

Responses to Questions on Notice

Received at the 26 November 2020
Ordinary Meeting of Council



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General Manager

BYRON SHIRE COUNCIL

QUESTIONS WITH NOTICE

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QUESTIONS WITH NOTICE

Question with Notice No. 1 Economic Analysis in the Multi Use Railway Corridor Report

5 **File No:** I2020/1921

At Council's Ordinary Meeting held on 26 November 2020, David Michie asked the following question which was taken on notice:

Why were options 3 (Active Transport Basic), option 4 (Active Transport multi-use) and option 5 (Electric Driverless Vehicles) not considered with travel behaviour change incentives such as pay parking in town centres?

It seems that behaviour change incentives alone shifted the Hi-Rail option from a BCR of less than 1 to a BCR of more than 1, thus making it the preferred option in the report.

Options 4 and 5 actually scored the same or better than the Hi-Rail option before the behaviour change incentives were applied.

I'm concerned that conclusions have been drawn in this report without all options being considered equally.

Response Director Infrastructure Services:

The assessment of options for use of the rail corridor is complex and the questions will be referred to the advising consultant who prepared the report. It is anticipated that a response can be provided at the next Council meeting.

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Question with Notice No. 2
File No:

Responsibility of elected Councillors
I2020/1930

At Council's Ordinary Meeting held on 26 November 2020, John Anderson asked the following question:

In a recent public statement Cr. Lyon made a claim to the effect that it is the responsibility of elected Councillors to safeguard the morale of the permanent staff. Could Cr Lyon in his own words please explain the provenance of that notion i.e. its basis in statute?

Cr Lyon provided the following response and took the 'basis in statute' aspect on notice:

Council is a business, it is a not-for-profit business perhaps, but it is a business that needs to be profitable in order to be sustainable. It is a business of community services, providing infrastructure, and as a business we need to have respectful and constructive dialogue with our community; it is one of the things we do. You can't do that if your staff are not on board, if your staff do not have good morale. Not just the permanent staff, the casual staff, and to some extent the contractors as well. So to answer the question – Councillors are like a board of directors of a business and it is our responsibility to make sure that all aspects of this business are run smoothly. That is exercised through the General Manager, but we have the oversight and a big part of that is staff culture and morale and I make no apologies for taking that role seriously.

Response Legal Counsel in relation to the 'basis in statute':

Staff morale can be affected by a number of factors, including bullying and other unreasonable behaviour. These should be regarded and managed as a serious organisational risk. Several key documents set out the foundations for work environments and have either direct or guiding relevance to Council:

- Council's Code of Conduct
- The Ethical Framework for the government sector: Part 2 of the Government Sector Employment Act 2013 (GSE Act)
- The responsibilities and obligations under the Work Health and Safety Act 2011 and Work Health and Safety Regulations 2011
- The Dignity and Respect in the Workplace Charter, 2007
- The NSW Public Sector Capability Framework

Research demonstrates that low morale affected by the above factors can lead to poor personal and organisational outcomes:

- **Personal cost to the employee:** the effect on an individual's well-being and that of their family can be profound, both psychologically and professionally. It can also lead to financial disadvantage if they need to take time off work or ultimately leave their employment.
- **Loss of productivity:** there is ample evidence that organisations with lower employee engagement levels have lower productivity. A negative workplace environment can diminish the extent to which employees are prepared to go above and beyond the basic requirements of their job. There is also direct loss of labour if an employee stays away from work on sick leave or workers compensation.
- **Less innovation:** It is probable that workplaces that tolerate bullying and unreasonable behaviour are less inclusive and less open to alternative ideas and innovation as employees fear speaking up or disagreeing. Bullying engenders compliant behaviours that avoid

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challenge or suggesting alternative ideas, losing the value of a diverse workforce and leading to 'group think'.

- Financial cost to the organisation: psychological injury is a major category of workers' compensation claims. There is abundant evidence that employees with psychological injuries typically take longer to return to work, increasing the cost of managing their cases. In addition to the impact on insurance premiums in cases where workers compensation claims are lodged, other resource costs are incurred: managing the conflict, the claim, any return to work processes and the inevitable impacts on other team members.
- Effect on workplace culture: a workplace culture that tolerates unreasonable behaviour, including bullying, has a negative effect on the whole team. There is a proven association between the level of bullying, and workplace morale and employee engagement in organisations. This also affects retention – employees leave due to poor culture, and the organisation's reputation as an employer can be damaged. This is significant because prospective employees increasingly use social media platforms to find out about an employer's workforce values and culture.
- Reduced quality of service to clients: disaffected employees who do not feel proud of their organisation are less likely to provide confident and positive client service, or to advocate positively about their organisation to the wider public.