



## SCOPE

This assessment tool is to be used when preparing any new Council Policy or amending/updating an existing policy. It also applies to any new or updated CEO Directive.

## WHY DO WE NEED AN ASSESSMENT TOOL?

The Charter of Human Rights and Responsibilities Act 2006 and the Gender Equity Act 2020 both require Council to consider the impacts on rights and responsibilities when making decisions, preparing or updating a new local law, when making changes to council services and when preparing/updating new policies and procedures. Council is also required to consider climate change mitigation and planning in its decisions under section 9 of the Local Government Act 2020. This same act also outlines strategic principles that must be considered when developing or updating policies and directives.

This tool is to guide you through how to complete such an assessment to ensure that Council is meeting its legislative obligations, as well as ensuring there is no unconscious bias or inadvertent adverse implications for peoples' rights when preparing policies and CEO Directives.

## HOW DO I USE THIS TOOL?

You must use this tool whenever updating or preparing a new Council Policy or CEO Directive. This assessment will form part of the documentation provide to ELT and Council to inform their consideration of the proposed policy or directive.

All sections of the tool need to be completed – if there are no apparent implications, then please write something along the lines of '*It is considered there are no implications at the time of preparing this document.*' For the Local Government Act 2020 principles, you may include the text '*Not applicable*' if it is irrelevant to the policy or directive.

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**CONSIDERATION OF PRINCIPLES OUTLINED BY THE LOCAL GOVERNMENT ACT 2020**

Principle	Comment
<b>Governance and Strategic Principles (section 9)</b>	
Council decisions are to be made and actions taken in accordance with the relevant law	The policy is consistent with relevant legislation
Priority is to be given to achieving the best outcomes for the municipal community, including future generations	The policy provides a more inclusive approach to community flags and is responsive to the needs of the community.
The economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted	The policy provides a more inclusive approach to community flags and is responsive to the needs of the community.
The municipal community is to be engaged in strategic planning and strategic decision making	The policy provides a more inclusive approach to community flags and is responsive to the needs of the community.
Innovation and continuous improvement is to be pursued	Council often receives requests for community flag flying and this provides Council with a policy to manage and assess these.
Collaboration with other Councils and Governments and statutory bodies is to be sought	N/A
The ongoing financial viability of the Council is to be ensured	The financial impacts associated with this are negligible
Regional, state and national plans and policies are to be taken into account in strategic planning and decision making	N/A
The transparency of Council decisions, actions and information is to be ensured	This is a publicly available document and a result of requests from community.
<b>Community Engagement Principles (section 56)</b>	
A community engagement process must have a clearly defined objective and scope	The Community vision promoting inclusion was determined through a deliberative process. This policy is a way Council can progress this vision.
Participants in community engagement must have access to objective, relevant and timely information to inform their participation	The Community vision promoting inclusion was determined through a deliberative process. This policy is a way Council can progress this vision.
Participants in community engagement must be representative of the persons and groups affected by the matter that is the subject of the community engagement	The Community vision promoting inclusion was determined through a deliberative process. This policy is a way Council can progress this vision.

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Participants in community engagement are entitled to reasonable support to enable meaningful and informed engagement;	The Community vision promoting inclusion was determined through a deliberative process. This policy is a way Council can progress this vision.
<b>Principle</b>	<b>Comment</b>
Participants in community engagement are informed of the ways in which the community engagement process will influence Council decision making	The Community vision promoting inclusion was determined through a deliberative process. This policy is a way Council can progress this vision.
<b>Public Transparency Principles (section 58)</b>	
Council decision making processes must be transparent except when the Council is dealing with information that is confidential by virtue of this Act or any other Act	The information is presented in the form of a policy with procedures that have been simplified in an effort to ensure information is accessible
Council information must be publicly available unless— (i) the information is confidential by virtue of this Act or any other Act; or (ii) public availability of the information would be contrary to the public interest	The information is presented in the form of a policy with procedures that have been simplified in an effort to ensure information is accessible
Council information must be understandable and accessible to members of the municipal community	The information is presented in the form of a policy with procedures that have been simplified in an effort to ensure information is accessible
Public awareness of the availability of Council information must be facilitated	The information is presented in the form of a policy with procedures that have been simplified in an effort to ensure information is accessible
<b>Strategic Planning Principles (section 89)</b>	
A Council must undertake the preparation of its Council Plan and other strategic plans in accordance with the strategic planning principles	N/A
An integrated approach to planning, monitoring and performance reporting is to be adopted	N/A
Strategic planning must address the Community Vision	N/A
Strategic planning must take into account the resources needed for effective implementation	N/A
Strategic planning must identify and address the risks to effective implementation	N/A
Strategic planning must provide for ongoing monitoring of progress and regular reviews to identify and address changing circumstances.	N/A

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Principle	Comment
<b>Financial Management Principles (section 101)</b>	
revenue, expenses, assets, liabilities, investments and financial transactions must be managed in accordance with a Council's financial policies and strategic plans	N/A
<p>Financial risks must be monitored and managed prudently having regard to economic circumstances</p> <p>For the purposes of the financial management principles, financial risk includes any risk relating to the following—</p> <ul style="list-style-type: none"> <li>(a) the financial viability of the Council</li> <li>(b) the management of current and future liabilities of the Council</li> <li>(c) the beneficial enterprises of the Council</li> </ul>	N/A
Financial policies and strategic plans, including the Revenue and Rating Plan, must seek to provide stability and predictability in the financial impact on the municipal community	N/A
Accounts and records that explain the financial operations and financial position of the Council must be kept	N/A
<b>Service Performance Principles (section 106)</b>	
Services should be provided in an equitable manner and be responsive to the diverse needs of the municipal community	The policy provides a more inclusive approach to community flags and is responsive to the needs of the community.
Services should be accessible to the members of the municipal community for whom the services are intended	The policy provides a more inclusive approach to community flags and is responsive to the needs of the community.
Quality and costs standards for services set by the Council should provide good value to the municipal community	The policy provides a more inclusive approach to community flags and is responsive to the needs of the community.
A Council should seek to continuously improve service delivery to the municipal community in response to performance monitoring	The policy provides a more inclusive approach to community flags and is responsive to the needs of the community.
Service delivery must include a fair and effective process for considering and responding to complaints about service provision	The policy provides a more inclusive approach to community flags and is responsive to the needs of the community.

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### CONSIDERATION OF CHARTER OF HUMAN RIGHTS AND RESPONSIBILITIES ACT 2006 IMPACTS

Council can limit human rights when those limitations can be justified. This means that Council can continue to make decisions on behalf of the community about how best to balance rights, ensure community safety, and use limited funding for competing public interest challenges.

Are there any human rights implications arising from this policy or directive in relation to the 20 substantive rights? Note: some rights have been excluded that do not apply to local government (eg deprivation of liberty)	Analysis
Recognition and equality before the law (section 8)	The policy provides a more inclusive approach to community flags and is responsive to the needs of the community.
Right to life (section 9)	The policy provides a more inclusive approach to community flags and is responsive to the needs of the community.
Protection from torture and cruel, inhuman or degrading treatment (section 10)	
Freedom from forced work (section 11)	
Freedom of movement (section 12)	
Privacy and reputation (section 13)	
Freedom of thought, conscience, religion and belief (section 14)	
Freedom of expression (section 15)	The policy provides a more inclusive approach to community flags and is responsive to the needs of the community.
Peaceful assembly and freedom of association (section 16)	
Protection of families and children (section 17)	
Right to take part in public life (section 18)	The policy provides a more inclusive approach to community flags and is responsive to the needs of the community.
Cultural rights (section 19)	The policy provides a more inclusive approach to community flags and is responsive to the needs of the community.
Property rights (section 20)	
Liberty and security of person (section 21)	

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Fair hearing (section 24)	
Rights in criminal proceedings (section 25)	
Overall, does the policy, local law or decision raise human rights issues?	The policy provides a more inclusive approach to community flags and is responsive to the needs of the community.
<b>Are there any human rights implications arising from this policy or directive in relation to the 20 substantive rights? Note: some rights have been excluded that do not apply to local government (eg deprivation of liberty)</b>	<b>Analysis</b>
Overall, does the policy, local law or directive restrict or interfere with the scope of the human right/s identified?  If yes, are the limitations or restrictions reasonably and demonstrably justified under Section 7 of the Human Rights Charter?	<b>No</b>
Are there any less restrictive means reasonably available to achieve the purpose that the limitation seeks to achieve?	<b>No</b>

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### GENDER EQUITY IMPACT ASSESSMENT

Gender impact assessments (GIAs) are designed to help organisations think critically about how policies, programs and services will meet the different needs of women, men and gender diverse people. The purpose GIAs is to create better and fairer outcomes, and make sure all people have equal access to opportunities and resources.

Your gender can affect your needs and experiences. This means that policies, programs and services can affect people of different genders in different ways. If we don't think about how their work affects different people, they might unintentionally reinforce inequalities.

A gender impact assessment must:

- assess the effects that the policy, program or service may have on people of different genders
- explain how the policy, program or service will be changed to better support Victorians of all genders and promote gender equality
- where practical, apply an intersectional approach to consider how gender inequality can be compounded by disadvantage or discrimination that a person may experience on the basis of other factors such as age, disability or ethnicity.

Step 1 – Defining the issues and challenge your assumptions	
What is the issue the policy or directive is aiming to address (think about why it is needed)?	Inclusion and celebration for all
Are the people who are targeted and impacted by the policy or directive included in the decision-making?	Yes- this responds to community requests
Do you think that people of different genders access this policy or directive at the same rate?	Yes
Do the different social roles and responsibilities that people take on affect the way people access and use this policy or directive?	Yes
Do you think that everyone who accesses this policy or directive has the same needs from it?	No- but they all have a right to feel included.
Do the different social roles and responsibilities that people take on affect the way people access and use this policy or directive?	Yes. The policy provides a more inclusive approach to community flags and is responsive to the needs of the community.
What additional needs might there be for people with disabilities, or from different cultural identities, ages, gender identities, sexual orientations or religions?	The policy provides a more inclusive approach to community flags and is responsive to the needs of the community.

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Step 2 – Understanding the policy context	
What information is available to understand who is likely to be affected by the policy or directive?	
Do you already have this information?	Yes No
How will you find the further information you need? Think about internal data, research, consultation.	
What did the research and evidence tell you? List key points and references/evidence	
Have you consulted with affected stakeholders on this aspect? State if it was formal or informal consultation. What were the key issues/outcomes/views?	
What information is available to understand the lived experiences of the diverse groups who will be affected?	
Do you already have this information?	Yes No
How will you find the further information you need? Think about internal data, research, consultation.	
What did the research and evidence tell you? List key points and references/evidence	
Have you consulted with affected stakeholders on this aspect? State if it was formal or informal consultation. What were the key issues/outcomes/views?	
How is this policy or directive likely to have different impacts for different people?	
Do you already have this information?	Yes No
How will you find the further information you need? Think about internal data, research, consultation.	
What did the research and evidence tell you? List key points and references/evidence	



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<p>Have you consulted with affected stakeholders on this aspect? State if it was formal or informal consultation. What were the key issues/outcomes/views?</p>	
<b>Step 3 – Options analysis</b>	
<p>What are the policy options? For each option describe the proposed policy solution. Provide a brief description of the proposed strategies, activities or service design elements and how they will meet the needs and create benefit for the target audience.</p>	<p>The policy provides a more inclusive approach to community flags and is responsive to the needs of the community.it also supports Council to help the community achieve its community vision.</p>
<p>What are the potential policy options and what gendered impact might they have?</p>	<p>The policy provides a more inclusive approach to community flags and is responsive to the needs of the community.it also supports Council to help the community achieve its community vision.</p>
<p>What are the gendered costs and risks?</p> <ul style="list-style-type: none"> <li>• Who is likely to be negatively impacted by this? How are the most vulnerable groups likely to be impacted?</li> <li>• Will this reduce a certain group’s access to economic resources or opportunities? If so, are they already disadvantaged?</li> <li>• Does it reinforce harmful gender stereotypes, for example, further promoting men in a male dominated industry?</li> </ul>	<p>N/A</p>
<p>What are the gendered benefits?</p> <ul style="list-style-type: none"> <li>• Will some people benefit more because they have greater access, or does this policy, program or service do everything it can to ensure resources are distributed and used equally?</li> <li>• Will it contribute to transforming gender norms in a positive way? Eg will it contribute to a more balanced distribution of unpaid care labour and family responsibilities between women and men?</li> <li>• Will it make women and children safer in public or private spaces?</li> </ul>	<p>N/A this is an inclusive policy and process.</p>
<p>Will some people benefit more because they have greater access, or does this policy, program or service do everything it can to make sure resources are distributed and used equally?</p>	<p>N/A</p>
<p>Will it contribute to transforming gender norms in a positive way?</p>	<p>N/A</p>

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Does your policy, program or service potentially have negative unintended consequences for certain groups of people?	No
Overall, do the benefits outweigh the costs or vice versa?	Yes
<b>Step 4 Recommendations</b>	
Provide the rationale for the proposed recommendation and include any mitigation strategies that could be used to avoid any harmful unintended outcome.	The policy provides a more inclusive approach to community flags and is responsive to the needs of the community.it also supports Council to help the community achieve its community vision.
Include here the rationale for your recommendation as well as any mitigation strategies needed. In line with the Gender Equality Act, explain: <ul style="list-style-type: none"> <li>• how your recommendation meets the needs of persons of different genders</li> <li>• how it addresses gender inequality</li> <li>• how it promotes gender equality.</li> </ul>	The policy provides a more inclusive approach to community flags and is responsive to the needs of the community.it also supports Council to help the community achieve its community vision.

**HANDY HINTS**

The above questions have been derived from the Gender impact assessment toolkit produced by the Commission for Gender Equality in the public sector. To access the gender equity impact assessment toolkit for more information, please use this link [Gender impact assessment toolkit | Commission for Gender Equality in the Public Sector \(genderequalitycommission.vic.gov.au\)](https://www.genderequalitycommission.vic.gov.au/gender-impact-assessment-toolkit).

For Open Source gender data and research, please use the following resource – the final page is where you will find links to data and resources.[DPC 2011 CGEPS GIA-Templates & Resources FA-Web 0.pdf](#)

For Step 3 the following will assist in identifying whether an impact is a cost or a benefit for gender equity:

Negative or neutral gender impact

- Perpetuates gender inequality by reinforcing unbalanced norms, roles and relations.
- Privileges men over women and gender diverse people (or vice versa).
- Ignores differences in opportunities and resource allocation for people of different genders.
- Does not take into account issues of intersectionality.

Positive gender impact

- Considers gender norms, roles and relations for people of different genders and how they affect access to and control over resources.
- Promotes the elimination of existing gender gaps, or at least a significant reduction of them.

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- Addresses the causes of gender-based health inequities, including the prevention of violence against women, girls and gender diverse people.
- Includes ways to transform harmful gender norms, roles and relations.

### **CLIMATE CHANGE ADAPTATION/MITIGATION AND SUSTAINABILITY CONSIDERATIONS**

The Local Government Act 2020 requires council to consider climate change mitigation and adaptation measures in all its key decision making, which includes policy development.

Council is also in the process of finalising a Climate Change Action Plan after declaring a Climate Emergency in 2021.

The Victorian Climate Change Adaptation Plan 2017-2020 sets out Council's responsibilities under the Act [Victorias-Climate-Change-Adaptation-Plan-2017-2020.pdf \(climatechange.vic.gov.au\)](https://www.climatechange.vic.gov.au/victorias-climate-change-adaptation-plan-2017-2020.pdf). The following factors should inform your analysis statement:

- Provide leadership and good governance, represent the needs and values of local communities, and foster community cohesion
- Manage climate change risks to council community services and assets, with support from the State Government
- Identify the needs and priorities of the municipality and communicate these to State Government where needed
- Develop and deliver locally-appropriate adaptation responses
- Build the resilience of local assets and services
- Plan for emergency management at the municipal level, provide relief and recovery services, and support emergency response operations
- Help the State Government understand localised impacts and responses
- Work with the community to help people understand and get involved in climate change adaptation
- Help connect the State Government with the community.

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**Sustainable Strathbogie 2030 Strategy (to be updated to the Climate Change Action Plan once adopted)**

Chapter 6 Climate Resilient Shire	Comment
Increasing heat	N/A-this policy relates to flagpole infrastructure and social inclusion.
Changing rainfall patterns, drought conditions, and extreme meteorological conditions	N/A-this policy relates to flagpole infrastructure and social inclusion.
Increased bushfire conditions and declining volunteer numbers	N/A-this policy relates to flagpole infrastructure and social inclusion.
Increased social impacts	N/A-this policy relates to flagpole infrastructure and social inclusion.
Chapter 7 A low carbon shire	Comment
Net Zero by 2025	N/A-this policy relates to flagpole infrastructure and social inclusion.
Energy Efficiency	N/A-this policy relates to flagpole infrastructure and social inclusion.
Energy Storage	N/A-this policy relates to flagpole infrastructure and social inclusion.
Renewable Energy	N/A-this policy relates to flagpole infrastructure and social inclusion.
Community Renewable Energy	N/A-this policy relates to flagpole infrastructure and social inclusion.
Chapter 8 A water sensitive shire	Comment
Conserving valuable potable water	N/A-this policy relates to flagpole infrastructure and social inclusion.
Stormwater management	N/A-this policy relates to flagpole infrastructure and social inclusion.
Adaptive and recycled water resources	N/A-this policy relates to flagpole infrastructure and social inclusion.
Keeping our shire green, cool and resilient	N/A-this policy relates to flagpole infrastructure and social inclusion.
Chapter 9 A zero waste shire	Comment
Environmental impacts of landfill	N/A-this policy relates to flagpole infrastructure and social inclusion.
Limited landfill capacity	This policy relates to existing flagpole infrastructure that is in good working condition.

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Increased illegal dumping	N/A-this policy relates to flagpole infrastructure and social inclusion.
Economic benefits from resource recovery	N/A-this policy relates to flagpole infrastructure and social inclusion.
Chapter 10 An ecologically rich shire	Comment
Deforestation	N/A-this policy relates to flagpole infrastructure and social inclusion.
Rural green infrastructure	N/A-this policy relates to flagpole infrastructure and social inclusion.
Increasing our urban canopy	N/A-this policy relates to flagpole infrastructure and social inclusion.
Rural roadsides	N/A-this policy relates to flagpole infrastructure and social inclusion.
Rivers & Wetlands	N/A-this policy relates to flagpole infrastructure and social inclusion.
Benefitting from our native forests	N/A-this policy relates to flagpole infrastructure and social inclusion.
Chapter 11 An active and connected shire	Comment
Security of fuel supply	N/A-this policy relates to flagpole infrastructure and social inclusion.
Transition to new fuel economy	N/A-this policy relates to flagpole infrastructure and social inclusion.
Enabling access to the outdoors	N/A-this policy relates to flagpole infrastructure and social inclusion.