

ITEM NUMBER: 14.1

ATTACHMENT 2

CONFIDENTIAL DRAFT MINUTES ALWYNDOR MANAGEMENT COMMITTEE 30 SEPTEMBER 2021 (Report No 361/21)

Pursuant to Section 90(2) of the Local Government Act 1999 the Report attached to this agenda and the accompanying documentation is delivered to the Council Members upon the basis that the Council consider the Report and the documents in confidence under Part 3 of the Act, specifically on the basis that Council will receive, discuss or consider:

- b. Information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and would, on balance, be contrary to the public interest.

CITY OF HOLDFAST BAY

Minutes of the meeting of the Alwyndor Management Committee of the City of Holdfast Bay held Alwyndor, 52 Dunrobin Road, Hove on Thursday 30 September 2021 at 6.30pm.

8. CONFIDENTIAL REPORTS

8.2 2020-21 Financial Statements (Report No: 41/2021)

Exclusion of the Public – Section 90(3)(d) Order

1. That pursuant to Section 90(2) of the *Local Government Act 1999* Alwyndor Management Committee hereby orders that the public be excluded from attendance at this meeting with the exception of the General Manager and Staff in attendance at the meeting in order to consider Reports and Attachments to Report No. 41/2021 in confidence.
2. That in accordance with Section 90(3) of the *Local Government Act 1999* Alwyndor Management Committee is satisfied that it is necessary that the public be excluded to consider the information contained in Report No: 41/2021 on the following grounds:
 - d. pursuant to section 90(3)(d) of the Act, the information to be received, discussed or considered in relation to this Agenda Item is commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to confer a commercial advantage on a third party of Alwyndor, in addition Alwyndor's financial position is reported as part of Council's regular budget updates.

In addition, the disclosure of this information would, on balance, be contrary to the public interest. The public interest in public access to the meeting has been balanced against the public interest in the continued non-disclosure of the information. The benefit to the public at large resulting from withholding the information outweighs the benefit to it of disclosure of the information.
3. The Alwyndor Management Committee is satisfied, the principle that the meeting be conducted in a place open to the public, has been outweighed by the need to keep the information or discussion confidential.

Moved by Mr K Whitford Seconded by Cr S Lonie

Carried

Financial statements were discussed and it was noted that the final result came within \$12k of the deficit indicated to the AMC in July.

Ms S Creten noted that as first-time auditor of Alwyndor it had been a positive experience with provision of information completed with ease and in a timely manner, a credit to the team. Ms S Creten confirmed there were no issues to raise with the AMC.

Motion

That the Alwyndor Management Committee:

1. Receive and note the Alwyndor financial statements for the year ended 30 June 2021 as contained in Attachment 1.
2. Authorise that the General Manager, Alwyndor and Manager Finance Alwyndor to sign the following certification of the financial statements:

In our opinion:

- a) the accompanying financial statements comply with the Local Government Act 1999, Local Government (Financial Management) Regulations 2011 and Australian Accounting Standards,
 - b) the financial statements present a true and fair view of Alwyndor's financial position at 30 June 2021 and the results of its operations and cash flows for the financial year,
 - c) internal controls implemented by Alwyndor provide a reasonable assurance that Alwyndor's financial records are complete, accurate and reliable and were effective throughout the financial year,
 - d) the financial statements accurately reflect Alwyndor's accounting and other records.
3. That the Chair of the Alwyndor Management Committee be authorised to sign the Declaration of the financial statements on behalf of the AMC:

The Alwyndor Management Committee declare that in our opinion:
The financial statements and notes, as set out in the document are in accordance with the Australian Charities and not-for-profits Commission Action 2012 and:

- a) comply with Australian Accounting Standards; and
- b) give a true and fair view of the financial position of the registered entity as at 30 June 2021 and of its performance for the year ended on that date.

There are reasonable grounds to believe that the registered entity will be able to pay its debts as and when they become due and payable.

Moved by Cr S Lonie, Seconded by Cr K Whitford

Carried**8.1 General Manager Report – Confidential (Report No: 40/2021)****Exclusion of the Public – Section 90(3)(d) Order**

1. That pursuant to Section 90(2) of the *Local Government Act 1999* Alwyndor Management Committee hereby orders that the public be excluded from attendance at this meeting with the exception of the General Manager and Staff in attendance at the meeting in order to consider Reports and Attachments to Report No. 40/2021 in confidence.
2. That in accordance with Section 90(3) of the *Local Government Act 1999* Alwyndor Management Committee is satisfied that it is necessary that the public be excluded to consider the information contained in Report No: 40/2021 on the following grounds:
 - d. pursuant to section 90(3)(d) of the Act, the information to be received, discussed or considered in relation to this Agenda Item is commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to confer a commercial advantage on a third party of Alwyndor, in addition Alwyndor's financial position is reported as part of Council's regular budget updates.

In addition, the disclosure of this information would, on balance, be contrary to the public interest. The public interest in public access to the meeting has been balanced against the public interest in the continued non-disclosure of the information. The benefit to the public at large resulting from withholding the information outweighs the benefit to it of disclosure of the information.
3. The Alwyndor Management Committee is satisfied, the principle that the meeting be conducted in a place open to the public, has been outweighed by the need to keep the information or discussion confidential.

Moved by Ms S Lonie, Seconded by Mr K Whitford

Carried

Ms Creten and the CEO left the meeting at 6.46pm
The CEO returned to the meeting at 6.47pm

8.1.4 Internal audit Cyber Security – audit outcomes and actions progress update.

The General Manager noted that several items on the report were pushed out to 31 October 2021 and recommendation 11 is yet to receive a target completion date.

Mr L Ray provided members with an update of the Technical Security Plan that runs in tandem with the Cyber Security audit, to enhance security for Alwyndor and City of Holdfast Bay.

Mr Ray has secured not for profit pricing Microsoft licencing for Alwyndor, a saving of at least \$20k per annum.

Ongoing technical penetration testing to and security awareness training of staff to be conducted via Knowbe4 which will be developed as a constructive training exercise.

Mr L Ray left the meeting at 7.12pm

8.1.1 Identification of overtime payment errors.

Item noted

8.1.2 Unannounced visit – Aged Care Quality and Safety Commission

The General Manager provided members with an update regarding the recent visit from the Aged Care Quality and Safety Commission. The three Continuous Improvement Plans developed in response to this visit: Falls Risk, Workforce Planning and Development, and Call Bell Response were tabled for member's review. AMC will be updated re the progress of these plans and informed of any updates as they are received.

8.1.3 Critical incidents – definitions and escalation

Noted and agreed that this document will be amended to include timeframes for escalation, relevant areas for community incident reporting and additional business operations critical incident types.

Action: The revised 'Critical incidents – definitions and escalation' document will be tabled at the October AMC meeting.

Motion

That the Alwyndor Management Committee:

- 1. Note the update regarding identification of overtime payment errors.**
- 2. Note the update re an unannounced residential care visit by the Australian Aged Care Quality and Safety Commission.**
- 3. Note the draft of the Critical incidents – definitions and escalation matrix.**
- 4. Note the update regarding the Internal Audit: Cyber Security Review**

Moved by Mr K Whitford, Seconded by Ms J Bonnici

Carried

8.3 Alwyndor Management Committee Self-Assessment (Report No: 42/2021)**Exclusion of the Public – Section 90(3)(d) Order**

1. That pursuant to Section 90(2) of the *Local Government Act 1999* Alwyndor Management Committee hereby orders that the public be excluded from attendance at this meeting with the exception of the General Manager and Staff in attendance at the meeting in order to consider Reports and Attachments to Report No. 42/2021 in confidence.
2. That in accordance with Section 90(3) of the *Local Government Act 1999* Alwyndor Management Committee is satisfied that it is necessary that the public be excluded to consider the information contained in Report No: 42/2021 on the following grounds:
 - d. pursuant to section 90(3)(d) of the Act, the information to be received, discussed or considered in relation to this Agenda Item is commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to confer a commercial advantage on a third party of Alwyndor, in addition Alwyndor's financial position is reported as part of Council's regular budget updates.

In addition, the disclosure of this information would, on balance, be contrary to the public interest. The public interest in public access to the meeting has been balanced against the public interest in the continued non-disclosure of the information. The benefit to the public at large resulting from withholding the information outweighs the benefit to it of disclosure of the information.

3. The Alwyndor Management Committee is satisfied, the principle that the meeting be conducted in a place open to the public, has been outweighed by the need to keep the information or discussion confidential.

Moved by Mr K Whitford, Seconded by Cr S Lonie

Carried

Action: Agreed actions be monitored and reported.

Motion

That the Alwyndor Management Committee:

1. Note the outcomes of the self-assessment.
2. Approve the agreed enhancements to the actions and activities of the AMC.

Moved by Ms J Bonnici, Seconded by Ms L Sheppard

Carried

CONFIRMED 28 October 2021

CHAIRPERSON

CONFIDENTIAL