



CONFIDENTIAL SPECIAL COUNCIL AGENDA

Released 27 November 2019

CONFIDENTIAL MATTERS

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Released 27 November 2019

3.1 INDEPENDENT COMMISSIONER AGAINST CORRUPTION

Contact Person: Sam Green

Why is this matter confidential?

Subject to an order pursuant to Section 90 (3) (j) of the Local Government Act 1999, this matter is confidential because it relates the Independent Commissioner Against Corruption Evaluation. Council is required to ensure the confidentiality of the information related to and contained within the evaluation report until the Independent Commissioner Against Corruption releases the report.

A. COUNCIL/COMMITTEE TO MOVE MOTION TO GO INTO CONFIDENCE

No action – this motion passed in the open section.

B. THE BUSINESS MATTER

3.1 INDEPENDENT COMMISSIONER AGAINST CORRUPTION

Responsible Executive Manager: Sam Green

Report Author: Sam Green

Delegated Authority: Matters which cannot be delegated to a Committee or Staff.

Attachments:

1. Procurement Policy
2. ICAC Evaluation Response

PURPOSE

For Council to endorse the proposed formal Council response to the Independent Commissioner Against Corruption (ICAC) Evaluation, inclusive of any amendments, to be sent to ICAC no later than 15th November 2019.

STAFF RECOMMENDATION

1. Council endorse the proposed Council response to the Independent Commissioner Against Corruption (ICAC) Evaluation.
2. Council request the CEO to prepare a plan to implement the recommendations to bring back to Council for information and progress updates, inclusive of time and resourcing requirements.
3. The CEO be authorised to make minor amendments to the submission that do not change the intent of the submission, or parts of it.

EXECUTIVE SUMMARY

On 1st April 2019, the ICAC Deputy Commissioner advised of his intention to conduct an evaluation on the City of Playford's practices, policies and procedures. The public notification of the evaluation was published in a public statement on 10th April 2019.

Since that time, Council administration have been engaging with the Deputy Commissioner for ICAC and his team to provide information relevant to his evaluation.

The broad scope of the evaluation was to review the following:

- Councils governance framework in regards to risk of corruption, misconduct and maladministration.
- Councils practices, policies and procedures in respect of human resource management, financial management, information management and the use of assets and resources.

The evaluation was managed to scope and conducted over a six month timeframe. The engagement between Council staff and the ICAC team has been positive and constructive and has enabled the initiation of improvements while the evaluation was underway.

On the 21st October 2019, the Mayor and CEO received the draft report from the Deputy Commissioner which lists 21 recommendations to assist Council to minimise the risks for corruption, misconduct and maladministration. This report was provided to the Council through a confidential item at a Special Meeting of Council on 5 November 2019. The report was provided under the confidentiality provisions as outlined in the Local Government Act and Section 54 of the ICAC Act.

At the Special Council meeting on 5th November 2019, Council received the draft report and discussed the recommendations and in doing so raised some clarifying questions in regards to the recommendations and the associated suggested responses.

The Deputy Commissioner has provided a deadline of 15th November 2019 for a Council response to enable him to finalise his report. It is anticipated that this report will be tabled in Parliament in the December sitting. Once tabled in parliament the report will become publically available.

This report seeks to endorse the council response to be submitted to the Deputy Commissioner in addition to providing clarity on the items discussed in the Special Council meeting on 5th November 2019.

1. BACKGROUND

On the 21st October 2019, the Mayor and CEO received the draft report from the Deputy Commissioner which lists 21 recommendations to assist Council to minimise the risks for corruption, misconduct and maladministration. This report was provided under the confidentiality provisions as outlined in the Local Government Act and Section 54 of the ICAC Act.

At a special Council meeting on 5th November 2019, Council received the draft report and discussed the recommendations and in doing so raised some clarifying questions in regards to the recommendations and the associated suggested responses.

The Deputy Commissioner has provided a deadline of 15th November 2019 for a Council response to enable him to finalise his report. It is anticipated that this report will be tabled in Parliament in the December sitting. Once tabled in parliament the report will become publically available.

2. RELEVANCE TO STRATEGIC PLAN

1: Smart Service Delivery Program

Outcome 1.2 Improved service delivery

The ICAC evaluation recommendations provide solid grounding to improve Councils policies, practices and procedures that will ensure a robust governance framework and in doing so improve the value provided to the community.

3. PUBLIC CONSULTATION

The ICAC evaluation incorporated the opportunity for members of the public to make submissions for consideration as part of the evaluation.

4. DISCUSSION

- 4.1** The proposed response Attachment 1 incorporates overall feedback on the process and general observations made in the evaluation process. The proposed response includes individual responses for each of the 21 recommendations.
- 4.2** Discussions at the Special Council meeting on 5th November 2019 enabled clarifying questions as each recommendation was discussed in detail. Of particular interest was recommendation 20 regarding the consultation of procurement officers in the procurement process.
- 4.3** In order to provide some clarity with regards to the procurement recommendation, it is important to provide context of Council's current procurement process. Council's procurement policy can be viewed at Attachment 2. Of particular reference is the thresholds in clause 5.2.2 that dictate the level of substantiation required prior to procurement. Namely, these are:

Thresholds (Individual Engagement)

Subject to a risk assessment, Council will have regard to the following:

- **Purchases under \$1,000**
Purchases less than \$1,000 do not require a Purchase Order.
 - **Purchases between \$1,000 and \$20,000**
Purchases between \$1,000 and \$20,000 require a minimum of one quote.
 - **Purchases between \$20,000 and \$100,000**
Purchases between \$20,000 and \$100,000 require a minimum of three written quotations or another method of procurement.
 - **Purchases greater than \$100,000**
For purchases exceeding \$100,000, Council will call for tenders.
- 4.4** In addition to thresholds for substantiation, Council has limits for financial delegation of authority. These limits of authority dictate which roles in the organisation have the ability to authorise expenditure as approved by Council in the delegations register and by the CEO in the sub-delegations register.
- 4.5** The limits are as follows:

Role	Delegation
CEO	Max budget approved by Council
General Manager	\$750,000
Senior Manager	\$250,000
Manager	\$50,000
Cooordinator/Officer (Quality)	\$2,000

- 4.6** Currently, the procurement process involves procurement officers on all purchases over \$100,000 as a matter of defined process in the policy prior to the relevant role being able to approve it.
- 4.7** The Deputy Commissioner's recommendations ask for consultation of procurement officers in all purchases under \$100,000. The role of 'consultation' is unclear, however it would assume a review of purchases prior to approval but not replace approval.
- 4.8** The pressure on resourcing in the procurement team to review all purchases is significant when considering the following data from the 2019 financial year for approved purchases:

Threshold	Sum of Order Amount	Number of purchases
Under \$1000	\$853,165.10	2239
Between \$1,000 & \$20,000	\$12,491,754.28	2687
Between \$20,000 & \$100,000	\$14,612,863.39	316
Greater than \$100,000	\$21,288,598.97	79
Grand Total	\$49,246,381.74	5321

- 4.9** As such the proposed response to the recommendation aligns with the process in the current procurement policy to incorporate a procurement officer in the review of an additional 316 transactions by reviewing any procurement over \$20,000.
- 4.10** Should the recommendation be applied for all purchases this would include over 5,000 additional transactions for the procurement team to review which would require additional resourcing for this level of detail. It is considered that review at this level is unnecessary given the controls in place to support the approval levels under the limits of authority and these controls are effective in mitigating risk of misappropriation of funds. These controls have been verified by our external auditors over the last 5 years.

5. OPTIONS

Recommendation

1. Council endorse the proposed Council response to the Independent Commissioner Against Corruption (ICAC) Evaluation.
2. Council request the CEO to prepare a plan to implement the recommendations to bring back to Council for information and progress updates, inclusive of time and resourcing requirements.
3. The CEO be authorised to make minor amendments to the submission that do not change the intent of the submission, or parts of it.

Option 2

1. Council endorse the proposed Council response to the Independent Commissioner Against Corruption (ICAC) Evaluation, with the following amendments:

- _____
- _____
- _____

2. Council request the CEO to prepare a plan to implement the recommendations to bring back to Council for information and progress updates, inclusive of time and resourcing required.
3. The CEO be authorised to make minor amendments to the submission that do not change the intent of the submission, or parts of it.

6. ANALYSIS OF OPTIONS

6.1 Recommendation Analysis

6.1.1 Analysis & Implications of the Recommendation

The approval of the proposed response will enable management to submit the response to the Deputy Commissioner and meet the required deadline. The response will provide the clear intent of Council, to the Deputy Commissioner, to implement the recommendations largely as presented. The implementation of the recommendations will take considerable time and effort. The proposal to bring a plan to Council to establish the scope of the changes required and give indication of time and resourcing requirements is a practical approach to achieve the successful implementation of the recommendations. It will also enable Council to receive regular updates on the progress of implementation.

The implications of not implementing the recommendations would present significant reputational risk once the report is tabled in parliament.

6.1.2 Financial Implications

At this stage the financial implications regarding implementation of recommendations is unknown. This will be covered in the plan to be presented to Council.

6.2.1 Analysis & Implications of Option 2

The implications of variations to the proposed response will depend on the nature of variations. Any significant variations or non-acceptance of recommendations to a degree will present with reputational risk which will need to be considered by Council when suggesting variations.

6.2.2 Financial Implications

At this stage the financial implications regarding implementation of recommendations is unknown. This will be covered in the plan to be presented to Council.

C. COUNCIL/COMMITTEE TO DECIDE HOW LONG ITEM 3.1 IS TO BE KEPT IN CONFIDENCE

Purpose

To resolve how long agenda item 3.1 is to be kept confidential.

STAFF RECOMMENDATION


Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the Council orders that the following aspects of Item 3.1 be kept confidential in accordance with Council's reasons to deal with this item in confidence pursuant to Section 90 (3) (j) of the Local Government Act 1999:

- Report for Item 3.1
- Attachments for Item 3.1
- Minutes for Item 3.1

This order shall operate until the Independent Commissioner Against Corruption release the report, or will be reviewed and determined as part of the annual review by Council in accordance with Section 91(9)(a) of the Local Government Act 1999, whichever comes first.



Procurement Policy

	Policy No.:	N/A	Version No.:	3
	ECM Document Set No.:	2800343	Initial Date of Adoption:	23/06/2009
	Authorised by:	Full Council (Resolution 2932)	Date of Current Version:	25/07/2017
	Document Maintained by:	Procurement	Next Review Date:	May 2021

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1 Policy Statement

This document sets out the Council's policy for the acquisition of goods and services. This policy applies to the procurement of all goods, equipment and related services, construction contracts and service contracts (including maintenance).

All Council purchases must be carried out in compliance with the Local Government Act 1999 (the "Act"). This policy complies with the requirements of the Act. In terms of specific requirements, Section 49 (a1) of the Act requires Council to develop and maintain procurement policies, practices and procedures directed towards:

- Obtaining value in the expenditure of public money;
- Providing for ethical and fair treatment of participants; and
- Ensuring probity, accountability and transparency in the procurement process.

Consistent with Section 49 (a1), this policy should be used as a guide, to enable Council officers to implement procedures, and day-to-day practices in acquiring goods and services.

Council's purchasing activities aim to achieve advantageous procurement outcomes by:

- Enhancing value for money by encouraging competition through non-discrimination and competitive processes;
- Promoting the use of resources in an efficient, effective and ethical manner;
- Making decisions with probity, accountability and transparency;
- Providing reasonable opportunity for competitive local businesses to supply to Council
- Appropriately managing risk; and
- Promoting compliance with all relevant legislation.

2 Scope

This policy applies to all procurement processes and activities undertaken by Council, including ordering, purchasing, tendering and contracting. It does not apply to real property acquisitions, funding agreements and other non-procurement expenditure, such as sponsorships, grants, donations and employment contracts.

This policy covers the whole procurement process from identification of the need to contract management. It applies to anyone who undertakes or is involved in procurement activities on behalf of the Council, including Elected Members, staff, subcontractors and volunteers.

3 Definitions

Council means the City of Playford (CoP)

Purchase Order means the official document used by Council to record the commitment to purchase goods and services and contains Council's standard terms and conditions. The Purchase Order is produced by Council's finance system.

Tender means a supplier's bid in response to Council's invitation to tender.

Request For Tender means a formal tender request process conducted by Council.

Request For Quote means a less formal quote request process conducted by Council that is generally aimed at a select group or number of market participants.

Direct Negotiation means a formal Tender or Quote request generally conducted with one select market participant only and that market participant selected by Council.

Request For Expression of Interest is a process conducted by Council that is less formal in nature and may only provide Council with an ability to gauge market participants appetite or capability to provide a particular good or service and or preliminary. This process is generally conducted in an open forum and in advance of one of the above formal processes.

Request For Proposal means a proposal request process conducted by Council that is informal in nature and may only provide Council with an ability to gauge a select market participants appetite or capability to provide a particular good or service and a preliminary cost offering. This process is generally conducted in advance of one of the above formal processes.

Open Market means a market approach, advertised in an open forum and available to all market participants.

Select means a market approach that is requested of a select group or number of market participants decided by Council.

4 Legislation and References

Legislation and Council policies relevant to this policy includes but is not limited to the following:

- Local Government Act 1999 (SA)
- Competition and Consumer Act 2010 (Cth)
- Independent Commissioner Against Corruption Act 2012 (SA)
- Security of Payment Act 2009 (SA)
- Work Health and Safety Act 2012 (SA)
- Environment Protection Act 1993 (SA)
- State Procurement Act 2004
- State Procurement Board Guidelines
- City of Playford Work Health and Safety Policies

5 Policy

5.1 Principles

Council's procurement activities will be conducted in accordance with these fundamental principles:

5.1.1 Open and Fair Competition

Council recognises the commercial and economic benefits of open and effective competition and must give fair and equitable consideration to all prospective suppliers.

5.1.2 Probity, Accountability and Transparency

All procurement shall be undertaken in a manner that ensures:

- Clearly established roles and responsibilities
- Appropriate record keeping and documentation
- Integrity through transparency of process and decisions made
- Adherence of Council's Code of Conduct
- Identification and management of actual or potential conflicts of interest, and
- Confidentiality of all commercial information.

5.1.3 Ethical Behaviour and Fair Dealing

Council employees involved in purchasing are to:

- Behave with impartiality, fairness, openness, integrity, and professionalism
- Provide all suppliers with equal opportunity to supply to Council
- Establish clear and easy to understand evaluation criteria and methodology
- Provide consistent processes and feedback on decisions, and
- Ensure effective communication and provision of information to all suppliers.

5.1.4 Value for Money

Council seeks to achieve value for money and acquire quality goods and services. The concept of value for money is not restricted to price alone, the assessment must include consideration, where applicable, of:

- Ensuring that the goods and/or services meet the needs of the community
- Procurement through purchasing groups, cooperatives and other councils
- The performance history of each prospective supplier
- Compliance with the Statement of Requirement, fitness for purpose, quality, services, support and warranty
- Financial considerations including all relevant direct and indirect benefits and costs both tangible and intangible
- Delivery and/or timeliness
- The flexibility to adapt to possible change over the lifecycle of the property or service, and
- Risk exposure

5.1.5 Risk Management

Council will ensure that appropriate practices and procedures of internal control and risk management are in place for its procurement activities including risk identification, assessment and implementation of controls. Key strategic procurement risk categories to be considered are:

- Financial
- Operational and business continuity
- Work Health and Safety

- Legal, and
- Image and reputation
- Environmental Compliance

5.1.6 Industry Participation

Council is committed to maximising the positive impact of its activities to benefit the community and its economy, giving preference to Local and or Northern Region benefit when all other financial and commercial considerations are equal. The following areas may be considered in evaluating offers:

- Creation of local employment and training opportunities
- Economic growth within the local area
- Benefit to Council of any associated local commercial transaction, and
- The short and long term impact of the procurement on local business.

Considerations for these elements are further defined in Councils Industry Participation Policy and Guidelines.

5.1.7 Environmental Sustainability

Council promotes environmental sustainability through its procurement activities and will consider the purchase of environmentally friendly goods and services that satisfy value for money criteria.

5.2 Application

5.2.1 Method of Procurement (Solicited)

Council will select an approach to market best suited to the particular requirement and based on applying the procurement principles referred to above. These may include:

- Request for Quote
- Request for Tender (Select or Open Market)
- Request for Expression of Interest (EOI)
- Request For Proposal
- Direct Negotiation

Should Council procure using a different method than those listed, then Council will record the reasons for selecting that method.

Council is not obliged to accept the lowest offer. Council may reject all offers and may invite further offers.

5.2.2 Thresholds (Individual Engagement)

Subject to a risk assessment, Council will have regard to the following:

- **Purchases under \$1,000**
Purchases less than \$1,000 do not require a Purchase Order.
- **Purchases between \$1,000 and \$20,000**
Purchases between \$1,000 and \$20,000 require a minimum of one quote.
- **Purchases between \$20,000 and \$100,000**
Purchases between \$20,000 and \$100,000 require a minimum of three written quotations or another method of procurement.

Records of verbal offers received are to be maintained electronically or in hard copy and must include company, contact, date received, price and any other relevant detail.

- **Purchases greater than \$100,000**

For purchases exceeding \$100,000, Council will call for tenders.

5.2.3 Thresholds (Ongoing Engagement)

For recurrent service delivery or supply requirements, where multiple engagements of an uncontracted supplier or multiple uncontracted suppliers of the same service delivery or supply type exceed an in aggregate value of \$100,000 within a twelve month period, Council will institute call for tenders in that service delivery or supply type with a view to executing an ongoing contract for supply.

The Contract type may be:

- Sole Supply (Single Provider); or
- Panel (Multiple Providers)

5.2.4 Evaluation

If Council undertakes a tender process, it will issue a request for tender document. This may be done on either an open or select basis. In either case the process will be fair and transparent.

Tenders will be evaluated by a panel against the criteria stated in the tender.

Council may engage consultants or contractors to sit on the tender evaluation team to provide specialist expertise where Council does not have that expertise available internally.

All members of the tender evaluation team are required to disclose any conflict of interest immediately and any conflict will be assessed to ensure probity is maintained.

5.2.5 Contract Management

Council will ensure that appropriate practices and procedures of internal control relating to contract management are performed. Thus ensuring contractual and legislative compliance is maintained, deliverables are achieved and contract value is maximised.

5.2.6 Exemptions

This policy contains general guidelines for the Council to follow in respect of its procurement activities. There may be circumstances in which a tender process will not necessarily deliver the best outcome for the Council, or where other market approaches may be more appropriate.

In these circumstances, the Council, the Chief Executive Officer, Deputy Chief Executive Officer or an officer of the Council who is a General Manager, may waive application of this policy or the methods of procurement and pursue a method which will bring the best outcome for the Council.

Situations where it may be appropriate for the application of this policy to be waived include:

- potential for significant public risk, such as emergency situations threatening life and property
- the supply market is known to be limited
- the pressures of time are such that a tender process is not feasible
- the Council is able to obtain value for money from an existing supplier of goods, works or services whose appointment was subject to a competitive process
- Council purchases goods at an auction
- the contract is made with:
 - the State, a government entity, a local government owned corporation, another local government,
 - Local Government Association Procurement (LGAP) or Procurement Australian entity of another Australian Government or a local government of another State or Territory

Any departure from this policy must be appropriately documented and approved.

5.2.7 Innovative Proposals

Council may consider innovative proposals.

An innovative proposal includes a proposal submitted to Council that has not been requested by Council through its regular procurement process, is from the private and non-government sector and is new and innovative and could assist Council to achieve its strategic objectives (**Innovative Proposals**).

The nature of an Innovative Proposal can cover a wide range of areas and may include:

- Delivery of goods and services to or on behalf of Council; or
- Provision of infrastructure for the community; or
- The purchase, lease or development of Council owned or managed land.

The consideration of an Innovative Proposal received by Council must be considered with reference to the Council's Innovative Proposals Guidelines.

5.2.8 Delegations

Only Council officers with appropriate authority and financial delegation can approve acquisitions. By signing a requisition/purchase order, all officers confirm that they have taken full notice, and will comply with all requirements, of this policy and the appropriate Council guidelines and procedures.

5.2.9 Confidentiality

Council will take all reasonable steps to preserve the confidentiality of any information it obtains from a tenderer or supplier, subject to the relevant provisions of the Freedom of Information Act 1991 (SA), Local Government Act 1999 (SA) and Council's Records Management Policy.

5.2.10 Engagement Mechanism

All engagements of a supplier, unless specifically excluded in this Policy or associated Guideline document, must be preceded with a minimum of a formal Council Purchase Order. The Purchase Order must be issued and accepted by the supplier prior to any performance of works and or supply of goods to Council.

5.2.11 Delegation and or Policy Thresholds

The act of Purchase Order value splitting or the raising of Purchase Orders to a lesser value and amending to a higher value at a later date, for reason of circumventing the above policy thresholds or system delegation limitations will be seen as a direct breach of Councils Procurement Policy and or Code of Conduct.

6 Responsibilities

The Procurement Team is responsible for communicating, implementing and monitoring compliance to the policy.

7 Relevance to Council Plan

Strategy 5. Building our capabilities

Outcome 5.1 Highly performing organisation

Outcome 5.2 Delivering value for money services

8 Supporting Documentation

- City of Playford - Procurement Guidelines and associated forms
- City of Playford - Industry Participation Policy and associated Guidelines (In Development)
- City of Playford - Unsolicited Proposal Guidelines and associated forms (In Development)
- City of Playford – Contract Management Frame Work (In development)

9 Approval and Change History

Version	Approval Date	Approval by	Change
2	24 May 2016	Full Council (Resolution 2575)	Policy completely reworked.
3	25 July 2017	Full Council (Resolution 2932)	Administrative Changes

CALL

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Elizabeth SA 5112Stretton Centre
307 Peachey Road
Munno Para SA 5115

15 November 2019

Mr Michael Riches
Deputy Independent Commissioner Against Corruption
GPO Box 11066
ADELAIDE SA 5001

Via email: evaluation@icac.sa.gov.au

Dear Deputy Commissioner,

Evaluation of practices, policies and procedures of the City of Playford

Thank you for the opportunity to provide feedback and response to the draft report on the evaluation of City of Playford's practices, policies and procedures.

During the process those involved have appreciated your commitment and approach to ensuring that the evaluation was likely to result in a report with observations and recommendations that assist Council to build a stronger governance framework.

Council supports and appreciates your observations, in particular and worth noting, are:

- The committed and passionate staff employed in the City of Playford that deliver services to the local community
- The recognition of improvements either already in place or in development to protect Councils integrity
- The co-operation of Council staff to aide and assist in a timely and efficient evaluation process
- Recognition of the period of transition City of Playford is experiencing with the development of a new leadership and culture.

Councils response to the 21 recommendations you have put forward are enclosed for your reference and inclusion in your final report. I would be happy to discuss these with you if required.

Overall, these recommendations have given the City of Playford a solid grounding to assist in improving policies, practices and procedures that will ensure a robust governance framework and in doing so improve the value provided to the community.

Please do not hesitate to contact me should you require any clarification with regards to Councils response.

Yours sincerely,



Sam Green
CHIEF EXECUTIVE OFFICER

Telephone: (08) 8256 0404

Email: sgreen@playford.sa.gov.au

Recommendation	Response
1. Develops an agreed set of organisational values which underpin day to day activities and conduct of staff	Agreed and will implement
2. Develops a policy governance framework that addresses the lifecycle of a policy including creation, approval, dissemination, education and review. The framework should be consistent with the principles articulated in this report.	Agreed and will implement
3. Mandates the review by the council governance team of all draft policies prior to presentation of the draft policy for approval.	Agreed and will implement
4. Amends its practices to ensure council policies may only be approved by the CEO or the elected body.	Agreed and will implement
5. When approving a new or amended policy the CEO or the elected body also determine an approved dissemination and education strategy to be applied in respect of that new or amended policy.	Agreed and will implement
6. Prepares a schedule for the review of all existing policies and for that review to be completed within 6 months of the tabling of this report.	Agreed. However, Council is concerned with the proposed timeframe due to the need to fill critical organisational roles, ensure an appropriate cultural change process, and to ensure that the revised policies have been adequately considered. A timeframe of 12 months is considered more reasonable to achieve the desired outcome.
7. Within 12 months of the tabling of this report ensures that all current policies represent expected contemporary practice.	Agreed. Consistent with the response to recommendation 6, this recommendation is supported however the timeframe is of concern and an 18 month timeframe is considered more realistic to achieve the intent of the recommendation.
8. Develops and implements, in accordance with the proposed Policy Governance Framework, a fraud and corruption control policy modelled on Australian Standard AS8001-2008.	Agreed and will implement

9. Develops a new records management policy with accompanying procedures which reflect contemporary records management practices and, in particular: <ul style="list-style-type: none"> a. Mandates the use of an established records management system for the storage of official records except for limited circumstances that are prescribed in the policy b. Makes express reference to the appropriate storage of emails in a manner consistent with the State Records Act c. Defines the precise responsibility of each employee in respect of the management of official records together with the particular responsibilities given to the records management team. 	Agreed and will implement
10. Engages in an audit of records currently held on network drives and within email servers to identify those records that ought to be stored on an approved records management system and, upon the conclusion of such an audit, develop and implement a process for those records to be transferred to those systems.	Agreed and will implement
11. Develops and delivers an education program to all elected members and employees in respect of their records management obligations and the requirements contained within the updated records management policy and procedures.	Agreed and will implement
12. Develops and implements a process for regular audits to ensure records management practices are consistent with policy.	Agreed and will implement
13. Reconsiders its approach to managing actual and perceived conflicts of interest during recruitment and selection process in light of the observations made in this report.	Agreed and will implement
14. Introduces a requirement that members of a selection panel be required to complete and sign a selection summary report which outlines the candidates who applied for a position, the performance of each candidate during the selection process, the deliberations of the panel in respect of the suitability of each candidate together with the reasons the panel recommended the selection of a particular candidate.	Agreed and will implement
15. Reinforces the need to complete selection panel interview notes in a consistent manner and that the notes bear the name and signature of the panel member completing the notes.	Agreed and will implement
16. Considers incorporating a requirement that selection panels includes at least one panel member who does not work within the workgroup for which a recruitment is being conducted.	Agreed and will implement
17. Ensure that any performance management process adopted by the council includes safeguards that ensure all employees are given consistent and timely feedback on their performance and that there is a consistent approach to performance management for all council employees.	Agreed and will implement

18. Amends its procurement policy and guidelines to prescribe the key responsibilities for procurement decisions and the documents that must be created and retained for each stage of a procurement. The amendments should include an express requirement that all records relating to procurement must be stored on an established records management system (i.e. not stored on network drives or in an employee email mailbox).	Agreed and will implement
19. Reminds staff of the importance of adhering to prescribed procurement policies and guidelines and that an unauthorised departure for those policies and guidelines will not be tolerated.	Agreed and will implement
20. Gives consideration to extending the roles of council procurement officers to require that those officers be consulted in respect of council procurements under the current threshold of \$100,000.	Whilst the increased involvement of procurement officers in council procurements is supported, the current recommendation is not practical and would lead to significant inefficiency and resource impact. It would be more practical to implement for procurements over \$20,000 and this would be Council's intent for implementation of this recommendation. Council has adequate financial controls to monitor purchases under \$20,000.
21. Extends the role of finance officers to require that those officers be consulted in respect of council procurements of a value of more than \$100,000.	Agreed and will implement