



Shire of Wickepin

**EQUAL EMPLOYMENT
MANAGEMENT PLAN**

2020 to 2025

SHIRE OF WICKEPIN – EQUAL EMPLOYMENT MANAGEMENT PLAN

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SHIRE OF WICKEPIN – EQUAL EMPLOYMENT MANAGEMENT PLAN
INTRODUCTION

1. **LEGISLATIVE RESPONSIBILITY**

Under the Western Australian Equal Opportunity Act, 1984 (PART IX) it is the responsibility of Local Government Authorities to prepare and implement an equal opportunity management plan in order to achieve the objects of the Act. These objects are:

- (A) to eliminate and ensure the absence of discrimination in employment on the ground of sex, marital status, pregnancy, race religious or political conviction, or impairment;
- (B) to promote equal employment opportunity for all persons.

2. **DISCRIMINATION**

Discrimination is deemed to have occurred where the “discriminator” treats and “aggrieved person” less favourable than in the same circumstances the discriminator treats or would treat another person in any of the areas covered by the Act, and is defined as:

(A) Direct Discrimination.

“Any decision or action which specifically excludes a person or group from benefit or opportunity, or significantly reduces their chances of obtaining it, because a personal characteristic, irrelevant to the situation, is applied as a barrier.”

(B) Indirect Discrimination.

“Rules, policies and procedures that appear neutral but incorporate attitudes and assumptions which disadvantage a particular group.”

(C) Systemic or Structural Discrimination.

“The result of interaction of a range of objective practices sanctioned by custom, and may be recognised by analysing statistical data.”

3. **HARRASMENT**

Harassment is defined as unwelcome, offense actions or remarks concerning a person's sex, marital status, pregnancy, race, colour, language, ethnicity, disability, impairment, or religious political conviction.

Harassment is deemed to have occurred, not as a result of a one off or occasional comment or remark, but repeated or continual harassment, as defined.

4. **COMPLAINT MACHINERY**

The legislation provides its own machinery for processing complaints which is distinct from the existing legal system. Complaints are referred to the Commissioner who attempts to settle by conciliation. If the Commissioner fails to settle the matter it may be referred to the Tribunal which may:

- (A) Dismiss the complaint.
- (B) Order Respondent to cease conduct or redress any loss (Penalty for failure to comply is \$1,000 or \$5,000 for Body Corporate).
- (C) Order Respondent to pay damages (not exceeding \$40,000).

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The Tribunal has the powers of a Royal Commission (s. 124), may hold an enquiry in private (s. 121), may give or withdraw leave for a respondent to have legal representation (s. 112). A party aggrieved by a decision of the Tribunal may appeal to the Supreme Court, but only on a question of law.

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SECTION ONE – EQUAL OPPORTUNITY POLICY STATEMENT

1. POLICY STATEMENT

Council recognises its legal obligations under the Equal Opportunity Act, 1984 and will promote equal employment opportunity, based solely on merit, to ensure that discrimination does not occur on the grounds of gender, marital status, pregnancy, race, disability, religious or political convictions, or physical impairment.

All employment training provided by Council will be directed towards providing equal opportunity for all employees, according to their relevant experiences, skills and ability to meet the minimum requirements for such training.

All employment and/or promotional policies and opportunities with Council will be directed towards providing equal opportunity to all concerned, provided their relevant experience, skills and ability, meet the minimum requirements for such engagement and/or promotion.

Council will not tolerate harassment within its workplace. Harassment being defined as any unwelcome, offensive action or remark concerning a person race, colour, language, ethnicity, political or religious convictions, gender, marital status, disability, or impairment.

The equal employment opportunity goals of Council are designed to provide the best possible work environment for all employees, where each has equal opportunity to progress to the extent of their ability.

2. ADOPTION OF POLICY

This policy statement was adopted by the Wickepin Shire Council on 17th June 2020

3. POLICY/STAFF MANUALS

This Policy Statement will form part of Council's policy or staff manual.

4. CIRCULATION

Council has distributed this policy to all current employees and will advise future job applicants of Council's policy on equal opportunity.

Present and future Councillors and staff will have access to a full copy of Council's Equal Opportunity Management Plan, which contains a copy of the adopted equal opportunity policy of Council. A copy of the adopted policy statement on equal opportunity was displayed on the Council notice board for a period of 30 days. Copies of the policy will be made available to anyone requiring it, upon request.

5. REVIEW

The Equal Opportunity Policy Statement is to be reviewed annually by Council, on or before June 30th each year.

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SECTION TWO – AWARENESS RAISING

1. **OBJECTIVE**

To raise the awareness, of the Councillors and Employees, of the need and desirability of Equal Employment Opportunity (E.E.O) practices and to endeavour to ensure compliance with the requirements of the Equal Opportunity Act 1984.

2. **ACTION PLAN**

(A) **Responsible Officer** (E.E.O. Officer)

The Chief Executive Officer, as appointed by Council, will be the Officer responsible for raising awareness of Councillors and staff to E.E.O. issues. This Officer is also responsible for implementing and raising awareness of Council's E.E.O Management Plan, and the ongoing work associated with the implementation of the Plan.

(B) **Staff Training**

As part of the ongoing commitment to Equal Employment Opportunity, an E.E.O. component, where considered appropriate by Council, will be introduced into staff training.

Training courses held by other appropriate organisations will also be attended by staff, where this is considered necessary by the Council.

(C) **Organization Chart**

The following organization flow chart has been adopted by the Council, as have the undermentioned schedule of occupations for the Councils workforce. Both the flow chart and the schedule of occupations will be reviewed annually in conjunction with the general review of the E.E.O. Plan.

SHIRE OF WICKEPIN – ORGANISATION CHART

COUNCIL

CHIEF EXECUTIVE OFFICER

DEPUTY CEO

WORKS MANAGER

ADMINISTRATION STAFF

WORKS STAFF

Administration Officer (Finance)
Administration Officer (Customer Service)
Community Development Officer

Leading Hand/Plant Operators

(D) **Advice**

As and/or when considered necessary by either the Council, the Governance and Community Services Committee or the E.E.O. Officer, E.E.O. awareness will be raised using the following methods: -

- a) Preparation of notices for both staff and Councillors.
- b) Consultation with the Unions of E.E.O. issues when requested.
- c) Inclusion of E.E.O. issues in staff training
- d) Inclusion of E.E.O. issues on the agenda for staff meetings.
- e) Accepting feedback from staff to management.

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(E) Complaints

All complaints will be recorded by the E.E.O. Officer. Complaints will be referred to Councils Governance and Community Services Committee who will determine what action should be taken with regard to the complaint. The complainant will be advised of all other avenues to have the complaint heard if dissatisfied with the decision or actions of the E.E.O. Officer; Governance and Community Services Committee; or any other party to the dispute, in accordance with the complaint machinery as detailed in the introduction to this plan.

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SECTION THREE – PERSONNEL PRACTICES AND POLICIES

From that date of acceptance/implementation of the EEO Management Plan all policies or practices adopted by Council, as recorded in the Council Minute Books, shall be deemed amended in so far as any section that is discriminatory under the Equal Opportunity Act or this Management Plan, will be deleted.

The Personnel Policies and practices of other Local Government Authorities will be monitored, and where practical, implemented by Council and incorporated in this Plan.

Complaints, problems or queries, in relation to personnel policy and practices, will be considered by the Consultative Committee, who will make recommendations to Council.

1. RECRUITMENT

All advertised vacancies, descriptions and titles are to be non-discriminatory and all recruitment practices are to be fair and shall not contain any discriminatory requirements or conditions.

2. APPOINTMENT, PROMOTION AND TRANSFER

The most suitable person is to be appointed to each position, in consultation with Council, Committees, Councillors or any staff member as appropriate. Such appointment is to be based on qualifications, skills, expertise, experience, aptitude, and such further criteria as is deemed relevant. All administrative forms are to be reviewed for relevancy and discriminatory phrasing or requirements deleted. Job descriptions and duty statements to be drawn up where necessary and reviewed regularly for accuracy. Qualification requirements for each position are to be reviewed for validity, relevance and non-discrimination. All applicants for any position are to be kept fully informed, in writing, at every stage of the selection procedure.

3. TRAINING & DEVELOPMENT

Council encourages participation by any employee in any relevant course of study or training, and reserves the right to apply study requirements or qualification standards to a particular position. The requirements and/or standards shall not be onerous or excessively high and shall be relevant to the position and subject to negotiation with the prospective employee before imposition. Council's requirements must be stated briefly in any advertisement for the position and discussed with the prospective employee prior to interview and/or appointment. Relevant training courses should be publicised to all appropriate employees when the course is acceptable in all respects (e.g. timing, cost) and where possible, multi-skilling is encouraged.

4. CONDITIONS OF SERVICE

Benefits/entitlements are to be consistent throughout the workforce and without restriction. Facilities such as toilets, amenities and work areas should be adequate. Inconsistencies in rates of pay, allowances, and expenses permitted, or entitlements are not permitted.

5. EXIT INTERVIEWS

Staff, leaving the employ of Council, is to be given the opportunity to comment on all aspects of their employment with Council, including E.E.O. issues. These comments are to be recorded and reviewed in conjunction with existing policy and practices along with periodical reviews of existing policy and practices; and/or the formulation of new policy and practices, but not less than annually in conjunction with the review of the E.E.O Plan.

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SECTION FOUR – DEMOGRAPHIC PROFILE OF EMPLOYEES

Personnel data, to enable effective management and to assist in the elimination of discrimination in employment, will be collected from all staff members. Data required incorporates statistics relevant to discrimination on grounds covered by the Equal Opportunity Act.

Specifically the data includes:

- Sex;
- Salary;
- Occupation;
- Employment status;
- Employment type;
- Length of employment (within organization)

1. RESPONSIBLE OFFICER

The E.E.O. Officer for Council is responsible for the preparation and circulation of the demographic profile to all present and future employees.

Confidentiality of the employee is to be ensured by the E.E.O. Officer and the appropriate storage of completed forms.

2. REVIEW OF DATA

Aggregated information from the demographic survey, from present employees, is presented below.

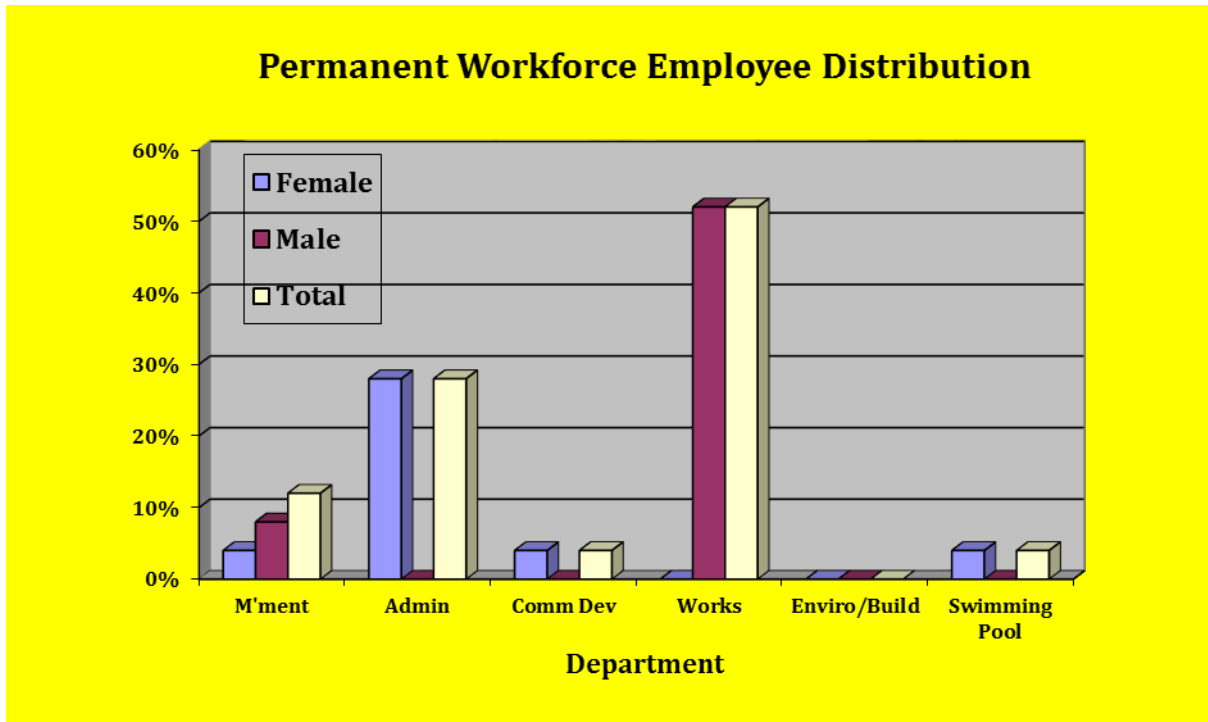
Fifty six percent of Council's existing workforce is over the age of 45, with 44% being over 55 years. Female employment peaks between 30 and 45 years of age, while male employment peaks slightly later, between 55 and 65 years of age.

The most significant impacts of an ageing workforce will be predominantly by those areas with a high concentration of males, being the Works department. Historical workforce data reveals that Council's employee turnover has remained relatively stable. Council has maintained an average of 10.5% turnover. Seven percent turnover is considered satisfactory and is indicative of customary turnover attributed to relocation, retirement, death and performance management.

Fifteen of the current staff have done less than seven years service with the balance being between eight and twenty five years of service. Forty four percent of Council's existing workforce is female. Twelve percent of females are aged 50 and over, with 28% being 40-49 years of age and 16% being 30-40. With a relatively older female demographic, the provision of access to part-time and flexible work arrangements has become increasingly important in securing the long-term retention of female employees.

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The chart below identifies the distribution of employees across the organisation.



Decline of the labour force in the years ahead will continue to have a significant impact on Council's ability to deliver its services. Increasingly, the organisation will need to look at alternative service delivery models as well as technological and human resource solutions in lieu of expanding its human resource base, in order to provide service continuity.

The Shire has an estimated residential population of 733 in 2017 with population growth ranging between 0-2.5% p.a. since 2001.

The Shire of Wickepin Population in 2016 was 734 and is projected to be 2027 - 765, The 55+ age group population is projected to increase from 213 (2011 Census) to 311 by 2027; an increase of 46%, or 98 people, the 70+ age population will increase by 78.9% between 2011 and 2027, from 71 to 127 (56 people), the 85+ age population is projected to increase from 8 in 2011 to 19 in 2027 (137.5%), or 11 people.

Over the next 20 years, the annual population growth forecast in the region is 1% versus a predicted growth rate of 1.3% in WA. The median age of the population is currently higher than in other regions of the state and it is anticipated this will increase further in line with general ageing population trends. Wickepin's current population growth is in decline at -.081%

Staffing Levels	2006	2011	2017	2019	Projections to 2022	Projections to 2027	Projections to 2032
Total	33	34	31	24	24	25	26
Population	716	750	750	734	734	734	734
% of Population	4.60	4.53	4.53	3.27	3.27	3.40	3.54

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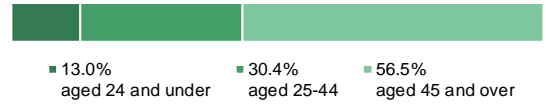
23 Employees (20 full time equivalent)

Groups	Representation (%)	Equity Index
Women	43.5	
Women in leadership		N/A
		N/A
		N/A
		N/A
Aboriginal and Torres Strait Islander	0.0	
People with disability	0.0	
Culturally and linguistically diverse	0.0	
Youth (aged 24 and under)	13.0	N/A
Mature (aged 45 and over)	56.5	N/A

Diversity



Age profile



Work type ■ ■ ■

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SECTION 5 – EEO PLAN REVISION

The Plan is to be reviewed in May each year, by the E.E.O. Officer unless special problems or changes are required by the Consultative Committee or the Council. Administrative forms and practices, as necessary, will also be reviewed by the E.E.O. Officer.

1. **MAY ANNUAL REVIEW**

Consideration of reports, complaints and amendments made during the year and assessment of consistency with the Plan as a whole, will be undertaken. Comments and advice will be sought from employees, Councillors and other Local Authorities as appropriate.

A complete and updated copy of the Plan is to be supplied to Councillors and other parties on request, annually after amendment as necessary.

2. **JUNE REPORT TO DIRECTOR**

A complete and updated copy of the plan as adopted/amended by Council each April is to be forwarded to the Director of Equal Opportunity in Public Employment on or before June 30th. This is to be accompanied by a report from the E.E.O. Officer on the operation of the Plan for the year under review, and a specific aims and proposals for the year ahead, if any.

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SECTION SIX – INTERNAL GRIEVANCE PROCEDURES

1. **OBJECTIVE**

To ensure that Council's work environment is discrimination and harassment free.

2. **GRIEVANCE OFFICER**

Due to the size of the Council's workforce, the person appointed from time to time as the E.E.O. Officer, shall also be the Grievance Officer. A complainant will be advised that if they so wish, their complaint may be referred to the E.E.O. Consultative Committee for Council. Upon such a request to the E.E.O. Officer/Grievance Officer or any member of the E.E.O. Consultative Committee, the E.E.O. Consultative Committee shall hear the complaint and act upon that complaint in accordance with the responsibilities and procedures detailed below for the Grievance Officer. The Grievance Officer and members of the E.E.O. Consultative Committee will, where necessary, be provided with training in the procedures for resolving grievances.

3. **RESPONSIBILITIES OF GRIEVANCE OFFICER**

Again, due to the size of Council's workforce, it shall be the responsibility of the E.E.O./Grievance Officer to: -

- i) Ensure that a working knowledge of the Equal, Opportunity Act, as amended, and what constitutes harassment and/or discrimination is maintained. Also be familiar with the dispute settlement procedures set out in the relevant Awards;
- ii) Set an example in proper standards of conduct in the workplace;
- iii) Provide present and future staff members with the information on what constitutes discriminatory or harassing acts, and inform them that Council disapproves such conduct/behaviour.
- iv) Advise all employees that they do not have to tolerate harassment or discriminatory acts within their workplace, and advise them of the grievance procedures;
- v) Assist complainants to choose an appropriate course of action to resolve a complaint and to follow through with the chosen course of action;
- vi) Closely monitor any incident of discrimination or harassment and bring Council's policy regarding proper standards of personal conduct in the workplace to the attention of the employee;
- vii) Ensure that the interests and rights of both the complainant and the employee/s, against whom the allegations are being made, are protected.
- viii) Ensure that complete confidentiality is maintained and take no action on a complaint without the complainant's consent.

4. **PROCEDURE ON RECEIVING A COMPLAINT**

(A) Assure complainant that confidentiality will be maintained, that victimisation of the complaint will not be tolerated, and that further procedures will only be undertaken with the complainant's consent.

(B) Clarify the complaint the facts of the matter in so far as they can be established without further investigation.

(C) Take brief but accurate notes using the complainant's own words where possible. Check all details with the complainant.

(D) Clarify the options available to the complainant and the actions, which the complainant or grievance officer could take eg:

- (i) the complainant could make it clear to the other party that their behaviour is unwelcome and request that it cease;
- (ii) the complainant could contact their Union or the Equal Opportunity Commission; or

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(iii) the Grievance Officer could proceed with an investigation of the complaint. This is not to occur without the written consent of the complainant.

(E) If the complainant wishes to proceed with an investigation in the first instance, it is undertaken with informality and flexibility. It should be recognised that all persons have the right to a fair hearing conducted in a non-accusative and non-judgmental manner.

5. **STEPS TO BE TAKEN TO RESOLVE COMPLAINTS**

Within 14 days of a written request, by the complainant, that they wish their complaint to be acted upon, the Grievance Officer shall:-

(A) Interview the impartial manner, the employee's against whom the allegations have been made;

(B) State exactly what it is they are accused of doing;

(C) Provide the opportunity for the person/s to respond fully to the allegations;

(D) Interview any witness to the incidents under investigation;

(E) Check the work record of the complainant to see if any alleged employment disadvantages are evident;

(F) Make it clear to all people involved in the investigation that it is unlawful to victimise another person in relation to a complaint.

(G) Resolution of a grievance:

i) If the grievance is not substantiated, explain the reasons for this finding to both parties. An example of such a finding may be that there is no evidence to support the complaint or the conduct does not amount to discrimination under the Equal Opportunity Act. The complainant should be told again of their right to take the complaint to their Union or the Equal Opportunity Commission if they are not satisfied.

ii) If the grievance is substantiated, tell both parties of this conclusion and the reasons for it.

Decide on immediate and appropriate steps to prevent the behaviour from recurring.

In most cases it should be sufficient to counsel the employee or employees concerned and exercise closer supervision in the work area.

(H) All note, records, statements etc. pertaining to the investigation of any complaint are to remain confidential to the E.E.O. Officer or Consultative Committee, where appropriate.

(I) Where formal disciplinary action is necessary the steps outlined in the award relevant to the employee should be observed.

Reference: - Dispute Settlement Procedures.

- Local Government Industry Award 2010.

SHIRE OF WICKEPIN – EQUAL EMPLOYMENT MANAGEMENT PLAN

Outcome 1

The organisation values EEO and Diversity and the work environment is free from racial and sexual harassment.

Initiative	Task /Action	Timeframe	Accountability	Measures of success
Equal Employment Opportunity (EEO) and Diversity principles are incorporated into corporate values and workforce planning processes.	CEO to review Workforce Plan	12 Months	CEO	Reviewed Workforce Plan
Managers and leaders are aware of their EEO responsibilities.	Distribute EEO policy to all current employees and will advise future job applicants of Council's policy on equal opportunity.	3 Months	CEO	Copy given to all Employees
The performance management criteria for managers and leaders include the ability to attract and retain a diverse workforce and promote an inclusive work culture.	Incorporate in Annual Performance Reviews	12 Months	CEO	Retention and attraction of diverse work force
Induction programs incorporate EEO and diversity principles, including awareness of the EEO Management Plan.	E.E.O. component, where considered appropriate by Council, will be introduced into staff training.	3 Months	CEO	Better awareness off EEO amongst work force

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Outcome 2

Workplaces are free from employment practices that are biased or discriminate unlawfully against employees or potential employees.

Initiative	Task /Action	Timeframe	Accountability	Measures of success
Recruitment and selection practices provide equal opportunity and flexibility for all employees and potential employees.	All administrative forms are to be reviewed for relevancy and discriminatory phrasing or requirements deleted. Job descriptions and duty statements to be drawn up where necessary and reviewed regularly for accuracy. Qualification requirements for each position are to be reviewed for validity, relevance and non-discrimination.	Immediate	CEO	Compliant Job descriptions and duty statements.
Retention and career development practices provide equal opportunity and flexibility for all employees.	Relevant training courses to be publicised to all appropriate employees when the course is acceptable in all respects (e.g. timing, cost) and where possible, multi-skilling is encouraged.	Immediate	CEO	Better trained staff.
EEO and cross cultural awareness training is provided to all staff.	Provide appropriate training	12 Months	CEO	Better understanding of EEO by staff members
Human resource management policies, procedures and job descriptions are reviewed for both direct and indirect bias and potential barriers.	The Equal Opportunity Policy Statement is to be reviewed annually by Council, on or before June 30th each year.	Immediate	CEO	Reviewed Policy Statement by 30 th June
There is an effective Grievance Resolution Process where people feel able to raise concerns and issues.	Due to the size of the Council's workforce, the person appointed from time to time as the E.E.O. Officer, shall also be the Grievance Officer	Immediate	CEO	Resolution of grievances to satisfactory level
Employee terminations are monitored through exit interviews.	Staff, leaving the employ of Council, is to be given the opportunity to comment on all aspects of their employment with	Immediate	CEO	Number of Exit interviews held

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<p>Outcomes are evaluated to determine emerging patterns.</p>	<p>Council, including E.E.O. issues. These comments are to be recorded and reviewed in conjunction with existing policy and practices along with periodical reviews of existing policy and practices; and/or the formulation of new policy and practices, but not less than annually in conjunction with the review of the E.E.O Plan.</p>			
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Outcome 3

Employment programs and practices recognise and include strategies for EEO groups to achieve workforce diversity.

Initiative	Task /Action	Timeframe	Accountability	Measures of success
Demographic data is systematically collected to monitor and report on the progress of all diversity groups.	<p>Personnel data, be collected from all staff members.</p> <p>Data required incorporates statistics relevant to discrimination on grounds covered by the Equal Opportunity Act.</p> <p>Specifically the data includes:</p> <ul style="list-style-type: none"> • Sex; • Salary; • Occupation; • Employment status; • Employment type; • Length of employment (within organization) 	3 Months	CEO	Return of Annual Surveys
Workforce planning incorporates appropriate strategies to attract and retain employees from diversity groups.	Review of Workforce Plan	12 Months	CEO	.Adopted revised Workforce Plan
Diversity objectives are identified to define the workforce profile suited to the agency's business needs.	Review of Workforce Plan	12 Months	CEO	.Adopted revised Workforce Plan
Advertising methods are enhanced to attract diverse applicants.	All advertised vacancies, descriptions and titles are to be non-discriminatory	Immediate	CEO	Number of Applications received

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	All recruitment practices are to be fair and shall not contain any discriminatory requirements or conditions			
Strategies are developed and implemented to attract, retain and provide career development opportunities for the diversity groups:	Development of strategies to provide career development opportunities for the diversity groups:	12 Months	CEO	Developed Strategies to provide career development opportunities for the diversity groups:

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Outcome 4

Maintain a relevant and achievable EEO Management Plan through Communication, Review and Amendment and Evaluation

Initiative	Task /Action	Timeframe	Accountability	Measures of success
The Plan and its policies and programs are communicated to all staff.	Copy to all staff and posted on staff notice board	3 Months	CEO	
The Plan is monitored, reviewed and amended to ensure strategies remain relevant to the operations of the organisation.	The Equal Opportunity Plan and Policy Statement is to be reviewed annually by Council, on or before June 30th each year.	3 Months	CEO	Annual review completed by 30 th June each year
The Plan and its policies and programs are evaluated to determine the effectiveness of the Plan.	The Plan is to be reviewed in May each year, by the E.E.O. Officer Administrative forms and practices, as necessary, will also be reviewed by the E.E.O. Officer.	12 Months	CEO	Completion of Annual Review in May each year.

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Cr J A Russell
President

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MJ Hook
Chief Executive Officer

Adopted by the Wickepin Shire Council

17th June 2020