



Council Role in Disaster and Emergency Response Policy

DCSB –SCC-17.01

Classification	Social, Cultural & Community Services
Review Frequency	Biennial
Next Review Date	Feb 2016
Responsible Officer	Chief Executive Officer
Council File Reference	17.063.001.001
Link to Strategic Plan 2013-2022	Strategy 3.7.1
Applicable Legislation	<i>Local Government Act, 1999, Fire and Emergency Services Act 2005, Emergency Management Act 2004</i>

1. LOCAL GOVERNMENT – DISASTER AND EMERGENCY RESPONSE

Section 7(d) (Functions of a Council) of the Local Government Act 1999 states that functions of a Council include “to take measures to protect its area from natural and other hazards 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*, ie a group classification that supports the Control Agent’s emergency response and recovery activities. This status does not have a definition attached to it and has caused uncertainty confusion and concern within Local Government. However, the general function of a Council in a disaster or emergency situation is to:

- Assist in the management of the welfare, well-being and the interests of individuals and groups within the community;
- Take measures to protect and make safe its wider community from natural and other hazards;
- Assist in the provision of education and awareness; and
- Respond to emergency situation within a sound risk management framework.

In line with this responsibility Council anticipates that it may be requested to provide resources to assist a control agency to respond to disaster or emergency situations. It is recognised that this will involve the activation of ordinary operations and use of resources in extraordinary circumstances.

In support of Local Government’s partnering role in disaster and emergency response, the Local Government Association (LGA) in partnership with Local Government Risk Services (LGRS) has developed the i-responda framework for responding to emergency situations, aimed at consistent delivery and implementation across the local government sector.

In relation to Council’s role in disaster and emergency response activities, Council has:

- Carefully considered risk management issues; and
- Had regard to the arrangements of the LGA Asset Mutual Fund, the LGA Workers Compensation Scheme and LGS Mutual Liability Scheme.

The LGA of South Australia has worked in collaboration with the State Government (SAFECOM) to combine all the essential elements that support strategies to ensure that response to emergency situations is undertaken safely in the best interests of the community – including the requirement for adequate levels of risk management, supported by appropriate and adequate insurance/reinsurance cover (for risks and costs).

2. I-RESPONDA FRAMEWORK

Reflecting the partnership role played by Local Government in emergency situations the Council will:

- As a Member of LGRS comply with statutory requirements and appropriate risk management guidelines/protocols. Specifically for this situation this will include implementing the i-responda framework, to ensure that all disaster and emergency response activities are undertaken within a consistent and robust risk assessed framework guiding practical decisions and actions pursuant to the Schemes' Rules;
- Establish, implement, monitor and review WHS Policy/s and Procedure/s consistent with the i-responda framework;
- Establish, maintain and manage an 'Emergency Response Support Register'. The Register will ensure the preparedness and the availability of the i-responda framework employee resource pool within the Council area in the event of a disaster or emergency situation; and
- Establish, maintain and manage an "Emergency Services Vehicles, Plant and Equipment Register" which will identify Council owned vehicles, plant and equipment that is suitable and available for the purpose of being used in an emergency/disaster situation. Attached to the Register will be the terms and conditions of availability and use of the plant and equipment.
- Establish, maintain and manage an "Emergency Response Third Party Operators Register" to record the names, contact details and qualifications of control agency staff permitted to use Council vehicles, plant and equipment.

3. USE OF ORDINARY COUNCIL RESOURCES IN AN EXTRA-ORDINARY EVENT

Council will consider a request from an incident Control Agency for the provision of equipment and other resources in a timely and effective manner, reflecting an assessment of the emergency situation.

3.1. Council Employees

Council will:

- Support any Council Employee who is listed on the Emergency Response Support Register in accord with the i-responda framework;
- Not obligate any Council Employee to be listed on the Emergency Response Support Register, nor obligate any Council employee listed on the register to respond to any particular incident;
- Ensure all Council Employees who will be required to operate Council vehicles, plant, equipment and/or machinery undertake the i-Responda Awareness programme annually;
- Maintain the integrity of the Emergency Response Support Register/s;

- Not prejudice any employment conditions of an employee acting as a recognised Control Agent Volunteer within and relating to the emergency circumstances; and
- Reserve the right, in accord with the i-responda framework, not to release Council Employees and/or vehicles, equipment, plant, machinery during an emergency/disaster response operating should extenuating circumstances, as determined by the Chief Executive Officer (CEO), apply or exist.

3.2. *Council Plant and Equipment*

Council will:

- Provide a list of vehicles, plant and equipment, maintained in operational condition, to be available for the purpose of utilisation in an emergency/disaster situation;
- Liaise with the Control Agent where necessary how the delivery of, or access to, any vehicles, plant and equipment will be undertaken;
- Have available at all times a comprehensive list of persons on the Emergency Response Support Register that are identified to operate the various items of equipment;
- 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.

3.3. *Third Party Operation of Council Plant/Equipment*

- Control Agencies must provide Council with a list containing the names, contact details and qualifications for all personnel they wish to pre-register as operators of Council vehicles, plant and equipment. In the event that Council releases vehicles, plant and equipment to a Control Agency without a Council operator the release is subject to the vehicle, plant and equipment only being operated by a pre-registered member of the Control Agency.

4. **RISK MANAGEMENT AND SUPPORTING COVER**

4.1. *Local Government Association Asset Mutual Fund (LGAAMF)*

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

1. The plant, vehicle, or machinery will be operated by Council staff in accord with the i-responda framework or a pre-registered member of the Control Agency.
2. Council is responsible to ensure all property, vehicles, plant and machinery (mobile or otherwise) provided in an emergency/disaster situation are fit for purpose, consistent with the declared emergency/disaster.

4.2. *Local Government Association Workers Compensation Scheme (LGAWCS)*

Council's membership of LGAWCS covers all staff for workers compensation (as governed by the Workers Rehabilitation and Compensation Act 1986 (WR&C Act)) where the activity being carried out on/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 activities "in the course of employment" controlled and directed by Council, including in an extraordinary event.

Council employees will retain workers compensation cover when engaged in emergency incidents by way of operating Council plant and equipment in the conduct of ordinary Council business.

4.3. *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 at all times, the Council, the CEO and the relevant employee/s while undertaking ordinary activity pursuant to a Council's role, functions, duties (as set out Section 7 of the Local Government Act 1999) during an extraordinary (disaster or emergency) event will be covered by the LGAMLS.

5. REVIEW

This policy shall be reviewed every two years or on significant change to legislation or aspects included within this policy.

6. FURTHER INFORMATION

Members of the public may inspect this Policy free of charge on Council's website at www.streakybay.sa.gov.au or at Council's principal office at:
29 Alfred Terrace
Streaky Bay SA 5680

A copy of the Policy is available on payment of a fee as shown in our Schedule of Fees and Charges.

All queries regarding this report must be in writing and directed to District Council of Streaky Bay.

Policy Details

VERSION	DATE ADOPTED	MINUTE BOOK NUMBER
V1.0	18 Feb 2010	50/10
V2.0	20 Feb 2014	23/14