

Title	HUON VALLEY JOBS HUB SINGLE AUTHORITY
Agenda Number	15.001/ 22*
Strategic Plan Reference	5
File Reference	07/67
Author	Manager Economic Development and Strategy
Responsible Officer	Manager Economic Development and Strategy
Reporting Brief	The Director Legal and Governance Services presenting a report from the Manager Economic Development and Strategy on the Huon Valley Jobs Hub Single Authority
Attachments	A. Huon Valley Jobs Hub Single Authority Rules

Background

1. At the ordinary meeting of 26 October 2021 by Resolution No. 15.027/21* Council resolved as follows:

“That:

- a) *The report on the Huon Valley Jobs Hub be received and noted.*
 - b) *Council act as the lead agency in the establishment of the Huon Valley Jobs Hub in accordance with the Huon Valley Jobs Project and Business Plan included as Attachment B to this Report and through a single authority to be established under section 30 of the Local Government Act 1993 to support the establishment of the Hub.*
 - c) *The General Manager is authorised to negotiate and undertake all necessary actions to enter into and execute a Grant Deed with Jobs Tasmania and the Tasmanian Government, and to develop a proposal for a single authority for Council consideration with the term of the single authority for the three year grant funding availability with flexibility for a further term subject only to receipt of further grant funding or transition to an independent body from the Council.”*
2. The purpose of this Report is to resolve to establish the Huon Valley Jobs Hub single authority (the Authority) and approve the proposed Rules of the Authority.

Council Policy

3. Council decision at its Ordinary Meeting of 26 October 2021 as outlined in the Background to this Report.

Legislative Requirements

4. Council may establish a single authority under section 30 of the Act for the purpose of carrying out any scheme, work or undertaking, and to perform any function of a Council under this or any other Act.
5. In establishing a single authority the Council may make provision for:
 - a) The membership of the authority
 - b) The proceedings of the authority
 - c) Financial contributions to the authority by the relevant single authority Council.
 - d) The specific fundings and specific powers of the authority
 - i.) The setting of goals and objectives of the authority
 - e) The rules of conduct of the business of the authority
 - f) The manner in which assets of the authority are to be distributed in the event of it being wound up
 - g) The manner in which any dividend is to be paid
 - h) The keeping and use of the common seal
 - i) The attestation of execution of documents
 - j) Any other prescribed matter.
6. The process for establishing a single authority is as follows:
 - A resolution to establish the Authority is to be by an absolute majority
 - Council is to publish a notice at least once in the Mercury newspaper
 - The Notice has to be displayed in the Council's offices
 - The Notice is required to specify the following:
 - o The purpose of the proposed authority
 - o The membership of the proposed authority
 - o That a copy of the proposed rules are open for inspection at the Council and that a copy may be purchased at a specified price
 - o That written submissions in respect to the authority may be lodged with the General Manager within at least 21 days from publication of the first notice.
 - The General Manager is to make available a copy of the proposed rules to the Director for Local Government and for inspection by the public
 - After considering any submissions received and making any amendments Council may then approve the rules
 - The Rules must be certified by a legal practitioner to be in accordance with the law and by the General Manager to have been made in accordance with the Act.
7. The proposed rules are to address the matters specified in section 38 of the Act.

Risk Implications

8. Council's resolution at its October 2021 meeting to proceed with the establishment of a single authority aims to address identified risks associated with the establishment and operation of the Huon Valley Jobs Hub.

9. The expected term of the authority is the three (3) year period that grant funding is available for from the State Government. The importance of succession planning is recognised to provide for a transition opportunity away from it being a Council-led and facilitated initiative, to something that is independent.
10. Whilst aimed at a three (3) year time period, the rules do not restrict the option for the Authority to continue if further funding becomes available.
11. Additional risks regarding the establishment and operation of the Huon Valley Jobs Hub will be addressed within the Strategic Plan and Implementation (referred to in the rules as Annual) Plan developed by the Regional Jobs Hub Board.

Engagement

12. The advertising period for the requirement listed under Item 6 must be for at least 21 days after a notice is first published.
13. The General Manager must also notify and provide a copy of the proposed rules to the Director for Local Government as soon as practicable after the notice is first published.
14. Any submissions received during the advertising period will be considered and presented to the next available Council meeting.
15. Engagement associated with this decision will otherwise be undertaken at Inform Level by inclusion within the Council meeting Minutes that will be available to the public on the Council's website and at the Customer Service Centre.

Human Resource and Financial Implications

16. The Tasmanian Government has committed \$1.625 million over three years for the establishment of the Huon Valley Jobs Hub. The funding will be provided to Council in instalments in accordance with a Grant Deed and upon satisfaction of key milestones and deliverables over that period.
17. The Grant Deed will support these functions through providing funding for the following activities:
 - The establishment of, and provision of secretariat services to the Huon Valley Jobs Hub Board to oversee delivery and coordination of activity in the respective region that support the objective to increase employment, workforce participation or reengagement with formal education and training
 - Active participation and input into the Jobs Tasmania convened Regional Jobs Network Community of Practice
 - Active participation and input into the Jobs Tasmania Evaluation Project
 - Delivery of project outcomes and reporting requirements as specified by the Deed.
18. All costs associated with the establishment and operation of the Jobs Hub over the three years, will be attributed back to the State's funding. Such costs include appropriate insurance coverage, audits, staffing costs, materials and resources, lease/rental, Information Communication Technology, equipment and services, operational expenditure, and communication/marketing expenses.

19. The proposed rules acknowledge that the authority may seek further funding to enhance programme delivery.
20. Under a single authority governance structure, all employees engaged to deliver the service will be employed by the authority, and not Huon Valley Council. This will ensure clear delineation between the state funded program and Council's core service delivery, avoiding any confusion or conflict with Council's staffing portfolio and operational budget.
21. Costs to establish the single authority will be absorbed within the Legal and Governance Services Department as Council's in-kind contribution to the establishment of the Jobs Hub.

Discussion

22. As indicated in the Background to the Report, the Council has resolved its intention to establish a single authority to support the establishment of the Huon Valley Jobs Hub.
23. In accordance with section 38 of the Act, a proposed set of rules have been developed and are presented as Attachment A to this Report.
24. The goals and objectives of the Authority are:
 - Increase employment
 - Increase workforce participation
 - Increase engagement with formal education and training.
25. The functions of the Authority are to provide oversight delivery and coordination of activity in the Huon Valley and Kingborough regions that support the objective to increase employment, workforce participation or re-engagement with formal education and training through:
 - Representing the views of the employers, job seekers, different population groups (i.e. Low Socio-economic Status, migrants, women, Aboriginal) community, business, and government services on barriers to employment, workforce participation and education and training, and actions to address these
 - Supporting the strategic direction, coordination and oversight of stakeholders and activity consistent with the Jobs Tasmania's objectives
 - Be accountable for delivery and reporting on projects Jobs Tasmania funds through the Authority
 - Coordinating communications to the community on employment and training opportunities
 - Providing advice to Jobs Tasmania and other State and Australian Government agencies, on policies and programs aligned with the Job Tasmania's objectives
26. Key features of the proposed rules are as follows:
 - The Authority has a broad number of powers to undertake its functions, including to employ staff or engage volunteers, execute a deed, sign a contract and to undertake business activities
 - The Authority is to be managed by a Board of a maximum of ten (10) Directors appointed by the Council in accordance with an expression of interest process
 - The Kingborough and Huon Valley Council General Managers, or their delegated Officer, will automatically hold one Director position each. The minimum number of Directors for operation of the Board shall be seven (7) Directors
 - The Council will appoint the Chair of the Board from the Directors

- The Directors are to be appointed on the basis that the Authority has an appropriate mix and balance of skills, knowledge, experience and business/industry representation required for it to fulfil its functions
- The Board shall hold a general meeting at least six times each year
- The Board is required to prepare a number of documents to support the governance of the Authority including:
 - A strategic plan for the three year term of the authority
 - An implementation plan (referred to in the proposed rules as Annual Plan) for the coming year consistent with the strategic plan.
- Budget estimates for the coming year to undertake the functions and powers to meet the goals and objectives of the Authority. The Authority will assume full responsibility for costs associated with performing the Functions and meeting obligations of the Authority under the Rules, including but not limited to, finance management system, accounting services, Information Communication Technology and support, office equipment, service charges levied by the Council which are used by the Authority, and employee costs.

Conclusion and Recommendation

27. It will be recommended to formally establish the Huon Valley Jobs Hub single authority to operate in accordance with the proposed rules included as Attachment A to this Report.
28. The advertising period can then be undertaken and any submissions made during the notice period will be considered by Council at a future meeting to ensure that the Authority will commence on 1 July 2022.

15.001/22*

RECOMMENDATION

That:

- a) **The report on the Huon Valley Jobs Hub Single Authority be received and noted.**
- b) **Pursuant to section 30 of the *Local Government Act 1993* (the Act) the Council resolves to establish the Huon Valley Jobs Hub Single Authority (the Authority) to operate in accordance with proposed rules included as Attachment A to this Report (the Proposed Rules).**
- c) **Notice of Council's decision to establish the Authority is to be given in accordance with the requirements in section 31 of the Act and a copy of the Proposed Rules are to be made available free of charge from the Council's website and from the Council's Customer Service Centre at 40 Main Street, Huonville.**

That:

- a) The report on the Huon Valley Jobs Hub Single Authority be received and noted.
- b) Pursuant to section 30 of the *Local Government Act 1993* (the Act) the Council resolves to establish the Huon Valley Jobs Hub Single Authority (the Authority) to operate in accordance with proposed rules included as Attachment A to this Report with an amendment of rule 6.1.a by inserting the words “by the Council” after the words “Directors are appointed” (the Proposed Rules).
- c) Notice of Council’s decision to establish the Authority is to be given in accordance with the requirements in section 31 of the Act and a copy of the Proposed Rules are to be made available free of charge from the Council’s website and from the Council’s Customer Service Centre at 40 Main Street, Huonville.

CARRIED BY AN ABSOLUTE MAJORITY

Councillors Doyle, Newell, Gibson, Campbell, Prince, O'May and Clark voted for the motion and no Councillors voted against the motion.