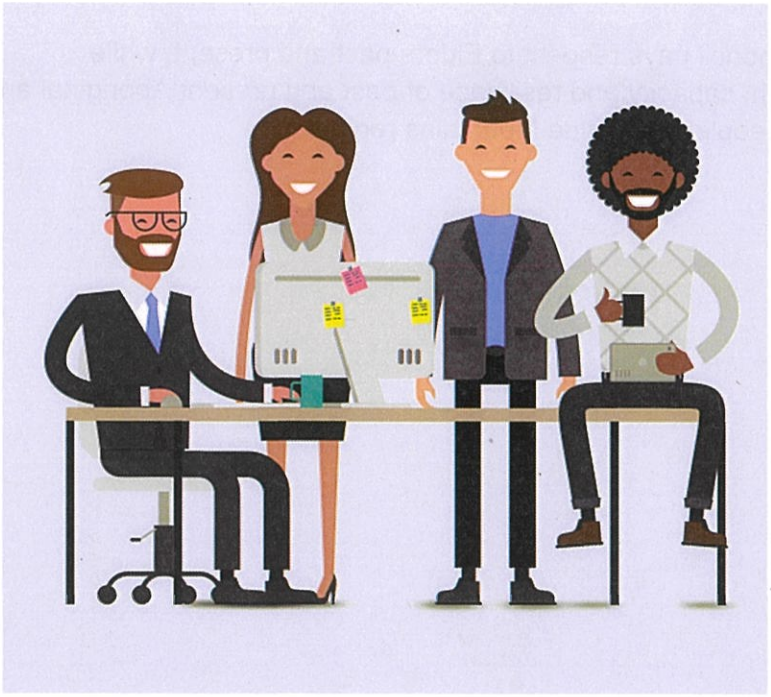
Ex 72

Staff and Councillor Support Strategy



Acknowledgement

The City of the Blue Mountains is located with the Country of the Darug and Gundungurra peoples. Blue Mountains City Council recognises that Darug and Gundungurra Traditional Owners have a continuous and deep connection to their Country and that this is of great cultural significance to Aboriginal people, both locally and in the region.

For Darug and Gundungurra people, Country takes in everything within the physical, cultural and spiritual landscape—landforms, waters, air, trees, rocks, plants, animals, foods, medicines, minerals, stories and special places. It includes cultural practice, kinship, knowledge, songs, stories and art, as well as spiritual beings and people—past, present and future.

Blue Mountains City Council pays respect to Elders past and present, while recognising the strength, capacity and resilience of past and present Aboriginal and Torres Strait Islander people in the Blue Mountains region.

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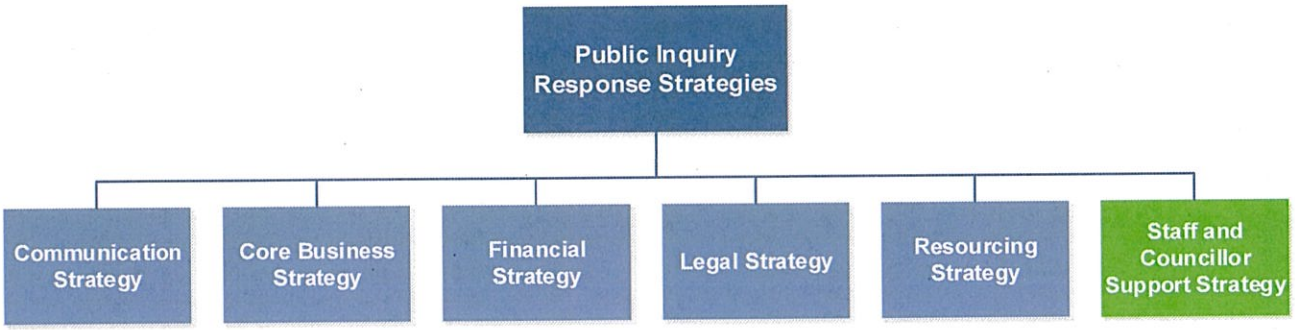
Introduction

Prologue

Blue Mountains City Council is responding to the requirements of the Public Inquiry recently announced by the Minister for Local Government. The terms of reference for the Inquiry can be found at website. Council is taking all steps it can to address potential impacts of the Inquiry on its staff.

The following program is one of 6 strategies to ensure the organisation is able to respond appropriately and ensure it is able to deliver on its required outcomes for the Public Inquiry and the City of Blue Mountains ability to carry out effective business as usual during the inquiry phase.



About this Staff and Councillor support strategy

It is an employee-centred approach that is aligned to existing, integrated workforce planning strategies

This Staff and councillor support strategy is one of 6 strategies Council will put in place to support our response to the Public Inquiry.

Due to the **impact of multiple investigations** and **the upcoming Public Inquiry** this is a comprehensive strategy designed to:

- Fully support our employees as Council goes through the Public Inquiry
- Minimise the risk to the health & wellbeing of our employs as a result of the Public Inquiry
- Build on drive of achieving a Fair & Just culture
- Best support our employees to deliver core business during the Public Inquiry

Methodology

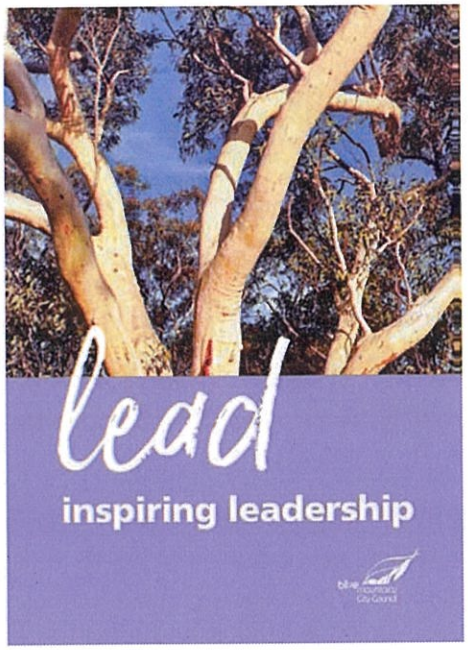
We went through the following steps to develop this strategy:

- Review of current support services offered to employees;
- Research of support services offered to employees in other Councils;
- Review of current practices in other industries;
- Formulate in consultation with Council's HR practitioners
- Consider costs of staff support strategies in a cost/benefit analysis
- Develop a project management plan to implement the strategy
- Consider the benefits and risk minimisation of having the Staff and councillor support strategy

Principles we relied on when developing this strategy were:

- There may be a higher risk to the health & safety of employees due to the Public Inquiry
- Employees may require higher levels of support from Council than currently provided for in the standard policies
- We need an employee-centred approach to enable our employees to adapt to changing demands of the workplace
- Time and resource constraints

Community Strategic Plan 2035 related to this report is:



1.3.c Ensure a safe, skilled and engaged Council workforce that provides value for money services

Where we are now

Overview

This strategy is being developed in the context of the upcoming Public Inquiry into Blue Mountains City Council called by the NSW State Government and multiple investigations by external agencies and internal.

It is assumed that there may be a number of employees called up to give evidence or who wish to give evidence to the Public Inquiry and that this will be done in a public forum. It is possible that a number of these employees may have given similar evidence previously on multiple occasions to ongoing, multiple investigations and that consequently there is the very real increased risk to the health, safety and welfare of our employees.

Previously, employees may have given evidence for the:

- Tooma Investigation; and/or
- SafeWork Investigation; and/or
- EPA Investigation; and/or
- Internal Investigations

The Public Inquiry potentially impacts the work and private lives of employees:

- Called to give evidence before the Public Inquiry;
- Named in the Public Inquiry;
- Named in the media;
- Providing information to assist Council during the Public Inquiry;
- Working with employees impacted;
- Working for an organisation under intense external scrutiny;
- Whose work ethics, quality, abilities or experience may be publicly judged by others
- Who carry out business as usual activities during the course of the Inquiry

Challenges

Challenges that Council needs to overcome:

- Minimise risk to the health, safety and welfare of our employees as a result of the Public Inquiry;
- Support the resilience of our employees;
- Provide support that is financially responsible;
- Ensure all employees are supported through the Public Inquiry to an appropriate level;
- Management is and is seen to be fully supportive of employees;
- Ongoing and unknown requirements of the Public Inquiry and other investigations.

Opportunities

Opportunities that implementing this strategy present:

- To minimise the negative impact on individuals brought upon them through the Public Inquiry process;
- Council is committed to employee welfare and supporting employees. This strategy gives tangible evidence to Council's commitment to our employees;
- Council has individual policies & practices that would usually form part of a broader staff and councillor support strategy sitting within a HR framework. This strategy may provide framework for development of a future strategy that considers a broad ongoing staff support approach;
- Reinvigorate and bring to the forefront of employees' minds the support mechanisms that Council currently has in place e.g. Employee Assistance Program, Fitness Passport, Work Life Balance;
- If done well, build on trust and working relationships between management and employees;
- Reinforce all employees working as One Organisation.

Wider context

This strategy should be considered in the context of:

- Council employees are residents of the City they serve;
- Increased media scrutiny of Councils and the impacts on employees;
- Increased State Government scrutiny of Blue Mountains City Council and the impacts on employees;
- Council transitioning to a "Fair & Just Culture";
- At the conclusion of the Public Inquiry this strategy will be reviewed with the intention of developing a broader approach for ongoing staff support.

Where we want to be in future

Vision

Create a workplace that has a strong "Fair & Just Culture".

Create a workplace that has a strong Employee Value Proposition which is critical to attracting, retaining and engaging quality people.

A comprehensive, useful and management-backed staff and councillor support strategy will form an important part of an Employee Value Proposition and "Fair & Just Culture" approach.

Objectives

Due to the public enquiry and multiple investigations, both internal and external, the goals of this strategy are:

- Ensure staff are and feel supported;
- Minimise negative impact on employees;
- Minimise risks to the health, safety and welfare of our employees;
- Minimise unplanned leave taken;
- Minimise loss of productivity;
- Minimise turnover of employees;
- Provide real, "on the ground" action that employees can access to support them ;
- Provide ongoing support to employees after the completion of the Public Inquiry and investigations;
- Support and enhance the benefit of the other Council strategies.

How we get there

Risk Assessment

The Public Inquiry may be an event that places the health, safety and welfare of some employees at risk. We need to assess that risk before proceeding with any risk control (support plan).

Risk Assessments for individual employees can be effective in identifying the specific health & welfare risks of individual employees, which then allows "fit for purpose" supported approach for an individual through a tailored support plan.

A specific support plan, properly implemented, can significantly reduce the risk to the health, safety and welfare of an individual. A targeted approach will more time consuming but is anticipated to have better results than using a "one size fits all" generic approach.

This option is available to

- Current employees

Actions

- Develop a risk assessment matrix for individual employees;
- Develop a high level risk assessment for groups of employees;
- Develop a support plan template;
- Develop instructions on how to conduct a risk assessment and put together a support plan ;
- Develop procedures that include administration requirements, privacy considerations and approvals.

Psychological/Counselling services

Under business as usual conditions the benefits to employees of accessing psychological/counselling services include:

- Improve coping skills;
- Develop effective solutions to workplace issues
- Reduce stress/anxiety
- Develop skills to look at problems/issues with a positive/different perspective

Under business as usual conditions the benefits to Council when employees access psychological/counselling services include:

- Reduced absenteeism and presenteeism;
- Improved employee performance and productivity;
- Improved morale and workplace engagement;
- Increased staff retention rates.

Council has a contract with LifeWorks (formerly Optum) to provide an Employee Assistance Program to employees by providing counselling services to employees and their immediate families. Employees & their family can access this program up to 6 times in a calendar year. As the counselling service providers are engaged through LifeWorks, their availability is dependent on contract arrangements with LifeWorks and physical locations the limited to the counselling services contracted to LifeWorks.

It is anticipated that need for accessing counselling services will increase as adverse impacts on employees due to the pressure of the Public Inquiry increase.

It is anticipated that additional counselling services may be required above and beyond what the Employee Assistance program currently provides. These additional services will need to be timelier than provided for under LifeWorks SLA, at locations within the LGA, remain anonymous and be agile in meeting needs of Council & employees.

Consideration will be given to having counselling services available for employees before and after giving evidence at the Public Inquiry, either onsite or at a nearby discreet location. Privacy will remain paramount for this service to be embraced and used by at risk employees.

This option is available to

- Current employees
- Current Councillors
- Any past employee or councillor who is called before the Public Inquiry to give evidence

Actions

- Develop a program of ongoing communication to employees advertising the counselling services available
- Confirm Employee Assistance Program service providers locations in relation to the LGA

- Scope, procure and contract a list of locally available counsellors
- A Council policy on how the counselling services will operate during the Public Inquiry which includes, but not limited to questions of onsite/nearby locations, provision of space for counsellors, approved procedures for employees to access, time off for employees to access, hours available and privacy

Support Person

Employees may want a support person who is not part of the normal management or support structure (e.g. Human Resources, EMPLOYEE ASSISTANCE PROGRAM) to debrief with or to talk to about the pressures of the Public Inquiry.

The benefits of employees having a support person include:

- Helps clarify thoughts and feelings
- Keeps/puts problems in perspective
- Releases tension
- Offers a sense of security

While many people may already have informal networks at work and outside of work that fill the role of support person, it is widely understood that most people are not trained counsellors and may make situations worse, not better (even if well intentioned). By allowing employees to nominate a designated support person, Council can then provide training to the support person on how to listen effectively, check in with the employee and make sure everything is OK and can assist in maintaining employee resilience.

This option is available to

- Current employees

Actions

- Research training for support people;
- Scope, procure and contract a training provider OR formally train internal staff so that they can provide training/mentoring to designated support people;
- Develop information pack as part of training;
- Develop procedures that include administration requirements, privacy considerations, approvals and agreement to participate;
- Develop communication approach to impacted employees advising support person options and associated support.

Active HR Support

In full business as usual circumstances HR have a responsibility to provide support role for individual employees. HR seek to understand needs and concerns of employees and can work with employees and management to understand what the employee needs, what management needs, take steps to address and explain possible options.

During the Public Inquiry HR should take an active role in providing corporate check-ins of impacted employees and impacted managers. HR will be able to refer employees to appropriate support options and where required liaise on behalf of employees in seeking support options.

HR will also require a level of authority to make decisions on behalf of Council where there is an increased risk to the health, safety & wellbeing of employees so that required support is available without possibly going through lengthier approval processes.

To date HR provided a "RUOK?" short training session to Managers.

This option is available to

- Current employees

Actions

- Develop procedures that include administration requirements, privacy considerations, approvals and agreement to participate;
- Develop internal list that details the level of HR support that will be provided during the Public Inquiry;
- Organise any training/mentoring that HR is responsible for from this list;
- Develop a program of ongoing communication to employees advertising HR support options.

Training for Supervisors

Supervisors may be impacted by the Public Inquiry regardless of whether or not are required to attend and give evidence. Managing & supporting employees while they oversee BAU is an important part of supervisory roles and it is anticipated that supervisors may require additional support during this time.

Providing training for supervisors during this time, whether it be formal face to face, online or mentoring/coaching will be critical. Supervisors are the eyes and ears of management and have frontline responsibility for the health, safety & welfare of their employees and the Public Inquiry is anticipated to significantly increase risk in this area. It is vital they be provided with the tools to effectively deal with issues that may arise out of the Public Inquiry.

This option is available to

- Current employees

Actions

- Research and develop a comprehensive list of training options;
- Scope, procure and contract training providers OR formally train internal staff so that they can provide training/mentoring to designated support people;
- Develop and program a training schedule while providing flexibility for priority training
- Develop information pack as part of training;
- Develop a program of ongoing communication to supervisors advertising support and training available.

Operational

Staff support options at the operational level include:

- Traditional leave options (Annual, LSL)
- Employer provided leave (e.g. optional 1 day paid leave after attendance at Public Inquiry)
- Adjusting workload
- Adjusting work space/location
- Adjusting work activities/secondment
- Making available project work
- Provide options for some employees to work on side projects that align with our higher level vision and aspirations, and are of high interest to the individual
- Work Life Balance options (short and long term)

This option is available to

- Current employees

Actions

- Research and develop a comprehensive list of possible operational supported options;
- Review options for best outcomes for Council and employees
- Develop a Public Inquiry operational support policy and procedures so that employee access and management approval is consistently applied
- Develop a method to communicate with impacted employees on options under the Operational Support policy and procedure

Wellbeing program

A broad range of options will be investigated and made available to employees that fall under the broad umbrella of personal wellbeing. These will include access to yoga, meditation, massage, natural therapies, subsidised gym access (Fitness Passport) and other physical therapies.

The purposes of activities under a wellbeing program are to:

- Relaxation
- Stress reduction
- Anxiety and depression reduction
- Improve mental and physical recovery

This option is available to

- Current employees
- Current councillors
- Any past employee or councillor who is called before the Public Inquiry to give evidence

Actions

- Research and develop a comprehensive list of wellbeing program activities;
- Scope, procure and contract a list of locally available providers AND/OR seek interest from employees who may have skills to lead others through activities (e.g. meditation);
- Develop a business as usual Health & Wellbeing policy and determine if it needs to be supplemented during the Public Inquiry
- Develop a program of ongoing communication to employees advertising the wellbeing program

RUOK?

RUOK is a charity whose stated vision and mission is:

> **RUOK's vision is a world where we're all connected and are protected from suicide.**
>
> **Our mission is to inspire and empower everyone to meaningfully connect with people around them and support anyone struggling with life.**

RUOK have a swathe of simple online tools available to employees and employers to assist in creating a workplace where employees feel confident asking and answering RUOK?

These resources and tools may assist in 3 of the "How We Get There" strategies above - support people, HR and training for supervisors.

This option is available to

- Current employees
- Current councillors

Actions

- Review materials and determine what can be used for direct support of the "Support Person", "Active HR support" and "Training for Supervisors" strategies;
- Refine short training course for supervisors and employees in the use of RUOK;
- Develop a program of ongoing communication to employees advertising RUOK materials.

Green Room

Council will provide a safe space for employees both before and after giving evidence at the Public Inquiry. This space will be available as needed, private, have food & water and provide an area for employees to mentally prepare/debrief.

The location will depend on the location of the Public Inquiry.

This option is available to

- Any past or present employee or councillor who is called before the Public Inquiry to give evidence

Actions

- When location of Public Inquiry is known determine location of the Green Room;
- Develop list of requirements for the Green Room and when dates are known, have a procurement schedule in place so that Green Room is well stocked with appropriate materials;
- Develop procedures that include access requirements, responsibilities, how employees will be notified of use and Green Room requirements.

Implementing this strategic plan

Timeframes for actions

See attachment 1.

Partnerships

Expected partnerships will be:

- LifeWorks
- Local counselling providers (to be procured)
- Wellbeing service providers (to be procured)
- Support person training provider (to be procured)
- Supervisor training provider (to be procured)

Monitoring and evaluation

See attachment 2

Active HR Support

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Date

Office of the Chief Executive Officer

Reference File:

Name
Address

Dear Name,

SUBJECT Access to Support Services

Blue Mountains City Council is offering access to counselling support services provided by Eco Health Oz to former employees who have been or may be impacted by the external investigations and/or the Public Inquiry.

Echo Health Oz
Eco Health Oz have been engaged by Council to support former employees impacted by the external investigations and/or the Public Inquiry.

Counselling support by Eco Health Oz is available through:

- Confidential individual sessions at Eco Health Oz office, 9 Kamilaroi Street, Blackheath; and/or
- Confidential briefing and/or debriefing sessions prior to and/or after your interview.

To access this support you can contact Eco Health Oz directly on (02) 4787 7080 or 0417 912 528.

No details of your counselling session will be provided to Council.

If you opt for briefing and/or debriefing sessions at Katoomba, Eco Health Oz will liaise with Grace Edmonds to organise an appropriate venue, however they will not be providing your personal details to her.

If you have any queries please do not hesitate to contact Grace Edmonds on (02) 4780 5475.

Yours faithfully

ROSEMARY DILLON
Chief Executive Officer

Date

Office of the General Manager

Reference File:

Name
Address

PRIVATE AND CONFIDENTIAL

DELIVERED BY HAND

Dear Name,

SUBJECT **SAFEWORK NSW INVESTIGATION INTO THE EVENTS AROUND THE ESTABLISHMENT OF THE STOCKPILES AT THE COUNCIL OWNED PROPERTY AT 2-6 PARK STREET, LAWSON (LAWSON DEPOT)**

The Council has been notified that SafeWork NSW (SafeWork) is conducting an investigation into the events around the establishment of the stockpiles at the Council owned property at 2-6 Park Street, Lawson (Lawson depot).

As the focus of the investigation, SafeWork has identified two Council properties. Those properties are the Lawson Depot and the Mechanics Institute carpark at 283 Great Western Highway Lawson.

As part of the investigation, SafeWork has given the Council a list of Council employees that SafeWork proposes to interview. You are one of those employees.

SafeWork has proposed that your interview take place TIME AND DATE.

The Council has arranged for meeting rooms at the Council's Springwood premises, known as The Hub, 100 Macquarie Road, Springwood, to be available for use by SafeWork during these interviews.

SafeWork is authorised under the *Work Health and Safety Act* to compel persons identified as relevant witnesses to an investigation to meet with SafeWork inspectors and to provide information. Your attendance at the SafeWork interviews is therefore required and mandatory.

The Council understands that your attendance at the interview will disrupt your normal work. However, my office will liaise with your manager or supervisor about your attendance, so that we can address any practical problems that might arise due to your absence from work to attend the SafeWork interview.

Attached to this letter is a copy of an information sheet provided to the Council by SafeWork and titled:

"SafeWork Investigation – Blue Mountains City Council
Information for persons being interviewed"

The SafeWork information sheet explains the investigation process and confirms that you may bring a support person to your interview.

Your support person cannot be another Council employee who is required to attend a SafeWork interview. Please also note that your support person can't answer questions on your behalf.

Information Session

Prior to the upcoming scheduled SafeWork interviews, Council has organised for Grant Butterfield, Partner of Marsdens Law Group (Marsdens), to meet with interested Council staff members who are subject to the SafeWork investigation.

Mr Butterfield will talk through general points about what to expect in the investigation process and he will be available to answer any general and legal questions regarding the interview process. This information session will be funded by Council. Attendance at the information session (once scheduled) will be on a voluntary basis only and is for Council employees who may want to discuss the SafeWork process prior to their interview.

We will keep you posted regarding a date, time and location for the information session once that has been confirmed and locked in.

Legal Representation Offer

Council has made arrangements with Marsdens to provide you with the opportunity to obtain legal advice and legal representation in relation to the SafeWork interview process, without fee to you.

Please note that you are not under any obligation to accept this offer. If you wish, you are free to have a legal representative of your own choosing of course.

If you prefer not to engage Marsdens, alternatively the Council can reimburse you for the cost (up to a maximum of $1,200 plus GST) of engaging a lawyer of your choice to attend the interview with you.

Please let my office know if you do wish to take up either of these options.

Why the Council decided to provide this offer

Rather than the Council employees seeking their own separate legal representation at their cost, the Council as your employer determined that this is the fairer process for all involved (not just for the Council itself but more importantly for its individual employees subject to the investigation) to know their rights, responsibilities, obligations and entitlements in relation to this investigation so that no party is disadvantaged. The choice is entirely yours.

How to accept the offer of legal representation by Marsdens

If you want to accept the offer of legal representation by Marsdens, please contact either of the following Marsdens representatives listed below via email if you are able to by no later than TIME AND DATE:

Name
Partner
Accredited Specialist Advocacy
Email:
Telephone:
Mobile:

Name
Solicitor
Employment Law - Dispute Resolution
Email:
Telephone:

Marsdens will only begin to act for you in relation to the SafeWork investigation process if you contact my office first to notify that you have chosen to exercise this option. Marsdens will then discuss with you directly from that point in so far as it relates to you, and provide the legal advice and/or representation.

Please note, if you choose to accept legal representation by Marsdens, in the event of any conflict of interest arising between your interests and the Council's interests, then Marsdens may be under an obligation to withdraw their representation to act on your behalf.

What can Marsdens do for you?

Marsdens, specifically for you, can:

1. Prior to your scheduled interview with SafeWork, provide advice to you in relation to the investigation by SafeWork which will allow you to understand your general rights, responsibilities, obligations and entitlements regarding the investigation process; and

2. Answer any questions that you have in a private and discrete manner in a one-on-one session either face-to-face or via telephone; and

3. In the actual SafeWork interview, provide representation to you in the interview itself by attending with you as your legal representative.

How to accept the offer of reimbursement of your own choosing of legal representation and further information relating to that

If you choose to engage your own lawyer, then your lawyer should in due course prepare an account for the work that she or he does on your behalf, up to the maximum of $1,200 plus GST. That account should be forwarded by your lawyer to my office, for payment to be arranged.

Confidentiality

Please note the contents of this correspondence and the entire matter in general in relation to the SafeWork investigation at all times will be private and confidential.

Conclusion

If you have any questions in relation to the above or the matter in general in so far as it relates to you, please do not hesitate to contact the NAME AND CONTACT NUMBER.