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Responsible Officer(s):	<i>Chief Executive Officer</i>
Council File Reference:	<i>Policy</i>
Applicable Legislation:	<i>Local Government Act (1999)</i> <i>Emergency Management Act (2004)</i> <i>Work Health and Safety Act (SA) (2012)</i>
Relevant Policies:	<i>Work Health and Safety Management System</i> <i>Risk Management Policy</i>
Related Procedures:	<i>Risk Management Framework</i> <i>Business Continuity and Emergency Management Plan</i> <i>Emergency Response Support Register</i> <i>Emergency Services Plant and Equipment Register</i>
Delegations:	<i>Chief Executive Officer</i>

PURPOSE

The purpose of this policy is to define how Berri Barmera 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 South Australian Country Fire Service (SACFS) or South Australian Metropolitan Fire Service (MFS) firefighter/volunteer; or South Australian State Emergency Services (SES) officer/volunteer.

BACKGROUND

National Strategy for Disaster Resilience

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.

In consideration of this National approach the Berri Barmera Council recognises the shared responsibility that it has to help protect and assist its community to respond to and recover from disasters.

Legislative Context

The Local Government Act (1999) identifies that a function of a Council is to provide for the welfare, well-being and interests of individuals and groups within its community (s7(c)). Another function of a Council is to take measures to protect its area from natural and other hazards and to mitigate the effects of such hazards (s7(d)).

Council's link to the State emergency management arrangements is through the State Emergency Management Plan (SEMP). The SEMP is prepared pursuant to s9 of the Emergency Management Act (2004). Under the SEMP, there is a provision for Functional Support Groups which are comprised of both government and non-government agencies to perform functional roles to support the control agency or support agencies. Functional support groups operate within the State Emergency Centre and are included as part of a Zone Emergency Support Teams as required. Following changes through the SEMP the Local Government Functional Support Group (LGFSG) that was created on 16 December 2016. The LGFSG is specifically made up of; the LGA (as the lead agency), 68 Councils and 6 Regional LGAs. The LGA as the appointed lead agency is responsible for ensuring the functional support group fulfils its responsibilities and roles under the SEMP.

The LGFSG's role in the SEMP is to coordinate the response from Local Government during emergencies. The creation of the LGFSG has reinforced the value of ensuring Local Government is represented at State Level Emergency Management committees. This policy has been prepared within the context of supporting the emergency services in emergencies.

PREPAREDNESS

Arrangements and communication

Council will endeavour to meet periodically (at least annually) with the relevant emergency services to confirm critical coordination arrangements. These will include:

- Contact protocols;
- Details of Council resources that could be made available;
- The arrangements for accessing such resources; and
- The scope of work that could be performed.

Availability of Council employees

To support this policy the Council will establish and maintain an 'Employee Emergency Response Support Register'. The Council will ensure that the employees that are listed on the Register are adequately trained:

- To operate the plant and equipment that might be required to support an emergency response; and
- In work health and safety procedures that are pertinent to staying safe in an emergency.

Council will:

- Identify relevant employees who are interested in participating in Council response(s) to emergency support requests under this policy and list such employees on the Employee Emergency Response Support Register;
- Not obligate any Council Employee to be listed on the Employee Emergency Response Support Register, nor obligate any Council employee listed on the register to respond to a particular incident as support to an emergency response request;
- Ensure all Council Employees who will support an emergency response by operating Council vehicles or plant and equipment undertake the i-Responda program;
- Maintain the integrity of the Employee Emergency Response Support Register; and
- Reserve the right, in accordance with the i-Responda framework, not to release Council employees to support an emergency event should extenuating circumstances exist (as deemed by the CEO).

Availability of Council Plant and Equipment

Likewise the Council will establish and maintain an 'Emergency Services Plant and Equipment Register' which will identify Council owned plant and equipment that can be made available to the emergency services 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.

Council will:

- Provide a list of vehicles, plant and equipment, maintained in operational condition, that may be available for the purpose of utilisation in an emergency;
- Liaise with the Control Agency about how the delivery of, or access to, any vehicles, plant and equipment will be achieved;
- Have available at all times a list of persons on the Employee Emergency Response Support Register that are competent to operate the various items of plant and equipment; and
- Reserve the right not to release Council plant and equipment for emergency response operations should extenuating circumstances exist (as deemed by the CEO).

Scope of Works

Council will advise the emergency services of the types of work that it is prepared to allow its plant to be used from time to time. In general terms the scope will reflect that contained in the publication *Supervision of Machinery Used in Bushfire Operations Government of South Australia, Edition 2, March 2011*.

RISK MANAGEMENT

Application of risk management

The Council when supporting the emergency services in responses operations will:

- Apply appropriate risk management principles; and
- Have regard to the arrangements of the LGA Asset Mutual Fund, the LGA Workers Compensation Scheme and LGS Mutual Liability Scheme.

The 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.

i-Responda Framework

The i-Responda framework has been developed in consultation with the LGA 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 to ensure as far as is reasonably practicable, the health and safety of the Council worker.

Implementation of the framework will equip Council Chief Executives, 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 Schemes' Rules; and
- Establish, implement, monitor and review work health and safety policy and procedures consistent with the i-Responda framework.

INSURANCE

Local Government Association Asset Mutual Fund (LGAAMF)

The LGAAMF will continue to provide coverage to Council owned property, plant and machinery (mobile or otherwise) while it is being used in preventing, preparing, or responding to an emergency on the following basis:

- The plant, vehicle, or machinery must be operated by Council staff and in accordance with the i-Responda framework; and
- Council is responsible to ensure all property, vehicles, plant and machinery (mobile or otherwise) provided to support an emergency is fit for purpose and consistent with the emergency response.

Local Government Association Workers Compensation Scheme

Council's membership of the LGAWCS ensures that all staff are covered for workers compensation (as required by the Worker's Compensation and Rehabilitation Act 1986) where the activity being carried out with Council plant and equipment is ordinary Council business, so the activity forms part of the employee's ordinary employment.

Pursuant to workers compensation legislation, the compensability arises from injury sustained 'in the course of employment'. The i-Responda framework establishes that at all times in responding to an emergency incident or disaster, the Council, the CEO and the relevant employee/s will be undertaking ordinary activity 'in the course of employment' controlled and directed by Council, including in an extraordinary event.

Council employees will retain workers compensation cover where the duties being undertaken in supporting the emergency services are activities that are ordinary council business. (ie. Plant and equipment operation, provision of onsite technical knowledge).

Local Government Association Mutual Liability Scheme

For the purpose of the i-Responda framework, the Council as a member of the Local Government Association Mutual Liability Scheme is entitled to civil liability cover including proactive risk management support, pursuant to the LGAMLS Rules.

The i-Responda framework establishes that all existing LGA LGRS insurance arrangements will continue (workers compensation, public liability and asset insurance) subject to the normal terms and conditions.