify key positions and ensure business continuity by implementing a succession plan as part of its overall Resourcing Strategy.

Employee Survey

Council indicated that it has not conducted an employee survey since 26 June 2005. The review team was informed that Council was considering a new “staff climate survey” in the wake of its recent move to the Liverpool CBD after the fire destroyed Councils Hoxton Park Road premises. A draft copy of the survey was provided and Council indicated its intent to conduct the survey in the near future.

Recommendation 27

Council should conduct an employee survey that will inform the development of its workforce plan.

Equal Employment Opportunity Plan

The current EEO Management Plan dated 2007 to 2012 sets broad areas of responsibility and is supported by an EEO policy that expired in March 2011. In conjunction with the implementation of the Workforce Management Plan Council needs to consider how it will report on outcomes to verify that it is implementing its Equal Employment Opportunity responsibilities perhaps through its annual reporting framework.

Recommendation 28

Council should include EEO activities in its annual reports.

Grievance Management

Council has a grievance handling policy and procedure but does not monitor or report on the nature and number of staff grievances. Grievance policy and procedures are designed to prevent personal conflicts becoming entrenched and disruptive in the workplace; to resolve grievances in a confidential, conciliatory and effective manner; to foster a productive work environment. The nature and types of grievances within the organisation may give guidance on work place issues that could be the result of systems or designs that create frustrations and inhibit operations. It may be in Council's interest to ensure that grievance outcomes are monitored as an indicator of possible systemic issues and as a means of managing council's liabilities.

Recommendation 29

Council should consider a regular report to Management on the nature, outcomes and lessons from the grievance process.

Council response

Council acknowledges the observations and recommendations of the reviewers in the area of Workforce Relations. Council has identified succession planning and knowledge management as a key area of focus, particularly in light of our ageing workforce. Council has taken steps to introduce a trainee program to aid in skilling younger people to be able to fill future vacancies as and when they become available.

As part of Council's "Growing Our Organisation" initiative a staff climate survey was conducted in October 2011 and again in September 2012 to assist Management in developing a continuous improvement portfolio for each area of Council. This will be an ongoing annual survey that will allow Council to identify and measure improvements and identify areas where improvement strategies need to be focussed.

Council accepts the recommendation of the reviewers to implement a formal process to report on the nature, number, outcomes and lessons from the grievance process. This has been scheduled for completion by December 2012.

PART IV. RISK RATING OF RECOMMENDATIONS

The recommendations made in this report have been assessed for a priority ranking based on the following risk analysis.

		CONSEQUENCE		
		Significant <i>Significant risk to the operations of council and if not addressed could cause public outrage, non-compliance with council's statutory responsibilities, severe disruption to council's operations and council's ability to meet its goals.</i>	Moderate <i>Moderate risk to the operations of council and if not addressed could cause adverse publicity, some disruption to council's operations and council's ability to meet its goals.</i>	Minor <i>Minimal risk to the operations of council, little disruption to council's operations and will not limit council's ability to meet its goals.</i>
LIKELIHOOD	Almost certain	High	High	Medium
	Possible	Medium	Medium	Low
	Rare	Medium	Low	Low

Priorities for recommendations: <i>(based on application of risk analysis)</i>	Risk categories could include:
<ul style="list-style-type: none"> • High • Medium • Low 	<ul style="list-style-type: none"> • Reputation • Compliance with statutory requirements • Fraud/corruption • Financial • Legal liability • OH&S

PART V. ACTION PLAN

The Action Plan is to be completed and adopted by Council to guide the implementation and monitoring of the recommendations in this report. The reviewers have allocated notional priority rankings using the risk rating analysis in the previous section. Council is encouraged to review and revise these, if necessary.

Recommendation	Priority	Action Proposed	Time Frame	Responsibility
1. Integrated Planning and Reporting documents marked 'draft' should be finalised	MED	Integrated Planning and Reporting documents to be finalised.	August 2011	Corporate Planning
2. Council should ensure future revisions to the Community Strategy Plan give due regard to the NSW State Plan and other State and regional plans.	MED	Further alignment of Community Strategy Plan will occur during the review following Council elections in September 2012. Council will also be reviewing supporting internal strategic documents over the same period.	March 2013	All
3. Council should identify which scenario in the Long Term Financial Plan is preferred, and reflect this in the plan.	MED	Council has identified the preferred option in its Long Term Financial Plan. This has also clearly been communicated to Council.	September 2011	Financial Management
4. The Delivery Program should be strengthened with appropriate reference to a current or proposed special rate variation to make clear how related strategies will be resourced.	LOW	Councils 2011-2015 delivery plan includes future year financial forecasts and refers to the Long Term Financial Plan for funding options.	June 2012	Corporate Planning
5. Council should ensure that its annual reports are fully compliant with statutory requirements	MED	Council will review annual report compliance for 2011/12 and will ensure 100% statutory compliance.	November 2012	Corporate Planning
6. Council should post its community annual reports and quarterly newsletters on its website.	MED	Council will post these items on its website in future.	November 2012	Corporate Planning
7. Council should review the format of its quarterly budget review statements to	MED	Council has prepared its quarterly reports in accordance with the QBRS Guidelines. Further	November 2012	Financial Management

ensure it is compliant with the Division's guidelines.		review of the quarterly budget review reporting format will be undertaken in 2012/13.		
8. Council should ensure that a Risk Management Plan is finalised and implemented as a high priority.	HIGH	Council is in the process of developing a Risk Management Plan and is currently building risk register to assist analysis of risks.	October 2012	Insurance & Risk.
9. Council ensure that it gets best value for its disposed assets by developing a process for monitoring the disposal of its assets through an appropriate audit process.	MED	Council is currently reviewing its asset disposal policy and procedures.	December 2012	City Assets / Corporate Services / Internal Audit
10. Council consider conducting an audit of its open access information using the OIC Compliance Checklist for agencies.	MED	Council will conduct a review of open access information compliance.	December 2012	Legal Services / Internal Audit
11. Council establish and maintain a register of political donation disclosures in accordance with the provisions of the Local Government Act 1993 by providing a link to the Electoral Funding Authority on its website.	HIGH	Council maintains a register of political donation disclosures and Council's website has a link to the Election Funding Authority	July 2011 July 2012	Executive Services
Recommendation	Priority	Action Proposed	Time Frame	Responsibility
12. Council amend its Councillors expenses and facilities policy to comply with the Divisions guidelines.	MED	The Payment and Expenses Policy is being reviewed and will be submitted to Council following the Local Government election in September 2012	October/November 2012	Corporate Governance
13. That Council develop and implement a system to identify its legislative responsibilities and resolve any noncompliance matters arising.	HIGH	Council to develop and maintain a register of legislative responsibilities. This will also be used to train new councillors	September 2012	Corporate Governance

		and staff.		
14. Council consider moving its public address forum to a different evening in order to give adequate time to speakers and adequate time for council to consider the verbal submissions prior to determining the matters before Council. Council should ensure that the public forum remain proximate to the formal meeting of Council.	MED	Public forum and speakers forum to be reviewed as part of Code of Meeting Practice review following election of new Council	October 2012	Corporate Governance
15. Council should consider revising the provision of its adopted code of meeting practice relating to the operation of its public forum.	MED	Code of Meeting Practice to be reviewed following election of new Council	October 2012	Corporate Governance
16. Council should review clause 10.2 of its code of meeting practice to align with the conduct provisions of the Act.	MED	Code of Meeting Practice to be reviewed following election of new Council	October 2012	Corporate Governance
17. Council should review its development assessment and contributions processes and implement the findings.	MED	<p>Actions Undertaken:</p> <p>Appointment of New Manager Statutory Planning,</p> <p>New Procedures implemented:</p> <ul style="list-style-type: none"> - New Preliminary Assessment Procedure, - Reviewed Section 94 procedure, - New Handling of Unclear Development Application Procedure, - Reviewed IHAP and JRPP Procedures - 	Actions already identified and actions implemented.	Manager Statutory Planning.
18. Council should review the delegations of its regulatory staff to reflect their roles and	MED	Review of Ranger & Parking Officer Delegation	To be completed	Manager

responsibilities.		& Health and Building Officer Delegation	by August 2012	Enforcement and Parking Services Manager Environmental Health & Building
Recommendation	Priority	Action Proposed	Time Frame	Responsibility
19. Council undertake a review of compliance and enforcement operations as a matter of priority.	HIGH	Council will undertake a structural review and recruitment of qualified staff to address compliance matters including review of job descriptions. Clear accountability between compliance and Health & Building Officers is being developed.	To be completed by August, 2012 To be completed by August, 2012	Manager Enforcement and Parking Services & Director City Services Director City Services & Director City Planning
20. Develop and implement a plan to promote lifetime registration of companion animals.	MED	Lifetime registration notification Program	To be in operation by January, 2013	Manager Enforcement & Parking Services

21. Identify and implement a plan to promote back yard water safety.	MED	Information already contained on Council's Website and updated annually.	No further action required at this stage	Manager Environmental Health & Building
22. That Council revise and update its investment policy in line with its Resourcing Strategy and business objectives.	MED	Council completes an annual review of its investment policy and alignment with the Resourcing Strategy and business objectives will be considered further in next review.	November 2012	Financial Management

Recommendation	Priority	Action Proposed	Time Frame	Responsibility
23. Council should develop formal business plans for its parking business operations.	MED	The CBD Car Parking Strategy was adopted on 15 February 2010. Implementation of Stage 1 was completed by 12 March 2012. Implementation of other stages will occur over the next four to six years. The adopted CBD Parking Strategy will form the basis of a formal Business Plan.	December 2012	<p>Manager Traffic and Transport</p> <p>Financial Management</p>
24. Council should implement the Internal Audit report recommendation to reduce its outstanding rates and charges.	MED	Council is currently reviewing its Debt Recovery Policy and Procedures and this will include review of the Internal Audit recommendations.	December 2012	Financial Management
25. Council should immediately develop and integrated approach to economic development that aligns with the goals in its Community Strategic Plan.	MED	<p>Integrated approach to economic development is aligned with Community Strategic Plan.</p> <p>Actions Undertaken:</p> <ul style="list-style-type: none"> - Appointment of New Manager Economic Development. - Prepared the Liverpool Economic Development and Employment Growth Strategy. - Directorship at Business Enterprise Centre. - Council signed MOU with TAFE - Undertaking joint study with Liverpool Hospital and Regional Development Australia for a Bio-Medical Precinct in Liverpool. 	<p>Actions already identified and completed, apart from the following:</p> <ul style="list-style-type: none"> - Undertaking joint study with Liverpool Hospital and Regional Development Australia for a Bio-Medical Precinct in Liverpool. 	Manager Economic Development.

		<ul style="list-style-type: none"> - Coordinated a Small Business Assistance Seminar with ATO. - Undertaking the development of a Small Business Assistance Strategy with NSW Business Chamber for Liverpool. - Initiate the funding of a City Centre Employment Assistance Officer to promote economic development. - Partnering with TAFE to host a Chinese Education and Business Sector Delegation at Liverpool. 	(Timeframe 12 months) - Initiate the funding of a City Centre Employment Assistance Officer to promote economic development (timeframe 12 months).	
26. Council should consider engaging succession planning methodology to identify key positions and ensure business continuity by implementing a succession plan as part of its overall Resourcing Strategy.	MED	Develop a draft Policy for review by Executive	September 2012	Workforce Management
Recommendation	Priority	Action Proposed	Time Frame	Responsibility
27. Council should conduct an employee survey that will inform the development of its workforce plan.	MED	Survey conducted Annually. Next one due in Oct/Nov.	December 2012	Workforce Management
28. Council should include EEO activities in its annual reports.	MED	EEO will be included in Annual report 2011/12	November 2012	Workforce Management
29. Council should consider a regular report to Management on the nature, outcomes and lessons from the grievance process.	MED	A reporting process will be developed and implemented with the new Council being advised accordingly.	October 2012	Workforce Management

