

ADVISORY GROUPS POLICY



Legislation / local law requirements	Section 5.60A&B of the <i>Local Government Act 1995</i> .
Relevant delegations	Nil.
Related policies, procedures and supporting documentation	Local Government Operational Guidelines – Council Forums . Advisory Group Terms of Reference - Template and Guide (Appendix A)

PRELIMINARY

INTRODUCTION

Under Section 5.8 of the *Local Government Act 1995*, the Council may establish Committees to assist the Council and to exercise the powers and discharge the duties of the Council that can be delegated to a Committee. Committees report to the Council and can be established for a particular purpose, with a completion date, or can be ongoing.

Advisory groups are a collection of people that meet to assist the City in making recommendations or forming views for the Administration to progress or to be recommended to Council. Advisory groups will not be delegated decision making ability, or to exercise the powers or discharge the duties of the Council.

PURPOSE

The purpose of this policy is to establish strategic direction and principles guiding the establishment and operation of advisory groups within the City.

OBJECTIVE

To provide guidance for the establishment and operation of the City's Advisory Groups.

SCOPE

This policy applies to all advisory groups established within the City, including those formed in collaboration with external stakeholders.

POLICY PROVISIONS

DEFINITIONS

Advisory Group means and includes any group established by a resolution of Council pursuant to this policy.

Conflict of Interest means financial, proximity or impartiality interest.

Financial Interest has the same meaning as given by Section 5.60A of the *Local Government Act 1995*.

Proximity Interest has the same meaning as given by Section 5.60B of the *Local Government Act 1995*.

Impartiality Interest means an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having interest arising from kinship, friendship or membership of an association.

POLICY

1. Establishment

- 1.1 The Council may resolve to establish an Advisory Group to:
 - (a) facilitate Council Member, stakeholder and/or community input and involvement opportunities;
 - (b) provide advice; and
 - (c) support to the City, in regard to strategic, special interest and/or operational activities.
- 1.2 Advisory Groups established pursuant to this Policy are not, and are not intended to be, Committees established under Section 5.8 of the *Local Government Act 1995*.
- 1.3 Advisory Groups will operate in accordance with the Terms of Reference approved by Council which provide:
 - a) A clear statement of objective and the scope of activity to be undertaken;
 - b) Membership/stakeholder representation.
 - c) The operational and administrative framework by which activities are to occur.
- 1.4 Council may resolve to terminate any advisory group at any time.

2. Membership

- 2.1 Membership, nomination processes and tenure of appointment for each advisory group is set out in the respective Terms of Reference
- 2.2 Membership may include; Councillors, City of Vincent staff, representatives of agencies and stakeholder organisations, and members of the community.

2.3 The Advisory Group membership shall be appointed by Council and shall include a Chairperson appointed by the Council.

3. Extent of Authority

3.1 An Advisory Group has no decision making powers and does not have any authority to act on behalf of the City. In operation, the group cannot direct employees, call tenders, award contracts, expend monies, direct volunteers or do anything which is the responsibility of the City.

3.2 Advisory Group members either collectively or individually are not authorised to speak on behalf of the City or provide comment to the media or other persons, in respect of any item under consideration, unless authorised by the Chief Executive Officer.

4. Review

4.1 Each group is responsible for drafting its own Terms of Reference which will be reviewed every two (2) years, or sooner if required.

4.2 Effectiveness of Advisory Groups will be reviewed against the objectives stated in the Terms of Reference, every two (2) years, or sooner if required.

5. Code of Conduct

5.1 Community Advisory Group members will be requested to act in accordance with the [Code of Conduct for City of Vincent Employees and Contractors](#) .

6. Conflict of Interest

6.1 All members must disclose any conflicts of interest, and extent of the conflict, in matters being considered at a meeting.

6.2 The disclosing member must leave the room while the meeting discusses the matter.

6.3 The meeting will determine if the member should:

- (a) not participate in that discussion;
- (b) remain and participate in the discussion; or
- (c) remain and not participate in the discussion.

6.4 The minutes or meeting notes must record the disclosure of interest, extent of the interest, and times the disclosing member left and returned to the meeting.

7. Insurances

7.1 The City will arrange all insurance to cover Advisory Group members whilst discharging their normal course of duty, including travel to and from the meeting.

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8. Council Decision

- 8.1 The City's decision making obligations are guided by relevant legislative, strategic and operational requirements and therefore the views or proposals of an Advisory Group may not always prevail.

OFFICE USE ONLY	
Responsible Officer	Executive Manager Corporate Strategy and Governance
Initial Council Adoption	09/02/2010
Previous Title	4.2.12 – Advisory Groups
Reviewed / Amended	14/06/2011 11/10/2011
Next Review Date	MM/YYYY

ADVISORY GROUPS

Terms of Reference Template (Appendix A)

This template is intended as a guide only. Terms of Reference should be specific to the group and its individual needs. Advisory group terms of reference are to be approved by Council and are to be in accordance with the City's [Advisory Group Policy](#)

1. OBJECTIVE *(This should be a clear statement of objective and scope of activities to be undertaken).*

The objectives of the Xxx Advisory Group (Advisory Group) are to:

- facilitate Council Member, stakeholder and/or community input and involvement opportunities in xxx
- provide advice and make recommendations to the City relating to xxx
- support to the City in regard to xxx

2 MEMBERSHIP

Membership of the Advisory Group shall comprise the following persons as determined by Council:

2.1 Up to x Council Members

2.2 Up to x Community/Stakeholder Representatives

Up to x representatives from any one or more of the following backgrounds/categories, as determined by Council:

- Demonstrated knowledge, skills, qualifications and/or understanding in xxx
- Active involvement in the area of xxx;
- xxx organisation(s) located within or providing services to xxx in the City of Vincent

2.3 City Officers

The appropriate Executive Director, Manager and/or Officer as determined by the Chief Executive Officer.

Note: Consultation to seek community and /or stakeholder representation should be undertaken in accordance with the [Community and Stakeholder Engagement Policy](#).

3. TERM OF MEMBERS

3.1 The term of membership of the Advisory Group shall be a period of two (2) years and is to align with the local government elections cycle, with membership expiring at the next ordinary local government election.

Note: Term of membership may otherwise be determined by Council

4. ROLE OF CHAIRPERSON

4.1 The Advisory Group Chairperson is to be appointed by the Council.

4.2 The Council appointed Chairperson will preside at all meetings. In the absence of the Chairperson, a person elected by the quorum will assume the Chair for that meeting. The Advisory Group should be chaired by a Council Member (if possible), or then by a Senior City Officer.

Terms of Reference Template (Appendix A)

- 4.3 The Chairperson (in liaison with the most Senior City Employee appointed to the Advisory Group) shall ensure that the Advisory Group operates in accordance with [Advisory Group Policy](#) and [Code of Conduct](#) at all times.

5. MEETING PROCEDURES

5.1 Meetings

- (a) Unless approved by Council or there is a need to address an urgent issue (the latter to be agreed by the Chairperson and the Chief Executive Officer), the Advisory Group shall meet quarterly. Additional meetings may be convened at the discretion of the Chief Executive Officer.
- (b) At the first meeting after convening, the Advisory Group shall determine a Schedule of Meeting dates for the remainder of the year. (These dates are to be included in the City's monthly "Calendar of Events".)

5.2 Quorum

A quorum shall be by simple majority plus one.

5.3 Agendas

- (a) The relevant Executive Director having responsibility for the Advisory Group will determine the Agenda for each meeting. Members may submit items for consideration and listing on the Agenda.
- (b) All meetings shall be confined to items listed on the Agenda.

5.4 Minutes/Meeting Notes

- (a) The relevant Executive Director having responsibility for the Advisory Group, in liaison with the Advisory Group Chairperson, shall be responsible to ensure the preparation and accuracy of the Minutes/meeting notes.
- (b) Items considered at the meeting will not be voted upon. The Minutes/meeting notes of the Advisory Group will record consensus agreement on actions and any points of agreement/disagreement. They will not reflect verbatim discussion on issues or matters discussed during debate prior to consensus agreement being reached. At the end of each meeting, the City's Officer in attendance will read out the agreed actions and any points of agreement to the meeting to ensure they are accurately reflected to the consensus view.
- (c) Minutes/meeting notes of the meeting will be prepared by the Responsible Officer and distributed to members within five (5) working days after the date of the meeting.
- (d) Advisory Group unconfirmed Minutes/meeting notes are to be reported through relevant Directorate reports with recommendations regarding the views and proposals of the Advisory Group to the next available Ordinary Council Meeting. (Minutes/meeting notes not requiring a Council decision will be included on the Information Bulletin). Reports will consider each proposal to ensure it is:

Terms of Reference Template (Appendix A)

- (i) Consistent with the City's established strategic and operational planning and the objective for which the Advisory Group was established.
 - (ii) Within the City's capacity relevant to staffing, resources and adopted budget and also operational effectiveness and efficiencies.
 - (iii) Endorsed by Council resolution, where funding from external sources is proposed.
- (e) The Minutes/meeting notes shall accurately record the details of any disclosure of interest and the extent of such interest. The Minutes/meeting notes shall also record the times any person who has made a disclosure, has departed and/or re-enters the meeting.