

INFORMATION OR BRIEFING SESSION AGENDA



Date / Time Tuesday, 11 July 2023 at 3pm
Place Encounter Room,
From Megan Whibley, General Manager

Pursuant to Section 90A of the *Local Government Act 1999*, Megan Whibley, General Manager of the Victor Harbor Horse Tram Authority, has called for an Information/Briefing Session to be **OPEN** to the public.

PURPOSE

The purpose of the Session is to provide information and/or a briefing on the following agenda items:

AGENDA

1. Discussion re - Stable Complex build progress / completion (15 mins)
2. Provision of, and discussion around, VHHTA policies due for review at the 24 July 2023 meeting, see attachments A, B, C and D (8 mins)
3. Provision of, and discussion around, VHHTA Code of practice for Meeting Procedures for review at the 24 July 2023 meeting, see Code of Practice at attachment E (8 mins)
4. Discussion around Neutrog / Meals on Wheels promotion (10 mins). See attachment F

Megan Whibley
General Manager VHHTA



POLICY

Policy Name	<i>Code of Conduct for Board Members</i>
Policy/File Number	ED4.12.012
Review Frequency	Every Three Years
Attachments	<i>nil</i>

1. Purpose

The purpose of this policy is to set out the commitment from the Victor Harbor Horse Tram Authority Board Members.

2. Scope

The Victor Harbor Horse Tram Authority Board Members must comply with the provisions of the *Local Government Act 1999* and this Code in the performance of public office. It is the personal responsibility of Board Members, as public officer's to ensure that they are familiar with, and comply with, the standards in this Code of Conduct at all times.

3. Policy Statement (Summary)

The Authority Board Members will:

- Commit to serve the best interests of the Authority and to discharge their duties conscientiously, to the best of their ability.
- Work together constructively and uphold the values of honesty, integrity, accountability and transparency
- Make every endeavour to ensure that they have current knowledge of statutory, legislative and governance requirements of their role and abide by this Code of Conduct.

4. Legislation and Compliance

Section 62 of the Local Government Act 1999

5. Definitions

Board Member means at any time a member of the Board appointed in accordance with Subclause 2.9 of the Victor Harbor Horse Tram Authority Charter.

6. Policy Content

6.1 Behavioural Code

The Authority Board Members must:

6.1.1 General Behaviour

- Show commitment and discharge duties conscientiously.

Code of Conduct for Board Members

- Act in a way that generates community trust and confidence in the Authority.
- Act in a reasonable, just, respectful and non-discriminatory way when dealing with people.
- Show respect for others if making comments publicly.
- Ensure that personal comments to the media or other public comments, relating to decisions of the Authority, City of Victor Harbor and/or related matters, clearly indicate that it is a private view, and not that of the Authority.

6.1.2 Responsibilities as an Authority Board Member

- Comply with all Victor Harbor Horse Tram Authority policies, codes and resolutions.
- Deal with information received in their capacity as Board Members in a responsible manner.
- Endeavour to provide accurate information to the Authority and to the public at all times.

6.1.3 Relationship with fellow Authority Board Members

- Endeavour to establish and maintain a respectful relationship with all Board Members, regardless of differences of views and opinions.
- Not bully or harass other Board Members.

6.1.4 Relationship with Authority Management Staff

- Not bully or harass Authority Management staff.
- Direct all requests for information to the General Manager
- Direct all requests for work or actions to the General Manager

6.1.5 Complaints

- Any person may make a complaint about a Board Member under the Behavioural Code.
- Complaints about behaviour alleged to have breached the Behavioural Code should be brought to the attention of the Chief Executive Officer of the City of Victor Harbor.
- A complaint may be investigated and resolved in any manner the Board deems appropriate to this Part. This can include, but is not limited to:
 - A mediator or conciliator
 - With the assistance of officer/s of the City of Victor Harbor
 - An independent investigator
- Some complaints may be considered to be trivial, vexatious or frivolous, and accordingly, may not be investigated.
- A failure of a Board Member to cooperate with the process for handling alleged breaches of this Part may be referred for investigation under Misconduct.
- Repeated or sustained breaches of Clause 6.2 by the same Board Member may be referred, by resolution of the Authority, to the relevant authority as a breach of Clause 6.2 (misconduct)

- A breach of Clause 6.1 must be the subject of a report to a meeting of the Authority.

6.1.6 Findings

If, following investigation under the complaints handling process, a breach of the Behavioural Code by a Board Member is found, the Authority may, by resolution:

- Take no action;
- Pass a censure motion in respect to the Board Member; and/or
- Request a public apology, whether written or verbal;
- Request the Board Member to attend training on the specific topic found to have been breached; and/or
- Resolve to remove or suspend the Board Member from a position within the Authority (Clause 3.1.5 of the Victor Harbor Horse Tram Authority Charter)

6.2 Misconduct

Failure by a Board Member to comply with this Clause constitutes misconduct. The provisions within this Clause may refer to statutory matters under the *Local Government Act 1999*. Any breach of these provisions will be investigated under that legislation.

Any person may report an alleged breach of this Clause to the City of Victor Harbor, the Ombudsman, or the Office for Public Integrity. Alleged breaches of this Clause made to the City of Victor Harbor or to the Office for Public Integrity may be referred to the Ombudsman for investigation under *Section 263 of the Local Government Act 1999*, by the City of Victor Harbor's Chief Executive Officer or by the Independent Commissioner Against Corruption.

A report from the Ombudsman that finds a Board Member has breached this Clause (Misconduct) of the Code of Conduct must be provided to a public meeting of the City of Victor Harbor. The City of Victor Harbor must pass resolutions that gives effect to any recommendations received from the Ombudsman, within two ordinary meetings of the Authority following the receipt of these recommendations.

An investigation under Part 3 of this Code does not preclude an investigation being launched as a potential breach of the criminal matters listed in the Appendix to this document.

6.3.1 Members Duties

Board Members must act with reasonable care, diligence and honestly at all times in the performance and discharge of their official duties.

6.3.2 Gifts and Benefits

Board Members must not:

- Seek gifts or benefits of any kind;
- Accept any gift or benefit from any person who is in, or who seeks to be in, any contractual relationship with the Authority.
- Board Members may, however, accept hospitality provided in the context of performing their duties including:

- Free or subsidised meals, beverages or refreshments of reasonable value provided in conjunction with:
 - Authority related events such as training sessions, workshops and conferences
 - Authority functions or events

6.3.3 Conflict of Interest

Board Members must be committed to making decisions without bias and in the best interests of the whole community and comply with the relevant conflict of interest provisions of the Local Government Act 1999.

6.3.4 Misuse of Resources

Board Members must use available resources effectively and prudently, and not use resources, including services of Authority staff, for private purposes, unless legally or properly authorised to do so, and payments are made where appropriate. Board Members must not use public funds or resources in a manner that is irregular or unauthorized.

7. Risk Management

This Policy endeavours to promote high ethical standards and professional behaviour by the Board Members and fulfils the Victor Harbor Horse Tram Authority Charter.

8. Implementation/Delegations

The General Manager of the Victor Harbor Horse Tram Authority is provided with the delegated authority to implement this Policy

9. Related Documents

Criminal Matters
Local Government Act
Victor Harbor Horse Tram Authority Charter

10. Availability of Policy

This policy is available on Victor Harbor Horse Tram website at www.horsedrawntram.com.au. It may also be inspected or purchased at the Principal Office of the City of Victor Harbor, 1 Bay Road, Victor Harbor.

Document History

Version	Document	Action	Date
1.0	Approved version	Victor Harbor Horse Tram Authority endorsement VHHTA06	3 Dec 18



POLICY

Policy Name	<i>Communications Policy</i>
Policy/File Number	ED4.12.012
Review Frequency	Every Three Years
Attachments	<i>nil</i>

1. Purpose

The purpose of this policy is to set out how the Victor Harbor Horse Tram Authority undertakes effective communication to the community and wider audience on a variety of aspects of the Authority's role as defined within the Charter, business, operations and policy.

2. Scope

The Victor Harbor Horse Tram Authority Board Members and Horse Tram Staff must comply with the provisions of this policy.

3. Policy Statement (Summary)

The Victor Harbor Horse Tram Authority is committed to working with the media to ensure all relevant items are communicated in a timely and accurate manner.

4. Legislation and Compliance

Section 62 of the Local Government Act

5. Definitions

Board Member means at any time a member of the Board appointed in accordance with Subclause 2.9 of the Victor Harbor Horse Tram Authority Charter.

General Manager means the General Manager of the Authority and includes a person acting in that position.

CEO means the Chief Executive Officer of the City of Victor Harbor

6. Policy Content

6.1 Media Comment and Press Release

The General Manager and the Chairperson are the only authorised spokespersons of the Authority for media comment and press releases regarding the Victor Harbor Horse Tram business, operation and policies. Press releases, advertising, notifications, signage and public commentary will be authorised by the General Manager of the Authority before publication.

6.2 General Community Communication

The use of a variety of mediums, including (but not limited to) the Victor Harbor Horse Tram website, signs, notice boards, emails, social media, newspaper, radio, television, newsletters and advertising are available and may be used to inform stakeholders of a variety of Victor Harbor Horse Tram information, operations and strategic directions.

All communication must adhere to the principles of:

- Balance and honesty
- Openness and transparency
- Achieving the aims and supporting the objectives of the Victor Harbor Horse Tram Authority and the community.

When using social media in issues relating to the Victor Harbor Horse Tram or the Authority, Staff and Boards Members are expected to:

- Seek prior authorisation from the General Manager
- Adhere to the Victor Harbor Horse Tram Code of Conduct for Board Members, policies and procedures.
- Behave with caution, courtesy, honesty and respect.
- Comply with relevant laws and regulations
- Reinforce the integrity, reputation and values of the Victor Harbor Horse Tram Authority
- Refrain from bringing the Victor Harbor Horse Tram Authority into disrepute
- Personal social media accounts do not necessarily reflect the view of the Victor Harbor Horse Tram Authority.

Note: The General Manager cannot authorise public communication, publication or release of any documents or part of a document if:

- The document or part relates to a matter of a kind referred to *in Section 90 of the Local Government Act 1999*, or
- The Victor Harbor Horse Tram Authority orders that the document or part be kept confidential.

7. Risk Management

This Policy endeavours to promote high ethical standards and professional behaviour by the Board Members and fulfils the Victor Harbor Horse Tram Authority Charter.

8. Implementation/Delegations

The General Manager of the Victor Harbor Horse Tram Authority is provided with the delegated authority to implement this Policy

9. Related Documents

Local Government Act
Victor Harbor Horse Tram Authority Charter

10. Availability of Policy

This policy is available on Victor Harbor Horse Tram website at www.horsedrawntram.com.au. It may also be inspected or purchased at the Principal Office of the City of Victor Harbor, 1 Bay Road, Victor Harbor.

Document History

Version	Document	Action	Date
1.0	Approved version	Victor Harbor Horse Tram Authority endorsement VHHTA08	3/12/18



Policy

Policy Name	Records Management
Policy/File Number	ED4.12.012
Review Frequency	Every Two Years or as required by legislation
Attachments	nil

1. Purpose

The aim of this Policy is to support the commitment of the Victor Harbor Horse Tram Authority (the Authority), to sound records management practices, ensuring information is managed appropriately and is available to support its functions and operations, meeting legal, evidential and accountability requirements

2. Scope

This Policy applies to all Board Members, employees, volunteers, contractors and sub-contractors working on behalf of the Authority.

All records and information, both new and existing, of any format, generated or received in the conduct of Authority business are within the scope of this policy.

3. Policy Statement (Summary)

The Authority recognises the value of information and records to its operations and performance, and considers it a core strategic asset that needs to be actively managed and maintained across the organisation.

4. Legislation and Compliance

The Authority is a subsidiary of the Council established under Section 42 of the Local Government Act 1999. Section 3.1.2.5 of the Victor Harbor Horse Tram Authority Charter requires the General Manager of the VHHTA to ensure that records required under the Act or in other legislation are properly managed and maintained.

The Authority is required to comply with the State Records Act 1997 (the Act). It must ensure that official records in its custody are maintained in good order and condition. This obligation applies to the capture, storage, maintenance and disposal of physical and electronic records.

The Authority is obliged to keep adequate records in order to fulfil its responsibilities under other acts such as the Freedom of Information Act 1991. Records may also be required by Royal Commissions, the Ombudsman, the Courts, auditors and other people or bodies to whom or which they may be subject.

In accordance with Section 17 of the State Records Act, if a person, knowing that he or she does not have proper authority to do so, intentionally damages or alters an official record, or

disposes of an official record or removes an official record from official custody, that person commits an offence under the Act (Maximum penalty: \$10,000 or imprisonment for 2 years).

Relevant Legislation

State Records Act 1997

Freedom of Information Act 1991

Local Government Act 1999

Ombudsman Act 1972

Independent Commissioner Against Corruption Act 2012

Whistleblowers Protection Act 1993

Copyright Act 1968

Evidence Act 1929 (as amended)

Electronic Transactions Act 2000

5. Definitions

Continuing Value – records of continuing value are those that contain information that is of administrative, legal, fiscal, evidential or historical value to the Authority.

Victor Harbor Horse Tram Authority Business – May include the provision of services and the delivery of programs, development of policies, making of decisions, performance of Authority functions and other similar types of activities.

Authority Staff - persons employed (full time, part time and casual), volunteers, trainees, work experience placements, independent consultants and contractors and other authorised personnel offered access to the Authority's resources.

Board Member – a member of the Victor Harbor Horse Drawn Tram Authority's board of management.

Disposal of – to dispose of a record means:

Transfer and retention of permanent records at the State Records storage facility;

Transfer of temporary records to temporary storage;

Destruction of records no longer required for current administrative purposes in accordance with an approved disposal schedule (and once the minimum retention period has been met);

Transfer of ownership and custody of a record to a non-government entity.

Normal Administrative Practice - a provision for the routine destruction of drafts, duplicates and publications created, acquired or collected by Authority staff in the course of their official duties, with the test that it is obvious that no information of more than transitory or temporary value will be destroyed.

Record – AS-ISO 15489-1:2002 defines a record as "information created, received, and maintained as evidence and information by an organization or person, in pursuance of legal obligations or in the transaction of business". This information can take any form (for example, written documents, metadata in a software program, audio- or video tapes, digital files on a DVD or CD, e-mails, social media and other forms), but is always connected to a business process. Conversely, if a record is missing, a business process or legal procedure cannot be fully reconstructed.

6. Policy Content

6.1 Obligations of Record Users

All Victor Harbor Horse Tram Authority staff have a responsibility to ensure records are created, captured and managed.

The records and information of the Authority will be managed in accordance with relevant legislation and regulations, Authority approved policies, guidelines and procedures, reflecting best practice standards.

The Authority is committed to capturing and preserving records and information that is of significant historical or cultural value to Victor Harbor and the State.

6.2 Records Security

The Horse Tram Authority is committed to ensuring access to data and information is one of openness and transparency, while ensuring that access to sensitive and personal information is handled responsibly.

6.3 Disposal of records

Records will be retained and disposed of according to the approved records disposal schedule and Normal Administrative Practice.

7. Risk Management

This Policy addresses legislative risk and promotes a consistency in the creation, storage and access of records, in order to prevent unauthorised access, destruction, alteration or removal of Authority records.

8. Implementation/Delegations

The Victor Harbor Horse Tram Authority General Manager is the delegated authority to implement this Policy.

9. Related Documents

Charter of the Victor Harbor Horse Tram Authority
Records Management Procedures – Victor Harbor Horse Tram Authority
What is a Record – Fact Sheet
Records File Structure Document – Victor Harbor Horse Tram Authority

10. Availability of Policy

This policy is available on Victor Harbor Horse Tram website at www.horsedrawntram.com.au. It may also be inspected or purchased at the Principal Office of the City of Victor Harbor, 1 Bay Road, Victor Harbor.

Document History

Version	Document	Action	Date
1.0	Approved version	VHHTA008	3/12/18
1.0	Reapproved	VHHTA243	8/6/2021



POLICY

Policy Name	<i>Volunteer Policy</i>
Policy/File Number	ED4.12.012
Review Frequency	Within Three Years
Attachments	<i>nil</i>

1. Purpose

The purpose of the Volunteer Policy is to provide a framework for the recruitment, management and recognition of volunteers involved in the Victor Harbor Horse Tram Authority services and activities.

2. Scope

The policy applies to all volunteers in Horse Tram activities, programs and services and to those employees who work in Horse Tram activities, programs and services where volunteers are involved, or have management responsibility for those programs.

3. Policy Statement (Summary)

The Victor Harbor Horse Tram Authority recognises the importance of volunteers and the valuable contribution they make to the community, and to the delivery of the Horse Tram service. The Victor Harbor Horse Tram Authority is committed to utilising the time, skills, talents and energy of volunteers because it:

- Provides direct links between Victor Harbor Horse Tram Authority and the community
- Encourages social interaction
- Enhances and extends services
- Encourages an exchange of skills

4. Legislation and Compliance

- Work Health and Safety Act 2012
- Volunteer Protection Act 2001
- Children's Protection Act 1993
- Volunteer Protection Regulations (SA) 2004
- Children and Young People (Safety) Act 2017

The Department for Child Protection has commenced a staged implementation of the *Children and Young People (Safety) Act 2017*. The new Act replaces the Children's Protection Act 1993, however in the staged approach certain sections of the Children's Protection Act will still be law until October 2018.

There are some parts of the *Children's Protection Act 1993* that have not been carried over, but these are covered in stand-alone legislation including the *Child Safety (Prohibited Persons) Act 2016*.

The *Child Safety (Prohibited Persons) Act 2016* creates a new working with children checks system for people working or volunteering with children in SA, including an ongoing monitoring system and moving from 3-yearly checks to 5-yearly checks. Checks will be transferable between different jobs and volunteer positions. Child Safety (Prohibited Persons) Act 2016 has not yet commenced.

5. Definitions

Volunteer – for the purposes of this policy a volunteer is an individual who is registered with the City of Victor Harbor and has approval by the Victor Harbor Horse Tram Authority General Manager to undertake activities that:

- Benefit the Horse Tram, community and the volunteer
- Complement but do not replace the activities of paid staff
- Are of the volunteer's own free will
- Are for no financial reward

The following persons, for the purpose of this policy, are not considered volunteers:

- People on work placement and work experience programs
- Students undertaking volunteering as a part of the education curriculum
- Board Members of Victor Harbor Horse Tram Authority (solely by virtue of their role as Board Members)
- Persons working under the order of a court or as a condition of a bond

Child – means a person under the age of 18.

Criminal History Assessment – involves obtaining information about relevant potential employees, volunteers, contractors or consultants on the basis that the information is deemed relevant to assessing the suitability of a person to work in a particular area. The information gathered may include details concerning previous employment and relevant experience; verification of qualifications and professional registration; criminal history information; reference checks and work history reports.

Mandated Notifier - a mandated notifier is any person directly involved in the delivery of services wholly or partly for children or holds a management position, the duties of which include direct responsibility for, or direct supervision of, the provision of those services.

Prescribed Position – is a position undertaken by a person that involves or requires one or more prescribed functions as follows:

- Regular contact with vulnerable people or working in close proximity to vulnerable people on a regular basis where that contact or work is not directly supervised at all times.
- Supervision or management of above positions; and
- Access to records of a kind prescribed by regulation relating to children (including records relating to child protection services, health services, education services, disability services and court order and proceedings).

Vulnerable People – people who may be at risk of abuse or exploitation due to their dependency on others. This includes all children, people with a disability, the frail aged and people of culturally and linguistically diverse backgrounds.

6. Policy Content

6.1 Principles of Volunteering

- Benefits the community and the volunteer.
- Is unpaid.
- Always a matter of choice and not compulsorily undertaken.
- A way in which citizens can participate in the activities of their community.
- Promotes human rights and equality.
- Not a substitute, replacement or threat to paid work.
- Addresses cultural, environmental and social needs of the community.
- Respects the rights, dignity and culture of others.

6.2 Responsibilities of Victor Harbor Horse Tram Authority

- Provide a clearly written volunteer position description.
- Provide appropriate orientation and ongoing training.
- Give work that is matched with the volunteers skills, abilities and availability.
- Decline or withdraw the volunteer from work the Authority feels is not suitable for, or is placing excessive demands on the volunteer.
- Provide ongoing support and direction from appropriate staff.
- Provide appropriate resources to undertake volunteer duties as required
- Provide a safe work environment.
- Treat volunteers with respect and as valued members of a team.
- Consult with and welcome ideas and suggestions for improvements of the program with which the volunteers are involve.
- Have complaints and grievances heard by an appropriate supervisor.
- Ensure that volunteers are aware of grievance procedures.
- Recognise the contribution of volunteers.
- Provide reimbursement for approved out-of-pocket expenses where applicable.
- Have personal records relating to volunteers handled in a confidential manner.

6.3 Responsibilities of Volunteers

- Fulfil the duties as specified in their position description in accordance with the relevant legislation.
- Make a realistic commitment in terms of involvement and reliability.
- Understand and acknowledge the requirements of Victor Harbor Horse Tram Authority Code of Conduct and relevant policies and guidelines.
- Participate in appropriate induction and ongoing training as provided.
- Follow all instructions, consistent with the volunteer's role description that may be given by the nominated supervisor.
- Maintain confidentiality regarding the Authority business, program information or any other sensitive, private information they come across during their volunteer duties.
- Report any unsafe conditions, potential hazards or accidents to their coordinator.

- Report any injury or damage to themselves or a third party.
- When a matter or situation arises that in the opinion of the volunteer is of serious concern, the matter can be disclosed in confidence under the Whistleblower Protection Policy to either the Responsible Officer in the City of Victor Harbor, or other party including the Ombudsman, the Minister, the Police or the Auditor-General.

7. Risk Management

The Victor Harbor Horse Tram Authority will identify and assess potential sources of harm and take steps to reduce and manage the risk to the Authority, volunteers and the people who benefit from Authority programs and services supported by volunteers.

- The Authority will ensure that appropriate insurance cover is provided to protect volunteers, paid staff, the community and organisations against damage, loss and injury.
- The Authority will undertake an induction process to provide volunteers with information relevant to performing their role. The induction process will include:
 - Corporate and Program Induction – giving an overview of Victor Harbor Horse Tram and covering relevant policies
 - Volunteer Services Induction – outlining things such as volunteer rights and responsibilities, Victor Harbor Horse Tram Authority responsibilities, Work Health and Safety, insurances, confidentiality, principles of volunteering, training requirements and the Volunteer Protection Act.
 - Role/Site Specific Induction – including roles and tasks, worksite orientation, emergency procedures, site specific training and continuous improvement.
- *Section 11(2) of the Children's Protection Act 1993* requires that *mandated notifiers* must report any suspicion on reasonable grounds that a child has been or is being abused or neglected. Volunteers who are *mandated notifiers* i.e. working directly with children, or who have direct responsibility for, or direct supervision of services to children will be required to undergo a *criminal history assessment* and obtain training in mandatory reporting to ensure that they are able to meet their mandatory reporting obligations.
- Volunteers who are in *prescribed positions* i.e. working with *vulnerable people* or have access to personal records relating to children, will be required to undergo a *criminal history assessment* to determine their suitability for the role and to undertake mandatory training for the role.

The assessment of *criminal history assessments* will be based on principles of natural justice and procedural fairness, documented and consistently applied.

8. Implementation/Delegations

The General Manager of the Victor Harbor Horse Tram Authority is provided with the delegated authority to implement this Policy.

9. Related Documents

- “Volunteer Management in Local Government”, Local Government Association of SA.
- “Volunteer Workforce Health and Safety Framework; A Guide for South Australian Local Government”, July 2014

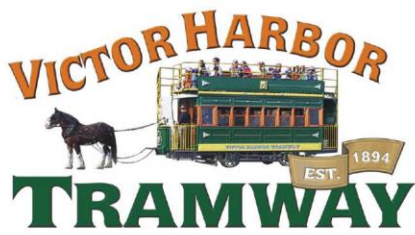
10. Availability of Policy

This policy is available on Victor Harbor Horse Tram website at www.horsedrawntram.com.au. It may also be inspected or purchased at the Principal Office of the City of Victor Harbor, 1 Bay Road, Victor Harbor.

Note: Victor Harbor Horse Tram Volunteers will be registered and inducted as City of Victor Harbor volunteers until such time as the Authority takes out the appropriate insurance cover.

Document History

Version	Document	Action	Date
1.0	Approved version	Victor Harbor Horse Tram Authority endorsement VHHTA08	3/12/18



VICTOR HARBOR HORSE TRAM AUTHORITY

Code of Practice for Meeting Procedures



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Code of Practice for Meeting Procedures

Introduction

The provision for the conduct of the Victor Harbor Horse Tram Authority and the decision making processes at those meetings are prescribed by the Local Government Act 1999, Schedule 2, Section 21 and Clause 2.4.5 of the Victor Harbor Horse Tram Authority Charter.

Pursuant to Clause 2.7.2 of the Charter a Code of Practice must be adopted by the Authority.

Code of Practice for Meeting Procedures

- The Board should, at least once in every financial year, review the operation of a code of practice under this regulation.
- The Board may at any time, by resolution supported by at least two-thirds of the members of the board, alter a code of practice, or substitute or revoke a code of practice.
- A person is entitled to inspect (without charge) the code of practice of the Board at the principal office of the City of Victor Harbor during ordinary office hours.
- A person is entitled, on payment of a fee fixed by the Board, to a copy of the code of practice.

Definition

The Authority means the Victor Harbor Horse Tram Authority

The Board means the Board of Management of the Authority set out in Clause 2

Board Member includes a Council Board Member, an Independent Board Member and a deputy Board Member.

Chairperson means the member of the Board appointed pursuant to Clause 2.5.1

Clear days means (in relation to giving notice before a meeting):

The calculation of clear days –

- (a) The day on which the notice is given, and the day on which the meeting occurs, will not be taken into account; and
- (b) Saturdays, Sundays and public holidays will be taken into account.

Leave of the meeting means with the consent of the majority of members present at the meeting by a show of hands.

Presentation means a person or group of persons who wish to appear personally before the Board to present information on a particular matter.

Written Notice means a notice given in a manner or form determined by the Board.

Chairperson

The Chairperson is appointed by the Authority on the appointment of independent Board Members.

The Chairperson must preside at all meetings of the Board and, in the event the Chairperson is absent from a meeting, the Deputy Chairperson shall preside and in the event of both the Chairperson and the deputy Chairperson being absent from a meeting, the Board must appoint one of the Board Members present to preside at that meeting only.

Code of Practice for Meeting Procedures

Chairpersons and Deputy Chairperson of Sub-Committees may be appointed by either the Board or the sub-committee.

Board Meetings

Ordinary meetings of the Board will be held at such times and places as determined by the Board except that there must be at least one ordinary meeting of the Board every three months.

An ordinary meeting of the Board will constitute an ordinary meeting of the Authority. The Board shall administer the business of the Authority at the ordinary meeting.

For the purpose of Clause 2.4.4 of the Charter, the contemporary linking together by telephone, audio-visual or other instantaneous means of the Board Members provided that at least a quorum is present, is deemed to constitute a meeting of the Board. Each of the Board Members taking part in the telecommunications meeting, must at all time during the telecommunications meeting be able to hear and be heard by each of the other Board Members present. At the commencement of the meeting, each Board Member must announce his/her presence to all other Board Members taking part in the meeting. A board Member must not leave a telecommunications meeting by disconnecting his/her telephone, audio-visual or other communication equipment, unless that Board Member has previously notified the Chair of the meeting.

A proposed resolution in writing and given to all Board Members in accordance with procedures determined by the Board will be a valid decision of the Board and will constitute a valid decision of the Authority where a majority of Board Members vote in favour of the resolution by signing and returning the resolution to the General Manager or otherwise giving written notice of their consent and setting out the terms of the resolution to the General Manager. The resolution will be deemed a resolution of the Board and will be as valid and effective as if it had been passed at a meeting of the Board duly convened and held.

Meetings of the Board will be open to the public and Chapter 6, Part 3 of the Local Government Act 1999 extends to the Authority as if the Authority were a council and the Board Members were members of the Council.

The General Manager must within one calendar month following a local government periodic election, call an ordinary meeting of the Board at which meeting the time, date and place of ordinary meetings of the Board will be determined.

Operating Procedures

Conduct of Meetings

In general, meeting procedures are flexible however the Chairperson should ensure that:

- The business of the meeting is conducted in a proper and orderly manner
- The views of the meeting on the business before it are determined (in accordance with the Board Charter and this document)
- All members who wish to contribute to the debate have an opportunity to do so
- All motions are legal, clear and able to be implemented
- The discussions are kept to the subject being discussed and irrelevant and repetitious discussions are prevented.

If a member needs to leave the room, he or she should indicate this to the Chairperson. This will provide the minute taker the opportunity to record who leaves the meeting including for the purpose of Declaration of Conflict of Interests.

Code of Practice for Meeting Procedures

Quorum

A meeting of the Board must not commence until a quorum of Board Members is present and a meeting must not continue if there is not a quorum of Board Members present. A quorum of Board Members will comprise one half of the Board Members in office, ignoring any fraction, plus one.

Commencement of meetings

A meeting will commence as soon after the time specified in the notice of meeting as a quorum is present.

If the number of apologies received by the General Manager indicates that a quorum will not be present at a meeting, the Executive Officer may adjourn the meeting to a specified day and time.

If at the expiration of 30 minutes from the time specified in the notice of meeting as the time of commencement a quorum is not present, the Chairperson will, adjourn the meeting, to a specified day and time.

If a meeting is adjourned for want of a quorum, the General Manager will record in the minutes the reason for the adjournment, the names of any members present, and the date and time to which the meeting is adjourned.

If a meeting is adjourned to another day, the General manager must –

- Give notice of the adjourned meeting to each member setting out the date, time and place of the meeting; and
- Give notice of the adjourned meeting to the public by causing a notice setting out the date, time and place of the meeting to be placed on display at the principal office of the Authority.

Apologies

Apologies for a Board meeting should be provided to the General Manager prior to the Board meeting commencing and will be recorded in the Minutes.

Public Access to Board Meetings

All meetings must be held in public except in special circumstances set out in Section 90 of the Local Government Act 1999.

The General Manager may indicate on a document or report provided to Board Members under Clause 2.4.7 any information or matter contained in or arising from a document or report that may, if the Board determines, be considered in confidence in accordance with Clause 2.4.11 provided that the General Manager at the same time specifies the basis on which an order could be made pursuant to the provisions of Chapter 6 Part 3 of the Act.

Clause 2.4.10 of the Charter does not apply to a document or report:

- That is subject to the operation of Clause 2.4.11; or
- That relates to a matter dealt with by the Board on a confidential basis in accordance with Clause 2.4.3 and Chapter 6 Part 3 of the Act.

Code of Practice for Meeting Procedures

Notice of Ordinary or Special Board Meetings

Subject to Clause 2.4.9 of the Charter, notice of an ordinary meeting of the Board will be given by the General Manager to each Board Member not less than three (3) clear days prior to the holding of the meeting.

The General Manager must, in relation to a notice of meeting of the Board for the purpose of considering the making of a recommendation to the City of Victor Harbor to wind up the Authority, provide the notice to all Board Members at least four (4) months before the date of the meeting.

Notice of a meeting of the Board must:

- be in writing; and
- set out the date, time and place of the meeting; and
- be signed by the General Manager; and
- contain, or be accompanied by, the agenda for the meeting.

The City of Victor Harbor, the Chairperson or three (3) Board Members may by delivering a written request to the General Manager require a special meeting of the Board to be held and any such special meeting shall constitute a special meeting of the Authority. The written request must be accompanied by the agenda for the special meeting and if an agenda is not provided the request has no effect.

On receipt of a written request pursuant to Clause 2.4.7, the General Manager and Chairperson must determine the date and time of the special meeting and the General Manager must give notice to all Board Members at least four (4) hours prior to the commencement of the special meeting.

Notice of a Meeting to Board Members

Notice of a meeting to Board Members may be given:

- personally; or
- by email to an email address authorised by the Board Member in writing; or
- by delivering the notice (whether by post or otherwise) to the usual place of residence of the Board Member or to another place authorised in writing by the Board Member; or
- in the case of a Council Board Member by leaving the notice for the Board Member at an appropriate place at the principal office of the City of Victor Harbor which appointed the Board Member; or
- by a means authorised in writing by the Board Member as being an available means of giving notice.

A notice that is not given in accordance with Clause 2.4.7 is taken to have been validly given if the General Manager considers it impracticable to give the notice in accordance with that Clause and takes action the General Manager considers reasonably practicable in the circumstances to bring the notice to the attention of the Board Member.

The General Manager must sign all Authority 'Notices of Meetings' and approve the agenda (including reports) prior to distribution.

The General Manager must ensure that an official record of all 'notices of meetings' including the agenda and minutes are maintained.

All Board Members must authorise in writing where the General Manager should deliver their notice of meeting and agenda.

Code of Practice for Meeting Procedures

Notice of a Meeting to the Public

The Executive Officer must give notice to the public of the times and places of meetings of the Board at least three (3) clear days prior to the holding of the meeting by causing a copy of the notice and agenda for the meeting to be placed on public display at the principal office of the Constituent Councils and on the Fleurieu Aquatic Centre website.

Agenda

The Notice of meeting and the agenda which includes copies of any documents or reports that are to be considered at the meeting will be provided to Board Members in either hard copy or electronic/digital format and provided on the Victor Harbor Horse Tram website as soon as practicable after providing to Board Members.

Note: it may be necessary to send supplementary agenda items to Members should urgent business items be required, this may be via Notice of Motion.

The General Manager must maintain a record of all notices of Board meetings given under Clause 2.4.8 to Board Members.

Order of Business

The order of business is as set out in the example Agenda template (Attachment 1).

The Chairperson at their discretion or at the request of a Member of Board may bring forward items for debate.

Majority Decision Making and Voting

- 1) All matters for decision at a meeting of the Board will be decided by simple majority of the Board Members present and entitled to vote on the matter.
- 2) All Board Members including the Chairperson present and entitled to vote on a matter are required to vote.
- 3) Where the votes are equal the Chairperson or other Board Member presiding at the meeting does not have a second or casting vote.

Procedures

A person who is not at the meeting may be permitted to vote either through a telecommunications meeting or by signing a written document containing the resolution and returning to the General Manager.

Tied votes – In the event that a vote is tied the matter may be adjourned for further consideration at a future meeting, or be referred to the parent body for deliberation ie the City of Victor Harbor can consider the matter.

Confidentiality

All Board Members must at all times keep confidential all documents and reports provided to them for their consideration prior to a meeting of the Board that is subject to the operation of Clause 2.4.12.1 or that relates to a matter dealt with by the Board on a confidential basis in accordance with Clause 2.4.12.2 and Chapter 6, Part 3 of the Act.

Code of Practice for Meeting Procedures

Duration of Board Meetings

After 4 hours the Chairperson will take a vote on whether to continue with the meeting or adjourn the remaining business.

Minutes

The General Manager must cause minutes to be kept of the proceedings at every meeting of the Board and ensure that the minutes are presented to the next ordinary meeting of the Board for confirmation. Where the General Manager is absent or excluded from attendance at a meeting of the Board pursuant to Clause 2.4.14, the person presiding at the meeting shall cause the minutes to be kept.

The General Manager must, within five (5) days after a meeting of the Board provide to each Board Member a copy of the minutes of the meeting of the Board.

Subject to Clause 2.4.14, a copy of the minutes of a meeting of the Board must be placed on public display at the principal offices of the City of Victor Harbor and the Authority on the Victor Harbor Horse Tram website within five (5) days after the meeting and kept on public display for a period of one (1) month.

Clause 2.4.14. does not apply to the minutes of a meeting of the Board that relates to a matter dealt with by the Board on a confidential basis in accordance with Clause 2.4.14 and Chapter 6 Part 3 of the Act.

Procedures

- 1) On the confirmation of the minutes, the presiding member will—
 - (a) initial each page of the minutes, which pages are to be consecutively numbered; and
 - (b) place his or her signature and the date of confirmation at the foot of the last page of the minutes.
- 2) The minutes of the proceedings of a meeting must include—
 - (a) the names of the members present at the meeting and any apologies; and
 - (b) in relation to each member present—
 - (i) the time at which the person entered or left the meeting; and
 - (ii) unless the person is present for the whole meeting, the point in the proceedings at which the person entered or left the meeting; and
 - (c) each motion/resolution; and
 - (d) whether a motion is carried or lost; and
 - (e) any disclosure of interest made by a member; and
 - (f) (h) details of the making of an order under Section 90 of the Act ; and
 - (g) a note of the making of an order under subsection (7) of section 91 of the Act.
 - (h) details of any adjournment of business; and
 - (i) a record of any request for documents to be tabled at the meeting; and
 - (j) a record of any documents tabled at the meeting; and
 - (k) a brief description of any oral briefing given to the meeting on a matter of Board business; and
 - (l) any other matter required to be included in the minutes by or under the Act or the Charter.

The Minutes will also be available on the Authority website as soon as practicable after the minutes are given to members of the Board.

Code of Practice for Meeting Procedures

Presentations

Presentations may be made as an opportunity for an organisation, Council officer(s) or member of the public to provide the Board with information relevant to a matter currently under consideration or relevant to the Board purpose (refer Charter). The duration is up to 10 minutes and generally is limited to one presentation per meeting.

Procedures

If notes or other documents are to be distributed for the presentation copies are to be provided to the Minute Secretary prior to the commencement of the meeting for distribution.

- A person or persons wishing to make a presentation at a meeting must deliver the request in writing to the Executive Officer.
- The Executive Officer will consult with the Chairperson prior to placing on the agenda.
- The Chairperson with the consent of the majority of Board Members may refuse to allow a presentation.

Motions without Notice

A member may also bring forward any business by way of a resolution without notice. The Chairperson may refuse to accept a motion without notice if, he or she considers that the motion should be dealt with by way of a written notice of motion.

Examples:

To maintain an open and transparent approach to governance these motions should be restricted to matters closely related to agenda items, house-keeping issues or matters of urgency.

When in the opinion of the Presiding Member, the motion will require action involving the expenditure of unbudgeted resources a Motion on Notice may be requested.

Matter of urgency

A member may raise a matter of urgency.

The standard agenda item provides for Members to raise 'matters of urgency'.

It is recommended that the General Manager and other Board Members are notified prior to the meeting via email of matters that are intended to be raised through this item.

Tabling of information

A member may require the General Manager to table any documents of the Board relating to a resolution that is before a meeting (and the General Manager must then table the documents within a reasonable time, or at a time determined by the Chairperson after taking into account the wishes of the meeting, and if the member who has required the tabling indicates that he or she is unwilling to vote on the resolution until the documents are tabled, then the matter must not be put to the vote until the documents are tabled).

The General Manager may, in tabling a document, indicate that in his or her opinion consideration should be given to dealing with the document on a confidential basis under section 90 or 91 of the Act.

Code of Practice for Meeting Procedures

Adjourned Business

A Member may resolve to adjourn an item of business, with leave of the meeting, to a later hour of the same day, to another day, or to another place.

Late Correspondence

Correspondence received after the preparation of the agenda will not be considered at the meeting to which the agenda refers, unless the General Manager in consultation with the Chairperson considers that the correspondence is sufficiently urgent to warrant consideration. Urgent matters will be pursued through 'Matters of Urgency' on the agenda.

First Meeting of the Board

The first meeting of the Board following the establishment of the Authority will be called by the Interim General manager appointed pursuant to Clause 11.3.1 to be held within three (3) Months of the appointment by the City of Victor Harbor.

At the first meeting of the Board, the Board will determine the time, date and place of ordinary meetings of the Board up to the following local government periodic election.

The Interim General Manager must give notice of the first board meeting to Board Members and the public in accordance with Clause 11.3.2

Procedures

When a regular meeting date and time has been established by the Board dates for the year should be publicised on the Victor Harbor Horse Tram website.

Attendance at Board Meetings

The Chief Executive Officer may attend any meeting of any Board or nominate a Senior Officer of the Councils to act in his/her place for any particular occasion or purpose. The Chief Executive Officer or his/her nominee shall not have voting rights.

Deputy Board members are encouraged to attend all meetings, however, will not be counted as part of the quorum or vote unless their Council's Member is absent.

Record of Meetings

Filming, photography and audio recording may take place at a Board meeting when the public and media are not lawfully excluded under Section 90 of the Local Government act 1999 (confidentiality provisions).

No person is permitted to record confidential items of Board Meetings.

Procedures

While no prior approval is required to film, photograph or audio record Authority meetings, the Authority requests that any persons (members of the public, elected members, board members and the media) make their intention to record the meeting known to the General Manager or the Chairperson.

Those members of the public recording the meeting will be required to do so from a dedicated area within the public gallery.

Code of Practice for Meeting Procedures

The board respectfully requests that those recording a meeting not fil, record or photograph the public gallery.

While the Board will make every effort to protect members of the public who actively object to being filmed, photographed or recorded, it cannot guarantee the actions of those filming. Other members of the public who don't wish to be filmed or photographed will also be encourage to sit in the back rows of the gallery.

Additionally, recording should not be conducted in a manner that could intimidate a board member from expressing the3ir views and/or performing their functions as members of the Board.

Appropriate use of recordings

The Board expects that those people recording Board meetings will not edit the recordings, film or photographs in a way that could lead to the misinterpretation of the proceedings. This includes refraining from editing an image, or views expressed by those participating in the meeting, in a way that may ridicule, or show lack of respect towards those being photographed, filmed or recorded.

Members of the media will be required to conduct themselves in accordance with the Media, Entertainment and Arts Alliance – Journalists' Code of Ethics (www.alliance.org.au/code-ofethics.html).

Interruption or interference of Meetings

It is an offence under the legislative provisions for any person including the media to interrupt a meeting or to obstruct or interfere with a person seeking to attend the meeting or any of the proceedings at the meeting.

An interference includes, but is not restricted to, the following:

- Obstructing the public gallery area.
- Interfering with a person attending the meeting or any of the proceedings of the meeting including the Chairperson in the organisation or conduct of the meeting.
- Causing a nuisance, as to disrupt the concentration and/or contribution of persons participating and presenting at the meeting ie
 - Excessive noise including in recording or setting up equipment during the meeting;
 - Taking up unreasonable space in the gallery area;
 - Intrusive lighting or use of flash photography;
 - Asking people to repeat statements for the purpose of recording;
 - Providing an oral commentary during the meeting;
 - Behaving in a disorderly, indecent, offensive, threatening or insulting manner;
 - Refusing a reasonable direction of the Chair

The Chairperson of a meeting will use all options available to them to ensure proper meeting conduct. Those who interfere with the good order of the meeting can be excluded from the meeting if they do not desist.

Facilities

Third parties will not have access to the Authority's recording equipment or facilities.

Document History

Version	Document	Action	Date
1.0	Approved version	Victor Harbor Horse Tram Authority endorsement VHHTA07	3 Dec 2018



Neutrog / Meals on Wheels Promotional Opportunity

Numbers of Possible Promotion Recipients

- Meals on Wheels Annual Customer Figures on Average – 11,000
- 6,000 At Any One Time
- 5,000 Volunteers
(Meals on wheels think that the volunteers would be more likely to take up the promotion than actual customers)
- Paid Staff in South Australia – 120
(Could also be included in the promotion)

Possible Options for Promotional Structure

- Buy One Ticket – Get One Ticket for Free
(Potentially problematic for VHHTA due to restrictions re how many passengers Tram can hold. Possibly need to limit promotion to school terms and weekdays. Potential for recipients to arrive when the offer is not available. Risk of upsetting promotion recipients getting upset and angry and staff getting abused or distressed)
- Buy One Way – Get a Return Ride for Free
(Redeemable at all times. More easily managed)