

 <p>DISTRICT COUNCIL of TUMBY BAY</p>	POLICY# 12.01	Version No:	2
	Involvement in Emergency Response Operations in Support of CFS	Issued:	Nov 2015
	POLICY AREA Public Order & Safety	Next Review:	Nov 2017

Purpose

The policy sets out the District Council of Tumby Bay's position in regard to participation in and support for local Country Fire Service (CFS) emergency response operations.

In particular this paper sets out:

- a) How Council Employees may be released to participate as CFS Volunteers in emergency response situations, and
- b) How Council owned plant and equipment may be accessed by the CFS for the purpose of emergency response operations, when required.

Scope

The general function of a Council in an emergency situation is to manage its area at the local level by taking measures to protect and make safe it's wider community from natural and other hazards, within a good governance risk management framework.

In accordance with S7(d) (*Functions of a Council*) of the Local Government Act 1999, it is a function of a Council "to take measures to protect its area from natural and other hazards and to mitigate the effect of such hazards"

The State Emergency Management Plan, prepared pursuant to S9 of the Emergency Management Act (2004), lists Councils as *Participating Organisations* which is a group classification that supports CFS emergency response and recovery activities.

To support this policy the Council will:

1. Establish, maintain and manage an "*Emergency Response Support Register*". The Register will detail the human resource pool within a Council area in the event of an emergency situation and indicate their level of training and qualifications in plant operation, and
2. Establish, maintain and manage an "*Emergency Services Plant and Equipment Register*" which will identify Council owned plant and equipment that can be available to the CFS or the purpose of being used in an Emergency response operation. Attaching to the Register will be the terms and conditions of availability and use of the plant and equipment.

Pursuant to S103 (1) of the Workers Rehabilitation & Compensation Act, Pt 2, S17 of the Workers Rehabilitation & Compensation Act Regulations 2010 applies to include any person who is registered on the "*Emergency Response Support Register*".

103A—Special provision for prescribed classes of volunteers

- (1) The Crown is the presumptive employer of persons of a prescribed class who voluntarily perform work of a prescribed class that is of benefit to the State (and the Crown therefore has the liabilities of a self-insured employer in relation to persons of that class).

POLICY TERMS & CONDITIONS

Request for Employees, Plant or Equipment

Approval for the release of Council employees for emergency services leave and the provision of Council plant and equipment to respond to an emergency event is to be obtained from the Chief Executive Officer or a person acting in that capacity.

In the event of the Chief Executive Officer being unavailable, approval is to be obtained from the Works Manager.

In the event of the Works Manager being unavailable, approval is to be obtained from the Works Supervisor.

Requests for approval will be considered from any emergency services personnel with authority to requisition resources.

Release of Council Employees

The Council agrees to:

1. Support any Council Employee who undertakes the process to be listed on the Emergency Response Support Register
2. Not obligate any Council Employee to be listed on the Emergency Response Support Register
3. Allow Council Employees who are listed on the Emergency Services Register, to participate in CFS induction and training programs during normal business and/or duty hours
4. Maintain the integrity of the Emergency Response Support Register, with a review to be constructed in October and distributed to:
 - LGAMLS
 - EPLGA
 - CFS Region 6
5. Provide remuneration for employees initiating Emergency Services leave as follows:
 - Employees volunteering as brigade members will be paid their normal wage entitlement for hours worked on normal working days and during normal working hours, as defined within the Enterprise Bargain Agreement.
 - Employees responding to assist with operation of Council plant, including supervisor and ground support staff as required, will be paid their normal wage entitlement for all hours worked in accordance with the Enterprise Bargain Agreement.
 - For all employees, all volunteer hours will be considered as work hours for the purpose of determining meal and shift break entitlements.
6. Require the Council Employee to sign an “Emergency Release from Employment” form indicating the individual’s availability to participate, where required as a CFS Volunteer and immediately release the Employee from Council employment.

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7. Not prejudice any employment conditions of the individual whilst acting as a CFS Volunteer within and relating to the emergency circumstances.
8. Reserve the right not to release Council Employees registered on the Emergency Register during an emergency response operation should extenuating circumstances, as determined by the CEO, apply or exist.

Provision of Council Plant & Equipment

Council will

1. Provide a list of plant and equipment that is maintained in operational condition and available to the CFS, for the purpose of being utilised in an emergency response operation.
2. Provide to the CFS details of persons listed on the Emergency Response Support Register that are qualified to operate the various items of equipment.
3. Consider an official request from the CFS for the provision of equipment in a timely and effective manner, given the emergency situation.
4. Liaise with the CFS about how the delivery of, or access to, any plant and equipment will be undertaken and provide Council Officers whose role will be to supervise the plant and equipment and provide advice to the CFS on the use and capability of plant items.
5. Provide any plant and equipment as private works (cost recovery only) rates from the time of the initial CFS request.
6. Reserve the right not to release Council owned plant and equipment for Emergency response operations should extenuating circumstances, as deemed by the CEO, apply or exist.

LIABILITY CLAUSE

For the purpose of this policy, it is acknowledged that the District Council of Tumby Bay is a Member of the Local Government Association Mutual Liability Scheme and entitled to the civil liability cover pursuant to S142 of the LG Act and risk management support as set out in the LGAMLS Rules.

Further, it is acknowledged that the CFS, via the Minister for Emergency Services of the South Australian State Government is entitled to the benefits of the South Australian Government Insurance and Risk Management arrangements administered by the South Australian Government Captive Insurance Corporation (“SAICORP”) in respect of the operations under this policy.

By requesting the release of Council employees, and provision of Council plant and equipment, the SA Country Fire Service accepts both terms and conditions within this policy document and the responsibility for the deployment and safety of Council employees acting as CFS volunteers including training, provision of supervision and personal protective equipment as necessary.

Strategic Link:

Strategy 5.2.6 Work, Health & Safety: - Ensure safe work practices through the implementation & compliance with legislation

Strategy 6.3.1 Emergency Planning: - Co-ordinate & participate in emergency planning

Strategy 6.3.2 Community Safety: - Ensure infrastructure, services & facilities meet standards to maximise community safety.

Outcome 6.7 Emergency Services: - Partnerships with emergency services for community benefit further strengthened and developed.

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Delegation: Nil

Documentation: Nil

Authority: Adopted by Council: 10/11/2015 {Motion 7c/112015}

SIGNED:
Responsible Officer

Date: ____/____/____

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