



Appendix two – Compliance with staff protections in the *Local Government Act 1993*

Voluntary redundancies

The *Local Government Act 1993* Section 354F protects non-senior staff from redundancy for a period of three years following amalgamation. Inner West Council's elected council has extended this period of protection to five years in line with an earlier decision by the former Leichhardt Council.

All three Councils offered voluntary redundancies to staff, providing varying levels of support and communication.

Inner West Council developed a policy for voluntary redundancies where individual staff in specific target groups who did not have a job in the new structure were personally invited to express interest in a voluntary redundancy. Queanbeyan-Palerang Council openly invited interested staff to apply for voluntary redundancy. The council mapped the stages of the voluntary redundancy application, advised staff to obtain independent financial advice and provided staff with a redundancy payout calculation tool.

Snowy Monaro Regional Council did not develop a written policy or procedure. Staff were not specifically invited to apply for voluntary redundancy but were informed during meetings that they could submit an application if they felt unable to continue their employment with the amalgamated council.

All three councils involved the General Manager in decisions about voluntary redundancies. None of the councils approved voluntary redundancies for staff members who had potential to be employed in the new council structure. Some staff at Inner West Council were approved for a voluntary redundancy but remained in temporary roles assisting with integration and other tasks until no longer needed.

Exhibit 13: Applications for voluntary redundancy

Council	Applications	Voluntary Redundancies	% successful applications
Inner West Council	Not tracked	56	N/A
Queanbeyan-Palerang Regional Council	35	11	31
Snowy Monaro Regional Council	Not tracked	14	N/A

Lateral transfers

The *Local Government Act 1993* Section 354G provides that the General Manager can place staff of the former councils into a position in the new organisation structure if they performed 'substantially the same duties' immediately prior to the amalgamation. Councils should identify staff in this situation and offer them a reasonable opportunity to apply for the position in the new council, and cannot advertise such positions externally.

Each of the three councils adopted different processes for lateral transfers.

Snowy Monaro Regional Council actively matched staff with positions in the amalgamated structure and laterally transferred around 97 per cent of staff.

Inner West Council laterally transferred 498 outdoor and childcare workers. All other positions were advertised and staff could make a case for a lateral transfer. If there was more than one person eligible, a merit-based process was used to decide who was laterally transferred. An additional 96 staff were laterally transferred this way.

Queanbeyan-Palerang Regional Council established Assessment Panels whose responsibilities included identifying staff eligible for lateral transfer and inviting those staff to apply for positions.

These different approaches resulted in a variation in the number of positions filled by lateral transfer in the three organisations.

Exhibit 14: Outcome of lateral transfer approaches

Council	Number of lateral transfers	% staff laterally transferred
Inner West Council	594	54
Queanbeyan-Palerang Regional Council	292	69
Snowy Monaro Regional Council	225	97

The councils each adopted an approach that they considered appropriate to their individual circumstances. None of the councils experienced industrial action relating to lateral transfers, nor received a significant level of complaints about the process they adopted.

Recruitment preference for internal staff

The *Local Government Act 1993* Section 354H requires that if a position was not filled by lateral transfer, internal staff must next be given an opportunity to apply for a vacant position before it can be advertised externally.

Again, all three councils adopted different approaches to giving preference to internal staff. Inner West Council gave preference to staff employed prior to the Proclamation date for all internal recruitment in the protection period. Both Queanbeyan-Palerang Regional Council and Snowy Monaro Regional Council gave preference to any staff member employed at the time any vacant position was advertised.

Relocation of staff work bases

The *Local Government Act 1993* Section 354I limits the extent of work base relocation following amalgamation. During the protection period, councils cannot require staff to relocate their work base outside the boundaries of their former council, unless staff agree to relocate.

Inner West Council co-located staff with their agreement. The extra travelling distance for most staff is small and good public transport is available. The council and Consultative Committee worked together to minimise the impact on staff during the move, and the small number of staff assessed as experiencing hardship were assisted with flexible arrangements.

The geographical distances between former council locations, combined with a requirement within the Act to maintain staff numbers at rural centres with populations less than 5000, meant there was limited opportunity for Queanbeyan-Palerang Regional Council and Snowy Monaro Regional Council to co-locate staff.