

Ordinary Board Meeting

Minutes

Friday 25th June 2021





OUR VISION

Our vision is for connected, inclusive and resilient communities that are supported to grow and thrive.



MISSION SUPPORTING OUR COMMUNITIES IS OUR MISSION. WE HELP PEOPLE:



Connect
We are responsive and bring people together



Belong
We are inclusive and work with you



Learn
Our free resources allow minds to explore and create



OUR VALUES

Relationships
We build relationships with our stakeholders, communities and each other.

Excellence
We will deliver excellence in everything we do.

Bravery
We anticipate and bravely adapt with the changing needs of our communities.

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In Attendance:

Cr. Annemarie McCabe (Baw Baw Shire Council)
Cr Leticia Laing (Bass Coast Shire Council)
Rick Brown (South Gippsland Shire Council)
Martin Hopley (Baw Baw Shire Council)
Jodi Kennedy (Bass Coast Shire Council)
Allison Jones (South Gippsland Shire Council)

WGL Officers in attendance

Leanne Williams (Chief Executive Officer)
Linda Fowler (Deputy Chief Executive Officer)
Bec Noone (Manager Marketing and Strategy)

Meeting Opened 11.49am

1. Statement of Acknowledgement

We acknowledge the Traditional Custodians of the various lands on which we all work and live and welcome Aboriginal and Torres Strait islander people who may be participating. We pay our respects to Elders past, present and emerging.

2. Our Child Safety Commitment

West Gippsland Libraries is committed to the safety and wellbeing of all children and young people.

3. Apologies

Nil

4. Declarations of interest/conflict of interest

Nil

5. Minutes of previous meeting

Recommendation

That the Board adopt the minutes from the Ordinary meeting held on 7th May 2021.

Resolution

That the Board adopt the minutes from the Ordinary meeting held on 7th May 2021.

Moved: Cr Leticia Laing

Seconded: Cr Annemarie McCabe

Carried unanimously

Attachments

Attachment 5.1.1 – Minutes of the Ordinary Board meeting 7th May 2021



6. Standing items

6.1. Business arising from the previous meeting.

Nil



6.2. Update from the Community Advisory Committee

Recommendation

That the Board adopt the minutes from the Community Advisory Committee meeting held on 6th May 2021.

Resolution

That the Board adopt the minutes from the Community Advisory Committee meeting held on 6th May 2021.

Moved: Jodi Kennedy

Seconded: Cr Annemarie McCabe

Carried unanimously

Attachments

Attachment 6.2.1 – Minutes of the CAC meeting 6th May 2021

7. Questions on notice

8. Reports



8.1 Adoption of Library Plan 2021.25

Report Prepared by *Manager Marketing & Strategy*

Executive Summary

The report presents the new four year Strategic Plan for West Gippsland Libraries. The Strategic Plan is the guiding strategic document for the organisation, setting out our commitment to delivering library services to the communities of Baw Baw, South Gippsland and Bass Coast shires. It features three strategic pillars that are embedded within the organisation's mission: connect; belong; and learn.

The Strategy features three overarching goals:

- Making our service available to more people for more hours
- Increase our membership and awareness of our service within the community
- Create more learning opportunities within our service and within the community

A significant factor of this next strategic plan is the positive input and feedback from the community in relation to its formation. There were 2,371 responses and more than 98% of people supported the themes and actions in the plan.

We also asked the community when developing this plan how they rated West Gippsland Libraries as a service. They responded with an overall average of 4.4 stars out of 5 which is a great reflection of the hard work and passion from our staff.

The Draft Library Plan was available for public consultation during April and May and three submissions were received and considered by the Board at the Ordinary Meeting held on 7th May 2021, all supporting the Plan. It should also be noted that whilst the Community Advisory Committee did not provide a formal submission, they provided input into the development of the strategy and have been engaged throughout the process. The CAC also provide their input and feedback each month via a standing item on the WGL Board agenda.

The COVID-19 pandemic continues to impact how library services are delivered. Adaptability and agility have been key attributes that have contributed to supporting the community. The strategy reflects the required adaptability with a continued focus on the website as a virtual library and online programs.

The key projects and initiatives we will accomplish are:

- More 24/7 access libraries
- Life skills learning portal
- Website user experience enhancements
- Increase Outreach Services
- Increase at Home Services
- Digital strategy for online resources and services
- Increase in the collection



Recommendation

That the Board:

- a) Adopt the West Gippsland Libraries Library Plan.
- b) Adopt the Strategic Resource Plan incorporated in the Library Plan 2021.25 annexed to this report.
- c) Authorise the Chief Executive Officer to make typographical corrections to the Library Plan document.
- d) Authorise the Chief Executive Officer to give public notice of the adoption of the Library Plan and forward a copy to the Minister in accordance with section 130 of the Local Government Act 1989.

Resolution

That the Board:

- a) Adopt the West Gippsland Libraries Library Plan.
- b) Adopt the Strategic Resource Plan incorporated in the Library Plan 2021.25 annexed to this report.
- c) Authorise the Chief Executive Officer to make typographical corrections to the Library Plan document.
- d) Authorise the Chief Executive Officer to give public notice of the adoption of the Library Plan and forward a copy to the Minister in accordance with section 130 of the Local Government Act 1989.

Moved: Cr Annemarie McCabe

Seconded: Martin Hopley

Carried unanimously

Submissions

Public notice of the draft Strategic Plan for West Gippsland Libraries resulted in 3 submissions pursuant to section 223 of the *Local Government Act (VIC) 1989*. Consideration of these submissions have been undertaken in accordance with section 223 of the Act at the Ordinary meeting of the Board on Friday, 7th May 2021. These are included as Attachment to this report.

Policy and Legislative Implications

The West Gippsland Libraries Library Plan 2017-21 (Revised 2020) is prepared in accordance with the Local Government Act 1994 and the Local Government (Planning and Reporting) Regulations 2014.

Section 196 – Regional Libraries

Section 125 – Council Plan

Section 126 – Strategic Resource Plan

Section 223 – Right to make a submission.

Conclusion

The Strategic Plan aspires and challenges West Gippsland Libraries to be a service that is equipped to respond to the changing needs of our communities. The strategies within the plan are designed to motivate the organisation to think differently and ensure that we are prepared for the future. It is recommended that the Board endorse the Library Plan 2021-25 and place on public exhibition for input and submissions.



Conflict of Interest

Under section 80C of the *Local Government Act 1989*, the report author declares that there is no conflict of interest to disclose in providing this report.

Attachments

Attachment 8.1.1 – Strategic Plan 2021-25

Attachment 8.1.2 – Submissions



8.2 Adoption of 2021-22 Budget

Report Prepared by *Chief Executive Officer*

Executive Summary

This report presents the 2021.22 Draft Budget for adoption by the Board.

The Draft Budget has been developed to build on the significant work undertaken in recent years to ensure that West Gippsland Libraries is a modern and dynamic place to connect, belong and learn. This is made possible by the dedication and support of all staff at West Gippsland Libraries. They are the heart of the service and their delivery of high-quality library services to the community is second to none.

The 2021.22 Draft Budget has been developed to support the team at West Gippsland Libraries delivery on the strategies and actions set out in the Library Plan. It has also been developed from first principles to ensure all income and expenditure is reviewed annually to ensure long term financial sustainability.

The major initiatives proposed for the year include providing a 24/7 library service at Mirboo North and Poowong Libraries and to transition West Gippsland Libraries legal entity to a Not-for-Profit as required by the new Local Government Act 2020.

West Gippsland Libraries will continue to work closely with the community and member Councils to deliver services that the community is seeking and adapt to the uncertain environment because of the COVID-19 pandemic.

This budget also provides the resources to continue to build our outreach services and new and popular programs across the region. We will continue to enhance our collection and in particular the e-resources that are seeing increased demand year on year.

There were no submissions made by the community that suggested changes to the Draft Annual Budget.

Recommendation

That the Board:

- i. Adopt the West Gippsland Libraries 2021.22 Annual Budget and Long Term Financial Plan;
- ii. Authorise the Chief Executive Officer to make typographical corrections to the budget document; and
- iii. Authorise the Chief Executive Officer to give public notice of the adoption of the 2021.22 Annual Budget and forward a copy to the Minister in accordance with section 130 of the Local Government Act 1989.

Resolution

That the Board:

- i. Adopt the West Gippsland Libraries 2021.22 Annual Budget and Long Term Financial Plan;
- ii. Authorise the Chief Executive Officer to make typographical corrections to the budget document; and
- iii. Authorise the Chief Executive Officer to give public notice of the adoption of the 2021.22 Annual Budget and forward a copy to the Minister in accordance with section 130 of the Local Government Act 1989.

Moved: Allison Jones

Seconded: Jodi Kennedy

Carried unanimously



Major Projects

There are three projects included in the draft Annual Budget for highlighting. They are:

- Mirboo North Library 24/7 access. Mirboo North Library is not open full time yet it is a growing community. To provide more access to more people and provide convenient access to members, a 24/7 service will be installed with the aim of increasing usage and members.
- Poowong Library 24/7 access. Poowong Library is only open a few hours each week. It is also a growing community. To provide more access to more people and provide convenient access to members, a 24/7 service will be installed with the aim of increasing usage and members.
- Legal entity transition. The Local Government Act 2020 that comes into effect from 1 July 2021 requires Library Corporations to change how they are legally governed. Board discussions have focused on the best option for WGL, which is to transition to a Not-for-Profit company. This is substantiated by the Victorian Auditor General's Council Libraries Performance Audit Report 2019 that highlighted overall "Library Corporations and Cooperative models are more efficient than standalone Council Libraries". This is considered a governance and procedural project and will not impact on service delivery to the community. In fact, this project is essential to ensure that the organisation can continue to deliver excellent services to the community for the long-term future.

Planning and accountability framework

The Strategic Resource Plan (next four years) and Long-Term Financial Plan (next ten years) are part of and prepared in conjunction with the Library Plan, and are a rolling four to ten year plans that outline the financial and non-financial resources that West Gippsland Libraries requires to achieve the strategic objectives described in the Library Plan.

The Annual Budget is framed within the Strategic Resource Plan and Long-Term Financial Plan, taking into account the services and initiatives that contribute to achieving the strategic objectives specified in the Library Plan.

The timing of each component of the planning framework is critical to the successful achievement of the planned outcomes. The Library Plan, including the Strategic Resource Plan, is required to be completed by 30 June each year. West Gippsland Libraries reviews its Strategic Resource Plan and Long-Term Financial Plan each year as part of the annual budget process.

Financial goals

It is important for West Gippsland Libraries to set financial goals to provide guidance and structure to the budget process and assist with maintaining consistent financial planning year on year. West Gippsland Libraries financial goals are to:

- Operate in a financially sustainable manner;
- Operate within the rate cap, with new initiatives that require funding above the rate cap being supported by well-developed and costed business cases;
- Minimise fluctuations in increments from year to year that affect the member Councils;
- Reinvest efficiency savings into strategies identified in the Library Plan and the Collection; and
- Provide transparency and accountability.

Rate cap

For the 2021.22 financial year the Minister for Local Government has set the rate cap at 1.5% (2% in 2020.21).

Budget development

The Budget has been developed from first principles. Key assumptions that have influenced the development of the budget are detailed below.



- The increase in base wage rate for employees under the Enterprise Agreement is directly linked to the rate cap set by the Minister for Local Government. There is a floor amount of 1.6% which is more than the rate cap set for 2021.22 of 1.5%. Bargaining will be taking place for the Enterprise Agreement for the next three-year agreement between March and June 2021. Long term sustainability of the organisation is dependent on wage increments not exceeding the rate cap. An increase of 1.6% applied to the base wage rate will provide a shortfall of not just 0.1% to the base rate, but also a gap to wages oncosts, which is why the increments are 87% of the rate cap. Further in 2021.22, employees will receive an increase of 0.5% to their annual superannuation entitlement, putting further pressure on employee costs expenditure. The annual budget for 2021.22 is based on the existing 87% of the rate cap equalling 1.31% (1.74% in 2020.21). The Strategic Resources Plan (SRP) and Long-Term Financial Plan (LTFP) assumes that subsequent years will see a 2% increment in the rate cap and thus provides for a 1.74% increment in wages.
- The superannuation guarantee increases in 2021.22 from 9.5% to 10% and will continue to increase by 0.5% for the next four years. This has been included in the SRP and LTFP. This equates to an additional \$20,000 per year for the next four years.
- Materials and services costs continue to be reviewed each year based on changes to systems, new contract arrangements and past expenditure trends. Efficiency reductions have been incorporated as well as allowing for inflation of 5% based on historical trends. There has been specific consulting expenditure included for 2021.22 to complete the legal entity major project.
- The budget provides for an increase in the collection of \$40,000 to ensure West Gippsland Libraries continues to provide a collection that is under five years old as identified in the Local Government Performance Reporting Indicators. Investment in e-resources will be increased to support their exponential utilisation by patrons. Available cash to invest in the collection is dependent on ongoing recurring savings elsewhere in the annual operating budget. The LTFP does show a decline in the collection investment in future years due to additional pressure from recurring expenditure. This will continue to be a focus for the organisation.
- Renewal of furniture and equipment has been included in the financial statements to work towards modernising branch libraries.
- The organisation has seen a significant decline during 2020 and 2021 in its other income. This includes revenue from printing and copying, fundraising contributions and donations and other miscellaneous grants. WGL has taken a conservative approach to providing for revenue in these areas for 2021.22 due to the uncertain economic climate.
- An increase in Council contributions consistent with the rate cap of 1.5%.
- An increase in recurring operating grants from the State Government of 1.5%. The existing funding agreement expires on 30 June 2021 and the sector is advocating for ongoing increments in line with population growth and CPI. There is currently no certainty that increments to the recurring grants will continue beyond 30 June 2021.
- The LTFP is a vital tool to inform strategic decision making for the organisation. It highlights the future implications of decisions made in the present and the recurring impacts to the financial sustainability long term. Highlighting such implications is an important mechanism to avoid decisions that erode the long-term viability of the organisation.

Policy and legislative implications

The Budget 2021.22 is prepared in accordance with the Local Government Act 1989 and the Local Government (Planning and Reporting) Regulations 2014.

Section 196 – Regional libraries

Section 127 – Council must prepare a budget

Section 129 – Public notice

Section 130 – Adoption of budget or revised budget

Section 223 – Right to make a submission



Conclusion

There is a continued focus on the long-term financial sustainability when preparing annual budgets to ensure that decisions made now do not adversely affect how the service is delivered in the future. There are financial constraints in the 2021.22 financial year and in particular the rate cap of 1.5% that are considered. Despite these constraints West Gippsland Libraries is committed to a quality service and meeting the needs of members and this budget delivers on that commitment.

It is recommended that the board adopt the Draft Annual Budget 2021.22.

Attachments

Attachment 8.2.1 – Draft Budget 2021.22



8.3 Adoption of Procurement Policy

Report Prepared by *Deputy CEO*

Executive Summary

The Procurement Policy is an important document that provides policy and guidance to allow consistency and control over procurement activities, ensure compliance with legislation, provides a framework for West Gippsland Libraries to achieve best outcomes, demonstrates best practice in purchasing and demonstrates accountability.

The Procurement Policy is required to be reviewed each year and this year the opportunity has been taken to update the policy, however, on review there are no changes to last year's review. It is aligned with other Procurement Policies in regional councils and thresholds remain the same as last year.

Recommendation

That the Board adopt the reviewed Procurement Policy.

Resolution

That the Board adopt the reviewed Procurement Policy.

Moved: Martin Hopley

Seconded: Cr Annemarie McCabe

Carried unanimously

Background

West Gippsland Libraries Procurement Policy requires that purchasing and contract management activities support the corporate strategies, aims and objectives.

The objectives of the Procurement Policy are to:

- Achieve value for money;
- Ensure open and fair competition;
- Ensure openness and transparency of the decision making process;
- Achieve compliance with legislation;
- Promote environmental sustainability;
- Seek to support local procurement; and
- Progress West Gippsland Libraries commitment to continuous improvement and collaboration.

Thresholds

The following table outlines the Procurement Policy. The policy is made to ensure that procurement objectives are met whilst balancing efficiency practices. Officer delegation limits, purchases still require two authorizers. There have been no alterations to this year's policy

Spend Thresholds	Purchasing Method	Conditions
Transaction limits on Corporate Credit cards determine the need for purchase orders or quotes	Corporate Credit Cards	Individual transaction limit of the credit card



Spend Thresholds	Purchasing Method	Conditions
Up to \$1,000	No quote	No purchase order required
>\$1,000 up to \$5,000	Written quotation	Seek and receive at least one quote Purchase order required
>\$5,000 up to \$25,000	Request for Quotation (RFQ)	Seek and receive at least three quotes Purchase order required
>\$25,000 up to \$149,999	Request for Quotation (RFQ)	Seek an RFQ from at least three suppliers Contract and purchase order required
\$150,000 and over	Invitation to Tender (ITT)	ITT published in newspaper ITT published on WGL's website ITT open to response from any supplier Contract and purchase order required

Policy and legislative implications

West Gippsland Libraries Procurement Policy is developed under Section 186A of the Local Government Act 1989. This section of the Act requires the Corporation to prepare, approve and comply with a procurement policy encompassing the principles, processes and procedures applied to all purchases of goods, services and works by the Corporation. Section 186A (7) requires a review of this policy at least once in each financial year.

Conclusion

An extensive review has been undertaken of the Procurement Policy this year. It is recommended that the Procurement Policy be adopted given there were no required updates.

Conflict of interest

Under section 80C of the *Local Government Act 1989*, the author declares declares that there is no conflict of interest to disclose in providing this report.

Attachments

8.3.1 – Draft Procurement Policy 2021.22



8.4 CAC Recruitment 2021

Report Prepared by *Manager Volunteers & Community Participation*

Executive Summary

This report presents information about the recruitment process for new members of the CAC and details of the candidates. Board endorsement is sought for the recommended successful applicants, and for a revision of how many representatives preside on the CAC. Please note that CAC members are appointed for a period of 12 months.

Recommendation

That the Board:

- a) Note the high calibre of applications received for the Community Advisory Committee;
- b) Revise the number of positions on the Community Advisory Committee from three to five per Shire for a period of 12 months to reflect the enthusiasm and broader community engagement with library services across the region;
- c) Appoint the following successful candidates subject to successful completion of Police and Working With Children's Checks to the Community Advisory Committee for the period from 1 July 2021 to 30 June 2022;
 - i. John Tebbutt – South Gippsland Shire (Meeniyan)
 - ii. Lorraine Sainsbury – South Gippsland Shire (Mirboo North)
 - iii. Alison Goss – South Gippsland Shire (Nyora)
 - iv. Caroline Mahoney – Bass Coast Shire (Phillip Island)
 - v. Frances Palstra – Bass Coast Shire (Phillip Island)
 - vi. Jennifer Merriel – Baw Baw Shire (Warragul)
 - vii. Karen Grainger – Baw Baw Shire (Warragul)
 - viii. Dr Amanda McLeod – Baw Baw Shire (Trafalgar South)
- d) Reappoint the existing Community Advisory Committee Members for the period from 1 July 2021 to 30 June 2022
 - i. Christine McKinnlay – South Gippsland Shire (Foster)
 - ii. Christine Kemper – South Gippsland Shire (Foster)
 - iii. Di Goeman – Bass Coast Shire (Grantville)
 - iv. David Lyons – Baw Baw Shire (Trafalgar)
 - v. Holly Perriam – Baw Baw Shire (Trafalgar)

Resolution

That the Board:

- a) Note the high calibre of applications received for the Community Advisory Committee;
- b) Revise the number of positions on the Community Advisory Committee from three to five per Shire for a period of 12 months to reflect the enthusiasm and broader community engagement with library services across the region;
- c) Appoint the following successful candidates subject to successful completion of Police and Working



With Children's Checks to the Community Advisory Committee for the period from 1 July 2021 to 30 June 2022;

- a. John Tebbutt – South Gippsland Shire (Meeniyah)
 - b. Lorraine Sainsbury – South Gippsland Shire (Mirboo North)
 - c. Alison Goss – South Gippsland Shire (Nyora)
 - d. Caroline Mahoney – Bass Coast Shire (Phillip Island)
 - e. Frances Palstra – Bass Coast Shire (Phillip Island)
 - f. Jennifer Merriel – Baw Baw Shire (Warragul)
 - g. Karen Grainger – Baw Baw Shire (Warragul)
 - h. Dr Amanda McLeod – Baw Baw Shire (Trafalgar South)
- d) Reappoint the existing Community Advisory Committee Members for the period from 1 July 2021 to 30 June 2022
- a. Christine McKinnlay – South Gippsland Shire (Foster)
 - b. Christine Kemper – South Gippsland Shire (Foster)
 - c. Di Goeman – Bass Coast Shire (Grantville)
 - d. David Lyons – Baw Baw Shire (Trafalgar)
 - e. Holly Perriam – Baw Baw Shire (Trafalgar)

Moved: Cr Annemarie McCabe

Seconded: Cr Leticia Laing

Carried unanimously

Background

Advertising & Recruitment

The CAC has had vacancies for some time, as follows:

- Baw Baw Shire – 1 vacancy
- South Gippsland – 1 vacancy
- Bass Coast – 2 vacancies

WGL has been keen to fill these vacancies. The positions were widely advertised in March-April 2021 and several candidates expressed interest. Advertising occurred through branch libraries and the Branch Manager team and featured more attractive collateral and more appealing language than has previously been the case. 'Friends of the Library Groups' were also informed about this opportunity. Other avenues were local newspapers, social media and on the website.

The application form was amended to generate specific commentary and reflection of the library plan and current strategic direction, and to reflect on a candidate's alignment with WGL values and the service offering that they value the most personally. This approach of encouraging deeper engagement with the role of the CAC and strategy has been very successful and is recommended for future recruitment.

There was a very encouraging response of 10 high calibre applicants for the committee, with 4 in South Gippsland, 3 in Bass Coast and 3 in the Baw Baw Shire. This is the highest level of interest we have experienced for a long time. One applicant later needed to withdraw their application due to a change in circumstances, and another applicant withdrew due to a potential conflict of interest. These people may be able to re-apply in a future round of recruitment.

Candidates come from a range of backgrounds and contribute to their communities in a variety of ways, including membership and experience on boards and with Not-For-Profits.



Further conversations were held with candidates, via Ms Teams video call in most cases, to get to know applicants a little more and to determine their suitability for membership. This was a very rewarding undertaking, and was completed by WGL HR Coordinator, Marney Hasan and Manager of Volunteers & Community Participation, Kathie Olden. While not a formal interview, the applicants were asked to reflect and expand on specific areas of interest from their EOI. All applicants were asked to comment on what they see as the future for libraries, and to suggest how we can make every community member feel welcome. Their responses were very thoughtful, with the following of note:

- The need to address social isolation during and post-covid-19.
- The need to focus on 'listening' to the community to inform strategic direction.
- Inclusion and accessibility
- How can the CAC make a *specific* contribution to strategic direction (more than simply providing 'commentary' on initiatives)?
- Conversations about the expectation that members will consult with their communities, rather than pursuing what may be a personal agenda.
- Inter-generational services
- The need for a variety of experiences and approaches in libraries to make a variety of people feel welcome – recognising that needs are diverse.
- Family literacy

Of note also is that the current Terms of Reference (TOR) were revised earlier in the year and endorsed by current CAC members. The revisions were discussed extensively at the May board meeting. There was a significant breadth of knowledge, experience, and suitability across all the candidates that will provide great benefits to West Gippsland Libraries and community engagement.

Proposal to expand membership.

The current TOR suggests that 'up to' 9 members can be on the committee, with 3 from each member council area. We propose that the committee capacity be expanded to up to 5 representatives from each member council, for the following reasons:

- The high calibre of applicants and their passion for libraries and learning
- We are working towards several new libraries across the region.
- Transition to new entity structure and the opportunities for deeper engagement and advocacy this may bring.
- The skills and life experiences that more people can bring to the CAC.
- The opportunities to create small sub-groups or working parties.
- Unprecedented opportunity to harness the enthusiasm of highly engaged individuals.

Financial implications

There are no financial obligations arising from this recommendation. The CAC is a volunteer committee.

Policy and legislative implications

The CAC refers to and operates within the current Terms of Reference, revised in April 2021.

Conclusion

It is very heartening to receive a renewed level of interest in this committee, and we look forward to working with and building relationships with existing and new members.



Conflict of interest

Under section 80C of the *Local Government Act 1989*, the Author declares that they have no conflict of interest to disclose in providing this report.

Attachments

Nil



8.5 Transition to a Not-For-Profit Entity

Report Prepared by *Chief Executive Officer*

Overview

This report provides the resolution that finalises the WGRLC Board's work and recommendations to Member Councils pertaining to the transition to a company limited by guarantee, Not-For-Profit (NFP) following changes to the Local Government Act 2020 (the Act) that come into effect from 1 July 2021.

The resolution is a continuation from the Board's resolution in May 2021 where it adopted the Company Constitution for Myli – My Community Library Ltd. The resolution in this report sets out the legal procedure for undertaking the transition for WGRLC to Myli – My Community Library Ltd. It is required to be consistently adopted by all Member Councils from July 2021 which is when the Act 2020 takes effect.

WGRLC engaged Russell Kennedy Lawyers (RKL) 18 months ago to assist with understanding the requirements of the transition process and advise on how to proceed. RKL were engaged based on their experience in establishing NFP's, on behalf of other Councils. RKL performed a similar formation/transition for the City of Greater Shepparton in 2016/17 when it established a NFP company to grow its Arts Museum. This decision provided benefits including capitalising on opportunities such as philanthropic donations, private sector funding and innovation. The decision created a strong sense of independence whilst limiting the financial risks facing the Council.

Recommendation

1. RECOMMENDATION TO MEMBER COUNCILS

That the WGRLC Board recommend to the Member Councils that the Member Councils consider and pass resolutions generally in the table below (Council Resolutions).

DRAFT COUNCIL RESOLUTIONS

RECOMMENDED BY WGRLC BOARD TO BE CONSIDERED BY EACH MEMBER COUNCIL TO BE PASSED ON OR AFTER 1 JULY 2021

Having considered the recommendations from the Board of West Gippsland Regional Library Corporation (**WGRLC**) and the requirement to restructure regional library corporations as a result of the Local Government Act 2020 (Vic) (**2020 Act**), it was resolved as follows.

1. MYLI – MY COMMUNITY LIBRARY LTD ESTABLISHMENT

That, pursuant to section 110(1) and section 111 of the 2020 Act and having assessed the total investment involved and total risk exposure and ensured the total risk exposure does not exceed the total investment and that risk management frameworks are in place, Council:

- a) participate in the formation of a beneficial enterprise to be known as; and
- b) become a founding member of,

Myli – My Community Library Ltd (Company), being:

- c) a public company limited by guarantee;
- d) a not-for-profit and charitable institution to be registered with the Australian Charities and Not-for-profits Commission; and
- e) a public library recognised by the Australian Taxation Office,

on the terms of the Myli – My Community Library Ltd constitution circulated to Council and incorporating such other changes as may be agreed by the Company's founding members (**Constitution**) provided that Council continues to comply with section 111 of the 2020 Act in relation to Council's involvement in the Company as a beneficial enterprise.



2. MYLI – MY COMMUNITY LIBRARY LTD APPOINTMENTS

That, pursuant to section 110(2) and (3) of the 2020 Act and the Constitution, Council appoints the following persons to the roles set out in the table below:

Role	Appointee(s)	Director Name	Expiry of First Term
Representatives of Council as an ordinary member of the Company: see clause 3.3.1 of the Constitution	Bass Coast Shire Council Appointed Ordinary Member	Cr Leticia Laing	2023
	Bass Coast Shire Council Appointed Ordinary Member	Jodi Kennedy	2025
	Baw Baw Shire Council Appointed Ordinary Member	Cr Annemarie McCabe	2023
	Baw Baw Shire Council Appointed Ordinary Member	Martin Hopley	2025
	South Gippsland Shire Council Appointed Ordinary Member	Rick Brown	2023
	South Gippsland Shire Council Appointed Ordinary Member	Allison Jones	2025
Ordinary Member Appointed Directors appointed by Council: see clause 6.1.1 and 6.3 of the Constitution	Independent Director 1	Vacant	N/A
	Independent Director 2	Vacant	N/A
	Independent Director 3	Vacant	N/A

3. LIBRARY AGREEMENT NOVATION

That Council enter into a deed of novation and variation (**Novation Deed**) in relation to the West Gippsland Regional Library Corporation Agreement dated 22 October 2014 (**Library Agreement**) which Novation Deed has the effect, in general terms, that on and from 1 July 2022:

- a) the Library Agreement continues as an agreement between Bass Coast Shire Council, Baw Baw Shire Council, South Gippsland Shire Council and the Company on its current funding and commercial terms (**Novated Library Agreement**); and
- b) in the Novated Library Agreement, provisions are taken to be deleted where equivalent matters are now contained in the Company's Constitution or to the extent the Company is not regulated by the Local Government Act 1989 (Vic) (**1989 Act**). Without limitation, the following provisions are taken to be deleted:
 - i) creation and governance of the WGRLC board;
 - ii) power of the WGRLC board to appoint a CEO;
 - iii) Ministerial approval of agreement amendments

and



iv) dissolution of WGRLC as a regional library corporation.

AND Council's CEO be delegated responsibility to negotiate and execute the Novation Deed.

4. GIFT OF WGRLC ASSETS

That, pursuant to section 10 of the 2020 Act, Council enter into a gift and transfer deed between Bass Coast Shire Council, Baw Baw Shire Council, South Gippsland Shire Council, WGRLC and the Company (**Gift and Transfer Deed**) which provides in general terms, that with effect at 11:59pm on 30 June 2022:

- a) Council is one of the ultimate owners of WGRLC, and is therefore one of the ultimate owners of WGRLC's business, assets and liabilities;
- b) in order to restructure WGRLC and replace it with the Company, Council wishes to gift Council's interests in WGRLC, and therefore Council's interests in WGRLC's business, assets and liabilities, to the Company (except that any transfer of land will be subject to WGRLC following the procedure in section 189 of the 1989 Act (as applicable under section 330 of the 2020 Act);
- c) so as to give effect to Council's gift, Council directs and authorises WGRLC to transfer in specie all its business, asset and liabilities to the Company pursuant to sections 196(4)(d) and (e) of the 1989 Act and any other power enabling WGRLC to do so.

AND Council's CEO be delegated responsibility to negotiate and execute the Gift and Transfer Deed.

5. DISSOLUTION/WINDING UP OF WGRLC

That, subject to giving full effect to the Novation Deed and the Gift and Transfer Deed,

- a) Council agrees that its intention is that the original Library Agreement is taken to be terminated with effect at 11:59pm on 30 June 2022;
- b) Council agrees to the dissolution of WGRLC pursuant to clause 13 of the Library Agreement with the mutual agreement of all other Councils who are party to the Library Agreement, with the Gift and Transfer Deed constituting the distribution of assets and liabilities in full and final satisfaction of clause 13.2 of the Library Agreement; and
- c) Council agrees to the winding up of WGRLC pursuant to section 197G of the 1989 Act.

AND Council's CEO be delegated responsibility to give effect to the resolution to dissolve and wind-up WGRLC.

2. DEVELOPMENT OF NOVATION DEED AND GIFT AND TRANSFER DEED

That the CEO of WGRLC instruct Russell Kennedy Lawyers to prepare drafts of the following documents referred to in the Council Resolutions:

- a) Novation Deed; and
- b) Gift and Transfer Deed.

3. TRANSFER OF LAND

That the CEO of WGRLC:

- a) commence the procedure set out in section 189 of the 1989 Act for the proposed transfer of WGRLC's land to the Company; and
- b) may instruct Russell Kennedy Lawyers to assist with such a transfer.



Resolution

That the WGRLC Board recommend to the Member Councils that the Member Councils consider and pass resolutions generally in the table below (Council Resolutions).

1. RECOMMENDATION TO MEMBER COUNCILS

That the WGRLC Board recommend to the Member Councils that the Member Councils consider and pass resolutions generally in the table below (Council Resolutions).

DRAFT COUNCIL RESOLUTIONS

RECOMMENDED BY WGRLC BOARD TO BE CONSIDERED BY EACH MEMBER COUNCIL TO BE PASSED ON OR AFTER 1 JULY 2021

Having considered the recommendations from the Board of West Gippsland Regional Library Corporation (**WGRLC**) and the requirement to restructure regional library corporations as a result of the Local Government Act 2020 (Vic) (**2020 Act**), it was resolved as follows.

1. MYLI – MY COMMUNITY LIBRARY LTD ESTABLISHMENT

That, pursuant to section 110(1) and section 111 of the 2020 Act and having assessed the total investment involved and total risk exposure and ensured the total risk exposure does not exceed the total investment and that risk management frameworks are in place, Council:

- a) participate in the formation of a beneficial enterprise to be known as; and
- b) become a founding member of,

Myli – My Community Library Ltd (Company), being:

- c) a public company limited by guarantee;
- d) a not-for-profit and charitable institution to be registered with the Australian Charities and Not-for-profits Commission; and
- e) a public library recognised by the Australian Taxation Office,

on the terms of the Myli – My Community Library Ltd constitution circulated to Council and incorporating such other changes as may be agreed by the Company's founding members (**Constitution**) provided that Council continues to comply with section 111 of the 2020 Act in relation to Council's involvement in the Company as a beneficial enterprise.

2. MYLI – MY COMMUNITY LIBRARY LTD APPOINTMENTS

That, pursuant to section 110(2) and (3) of the 2020 Act and the Constitution, Council appoints the following persons to the roles set out in the table below:

Role	Appointee(s)	Director Name	Expiry of First Term
Representatives of Council as an ordinary member of the Company: see clause 3.3.1 of the Constitution	Bass Coast Shire Council Appointed Ordinary Member	Cr Leticia Laing	2023
	Bass Coast Shire Council Appointed Ordinary Member	Jodi Kennedy	2025
	Baw Baw Shire Council Appointed Ordinary Member	Cr Annemarie McCabe	2023



	Baw Baw Shire Council Appointed Ordinary Member	Martin Hopley	2025
	South Gippsland Shire Council Appointed Ordinary Member	Rick Brown	2023
	South Gippsland Shire Council Appointed Ordinary Member	Allison Jones	2025
Ordinary Member Appointed Directors appointed by Council: see clause 6.1.1 and 6.3 of the Constitution	Independent Director 1	Vacant	N/A
	Independent Director 2	Vacant	N/A
	Independent Director 3	Vacant	N/A

3. LIBRARY AGREEMENT NOVATION

That Council enter into a deed of novation and variation (**Novation Deed**) in relation to the West Gippsland Regional Library Corporation Agreement dated 22 October 2014 (**Library Agreement**) which Novation Deed has the effect, in general terms, that on and from 1 July 2022:

- a) the Library Agreement continues as an agreement between Bass Coast Shire Council, Baw Baw Shire Council, South Gippsland Shire Council and the Company on its current funding and commercial terms (**Novated Library Agreement**); and
- b) in the Novated Library Agreement, provisions are taken to be deleted where equivalent matters are now contained in the Company's Constitution or to the extent the Company is not regulated by the Local Government Act 1989 (Vic) (**1989 Act**). Without limitation, the following provisions are taken to be deleted:
 - i) creation and governance of the WGRLC board;
 - ii) power of the WGRLC board to appoint a CEO;
 - iii) Ministerial approval of agreement amendments

and

 - iv) dissolution of WGRLC as a regional library corporation.

AND Council's CEO be delegated responsibility to negotiate and execute the Novation Deed.

4. GIFT OF WGRLC ASSETS

That, pursuant to section 10 of the 2020 Act, Council enter into a gift and transfer deed between Bass Coast Shire Council, Baw Baw Shire Council, South Gippsland Shire Council, WGRLC and the Company (**Gift and Transfer Deed**) which provides in general terms, that with effect at 11:59pm on 30 June 2022:

- a) Council is one of the ultimate owners of WGRLC, and is therefore one of the ultimate owners of WGRLC's business, assets and liabilities;
- b) in order to restructure WGRLC and replace it with the Company, Council wishes to gift Council's interests in WGRLC, and therefore Council's interests in WGRLC's business, assets and liabilities, to the Company (except that any transfer of land will be subject to WGRLC following the procedure in section 189 of the 1989 Act (as applicable under



section 330 of the 2020 Act);

- c) so as to give effect to Council's gift, Council directs and authorises WGRLC to transfer in specie all its business, asset and liabilities to the Company pursuant to sections 196(4)(d) and (e) of the 1989 Act and any other power enabling WGRLC to do so.

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2. DEVELOPMENT OF NOVATION DEED AND GIFT AND TRANSFER DEED

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3. TRANSFER OF LAND

That the CEO of WGRLC:

- a) commence the procedure set out in section 189 of the 1989 Act for the proposed transfer of WGRLC's land to the Company; and
- b) may instruct Russell Kennedy Lawyers to assist with such a transfer.

Moved: Cr Annemarie McCabe

Seconded: Allison Jones

Carried unanimously

West Gippsland Libraries – Leaders and innovators

WGRLC is a leader and innovator within the Library sector. It has been providing quality, specialist library services to the Shires of Baw Baw, Bass Coast and South Gippsland for over 25 years, offering extensive benefits to ratepayers and the broader community. WGRLC has a high reputation that punches above its weight, demonstrated by:

- WGRLC rating in the top third of all library services in Victoria according to the VAGO Audit Report for both core library services and programs and events (see Appendix 2).
- WGRLC rating in the top third for the number of active members (member used the service in the last 12 months) as a percentage of the population (PLV annual survey 2018.19).
- WGRLC rating in the top third for attendance at library programs (PLV annual survey 2018.19).



- Top third for lowest operating cost per opening hour (PLV annual survey 2018.19).
- WGRLC was the first library in Australia to offer a 24/7 library (just like a 24/7 gym) where members gained increased access and convenience at no additional cost to Council. This attracted media attention and enquires from all over Australia. The service has been incredibly successful, so the Board has since voted to support implementation of the 24/7 service in all libraries as the opportunity arises.
- The 24/7 library has been highlighted as a case study in Infrastructure Victoria's *Draft 30-Year Infrastructure Strategy* as an innovative means to increase access to "fast, free internet services, leveraging existing library infrastructure".
- First *Children in the Workplace Policy* (sought after by local businesses).
- Mental health framework supporting staff and the community.
- First library in Victoria to offer an online chat-bot to engage with users.
- Adaptive online programming reaching over 123,000 people (more than the regions total population) and having over 32,000 views between March and September 2020. Users of WGRLC's online programming are growing in metro Melbourne.
- 81% growth in social media followers in the last two years.

To support WGRLC's progressive service, it has established modern corporate service automations utilising best of breed products for Small and Medium Enterprises (SME's); an adaptive Enterprise Agreement that is based on a percentage of the rate cap (ensuring long term financial sustainability), has a sound financial management framework and is in a strong financial position.

Why now?

The changes to the Act have become a catalyst for WGRLC to capitalise on opportunities for the future, ensuring it remains innovative, competitive, and progressive. Whilst the Act provides 10 years for Corporations to transition, there are immediate implications and limitations to WGRLC if the decision is delayed. Further there are benefits to member Councils, ratepayers, the community and WGRLC by making the decision sooner rather than later.

- From 1 July 2021, WGRLC is frozen in time by the Act. It cannot grow or offer services outside its existing region nor to other Councils. This impact prevents WGRLC from capitalising on opportunities if, and when, they arise.
- It cannot expand its revenue base in other areas such as philanthropic funding, donations, and sponsorships from the private sector, to share in or reduce the cost of programs delivered to the community. A local government entity is not an attractive proposition when competing against other NFP's for funding. This was a significant factor highlighted in the City of Greater Shepparton's Council report when it decided to establish its NFP.
- Growing the revenue base provides greater resources and the ability to broaden the products and services offered to users and the community at no additional cost to Council.
- The NFP, through growth, advances the interests of Member Councils and ratepayers to reduce the cost base per capita.
- Delaying the decision will not improve the quality of the decision and the cost of the project will continue to increase the longer it is delayed.
- Board turnover is inevitable when its composition consists of high calibre people. In fact, WGRLC has experienced more than 100% turnover of its Board in less than two years. WGRLC is now in a phase of Board stability which is essential for the transition phase. Board Member continuity also assists with keeping the cost of the project down.
- Stability and continuity will be provided to WGRLC users, members, and staff.
- Support for innovation will continue. Innovation is intrinsically linked to stability and growth, enabling adaptability and a future focus.
- It positions WGRLC well to continue to grow its brand, profile and reputation as an employer of choice. Growth of the service also creates more jobs and economic benefit to the community.



- Every \$1.00 invested in Victorian public libraries generates \$4.30 of benefits to the local community (SGS Economics and Planning).

Due diligence

Significant due diligence has been undertaken over the past three years. Local Government Victoria commissioned a report in June 2018 that explored the various options available. A number of these options were not applicable to WGRLC (refer to Appendix 1).

Legal

As outlined, Russell Kennedy have been engaged to assist with the due diligence prior to a decision being made, based on their work creating the City of Greater Shepparton's NFP. They will also undertake the necessary work to establish and transition to a NFP once the Board and Councils have passed a resolution to support the NFP. Over the past year Russell Kennedy have provided:

- Summary of the scope and key legal requirements.
- Board Discussion Paper.
- Entity structure draft.
- Attended Board Briefing Sessions, presented and answered questions from the Board.
- Developed a conversion checklist.
- Drafted and finalised the Constitution.

Refer to the Constitution attached to this report.

Risk

WGRLC engaged Business Olympian Group to develop a risk management framework, fulfilling obligations required under the Act. The risk consultants were engaged to develop and have completed:

- Organisational Risk Strategy.
- Board Risk Appetite Statement.
- Undertake a workshop with the WGRLC Board to identify risks.
- Risk Register that has been categorised into:
 - Business case risks;
 - Entity incorporation (and transition) risks;
 - Operational risks;

The risk register incorporates:

- Key controls to mitigate the identified risks;
- Key actions that provide assurance that the controls are being addressed; and
- The status of each identified risks.

The Board adopted the [Risk Management Strategy at its Ordinary Meeting on 7 May 2021](#)

Naming

WGRLC engaged Icon Agency to undertake a brand strategy development process that considers the world around WGRLC and its community to inform and inspire a new name for the NFP. Icon Agency has a proven four-stage process to inform the strategy development and proposed name options for consideration. The WGRLC Board and Leadership Team provided input into the process and were presented with four options for consideration. There was unanimous consensus amongst the Board on the preferred name option being put forward as Myli – My Community Library for final adoption which has been included in the new Constitution.

The new name has been presented to all WGRLC staff with overwhelming support. Staff were consulted and voted on the brand positioning statement that complements the name "There's more to explore". Feedback from staff about the name and process included comments like *"the name really*



does feel like a friend”, “I really like it”, and “It really grows on you over time”. WGRLC presented the new name to the WGRLC Community Advisory Committee who also supported it.

A new name for the NFP and the process undertaken by WGRLC was necessary for a number of reasons:

- Some in the community over many years have indicated that a name change was necessary due to the geographical name not connecting with some parts of the region.
- A new name was required for the Not-for-Profit transition so that library services and partnerships can be provided beyond the existing region.
- WGRLC recognised it is not an expert in developing names and wanted to ensure that any new name was considered through the lens of experts in their field and supported by their research.
- The Agency engaged was briefed to respect the history of libraries and build on the future of how the service is changing and evolving.
- There is no change to the library logo symbol.
- The Agency provided 4 options for consideration and the options presented were researched to ensure that they were available for use and not already taken by other organisations.
- The selected name had unanimous support from the WGRLC Board and Executive.
- It is understood that the name won't resonate with everyone however the new name is flexible. For example, people can choose to use a component of the name that suits them:
 - My Community Library; or
 - Myli; or
 - Myli – My Community Library.
- Buildings will all remain named as Libraries.
- It was not considered appropriate to source community input into the name due to the complexities associated with the legal naming, business registrations, website registrations and availability. The Agency and Lawyers were engaged to ensure that these requirements were met.

You can read more about the [name and positioning](#) and the [manifesto](#) on WGRLC's website.

Accounting

WGRLC engaged Pitcher Partners to undertake the assessment in investment as required by section 111(1)(a) on behalf of all three Member Councils. Pitcher Partners were engaged based on their independence from the audit and accounting functions for WGRLC and all Member Councils to ensure there were no conflicts of interest.

Pitcher Partners have also developed a memorandum outlining accounting options for the accounting redistribution of WGRLC to the new NFP and have met with the Chief Financial Officers from all Member Councils.

Refer to the Accounting Assessment Overview Report and Pitcher Partners section 111 Assessment attached to this report that addresses the LGA requirements.

Processes and timeline

There are many requirements that have been undertaken to progress the NFP process and now be ready for Council adoption and formation. A summary is provided below:

WGRLC CEO met with Council CEO's to provide an overview	N/A	December 2020 – February 2021	Completed
Entity conversion checklist developed	Russell Kennedy	January 2021	Completed



Risk assessment and framework	Business Olympian	January - February 2021	Completed
WGRLC Board risk workshop	Business Olympian	February 2021	Completed
Draft constitution developed	Russell Kennedy	February – March 2021	Completed
Brand Strategy developed	Icon Agency	March 2021	Completed
WGRLC Board Briefing Risk Strategy & Appetite	Business Olympian	March 2021	Completed
WGRLC Board training - strategy and governance	Business Olympian	March 2021	Completed
WGRLC Board briefing entity name options	Icon Agency	March 2021	Completed
WGRLC Board briefing Engagement and Communication Plan	N/A	March 2021	Completed
WGRLC Board briefing draft Constitution	Russell Kennedy	March 2021	Completed
Constitution amended following WGRLC Board feedback	Russell Kennedy	April 2021	Completed
Brief Member Councils	N/A	April 2021	Completed
Accounting implications briefing report	Pitcher Partners	April 2021	Completed
Council CFO's and Directors met with WGRLC CEO and External Accountant	Pitcher partners	April 2021	Completed
WGRLC Board adopted Not-For-Profit Constitution and the new name	N/A	May 2021	Completed
Member Councils final briefing	N/A	June 2021	Completed
Member Councils adopt NFP Constitution, thus creating a new NFP for WGRLC to transition to.	N/A	July 2021	Scheduled
Commence transition process	Russell Kennedy	Post Member Councils adoption	Scheduled

Financial implications

There are financial implications to this project of which legal and consulting costs have already been incurred to support the due diligence process. The costs have been projected to span 3 to 4 financial years with most costs incurred in year 2 (2020.21) and year 3 (2021.22). The budget is allocated at \$100,000 across the 4 years and it is expected that costs in the 2020.21 financial year will approximate \$50,000. The CEO of WGRLC has met with Local Government Victoria to seek financial support for the imposed transition and WGRLC will be submitting an Expression of Interest (EOI) for a grant shortly. The aim of the EOI is recognition of the technical requirements that have needed to be undertaken and the critical specialist advice that will also support the other nine Library Corporations with their process.

There is no cost to Member Councils for this project. All costs are incurred by WGRLC.



Communication and engagement

WGRLC Board

The WGRLC Board with the support of the CEO have led the project and have been involved in the process every step of the way over the past three years. Whilst there has been significant Board turnover, each new Board Member has been inducted and updated on the status of the project.

Council CEO's and Mayors

The WGRLC CEO met with each member Council CEO separately in December 2020 and January 2021. Each Council CEO has at some point served as a Board Member of either WGRLC or another Library Corporation and therefore understands the governance of the entity. Each Council CEO was provided with a verbal overview of the changes to the LGA that is prompting the transition, the due diligence that has been undertaken and why the transition needs to occur now.

The WGRLC CEO provides updates to the Council Mayors and CEOs after each Board Meeting, briefing or workshop via email. The Legal Entity project was introduced via an email update to the Mayors and CEOs in February 2021 and monthly updates have continued since that time.

WGRLC Staff

The WGRLC Leadership Team have been included in various elements of the project over the past nine months.

WGRLC staff were informed of the project and the various elements outlined in this report at a number of in person and video-based presentations at the end of April 2021. Feedback from staff has been very positive including that of the new name.

Members, Patrons and Community

WGRLC engaged with the Community to develop its next 4 year Strategic Plan. An online survey was promoted and had 2,371 responses. Collection methods were via social media, patron point, and WGRLC's website. 96.74% of respondents were members of WGRLC.

One of the questions asked of respondents was do they agree with the "Strategic pillar: Belong – We are inclusive and work with you". One of the areas of focus within the pillar was "Transform – The long-term success and sustainability of our organisation is dependent on core functions such as how we are governed, how we are funded and how we build relationships. Ongoing review of the functions is required to ensure we are meeting the needs of the community". 98.74% of respondents (from 1,823 responses) agreed with this strategic pillar.

The Draft Strategic Plan which was on public exhibition during April and May 2021 specifically outlined transitioning to a NFP as an action. No submissions disagreed with the strategic objective to transition to a NFP. Submissions received on the Strategic Plan included the following comments:

"I am very happy to see that many of the initiatives which I consider important have been included"

"So pleased to see our libraries are keeping up with modern trends"

Community Advisory Committee (CAC)

The WGRLC CEO presented an overview of the project and the new name to the CAC at a video session at the end of April 2021. Feedback from the CAC was positive. Further, the CAC were involved in the development of the community engagement survey and provided their input on the Strategic Plan at the WGRLC Ordinary Board meeting held on 5th March 2021.

Policy and legislative implications

Policy and legislative requirements have been outlined in this report. In summary, the Local Government Act 2020 removes Library Corporations (sec 196 LGA 1989) from the Act and gives a 10 year sunset provision prior to a forced windup/liquidation by the Local Government Minister. This provision came into effect from 1 July 2021. Councils will be required to establish the Not-For-Profit entity under the beneficial enterprises section 110 of the LGA 2020.

The Victorian Auditor General's Office (VAGO) has also identified the LGA changes as part of their scope for the 2020.21 annual financial audit.



Conclusion

WGRLC has been working through the requirements of the changes to the LGA for the past three years. Significant due diligence has been undertaken over the past 12 to 18 months and WGRLC has worked closely with all stakeholders including lawyers, Russell Kennedy, Council Directors, Council Chief Financial Officers and WGRLC Board Councillor Members to ensure that all due diligence requirements have been met.

This report and its resolution is consistent and being considered by all three Member Councils in July 2021. Due to the legal requirements involved in the process, it's essential that Councils adopt the resolution without amendments to ensure consistent application for WGRLC and all three Member Councils.

It is recommended that the Board adopt the resolution that recommends to Member Councils the transition of WGRLC to a Not-for-Profit entity.

Conflict of interest

The author of this report declares that they have no conflict of interest to disclose in providing this report.

Attachments

Attachment 8.5.1 – Company Constitution – Myli Libraries Ltd

Attachment 8.5.2 – Accounting Assessment Overview Report

Attachment 8.5.3 – Section 111 Assessment



9. Presentations

Nil

10. General Business

Nil

11. For information

11.1 Volunteering & Community Participation at West Gippsland Libraries – For Information Report. *Report Prepared by Manager Volunteers & Community Participation*

Executive Summary

This information report provides an update on the status of Volunteering & Community Participation at West Gippsland Libraries. While primarily concerned with volunteering, it also refers briefly to other areas that fit within the 'Community Participation' part of this portfolio.

Background

The management area of 'Volunteers & Community Participation' was confirmed in June 2020. The elements of this area relevant to this report are:

- Recruitment, induction, recognition, and ongoing support of Volunteers
- Development and implementation of a full volunteer framework that promotes and embeds volunteers within WGL.
- Work with the CAC in accordance with the current Terms of Reference
- Develop and manage work experience and industry placement opportunities.
- Liaison with other relevant community groups
- Support of WGL 'Friends Groups'.

As stated in our attached Volunteer policy (p.4) 'Successful volunteering programs in public libraries are dependent on the implementation of best practice volunteer management principles, appropriate leadership and support, and an organisational commitment and culture which embraces the principle of volunteer involvement'.

Volunteering & Home Library Service Framework

While sporadic volunteering has occurred in the past at WGL, the service has not previously had the benefit of a full and professional Volunteering structure. A full framework of policies and procedures has now been developed and we are confident that it includes up-to-date information and guidance for fully welcoming and engaging volunteers. We now have transparent procedures for recruitment, retention, recognition, and management of volunteers. We are working towards a culture where all staff embrace full ownership of the concept and recognise the mutual cultural benefits of enabling volunteer opportunities.

Extensive research and training was undertaken with accredited providers, namely:

- Volunteering Victoria
- Not-For-Profit-Law / Justice Connect
- OurCommunity.com.au
- Australian Library & Information Association



The framework is lodged on our project management platform and includes:

- Volunteer Policy, Charter & Standards:
 - Volunteering Australia and the National Standards
 - WGL Volunteer Charter
 - ALIA statement on volunteering
- Volunteer recruitment and roles:
 - WGL Volunteering brochure
 - Application form/s
 - Interview questions and referee checks
 - Volunteer role description template/s
 - Volunteer needs mapping
- Registration, screening & compliance checks
 - WWC and Volunteer National police checks
 - Agreement form for volunteers
- Youth Volunteers
 - Engaging youth volunteers
 - Resources for supporting young workers.
- Volunteer Welcome and induction / re-induction
 - Rights & Responsibilities of volunteers
 - Relevant WGL codes of conduct which cover both staff and volunteers.
 - Induction & OHS checklists
 - Child safety induction & policy
 - Volunteers & child safety
 - Privacy policy
 - Expenses and reimbursements
 - Covid-19 specific information
- Performance, training, development & support
 - Performance management procedure for volunteers
 - Training, recognising & celebrating our volunteers.
 - Training needs for Child safety
 - Manual handling
 - National Volunteer Guide from Not-for-profit Law / Justice connect
 - Conflict resolution & Grievance
- Volunteers and Covid-19
 - Factsheet/s and covid-safe information and links [in support of established protocols already operating in our libraries]
- OHS, Risk and Insurance
 - Volunteer Health & Safety [Volunteers are also covered in our general WGL OHS policy & procedures)
 - Harassment & Bullying (Volunteers are also covered in the WGL Code of conduct
 - Risk and insurance



- A Full Volunteer Register (containing all the confidential and emergency contact information relevant to volunteers)
- Home Library Service
 - HLS brochure
 - ALIA HLS guidelines
 - HLS policy
 - HLS Application form
 - HLS recipient register
 - Staff procedure/s
 - Volunteer procedure/s

Launching our Program in National Volunteer Week 2021 - and Building relationships and networks

The decision was taken to adopt a 'soft launch' approach to start with. This meant the distribution of relevant printed collateral to branches (see attachments) and featuring our program/s potential on social media and within traditional media outlets. Volunteer EOI materials are also now easily accessible via our web page. Libraries installed displays of relevant materials also.

The Manager Volunteers & Community Participation has found it very rewarding to meet other Gippsland Volunteer Managers via the support of the tenured Volunteering Victoria Gippsland Community Engagement Project manager. The funding for this important Vol Vic role finishes on June 30th. WGL have been fortunate indeed to access a lot of quality training and support through Volunteering Victoria and the Gippsland Volunteer Managers Network (pictured below are some members of the Gippsland Volunteer Managers network and the Volunteering Victoria team at a meeting hosted at WGL support Centre)



CAC – Community Advisory Committee

Terms of Reference and recruitment documentation was recently fully revised. Please note that the status of the Community Advisory Committee recruitment is the subject of a different report on the June Agenda.



Work Experience and Industry / community placement

Work experience and placement resources are consolidated into the one framework which contains:

- Work experience, community & industry placement policy
- Tips, guidelines / flowcharts for staff team members
- Factsheets about Unpaid Work and Vocational & Student placements
- Young Workers tips from WorkSafe
- Links to relevant child safety material/s
- Templates for developing tasks and timetables.
- A separate private register of students and placements

Liaison with Toora Community Hall Committee – Library sub-group

WGL has recently commenced an MOU with the Toora Hall Committee. The Library sub-group of the committee recently worked very hard to re-launch an existing community library / reading room at the front of the hall premises. This meant a small contingent of committee members devoted a lot of time to assessing and discarding some collection items, and to re-painting and improving the atmosphere and amenity of the room. The committee are to be congratulated for their efforts. The room now looks very inviting and WGL team members Kathie Olden and Bregje van Waterschoot recently enjoyed visiting the committee members with a gift of some comfortable orange chairs to add to the atmosphere of their space. It is heartening to see this group achieve their goal, as they were thwarted on several occasions by various lockdowns. WGL also provides a weekly courier service to the site, so that WGL members can collect reserved items. The site was previously a mechanics institute, established in the late 1800's. They have some very interesting older collection items, including earlier works by many established authors; alongside a more recent collection of 'swap' or 'exchange' materials. Pictured L to R are Marilyn, Catherine, and Bev from the Toora Hall Committee Library sub-group. On the right is WGL team member Bregje (Bee).



Support of 'Friends' Groups

Building relationships with and supporting 'Friends' groups is the next area of focus for this



management area. To date, the main interaction with 'Friends' groups has been limited to attending the AGM of both the Friends of Inverloch and Mirboo North Libraries and assisting with some general administrative assistance or answering queries. Our Branch manager team work very closely with their individual 'friends' groups, and we acknowledge this important support. Work is currently being completed to provide a greater 'presence' for 'friends' groups on the WGL web page.

Relevant Statistics – 28th May 2021

Volunteer & Community Participation statistics	
Volunteer re-inductions (returning branch support volunteers from pre-Covid)	3
Volunteer enquiries	26
Work experience and community style placement enquiries received	14
Work experience & placements confirmed and completed	6

Next Steps:

The next project areas are the provision of more consistent support to 'Friends' groups (as mentioned above), completing recruitment processes for new volunteers, and embedding processes to ensure a smooth implementation of a Home Library Service within a Covid-19 environment. Ongoing work will be collaborating with other providers in our community. Encouraging a culture (within our team) of fully welcoming volunteers is also important as we transition to a new entity. While the more 'traditional' aspects of library volunteering (such as branch and program support, and the provision of Home Library Services) are being embedded at present, we look forward to welcoming skilled volunteers eventually, and to thinking creatively about future opportunities for volunteers. We also look forward to providing more creative extension or 'library at home' services.

You can view the volunteer information on the website <https://www.wgrlc.vic.gov.au/about/volunteers/>

Financial implications

There are no financial obligations arising from this information report.

Policy and legislative implications

WGL Volunteer Policy – September 2020

WGL Volunteer Charter – April 2021

Volunteering Australia National Standards – 2015

WGL Code of Conduct

WGL Child Safety Policy 2018

WGL Privacy Policy 2020

WGL WHS Policy & Procedures

WGL Work Experience, Community & Industry Placement Policy 2021

WGL Home Library Service Policy (Draft)

Occupational Health and Safety Act 2004

Child Wellbeing and Safety Act 2005

Conclusion

The extensive preparatory work which has occurred in this area will serve us well and enable us to



succeed in developing a workplace culture which fully embraces and engages with volunteers while at the same time furthering our organisational vision for connected, inclusive and resilient communities that are supported to grow and thrive.

Conflict of interest

Under section 80C of the *Local Government Act 1989*, the Author declares that they have no conflict of interest to disclose in providing this report.

Attachments

Nil

12. Next Meeting

Ordinary Board meeting Friday 3rd September 2021 at 11.30 am, Carang Carang Room, Port of Sale Wellington Centre, 70 Wellington Street, SALE.

Meeting closed at 12.26pm

