



8 September 2023

Contact for Apologies: General Manager

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File Ref: GOV9.14.041

Dear Board Member

### **NOTICE OF MEETING**

Notice is hereby given pursuant to the Victor Harbor Horse Tram Authority Charter and Section 87(4) of the Local Government Act, 1999, as amended that a meeting for the **Victor Harbor Horse Tram Authority** has been called for:-

**DATE:** Tuesday, 12 September 2023

**TIME:** 3:00pm

**PLACE:** Encounter Room, Civic Centre, 1 Bay Road, Victor Harbor

Please find enclosed a copy of the Agenda for the meeting.

Yours faithfully

**Megan Whibley**  
**General Manager**

Victor Harbor Horse Tram Authority

*Please be advised that filming, photography and audio recording may take place at this meeting when the public and media are not lawfully excluded under Section 90 of the Local Government Act 1999.*



## **Acknowledgement of Country**

We acknowledge the traditional custodians of our beautiful lands and surrounding waters, the Ramindjeri and Ngarrindjeri people. As a community we recognise and respect their cultural connection with the land and waters.

### **1. Open Meeting/Welcome**

### **2. Attendance**

Nigel Catt (Chair)  
Cr Carol Schofield AM  
Paul Brown  
Natasha Hunt

Megan Whibley (General Manager VHHTA)  
Tamar Herron (Minute Secretary VHHTA)

Karen Rokicinski (Director Corporate and Customer Service)

### **3. Apologies**

Rachel Kennedy

### **4. Minutes of Previous meeting**

4.1 Board Meeting Minutes Report – 24 July 2023 3

### **5. Adjourned Item(s)**

Nil

### **6. Reports for Receiving and Noting only**

6.1 Resolutions Register Report 12

### **7. Reports for Decision**

7.1 General Manager Annual Performance Review 15  
7.2 Policy Review 21



**8. Presentation(s)**

Nil

**9. Discussion Items – No decision(s)**

9.1 Draft Annual 2022/23 Report

**10. Correspondence Received**

Nil

**11. Urgent Business without Notice**

Nil

**12. Confidential Reports**

12.1 Return and Allocation of Surplus Funds

41

**Next Meeting**

Tuesday, 31 October 2023, 3pm – The Stables, Canton Place

**Meeting Close**

**Please be advised**

- *That filming, photography and audio recording may take place at this meeting when the public and media are not lawfully excluded under Section 90 of the Local Government Act 1999.*



Meeting **Victor Harbor Horse Tram Authority**  
Date **12 September 2023**  
From **Megan Whibley**  
Subject **Board Meeting Minutes – 24 July 2023**  
Report Number **4.1**

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## **RECOMMENDATION**

**That the minutes of the previous Victor Harbor Horse Tram Authority Board Meeting held Monday, 24 July 2023, be confirmed as a true and accurate record.**

## **INFORMATION**

### **Purpose**

The purpose of this report is to present the Victor Harbor Horse Tram Authority minutes for the meeting held on 24 July 2023 for confirmation.

### **Background**

A Board meeting of the Victor Harbor Horse Tram Authority was held on Monday, 24 July 2023.

### **Commentary**

The minutes for the Victor Harbor Horse Tram Authority meeting held Monday, 24 July 2023 were distributed to Members on Monday, 31 July 2023.

A copy of the minutes are provided at attachment A to this report.

## **RISK ASSESSMENT**

**Legal and Compliance** – The minutes were prepared and distributed to members in line with legislation. This risk is assessed as **low**.

## **REFERENCES**

Nil

## **BUDGET IMPLICATIONS**

Excluding endorsed budgeted staff resources there are no budget implications in confirming the Victor Harbor Horse Tram Authority Board minutes.

No additional funds are required.

**CONSULTATION**

Victor Harbor Horse Tram Authority Board members



**Minutes of the Victor Harbor Horse Tram Authority  
Board Meeting  
For meeting Monday, 24 July 2023 Commencing  
at 10:30am, Hotel Grosvenor, Conference Room**



That the Victor Harbor Horse Tram Authority receive and note the Outstanding Resolutions Register report.

**CARRIED**

**6.2 Audit Committee Meeting Minutes Report**

VHHTA375 Moved: Paul Brown  
Seconded: Schofield

That the Victor Harbor Horse Tram Authority receive and note the unconfirmed public minutes of the Audit Committee meeting 9 May 2023 at attachment A to this report.

**CARRIED**

**7. Reports for decision**

**7.1 Proposed Ticket Price Increase Report**

VHHTA376 Moved: Carol Schofield  
Seconded: Rachel Kennedy

1. That the Victor Harbor Horse Tram Authority receive and note the Proposed Ticket Price Increase Report.
2. That the Victor Harbor Horse Tram Authority Board endorse that the proposed ticket price increases, come into effect from Friday, 1 September 2023.:

***"KIDS RIDE FREE"***

	<b>Return</b>	<b>One-way</b>
Adults	\$25 each	\$15 each
Concession	\$20	\$15
Seniors	\$20	\$15
Students (14yrs +)	\$20	\$15
Kids 0 – 13yrs ride free (limit of 2 kids per paying adult)		

**Annual Membership**

Adult	\$75
Concession	\$60

**CARRIED**







**Minutes of the Victor Harbor Horse Tram Authority  
Board Meeting  
For meeting Monday, 24 July 2023 Commencing  
at 10:30am, Hotel Grosvenor, Conference Room**



1. That having considered Agenda Item 11.1 (Confidential) Proposed Patron for the VHHTA in confidence under section 90 (2) and (3) (o) of the Local Government Act 1999 that the Board, pursuant to section 91 (7) of the Local Government Act 1999, orders that the minutes for item 11.1 (Confidential) Proposed Patron for the VHHTA be retained in confidence for a period of 12 months or until otherwise determined by the General Manager.
2. That pursuant to section 91 (9) (c) of the Local Government Act 1999 the Council delegates to the General Manager the power to revoke, in whole or in part, the order made in paragraph 1 of this resolution.

**CARRIED**

**12. Confidential Item(s)**

Nil

**13. Next Meetings**

Tuesday, 12 September 2023, 3pm – The Stables, Visitor Centre, Canton Place, TBC

**14. Meeting Closed.**

The Chair declared the meeting closed at 12:16pm

***Please be advised that filming, photography and audio recording may take place at this meeting when the public and media are not lawfully excluded under Section 90 of the Local Government Act 1999.***



Meeting **Victor Harbor Horse Tram Authority**

Date **12 September 2023**

From **Megan Whibley**

Subject **Resolutions Register Report**

Report Number **6.1**

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## **RECOMMENDATION**

That the Victor Harbor Horse Tram Authority receive and note the Outstanding Resolutions Register report.

## **INFORMATION**

### **Purpose**

The purpose of this report is to review the outstanding resolutions register and determine the best course of action for items where required.

### **Background**

The General Manager is to maintain a register of outstanding resolutions and implement resolutions of the Board in a timely and efficient manner.

The outstanding resolutions report lists all the outstanding resolutions from previous Board meetings, with a progress note against each resolution. Completed items are removed from the register for the following Board meeting to ensure that the list remains a current working document of outstanding resolutions that require action.

### **Commentary**

The current outstanding resolutions register is provided at attachment A.

## **RISK ASSESSMENT**

**Corporate Governance** –The Board must manage its governance risk of implementing decisions of the Board and associated actions as well as undertake duties as required by the Local Government Act 1999 Section 99(1)(a) and the Charter within approved budgets and required time frames. This report provides a mechanism for the Board to monitor progress of resolutions, work and actions and to manage the associated governance risk. The risk is assessed as **low**.

**Socio Political, Community Issues / Reputation** – There may be some concern from Board members, Council and the broader community if resolutions are not actioned in a timely

manner or if the current Board determines to resolve contrary to an earlier resolution. The risk is assessed as *medium*.

## **BUDGET IMPLICATIONS**

There are no budget implications associated with the Board receiving and noting this report.

The majority of tasks on the outstanding resolutions register will be undertaken by the General Manager Horse Tram Authority as scheduled and without requirement for additional funds. Where additional funds are required to achieve items on the resolutions register, endorsement by the Horse Tram Authority Board, or where applicable, budget bids to Council, will be applied to individual items as required.



Attachment A

**VHHTA – Outstanding Resolutions Register – updated 6-Sep-23**

Date	Minute Number	Resolution	Status/Update
		<i>Leave blank</i>	
24 July 2023	VHHTA385	Confidential Resolution	Complete
24 July 2023	VHHTA83	That the meeting to be held on Tuesday, 8 August 2023 be cancelled noting that the next VHHTA Board meeting will be held on Tuesday, 12 September 2023 at 3pm.	Complete
24 July 2023	VHHTA382	That the Victor Harbor Horse Tram Authority Board have reviewed and endorse the VHHTA Code of Practice for Meeting Procedures, at attachment E to this report, subject to the following changes;  a) Under the heading ‘Record of Meetings’. Page 10, the addition of the words ‘Members of the public recording the meeting are limited to one camera or recording device per person’.  b) The removal of the requirement for the VHHTA to place the Notice of Meeting, Agenda and Minutes on public display at the principal offices of the City of Victor Harbor, as stated on pages 7 and 8.	Complete
24 July 2023	VHHTA381	That the VHHTA Code of Conduct for Board Members Policy, provided at attachment D to this report, be reviewed by the VHHTA and be brought back to the 12 September 2023 VHHTA Board meeting for Board endorsement.	Complete
24 July 2023	VHHTA380	That the Victor Harbor Horse Tram Authority Board have reviewed and endorse the VHHTA Communications Policy, at attachment C to this report, subject to the addition of the words ‘or their nominee’ into provision 6.1.1.	Complete
24 July 2023	VHHTA379	That the Victor Harbor Horse Tram Authority Board have reviewed and endorse the VHHTA Records Management Policy, at attachment B to this report.	Complete
24 July 2023	VHHTA 378	That the Victor Harbor Horse Tram Authority Volunteer Policy, provided at attachment A to this report, be reviewed by the VHHTA and be	Complete



Attachment A

Date	Minute Number	Resolution	Status/Update
		brought back to the 12 September 2023 VHHTA Board meeting for Board endorsement.	
<b>24 July 2023</b>	VHHTA376	That the Victor Harbor Horse Tram Authority Board endorse that the proposed ticket price increases, come into effect from Friday, 1 September 2023.	Complete
<b>1 December 2020</b>	VHHTA209	That the General Manager present a report to the Victor Harbor Horse Tram Authority Board prior to the setting of the 2021/2022 budget, that includes information on our training policy and our budget requirements for training, so as to provide direction for the Board.	Draft tabled at Board meeting 13 September 2022 – VHHTA Draft Staff and Development Policy requiring further development.



Meeting **Victor Harbor Horse Tram Authority**  
Date **12 September 2023**  
From **Megan Whibley**  
Subject **General Manager Annual Performance Review**  
Report Number **7.1**

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## **RECOMMENDATION**

- 1. That the Victor Harbor Horse Tram Authority receive and note the General Manager Annual Performance Review report.**
- 2. That the Victor Harbor Horse Tram Authority endorse the General Manager Annual Performance Review Report.**

## **INFORMATION**

### **Purpose**

The purpose of this report is to endorse the annual performance review of the General Manager.

### **Background**

In accordance with the General Manager employment contract, the Board must conduct an annual performance review of the incumbent. Further, the Victor Harbor Horse Tram Authority Charter (the Charter) at section 2.3.3 requires the Board to monitor, oversee and measure the performance of the General Manager.

### **Commentary**

The General Manager commenced her role with the Victor Harbor Horse Tram Authority (VHHTA) on 3 June 2019. A performance review has been undertaken by the VHHTA Board annually, with the last review endorsed on 13 September 2022. The Board are required to undertake this review.

The following process was used by the Board when assessing the General Managers performance;

Who:

- Chair + one other Board member

When:

- Review to occur annually in accordance with the General Manager's employee contract, with a report of outcomes and recommendations provided to the Board for their endorsement at the following Board meeting.

What:

- Assessment of performance against General Manager KPIs and Position Description for the 12 month period.
- Opportunity for input of performance by City of Victor Harbor and other Board members through a process determined by the review panel
- Recommending of new KPIs for the next 12 months
- Report of performance review outcomes and recommendations to be prepared and provided for consideration and endorsement by Board at the September 2023 VHHTA Board meeting.

The General Manager's annual performance review was undertaken by Nigel Catt (Chair) and Board Member Rachel Kennedy. The assessment is provided under separate cover.

## **RISK ASSESSMENT**

**Corporate Governance** – The Board have a responsibility in accordance with the Charter to manage the performance of the General Manager, and to conduct the annual performance review. The risk is assessed as **low**.

## **REFERENCES**

Victor Harbor Horse Tram General Manager Employment Contract  
Victor Harbor Horse Tram Authority Enterprise Bargaining Agreement  
VHHTA Charter

## **BUDGET IMPLICATIONS**

There are no Budget Implications associated with the board receiving and endorsing the General Manager Annual Performance Review report.

General Manager Review 2022/23

Possible Future Measure	Status	Achievement notes	Plans for Future Year
		Great overall results, fiscally well managed	
	Achieved		Set up new VIP reporting
Year on year financial s	Achieved		Aim for financial targets for new business
% and \$ reliance on council	Achieved		and its finances
% of budget spent	Achieved	Well managed including for set up for new Behind the Scenes experiences	
	Ongoing	No excess funds to match; still managing existing grant (due completing Sept)	
Deadlines met	Achieved	Good systems in place for future	
	Achieved	Successfully engaged Local Gov IQ	
\$ sales / meet or exceed budget	Achieved	Exceeding budgets	Set up new
		Great pipeline of junior staff built for expanded capacity	Review of Enterprise Agreement for Horse Tram Staff for 2025
			Ensure capacity for new part of operation, review HR structure is working as we grow

General Manager Review 2022/23

	Achieved	Tight knit team - not formally reviewed. Discussion of option for 360 formal review moving forward	Next time have this discussion offsite
Systematise and reporting on incidents	Achieved	One incident with horse in chains - got dealt with in Workcover. Issues ongoing for individual but the risk management solution related to chain issue resolved (quick release implemented). Detail in Skytrust.	
Ensure Board aware of near misses/incidents and track across time	Achieved	System working well	
Occur weekly	Achieved		To continue
As required in Charter / Schedule	Achieved	Board procedures and review in progress	
2-4 weekly	Achieved & ongoing		
ongoing	Achieved & ongoing	Great having Karen back, Time to schedule catch up with CEP and Moira Coleen is manager - good relationship	
Ongoing	Fine		
Six monthly	Achieved		
Bi Annual	as required		
Bi-Monthly	Waiting for	Behind the scenes	Invite them to VIP, ask Paul
	Achieved	Great relationships demonstrated by gaining timber etc. Thank them at opening.	
	Achieved		

General Manager Review 2022/23

		Report by Laura incorporated public feedback and results published	Review behind scenes / get input March/April next year or set up for all visitors (ongoing constructive)
Action list up to date and progressed	Achieved & ongoing Achieved & ongoing	Ran advertising on Expressway, Car & Float branded, Fleurieu Mag 2/3 page ad	Aim for some interviews e.g. SA with Cosi, Launch of behind the scenes
<b>Great having future facing capital budget in place (10 year)</b>			
	Good progress, going along all right	Tram upgrades - upgrading breaks	
	Achieved		
Charter update June, SLA by Dec 2020	Not complete but with council - getting closer		GM - EB updated and being implemented; car purchased
	Achieved	Charter updated and with council to progress	
	Ongoing in GMs reports as required		To be schedule with budget reviews

General Manager Review 2022/23

	<b>risk workshop complete</b>	Update prior to new stables / tours	To be done once on site and shared with audit committee
<hr/>			
	Achieved but ongoing		Need to fix bridge to allow linking of the 3 sites
Training budget spent / courses attended	Achieved but ongoing	Horse Equine Assisted Learning - 4 done, 1 in progress and 1 due to start. Budget seems on target.	With new facilities, food safety training etc may be needed.
		Achieved Moving in next week	
<hr/>			



And also;

VHHTA381

Moved: Natasha Hunt

Seconded: Paul Brown

5. That the VHHTA Code of Conduct for Board Members Policy, provided at attachment D to this report, be reviewed by the VHHTA and be brought back to the 12 September 2023 VHHTA Board meeting for Board endorsement.

**CARRIED**

### **Commentary**

As resolved by the Board, the following policies have been amended and are provided for Board review and endorsement at attachment A and B, both with tracking and also a clean copy.

- A. Volunteer Policy
- B. Code of Conduct Policy - Board Members

### **RISK ASSESSMENT**

**Legal and Compliance** – The review of Policies ensures that they are reviewed and updated for effective control and guidance for the VHHTA. This risk is assessed as **low**.

### **REFERENCES**

The Local Government Act 1999

The VHHTA Charter

### **BUDGET IMPLICATIONS**

Excluding endorsed budgeted staff resources there are no budget implications in the VHHTA Board reviewing and updating VHHTA policies and procedures.

No additional funds are required.

# POLICY



<b>Policy Name</b>	<i>Volunteer Policy</i>
<b>Policy/File Number</b>	<a href="#">ED.12.012ED4.12.012</a>
<b>Review Frequency</b>	Within Three Years
<b>Attachments</b>	<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 ([VHHTA](#)) 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 ~~VHHTA 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 ~~VHHTA Victor Harbor Horse Tram Authority~~ is committed to utilising the time, skills, talents and energy of volunteers because it:

- Provides direct links between ~~VHHTA 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
- Volunteer Protection Regulations (SA) 2004
- Child Safety (Prohibited Persons) Act 2016.
- Children and Young People (Safety) Act 2017

## 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~~ [VHHTA Victor Harbor Horse Tram Authority](#) General Manager to undertake activities that:

- Benefit the Horse Tram, community and the volunteer.

## Volunteer Policy

- 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~~ the VHHTA (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; ~~and~~
- 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.

## Volunteer Policy

- 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 volunteer's skills, abilities and availability.
- Decline or withdraw the volunteer from work the [VHHTA 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 involved.
- 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 [VHHTA 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 [VHHTA 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 [General Manager of the VHHTA 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

## Volunteer Policy

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 ~~VHHTA~~Authority programs and services supported by volunteers.

- The ~~VHHTA~~Authority will ensure that appropriate insurance cover is provided to protect volunteers, paid staff, the community and organisations against damage, loss and injury.
- The ~~VHHTA~~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 31 of the Children and Young People (Safety) Act 2017 requires that a mandated reporter or notifier must report or notify the Department for Child Protection if they suspect on reasonable grounds that a child or young person is, or may be, at risk of harm, when the suspicion is formed in the course of their employment (whether paid or voluntary). 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 ~~VHHTA~~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.

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## Volunteer Policy

**10. Availability of Policy**

This policy is available on Victor Harbor Horse Tram website at [www.horsedrawntram.com.au](http://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
1.1	<del>Draft version</del>	<del>Victor Harbor Horse Tram Authority endorsement VHHTA</del>	<del>12/09/23</del>

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# POLICY

<b>Policy Name</b>	<b><i>Volunteer Policy</i></b>
<b>Policy/File Number</b>	ED.12.012
<b>Review Frequency</b>	Within Three Years
<b>Attachments</b>	<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 (VHHTA) 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 VHHTA recognises the importance of volunteers and the valuable contribution they make to the community, and to the delivery of the Horse Tram service. The VHHTA is committed to utilising the time, skills, talents and energy of volunteers because it:

- Provides direct links between VHHTA 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
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- Children and Young People (Safety) Act 2017

## 5. Definitions

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- 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 the VHHTA (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; and
- Supervision or management of above positions.

**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.
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- 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 volunteer's skills, abilities and availability.

- Decline or withdraw the volunteer from work the VHHTA 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 involved.
- 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 VHHTA 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 VHHTA 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 General Manager of the VHHTA 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 VHHTA programs and services supported by volunteers.

- The VHHTA will ensure that appropriate insurance cover is provided to protect volunteers, paid staff, the community and organisations against damage, loss and injury.
- The VHHTA 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 31 of the Children and Young People (Safety) Act 2017 requires that a mandated reporter or notifier must report or notify the Department for Child Protection if they suspect on reasonable grounds that a child or young person is, or may be, at risk of harm, when the suspicion is formed in the course of their employment (whether paid or voluntary). 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 VHHTA 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](http://www.horsedrawntram.com.au).

### Document History

Version	Document	Action	Date
1.0	Approved version	Victor Harbor Horse Tram Authority endorsement VHHTA08	3/12/18
1.1	Draft version	Victor Harbor Horse Tram Authority endorsement VHHTA__	12/09/23

## POLICY



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

### 1. Purpose

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

### 2. Scope

The VHHTA 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 VHHTA Board Members will:

- Commit to serve the best interests of the VHHTA 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 VHHTA Charter.

### 6. Policy Content

#### 6.1 Behavioural Code

The VHHTA 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 VHHTA.
- 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 VHHTA, City of Victor Harbor and/or related matters, clearly indicate that it is a private view, and not that of the VHHTA.

### 6.1.2 Responsibilities as an Authority Board Member

- Comply with all VHHTA 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 VHHTA and to the public at all times.

### 6.1.3 Relationship with fellow VHHTA 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 VHHTA Management Staff

- Not bully or harass VHHTA 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** **015650 207615301**

#### ~~6.1.5~~

- 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.~~ **General Manager of the VHHTA.**
- 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 VHHTA, to the relevant authority as a breach of Clause 6.2 (misconduct)

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## Code of Conduct for Board Members

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

### 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 [VHHTA 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 VHHTA (Clause 3.1.5 of the VHHTA 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 VHHTA 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 VHHTA.

### Code of Conduct for Board Members

- 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:
    - VHHTA related events such as training sessions, workshops and conferences
    - VHHTA 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 VHHTA 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 unauthorised.

## 7. Risk Management

This Policy endeavours to promote high ethical standards and professional behaviour by the VHHTA Board Members and fulfils the VHHTA Charter.

## 8. Implementation/Delegations

The General Manager of the VHHTA is provided with the delegated authority to implement this Policy

## 9. Related Documents

Criminal Matters  
Local Government Act  
~~Victor Harbor Horse Tram Authority~~ VHHTA Charter

## 10. Availability of Policy

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### Document History

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

Code of Conduct for Board Members

1.1	Draft Version	Victor Harbor Horse Tram Authority endorsement VHHTA_____	12 Sept 23
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# P O L I C Y

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

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### Document History

Version	Document	Action	Date
1.0	Approved version	Victor Harbor Horse Tram Authority endorsement VHHTA06	3 Dec 18
1.1	Draft Version	Victor Harbor Horse Tram Authority endorsement VHHTA_____	12 Sept 23



Meeting **Victor Harbor Horse Tram Authority**  
Date **12 September 2023**  
From **Megan Whibley**  
Subject **CONFIDENTIAL - Return and Allocation of Surplus Funds**  
Report Number **12.1**

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## **RECOMMENDATION**

1. That pursuant to section 90(2) of the Local Government Act 1999, the Council orders that all members of the public, except Megan Whibley (VHHTA General Manager) and Tamar Herron (VHHTA Minute Secretary) be excluded from attendance at the meeting for Agenda Item 12.1 – CONFIDENTIAL – Return and Allocation of Surplus Funds, that the VHHTA is satisfied that, pursuant to Section 90(3)(b) of the Act, the information to be received, discussed or considered in relation to this agenda item is information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the VHHTA or Council is proposing to conduct business or would prejudice the commercial position of the VHHTA or Council.

In addition, the disclosure of this information would, on balance, be contrary to the public interest. The public interest in public access to the meeting has been balanced against the public interest in the continued non-disclosure of the information. The benefit to the public at large resulting from withholding the information outweighs the benefit to it of disclosure of the information. The VHHTA is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the disclosure of the VHHTA's commercial position may severely prejudice the VHHTA's or Council's ability to be able to negotiate a proposal for the benefit of the VHHTA and the community in this matter .

2. That having considered the Agenda Item 12.1 – CONFIDENTIAL – Return and Allocation of Surplus Funds in confidence under Section 90(2) and (3)(b) of the Local Government Act 1999, the VHHTA:
  - i. pursuant to Section 91(7) of the Act orders that the report and minutes be retained in confidence until all associated procurement processes have been completed; or as otherwise determined by the VHHTA General Manager; and
  - ii. the public be readmitted to the meeting.