



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.

CONSIDERATION OF PRINCIPLES OUTLINED BY THE LOCAL GOVERNMENT ACT 2020

Principle	Comment
Governance and Strategic Principles (section 9)	
Council decisions are to be made and actions taken in accordance with the relevant law	The purpose of this policy is to support the requirements of section 45 of the <i>Local Government Act 2020</i> by providing direction and guidance on the management of the life cycle of the Chief Executive Officer's (CEO) employment including recruitment, appointment, performance review and end of contract processes. A requirement is that remuneration is to be in line with determinations by the <i>Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Act 2019</i> for executives within the public service.
Priority is to be given to achieving the best outcomes for the municipal community, including future generations	The policy aims to ensure value for money and transparency in relation to CEO employment and remuneration, being mindful that remuneration is met from public funds.
The economic, social, and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted	There are no significant impacts on this principle.
The municipal community is to be engaged in strategic planning and strategic decision making	There are no significant impacts on this principle.
Innovation and continuous improvement is to be pursued	The public reporting is best practice and has been recognised as such by the Local Government Inspectorate. Regular updates of the policy ensure that continuous improvement is achieved and ensures legislative and regulated requirements are met.
Collaboration with other Councils and Governments and statutory bodies is to be sought	Independent input has been sought through the creation of a CEO Employment and Remuneration Committee (the Committee). The committee comprised of the mayor, two Councillors and an independent member. The policy is benchmarked against like policies from other similar councils from across the State and informed by guidance provided by the Victorian Auditor General's Office, Local Government Inspectorate, the Independent Broad Based Anti-Corruption Commission and Local Government Victoria.
The ongoing financial viability of the Council is to be ensured	One of the objectives of the policy is to ensure that remuneration expenses are met by the organisation in accordance with legislative requirements.

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<p>Regional, state, and national plans and policies are to be taken into account in strategic planning and decision making</p>	<p>Benchmarking has been undertaken and advice from external State agencies and probity bodies taken into consideration in the drafting of the policy. The Policy must specifically provide for Council to obtain independent professional advice in relation to matters dealt with in the Policy and must provide for the following:</p> <ul style="list-style-type: none"> i. The recruitment and appointment process; ii. Provisions to be included in the contract of employment; iii. Performance monitoring; iv. An annual review; and v. Include any other matters prescribed by the regulations.
<p>The transparency of Council decisions, actions and information is to be ensured</p>	<p>Transparency is gained through reporting of remuneration through Council, the Audit and Risk Committee, which is then published on Council's annual report The policy requires an annual review to be conducted by Council's Audit and Risk Committee. Any recommendations in relation to changes will flow through to Council accordingly.</p>
<p>Community Engagement Principles (section 56)</p>	
<p>A community engagement process must have a clearly defined objective and scope</p>	<p>The CEO Employment and Remuneration policy is an internally focussed policy and so no community engagement has been undertaken for this review</p>
<p>Participants in community engagement must have access to objective, relevant and timely information to inform their participation</p>	<p>There are no significant impacts on this principle.</p>
<p>Participants in community engagement must be representative of the persons and groups affected by the matter that is the subject of the community engagement</p>	<p>There are no significant impacts on this principle.</p>
<p>Participants in community engagement are entitled to reasonable support to enable meaningful and informed engagement;</p>	<p>There are no significant impacts on this principle.</p>
<p>Principle</p>	<p>Comment</p>
<p>Participants in community engagement are informed of the ways in which the community engagement process will influence Council decision making</p>	<p>There are no significant impacts on this principle.</p>
<p style="text-align: center;">Public Transparency Principles (section 58)</p>	

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<p>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</p>	<p>Transparency is gained through reporting of remuneration through Council, the Audit and Risk Committee, which is then published on Council's annual report The policy requires an annual review to be conducted by Council's Audit and Risk Committee. Any recommendations in relation to changes will flow through to Council accordingly.</p>
<p>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</p>	<p>Transparency is gained through reporting of remuneration through Council, the Audit and Risk Committee, which is then published on Council's annual report The policy requires an annual review to be conducted by Council's Audit and Risk Committee. Any recommendations in relation to changes will flow through to Council accordingly.</p>
<p>Council information must be understandable and accessible to members of the municipal community</p>	<p>The policy has been drafted in plain English, noting that there is technical language that must be used given the policy is required by legislation.</p>
<p>Public awareness of the availability of Council information must be facilitated</p>	<p>The policy is available via the Council Agenda and Minutes section on Council's website, Council meetings are held in public, and people are able to request to inspect reports or ask for printed copies via our customer service centres. Councils adopted policies are available on Councils Website.</p>
<p>Strategic Planning Principles (section 89)</p>	
<p>A Council must undertake the preparation of its Council Plan and other strategic plans in accordance with the strategic planning principles</p>	<p>There are no significant impacts on this principle.</p>
<p>An integrated approach to planning, monitoring and performance reporting is to be adopted</p>	<p>There are no significant impacts on this principle.</p>
<p>Strategic planning must address the Community Vision</p>	<p>There are no significant impacts on this principle.</p>
<p>Strategic planning must take into account the resources needed for effective implementation</p>	<p>There are no significant impacts on this principle.</p>
<p>Strategic planning must identify and address the risks to effective implementation</p>	<p>There are no significant impacts on this principle.</p>
<p>Strategic planning must provide for ongoing monitoring of progress and regular reviews to identify and address changing circumstances.</p>	<p>There are no significant impacts on this principle.</p>

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Principle	Comment
Financial Management Principles (section 101)	
revenue, expenses, assets, liabilities, investments, and financial transactions must be managed in accordance with a Council's financial policies and strategic plans	The policy clearly outlines CEO Employment and Remuneration to ensure alignment with other financial policies and plans and legislative requirements
<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"> (a) the financial viability of the Council (b) the management of current and future liabilities of the Council (c) the beneficial enterprises of the Council 	<p>The adoption of a CEO Employment and Remuneration Policy (the Policy) is a requirement under the Local Government Act 2020 as part of its governance and integrity principles and sets out minimum standards for its content.</p> <p>The Policy requires an annual review to be conducted by Council's Audit and Risk Committee. Any recommendations in relation to changes are presented to Council for consideration. The annual review was required in October 2022, however due to conflicting priorities this policy was not reviewed.</p>
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	There are no significant impacts on this principle, legislated requirement
Accounts and records that explain the financial operations and financial position of the Council must be kept	There are no significant impacts on this principle, legislated requirement
Service Performance Principles (section 106)	
Services should be provided in an equitable manner and be responsive to the diverse needs of the municipal community	There are no significant impacts on this principle.
Services should be accessible to the members of the municipal community for whom the services are intended	There are no significant impacts on this principle.
Quality and costs standards for services set by the Council should provide good value to the municipal community	The policy clearly outlines CEO Employment and Remuneration to ensure alignment with other financial policies and plans and provides good value to the municipal community
A Council should seek to continuously improve service delivery to the municipal community in response to performance monitoring	The annual review of this policy seeks to achieve continuous improvement around CEO Employment and Remuneration
Service delivery must include a fair and effective process for considering and responding to complaints about service provision	There are no significant impacts on this principle.

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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 (e.g., deprivation of liberty)	Analysis
Recognition and equality before the law (section 8)	There are no impacts on this right.
Right to life (section 9)	There are no impacts on this right.
Protection from torture and cruel, inhuman, or degrading treatment (section 10)	There are no impacts on this right.
Freedom from forced work (section 11)	There are no impacts on this right.
Freedom of movement (section 12)	There are no impacts on this right.
Privacy and reputation (section 13)	There are no impacts on this right.
Freedom of thought, conscience, religion, and belief (section 14)	There are no impacts on this right.
Freedom of expression (section 15)	There are no impacts on this right.
Peaceful assembly and freedom of association (section 16)	There are no impacts on this right.
Protection of families and children (section 17)	There are no impacts on this right.
Right to take part in public life (section 18)	There are no impacts on this right.
Cultural rights (section 19)	There are no impacts on this right.
Property rights (section 20)	There are no impacts on this right.
Liberty and security of person (section 21)	There are no impacts on this right.
Fair hearing (section 24)	There are no impacts on this right.
Rights in criminal proceedings (section 25)	There are no impacts on this right.
Overall, does the policy, local law, or decision raise human rights issues?	No
Are there any human rights implications arising from this policy or directive in relation to the 20 substantive rights? Note: some rights	Analysis

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have been excluded that do not apply to local government (e.g., deprivation of liberty)	
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?	No
Are there any less restrictive means reasonably available to achieve the purpose that the limitation seeks to achieve?	No, the policy is a legislated requirement of the Local Government Act 2020.

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)?	The Policy must set out provisions for the recruitment and appointment process, setting of contract provisions, performance monitoring and the annual review process. The Act also mandates that the policy must set out how Council will seek independent advice for these processes.
Are the people who are targeted and impacted by the policy or directive included in the decision-making?	The Chief Executive Officer Employment and Remuneration Committee comprises the Mayor (Chair), two Councillors and an independent external committee member. The independent member must have (amongst other attributes) human resources related qualifications and/or experience, experience in senior executive performance reviews, an understanding of the Strathbogie Shire and its community, along with an understanding of good governance practices and previous experience working with governance bodies or boards.
Do you think that people of different genders access this policy or directive at the same rate?	No gender differences applied to this policy
Do the different social roles and responsibilities that people take on affect the way people access and use this policy or directive?	It is considered and there are no implications at the time of preparing this policy
Do you think that everyone who accesses this policy or directive has the same needs from it?	This policy addresses a wider group and is inclusive
Do the different social roles and responsibilities that people take on affect the way people access and use this policy or directive?	It is considered and there are no implications at the time of preparing this policy

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What additional needs might there be for people with disabilities, or from different cultural identities, ages, gender identities, sexual orientations, or religions?

It is considered and there are no implications at the time of preparing this policy

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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?	Current policy available and legislative references available
Do you already have this information?	Yes
How will you find the further information you need? Think about internal data, research, consultation.	Current policy available on Council Website and references to legislation can be found via the Local Government Act 2020 website Local Government Act 2020 (legislation.vic.gov.au)
What did the research and evidence tell you? List key points and references/evidence	Legislated Policy
Have you consulted with affected stakeholders on this aspect? State if it was formal or informal consultation. What were the key issues/outcomes/views?	Many discussions have been held during the time that the policy has been in operation. The Committee will be responsible for the administration of the policy and will provide recommendations to Council around remuneration, performance reviews, setting key performance indicators and the recruitment of a CEO.
What information is available to understand the lived experiences of the diverse groups who will be affected?	Section 45 of the Local Government Act 2020 requires Council to develop, adopt and keep in force a Chief Executive Officer Employment and Remuneration Policy. The Policy must specifically provide for Council to obtain independent professional advice in relation to matters dealt with in the Policy and must provide for the following: <ul style="list-style-type: none"> vi. The recruitment and appointment process; vii. Provisions to be included in the contract of employment; viii. Performance monitoring; ix. An annual review; and x. Include any other matters prescribed by the regulations.
Do you already have this information?	Yes
How will you find the further information you need? Think about internal data, research, consultation.	Legislated Policy – Council Website, Local Government Act 2020 website
What did the research and evidence tell you? List key points and references/evidence	Legislated Policy
Have you consulted with affected stakeholders on this aspect? State if it was formal or informal consultation. What were the key issues/outcomes/views?	The Chief Executive Officer Employment and Remuneration Committee comprises the Mayor (Chair), two Councillors and an independent external committee member. The independent member must have (amongst other attributes) human resources related qualifications and/or experience,

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	experience in senior executive performance reviews, an understanding of the Strathbogie Shire and its community, along with an understanding of good governance practices and previous experience working with governance bodies or boards.
How is this policy or directive likely to have different impacts for different people?	Legislated Policy
Do you already have this information?	Yes
How will you find the further information you need? Think about internal data, research, consultation.	Local Government Act Website, other local government organisations, like sized Councils
What did the research and evidence tell you? List key points and references/evidence	Section 45 of the Local Government Act 2020 requires Council to develop, adopt and keep in force a Chief Executive Officer Employment and Remuneration Policy. The Policy must specifically provide for Council to obtain independent professional advice in relation to matters dealt with in the Policy and must provide for the following: <ul style="list-style-type: none"> xi. The recruitment and appointment process; xii. Provisions to be included in the contract of employment; xiii. Performance monitoring; xiv. An annual review; and Include any other matters prescribed by the regulations.
Have you consulted with affected stakeholders on this aspect? State if it was formal or informal consultation. What were the key issues/outcomes/views?	The Chief Executive Officer Employment and Remuneration Committee comprises the Mayor (Chair), two Councillors and an independent external committee member. The independent member must have (amongst other attributes) human resources related qualifications and/or experience, experience in senior executive performance reviews, an understanding of the Strathbogie Shire and its community, along with an understanding of good governance practices and previous experience working with governance bodies or boards.
Step 3 – Options analysis	
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.	There are no other options given the strong and strict legislative requirements around CEO employment and remuneration. This is a review of the existing outdated policy to ensure compliance with regulated and legislative requirements

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What are the potential policy options and what gendered impact might they have?	It is considered and there are no implications at the time of preparing this policy
<p>What are the gendered costs and risks?</p> <ul style="list-style-type: none"> • Who is likely to be negatively impacted by this? How are the most vulnerable groups likely to be impacted? • Will this reduce a certain group's access to economic resources or opportunities? If so, are they already disadvantaged? • Does it reinforce harmful gender stereotypes, for example, further promoting men in a male dominated industry? 	It is considered and there are no implications at the time of preparing this policy
<p>What are the gendered benefits?</p> <ul style="list-style-type: none"> • 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? • Will it contribute to transforming gender norms in a positive way? E.g., will it contribute to a more balanced distribution of unpaid care labour and family responsibilities between women and men? • Will it make women and children safer in public or private spaces? 	It is considered and there are no implications at the time of preparing this policy
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?	It is considered and there are no implications at the time of preparing this policy
Will it contribute to transforming gender norms in a positive way?	It is considered and there are no implications at the time of preparing this policy
Does your policy, program or service potentially have negative unintended consequences for certain groups of people?	None that Council is aware of.
Overall, do the benefits outweigh the costs or vice versa?	Yes
Step 4 Recommendations	
Provide the rationale for the proposed recommendation and include any mitigation strategies that could be used to avoid any harmful unintended outcome.	There are no harmful unintended outcomes, and the policy has been successfully implemented for the past three years.
Include here the rationale for your recommendation as well as any mitigation strategies needed. In line with the Gender Equality Act, explain:	Not Applicable

<ul style="list-style-type: none">• how your recommendation meets the needs of persons of different genders• how it addresses gender inequality• how it promotes gender equality.	
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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.
- 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 has finalised its Climate Change Action Plan after declaring a Climate Emergency in 2021. This Action Plan has 5 key actions areas:

- Protecting our natural environment
- Reducing our emissions

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- Our climate resilient community
- Moving sustainability: transport
- Advocating for change

Strathbogie Shire Council Climate Change Action Plan 2022 – 2027 [Climate Action - Strathbogie Shire](#)

Our Climate Resilient Community	Comment
Increasing heat	There are not impacts to this issue
Changing rainfall patterns, drought conditions, and extreme meteorological conditions	There are not impacts to this issue
Increased bushfire conditions and declining volunteer numbers	There are not impacts to this issue
Increased social impacts	There are not impacts to this issue
Reducing our emissions	Comment
Net Zero by 2025	There are not impacts to this issue
Energy Efficiency	There are not impacts to this issue
Energy Storage	There are not impacts to this issue
Renewable Energy	There are not impacts to this issue
Community Renewable Energy	There are not impacts to this issue
Conserving valuable potable water	There are not impacts to this issue
Stormwater management	There are not impacts to this issue
Adaptive and recycled water resources	There are not impacts to this issue
Keeping our shire green, cool and resilient	
Advocating for Change	Comment
Are we increasing resilience?	There are not impacts to this issue

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What is the impact?	There are not impacts to this issue
Economic benefits	There are not impacts to this issue
Protecting our natural environment	Comment
Deforestation	There are not impacts to this issue
Rural green infrastructure	There are not impacts to this issue
Increasing our urban canopy	There are not impacts to this issue
Rural roadsides	There are not impacts to this issue
Rivers & Wetlands	There are not impacts to this issue
Benefitting from our native forests	There are not impacts to this issue
Moving sustainably: Transport	Comment
Security of fuel supply	There are not impacts to this issue
Transition to new fuel economy	There are not impacts to this issue
Enabling access to the outdoors	There are not impacts to this issue
Alternative fuel sources	There are not impacts to this issue