

	<h1>Involvement in Emergency Response Operations Policy</h1>	Version No:	3.0
		Issued:	June 2013
		Last Review	4 March 2019
		Next Review	March 2022

Policy Level	Discretionary
Minutes reference:	Motion 10.6.11, 16 April 2019
Next review date:	Council will endeavour to review this policy every 4 years, including within 12 months following Council election
Applicable Legislation:	Local Government Act 1999; Work Health and Safety Act 2012; Return to Work Act 2014; Return to Work Regulations 2015; Emergency Management Act 2004; Fire & Emergency Services Act 2005
Related Policies:	Risk Management Policy & Risk Management Framework; Work Health and Safety & Return to Work Policy; Local Government Association Mutual Liability Scheme Rules
Related Procedures:	Local Government Association of South Australia – I Responda Framework
Related Documents	Wudinna District Council – Emergency Operations Manual; Wudinna District Council – Emergency Management Plan; Zone Emergency Support Team – Operations Manual; South Australia – Emergency Operations Field Guide; South Australian Local Government Functional Support Plan; State Emergency Management Plan

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1. PURPOSE

The purpose of this policy is to define how Wudinna District Council will support the emergency services in responding to an emergency. In particular:

- arrangements that will allow the participation of Council’s staff and associated use of Council equipment;
- the availability of Council employees who agree to participate;
- the availability of Council owned plant and equipment; and
- the scope of works that might be undertaken.

Council staff means Council employees and this policy does not include any person who separately undertakes duties as a registered SA CFS firefighter/volunteer or other emergency services.

Given the increasing regularity and severity of natural disasters, Australian Governments have recognised that a national, coordinated and cooperative effort is required to enhance Australia’s capacity to withstand and recover from emergencies and disasters.

Inconsideration to the national approach, the Wudinna District Council recognises the shared responsibility that it has to help protect and assist its community to respond to and recover from emergencies and disasters

The policy sets out the Wudinna District Council’s position in regard to participation in and support for Country Fire Service (CFS) and other Emergency Services emergency response operations.

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In particular this policy sets out:

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

2. 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 its wider community from natural and other hazards, within a good governance risk management framework.

In accordance with Section 7 (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"; and Section 7 (c) to provide for the welfare, wellbeing and interests of individuals and groups within its community.

The State Emergency Management Plan prepared pursuant to Part 1A, Section 5A of the Emergency Management Act (2004, lists Councils as *Participating Organisations* which is a group classification that supports CFS and other response agencies emergency response and recovery activities.

To support this policy the Council will:

- a) establish, maintain and manage an "Emergency Response Support Register". The Register will ensure the preparedness and the availability of the human resource pool within a Council area in the event of an emergency situation, and
- b) 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 and other emergency response agencies for 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.

(1) Return to Work Act 2014

Schedule 1 of the Return to Work Act 2014 makes special provision for prescribed classes of volunteers:

1 – Presumptive Employment

- (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)

2.1 Preparedness

The CFS and Council will meet periodically to confirm critical coordination arrangements, including contact protocols and the Council resources that could be made available by Council and the arrangements for accessing them (eg whether the Council will deliver them to a nominated location or whether they will be available from a particular Council depot). Local arrangements may be tailored to suit specific emergency requirements. Other emergency response agencies may also meet with Council in terms of their own response plans and Council will make the Emergency Response Support Register and Emergency Services Plant and Equipment Register available to them.

2.2 Legislative Context

Council's link to the State's emergency management arrangements is through the State Emergency Management Plan (SEMP). The SEMP is prepared pursuant to Section 9 of the Emergency Management Act 2004, which lists Councils as *Participating Organisations* to six of the thirteen Functional Services that are established under the SEMP. Local Government via the Local Government Association of South Australia, has a seat on the State Emergency Management Committee.

Functional Services are groupings of participating agencies coordinated by a lead agency that perform a functional role as part of the State Emergency Management Plan arrangements to support response and recovery operations

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for an emergency.

This policy has been prepared within the context of supporting the emergency services as the lead agencies in emergencies.

3. POLICY TERMS & CONDITIONS

3.1 Release of Council Employees

Council agrees to:

- 3.1.1 Support any Council Employee who undertakes the process to be listed on the Emergency Response Support Register;
- 3.1.2 Not obligate any Council Employee to be listed on the Emergency Response Support Register;
- 3.1.3 Allow Council Employees who are listed on the Emergency Services Register, to participate in CFS or other emergency response agencies induction and training programs during normal business and / or duty hours;
- 3.1.4 Maintain the integrity of the Emergency Response Support Register;
- 3.1.5 Negotiate separately, to the extent of any ex-gratia remuneration, with Employees who initiate Emergency Services leave;
- 3.1.6 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 or volunteer to other emergency response agencies and immediately release the Employee from Council employment;
- 3.1.7 Not prejudice any employment conditions of the individual whilst acting as a CFS Volunteer or volunteer to other emergency response agencies within and relating to the emergency circumstances; and
- 3.1.8 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.

3.2 Provision of Council Plant & Equipment

Council will:

- 3.2.1 Provide a list of plant and equipment that is maintained in operational condition and available to the CFS and other emergency response agencies for the purpose of being utilised in an emergency response operation;
- 3.2.2 Liaise with CFS and other emergency response agencies about how the delivery of, or access to, any plant and equipment will be undertaken;
- 3.2.3 Provide to the CFS and other emergency response agencies details of persons listed on the Emergency Response Support Register that are qualified to operate the various items of equipment;
- 3.2.4 Consider an official request from the CFS and other emergency response agencies for the provision of equipment in a timely and effective manner, given the emergency situation;
- 3.2.5 Provide any plant and equipment free of charge or cost for 48 hours from the time of the initial CFS or emergency response agency’s request;
- 3.2.6 Reserve the right to seek recovery of costs, charges after the emergency is declared over should extenuating circumstances apply; and
- 3.2.7 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.

4. RISK MANAGEMENT

4.1 Application of Risk Management

Council, when supporting the emergency services in response operations will:

- apply appropriate risk management principals; and
- have regard to the arrangements of the Local Government Association Asset Mutual Fund, the Local Government Association Workers Compensation Scheme and the Local Government Association Mutual Liability Scheme

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Council will act in a manner that ensures the various activities that might be undertaken in an emergency response situation are managed in such a way that the safety and health of its workers and community are paramount.

4.2 i-Responda Framework

The i-Responda framework has been developed in consultation with the Local Government Association and Local Government Risk Services. It addresses issues such as incident management, protocols, operational arrangements in emergency response situations and fulfils the legislative requirement of the Work Health and Safety Act 2012 to ensure as far as is reasonably practical, the health and safety of the Council worker.

Implementation of the framework will equip Council Chief Executive Officer, Managers and staff with information and tools that will enable a confident response to requests for Councils to provide support to emergencies.

Council will:

- Implement the i-Responda framework, to ensure that all emergency response activities are undertaken within a consistent and robust risk assessment framework guiding practical decisions and actions pursuant to the LGAML Scheme's Rule; and
- Establish, implement, monitor and review work health and safety policy and procedures consistent with the i-Responda framework.

5. LIABILITY CLAUSE

For the purpose of this policy, it is acknowledged that Wudinna District Council is a Member of the Local Government Association Mutual Liability Scheme and entitled to the civil liability cover pursuant to Section 142 of the Local Government Act 1999 (as amended) and risk management support as set out in the LGAMLS Rules.

Further, it is acknowledged that the CFS, and other emergency response lead agencies, via the Minister for Emergency Services of the South Australian State Government are 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.

6. REFERENCES

Local Government Act 1999 (as amended)
 Work Health and Safety Act 2012
 Return to Work Act 2014
 Return to Work Regulations 2015
 Emergency Management Act 2004
 Fire & Emergency Services Act 2005
 State Emergency Management Plan
 Wudinna District Council Emergency Management Plan
 Risk Management Policy & Risk Management Framework
 Work Health and Safety & Return to Work Policy
 Local Government Association Mutual Liability Scheme Rules
 Risk Management, Work Health and Safety and Return to Work Plan 2018

7. AVAILABILITY OF POLICY

This Policy will be available for inspection at the Council's Offices during ordinary business hours and via the Council's website www.wudinna.sa.gov.au. Copies will also be provided to the public upon request and upon payment of a fee in accordance with the Council's Schedule of Fees and Charges.

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APPENDIX 1



EMERGENCY RESPONSE SUPPORT REGISTER

REGISTERED PERSON	
Name	
Council	Wudinna District Council
Council Role and Title (incl. volunteer duties)	
Council Address	11 Burton Tce Wudinna 5652
Council Contact Detail	Ph 08 86802002 Fax 08 86802296
Council Email	admin@wudinna.sa.gov.au
EMPLOYEE/VOLUNTEER CONTACT DETAIL	
Residential Address	
Telephone (AH)	
Mobile	
Current Qualifications and Skills	
Plant – Qualification/Accreditation	
To support the following Control Agency	CFS/ SES/ Other Brigade/Division
Relevant Induction and Training by Control Agency has taken place	Yes / No

COUNCIL AUTHORISATION	
Approved/Denied for the following activity	
.....	
.....	
Signed (Council Employee/Volunteer)	
Signed (Council CEO)	
Date	

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APPENDIX 2


Wudinna District Council
ACKNOWLEDGEMENT FORM
ACTIVATION OF EMERGENCY LEAVE PROVISIONS

Date _____

Time _____

Control Agency (Emergency Service) _____

I confirm _____ (*Name of Employee*) is listed on the Emergency Support Response Register in accordance with Council's policies and procedures relevant to the Emergency Operations Response Policy.

_____ (*Name of Employee*) is requested to provide support for _____ (*Description of Emergency eg "Gawler Ranges National Park fire"*) on _____ (*Date and Time*)

by: _____ (*Control Agency*)

In accordance with the Emergency Response Operations Policy,

I _____

(*Name of CEO or acting CEO*) acknowledge this request and endorse the activation of the Emergency Leave Provisions.

Signed _____

(CEO of Council)

Signed _____

(Employee)

Date _____

Time _____