

9 GOVERNANCE, STRATEGY AND FINANCE

9.1 DRAFT BANNING NOTICE POLICY

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1 ANNEXURES ATTACHED
1 ENCLOSURES ENCLOSED

RECOMMENDATION

That in relation to the report “Draft Banning Notice Policy”, Council:

- (i) authorise the Draft Banning Notice Policy to be placed on public exhibition for a period of 28 Days; and*
- (ii) request a further report to Council to consider any feedback received throughout the public exhibition period and present the final Banning Notice Policy for formal adoption.*

SUMMARY

Council’s Risk and Safety Team have created a Draft Banning Notice Policy (the Draft Policy) and Draft Banning Notice Procedure to formalise a process that ensures Council meets its duty of care to staff and the community.

The purpose of this report is to present the Draft Policy to Council and seek approval to place it on public exhibition for 28 days so the community can review and offer feedback before a Final Banning Notice Policy is presented to Council for adoption.

COMMENTARY

Council has, from time to time, the need to ban members of the public from entering offices or facilities or contacting Council via various communication methods. This has been done ad-hoc and, in some locations, in isolation without following a procedure or communication with the Risk and Safety Team.

Council also has obligations under the Work Health and Safety Act to ensure the provision of a safe workplace for all staff and by extension, other parties who are lawfully on the premises.

To create a more consistent and informed approach, the Risk and Safety Team have developed a Draft Banning Notice Policy, now **ATTACHED**, refer **ANNEXURE 1**.

To guide the implementation of the Policy, a Banning Notice Procedure has also been developed, **ENCLOSED**, refer **ENCLOSURE 1**. The Procedure is a simple guide that steps staff through the actions to take from an event occurring to investigation methods/responsibilities to a ban being issued.

Anyone banned from a Council office or facility will be issued with a letter informing them of the ban and the locations or communication methods it applies to. A copy of this letter is to be provided to the Manager, Risk and Safety who will determine what areas of Council need to be made aware of the ban and communicate the ban to them. Risk and Safety will also maintain a register of ban letters issued.

(a) Policy Implications

The final Banning Notice Policy will be included in Council's General Policy Register which is publicly available on Councils' website. General Policies require formal adoption by the Council.

(b) Financial Implications

Nil

(c) Legal Implications

The relevant legislation in this regard is the Inclosed Lands Protection Act 1901, as well as Council's obligations under the Work Health and Safety Act 2011. A policy and resulting procedure will assist with Council's obligations in relation to the relevant legislation.

(d) Community Consultation

Public exhibition of the Draft Policy is recommended for a period of 28 days.

(e) Delivery Program Objective/Strategy

Focus Area 9 – Open and collaborative leadership

10 COMMUNITY SERVICES

Nil